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Hinckley & Bosworth
Borough Council

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

Date: 07 July 2025

To: Members of the Planning Committee

Cllr MJ Crooks (Chair)	Cllr C Gibbens
Cllr J Moore (Vice-Chair)	Cllr SM Gibbens
Cllr CM Allen	Cllr CE Green
Cllr RG Allen	Cllr KWP Lynch
Cllr SL Bray	Cllr LJ Mullaney
Cllr MA Cook	Cllr H Smith
Cllr DS Cope	Cllr BR Walker
Cllr REH Flemming	Cllr R Webber-Jones
	(1 vacancy)

Copy to all other Members of the Council

(other recipients for information)

Dear member,

There will be a meeting of the **PLANNING COMMITTEE** in the De Montfort Suite, Hinckley Hub on **TUESDAY, 15 JULY 2025 at 6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

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

Rebecca Owen
Democratic Services Manager

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Thank you

PLANNING COMMITTEE - 15 JULY 2025

A G E N D A

1. **APOLOGIES AND SUBSTITUTIONS**

2. **MINUTES (Pages 1 - 4)**

To confirm the minutes of the meeting held on 17 June 2025.

3. **ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES**

To be advised of any additional items of business which the Chair decides by reason of special circumstances shall be taken as matters of urgency at this meeting. Items to be taken at the end of the agenda.

4. **DECLARATIONS OF INTEREST**

To receive verbally from Members any disclosures which they are required to make in accordance with the Council's Code of Conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**

5. **QUESTIONS**

To hear any questions in accordance with Council Procedure Rule 12.

6. **DECISIONS DELEGATED AT PREVIOUS MEETING**

To report progress on any decisions delegated at the previous meeting.

7. **25/00461/FUL - HINCKLEY AND DISTRICT GENERAL HOSPITAL, MOUNT ROAD, HINCKLEY (Pages 5 - 32)**

Application for demolition of former cottage hospital and development of new day case surgery building with associated landscaping and parking.

8. **22/00882/OUT - LAND ADJACENT TO MIRA TECHNOLOGY PARK, CALDECOTE (Pages 33 - 66)**

Outline application (all matters reserved) for extension of MIRA Technology Park to comprise employment use (class B2), associated office and service uses (class E g), storage (class B8), new spine road, car parking, landscaping and enabling works (cross boundary application with North Warwickshire Borough Council).

9. **APPEALS PROGRESS (Pages 67 - 72)**

To report on progress relating to various appeals.

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HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

17 JUNE 2025 AT 6.30 PM

PRESENT: Cllr MJ Crooks - Chair
Cllr J Moore – Vice-Chair
Cllr CM Allen, Cllr RG Allen, Cllr SL Bray, Cllr MA Cook, Cllr REH Flemming,
Cllr C Gibbens, Cllr SM Gibbens, Cllr DT Glenville (for Cllr DS Cope),
Cllr CE Green, Cllr L Hodgkins (for Cllr R Webber-Jones), Cllr H Smith,
Cllr BR Walker and Cllr P Williams (for Cllr LJ Mullaney)

Also in attendance: Councillor WJ Crooks, Councillor C Lambert and Councillor BE Sutton

Officers in attendance: Emma Baumber, Chris Brown, Tim Hartley, Rebecca Owen and Edward Stacey

34. **Apologies and substitutions**

Apologies for absence were submitted on behalf of Councillors Cope, Lynch, Mullaney and Webber-Jones, with the following substitutions authorised in accordance with council procedure rule 10:

Councillor Glenville for Councillor Cope
Councillor Williams for Councillor Mullaney
Councillor Hodgkins for Councillor Webber-Jones.

35. **Minutes**

It was moved by Councillor Bray, seconded by Councillor Flemming and

RESOLVED – the minutes of the meeting held on 20 May be confirmed as a correct record.

36. **Declarations of interest**

Councillor Cook declared a registrable interest in application 22/00882/OUT as she lived near the site.

Councillor Bray wished it to be acknowledged in relation to application 24/00560/HYB that the council owned some land on the site, although this didn't constitute a disclosable interest for any members.

37. **Decisions delegated at previous meeting**

Members were updated on decisions delegated at the previous meeting.

38. **24/00560/HYB - Land off Station Road, Market Bosworth**

Hybrid planning application seeking full planning permission for residential development of 135 dwellings along with landscaping, public open space, drainage infrastructure and new access following demolition of two existing dwellings; and outline planning permission (all matters reserved except for point of access) for 0.6ha of employment uses (classes E (g) (i, ii and iii), B2 and B8.

An objector and a representative of the parish council spoke on this application.

Whilst in support of the recommendation, the need to reflect policy BD1 of the Market Bosworth Neighbourhood Plan was highlighted. It was moved by Councillor Cook and seconded by Councillor Bray that permission be granted with clarification in the S106 agreement of the cascade arrangements for affordable housing which would be allocated in the first instance to those with a local connection to Market Bosworth, then to neighbouring parishes, and finally to those with a local connection to the borough. Upon being put to the vote, the motion was CARRIED and it was

RESOLVED –

- (i) Permission be granted subject to:
 - a. The conditions contained in the officer's report;
 - b. The completion of a S106 agreement to secure the required financial contributions and other measures detailed in the report, with the S106 agreement outlining the correct cascade arrangements for allocation of affordable housing in accordance with policy BD1 of the Market Bosworth Neighbourhood Plan.
- (ii) The Head of Planning be granted powers to determine the final detail of the conditions;
- (iii) The Head of Planning be granted powers to determine the detailed terms of the S106 agreement.

39. **24/00831/OUT - Land north of Shenton Lane, Market Bosworth**

Outline application for the erection of up to 100 dwellings (including 40% affordable housing) with public open space, landscaping, sustainable drainage system, a vehicular access point and the demolition of one residential dwelling. All matters reserved except for means of access.

An objector and a representative of the parish council spoke on this application.

Whilst in support of the recommendation that permission be refused, it was moved by Councillor Bray and seconded by Councillor Cook that permission be refused and officers go back to Leicestershire County Council as highways authority to discuss addition of a reason to refusal in relation to highway safety, with final agreement of reasons for refusal delegated to the Head of Planning

following the discussions. Upon being put to the vote, the motion was CARRIED and it was

RESOLVED –

- (i) Permission be refused for the reasons set out in the officer's report;
- (ii) Officers be instructed to discuss with the highways authority the addition of a reason for refusal in relation to highway safety;
- (iii) Agreement of the final reasons for refusal be delegated to the Head of Planning following the abovementioned discussions.

40. **23/01144/FUL - Land off Leicester Road, Markfield**

Application for construction of a 72-bed residential care home (C2) and associated solar panels, access, parking and landscaping (cross boundary application with Charnwood Borough Council).

An objector and a ward councillor spoke on this application.

Following discussion, officers agreed to raise members' concerns with the development located in Charnwood Borough with the case officer at Charnwood Borough Council.

It was moved by Councillor Bray, seconded by Councillor R Allen and

RESOLVED –

- (i) Permission be granted subject to:
 - a. The conditions contained in the officer's report;
 - b. Approval of application P/23/2197/2 by Charnwood Borough Council.
- (ii) The Head of Planning be granted powers to determine the final detail of planning conditions.

Having declared an interest in the following item, Councillor Cook left the meeting at 7.37pm.

The meeting adjourned at 7:37pm to allow members the opportunity to read the late items in relation to the following application and reconvened at 7.44pm.

41. **22/00882/OUT - land adjacent to MIRA Technology Park, Caldecote**

Outline application (all matters reserved) for extension of MIRA Technology Park to comprise employment use (Class B2), associated office and service uses (Class E g); storage (class B8), new spine road, car parking, landscaping and

enabling works (cross boundary application with North Warwickshire Borough Council).

An objector, the applicant and the ward councillor spoke on this application.

Whilst in support of the wider development, concern was expressed about the highway works which were the only aspect of the application within the boundary of Hinckley & Bosworth Borough. It was moved by Councillor Bray and seconded by Councillor C Gibbens that the application be deferred for a site visit. During discussion upon the motion, it was suggested that further discussions could take place in relation to potential alternative highway solutions. Upon being put to the vote, the motion was CARRIED and it was

RESOLVED – the application be deferred for a site visit.

42. **Appeals progress**

Members were updated on progress in relation to various appeals.

(The Meeting closed at 8.13 pm)

CHAIR

Planning Committee 15 July 2025
Report of the Head of Planning

Planning Reference: 25/00461/FUL
Applicant: NHS Property Services
Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: Hinckley and District General Hospital, Mount Road, Hinckley

Proposal: Demolition of former Cottage Hospital and development of new day case surgery building with associated landscaping and parking



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1. Recommendations

- 1.1. That the application be approved subject to:
 - Conditions outlined at the end of this report.
 - LCC Ecology department confirming they have no objections to the development and any conditions they require.
- 1.2. That the Head of Planning be given powers to determine the final detail of the conditions.

2. Planning Application Description

- 2.1. The application seeks full planning permission for the demolition of the former Cottage Hospital and its replacement with a new day case surgery building.

- 2.2. The applicant states that “The existing hospital previously accommodated up to 1,000 procedures each year, however day case surgery activity at the site has now ceased. The existing building is outdated, and it is no longer viable to continue to deliver day case surgery in that building. These proposals seek to double day case surgery capacity at Hinckley to circa 2,000 procedures each year”.
- 2.3. The proposed development is a purpose-built modular building which would replace the existing Cottage Hospital. It is L-shaped in form and would be located to the front of the site albeit with a similar set back from Mount Road as the existing building. Access would continue to be taken from one of the existing access points on Mount Road which would be used for the ingress of ambulances and fire vehicles only, the drop off and staff parking area to the front of the building would be removed. Other access points include the existing access on Hill Street and the newly amended access on Argents Mead which was secured through the adjacent Community Diagnostic Centre (CDC) development. Eighteen parking spaces are proposed to the rear of the site, adjacent to and linked with the CDC parking area, in addition to this one disabled parking bay, and ambulance drop off bay, EV charging points and a cycle parking is proposed to the rear.
- 2.4. Whilst the building would front Mount Road, the main entrance is to the rear of the building. The proposed building has two storeys to the front and is single storey in height to the rear with plant equipment on the roof of the single storey elements. The two storey element would have a height of approximately 8.6m, the maximum width of the building would be approximately 29m and maximum depth approximately 39m. The building has been designed to reflect the adjacent CDC building and it therefore has a modern appearance, with a flat roof and materials consisting of red brick, timber effect cladding and off-white cladding panels.
- 2.5. The proposed day case surgery building would include the day case surgery space on the ground floor, with a plant area at first floor/roof level. The surgery space would comprise the following main components: 1 major day surgical theatre, 1 minor works procedure room, 4 recovery bays, 1 individual post anaesthesia room. The proposed activity plan has been developed with 10-12 hour and 5-7 day working in mind. The new day case surgery building would include plastic surgery, general surgery, vascular surgery, ophthalmology, urology, podiatric surgery and gynaecology services.
- 2.6. Land levels would be altered across the site with the levels being raised in parts of the site. This would be most notable in the southwestern corner of the site where levels would be raised approximately 2m.
- 2.7. Landscaping includes new shrub and ornamental planting to the front and west side of the building. The two category B Lime trees to the sites frontage with Mount Road would be retained with two additional Lime trees planted to the west of these. The memorial tree at the rear of the site would be retained and following amendments, the hedgerow to the front boundary would also be retained.
- 2.8. The application is accompanied by the following reports and documents:
- Planning Statement
 - Design and Access Statement
 - Heritage Impact Assessment
 - Contamination Assessments
 - Transport Statement

- Construction Environmental Management Plan
- Utility Mapping
- CCTV Inspection Report
- Preliminary Unexploded Ordnance (UXO) Risk Assessment
- Ecological Assessments
- Biodiversity Net Gain Assessment
- Arboricultural Reports
- Public Consultation Report
- Options Appraisal
- Flood Risk Assessment and Drainage Strategy
- Various plans

3. Description of the Site and Surrounding Area

- 3.1 The Application site is located within the Hinckley Town Centre boundary and forms part of the wider Hinckley and District General Hospital site. The parcel in question largely comprises the existing Cottage Hospital sited to the east of the new CDC building and south/west of the wider hospital site.
- 3.2 As detailed fully in the heritage section in the report below, the Cottage Hospital is not Listed but it is a non-designated heritage asset. The building was constructed in 1899/1900 with later extensions constructed between 1928 and 1978 it is therefore an irregular shaped structure with the original building facing Mount Road. The 1920s/30s extensions to the rear have been demolished under application 23/01155/DGDO. The applicant's case is that the building is past its useful economic life and is no longer suitable for the provision of modern healthcare. When in use the buildings were occupied by endoscopy, x-ray and day case surgery services. Replacement endoscopy and x-ray facilities will be provided in adjacent CDC building.
- 3.3 The site is currently accessed from Mount Road which lies to the south as well as Hill Street which is located to the east. There is a vehicular drop off area off Mount Road and a couple of parking spaces to the front of the application site.
- 3.4 Land levels in the area vary significantly and on the whole ground levels rise from the south western corner to the north easter corner of the site itself. The ground level of the newly constructed CDC is approximately 3m lower than the existing, adjacent ground level on the application site.
- 3.5 The land use to the south and east of the application site is predominantly residential, to the north east lies the leisure centre and car park with Argents Mead Park to the north of the wider hospital site.
- 3.6 The application site lies just outside the south-eastern boundary of the Conservation Area, and is within its immediate setting.

4. Relevant planning history

23/00851/OUT

- Outline planning permission for the redevelopment of a Community Diagnostic Centre (CDC) and Endoscopy building (Use Class E(e) (access, appearance, layout and scale to be considered with landscaping reserved)
- Planning permission
- 14.02.2024

23/01155/DGDO

- Prior notification for the demolition of existing buildings.
- Prior approval not required.
- 21.12.2023
- *Officer note- this approved application included the demolition of 1920s/1930s extensions to the Cottage Hospital but did not include the main Cottage Hospital building*

23/01203/FUL

- Proposed site access, parking arrangements, drainage, landscaping and utilities installations for the Community Diagnostic Centre and Endoscopy building (Use Class E(e)) (Planning application ref.23/00851/OUT).
- Planning Permission
- 13.02.2024

24/00277/REM

- Approval for reserved matters (landscaping) for 23/00851/OUT
- Planning Permission
- 16.07.2024

Various discharge of condition applications have been submitted and approved which are not listed here for brevity.

5. Publicity

5.1. The application has been publicised by sending out letters to the occupiers of neighbouring properties. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.

5.2. Objections have been received from **seven** properties, raising the following concerns and points:

- The new design is not acceptable
- A modern structure would not be in keeping with the surrounding areas architectural style
- The new unit doesn't appear to have been designed to be fit for purpose for decades to come
- This application is a quick fix for the NHS with minimum costs
- Why could the original Cottage Hospital not be sold/let (minus later additions) with permission to convert this to another use eg an opticians?
- The existing building is a testament to Victorian philanthropy
- It is not believed that a designer could not preserve the old frontage and incorporate it into a modern function structure without incurring substantial costs.
- NHS representatives have assured members of the public that detailed drawings and quotations had been commissioned to keep the Cottage Hospital, these drawings/quotations have never been able to be viewed
- The former building should be designated a Listed building to keep it as part of Hinckley's heritage for future generations
- Keeping the former building would give future generations a link with the past and the hospitals role

5.3. Support comments have been received from **eight** properties, raising the following points:

- There is a need for fit for purpose facilities over the retention of the building or its façade
- The new facility would mean residents do not have to travel further afield (eg Glenfield) for tests which will reduce costs and time for residents
- Concerns that any delay in approving the application might affect the funding for this much needed facility
- The plans include an area that reflects the historical value of the old building, photographs and items from the old building will be included
- Costs are tight and any increase in costs will reduce the services to patients
- Public engagement events show overwhelming support for the delivery of its building
- Whilst the old building is of heritage significance its appearance is of a dirty, crumbling structure

5.4 A supporting statement was received from Dr Luke Evans MP stating that:

- The Council should not delay the application and risk the Government withdrawing funding
- The old Cottage Hospital is currently derelict and not fit for purpose
- The new Day Case Unit would provide speciality services including Breast Care, General Surgery, Gynaecology, Ophthalmology, Orthopaedic Surgery, Pain Management, Plastic Surgery, Podiatric Surgery, Renal Access Surgery, Urology and Vascular Surgery.
- Alongside the Community Diagnostic Centre the projects bring the total investment into Hinckley's healthcare infrastructure to over 35 million since 2019.
- The Plans double the site's capacity from 1,000 patients per year to 2,000 and promise to speed up waiting times.

6. Consultation

6.1 **Environment Agency:** The development falls within flood zone 1 and therefore no objections were made

6.2 **HBBC Conservation Officer:** Full comments are incorporated into the heritage section in the report below. In summary:

"...Given the proposal would seek to demolish the Cottage Hospital there would be an impact on the significance of the non-designated heritage asset, with this impact being adverse and the proposal leading to a total loss of its local heritage significance..."

