



IMcH Planning and Development Consultancy

Proposed Conversion of the Former Danilo Cinema, Trinity Lane, Hinckley.

Applicant: Wigston Estates Ltd

Planning Statement

December 2023

1. Introduction

1.1 This statement has been prepared to support a fully detailed planning application for a new residential development, comprising 36 apartments over four floors with associated car parking. The statement is a Council validation requirement and it explains how the proposal accords with the Development Plan and with the National Planning Policy Framework 2023.

2. The Site and its Surroundings

2.1 The application site is situated in a prominent position on the corner of Trinity Lane and Holycroft on the edge of Hinckley town centre. It is within the Holycroft Conservation Area (CA). The area is mixed in terms of land uses and it is characterised by high density urban development. Residential properties (terraced houses), adjoin the site on two sides.

3. Relevant Planning Policy and Guidance

3.1 The Adopted Development Plan for the Borough comprises three documents. These are:

- The Core Strategy 2009 (CS);
- The Site Allocations and Development Management Policies DPD 2016 (DMPD); and

- The Hinckley Town Centre Area Action Plan (AAP)

3.2. In addition, a material consideration is the National Planning Policy Framework 2023 (NPPF) and the Council's Supplementary Planning Documents, particularly The Good Design Guide 2020. Key themes contained within the NPPF are sustainable development; the provision of housing; and high-quality design. These objectives are also central to the Development Plan.

3.3 Rather than list and repeat verbatim the relevant policies and guidance, this statement refers to them within the body of the text in relation to the main issues.

4. The Proposal

4.1 The proposal is to convert the former cinema building to create 36 apartments over 4 floors, with associated car parking and landscaping. A detailed description and the rationale behind the proposal is covered in the Design and Access Statement and there is no need to repeat it here.

5. The Main Issues

5.1 These are considered to be:

- The Principle of Development and its Location;
- The Form of the Development and its Effect on the Character and Appearance of the Area, including the effect on the character and appearance of the CA;
- The Effect of the Proposal on Highway Safety;
- The Effect of the Proposal on the Living Conditions of the Occupiers of Neighbouring Property;

Each of these is addressed in turn below.

The Principle of Development and Its Location

5.2 The application site is previously developed land, within a highly accessible and sustainable urban location, close to Hinckley town centre. The Council (Policy DM1 of the DMPD) and the Government is committed to achieving sustainable development, which is an

overarching theme throughout the Council's Development Plan and the NPPF.

5.3 One of the key challenges stated in paragraph 3.24 of the CS is provide sustainable locations for new housing. This is reflected in Spatial Objective 5 and Policy 1 of the CS. Paragraph 3.37 of the document also states that the majority of new housing will be located within the Hinckley sub-regional centre. In addition, paragraph 3.31 of the CS seeks to reduce the reliance on the use of the car and to provide opportunities for other modes of travel.

5.4 Although the CS pre-dates the NPPF by some nine years, it is considered that the relevant policies of the CS accord with the provisions of the Framework. In particular, the NPPF states that decision makers should approach decisions in a positive and creative way and approve applications for sustainable development where possible (paragraph 38).

5.5 Paragraph 60 of the NPPF reaffirms the Government's objective of 'significantly boosting the supply of homes'. The document also emphasises that new development should make an effective use of land and planning decisions should give substantial weight to the value of using brownfield land within settlements for homes and other uses (paragraph 120c).

5.6 Furthermore, although the site is not allocated in the AAP, the proposal will make a positive contribution towards Spatial Objective 1, which is to increase the number of people living in the town centre and help to create diversity and vitality.

5.7 Accordingly, for the reasons given above, it is considered that the application proposal complies with the Development Plan and with the NPPF in terms of its location and use.

Character and Appearance

5.8 The design aspects of the proposed development and its impact on heritage assets are covered adequately in the submitted Design and Access Statement and Heritage Assessment. Policy DM10 of the DMP provides a guide to the main considerations when assessing the design of

new development. This requires (amongst other things) proposals to complement or enhance the character of the surrounding area and to incorporate a high standard of landscaping. In addition, Policy 1 of the CS states (amongst other things) that development should enhance the public realm and be of the highest environmental standards. These policies accord with paragraph 130 of the NPPF, which seeks to create high quality places and buildings. The NPPF also stresses that good design is a key aspect of sustainable development. The applicant's Design and Access Statement illustrates compliance with these policies.

5.9 With regard to heritage, the submitted Heritage Statement provides a detailed policy and guidance assessment of the proposal, quoting the relevant Development Plan and NPPF provisions. Having assessed the proposal in terms of any harm and public benefits, the applicant's Heritage adviser concludes that the proposal accords with Spatial Objective 11 of the CS and with Policies DM11 and DM12 of the DMPD. These seek to preserve and enhance the historic environment and heritage assets.

Highway Safety

5.10 At the time of submission, the applicant's transport statement was not available. However, Policies DM17 and DM18 of the DMPD seek to ensure that there are no adverse impacts on highway safety, that the site is accessible by different modes of travel and, where appropriate adequate parking is provided.

5.11 Clearly the site is in a highly accessible location, with easy access by different modes of travel to the town centre and other areas. Adequate car parking space is also provided, given the site's accessible location.

5.12 Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety. It is concluded that will not be the case.

Living Conditions

5.13 Paragraph 130 of the NPPF requires new development to create places with a high standard of amenity for existing and future users.

Policy DM10 of the DMPD also states that development will be permitted provided it does not have a significant adverse effect on the privacy and amenity of nearby residents and occupants of nearby buildings.

5.14 Given the site's location and the constraints imposed by its size and the close proximity of the neighbouring properties, it is inevitable that there will be some impacts. However, the applicant has sought to keep these impacts to a minimum, by ensuring reasonable separation distances between windows. Furthermore, the overall mass and scale of the building is the same as the existing.

5.15 It is also contended that the proposal will secure a long-term future use for the site, which will benefit local residents and the area generally, in terms of security and by reducing the risks of anti-social behaviour.

5.16 For these reasons, it is concluded that the proposal will accord with Policy DM10 of the DMPD and with paragraph 130 of the NPPF.

6. Other Matters

Planning Obligation and Housing Mix

6.1 The applicant acknowledges that there will be a requirement for a planning obligation in connection with the proposed development. The applicant is willing to discuss the Council's requirements during the period of determination. The applicant will need to be satisfied that the obligation accords with the tests set out in Regulation 122(2) of the Community Infrastructure Regulations 2010 and in paragraphs 56 and 57 of the NPPF i.e.

- It is necessary to make the development acceptable in planning terms;
- It is directly related to the development; and
- It is fairly and reasonably related in scale and kind to the development

6.2 With regard to housing mix and the terms of Policy 15 of the CS, the applicant is also willing to discuss this in further detail during determination of the application.

7 Conclusion

7.1 For the reasons give above, it is considered that the proposal meets with the definition of sustainable development given in paragraphs 7 and 8 of the NPPF. In particular, the proposal accords with:

- **The economic objective** – by the provision of investment in the town; the creation of employment in the construction industry and allied trades; and through local spending by the occupants of the dwellings;
- **The social objective** – by the provision of new housing; and
- **The environmental objective** – by locating new development in a highly accessible location; the re-use of previously developed land; and through high quality and energy efficient design.

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