

Our Ref: 4594/0402/240223/JG
Your Ref: 23/01135/FUL



23rd February 2024

Alex Jelley
Development Services
Planning Consultant
Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Rd
Hinckley, Leicestershire,
LE10 0FR

Dear Alex,

Re: The erection of a new two-storey boxing gym with associated parking & outdoor activity areas – Formal Consultation Responses.

Following the submission of our official planning application and the subsequent consultation process, we are pleased to present our formal responses addressing the concerns raised by various statutory consultees. Please find below a summary of the consultation responses we have received alongside our response.

We believe that the following illustrates our client's dedication to addressing all comments, aiming to secure approval for this remarkable, fundraised development that promises significant benefits for the broader community.

Barwell Parish Council

- Consultation Response Received: 15/01/2024
- Consultation Provided by: Sue Williams, Assistant Clerk, Barwell Parish Council

Summary of Comments: No Objections Received.

Corporate Architecture Ltd Response: Not required.

Red Kite Landscape Architecture, Ecology & Greenspace

- Consultation Response Received: 13/12/2023
- Consultation Provided by: Dean Lefeuve, Principal Ecologist, Red Kite Network Ltd

Summary of Comments: There are no objections to the proposal. Consultation with LRERC has verified the absence of protected species or designated sites in the development vicinity. The current site holds minimal ecological value. A condition is requested for a technical advice note upon approval, ensuring that tree removal activities do not adversely affect nesting birds. Soft landscaping plans should feature native species from the local province. Biodiversity enhancements include the integration of 2No. Bat Boxes and 2No. Bird Boxes on either the proposed structure or retained trees.

Corporate Architecture Ltd Response: Response provided to Alex Jelley 14/12/2023 acknowledges the input from Red Kite Network Ltd. Acceptance of the technical advice note on any approval related to nesting birds. The Soft Landscaping scheme will be submitted as part of the Discharge of Conditions, featuring native species from the local province. Biodiversity improvements, such as Bat and Bird boxes, will be integrated into existing trees. Details, including proposed provisions and their locations, will be included in the Discharge of Conditions application post-approval.

Hinckley & Bosworth Borough Council Waste Management

- Consultation Response Received: 01/12/2023
- Consultation Provided by: Waste Management Officer on behalf of HBBC Waste.

Summary of Comments: No objections raised. Important note regarding businesses' duty of care for proper waste management, emphasising that all waste generated, including paper, cardboard, cans, retail packaging, and food-

related waste, falls under commercial waste. Businesses are legally required to dispose of such waste through a trade waste service or transfer station, not residential services. Adequate space on the property should be allocated for waste container storage. It is the responsibility of businesses to arrange their own business/trade waste collection service and to ensure that those handling their waste are authorized and can safely manage its transportation, recycling, or disposal.

Corporate Architecture Ltd Response: Reply to Alex Jelley on 13/12/2023 acknowledges the importance of proper waste management and recycling. Please review the updated drawings: **100P10 – Proposed Site Plan and 101P7 – Proposed Site Plan Showing Access**. Adequate space has been designated within the timber bin store, sized at 3m x 2.2m, for the storage of waste containers. The bin store is designed to accommodate 1100 Litre commercial-sized wheelie bins for both mixed recycling and general waste. Additionally, within the facility, the client will ensure provision for mixed recycling and general waste bins at necessary locations, forming an integral part of the operational requirements for the facility.

Hinckley & Bosworth Borough Council Environmental Services Pollution 2

- Consultation Response Received: 04/12/2023
- Consultation Provided by: Mr Giles Rawdon on behalf of HBBC Environmental Services Pollution 2.

Summary of Comments: No objections raised. Environmental Health has raised a concern regarding the designation of 'contaminated land' in the pre-application for the Northeast corner of the site. Environmental Health requests a ground investigation report to address and eliminate any potential risks associated with contamination. Planning conditions proposed stating that; A) no development under this permission shall commence until a contamination investigation scheme is submitted and approved by the Local Planning Authority, detailing how any contamination will be addressed. B) The approved scheme must be implemented as agreed, with any approved remediation works completed before the site is occupied. C) 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. D) Any remediation works so approved shall be carried out prior to the site first being occupied.