"...The decision taker should determine if the Options Appraisal is a robust and reasonable assessment and whether the proposal in its current form misses a clear opportunity of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, as per paragraph 210 of the NPPF..."

"...The proposed development will also alter the extant experience of this part of the Hinckley Town Centre Conservation Area's setting. It will result in the loss of a

characterful building within the streetscene and its replacement with a functional modern building. The loss of the Cottage Hospital will result in harm to the way in which the setting of the conservation area is experienced on Mount Road and how this part of the setting contributes to an understanding of the history of the town. I agree with the conclusions of the Heritage Impact Assessment that this loss will result in a small level of harm to the significance of the conservation area in the order of less than substantial harm, being at the lower end of this spectrum of harm...”

“...In my opinion the proposal demonstrates no heritage benefits. Any non-heritage public benefits should be identified by the decision-taker and a balanced judgement applied. If it is considered that the public benefits do not outweigh the harm caused by the total loss of the significance of the non-designated heritage asset then the proposal will fail to comply with Policies DM11 and DM12 of the SADMP and paragraph 216 of the NPPF...”

“...As currently proposed the less than substantial harm caused to the Hinckley Town Centre Conservation Area shall have to be carefully weighed up against the public benefits of the proposal as required by Policies DM11 and DM12 of the SADMP and paragraphs 212, 213 and 215 of the NPPF...”

- 6.3 **HBBC Drainage:** No objections subject to surface water drainage conditions
- 6.4 **HBBC Environmental Health:** No objections subject to conditions requiring contamination assessments, controls on noise and lighting and the submission of a Construction Environmental Management Plan
- 6.5 **Historic England:** Have suggested seeking the advice of our specialist Conservation Officer.
Officer note- Following the above consultation response a request to List the building was made and the outcomes of this are discussed in the heritage section in the report below.
- 6.6 **LCC Archaeology:** *“The submitted heritage assessment notes that Hinckley and Bosworth Borough Council are proposing the Cottage Hospital for inclusion in the Local Heritage List, although this is yet to be finalised or adopted. In the first instance there is therefore a need to determine the principle of development, which should include consultation with your Conservation Officer regarding the loss of the Cottage Hospital.*

If the demolition is deemed acceptable as a result of the balancing exercise, we would recommend that you advise the applicant of the following archaeological requirements, for Level 3 Historic Building Recording of the former Cottage Hospital proposed for demolition. We would also support the proposal within the submitted heritage assessment to display historic plaques, memorabilia and interpretation board/s within the new building, detailing the hospital’s history. Given the degree of disturbance outlined in the assessment, combined with the results of the recent trial trenching investigation undertaken adjacent to the site, we would advise that the application warrants no further action with regard to the archaeological buried remains.

The proposal involves the demolition of the original Hinckley General Hospital (HER Ref.: MLE29375). The applicant has provided a Heritage Impact Assessment for the affected structures (Cotswold Archaeology Report Ref.: MK1244_1), which acknowledges the heritage value of the site and provides a good overview of the history and development of the buildings. As noted in the assessment the Cottage

Hospital was built in the Arts and Crafts style in 1900 with further extensions constructed in the 1920s and 1930s, reflecting the development of medical care within Hinckley throughout the 20th century.

Appraisal of the Leicestershire and Rutland Historic Environment Record (HER) indicates the building is, or has the potential to constitute a heritage asset (or assets) with a significant archaeological and heritage interest (National Planning Policy Framework (NPPF) Section 16, paragraph 207 and Annex 2).

We therefore, recommend that the planning authority require the applicant to complete an appropriate level of building recording prior to alteration, to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance (NPPF Section 16, paragraph 218). This should be secured by condition on any approved planning application”.

- 6.7 **LCC Ecology:** Response outstanding, an update will be provided as a late item prior to Planning Committee
- 6.8 **LCC Highway Authority (LHA):** No objections subject to conditions. Full comments are contained in the highways section of the report below.
- 6.9 **Lead Local Flood Authority (LLFA):** As the development is not a major application the LLFA offered no comments.

7. Policy

- 7.1. Core Strategy (2009)
- Policy 1: Development in Hinckley
- 7.2. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1- Presumption in Favour of Sustainable Development
 - Policy DM2- Delivering Renewable Energy and Low Carbon Development
 - Policy DM3- Infrastructure and Delivery
 - Policy DM6- Enhancement of Biodiversity and Geological Interest
 - Policy DM7- Preventing Pollution and Flooding
 - Policy DM10- Development and Design
 - Policy DM11- Protecting and Enhancing the Historic Environment
 - Policy DM12- Heritage Assets
 - Policy DM13- Preserving the Borough’s Archaeology
 - Policy DM17- Highways and Transportation
 - Policy DM18- Vehicle Parking Standards
 - Policy DM 25- Community Facilities
- 7.3. Hinckley Town Centre Area Action Plan (2011)
- Policy 5 (Land North of Mount Road)
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
 - National Design Guide (2019)
- 7.5. Other relevant guidance

- Good Design Guide (2020)
- Leicestershire Highway Design Guide

8. Appraisal

8.1. The key issues in respect of this application are:

- Principle of Development
- Impact upon Highway Safety
- Design and Layout
- Impact on Heritage Assets
- Residential Amenity
- Flood Risk and Drainage
- Ecology and Biodiversity

Principle of Development

- 8.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 2 of the National Planning Policy Framework (NPPF) repeats this and states that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.
- 8.3 Paragraph 11 of the NPPF and Policy DM1 of the SADMP set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The relevant development plan documents in this instance consist of the adopted Core Strategy (2009), the Hinckley Town Centre Area Action Plan (HTCAAP) (2011) and the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016).
- 8.4 Paragraph 20 of the NPPF states that strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for community facilities (such as health, education and cultural infrastructure).
- 8.5 Paragraph 98 of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community. Furthermore, planning policies and decisions should ensure that established facilities are able to develop and modernise and are retained for the benefit of the community.
- 8.6 Paragraph 101 of the NPPF states that to ensure faster delivery of other public service infrastructure such as hospitals, local planning authorities should work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted. Significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development.

- 8.7 The site is located in a sustainable location, within the settlement boundary of Hinckley and in the Hinckley Town Centre boundary as defined in the Hinckley Town Centre Area Action Plan (2011) (HTCAAP). The site lies within the 'Land North of Mount Road' site within the HTCAAP. Policy 5 outlines key aspirations for the site's redevelopment to a mixed-use development which includes the provision of community facilities.
- 8.8 The site is a designated Community Facility within the SADMP. Policy DM25 of the SADMP sets out that HBBC will seek to support the formation of new community facilities across the borough. To reduce reliance on the private car, it should be demonstrated that these facilities are accessible to the community which they intend to serve by a range of sustainable transport modes. The site is judged to be a sustainable location well served by a range of sustainable transport modes. However, Policy DM25 goes on to refer to the loss of community facilities, which is also of relevance to this proposal which includes the demolition of the existing facilities within the Cottage Hospital. Policy DM25 states that HBBC will resist the loss of community facilities including ancillary areas. The redevelopment or loss of community facilities will only be appropriate where it can be demonstrated that:
- a) An equivalent range of replacement facilities will be provided in an appropriate location within a reasonable distance of the local community; or
 - b) There is a surplus of the facility type within the immediate locality exceeding the needs of the community; or
 - c) The loss of a small portion of the site would result in wider community benefits on the remainder of the site.
- 8.9 The existing Hospital buildings were previously occupied by endoscopy, x-ray and day case surgery services. The endoscopy and x-ray facilities will be provided in the new CDC. The applicants planning submission clearly demonstrates that the proposed development will enable the provision of improved facilities for the day case services that occupied the existing Cottage Hospital building. The proposed development will provide up to 33 full time employees and seeks to double the capacity for day case activity at Hinckley to circa 2,000 procedures each year. The proposed development thus meets criteria (a) of Policy DM25.
- 8.10 Overall, the principle of development is acceptable and complies with the relevant policies of the development plan subject to the consideration of the other matters outlined within this report.

Impact upon Highway Safety

- 8.11 Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an adverse impact upon highway safety. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)).
- 8.12 Policy DM18 requires all new development to provide an appropriate level of parking provision justified by an assessment of the site location, other modes of transport available and appropriate design. Any development will be expected to provide disabled parking provision. Within Hinckley Town Centre developments should demonstrate that they would not exacerbate existing problems in the vicinity with increased on-street parking.

8.13 Policy DM10(g) states that where parking is to be provided, charging points for electric or low emission vehicles should be included, where feasible.

8.14 Paragraph 115 of the NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users Paragraph 116 of the NPPF outlines that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 117(e) of the NPPF states development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Site Access

8.15 The development site has several existing access points to the public highway located off Hill Street, Mount Road or Argents Mead. Hill Street and Mount Road are both unclassified roads subject to a 30mph speed limit, Argents Mead is not adopted by Leicestershire County Council (LCC). The Applicant has detailed the following changes to the site access arrangements within the Transport Statement (TS):

Access	Location	Existing Use	Phase 1 Use	Proposed Phase 2
1	Argents Mead	Staff Car Park and Service Access	Staff Car Park and Service Access (sole Access)	As per Phase 1 with new scope for through access to Hill Street.
2	Mount Road service access	Staff parking x 4 bays, drop-off	No change	Fully removed.
-	Small Entry Mount Road	Not a formal access, some ad-hoc egress	No change	Widened and enabled inbound access only (north) for ambulance and fire vehicles only.
3	Mount Road Car Park	Staff and visitor parking	No Change	No Change
4	Hill Street Service Access	Staff and disabled parking. Delivery and servicing	No Change	Through access to parking area for Phase 2 and through to Phase 1 for access to Argent's Mead.
5	Main Access Hill Street	Main customer parking	No Change	No Change

8.16 The un-numbered small entry on Mount Road which would be used as an ingress only access for ambulances would be controlled by a barrier as detailed in Paragraph 3.4.3 of the TS.

8.17 The Applicant has not provided any drawing detailing re-instatement of access 2 (former drop off/staff parking area to Mount Road) with full height kerbs, or the widening of the un-numbered access. However, the widening of the un-numbered access appears to be within the site due to the demolition of the existing building, rather than the dropped kerbs within the highway. The permanent closure of access 2 is required be conditioned.

- 8.18 Overall, the LHA accept the proposed site access arrangements, which make use of existing access points to the highway.

Highway Safety

- 8.19 The Applicant has identified two Personal Injury Collisions (PICs) which have occurred within the vicinity of the site using Crashmap. However, it is unclear on the timescales which have been considered by the Applicant. One PIC occurred on Hill Street in 2021 and one occurred on Mount Road in 2020. Both were recorded as slight in severity.
- 8.20 Based on available records to the LHA, no further PICs have occurred on either road within the last five years. One of the PICs involved a vehicle and a pedestrian, while the other involved a vehicle and a parked vehicle.
- 8.21 The LHA accept there appears to be no clear pattern or cluster sites of PICs which could be exacerbated by the proposals and no PIC's appear to have occurred at the existing site access points. Therefore, the LHA would not seek to resist the proposals based on the collision data.

Trip Generation

- 8.22 The Applicant has compared the anticipated trip generation of the proposed development with the existing uses on the site within Part 4 of the TS.
- 8.23 The Applicant has taken a first principles approach to trip generation as per the Phase 1 development. Traffic surveys of each access were undertaken on Thursday 14th March 2024. These included:
- The closure of the physio unit (not to be replaced);
 - Introduction of new parking controls within the land ownership;
 - Introduction of new waiting and stopping controls in Hinckley town centre, including on Hill Street and Mount Road; and
 - Improved enforcement, which means that all previously recorded 'overspill' or ad hoc parking within the wider site is now precluded.

The results of the survey have been provided within Table 4.1 of the TS. The Applicant's analysis then considers the level of traffic which would be generated by the Phase 1 development, given that the area was vacant at the time of the survey and considers the difference in traffic which could be generated by the current use of the Phase 2 site in comparison to the proposed use.

- 8.24 The results of the Applicant's analysis details that there would be an overall reduction in vehicle trips to/ from the site because of the proposals, with 187 fewer two-way movements per day. The Applicant states this is largely due to the relocation of services into Phase 1 and reduction in overall floorspace due to modernisation, as well as changes to operations requiring fewer staff and shorter operational hours. The LHA accepts the Applicant's analysis within Part 4 of the TS.

Junction Capacity Assessments

- 8.25 Given the proposals are likely to result in a reduction in trips to / from the site, the LHA have not required junction capacity assessments of the site access points/ surrounding highway network.

Internal Layout

- 8.26 The Applicant has stated there would be 15 full time staff on-site at any one time, along with a maximum of 20 patients.
- 8.27 The Applicant undertook a parking survey of the site on Thursday 14th March 2025, like that undertaken in 2019 as part of the previous application. The Applicant has highlighted that there has been an improvement in the efficiency and capacity of the car park since 2019, which could partly be due to enforcement. The Phase 2 development would however result in an additional 18 car parking spaces being provided within the site. Given the proposals would result in a reduction in floorspace compared to the existing site, this is welcomed by the LHA.
- 8.28 The Applicant has also stated that 22 cycle parking spaces would be provided within the site. These will need to be secure and undercover. No increases in motorcycle parking are proposed due to the parking surveys in both 2019 and 2025 indicating little demand. No additional accessible parking spaces are proposed given parking surveys indicate that these are currently under used and it is stated parking spaces would be equipped with electric vehicle charging provision. This is accepted by the LHA.

Construction Environmental Management Plan

- 8.29 The LHA has reviewed the submitted Construction Environmental Management Plan (CEMP). This provides details of construction traffic routing, which would use the classified road network up until close to the site. This is accepted by the LHA.
- 8.30 It is stated that unloading and loading of vehicles will always take place within the site compound and not on the public highway and that contractor parking will all be located within the confines of the site.
- 8.31 The document states that a jet wash will be available to all vehicles on site, to prevent the deposition of mud on the highway, as and when required. In addition to this a road sweeper and wheel wash station will be utilised as necessary if debris off site is significant. In addition, a site supervisor will undertake daily inspections of the wheel wash facility. This is welcomed by the LHA, however it should be noted that the wheel wash facility must be located at least 10m from the highway boundary.
- 8.32 A timetable of provision for the above is also included within the CEMP, which is accepted by the LHA. Overall, the LHA considers the CEMP to be acceptable.

Traffic Management

- 8.33 The LHA notes in order to undertake and maintain module installation, the Applicant intends to close Mount Road and a temporary parking suspension would need to be implemented along both Mount Road and Hill Street to facilitate module unit deliveries and craning operations. In addition, temporary four-way traffic signals are proposed at the Mount Road/ Hurst Road/ Argents Mead junction.
- 8.34 The LHA advise that these measures have not been reviewed in detail at this stage given that construction is not a material consideration of the planning process. It is strongly advised the Applicant contacts LCC at the earliest opportunity to plan any necessary road closures in the event the proposals are granted planning permission.

- 8.35 Overall, the proposed development is judged to be acceptable in highway safety terms and subject to conditions complies with policies DM17 and DM18 of the SADMP.

Design and Layout

- 8.36 Policy DM10(c), (d) and (e) of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally and incorporates a high standard of landscaping.
- 8.37 Paragraph 139 of the NPPF states development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance. Local policy is considered to accord with the NPPF.
- 8.38 The proposed building would be located to the south of the site, replacing the existing Cottage Hospital setting in a similar orientation (heritage impacts are assessed in the report below). The building therefore retains some set back from Mount Road allowing landscaping to the front of the building, including the retention of the two Lime trees. This set back and the proposed landscaping helps reduce the prominence of the building from Mount Road. The overall layout with parking to the rear is acceptable and reflects the existing site and adjacent CDC building, ensuring that parking to the rear is cohesive.
- 8.39 The proposed development will include the construction of 895m² of Gross internal floor area to provide the Day Case Unit. The building is part two storey and part single storey. Internal plant is located on the first floor of the two-storey element, with external plant equipment located on the roof of the single storey elements. As the two-storey element is located at the frontage with Mount Road the plant equipment would be screened from Mount Road. The overall building height will reflect the height of the adjacent CDC building and as such there will be an increase in the mass of built form on the site. However, the increase in scale and massing is not considered to be inappropriate given the CDC building, leisure centre and hospital buildings to the rear of the site.
- 8.40 The entrance to the building would be to the rear of the site from the car parking area. In design terms this leaves little active frontage to Mount Road which is regrettable. During pre-application discussions officers had sought amendments to the Mount Road frontage to introduce an entrance and/or improve its appearance. Amendments have been made to include a canopy area, alter the fenestration and create more of a focal point to the frontage with signage at the front of the site. The applicants have justified this layout as they consider that the orientation of the entrance facing the centre of the site ensures close proximity to the parking area, encourages surveillance/security and provides cultivates an environment where privacy can be maintained. Whilst the development does still turn its back to Mount Road, the amendments provided have improved the appearance of the building and are acceptable on balance.
- 8.41 The building is a modern, flat roof design that draws little inspiration from the existing Cottage Hospital. The buildings layout and design has been largely driven to support shared infrastructure and operational efficiency of the site. The proposed modular construction was considered to have limited opportunities for design improvements

during pre-application discussions, but is justified by the applicants as allowing faster delivery and adaptability to future needs. As a result, as with the CDC building, the proposed development is functional in design and does not represent highest quality design. However, the development will be in keeping with the CDC building and flat roof character of the existing hospital buildings to the rear of the site and the leisure centre. The cohesion in the design and materials would ensure the development is not out of keeping with the surrounding area and gives the impression of one large medical hub. The proposed materials would match the CDC and comprises of a mix of red brick, timber effect cladding and off-white cladding panels. As discussed in further detail in the heritage section, the applicants also proposed to utilise reclaimed brick, plaques and memorial features which would potentially be located on the front elevation.

