

## **PLANNING COMMITTEE – 13 DECEMBER 2011**

### **REPORT OF THE DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)**

#### **RE: LAND AT STRETTON CROFT, WATLING STREET, BURBAGE**

---

#### **1. PURPOSE OF REPORT**

To inform Members of an application for outline planning permission currently under consideration by Rugby Borough Council and to seek Members views on further representations to be made to that authority.

#### **2. RECOMMENDATION**

Hinckley and Bosworth Borough Council objects to the proposal on the following grounds:

- 1) the Sequential Site Analysis document fails to demonstrate why this Greenfield site, outside of a defined settlement boundary, is sequentially preferable.
- 2) the development is contrary to Rugby Core Strategy Policy CS1, or paragraph 2.10.
- 3) the proposal is considered to be contrary to Spatial Objectives 1 and 2 along with Policies 1, 2, 3 and 4 of the Hinckley and Bosworth Core Strategy.

#### **3. BACKGROUND TO THE REPORT**

- 3.1 In 2008 a pre-application enquiry was received by this Council from an agent (Montagu Evans) on behalf of a developer (Kendrick Developments Limited) in respect of the potential development of an area of land measuring approximately 6.4 hectares that traversed the administrative boundaries of both Hinckley and Bosworth and Rugby Borough Councils. The land in question, known as Stretton Croft, is located outside the settlement boundary of Burbage in the countryside to the north of the M69, to the south west of the A5 Watling Street and to the east of the 'old' Wolvey Road. The majority of the site (4.1 hectares) was located within Rugby Borough.
- 3.2 The developer is promoting the development of the extent of land within the Hinckley and Bosworth Borough boundary through the Local Development Framework process.
- 3.3 A valid outline planning application was submitted to Rugby Borough Council (their reference R11/0239) in respect of that part of the land within

- that borough on 31<sup>st</sup> March 2011. The application relates to a mixed use development comprising of Class B1 (Offices and Light Industry) uses, Class C1 (Hotel Development) use incorporating a Class A3 (Restaurant), Class D2 (Assembly and Leisure) uses and associated car parking and landscaping. A consultation letter in respect of the application was sent to Hinckley and Bosworth Borough Council on 5 April 2011.
- 3.4 A formal response was sent to Rugby Borough Council on 20 April 2011 advising that this authority considered that the proposed development was contrary to national planning guidance contained in Planning Policy Statement 7: Sustainable Development in Rural Areas, Planning Policy Statement 4: Planning for Sustainable Economic Growth and Planning Policy Guidance 13: Transport along with 'saved' local plan policies of the Rugby Local Plan. A copy of the response is attached to this report in Appendix A.
- 3.5 A copy of a Sequential Site Analysis Report dated July 2011 submitted to support the application was forwarded to Hinckley and Bosworth Borough Council for comment on 9 September 2011. This document seeks to provide an analysis of the availability, suitability and viability of other sites within the surrounding area in both Warwickshire and Leicestershire and the sustainability of each location, including its level of access to a variety of modes of transport, particularly public transport, in order to adequately explain why the proposed site is considered to be a better option.
- 3.6 The site is identified on the Proposals Map of the adopted Rugby Borough Council Local Plan as being in the countryside where Policy CS1 of the Rugby Borough Council Core Strategy Development Plan Document (2011) is relevant. Policy CS1 relates to 'Development Strategy' and states that: "The location and scale of development must comply with the settlement hierarchy. It must be demonstrated that the most sustainable locations are considered ahead of those further down the hierarchy." Policy CS1 provides a clear sequential approach to the selection of sustainable locations for development and seeks to direct such proposals towards the 'Rugby Urban Area' which it identifies as the primary focus for meeting strategic growth targets. In relation to the 'Countryside' the policy states that; "New Development will be resisted; only where national policy on countryside locations allows will development be permitted."
- 3.7 The Rugby Borough Council Planning Policy Section in their comments on the application acknowledge the sites countryside location and its remoteness from the 'Rugby Urban Area' and that any development of the site would be contrary to the development strategy set out in the Core Strategy and would not assist in achieving sustainable development focused on Rugby Town. The comments also state that sufficient employment land has been identified within their Borough to meet Core

Strategy requirements up to 2026. However, the comments then refer to Paragraph 2.10 of the Core Strategy which accompanies Policy CS1 which suggests that although locations such as the Stretton Croft site are specifically excluded from the hierarchy within Policy CS1 due to their location within the Rugby Borough, they could be considered as sustainable locations for development due to their proximity to urban areas outside of the Rugby administrative area. It also states that any such proposals would be judged on its merits in partnership with the relevant neighboring Local Planning Authority. As a result of this the Rugby Planning Policy Section suggest that further assessment and comments be sought from Hinckley and Bosworth Borough Council on the sites assessed in the Sequential Site Analysis that fall within Hinckley and Bosworth Borough Council's administrative area.