Corporate Architecture Ltd Response: Although it was agreed that this item could be addressed through Conditional Planning Approval, we have taken proactive steps to respond to concerns raised by Environmental Health. This includes commissioning a Phase II Intrusive Ground Investigation Report to assess both ground conditions and potential contamination across the proposed site including the North East area labelled as 'Potential Contamination' in the pre-application submission. The report attached (**RDM Environmental & Geotechnical Engineer Ltd Phase II Intrusive Assessment**) detailed in Section 1.3, Section 10, & Appendices, confirmed the absence of contamination. Equally, tests for metalloids, polyaromatic hydrocarbons, and other substances showed no significant risk to human health. Additionally, waste acceptance criteria testing verified that the soils are inert and suitable for disposal in inert landfill sites.

Leicestershire County Council Lead Local Flood Authority (LLFA)

- Consultation Response Received: 27/12/2023
- Consultation Provided by: Mr Andrew Smallwood on behalf of LLFA

Summary of Comments: Leicestershire County Council, acting as the Lead Local Flood Authority (LLFA), observes that the 0.33-hectare greenfield site falls within Flood Zone 1, indicating a low risk of fluvial flooding and surface water flooding. The proposed development's surface water drainage system must integrate sustainable drainage principles (SuDS) to mitigate on-site flooding risks and prevent an increase in flood risk elsewhere. Additionally, the proposals should address water quality issues in line with current SuDS guidance. The discharge of surface water runoff from the development should adhere to the hierarchical approach outlined in Building Regulations Part H. Infiltration drainage is the preferred method, contingent on the absence of a contaminated ground legacy on the site. The suitability of the ground strata for soakaway drainage should be determined through the test described in BRE Digest 365, and the results must be approved by the Building Control Surveyor before commencing development. If the ground strata are inadequately permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed. These methods can be used alone or in conjunction with infiltration systems and/or rainwater harvesting systems. It is important to note that all developments should aim to discharge at greenfield rates, with an acceptable alternative of 5 l/s in cases where blockage is a concern.

Corporate Architecture Ltd Response: Following the Phase II Ground investigation it was confirmed that "Despite having an affinity with water, the passage of groundwater through the near surface soils is too slow for the soils to be considered as suitable for soakaways. Consequently, surface water will need to be dissipated via a method of attenuation before being discharged into drainage ditches evident at the side of the neighbouring highway, and at the northern boundary.

As such, we have appointed BSP Consulting Engineers to carry out a SUDS drainage design based on flow attenuation discharging into existing ditches to the North and East boundaries of the proposed site. We anticipate that full details of SUDS drainage design will be provided by 08/02/2024.

Leicestershire County Council Local Highways Authority (LHA)

- Consultation Response Received: 15/01/2024
- Consultation Provided by: Mr Ben Dutton on behalf of LCC LHA

Summary of Comments: Leicestershire County Council provided comprehensive feedback at both Pre-Application stage (REF:21/10162/PREMAJ) and as part of the formal consultation process for the Full Planning Application. The feedback is summarised below. The proposed internal floorspace is approximately 1,024 sqm, and it is noted that a Transport Statement is typically required for such developments (Travel plan outlined in pre-application feedback no longer required due to reduced GIA as confirmed by Ben Dutton). The LHA provided pre-application advice, emphasizing the need for a Transport Statement to assess the impact on the site access and highway network. Access is proposed via the existing site access on Leicester Road, a B-classified road. The Applicant is advised to consider LHDG guidelines on access to A- and B-class roads. The application should also consider the Personal Injury Collisions (PICs) which have occurred within the last five years. The LHA recommends a detailed examination of trip generation (through both a survey of existing members & comparison to TRICS data), network distribution, junction capacity, and off-site implications. Furthermore, it suggests assessing the potential impact during evenings and weekends, conducting a traffic survey and providing a traffic data analysis. The proposal should adhere to parking requirements, and the LHA encourages transport sustainability measures, including secure cycle parking and if possible a pedestrian/cycle link to Leicester Road.