- 8.42 A fuel tank and generator are also proposed as part of the scheme. They would be sited in the north-west corner of the site (to the north of the CDC building). These have been proposed to ensure that there is sufficient back up power for the site which is critical for patient safety during operations. This element of the development is located in the already established service area and is therefore appropriate.
- 8.43 With regards to the land levels on site, these vary and are a constraint for developing the site. The building will be sited on a higher ground level than the CDC but the overall height of the building would not exceed the CDC. Retaining walls are visible on the CDC site and those proposed under this application will be lower. The retaining structures will be faced in red-brick to match the building and landscaping has been utilised to soften their appearance.
- 8.44 A detailed landscaping scheme has been submitted. Soft landscaping to the sites frontage includes ornamental planting and hedges alongside the addition of two new small-leaved lime trees. The two existing lime trees (Category B trees) will be retained and an arboricultural impact assessment has been submitted. This details that part of the development will fall within the root protection area of the trees and that specialist foundations may be required in these areas. In addition to the sites frontage, a mixture of cherry and rowan trees are proposed to the west and north of the building. The memorial tree to the rear of the building would be retained. The landscaping scheme is judged to be acceptable, a condition is recommending requiring the submission of an implementation timetable and maintenance programme.
- 8.45 Overall, the proposed building would be large in scale and will be more prominent than the existing development on site. The building is functional in its design and areas of the development could be improved to enhance active frontage, nonetheless as outlined above the proposal is judged to be in keeping with the character of the area. Therefore, subject to conditions the proposal is in accordance with Policy DM10 of the SADMP and the NPPF.

Impact on Heritage Assets

- 8.46 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty in the exercise of planning functions stating that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The special attention does not apply to sites located within the setting of but outside of conservation area boundaries.
- 8.47 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 212-215

of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.

- 8.48 Paragraph 216 is specifically relevant for non-designated heritage assets (such as the Cottage Hospital in this case) and requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 8.49 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. Policy DM11 states that all development proposals which have the potential to affect a heritage asset or its setting will be required to demonstrate:
- a) An understanding of the significance of the heritage asset and its setting; and
 - b) The impact of the proposal on the significance of the asset and its setting, including measures to minimise or avoid these impacts; and
 - c) How the benefits of the proposal will outweigh any harm caused; and
 - d) Any impact on archaeology in line with Policy DM13.
- 8.50 Policy DM12 outlines that all development proposals affecting the significance of heritage assets and their setting will be assessed in accordance with Policy DM11 and requires all development proposals to accord with Policy DM10 (Design and Development). Policy DM12 sets out specific guidance for Conservation Areas and Locally Important Heritage Assets. The policy states that development proposals should ensure the significance of a conservation area is preserved and enhanced, and that development proposals should ensure that development proposals should make every effort to retain the significance of locally listed heritage assets.
- 8.51 During determination of the application Historic England notified the LPA that they received an application to add the Cottage Hospital to the List of Buildings of Special Architectural or Historic Interest.
- 8.52 Following investigation Historic England noted that the building has some value as an example of vernacular Arts and Crafts design, and it retains some charming features, however it is architecturally relatively standards for its date and type. The building does have local level interest in the historic narrative of the development of C20 medical care in Hinckley and this community connection. Judged against the criteria for listing Historic England therefore have determined that “Although Hinckley and District Hospital possesses some claims to local interest, overall the building lacks sufficient architectural and historic interest to meet the criteria for statutory listing in a national context”.
- 8.53 Notwithstanding this, the building itself remains a non-designated heritage of local heritage significance due to its historic, aesthetic and communal values.
- 8.54 The application site lies in proximity to the southeastern boundary of the Hinckley Town Centre Conservation Area and is within its immediate setting. The Heritage Impact Assessment provides a thorough assessment of how the application site contributes to the significance of the conservation area, recognising that the Cottage Hospital is a characterful building within the street scene, set within the context of the wider healthcare site, whose prevailing character is currently of a place with pockets

of both modern built form, hard landscaping and car parking. The Cottage Hospital and its setting also contributes to an understanding of the historic development of Hinckley's healthcare provision and its suburban expansion in the late-19th and early-20th centuries.

- 8.55 Given the proposal would seek to demolish the Cottage Hospital there would be an impact on the significance of the non-designated heritage asset, with this impact being adverse and the proposal leading to a total loss of its local heritage significance.
- 8.56 Paragraph 208 of the NPPF requires local planning authorities to take into account the significance of a heritage asset when considering the impact of a proposals upon it, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. A Design Solutions Options Appraisal has been submitted which considers operational healthcare requirements, associated costs and programme implications for retaining the existing Cottage Hospital. The Conservation officer notes that whilst it is clear that the retention of the Cottage Hospital building is not the applicant's preferred option, there are options to provide the desired healthcare provision on the site and retain the Cottage Hospital building (either in full or just the frontage), thus avoiding or at the very least reducing harm to its local heritage significance. The decision taker should determine if the Options Appraisal is a robust and reasonable assessment and whether the proposal in its current form misses a clear opportunity of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, as per paragraph 210 of the NPPF.
- 8.57 The Design Solutions Options Appraisal evaluates seven options for the redevelopment of the site against clinical, operational, planning and financial criteria which formed the Business Case Objectives approved by NHS England in 2024, these are as follows:
1. *Increase capacity to more than double the delivery of Day Case surgeries in the Hinckley area to circa 2,000 patients per annum and provide circa 2,000 Clean Room treatments per annum.*
 2. *Maintain day case surgery in an accessible, community based "cold" site location for the population of West Leicestershire that is growing at a rate above the national average.*
 3. *Ensure that the scheme does not exceed the funding envelope*
 4. *Deliver a solution by the end of March 2026.*
 5. *Improve the quality and safety of Day Case Surgery facilities for patients and staff within the Hinckley area.*
 6. *Provide an environment for Day Case Surgery that meets modern healthcare requirements, is compliant with HTM1 /HBN2 and does not require "work arounds" for staff and patients.*
 7. *Increase the efficiency with which the NHS estate in Hinckley is used, through reducing the total floor area of the existing Hospital by 1200sqm and eliminating vacant space by 2025/26.*
 8. *Improve the environmental performance of the service via a Net Zero Carbon "in operation" building with BREEAM Excellent and EPC A+ ratings.*
 9. *Eliminate backlog maintenance and provide a fit for the future affordable building*
- 8.58 The seven redevelopment options assessed include:
1. *Do Nothing but repurpose building in current form.*
 2. *Convert the Existing Hospital buildings for Day Case Surgery.*
 3. *Convert the front historic part of the Hospital and extend it for Day Case Surgery with patient entry from Mount Road.*

4. *Convert the front historic part of the Hospital and extend it for Day Case Surgery with patient entry from the North Elevation near the car park.*
5. *Demolish the existing hospital and develop a new build with entrance to the North elevation.*
6. *Demolish the whole hospital and develop a new build with entrance at the south elevation (fully incorporating feedback, no compromise of operational parameters).*
7. *Demolish the whole hospital and develop a new build with entrance to the south elevation (fully incorporating feedback but trading off operational parameters).*

- 8.59 Option 1, would retain the existing Cottage Hospital but would clearly not meet the Business Case Objectives nor improve clinical facilities. Option 2 also involves retaining the existing hospital and refurbishing the internal space, again this has heritage benefits. However, the applicant's case is that the shape and layout of the building restricts efficient clinical workflows and compromises rooms sizes and layouts and would not meet industry standards. On reviewing the submitted proposals this is accepted.
- 8.60 Option 3 retains the original Cottage hospital frontage on Mount Road and adds a new extension at the rear. The main entrance would remain on Mount Road, with the existing building repurposed for staff administration and patient waiting areas. All clinical services would be housed in a new, purpose-built facility to the rear. Similarly, Option 4 combines partial retention with new build. The existing front façade on Mount Road would be preserved and linked to a new structure behind. Unlike Option 3, the main patient entrance would be relocated to the north side, accessed via a new car park. The retained building would house staff admin and clinical storage, while the Mount Road entrance could serve staff and deliveries. All clinical areas would be delivered in a new, purpose-built facility meeting healthcare standards. These options were raised by the case officer during pre-application discussions as a potential route enabling the retention of the Cottage Hospital whilst also securing adequate facilities to the rear.
- 8.61 The submitted Options Appraisal rejects both options as neither would meet the Business Case Objectives or clinical requirements. In particular both options would exceed the allocated funding envelope, would not increase the efficiency with which the NHS estate in Hinckley is used, would not improve the environmental performance of the service via a Net Zero Carbon "in operation" building with BREEAM Excellent and EPC A+ ratings and would not eliminate backlog maintenance and provide a fit for the future affordable building.
- 8.62 Options 5-7 all include the demolition of the existing hospital, but with varying entrance points. In heritage terms each option would have a similar impact and results in the loss of the Cottage Hospital. Option 5 is the preferred solution and submitted scheme as it fully meets all business case objectives, aligns with the clinical model and operational requirements and is deliverable within the funding envelope (£10.5m).
- 8.63 It is clear that Options 1-4 would minimise the harm to the heritage asset and present clear opportunities for sustaining and enhancing the significance of the heritage asset and putting it back to a viable use. Whether the Options Appraisal is a robust and reasonable assessment as to whether these alternatives are reasonable is a balanced decision. The Options Appraisal does not include financial costings for each of the options and it is therefore difficult to understand the disparity in costs from the approved funding envelope. Nonetheless the commentary provided within the appraisal as a whole describes the prescribed funding available and it is understood that retaining and enhancing the existing Cottage Hospital would be less cost

effective than the replacements proposed. The Options Appraisal also includes basic/indicative floorplans which do support the view that such options retaining the building would not meet clinical requirements and the enhancements to healthcare facilities which would be a clear public benefit. Therefore, on balance the submitted Options Appraisal is acceptable and it is judged that the applicant has adequately assessed alternative options.

- 8.64 As well as the harm to the non-designated heritage asset itself, the proposed development will alter the extant experience of this part of the Hinckley Town Centre Conservation Area's setting. It will result in the loss of a characterful building within the streetscene and its replacement with a functional modern building. The loss of the Cottage Hospital will result in harm to the way in which the setting of the conservation area is experienced on Mount Road and how this part of the setting contributes to an understanding of the history of the town. HBBCs Conservation Officer agrees with the conclusions of the Heritage Impact Assessment that this loss will result in a small level of harm to the significance of the conservation area in the order of less than substantial harm, being at the lower end of this spectrum of harm.
- 8.65 The NPPF recognises that heritage assets (including buildings of local historic value) are an irreplaceable resource that should be conserved in a manner appropriate to their significance so they can be enjoyed for their contribution to the quality of life of existing and future generations (paragraph 202). As currently proposed, the total loss of The Cottage Hospital, a non-designated heritage asset, would be irreversible and the harm permanent.
- 8.66 In accordance with Policy DM11 of the SADMP and to further employ the balanced judgement required by the paragraph 216 of the NPPF the harm caused to the non-designated heritage asset by the proposal should be weighed against its public benefits. In addition as currently proposed the development would cause less than substantial harm to the Hinckley Town Centre Conservation Area this will also need to be weighed up against the public benefits of the proposal as required by Policies DM11 and DM12 of the SADMP and paragraphs 212, 213 and 215 of the NPPF.
- 8.67 Paragraph 020 of the Planning Practice Guide (Historic Environment section reference ID: 18a-020-20190723) states that "public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the NPPF (paragraph 8)". Public benefits may include heritage benefits, such as:
- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting
 - Reducing or removing risks to a heritage asset
 - Securing the optimum viable use of a heritage asset in support of its long term conservation
- 8.68 The proposal demonstrates no heritage benefits but does provide a clear opportunity to improve the healthcare sector in Hinckley. In particular the proposal increases the capacity from c. 1000 to c. 2000 procedures per year for day case surgery in Hinckley. In turn this would reduce the need for residents to travel further afield for appointments. The new build unit will allow for purpose built accommodation with an efficient layout and flow of activity that will meet modern privacy and dignity and infection control requirements. Paragraph 101 of the NPPF states that significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development. The building will also be energy efficient with a BREEAM Excellent rating. This will be provided on an

existing healthcare site, with links to the approved CDC and close to the Town Centre and associated public transport links. These are social and environmental benefits which in combination would be attributed significant positive weight. The applicant also states that increased footfall through the increase in patients using the site would also bring increased economic activity. This is unlikely to be significant beyond the existing situation and is therefore attributed limited positive weight. Other economic benefits would arise during construction and operation of the facility through job creation and expenditure this is attributed moderate positive weight.

- 8.69 Given the proposal would demolish the Cottage Hospital there would be an impact on the significance of the non-designated heritage asset, with this impact being adverse as the proposal leading to a total loss of its local heritage significance. The resultant harm to the Conservation Area is less than substantial harm, the NPPF is clear that great weight should be given to the conservation of designated heritage assets. Notwithstanding this, when balancing the aforementioned harm against the public benefits, whilst the loss of the Cottage Hospital is clearly regrettable as a local heritage asset, it is considered that the benefits do outweigh the harm identified.
- 8.70 As per section 5.29 of the Heritage Impact Assessment measures are proposed to preserve the public appreciation of the Cottage Hospital, including the display of historic memorial plaques and interpretation board/s within the new building and if logistically possible the creation of a panel of wall cladding from bricks reclaimed from the original hospital. These mitigation measures would not avoid or minimise the level of harm caused to the non-designated heritage asset by the proposal but would allow for preservation by record and artifact of some level of the local heritage significance of the building. A requirement for the submission of full details of the proposed measures to preserve the public appreciation of heritage asset is secured via a planning condition.
- 8.71 Overall, through undertaken the balancing exercise the benefits of the development outweigh the heritage harm and therefore the development complies with Policies DM11 and DM12 the SADMP and section 16 of the NPPF.

Archaeology

- 8.72 Policy DM13 of the SADMP states that where a proposal has the potential to impact a site of archaeological interest developers should provide an appropriate desk based assessment and where applicable a field evaluation. Paragraph 200 of the NPPF also reiterates this advice.
- 8.73 In line with the NPPF Section 16, the planning authority is required to consider the impact of the development upon any heritage assets, taking into account their particular archaeological and historic significance. Paragraph 206 states that where loss of the whole or a material part of the heritage asset's significance is justified., local planning authorities should require the developer to record and advance understanding of the significance of the affected resource prior to its loss. Paragraph 218 expands this stating that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.
- 8.74 As highlighted the application involves the demolition of the original Cottage Hospital. LCC archaeology department have commented that the applicant has provided a Heritage Impact Assessment for the affected structures (Cotswold Archaeology Report Ref.: MK1244_1), which acknowledges the heritage value of the site and

provides a good overview of the history and development of the buildings. Appraisal of the Leicestershire and Rutland Historic Environment Record (HER) indicates the building is, or has the potential to constitute a heritage asset (or assets) with a significant archaeological and heritage interest.

- 8.75 LCC archaeology department have recommended a condition requiring the applicant to undertake a Level 3 Historic Building Recording of the former Cottage Hospital prior to its demolition. LCC archaeology department are also supportive of the proposal within the submitted heritage assessment to display historic plaques, memorabilia and interpretation board/s within the new building, detailing the hospital's history. However, it should be noted that the ability to undertake a programme of recording of the significance of the Cottage Hospital does not avoid or minimise the harm caused to it by the proposal.
- 8.76 Given the degree of disturbance outlined in the assessment, combined with the results of the recent trial trenching investigation undertaken adjacent to the site, we would advise that the application warrants no further action with regard to the archaeological buried remains.
- 8.77 The balancing exercise has determined despite the total loss of the non-designated Cottage Hospital the public benefits of the development outweigh the harm to heritage assets. Therefore, subject to the aforementioned condition requiring the historic building recording, the development is judged to comply with Policy DM13 of the SADMP.

Impact upon Residential Amenity

- 8.78 Policy DM10 (a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.79 Paragraph 135 of the NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 8.80 Paragraph 198 of the NPPF states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 8.81 The closest residential properties are 80-82A Mount Road, which are to the south of the site on the opposite side of Mount Road. The properties are two storey dwellings with habitable rooms windows in the front elevations overlooking the site. The proposed building would be sited over 21m from the front elevation of these properties which is judged to be an acceptable separation distance to mitigate from overlooking and a sense of enclosure. As the building is to the north of these properties there would be no adverse loss of light.
- 8.82 Plant equipment is proposed in various locations on the building, the equipment closest to residential properties would however be enclosed. In the absence of a

noise impact assessment the HBBC Environmental Health Officer has advised that noise can be controlled by a planning condition which will require the rating level of noise emitted from the plant and equipment to not exceed the existing background noise at any residential property.

