



**Hinckley & Bosworth
Borough Council**

PLANNING COMMITTEE

2 February 2021

**Appeals Update – Public Inquiry in respect of Land off Sketchley Lane,
Burbage (19/00947/OUT)**

Report of Planning Manager, Development Management

1. Update on the Public Inquiry

- 1.1. Members will note from the Appeal Update Report that an appeal has been submitted for application reference 19/00947/OUT - Land off Sketchley Lane, Burbage. This appeal is being heard by way of a Public Inquiry (conducted virtually using Microsoft Teams) commencing on Tuesday 9th March 2021 and lasting for 2 weeks.
- 1.2. The description of the proposal for application 19/00947/OUT was as follows:

Development comprising of up to 140 dwellings and extension of Sketchley Meadows Business Park for up to 30,000 sq m (322,920 sq ft) gross external floor space for Class B2 General Industrial/Class B8 Warehousing and Distribution use with associated means of access from Watling Drive and Sketchley Lane, associated internal estate roads, parking, landscaping, open space and sustainable drainage (Outline - including access).
- 1.3. This application was considered by Planning Committee on 19 May 2020. Members refused the application in line with officer's recommendation as a result of a conflict with the emerging Neighbourhood Plan but included an additional two reasons for refusal on matters of landscape impact and highway safety.
- 1.4. Since the issuing of the refusal of planning permission expert Witnesses with regard to landscape and highways matters have been instructed and are prepared to provide evidence in support of the committee's planning judgments at this Inquiry.

- 1.5. With the submission of the appeal the appellant has requested the Inspector to make her determination on an amended scheme to that originally considered by the Committee. These amendments were not submitted as part of the original planning application and were not considered by Officers in their recommendations or by Members in their decision at the 19 May 2020 Planning Committee.
- 1.6. The amendments submitted by the Appellant in order to engage with and respond to the concerns of the Committee can be summarised as follows:
- The description of development has altered to reduce the provision of Gross External Floor Space of the employment element of the scheme (former Class B2 General Industrial Use/Class B8 Warehousing and Distribution Use) from 30,000 sqm (322,920 sqft) to 22,637 sqm (243,663 sqft).
 - The illustrative masterplan has been amended to show changes to the location of the employment units on site and the provision of green infrastructure / open space. The amended indicative masterplan shows 8 buildings smaller in scale to the original scheme (the original illustrative masterplan identified 4 much larger buildings). The amended scheme also includes reduced heights to some of the employment buildings. One unit shown on the amended indicative masterplan, within the southernmost part of the site, is a little closer to residential properties but is lower and smaller. It must be noted that this masterplan is illustrative and would not define the exact location and scale of the buildings unless the Inspector felt it necessary to do so – this would normally be for the Council to consider later at the ‘reserved matters’ stage. Overall, there is about a 20% reduction in floor area of the sheds and hardstanding and an equivalent increase in the amount of green infrastructure.
 - The provision of Affordable Housing for this scheme has been doubled to 40% of the total number of dwellings in recognition that there is an acute need in the Borough. Originally the scheme proposed 20% affordable housing in line with Policy 15 of the Core Strategy and this is the figure considered by Members when determining the application at Planning Committee.
 - The provision for 10% of all dwellings on site to be ‘self-build’ has also been added to the amended scheme. There was no provision of ‘self-build’ plots within the original application determined by Members at Planning Committee.

- 1.7. These amendments described above obviously now mean that they include matters not previously considered by Planning Committee on 19th May 2021. Members should note and reflect on the amendments put forward by the appellants as set out above.
- 1.8. Members are also reminded that the final number of dwellings comprised in the housing element would be fixed at the 'reserved matters' stage – an outline planning permission for "up to" 140 dwellings does not mean that the Council would be compelled to approve any scheme for 140. The full details provided at the reserved matters stage would allow for a detailed consideration as to final number of dwellings to be provided on site.

2. Recommendation

- 2.1 Members are asked to consider and give their views as to whether these amendments to alter the size and approximate location of the buildings and the additional benefits (double the amount of affordable housing to help meet the acute need, land for self-build housing which might well assist people in taking their first step on the housing ladder, and the increase in green infrastructure resulting from the reduced scale of the employment development) would alter their original consideration of the planning balance in the application. Planning policy is clear that this is a scheme which should be approved unless the benefits of the scheme (including the matters mentioned above as well as market housing, jobs to assist in economic recovery, public open space and an overall biodiversity net gain) are clearly and demonstrably outweighed by the harm it causes.
- 2.2 Members are also asked to indicate whether if, in the expert opinion of the Council's Highways expert, the Appellant proposes further mitigation measures that overcome the highway safety reason for refusal, the proposed development would then be acceptable in highway terms. This would send a clear signal to the Appellant that it still needs to come up with further proposals to properly address legitimate local concerns.

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