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Hinckley & Bosworth
Borough Council

Bill Cullen MBA (ISM), BA(Hons) MRTPI
Chief Executive

Date: 20 December 2022

To: Members of the Planning Committee

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|--------------------------------|------------------|
| Cllr MJ Crooks (Chairman) | Cllr A Furlong |
| Cllr E Hollick (Vice-Chairman) | Cllr SM Gibbens |
| Cllr CM Allen | Cllr L Hodgkins |
| Cllr RG Allen | Cllr KWP Lynch |
| Cllr CW Boothby | Cllr LJ Mullaney |
| Cllr SL Bray | Cllr RB Roberts |
| Cllr DS Cope | Cllr H Smith |
| Cllr WJ Crooks | Cllr BR Walker |
| Cllr REH Flemming | |

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

Please see overleaf a Supplementary Agenda for the meeting of the **PLANNING COMMITTEE** on **TUESDAY, 20 DECEMBER 2022** at **6.30 pm**.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Owen'.

Rebecca Owen
Democratic Services Manager

PLANNING COMMITTEE - 20 DECEMBER 2022

SUPPLEMENTARY AGENDA

7. 22/00302/OUT - LAND NORTH EAST OF 85 BAGWORTH ROAD, NAILSTONE

Application for proposed erection of nine dwelling houses (outline application - all matters reserved).

Late items received after preparation of agenda:

Recommendation:-

- 1.1. The following comments have been received from LCC Ecology since the report was finalised which states the following:

"I have reviewed the amended Biodiversity Net Gain Assessment and feel that it is acceptable for this outline stage. As additional enhancements it would also be nice to see integrated bird and bat boxes within the buildings. The Biodiversity and Enhancement Management Plan can be submitted at the reserved matters stage when the site details are finalised. As such I recommend that the following condition is attached to any outline planning permission:

No development (including vegetation clearance) shall take place until an ecological mitigation, compensation and enhancement strategy has been submitted to and approved in writing by the LPA. This should include details of how a 10% Biodiversity Net Gain will be achieved. Any mitigation, compensation or enhancement measures need to be clearly shown on all relevant submitted plans/elevations. All works are to proceed strictly in accordance with the approved scheme."

The case officer has requested that members discuss whether condition 12 should be amended as per the recommended comments from LCC Ecology or remain as the below;

12. No development shall take place (including ground works or vegetation clearance) until a Biodiversity Gains Plan has been submitted to and approved in writing by the LPA. This is to be based on the Biodiversity Net Gain Assessment (V2) undertaken by B J Collins Protected Species Surveyors [Aug 2022] and the accompanying baseline metric spreadsheet V2 [25/08/2022] and is to provide net gain on the reported loss. The plan shall include the following details:

- a) Description and location plan of land to be used for off-setting or off-site enhancement;
- b) description and evaluation of the features to be managed/created on site;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives
- e) prescriptions for management actions
- f) work schedule
- g) seed mixes/species to be sown/planted
- h) ongoing monitoring and remedial measures
- i) details on the mechanism by which this plan is to be legally secured for a period of 30 years

The plan will be supported by a BNG metric calculation using the latest DEFRA version of the metric. The approved plan will be implemented in accordance with the approved details.

Reason: To conserve and enhance features of nature conservation and ecological value in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD 2016.

8. **21/01305/FUL - CHAPEL FIELDS LIVERY STABLES, CHAPEL LANE, WITHERLEY**

Application for the construction of five detached dwellings, with associated garages, parking provision, access and landscaping.

Late items received after publication of agenda:

Consultations:-

- 1.1. The Council's Arboricultural Officer has visited the site to ascertain if the tree has veteran status. They have concluded that while the tree is old it has limited veteran characteristics. Furthermore its A categorisation has not been given for Arboricultural or landscape reasons but appears to have been given for cultural values including conservation as a potential bat roost.

The tree does not meet the necessary Category A criteria of being high quality with estimated remaining life of more than 40 years. From a highway side inspection it is clear that T10 is not suitable for retention so close to the proposed new dwelling, and this would have been relayed to the developer by a professional arboriculturalist who would have recognised the visible stem decay as a structural defect likely to result in further failure. Building within the root protection area of a retained tree which will be a hazard to new residents is not only unprofessional but also incompetent.