- 8.83 A land contamination report has been submitted and is judged to be acceptable, although the submission of further investigations/details are required by condition and would be required following the demolition of the existing building.
- 8.84 It is likely that nearby residents will experience some noise and disruption during the construction of the development. A Construction Environmental Management Plan has been submitted and is largely acceptable however further information regarding operating hours and dust control measures have been sought and are requested by condition.
- 8.85 It is considered that the development, alongside the use of conditions, ensure that the proposal is acceptable in amenity terms in compliance with Policy DM10 a and b of the SADMP, The Good Design Guide and the requirements of the NPPF.

Flood Risk and Drainage

- 8.86 Policy DM7 of the SADMP seeks to prevent development from resulting in adverse impacts on flooding by ensuring that development does not create or exacerbate flooding.
- 8.87 Paragraph 181 of the NPPF states that when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere.
- 8.88 The site is located within Flood Zone 1 (low risk). Subject to conditions requiring the submission of a sustainable surface water drainage system, long term maintenance for this and details for the management of surface water during construction the HBBC drainage team have not objected to the development. Subject to the aforementioned conditions the proposal is therefore judged to comply with Policy DM7 of the SADMP and the NPPF.

Ecology and Biodiversity Net Gain

- 8.89 Policy DM6 of the SADMP states that development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including long term future management. Paragraph 180 of the NPPF states that development proposals should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.
- 8.90 LCC ecology have been consulted on the application but have yet to provide comments therefore their comments will be as a late item prior to Planning Committee.
- 8.91 The development will be subject to the mandatory net gain condition. The applicant proposes to reach 10% Biodiversity Net Gain through a combination of on-site habitat and through purchasing off-site biodiversity credits. Full details would need to be provided prior to commencement of development.

Sustainability

- 8.92 Policy 24 of the Core Strategy outlines that the council will require schools, hospitals and office developments to meet, at a minimum, BREEAM (or equivalent) assessment rating of 'excellent'. Policy DM10 of the SADMP outlines development will be permitted providing that it maximises opportunities for the conservation of energy and resources through design, layout, orientation and construction in line with Core Strategy Policy 24. Where parking is to be provided charging points for electric or low emission vehicles should be included where feasible.
- 8.93 The applicants have stated that the proposed building would reach BREEAM Excellent and EPC A+ ratings. Full details have not been provided but would be secured by condition.

Conclusions and Planning Balance

- 8.94 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.95 The site is located in a sustainable location, within the settlement boundary of Hinckley. The redevelopment of the site will lead to enhanced facilities on the site in compliance with Policy DM25 of the SADMP.
- 8.96 Subject to conditions the development is acceptable in highway safety terms and complies with policies DM17 and DM18 of the SADMP.
- 8.97 With regards to the design of the building, it is noted that the building is large in scale and functional in its design. It will however relate reasonably well to its setting and the scheme is judged to comply with policy DM10 of the SADMP.
- 8.98 The heritage impacts are assessed in detail within the report and it is clear that harm would arise through the total loss of the non-designated Cottage Hospital building and as a result of the demolition less than substantial harm would occur to the Conservation Area. However, this harm has been balanced against the public benefits of the development and in this case the benefits of the development outweigh the harm. The proposal therefore complies with policies DM11 and DM12 of the SADMP.
- 8.99 Subject to conditions the proposal will not have an adverse amenity impact on surrounding residents, flood risk, drainage or archaeological assets.
- 8.100 Overall, the scheme complies with the relevant policies of the development plan and offers enhanced medical facilities for residents.

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.

9.3 There are no known equality implications arising directly from this development.

9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Recommendation

10.1 That the application be approved subject to:

- Conditions outlined at the end of this report
- LCC Ecology department confirming they have no objections to the development and any conditions they require

10.2 That the Head of Planning be given powers to determine the final detail of the conditions.

11. Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:

- Detailed Planting Plan and Schedule drawing no. PLANT168-ZZ-XX-DR-L-101 P05
- Proposed General_Arrangements RF drawing no. 2010 rev. P7
- Proposed General_Arrangements_GF and FF drawing no. 2010 rev. P7
- Proposed Site Section drawing no. 2300 rev. P1
- Proposed Site Plan drawing no. 1202 rev. P3
- Site Plan Location- Planning drawing no. 1210 rev. P4
- Proposed Site Logistics Plan drawing no. 1203 rev. P4
- Proposed Elevations drawing no. 2103 rev. P1

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. No demolition/development shall take place/commence until a written scheme of investigation (WSI) has been submitted to, and approved in writing, by the Local Planning Authority. For the land and structures that are included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI”

The “Programme of Work” referred to will in this case be the historic building survey recording during development, in accordance with the Specification to be agreed.

Reason: To ensure a satisfactory historic building survey and to record and advance understanding of the significance of the affected resource prior to its loss in accordance with Policies DM11, DM12 and DM13 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

4. No demolition/development shall take place until a Scheme of Mitigation for the loss of the original building has been submitted to, and approved in writing, by the Local Planning Authority. The Scheme shall include details of memorial plaques, memorabilia, interpretation boards and detail the reuse of external materials in the development. Thereafter the mitigation scheme shall be completed in accordance with the approved details prior to first use of the development hereby approved and retained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory record and display of the Cottage Hospital to allow for ongoing appreciation of the original hospital and its communal interest and to advance understanding of the significance of the affected asset once lost in accordance with Policies DM11, DM12 and DM13 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

5. The construction of the development shall be carried out in accordance with the Construction Environmental Management Plan authored by Darwin Group (project reference 180769 Rev. P04).

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

6. Notwithstanding the Construction Environmental Management Plan approved under condition 5, prior to commencement of development (including demolition) an addendum Construction Environmental Management Plan shall be submitted to, and agreed in writing, by the Local Planning Authority. The addendum shall detail how

dust and construction hours shall be controlled. Thereafter the agreed details shall be implemented throughout the construction of the development.

Reason: To minimise disruption to neighbouring residents are protected during construction of the development in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

7. No demolition/development shall commence until details of the Project Arboriculturist have been submitted to, and approved in writing, by the Local Planning Authority. Details shall include their name, company name, telephone number, email address and qualifications.

Thereafter the development shall be carried out in accordance with Section 4 and Appendix 7 of the submitted Arboricultural Impact Assessment by Geosphere Environmental dated 25/04/2025 including:

- Schedule of Arboricultural Supervision
- Installation of protective barriers
- Supervised excavation in the Root Protection Areas
- Requirement for specialist foundations to be designed by an engineer and authorised by the Project Arborist
- Replacement planting

In accordance with the submitted Arboricultural Impact Assessment monthly monitoring by the appointed Project Arborist will occur during construction. Monitoring reports from the Project Arboriculturist will be submitted to the Local Planning Authority within 5 working days of any request by the Local Planning Authority. Should the Project Arborist change during construction the details of the new arborist shall be submitted to the Local Planning Authority within 5 working days of their appointment.

Reason: To ensure that satisfactory tree protection measures are undertaken throughout construction and to ensure a satisfactory form of development in accordance with Policies DM6 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

8. No development (excluding demolition) shall begin until a scheme to provide a sustainable surface water drainage system in accordance with the Flood Risk Assessment and Drainage Strategy dated August 2023 has been submitted to and approved in writing by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details prior to first use of the development.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

9. No development (excluding demolition) shall begin until details in relation to the management of surface water on site during construction of the development have been submitted to, and approved in writing by, the Local Planning Authority. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from

initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided. Thereafter the construction of the development shall be carried out in accordance with the approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

10. No development (excluding demolition) shall begin until details in relation to the long term maintenance of the sustainable surface water drainage system on the development have been submitted to, and approved in writing, by the Local Planning Authority. Details of the SuDS Maintenance Plan should include responsibilities and schedules for routine maintenance, remedial actions and monitoring of the 2 separate elements of the system and should also include procedures that must be implemented in the event of pollution incidents within the development site. The development shall be carried out in accordance with the approved details thereafter.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.

11. No development (except demolition) shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted to, and agreed in writing, by the Local Planning Authority which shall include details of how any contamination shall be dealt with. Thereafter the approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the development first being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

12. If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted to, and approved in writing, by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

13. No development shall commence above foundation level until a Sustainability Appraisal demonstrating that the development will meet a BREEAM (or equivalent) assessment rating of 'excellent' has been submitted to, and approved in writing, by

the Local Planning Authority. Thereafter the development will be implemented in accordance with the approved details.

Reason: To ensure that the development achieves a BREEAM (or equivalent) assessment rating of 'excellent' in accordance with Policy 24 of the Core Strategy and Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

14. No development shall commence above foundation level until details of the landscaping implementation and maintenance have been submitted to, and approved in writing, by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details. The soft landscaping scheme shall be maintained for a minimum period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development in accordance with Policies DM6 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

15. The development hereby permitted shall not be first used until such time as the parking and turning facilities have been implemented in accordance with Darwin Group drawing number 180769 DG 02 XX DR A 1202 Rev. P3. Thereafter the onsite parking and turning provision shall be kept available for such uses in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with Policy DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

16. Within one month of the development hereby permitted being first used, the existing vehicular access on Mount Road that becomes redundant as a result of this proposal shall have been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

17. The development hereby permitted shall not be first used until such time as secure cycle parking shall be provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such use in perpetuity.

Reason: To promote travel by sustainable modes in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

18. The rating level of the noise emitted from fixed plant and equipment (mechanical and electrical) located at the site shall not exceed the existing background level at any premises used for residential purposes surrounding the site when assessed in accordance with BS 4142:2014+A1(2019).

Reason: To protect the environment and local residents from nuisance from noise in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

19. No external lighting of the site shall be installed until details have been submitted in writing to, and approved in writing, by the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). Thereafter lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

Informatives

1. Your attention is drawn to the below Biodiversity Net Gain note. The development is subject to the "biodiversity gain condition". A Biodiversity Gain Plan needs to be submitted to and approved in writing by the planning authority prior to commencement of development.
2. In relation to conditions relating to land contamination advice from Environmental Health should be sought via esadmin@hinckley-bosworth.gov.uk to ensure that any investigation of land contamination is in accordance with their policy.
3. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
4. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
5. The Applicant should be advised to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: networkmanagement@leics.gov.uk

Planning Committee 15 July 2025
Report of the Head of Planning

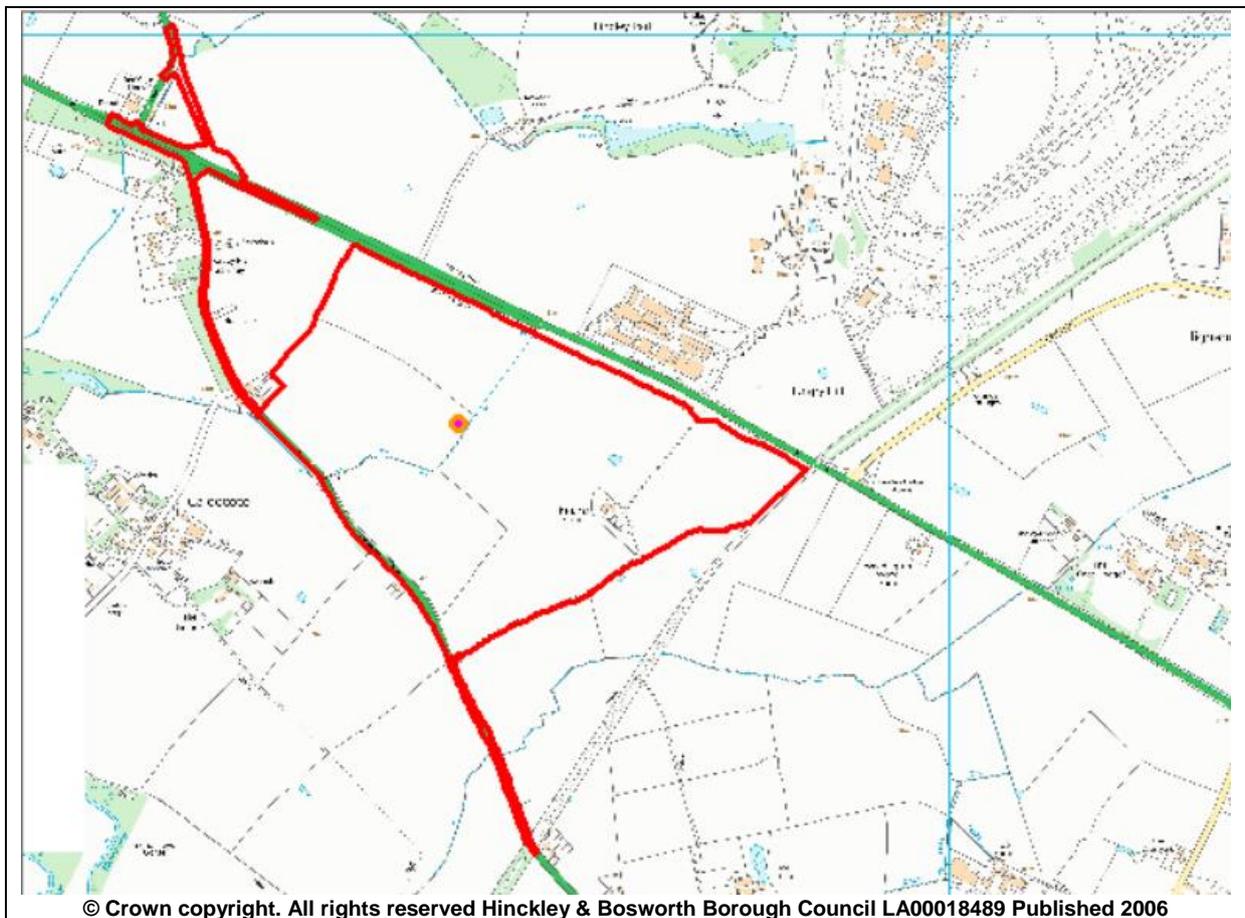
Planning Ref: 22/00882/OUT
Applicant: ERI MTP Limited
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: Land adj Mira Technology Park, Caldecote, Warwickshire, CV10 0TS

Proposal: Outline planning application (all matters reserved) for extension of MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class E g); storage (Class B8); new spine road; car parking, landscaping and enabling works (Cross boundary application with North Warwickshire Borough Council)



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of the report
- A S106 to secure off site highways improvements including bus service improvements and with regards to employment and skills training
- The Head of Planning being given powers to determine the final detail of planning conditions

2. Planning Application Description

- 2.1. The application seeks outline planning permission for an extension to Mira Technology Park for employment uses split between B2 use (manufacturing), Class E g use for associated office use and B8 use for storage and distribution. A total of 213,500 m² of development is proposed, all of which will be located in North Warwickshire Borough. All matters of layout, appearance, scale, design, landscaping and access for the development would be reserved for later approval.
- 2.2. The application site red line includes land within Hinckley and Bosworth Borough with regards to highways access and highways works only. All buildings proposed are located within North Warwickshire, and with the red line also including land within Nuneaton & Bedworth Borough.
- 2.3. The extension to the Technology Park includes the following elements:
 - Four development zones illustrating how the proposed floor area could be distributed through the site together with a limitation on building heights of 18 metres to the ridge of any roof.
 - 39.3ha of net developable area
 - A spine road (to be the redirected A444) to pass through the site from the A444 to the existing roundabout on the A5 at the MIRA entrance. The Plan illustrates an arrangement to show how the A444 might be diverted with an off-set roundabout involving the re-alignment of the A444. Weddington Lane will be downgraded and stopped off at Caldecote.
 - A new cycle route through the site connecting the A444 with the existing cycle route at either end of the Weddington Way where it passes underneath the A5 and where it joins the A444.
 - Strategic areas of new landscaping together with drainage attenuation ponds in the south-west of the site. • The possible route of the diverted footpath at the far western end of the site and
 - The possible location of bus stops along the spine road.
 - Off site highway works, including the removal and redesign of Redgate junction at the A5/A444 to a traditional four arm roundabout and mitigation works to the A5 junctions with Woodford Lane and Drayton Lane
- 2.4. Proposed access to the site would be from the existing roundabout that serves the existing Mira Technology Park on the A5, with a new arm to the south west to the site.
- 2.5. The proposal is formed of two phases for development, phase one would comprise the highway works to the A5 and the new Redgate roundabout together with development of the northern part of the site (7.4ha of development (zone 1 and zone 10, 13.9ha of development (zone 30)), with then phase two including the works to the A444 to Weddington Lane and the southern section of the site (18ha of development – zone 20).
- 2.6. Given the date of submission of the application a Biodiversity Net Gain of 10% is not required. Nonetheless, the calculation shows that 10% BNG can be achieved as part of the development proposals.
- 2.7. The application is accompanied by the following reports and documents:
 - Planning Statement
 - Design & Access Statement
 - Transport Assessment and Addendum
 - Landscape and Visual Impact Assessment
 - Loss of agricultural land assessment

- Flood risk assessment
- Heritage assessment
- Archaeology desk based assessment
- Air quality assessment
- Economic benefits statement
- Statement of community involvement
- Tree survey
- Ecological surveys – newts, bats, reptiles, birds, badgers
- Energy strategy
- Ground condition report
- Travel plan
- Geophysical Survey

3. Description of the Site and Surrounding Area

- 3.1. As well as being split between three local planning authorities the site also lies with two counties, Leicestershire and Warwickshire and also within two regions of the country, the East Midlands and the West Midlands.
- 3.2. The site is 59 hectares of agricultural land, comprising four fields. The site is located around 3.5 km to the north-west of the centre of Nuneaton and bounded on two sides by the A5 to the north and the A444 to the south. There is agricultural land bounding the remaining sides. The existing Mira Technology Park is located opposite, across the A5 to the north east.
- 3.3. The application site is located within flood zone 1, which is at the lowest risk of flooding, and very small parts of the site are at low risk of surface water flooding (between 0.1% and 1% chance each year). The site slopes evenly down from the north with a gradient of around 1 in 40 leading to a height difference of around 14 metres AOD. A public footpath – the AE189 - runs from the A444 to the A5 diagonally crossing the eastern part of the site. This is joined by the N7 linking the Weddington Way at its southern end. A further path – the AE190 runs along the western site boundary.