Corporate Architecture Ltd Response: Upon receiving formal consultation feedback indicating the necessity of a Transport Statement, we have engaged SLR Consulting on behalf of our client to undertake the required assessments. The report produced by SLR (**See Attached 415.064498.00001 - Proposed Boxing Facility, Hinckley - Transport Assessment**) offers a detailed response to address all concerns raised during both pre-application and formal consultation feedback. It encompasses comprehensive information addressing the site access and highway network impact, data on Personal Injury Collisions (PICs), trip generation derived from both member surveys and TRICS data, junction capacity assessment, and traffic survey data collected during peak hours on a weekend match day. Additionally, information on overflow parking necessary during one-off large event days has been outlined within this report.

Alongside this report, Corporate Architecture Ltd have also addressed a number of updates on the proposed site drawing (**attached 100P10 – Proposed Site Plan**) to reflect the requirements suggested in the consultation feedback. Firstly, we have provided two additional drawings (1070T1– Proposed Ground Floor Internal D2 Use & 1071T1 – Proposed First Floor Internal D2 Use) which provide calculations of usable D2 floor area. These areas have been used to calculate the parking requirements for Cars, Disabled Bays, & Motorcycles based on the Leicestershire Highways Design Guidelines. The calculations, reflecting the necessary provisions for the development site, are detailed below and have subsequently been integrated into our revised plans. This has resulted in a wholesale improvement (beyond the initially indicated provisions at planning submission stage) to the parking facilities incorporated within our development.

Total Floor Area (Over both Floors) for D2 Use = 777m²
1 Parking Space required per 22m² of D2 Floor Area (DG11 LHDG)
777m² ÷ 22m² = 35 Car Parking Spaces required

Total Disabled Parking = 6% of Total Parking
6% of 35 = 2.1 therefore 2 Disabled Bays Required

Total Motorcycle Parking = 1 Space + 1 Space for Every 10 Carparking Spaces
Total Carparking = 35 therefore total Motorcycle Parking = 3 Spaces

We have also introduced two electric vehicles charging points as outlined in the requirements of Approved Document Part S. These are denoted on the Proposed Site Plan as 'EV Charging' and will be served by a twin-charger serving each of the bays in question. Furthermore, to enhance sustainable transportation and promote cycling as a primary commuting method, we have expanded the covered cycle store provision by adding 4 additional cycle hoops. This doubles the originally planned provision, contributing to our commitment to support environmentally friendly modes of transport. Furthermore, in line with additional feedback received 08/02/2024 - our access road serving the development has been increased to provide a consistent width from the junction of 4.8m wide to allow two vehicles to pass at all points thus mitigating the risk of any potential backlog at the primary wider site access.

Sport England

- Consultation Response Received: 04/01/2024
- Consultation Provided by: Mrs Sharon Wilkinson & Mr Steve Beard on behalf of Sport England

Summary of Comments: Initially, it is important to highlight that the feedback given during the Pre-Application stage (REF: 21/10162.PREMAJ) was not communicated to Corporate Architecture or our client until January 12, 2024. Consequently, the concerns raised were not incorporated into the formal Full Planning Application Submission. HBBC has recognised that this information was not shared due to an internal clerical error, and as a result, the comments were left unaddressed through no fault of our client or Corporate Architecture Ltd. Not discounting the above, Corporate Architecture on behalf of our client have now sought to address the comments that have been communicated at both Pre-Application & Full Planning Application Stage. The feedback received at both stages is summarised below;

Pre-Application Feedback

(Corporate Architecture Ltd Response)

