



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 The existing building is outdated, and it is no longer viable to continue to deliver day case surgery in that building.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 through 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