4. Relevant Planning History

- 4.1. None for this site, the proposed development is located in North Warwickshire Borough. The existing Mira Technology Park, located in Hinckley & Bosworth Borough has an extensive planning history and there is a strong history of collaborative working between Mira Technology Park and the Borough Council.
- 4.2. The site is partially allocated for employment use in the North Warwickshire Local Plan Policy LP35. This policy allocates 42ha of the site as an employment allocation, around 70% of this proposal of 59ha. North Warwickshire Local Plan Policy E4 states that the proposed uses for the site, use classes B2, E(g) and B8 are acceptable.
- 4.3. North Warwickshire Borough Council have considered the application at their Board on a number of occasions, including a resolution to grant permission in February 2025 (reference PAP/2022/0423).

5. Publicity

- 5.1. The application has been publicised by sending out letters to the occupiers of 23 neighbouring properties. A site notice has been also posted within the vicinity of the site, and a notice has been published in the local press.
- 5.2. Representations have been received from or on behalf of the occupiers of 16 properties. These include 15 letters of objection and one neutral response. Of the objections received, 6 of these are from residents of nearby Fenny Drayton, with the remaining 9 from further afield, of which 8 are considered to be from users of the self storage business on Drayton Lane, Fenny Drayton. The following objections, concerns and points have been made:
- Object to the proposed left in left out arrangement for Drayton Lane, including for reasons of impact on existing self storage business, lack of evidence with regards to road safety implications, potential for increased rat running through Fenny Drayton;
 - Potential flooding and drainage impacts;
 - Impact on local infrastructure including to electricity cables and sewerage pipes;
 - Concerns over construction timetable and impact of highways construction works;
 - Concern over Woodford Lane junction works, including knock on impact to existing residents in Sheepy Magna, Pinwall, Ratcliffe Culey and Twycross;
 - Impact of closure of Weddington Lane and re-routing through the new site
- 5.3. The key concern raised throughout the majority of the objections received is with regards to the proposed works to the Drayton Lane/A5 junction to change this to a left in left out arrangement. The objections raise issues with regards to impact on the existing self storage business on Drayton Lane, including a potential loss of custom due to the increased distances needed to travel to either the Mancetter roundabout to the north or Redgate roundabout to the south. Highways impacts are discussed later on in this report.

6. Consultation

- 6.1. **Witherley Parish Council** – Objects to the proposal for the following reasons:
- Impact on the Parish and A5 through increased traffic;
 - Redgate junction – impact of lorries being re-routed onto new road and not being able to turn at the pub;
 - Potential for increased fly tipping, antisocial behaviour and unauthorised traveller encampments;
 - Left in left out proposal for Drayton Lane supported
- 6.2. **Higham Parish Council** – objects to the proposal due to loss of countryside
- 6.3. **National Highways** – No objections. Recommend conditions.
- 6.4. **LCC Highway Authority** – The Local Highway Advice (LHA) advice is that the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 116 of the National Planning Policy Framework (2024) subject to conditions.

The LHA initially raised observations in October 2022, however, has subsequently been dealing with the application via North Warwickshire BC together with

Warwickshire County Council and National Highways. This resulted in NWBC advising approval in November 2024. The LHA advises similar conditions to those advised to NWBC.

- 6.5. **LCC Lead Local Flood Authority (LLFA)** – No objections subject to conditions. Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 59.5 ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a very low to low risk of surface water flooding. The proposals seek to discharge at the greenfield rate of 4.32 l/s/ha via pervious paving swales, underground storage and attenuation basins to the watercourse running through the centre of the site. Surface water will discharge via two outfalls. One outfall will discharge surface water from the northern part of the site, the other will discharge surface water from the southern part of the site. Geological data suggests that infiltration would not be a feasible method of draining the site. Ground investigations would need to be conducted in order to confirm this. Subsequent to the previous LLFA response the discharge rate on which the surface water drainage proposals are based has been amended. The applicant's calculation of 6.2 l/s/ha is now altered to 4.32 l/s/ha.
- 6.6. **LCC Archaeology** – The Leicestershire and Rutland Historic Environment Record (HER) notes that the new link road lies immediately north of the Roman Road Watling Street (HER Ref.: MLE1388). Roman remains nearby include finds recovered during metal detecting c.740m to the northwest (MLE3310) and features recorded during trial 2 trenching c.555m southeast of the proposed new link road (MLE18946). The proposed development area has not previously been subject to any archaeological investigation, but in view of the evidence from the surrounding area, it is considered to have potential for the presence of archaeological remains relating to Roman activity, including settlement and occupation. In accordance with National Planning Policy Framework (NPPF), Section 16, paragraph 194, the development area is of archaeological interest and also has the potential for further unidentified archaeological deposits. Based upon the available information, it is anticipated that these remains whilst significant and warranting further archaeological mitigation prior to the impact of development, are not of such importance to represent an obstacle to the determination of the application (NPPF paragraph 195). While the current results are sufficient to support the planning decision, further post-determination trial trenching will be required in order to define the full extent and character of the necessary archaeological mitigation programme.
- 6.7. **LCC Ecology** – No comments to make, Warwickshire CC to lead on response given the site is predominantly in Warwickshire
- 6.8. **North Warwickshire Borough Council** – No objections
- 6.9. **Nuneaton & Bedworth Borough Council** – no objections
- 6.10. **Severn Trent Water** – No response to date.
- 6.11. **Environment Agency** – This application is cross LPA boundary and also cross boundary for our internal Environment Agency planning teams. As the East Midlands team we have no objections to the application submitted by Hinckley and Bosworth and will not be making any formal comment on the submission for the following reason: - The development falls within flood zone 1 and therefore we have no fluvial flood risk concerns associated with the site. There are no other environmental constraints associated with the application site which fall within the remit of the Environment Agency.

- 6.12. **HBBC Compliance and Monitoring** – No comments
- 6.13. **HBBC Environmental Health** – Investigation into potential noise impact on HBBC residents from the operation of the Technology Park will need to be undertaken. It is possible that this could be done in compliance with a suitably worded condition. See example below. a) Development shall not begin until a scheme for protecting nearby dwellings from noise from the proposed development has been submitted to and approved by the Local Planning Authority b) All works which form part of the scheme shall be completed before the permitted development first comes into use. Investigation into potential light impact on HBBC residents from the operation of the Technology Park will need to be undertaken. It is possible that this could be done in compliance with a suitably worded condition, see example below. a) Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). b) The lighting shall be installed, maintained and operated in accordance with the 2 approved details. A Construction Environment Management Plan should be created for the site and should include the recommendations of the Air Quality Assessment submitted with this application.
- 6.14. **HBBC Waste** – No comments or objections.
- 6.15. **Sheepy Parish Council** – does not consider that sufficient assessment has been undertaken on traffic flow and impact to neighbouring villages of Sheepy Magna, Pinwall, Ratcliffe Culey and Twycross. The proposal for Woodford Lane to be left in left out will mean that vehicles heading north to the M42 may consider alternative rat running routes.
- 6.16. **Natural England** - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutory designated sites and has no objection.

7. **Policy**

- 7.1. Core Strategy (2009)
- Policy 14: Rural areas - Transport
- 7.2. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM3: Infrastructure and Delivery
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM13: Preserving the Borough's Archaeology
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
 - Policy DM19: Existing Employment Sites
 - Policy DM20: Provision of employment sites
- 7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Department for Transport Circular 01/2022: The Strategic Road Network and The Delivery of Sustainable Development (the Circular) (Dec 2022)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.4. Other relevant guidance

- Good Design Guide (2020)
- Leicestershire Highway Design Guide
- Landscape Character Assessment (2017)
- Landscape Sensitivity Study (2017)
- Leicestershire Minerals and Waste Local Plan (2019)
- Leicestershire and Rutland Historic Environment Record

8. Appraisal

8.1. As this is a full cross boundary planning application where the majority of the site, some 95% lies within the boundary of North Warwickshire Borough Council. It is considered that the following represent the key issues:

- Principle of Development
- Highway Safety, Access and Parking Provision
- Design and Impact on the Character and Appearance of the Area
- Residential Amenity
- Flood Risk and Drainage
- Ecology and Biodiversity
- Archaeology
- Planning Obligations
- Conclusions and Planning Balance

Principle of Development

8.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.3. The current Development Plan consists of the Core Strategy, and the Site Allocations and Development Management Policies Development Plan Document. In accordance with Paragraph 232 of the Framework, due weight should be given to policies according to their degree of consistency with the NPPF.

8.4. Importantly, and as set out above, the principle of development of the site has been established through the resolution granted on site by North Warwickshire Borough Council, with a resolution to grant planning permission in February 2025. The site is also allocated for employment development in the North Warwickshire Local Plan.

8.5. For Hinckley & Bosworth Borough, the proposed development is highway works based only, with works to highway junctions at the Redgate roundabout on the A5/A444 and at Drayton Lane/A5 the most relevant.

8.6. In terms of national planning policy, Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the SADMP set out a presumption in favour of sustainable development, and state at 11d) that where there are no relevant development plan policies, or the policies which are most important for determining

the application are out-of-date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing development, or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 8.7. Section 6 of the NPPF deals with building a strong, competitive economy and Paragraph 87 of the NPPF states that planning decisions should recognise and address the specific locational requirements of different sectors.
- 8.8. It is important to note that this proposal is considered to be an extension to the existing Mira Technology Park facility, with the extension to be cross boundary between Local Planning Authorities, between Local Highway Authorities and between regions.
- 8.9. Paragraph 116 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.10. Paragraph 124 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while also safeguarding and improving the environment.
- 8.11. Paragraph 125 of the Framework states that planning decisions should, amongst other things, support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.
- 8.12. Paragraph 187 of the Framework states that decisions should contribute to and enhance the natural and local environment by protecting valued landscapes in a manner commensurate with their statutory status and by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile land, and of trees and woodland.
- 8.13. Department for Transport Circular 01/2022 sets out the policy of the Secretary of State for Transport in relation to the Strategic Road Network and Government policy states that it should be read in conjunction with the NPPF, Planning Practice Guidance and all other material considerations. It confirms that National Highways is the highway authority for the strategic road network, which for the purposes of this application includes the A5.
- 8.14. Policy DM17 of the SADMP requires that development proposals are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.
- 8.15. Policy DM4 of the SADMP states “that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development.
- 8.16. Development in the countryside will be considered sustainable where:
 - a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or

- b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
- c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
- d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
- e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.

8.17. Policies DM19 and DM20 of the SADMP set out that existing employment sites of high quality (including the existing Mira Technology Park) should be retained for employment use, with any non-employment use only be allowed in exceptional circumstances. For new employment sites outside of settlements, Policy DM20 states that proposals which stand outside the settlement boundary and on greenfield sites (as per this application) will only be found acceptable where it is demonstrated that there are no suitable alternative sites identified sequentially in the following locations:

- a) Within settlement boundaries;
- b) On previously developed land;
- c) Adjacent to existing employment areas;
- d) Adjacent to settlement boundaries

In this case, the scale of the site proposed (59ha) rules out any compliance with a) and b) as above, with no suitable sites of this scale available either within settlement boundaries or on previously developed land. Whilst separated by the A5, the proposal is considered to be adjacent to an existing employment area of the existing Mira Technology Park. Furthermore, the site is proposed as an expansion to the existing Technology Park.

8.18. The MIRA Technology Park is a leading Enterprise Zones of national importance and the headquarters for Horiba MIRA the global automotive engineering company and its testing and development operations. The site is home to over 40 major international automotive engineering companies e.g. Bosch, Toyota, Haldex and Polestar, as set out in the Planning Statement it comprises Europe's largest and fastest growing automotive Research and Development cluster. The Technology Park contains major test facilities and over 110 kilometres of test tracks, making it a world class facility and a global attraction for automotive companies to the UK. It also supports the growing technologies in alternative fuels, electrification and autonomous technologies through recent major investments. This includes current expansion of the existing Technology Park to the south.

8.19. The Planning Statement submitted with the application sets out that the proposal will generate a significant number of new job opportunities on-site, including:

- up to 774 temporary opportunities bought about by the construction phase of development, and up to 2,500 opportunities offered via the completed development.
- Further job opportunities will also be generated off-site, including up to 751 opportunities during the construction phase of the development, and up to 3,250 opportunities once complete.
- The construction phase of development will have a significant and positive effect upon the local economy, contributing up to £468.40m in Gross Value Added (GVA) over the 5-7 year construction period.

- Furthermore, once completed scheme will add £353.80m GVA to the local economy each year.

The SADMP gives no guidance on what level of job creation constitutes a significant contribution but by any measure it is considered that such a level of job creation as is anticipated is objectively a significant contribution to job creation.

- 8.20. It is considered that the proposal is offered support in principle by Policy DM4 and by Policy DM20 of the SADMP. Further, the site is allocated for employment development in the North Warwickshire Local Plan and has a resolution to grant planning permission from North Warwickshire Borough Council.

Highway Safety and Access

- 8.21. Section DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an adverse impact upon highway safety. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)).
- 8.22. Policy DM10(g) states that where parking is to be provided, charging points for electric or low emission vehicles should be included, where feasible.
- 8.23. Paragraph 115 of the NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 116 outlines that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. Paragraph 117(e) of the NPPF states development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 8.24. The application is submitted in outline with all matters reserved, including for access. A parameters plan has been submitted and will be conditioned with this demonstrating a spine road located through the site from the A5 and A444. The primary site access will be from the existing roundabout on the A5 that serves the existing Technology Park through a new fourth arm.
- 8.25. For the A444, a new three arm roundabout will be constructed to replace the existing Redgate 'longabout' junction arrangement. With this second access, the A444 Weddington Lane, south of the A5, will be diverted from its existing alignment, with existing properties at Caldecote then served with a new separate access road. North of the A5, the new Redgate junction roundabout will then cut across the existing field to the north, rejoining the existing A444 north of the Redgate pub. The existing pub and storage business currently at the southern end of the A444 will then be served with a new one way road from the new A444 alignment and with a left hand turn back onto the A5.
- 8.26. Elsewhere, further off site highway network improvements are proposed to the Woodford Lane/A5 junction (to Hartshill) and to the Drayton Lane/A5 junction, to Fenny Drayton. These include making these junctions signalled (for Woodford Lane) and to be 'left in, left out' junction (Drayton Lane), therefore removing the current vehicular crossing of the A5 in both locations when turning right onto or off the A5.

These proposed off site highway works are highway safety based, removing an existing issue of vehicular crossing of the A5.

- 8.27. Access to public transport will be improved through collaboration with the bus operator, Arriva Midlands, and the Warwickshire County Council Passenger Transport Operation team to instigate the diversion of Service 65 via the new spine road within the development as part of its route between Tamworth and Nuneaton via Atherstone and MIRA Technology Park. The intention is to restore a 30-min frequency on Service 65 on weekdays on the core element of the route between Atherstone and Nuneaton. The phased introduction of the revised Service 65 bus service will be linked with the phased build programme within the MIRA Technology Park South Site development.
- 8.28. Within the MIRA Technology Park South Site development additional bus stop infrastructure will be provided with the phased construction of the new spine road linking the A5 to the A444. The bus stop infrastructure will incorporate wide footways at bus stops, passenger waiting facilities, flag, timetable and mapping, provision of infrastructure to enable real-time information, low-floor kerbs and bus cage markings. The real-time information will also be incorporated into accessible locations within each of the building units.
- 8.29. In addition, the proposals include new cycle and pedestrian link enhancements, including a new footway along Weddington Lane and cycle links into the Weddington Walk and back to Nuneaton. The Framework Travel Plan accompanying the planning application sets targets that seeks to reduce the amount of single use vehicle trips to less than 67% in 3 years and double the amount of cycle and public transport trips.
- 8.30. The application has been considered extensively by Leicestershire County Council and Warwickshire County Council as the relevant Local Highway Authorities together with National Highways with regards to impact on the A5 (Strategic Road Network) and the surrounding local highway network. This assessment has been over a number of months in consideration of the application through North Warwickshire Borough Council. Neither of the three consultees object to the proposal, subject to suitable planning conditions.
- 8.31. With regards to the offsite highway works proposed, the proposed amendment to the Drayton Lane/A5 junction to be left in left out has raised objections, with a number of objections to both North Warwickshire Borough Council and to this application from the owners and customers of a self storage business located on Drayton Lane. The objections are based on a potential loss of custom through customers not being able to access Drayton Lane from the A5 from all directions, instead with minor diversions needed to the nearby Redgate and Mancetter roundabouts to access Drayton Lane under the proposed new junction.
- 8.32. The three highway authorities support the proposed junction improvements, confirming that these are as a result of increased traffic on the A5 from the proposed development, therefore increasing a highway safety risk of these two junctions. The proposed development is considered to increase morning and evening peak time traffic on this part of the A5 by 20% and 14% respectively, however with the proposed junction improvements in place to be left in and left out, this would decrease the use of these junctions for the morning and evening peaks by 19% and 2% respectively for Woodford Lane, and by 37% and 19% for Drayton Lane. The proposed improvement works are considered to be required as a package, for instance the proposed signalisation of Woodford Lane cannot be considered in isolation as given the proximity of the junctions, gaps in traffic to turn right out of or in to Drayton Lane

will be difficult to judge. National Highways are of the view that without the proposed improvements to Drayton Lane/A5 junction to be left in left out, there would be an unacceptable impact on highway safety and thus the application should be refused.