- 3.8 Officers have therefore assessed the sites within the Sequential Site Analysis document and have some reservations regarding the findings of the assessment. It is considered that the applicants have assessed a number of sites, including all those identified within the Hinckley Town Centre Area Action Plan. However, there are concerns regarding the assumptions made on two of these sites.
- 3.9 The assessment of the Stockwell Head site (identified as area 34) states that "it is likely that any redevelopment of the site in line with the Council's aspirations will be led by residential development". This does not reflect the wording of Policy 2 of the Hinckley Town Centre Area Action Plan which identifies the site for mixed uses including Class B1 office floor space and residential units, i.e. not a residential led development. The assessment also concludes that the site is not considered appropriate for the scale and nature of B1 uses proposed. The assessment provides no clear explanation for the conclusion reached.
- 3.10 The assessment of the Hinckley Railway Station site (identified as area 40) makes reference to a draft version of the Hinckley Town Centre Area Action Plan despite the document being adopted in March 2011. There is also confusion regarding the assumptions made in this assessment as, although the Area Action Plan identifies this site as being appropriate for a Class B1 office led development due to its location adjacent to the railway station, the assessment states that this is not considered viable or appropriate for the scale and nature of B1 uses proposed. The assessment provides no clear explanation for the conclusion reached.
- 3.11 It is considered that there is insufficient information provided within the Sequential Site Analysis document to demonstrate why this Greenfield site outside of a defined settlement boundary is sequentially preferable to these two sites.

- 3.12 Within Rugby Borough Council's policy response to the case officer, the officer states that "the Borough Council is mindful of the site's location on the edge of Hinckley, and that locations such as the Stretton Croft site can be seen as sustainable". This statement implies that this site is on the edge of Hinckley which it is not. This site is also not well located in relation to the existing urban area. The site is over 800 metres from any local centre within Burbage (see the HBBC SHLAA). This would result in users of the site driving to their nearest centre, creating additional traffic on the A5 and Rugby Road which are already extremely busy. Furthermore, the A5 is a significant physical barrier between the site and the settlement of Burbage. These factors demonstrate that this site is not sustainable when assessed against Rugby Core Strategy Policy CS1, or paragraph 2.10.
- 3.13 The absence of references to the policy objectives of the Hinckley and Bosworth Core Strategy (December 2009) is a significant concern. Although it is not considered that this site relates well to either Burbage or Hinckley, this has been the applicant's key reason for describing this site as sustainable yet no assessment against the policies in Hinckley and Bosworth's development plan has been made. The Core Strategy identifies that Hinckley, as a Sub Regional Centre, should be the focus for economic development in the borough, with the rest of the urban area (Barwell, Earl Shilton and Burbage) playing a supportive role. This is outlined in Spatial Objectives 1 and 2 along with Policies 1, 2, 3 and 4. The proposal is considered to be contrary to these policies and therefore, the Spatial Vision of the Hinckley and Bosworth Core Strategy.
- 3.14 In addition to the concerns raised previously, the applicant themselves acknowledge that this site cannot be supported by policy. Paragraph 2.19 of the Sequential Site Assessment document states that "the location of the site, together with its brownfield credentials, merits the subject proposals consideration as an exception to the strict application of policy". This statement acknowledges that the development is contrary to the development plan and as such, should be refused planning permission.

#### **4. FINANCIAL IMPLICATIONS**

#### **5. LEGAL IMPLICATIONS**

#### **6. CORPORATE PLAN IMPLICATIONS**

None.

## 7. CONSULTATION

None, this is a consultation from Rugby Borough Council.

## 8. RISK IMPLICATIONS

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

<b>Management of significant (Net Red) Risks</b>		
<b>Risk Description</b>	<b>Mitigating actions</b>	<b>Owner</b>
Determination of the application by Rugby BC contrary to the advice provided by HBBC	To provide a detailed consultation response to Rugby Borough Council endorsed by Members	Simon Wood
Request for support in subsequent appeal if application was to be refused by Rugby BC- resource implications	Advise Rugby Borough Council of HBBC position in this respect	Simon Wood

## 9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

None.

## 10. CORPORATE IMPLICATIONS

By submitting this report, the report author has taken the following into account:

- Community Safety implications [ext 5832]
- Environmental implications [Jane Neachell, ext 5968]
- ICT implications [Paul Langham, ext 5995]
- Asset Management implications [Malcolm Evans, ext 5614]

- Human Resources implications [Julie Stay, ext 5688]
- Voluntary Sector [VAHB]

---

Background papers: Rugby Borough Council Planning Application reference  
R11/0239 – William Kendrick and Sons Limited.

Contact Officer: Richard Wright Extension 5894