At best the tree is considered Category C but with a full inspection it may be a Category U if there is a risk to the highway. As a result of these findings Reason 3 is withdrawn.

- 1.2. An application for the provision on land north of the kennels on Kennel Lane of up to 50 dwellings was validated on 15 December (22/01190/OUT) and consultations and notifications will be being sent out this week.

- 1.3. A further comment has been received from Witherely Parish Council;

"The Council does not feel it can add anything further by speaking about the application, but would like to submit some late additional information which may assist the Council, it is data from the vehicle activated speed signs (VAS) which are located on Kennel Lane, Witherley and count the number and speeds of vehicles travelling through the village. The machine is moved between two locations on the road to allow the counting of the cars in both directions. Some data is from the A5 into the village, and some data is from the village to the A5.

The number of vehicles and the speeds which they travel at have been a concern for this council or many years, and this machine was purchased in 2013."

10. **22/00473/FUL - THE OLD FORGE, 13 - 15 PARK STREET, MARKET BOSWORTH**

Application for proposed extension and alteration to existing three storey dwelling (use class C3) and existing working forge (use class B2) to form a five bedroom hotel with parking and associated facilities.

Late items received after publication of agenda:

Consultations:-

1.1. Paragraph 8.41 of the report states that, "There is public parking located close by as well as on-street parking," near the site. Councillor Cook has stated that there is no public parking or on-street parking nearby and reiterated concerns regarding highway safety and off-street parking provision. However, it is noted that there is some limited on-street parking along Park Street and Rectory Lane, and the Rectory Lane Car Park is within a five-minute walk of the application site.

1.2. In relation to Paragraph 6.2, the Agent has confirmed that there is no proposed or existing fixed plant internally or externally within the scheme. Paragraph 8.31 within the report refers to a sound limit for the fixed plant. Following discussion with the Council's Pollution Officer, it was agreed that as there is no fixed plant within the development, the proposal is not considered to have a significant adverse impact to neighbouring residential amenity in regard to noise pollution, as stated in Paragraph 8.32. Therefore, it was agreed that Condition 6 should be removed.

1.3 No further late items have been received.

11. **22/00974/LBC - THE OLD FORGE, 13 - 15 PARK STREET, MARKET BOSWORTH**

Application for proposed extension and alteration to existing three storey dwelling (use class C3) and existing working forge (use class B2) to form a five bedroom hotel with parking and associated facilities.

Late items received after publication of agenda:

Consultations:-

1.1. Paragraph 6.5 should specify that the LCC's Archaeology Unit have requested a planning condition for a Level 3 Historic Building Recording prior to commencement and archaeological attendance on the groundworks for the development of the new toilet facility, enclosed garden and covered walkway. These requests are secured within Condition 5 (Written Scheme of Investigation) of the planning application.

1.2 No further late items have been received.

13. **21/01331/FUL - KIRBY GRANGE RESIDENTIAL HOME, SPINNEY DRIVE, BOTCHESTON**

Application for refurbishment and extension of the existing Polebrook House including demolitions, two storey extensions and landscaping works to extend the residential care home (C2) by 51 bedrooms.

Late items received after publication of agenda:

Consultations:-

- 1.1. Following deferment of the application from the committee meeting of 25th October, further discussions have taken with the applicants and local residents, resulting in the amended scheme as detailed in the main report. As a result of ongoing discussions it is proposed to amend the wording of condition 9 relating to the submission of a detailed foul and surface water drainage schemes for the proposed development, to include details of the maintenance of the approved drainage scheme.

Recommendation:-

- 1.2. The recommendation of approval remains; however proposed condition 9 relating to drainage is amended to ensure the issue of maintenance of the drainage scheme is included in the details to be submitted. The condition would therefore be as follows:

“9. No development shall take place until drainage plans for the disposal of surface water and foul sewage from the development, together with future maintenance of the scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse is available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered. No surface water to enter the foul system by any means.

Reason: *To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).”*

15. 22/00124/FUL - ODDFELLOWS ARMS, 25 MAIN STREET, HIGHAM ON THE HILL

Application for hybrid application for the residential development of nine dwellings to include: (1) full application for erection of three dwellings, with associated access, parking and landscaping and (2) outline application for the erection of six dwellings (outline application – all matters reserved except access).

This application has been withdrawn from the agenda.

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