- 8.33. For Fenny Drayton, the proposed amendments to the Drayton Lane junction has the potential to increase traffic movements through the village for those accessing Drayton Lane, including customers of the existing self storage business and for agricultural vehicles. However, the proposed junction improvements will also remove existing rat running through the village for traffic coming from the A444/Fenn Lanes direction and currently seeking to avoid the Redgate junction. Removing the right hand turn from Drayton Lane will therefore force these traffic movements to the new Redgate junction and not rat running through the village. On balance, Leicestershire County Council consider that the proposed Drayton Lane works will decrease traffic flow through Fenny Drayton.
- 8.34. The objectors to the proposed Drayton Lane/A5 junction works have provided a series of five alternative proposals for consideration of:
- Including Woodford Lane junction signalisation, but to leave Drayton Lane as currently;
 - Include signalisation to both junctions;
 - Reverse proposals to include signalisation of Drayton Lane and left in left out at Woodford Lane;
 - Provide a 'longabout' as per the existing Redgate junction, to provide for both Woodford Lane and Drayton Lane; and
 - Provide a conventional roundabout at Drayton Lane and a left in left out arrangement at Woodford Lane
- 8.35. The above alternative proposals have been considered by the statutory consultees and are covered extensively by North Warwickshire Borough Council in their assessment of the application and resolution to grant permission. The above alternatives were not supported by the consultees for reasons including that a package of mitigation measures is needed for both junctions, not just a single junction, that there could be an increasing in queuing vehicles on the A5, that the road safety of the Woodford Lane junction would not be improved and that the alternative proposals would not remove the existing rat running through Fenny Drayton. The above alternatives have been considered and do have merit; however, they are not proposed by the applicant. The proposals from the applicant, of signalisation to Woodford Lane and a left in left out arrangement at Drayton Lane have been considered and are supported by all three highway authorities.
- 8.36. Objections have been raised by existing business owners and customers in light of the proposed changes to the Drayton Lane/A5 junction with regards to a potential impact on the existing business, potentially through a loss of custom through the changes proposed to the junction removing a right turn into Drayton Lane when travelling north on the A5 and a right turn out of Drayton Lane.
- 8.37. Paragraph 200 of the NPPF sets out:
- 'Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed'* (my emphasis)

The objections set out that the proposed works to Drayton Lane may result in an increase in travel costs, time delays and a potential impact on the viability of existing businesses due to this proposed change to the junction.

- 8.38. For the existing businesses on Drayton Lane, the junction changes proposed to be a left in left out junction will mean that customers accessing Drayton Lane from the south will have to either leave the A5 at the Redgate roundabout and travel through Fenny Drayton to reach Drayton Lane, a journey of negligible change in distance compared to the existing scenario of a right turn from the A5, but potentially with a small time difference due to slower vehicular speeds. The other option would be to travel past Drayton Lane to the Mancetter roundabout and travel back to Drayton Lane, an additional distance of approx. 3.30km. When leaving Drayton Lane to travel north, the removal of the existing right turn onto the A5 will mean an additional journey to the proposed new Redgate roundabout to then turn back to head north, an additional distance of approx. 3.70km.
- 8.39. It is noted that this is an additional distance to travel to existing businesses. The existing business provide storage for both household and business purposes, including small local businesses and are claimed to support up to 340FTE jobs through provision of storage. The existing businesses have been permitted to expand, and with the existing businesses (although not that permitted to expand) with unlimited 24hr access to the site. The self storage business has suggested that up to 90% of customers live within a 10-mile radius from the business. The additional time and distance impacts, as set out in para 8.38 above, will apply to most customers, with the majority of the customer base accessing the site from the A5, although the vast majority will only be impacted when travelling in one direction to or from the site, rarely both.
- 8.40. Key to considering this impact is the NPPF test of unreasonable in terms of any restriction on the existing business. In this case, the potential impact on access to the businesses, and therefore marketability of the site, is noted. However, whether this is an unreasonable restriction lies with the decision maker using planning judgement.
- 8.41. Use of the site is not on a frequent basis, and with a negligible impact on peak time traffic movements to and from the self storage and agricultural businesses. Some customers may access the site on a daily basis, or even more than once daily, however other customers may visit the site far less frequently, potentially less than monthly due to the long term storage provided. This infrequent level of vehicular trips to the site and low levels of daily trips has previously been presented to the Council in assessing an application to expand the site. Further, due to the minor differences in travel time compared to the existing scenario, together with the clear demand for self storage units and with future customers not knowing any difference from a new junction scenario as proposed, a long term impact on the business is considered to be unlikely to meet the test to be considered to be significant. Moreover, the reasons for the change in junction layouts proposed to Woodford Lane and Drayton Lane is solely for reasons of highway safety, preventing vehicles crossing the strategic road network in a location with a history of safety incidents.
- 8.42. Whilst a potential short term impact on existing businesses is noted, as customers adapt to the change in junction layout, the minor differences in travel time and distance are, on balance, not considered to result in an unreasonable restriction on existing businesses. In this respect the proposal is not considered to fail the test as set out in para. 200 of the NPPF.

- 8.43. The County Highway Authority has also confirmed that, in its view, the impacts of the proposal on highway safety would not be unacceptable and that when considered cumulatively with other developments, the impacts on the road network would not be severe.
- 8.44. Paragraph 116 of the NPPF confirms that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, which in this instance there is not, or if the impacts on the road network would be severe, which in this instance is not considered to be the case, with no objections received from three separate highway authorities that have reviewed the application over a number of months.
- 8.45. The proposal is therefore considered to be acceptable in terms of highway safety, access and parking provision and in terms of its effect on the surrounding road network. The proposal accords with the requirements of the requirements of the NPPF and with Policies DM17 and DM18 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Design and Impact on the Character and Appearance of the Area

- 8.46. Policy DM4 of the adopted SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and it does not undermine the physical and perceived separation and open character between settlements; and it does not create or exacerbate ribbon development. The site is located within the countryside, outside of the settlement boundary and is therefore considered against this policy.
- 8.47. Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and that the use and application of building materials respects the materials of existing adjoining/neighbouring buildings and the local area generally.
- 8.48. The large majority of the site lies within North Warwickshire Borough as does all of the built development that is proposed by the application. Only highway works are proposed within Hinckley & Bosworth Borough. The application is supported by a Landscape and Visual Impact Assessment, providing a detailed assessment of the site using 13 viewpoints within a theoretical zone of intervisibility. The LVIA highlighted the following key points:
- Inter-visibility from Caldecote should be carefully considered to ensure potential effects on the heritage assets are mitigated. •
 - Long distance views from sensitive receptors in Hartshill Country Park should be considered and mitigation should be included where possible.
 - Existing drainage ditches and hedges should be retained and protected where possible.
 - Any development should consider the impact on the users of the A5 and the effects of the traffic noise on the potential users of the site.
 - Weddington Country Walk is a well-used and therefore highly sensitive landscape and visual receptor. Careful steps should be taken to avoid any potential negative effects on the users.
 - Any development should consider a large landscape buffer to the south of the Site which could include ponds for ecological benefit, utilising the lowest part of the site.

- Where possible, any development on the Site should work with the existing landform and any spoil from excavation is utilised on the site in the form of bunds.
- 8.49. The site is agricultural in character, with long distance views across the site from the A5 together with some viewpoints within Hinckley & Bosworth Borough including from the A444. However, this part of the landscape is also dominated by the A5 together with the existing Technology Park. The Assessment concludes that the proposed development would have an overall major adverse landscape impact if no mitigation measures are included.
- 8.50. In respect of visual impacts, it concludes that there would be major adverse impacts when viewed from around the whole of the site with moderate impacts from more distant views from the south. The Assessment concludes that structural landscaping will have a positive impact but suggests that this will take some time to become established, thus concluding that there would be adverse landscape and visual impacts in the short term (up to ten years) and also in the longer term (after ten years). Whilst impacts would reduce over time, the development would remain prominent particularly from the A5 and from the A444.
- 8.51. In addition to the points made above in this section of the report it is material to note that the area is not a 'valued landscape' for NPPF purposes. Indeed, there are no landscape or environmental designations or sensitivities of note for the site and its immediate surroundings. Further, the site context will change in the short term through the existing ongoing permitted expansion of the current Technology Park to the north side of the A5.
- 8.52. Whilst the application results in a major change to the site it is considered that, through further consideration of landscaping at reserved matters stage together with suitable planning conditions, the proposed development does not result in a significant detrimental effect on the character and appearance of the site and surrounding area. These proposals are considered to accord with the requirements of Policies DM4 and DM10 of the SADMP and the requirements of the NPPF.
- 8.53. It is considered that the proposals are acceptable with regard to their effect on the character and appearance of the area.

Residential Amenity

- 8.54. Policy DM10 (a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site. Policy DM7 of the SADMP seeks to ensure that adverse impacts from pollution are prevented, including from noise, light and land contamination.
- 8.55. Paragraph 135 of the NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 8.56. Paragraph 185 of the NPPF states that decisions should ensure that new development is appropriate for its location taking into account the likely effects

(including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

- 8.57. A Noise Impact Assessment has been submitted and the assessment finds that the background ambient noise levels are dominated by the road traffic using the A5 and the A444. The assessment concludes that the construction phase could have potential adverse impacts on the amenity of the surrounding area, but that mitigation measures such as controlled working hours and acoustic barriers would reduce impacts. In the operational phase, the report concludes that there will be adverse impacts due to the reduced effectiveness of the structural landscaping in the initial years.
- 8.58. The closest dwelling to the proposed development located within Hinckley & Bosworth is at Rowden Lodge, to the north of the site and across the A5 at a distance of c.500m at its closest point. The nearest settlement is at Fenny Drayton, c. 1200m away at its closest point, albeit that Caldecote is of a much shorter distance away but located within North Warwickshire and has been assessed by North Warwickshire BC as such in terms of any amenity impact.
- 8.59. The Council's Environmental Health Officer has no objections to the proposal subject to conditions relating to noise and lighting, with further detailed schemes to be submitted and approved.
- 8.60. The proposal would result in a significant change to the site but these changes are to a substantial degree screened from any neighbouring property by a combination of factors that includes existing features of the A5 and existing Technology Park, together with landscape screening and any noise mitigation as required, to be determined through reserved matters and planning conditions.
- 8.61. It is considered that the proposed development would be acceptable in terms of its impact on neighbouring residential amenity and would be in compliance with Policy DM7 and Policy DM10 a) and b) of the SADMP and the requirements of the NPPF.

Flood Risk and Drainage

- 8.62. Policy DM7 of the SADMP seeks to prevent development from resulting in adverse impacts on flooding by ensuring that development does not create or exacerbate flooding.
- 8.63. Paragraph 181 of the NPPF states that when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 182 states that applications that applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the scale and nature of the development and provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity.
- 8.64. The site lies within Flood Zone 1 on the Environment Agency Flood Maps for Planning. The indicative site layout ensures that no buildings lie within any area indicated to be at high risk of surface water flooding.
- 8.65. A Flood Risk Assessment and an Outline Drainage Strategy have been submitted with the application which set out that the site is at a low risk of flooding from tidal,

pluvial, fluvial, groundwater and artificial sources. Whilst the report notes that the Site is bisected by a watercourse, calculations show that the watercourse has sufficient capacity to manage a rare 1 in 100-year event, and that it remains resilient even when an allowance for climate change is included. The report concludes that the site is at a low risk of flooding and that this risk will not be increased as a result of the proposed drainage strategy.

- 8.66. The proposals seek to discharge at the greenfield rate of 4.32 l/s/ha via pervious paving swales, underground storage and attenuation basins to the watercourse running through the centre of the site. Surface water will discharge via two outfalls. One outfall will discharge surface water from the northern part of the site, the other will discharge surface water from the southern part of the site. Geological data suggests that infiltration would not be a feasible method of draining the site.
- 8.67. The Lead Local Flood Authority advises that the proposals are acceptable subject to conditions. No objections have been received from the Environment Agency. Subject to the suggested conditions, it is considered that the proposed development would satisfy Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document and the requirements of the National Planning Policy Framework.

Ecology and Biodiversity

- 8.68. Policy DM6 of the SADMP states that development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including long term future management. Paragraph 187 of the NPPF states that planning decisions should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.
- 8.69. The planning application is accompanied by a Preliminary Ecological Appraisal and various species-specific Survey Reports. A Biodiversity Net Gain assessment has also been prepared to support the development proposals. The reports submitted set out the following:
- Evidence of Great Crested Newts was observed on the Site. Various recommendations have been made, including the need to obtain the appropriate licenses prior to commencing any site clearance or construction work, and to provide mitigation through the provision of a number of additional ponds and semi-natural habitat on the Site, which has been incorporated into the design proposals.
 - Badger – No evidence of Badgers was observed on the Site. As such, no further survey work or mitigation measures are required.
 - Bats – Two types of survey have been carried out – Bat Roosting and Bat Activity Surveys. The reports found evidence of both bat roosting and activity on the Site. Various recommendations are made, including the need to gain the appropriate licences prior to any demolition work, retain the existing trees and hedgerows where possible, enhance roosting potential through the provision of new bat boxes, and to minimise the impact of any lighting proposed.
 - Breeding Birds – The survey work has observed a large number of birds and potentially breeding birds using the Site. Various recommendations have been made to reduce any risk or impact, including the installation of new nest boxes, improvements to the landscaping of the area (including the planting of native species) and the implementation of a maintenance schedule which should take place outside of the bird nesting seasons.

- Reptiles – No evidence of Reptiles was observed on Site. As such, no further survey work or mitigation measures are required.
- 8.70. The County Ecologist has assessed the information submitted and has stated that subject to conditions the proposal is acceptable, with Warwickshire County Council to lead on this as the proposed built development is all in North Warwickshire.
- 8.71. It is considered that the provision of a biodiversity net gain and appropriate protection of existing habitats and wildlife could be secured via condition and a S106 Agreement. Subject to these requirements this application is considered acceptable with respect to ecology and biodiversity matters and complies with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document and the requirements of the National Planning Policy Framework.
- 8.72. An Agricultural Land Assessment has been submitted in support of this application. This assessment finds that the area is predominantly heavy clay Grade 3 under Agricultural Land Classification (and felt to be at the lower 3B end of the quality spectrum by those who farm it) and thus avoids best and most versatile agricultural land.

Archaeology and Heritage Impact

- 8.73. Policy DM13 of the SADMP states that where a proposal has the potential to impact a site of archaeological interest developers should provide an appropriate desk based assessment and where applicable a field evaluation. Paragraph 207 of the NPPF also reiterates this advice.
- 8.74. In line with the NPPF Section 16, the Local Planning Authority is required to consider the impact of the development upon any heritage assets, taking into account their particular archaeological and historic significance. The archaeological obligations of the developer, including publication of the results and deposition of the archive, must be proportionate to the impact of the proposals upon the significance of the historic environment.
- 8.75. Paragraph 218 of the NPPF states that a developer should be required to record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance and impact and to make this evidence publicly accessible.
- 8.76. The County Archaeologist has confirmed that the site has a significant potential to contain archaeological buried remains relating to Roman roadside occupation and prehistoric activity and that in that context the current application can be approved subject to a condition regarding an appropriate programme of archaeological mitigation including an initial phase of exploratory trial trenching, followed, as necessary, by intrusive and non-intrusive investigation and recording.
- 8.77. For built heritage the proposal is not considered to impact upon the setting of any heritage assets located within Hinckley & Bosworth Borough due to the distance to the nearest listed buildings and due to the intervening landscape dominated by the A5 and existing Technology Park. However, there are nearby heritage assets in North Warwickshire Borough, including a number of built heritage assets in Caldecote, including the Church of St Theobald and St Chad and Caldecote Hall and Garden. North Warwickshire Borough Council consider that the site does not contribute to how the assets are experienced as part of a Victorian Country Estate and church with instead the site simply forming part of the wider agricultural landscape. Further design

details, including materials and landscaping, will be considered at reserved matters stage.

- 8.78. It is therefore considered that, subject to an appropriate condition, the proposal accords with the requirements of Policy DM13 of the Site Allocations and Development Management Policies Development Plan Document and of the National Planning Policy Framework.

Planning Obligations

- 8.79. Policy DM3 of the adopted SADMP requires development to contribute towards the provision and maintenance of necessary infrastructure to mitigate the impact of additional development on community services and facilities.
- 8.80. In this instance contributions are being sought towards improvements to local bus services (£1.35m), spread over five years from the date of first occupation. In addition, an agreement is sought with regards to training and apprentice opportunities linked to nearby schools and colleges, with existing practices in place for this at the current Technology Park. Further contributions include a contribution to relevant traffic regulation orders. These will be led by North Warwickshire Borough Council as the lead authority for the application.
- 8.81. The request for any planning obligations must be considered alongside the requirement contained within the Community Infrastructure Levy Regulations 2010 (CIL). The CIL Regulations and paragraph 58 of the NPPF state that planning obligations must only be sought where they meet all of the following tests:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- 8.82. All of the above contributions are considered to meet the tests for planning obligations and should therefore form part of the unilateral undertaking that has been submitted by the applicant.

Conclusions and Planning Balance

- 8.83. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.84. The benefits of the proposal can be split as below:

Economic benefits:

- The scheme will generate a significant number of new job opportunities on-site, including up to 774 temporary opportunities bought about by the construction phase of development, and up to 2,500 opportunities offered via the completed development.
- Further job opportunities will also be generated off-site, including up to 751 opportunities during the construction phase of the development, and up to 3,250 opportunities once complete.
- The construction phase of development will have a significant and positive effect upon the local economy, contributing up to £468.40m in Gross Value Added (GVA) over the 5-7 year construction period.

- Furthermore, once completed scheme will add £353.80m GVA to the local economy each year.

Social benefits:

- The scheme will deliver opportunities for training/apprenticeships associated with the initiatives across the MIRA Technology Park and the MIRA Training Institute.
- The completed scheme will include the provision of new facilities such as the new recreation area and improved local infrastructure and roads.

Environmental benefits:

- The scheme will deliver extensive green infrastructure through the site, retaining many existing landscape features and helping to create new and sustainable habitats.
- A large area of publicly accessible open space will be provided, which helps to provide links to the green network of the wider area.
- Sustainable building techniques will be utilised, with a potential for 10% on site renewable energy generation through solar photovoltaics
- Sustainable modes of transport will be encouraged, with links between the existing and proposed parts of the MIRA Technology Park linked by new footpaths, cycle links and shuttle services, and links to the wider settlement hierarchy provided through improved public transport links, with a financial sum proposed for improved public transport provision

8.85. The physical alterations to the site will clearly be noticed both by road users, pedestrians and local residents but this is not in itself considered to result in harm. It is not considered that the effects of the development on the amenity of neighbouring residents would be significant. The benefits of the proposal also include the provision of off site highway works, considered to be of a benefit so as to improve highway safety at two key junctions on the A5. This is supported by three highway authorities in assessing the application.

8.86. The site is allocated for employment development in the North Warwickshire Local Plan for the employment uses proposed and the site will be an extension to the existing Technology Park located within Hinckley & Bosworth Borough. The proposal also benefits from a resolution to grant planning permission from North Warwickshire Borough Council in February 2025.

8.87. Taking all material planning considerations into account it is considered that the limited adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF when taken as a whole. The proposal is therefore considered to represent sustainable development, and it is recommended that permission be granted.

9. Equality implications

9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Recommendation

11. That planning permission be **granted** subject to the signing of a S106 agreement and subject to the conditions set out below:

1. Details of the appearance, landscaping, layout and scale (hereinafter called the “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved. Page 23 of 269 5b/15

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004, and to prevent an accumulation of unimplemented planning permissions.

2. The first application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission. All applications for approval of reserved matters shall be made to the Local Planning Authority not later than eight years from the date of this permission. The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
 - Plans & Documents List dated 13 February 2025

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. If the development hereby permitted is to be constructed in more than one phase, details of the proposed phases of construction shall be submitted to the

Local Planning Authority for approval prior to, or at the same time as the first application for approval of the reserved matters. The Phasing Plan shall include details of the separate and severable phases or sub phases of development. Development shall be carried out in accordance with the approved phasing details, or such other phasing details as shall subsequently be submitted to and approved in writing by the Local Planning Authority.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004, and to prevent an accumulation of unimplemented planning permissions.

5. The development hereby permitted shall provide for no more than a maximum figure of 213,500 square metres of floorspace (GIA) for uses within Use Classes B2, B8 and E (g) (ii) of the Town and Country Planning (Use Classes) Order 2020 (as amended).

Reason: In order to define the scope and extent of the planning permission.

6. Any storage and distribution uses, within Use Class B8 of the Town and Country Planning (Use Classes) Order 2020 as amended, shall be uses that are ancillary or clearly secondary to the primary uses of the development hereby approved as defined under Condition 5 above.

Reason: In order to define the scope and extent of the planning permission

7. The reserved matters shall be designed in general accordance with the parameters plan approved under condition 3. In particular, the layout for Zones 20 and 30 as defined by that Plan and any unloading areas being located along the southern edge of each of these two Zones shall demonstrate that noise can be mitigated to 5dba below existing recorded background levels.

Reason: In order to define the implementation of the permission so as to reduce the risk of adverse noise impacts.

8. Any reserved matters application shall include a Noise Impact Assessment detailing the proposed measures to mitigate emissions of noise arising from the use and activity associated with any building and its curtilage within the application site. This Assessment shall particularly have regard to the potential noise impacts for neighbouring residential property as well for the village of Caldecote. This Assessment shall be carried out in accordance with BS4142:2014 plus A1:2019.

Reason: In order to define the implementation of the permission so as to reduce the risk of adverse noise impacts.

9. All access arrangements into, through and out of the site together with all off-site highway alterations shall be carried out in accordance with the plans approved under Condition 3.

Reason: In order to define the scope and extent of the planning permission.

10. No built development shall take place until a Construction Environmental Management Plan (CEMP) has first been submitted to and approved in writing by the Local Planning Authority, in consultation with Leicestershire County

Council, Warwickshire County Council and National Highways, for each phase of the development. The Plan shall provide for:

- a) A Construction Travel Management Plan (CTMP) including construction phasing,
- b) The parking of vehicles for site operatives and visitors.
- c) The routing for vehicles accessing the site associated with the construction of the development and signage to identify the route.
- d) The manoeuvring of vehicles within the site.
- e) Loading and unloading of plant and materials used in the construction of the development, including top-soil.
- f) The location of the site compounds.
- g) Storage of plant and materials.
- h) The erection and maintenance of security hoarding fencing.
- i) Wheel washing facilities.
- j) Measures to control the emission of dust and dirt during construction.
- k) Measures to control and mitigate disturbance from noise.
- l) A scheme for the recycling/disposal of waste resulting from the construction works.
- m) Any on-site lighting as required during construction.
- n) Measures to protect existing trees and hedgerows proposed for retention. o) Delivery, demolition and construction working hours.
- p) The means by which the terms will be monitored, details of a contact person and the procedure for reporting and resolving complaints. The approved CEMP shall be adhered to throughout the construction period of each phase.

Reason: In the interests of highway safety and the residential amenity of the local community in accordance with Policy DM10 of the SADMP (2016).

11. No development within any phase shall take place until full details of the finished floor levels, above ordnance datum, of the ground floor(s) of the proposed buildings, in relation to existing ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: In the interests of reducing potential landscape and visual harm in accordance with Policy DM4 and DM10 of the SADMP (2016)

12. No development within any phase shall take place until details of all external lighting relevant to that phase has been submitted to and approved in writing by the Local Planning Authority. The details shall be accompanied by an Impact Assessment in order to show that there are no adverse impacts arising from any proposed light source or from the glow of light arising from each phase. The Assessment shall also include an analysis of the cumulative impact of lighting arising from the whole site. In particular external lighting being installed on the southern-most elevations of the buildings to be erected in Zones 20 and 30 as defined by the Parameters Plan approved under Condition 2(b) above, shall be required to be justified for the purposes of health and safety and/or security only. The lighting shall be installed, operated and maintained at all times in accordance with the approved details.

Reason: In the interests of reducing the risk of adverse harm to the residential amenity of the local community in accordance with Policy DM10 of the SADMP (2016)

13. No development within any phase of the development hereby approved shall take place until a Landscape and Ecological Management Plan (“LEMP”) for that phase has first been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall be in general accordance with the approved Parameters Plan approved under condition 5. The LEMP shall include:
- a) a description and evaluation of the features to be managed;
 - b) ecological trends and constraints on site that might influence management,
 - c) the aims, objectives and targets for the management,
 - d) descriptions of the management operations for achieving the aims and objectives,
 - e) prescriptions for management actions,
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period),
 - g) Details of the monitoring needed to measure the effectiveness of management,
 - h) Details of each element of the monitoring programme,
 - i) Details of the persons or organisations(s) responsible for implementation and monitoring,
 - j) Mechanisms of adaptive management to account for necessary changes in the work schedule to achieve the required aims, objectives and targets,
 - k) Reporting procedures for each year 1, 2, 5, 10, 20 and 30 with bio-diversity net gain reconciliation calculated at each stage,
 - l) Where necessary, the legal and funding mechanisms by which the long-term implementation of the LEMP will be secured by the developer, and the management body(ies) responsible for its delivery,
 - m) How contingencies and/or remedial action will be identified, agreed and implemented in the event that monitoring under (k) above shows that the conservation aims and objectives set out in (c) above are not being met so that the development still delivers the full functioning bio-diversity objectives of the originally approved scheme.
- The details in that Plan shall then be implemented on site and be adhered to at all times during the lifetime of the development.

Reason: In the interests of enhancing and protecting bio-diversity in accordance with Policy DM6 of the SADMP (2016)

14. No development approved by this planning permission shall take place until such time as a surface water drainage scheme, in accordance with the Sustainable Drainage Statement, has been submitted to, and approved in writing by the Local Planning Authority in consultation with National Highways. The development must be carried out in accordance with these approved details and completed prior to first use. The scheme shall include:
- a) Evidence to show that the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an allowance for climate change) critical rain storm is limited to the Q_{bar} greenfield run off rate of 4.32 l/s/ha for the site in line with the documents approved as above.
 - b) A detailed assessment demonstrating the on-site water courses suitability as a receptor for surface water run-off from the development. This assessment shall include:
 - A condition survey of the watercourse and evidence of any remedial measures identified as necessary;

- A review of flood risk impacts from the watercourse demonstrating consideration for downstream receptors off site in the context of the proposals,
 - Evidence demonstrating that all development and surface water infrastructure is outside the anticipated fluvial flood extent.
- c) Drawings/plans illustrating the proposed sustainable surface water drainage scheme. The documents approved under condition 2(d) above may be treated as a minimum and further source control SUDS should be considered during the detailed design stages as part of a “SUDS management train” approach to provide additional benefits and resilience within the design.
- d) Detailed drawings including cross sections, of proposed features such as infiltration structures, attenuation features and outfall structures. These should be feature-specific demonstrating that such surface water drainage systems are designed in accordance with the SUDS Manual CIRIA Report C753 and cross sections should demonstrate that all SUDS features will be accessible for maintenance whilst also providing an adequate easement from the on-site watercourse.
- e) Provision of detailed network level calculations demonstrating the performance of the proposed system to include:
- suitable representation of the proposed drainage scheme, details of design criteria used (including consideration of a surcharged outfall) with justification of such criteria,
 - simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events,
 - together with results demonstrating the performance of the drainage scheme including attenuation storage, potential flood volumes and network status for each return period,
 - and evidence to allow suitable cross- checking of calculations and the proposals.
- f) The provision of plans such as external levels plans, supporting the exceedance and overland flow routing provided to date. This overland flow routing should:
- demonstrate how run-off will be directed through the development without exposing properties to flood risk;
 - consider property finished floor levels and thresholds in relating to exceedance flows, and
 - recognition that exceedance can occur due to a number of factors such that exceedance management should not rely on calculations demonstrating no flooding. Only the scheme that has been approved in writing shall then be implemented on site

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016)

15. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways. The construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016)

16. No use of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

17. No development shall take place on site including any site clearance or preparation prior to construction, until a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work for each phase of the development, excluding that part of the site included in the evaluation approved under condition 3 above, has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production and archive deposition detailed within the approved WSI shall be undertaken as required in accordance with a programme specified in the WSI. A written report detailing the results of this fieldwork shall also be submitted to the Local Planning Authority in accordance with the approved programme. The findings from the archaeological evaluative work shall inform each reserved matters submission.

Reason: To ensure satisfactory archaeological investigation, recording, dissemination and archiving in accordance with Policy DM13 of the Site Allocations and Development Management Policies Development Plan (2016).

18. Where necessary, and as informed by the findings of the archaeological evaluative work undertaken in the WSI, no development within any phase of the development shall take place until an Archaeological Mitigation Scheme (AMS) if appropriate, has been submitted to and approved in writing by the Local Planning Authority. The AMS should detail the strategy to mitigate the archaeological impact of the proposed development either through further fieldwork (for which a further WSI may be required) and/or through the preservation on site of any archaeological deposits. The AMS shall inform each reserved matters submission.

Reason: To ensure satisfactory archaeological investigation, recording, dissemination and archiving in accordance with Policy DM13 of the Site Allocations and Development Management Policies Development Plan (2016).

19. No development within any phase shall take place until the fieldwork relevant to that phase detailed in the WSI and AMS has been completed in accordance with the programme(s) specified therein. Any post-excavation analysis, publication of results and archive deposition shall be undertaken in accordance with the approved WSI and AMS.

Reason: To ensure satisfactory archaeological investigation, recording, dissemination and archiving in accordance with Policy DM13 of the Site Allocations and Development Management Policies Development Plan (2016).

20. No phase of the development hereby permitted shall commence until a scheme for the provision of adequate water supplies and fire hydrants necessary for fire fighting purposes relevant to each phase, has first been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be implemented within the relevant phase.

Reason: In the interest of public safety

21. No part of the development hereby permitted shall be commenced until a final Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways and Leicestershire County Highway Authority. The site shall operate in full accordance with the approved Travel Plan thereafter.

Reason: To ensure that the A5 trunk Road and M69 motorway continue to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Road Network resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024) and Department for Transport Circular 01/2022.

22. No phase of the development hereby permitted shall be occupied for business purposes until the roads serving that phase, including footways, private drives, means of accessing plots, car parking and manoeuvring areas have been laid out and substantially constructed in accordance with details first submitted to and approved in writing by the Local Planning Authority. Areas for the parking and manoeuvring of vehicles shall be retained for these purposes at all times thereafter.

Reason: In the interests of highway safety and the residential amenity of the local community in accordance with Policy DM10 of the SADMP (2016).

23. Prior to the occupation of any built development hereby permitted, the scheme of works to improve highways access as shown in general accordance with drawing ref:
- 17059/GA/02 Rev E (Proposed A5 - A444 Link Road and Off-Site Mitigation)
 - 17059/GA/08 Rev K (Proposed A5 - A444 Link Road and Off-Site Mitigation)
 - 17059/GA/10 Rev C (A5 Watling Street / Higham Lane and Nuneaton Lane Mitigation)

- 17059/GA/13 Rev B (A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme)
(or revisions of these drawings as agreed with the planning authority) should be completed and open to traffic, unless otherwise agreed via a phasing plan (pursuant to Condition 4).

Reason: In the interests of highway safety and the residential amenity of the local community in accordance with Policy DM10 of the SADMP (2016).

24. No works involving the disturbance of any surfacing of any public footpath or proposals to resurface any public footpath shall commence until details of such works are first submitted to and approved in writing by the Local Planning Authority. Only the approved works shall then be implemented on site.

Reason: In the interests of maintaining unobstructed public access.

25. Any contamination that is found during the course of construction within any phase of the development hereby approved, that was not previously identified shall be reported immediately to the Local Planning Authority. Development within that phase shall be suspended where directly affected by the contamination and a risk assessment carried out and submitted to the Local Planning Authority. Where unacceptable risks are found, remediation and verification schemes shall be submitted to the Local Planning Authority. Work shall then only resume or continue on the development in that phase, in accordance with the schemes that have been approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

26. Upon completion of any remediation works a verification report shall be submitted to and approved by the Local Planning Authority. The verification report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

27. No development approved by this planning permission shall commence until full details of all permanent and temporary external lighting of the site has been submitted to, and approved in writing by, the Local Planning Authority in consultation with National Highways. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The

permanent lighting shall be installed in full, maintained and operated in accordance with the approved details at all times that the development is operational.

Upon completion of the development, a statement of a suitably qualified contractor shall be submitted stating that any lighting installation to which condition 12 above applies is fully compliant with the Institution of Lighting Professionals Guidance Note 1: "The Reduction of Obtrusive Light" within zone E2.

Reason: To ensure that the A5 trunk road continues to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Route Network and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024), and Department for Transport Circular 01/2022, and in the interests of the amenity of neighbouring residents in accordance with Policies DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 135 of the National Planning Policy Framework (2024).

Planning Committee - 17 June 2025

SUPPLEMENTARY AGENDA

List Of Late Items Received After Preparation Of Main Agenda

ITEM 10

22/00882/OUT

ERI MTP Limited

Site:- Land Adjacent Mira Technology Park, Caldecote, Warwickshire, CV10 0TS

Proposal:- Outline planning application (all matters reserved) for extension of MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class E g); storage (Class B8); new spine road; car parking, landscaping and enabling works

Following publication of the Planning Committee report ahead of the meeting of 22 April, the item was withdrawn from the Planning Committee agenda. This was because the Council was sent a copy of a pre-action protocol letter ahead of a potential judicial review from a solicitor acting on behalf of an objector (Extra Room Self Storage (ERSS)) to North Warwickshire Borough Council (NWBC).

This letter received by North Warwickshire Borough Council seeks to challenge the decision taken by NWBC to approve the application at their February Planning Committee meeting, subject to completion of a S106 agreement. This letter suggests the following to NWBC:

- That it failed to take into account the necessity of the proposed Drayton Lane works to amend this junction to be 'left in, left out' only and whether the potential restrictions on the objectors business were unreasonable when taking into account para 200 of the NPPF;
- That it failed to take into account the view of statutory consultees in assessing alternative options for the Drayton Lane junction proposed by the objector; and
- It acted irrationally and misled Members in deciding not to seek statutory consultee review of alternative options proposed by the objector

Following receipt of this letter, the item was withdrawn from the HBBC Planning Committee of 22 April and NWBC have considered the letter, assessed the legal implications and have then taken the matter back to their Planning Committee on 9 June for consideration, given that the decision notice had not been issued.

At its meeting of 9 June, NWBC resolved to grant permission subject to a S106 agreement. In consideration of the item at their meeting on 9 June, NWBC Officers confirmed that, in their view, the proposed works to Drayton Lane / A5 junction would not be unreasonable restrictions and that they will not inhibit the ERSS business through being unduly onerous.

With regards to alternative proposals for the junction being provided by the objector and any statutory consultee review of these alternative proposals, these proposals are not submitted by the applicant and do not form part of the application to be determined. There is no requirement for alternative proposals submitted by 3rd parties, in this case an objector, to be assessed by statutory consultees, in this case including National Highways and two Local Highway Authorities. The statutory consultees have been engaged in this application since its submission in 2022 and are satisfied that the proposals put forward by the applicant as part of the application are satisfactory.

The applicant has submitted a final proposal for all off site highway works, and this has been accepted by the relevant statutory consultees as being acceptable in highway terms. Planning Committee is therefore cautioned against refusing or deferring an application that is considered acceptable for reasons that a 3rd party has submitted alternative proposals that are not part of the application to be determined, may not be able to be implemented and have not been assessed. It was considered by NWBC in considering the application on 9 June that the proposal, as submitted, is acceptable in planning terms, does not result in harm, and therefore there is no requirement to assess any alternative proposals.

Ahead of the NWBC Planning Committee meeting on 9 June, the applicant has stated the following with regards to the alternative highway proposals put forward by the objector:

- The DTA (on behalf of the objector) proposals are reliant on Simpson Family controlled land and while it is stated that they will gift this land, it would be an uncomfortable position for MIRA to take as it is: a) reliant on this 'good-will' going forward (without any legal protection) to avoid a ransom position; and b) the scheme design would be more complicated and costly to deliver.
- It is not clear whether statutory consultees or the public will support this revised design so MIRA risk potential delay and uncertainty if the revised design is pursued – particularly given Witherley Parish Council originally objected to traffic lights on the Drayton Lane/A5 junction (and supported the restrictions being imposed) in order to discourage rat running through Fenny Drayton.
- The Highways Authorities support the existing proposals and it remains MIRA's view that changes are unnecessary because the existing proposals would not lead to unreasonable restrictions on the Simpson's business (ERSS).

Following the above, and the decision of NWBC to resolve to approve the application on 9 June, the Council has received a letter from solicitors on behalf of an objector on 16 June. This has been circulated to Planning Committee Members. This follows further information being submitted by the objector on 27 May.

In the view of the objector, their proposal of synchronised traffic lights at both the Drayton Lane / A5 and Woodford Lane / A5 junctions achieves all traffic movements to Drayton Lane without a risk of queuing on the A5. Further, this letter sets out that following traffic surveys undertaken earlier in 2025, their sites average 133 vehicles per day. Their letter suggests that the proposed works to the Drayton Lane / A5 junction will result in 100 vehicle trips per day to be diverted, creating additional distance, journey time and emissions, with 75% of trips to the site experiencing a longer journey as a result of the proposed works to Drayton Lane / A5 junction, with a resulting knock on impact on long term business of the site.

The objector therefore requests a delay in determining the application to allow for National Highways (and any other consultees) to assess their proposal.

In response to the information submitted by the objector, the applicant provided the following additional comments to NWBC ahead of their meeting on 9 June:

Milestone (our Transport Consultants) have reviewed the new information, and we respond as follows:

- *The detail of the traffic counts is not provided so it is difficult to understand when these movements occur and at which entrance/egress point. We are therefore unable to compare the traffic movements with the previous counts taken (in support of the ERSS extension planning application) to understand the disparity between the two*

sets of data. Moreover, the traffic counts would not differentiate between customer traffic for ERSS and other traffic - farm traffic, and traffic travelling between the sites for example.

- The letter states that the counts recorded an average of 932 vehicles entering the 2 sites over the period of a week, but without the data we can't validate it. It seems significantly higher than the figures used in their own planning applications (where they noted 930 vehicles entering the site over a 6 month period), so question whether these are trips accurately recorded or whether they represent trips in and out of the site, rather than just 'entering' the site. The level of trips being stated is certainly not reflective of a) the numbers purported to be generated by the business when seeking planning permission; nor b) consistent with the Drayton Lane junction trip data used in the wider Leicestershire PRTM transport model.
- It is not clear why the data supporting the figures in the letter have not been provided, or the figures from the 7 Feb – 13th Feb provided earlier? They have had adequate time to provide these figures for consideration and chose not to. We expect the withholding of this data is either to prevent interrogation, or a further tactic to delay the determination of the application.

Nevertheless, the key points to note are:

- The traffic counts show that vehicle trip diversion will be lower than the previously submitted evidence by ERSS (ERSS now state weekly diversions would total 2,394 km compared to 6,443km in their original submission)
- The only trip to-and-from ERSS that experiences any noticeable increase in journey distance/time will be the exit from ERSS to Destinations West. This information is summarised below.
 - North to ERSS – the proposal maintains the same route through village
 - East to ERSS – the proposal leads to a diversion through village but same distance as via Drayton Lane
 - South to ERSS – the proposal leads to diversion through village but same distance as via Drayton Lane
 - West to ERSS – this same route via Drayton Lane is maintained
 - ERSS to Destinations North – same route is maintained
 - ERSS to Destinations East – same route via Drayton Lane or village
 - ERSS to Destinations South – same route via Drayton Lane or village
 - **ERSS to Destinations West – diversion through village or Drayton Lane and Redgate Junction (potential 3 minute diversion)**

On the basis that the Traffic Modelling (using census data) shows that 22% of journeys on the road network originate in the west, this would broadly indicate that only 11% of trips (i.e. the return trips to the west) would be affected by the change to the Drayton Lane junction. This does not amount to a 'very significant diversion' for ERSS customers and instead represents a minor impact.

Conclusion:

This additional comments from the applicant concludes that only 11% of all trips related to ERSS will be impacted by the proposed works to Drayton Lane / A5.

Planning Committee Members will be aware that the objector has an extant planning permission for an extension to an existing storage facility, referenced above. This is for an

additional 956sqm and was resolved to grant permission at Planning Committee on 6 June 2023 (23/00239/FUL). This permission remains extant, within the three year period for commencement, however work has not commenced nor is this extension built or occupied.

The highway impact of this extension was assessed as part of the application, with the LHA reviewing the information submitted and resulting in the following paragraph (Para 8.24) of the 23/00239/FUL Planning Committee report:

8.24 The Applicant undertook a survey within the site of vehicles visiting the site from 16 January 2023 until 29 January 2023. This included vehicle types, and the times the vehicle accessed the site. This demonstrated that a minimum amount of vehicles visiting the site in any one day was 8 and the maximum was 16, with 166 vehicles in total. The above information equates to an average of 11.9 vehicles a day with 24 x 2-way trips to the site a day. The methodology used by the Applicant for the expected trips to the site is based on the current level of trips to the site given the current Ground Floor Area (GFA) of 1,225sqm, and expected trips based on an additional 926sm² of floor space. Given the above the proposals could potentially generate an additional 9 vehicles (18 two-way movements) per day. During the morning and evening peak hours, this equates to one additional vehicle trip (2 two-way movements). The LHA accept the methodology used and the outcomes provided. (my emphasis)

This information, presented to Planning Officers and Planning Committee in 2023 and following traffic survey work undertaken in January 2023, contrasts with the information now submitted to seek to justify the significant harm that the objector considers will arise from this application (22/00882/OUT) and works proposed to the Drayton Lane / A5 junction, works that are considered by statutory consultees and planning officers to have a significant highway safety benefit. It is noted that this is now over two years old and does not take into account the movements to and from the Drayton Grange Farm site, however this does provide a snapshot of traffic movements significantly below those now suggested, proposed by the objector and agreed with statutory consultees, just over two years ago.

Recommendation:

Taking into account the report, including paras 8.37 – 8.45, together with the further information submitted by an objector, response from the applicant and the subsequent resolution to grant permission by NWBC on 9 June, the recommendation remains that planning permission be granted, subject to a S106 agreement and planning conditions as set out in para 11 of the report.

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PLANNING APPEAL PROGRESS REPORT - Week ending: 04.07.25

WR – WRITTEN PRESENTATIONS

HAS – HOUSEHOLDER APPEAL

IN – INFORMAL HEARING

PI – PUBLIC INQUIRY

File Ref	Case Officer	Application No	Type	Appellant	Development	Appeal Status	Process Dates
25/00007/PP	TH	24/00229/FUL (PINS: 3357570)	IH	Mrs Nicola Lea	Oddfellows Higham-On-The-Hill (Proposed development of 7 dwellings – the conversion of the existing building into 2 dwellings and 5 new build properties)	Start Date Hearing Decision	03.04.25 06.08.25 10.09.25
25/00012/VCON	MJ	24/00757/CONDIT (PINS:3365553)	WR	Mr Chris Mee	Barton Hill Fields Farm Barton in the Beans (Variation of condition 3 16/00640/FUL)	Start Date Final Comments	15.05.25 02.07.25
25/00013/ENF	CZ	24/00125/HOU, 24/00004/UNHOUS (PINS: 3365801)	WR	Mr Mark Lester	69 Burbage Road Burbage	Start Date Neighbour Letter Statement of Case Final Comments	11.06.25 25.06.25 23.07.25 13.08.25
25/00015/PP	SA	25/00081/FUL (PINS: 3367598)	WR	Mr and Mrs G Pratt	Land opposite Paddock View, Twycross Road, Sheepy Magna	Start Date Statement of Case Final Comments	23.06.25 28.07.25 11.08.25
25/00016/PP	AG	25/00080/FUL (PINS: 3367497)	WR	Mr John Roux	Land Adjacent 29 Elizabeth Road, Hinckley,	Start Date Statement of Case Final Comments	20.06.25 25.07.25 08.08.25
25/00014/PP	SA	24/00322/FUL (PINS: 3367383)	WR	Mr & Mrs Simon & Jill Warner	White House Bosworth Road Wellsborough (Erection of single storey self-build/custom-build dwelling (Resubmission of 23/00923/FUL).	Start Date Statement of Case Final Comments	12.06.25 17.07.25 31.07.25

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Agenda Item 9

23/00033/CLD	SJ	22/01121/CLE (PINS: 3330026)	WR	Lindley Hall Farms Ltd	Wide View Fenn Lane, Fenny Drayton. (Use of land for storage of agricultural machinery, vehicles, and materials)	Awaiting Decision	
	SI	23/01098/TPO (PINS: 10017)	WR	Claire Bradbury	28 Spinney Drive Botcheston (Carry out works to protected trees, to fell T1 Canadian Pine)	Awaiting Decision	
24/00021/PP	TH	23/01195/FUL (PINS: 3348843)	WR	Mr & Mrs David and Cheryl Gagin	Land Northeast of The Hovel, Spinney Drive Botcheston (Proposed dwelling with detached garage and creation of new access (Resubmission 22/01071/FUL) (Self Build))	Awaiting Decision	
24/00026/ENF	CZ	21/00251/UNUSES (PINS: 3347029)	WR	Mr J Hemmings	Land at Shenton Lane, Upton (Use of agricultural land for car sales business)	Awaiting Decision	
24/00029/PP	JF	24/00596/FUL (PINS: 3355084)	WR	Ms Gillian Nicol	7 Springfield Road Hinckley (Proposed wooden cattery)	Awaiting Decision	
25/00002/PP	SA	24/00551/FUL (PINS: 3357989)	WR	Mr Christopher McManus	Pond Barn, Cold Comfort Farm Rogues Lane, Hinckley (Change of use and conversion of existing redundant rural building to a single-family dwelling house, landscaping and associated works (Self-build))	Awaiting Decision	
25/00003/PP	SA	24/00654/FUL (PINS: 3359752)	WR	Mr Andrew Reid	502 Coventry Road Hinckley (Conversion of existing garage into a separate dwelling and alterations (Resubmission of 23/00666/FUL))	Awaiting Decision	

25/00006/PP	MJ	24/00872/OUT (PINS: 3361154)	WR	Mr & Mrs G Morley	Land SW Sibson Road Sheepy Parva (Outline planning permission for the erection of a single self-build dwelling (all matters reserved except for access))	Awaiting Decision	
25/00008/PP	SA	24/00284/OUT (PINS: 3361470)	WR	Mrs Pauline Taylor	Land at the corner of The Green and Pipe Lane Orton on the Hill (Outline planning application for the erection of one self-build/custom build dwelling (all matters reserved except for access))	Awaiting Decision	
25/00005/PP	SA	24/00657/FUL (PINS: 3362567)	WR	Mr and Mrs Gary and Amy Knight	Barnhills Farm, Merrylees Road, Thornton (Erection of two storey childcare facility with ancillary services and associated external play areas and animal interaction areas)	Awaiting Decision	
25/00009/PP	JF	24/00716/FUL (PINS: 3364372)	WR	Mr M Patel	Land Opposite 49 Moore Road, Barwell (Erection of one new dwelling with associated landscaping and access formation)	Awaiting Decision	
25/00011/PP	SA	24/00975/OUT (PINS:3364808)	WR	Mr G Warren	Land ne of Old White Cottage 2 Newbold Road Desford (Outline application for the construction of a 3-bedroom split-level dwelling with landscaping (Self-Build) (Scale, Landscaping, Layout and Access to be considered))	Awaiting Decision	
25/00010/PP	SA	24/00270/FUL (PINS: 3364849)	WR	Mrs Pauline Taylor	Land north of Pipe Lane Orton on the Hill (The erection of one detached dwelling, formation of access from Pipe Lane and associated works)	Awaiting Decision	

Decisions Received

24/00027/PP	SA	24/00275/OUT (PINS: 3351678)	WR	Ms Tracey Cleall	21 Greenmoor Road Burbage (Outline application for the provision of a single dwelling (all matters reserved except for Access and Layout.)	Dismissed	28.04.25
24/00005/ENF	CZ	22/00121/UNBLDS 22/00989/HOU (PINS: 3337207)	WR	Mrs Jackie Carrino	39 Wykin Road, Hinckley (breach of planning control)	Dismissed	02.06.25
25/00004/PP	EB	24/01000/HOU (PINS: 3360892)	HAS	Mr Ryan Coventry	6 St. Marys Gardens Barwell (Erection of raised decking to rear garden, storage unit and associated works (retrospective))	Allowed	04.06.25
24/00003/PP	CZ	23/00013/UNHOUS (PINS: 3336333)	WR	Mr B Watson	1 Sherborne Road Burbage (Timber structure on side elevation fronting a highway)	Dismissed	05.06.25
24/00017/PP	RW	23/00560/FUL (PINS:3346910)	WR	Mr N Hayre	37A London Road Hinckley (Conversion of detached outbuilding to studio apartment)	Dismissed	12.06.25
24/00018/ENF	CZ	23/00143/UNBLDS (PINS: 3346915)	WR	Mr M Hayre	Land at 37 London Road, Hinckley (Outbuilding to the rear has been turned into habitable accommodation)	Dismissed	12.06.25
25/00001/PP	JF	24/00529/FUL (PINS: 3357325)	WR	Ms E Clarke	Hill View House 15 Sheepy Rod Twycross (Formation of new access and parking area)	Dismissed	30.06.25

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