1. An understanding of the use of the application site area and the access, it appears to be partly 'contaminated land' but also part of the wider cricket out field. Is this area required for other uses ancillary to cricket or other sports. E.g. cricket practice nets, warm up area, storage of sports equipment. *Please refer to the aforementioned response (HBBC Environmental Pollution 2), where it is affirmed that the land is free from contamination based on the Phase II ground investigation. The designated site area for the development is presently unoccupied. As validated during formal consultations with ECB/FF/RFU, it has been confirmed that the proposed development will not negatively impact the existing broader site activities or functions.*
2. It would also be useful to understand if the project is supported by England Boxing. Is the proposal the right facility in the right location for the development of boxing in the area. Noting the applicants comments regarding the search for premises and access to this site. *The proposal has been informally communicated with England Boxing. We have reached out to Jerome Pels, the CEO of England Boxing, to furnish additional details about the project. Any formal responses received will be shared in due course. As noted in formal feedback received from HBBC, "the proposals would involve the provision of an additional sporting/community facility within a location that is defined by the provision of both. Policy DM25 of the Site Allocations and Development Management Policies DPD specifically seeks to enhance and protect such facilities. As such it is considered to be suitable for the site and its location, and would contribute towards the aims set out within the Core Strategy in terms of the provision of community facilities and the enhancement of the wider sporting hub. As such, the proposals are considered to be acceptable in principle."*
3. The contaminated land area has grown over the last 20 years - not sure what the contaminated land involves – it may be the disposal point for grass clippings? Other spoil from works at the site. If this is the case what are the plans for the future? *Please refer to the aforementioned response (HBBC Environmental Pollution 2), where it is affirmed that the land is free from contamination based on the Phase II ground investigation. The land was previously used for spoil mounding as part of wider site improvements which are now complete.*
4. The proposed access track passes close to the boundary of the cricket pitch outfield. Does this impact on cricket generally? (see below) We would need to seek the advice of The England and Wales Cricket Board on this and other matters. Indeed has the cricket club been consulted? Have all the sports users of the site been consulted is this area need for other sport expansion plans? *The designated site area for the development is presently unoccupied. As validated during formal consultations with ECB/FF/RFU, it has been confirmed that the proposed development will not negatively impact the existing broader site activities or functions – see below.*
5. Does the proposed access conflict with spectating or spectator parking locations for cricket? *The proposal has no impact on the designated parking or spectator areas for cricket. The 'overflow' parking area, delineated in purple on attached plan 101P7, will experience additional improvements. This includes the implementation of ball strike protection netting at a height of 15m, aligning with the LaboSport report recommendations (see additional information below), thereby enhancing the existing provisions on-site.*
6. The building, outdoor training area, car parking and access all fall within 80m of the wicket. It is considered that the proposed development gives rise to a potential conflict with the use of the playing field for cricket. Cricket balls are likely to leave the playing field and land on the access and application site when matches are being played. The proposed development would increase the potential liability to the Cricket Club for damage to property and personal injury. In addition there is a risk of injury to persons, vehicles and property. The ECB

advise that ball strike assessments can be conducted by Labosport UK who have ball strike trajectory expertise.

In compliance with Sport England's request, our client engaged the services of the approved ECB consultant 'Labosport UK' to conduct necessary ball strike assessments. The comprehensive findings of this assessment are provided in the attached report (LSUK.24-0049_CBA_V3). To summarise, the proposed mitigation measures include 26m of netting at 15m height, 72m of fencing at 3m height, and 10m netting at 11m height. A thorough budgetary evaluation indicates that the cost of installing this netting exceeds £40,490.00 + VAT according to initial quotations received from Labosport approved installers.

From the client's perspective, this unexpected expense primarily safeguards areas beyond our development boundary. It would be advantageous to engage in direct discussions with Sport England/ECB to explore alternative mitigation methods (e.g. signage) that could potentially reduce the amount of fencing suggested. While the proposed fencing for the two carpark areas (15m high & 11m high) is deemed acceptable, as these areas house stationary vehicles for extended periods, we seek clarification on whether the 72m of fencing along the access road could be reduced or omitted. Introducing measures such as signage at both ends of the access road, instructing vehicles to conduct visual inspections before use, is one potential alternative.

Understanding that, ultimately, the club may need to secure additional funding for required fencing, we aim to ensure prudent allocation of all funds, especially considering that most fundraising efforts have been achieved through volunteer work and charity donations. We are committed to exploring all avenues for potential cost reductions to maximize the impact of fundraised money on essential causes and avoid any unnecessary expenditure.

Full-Planning Application Feedback (Corporate Architecture Ltd Response)

It was also confirmed during the full planning application stage that as part of the assessment of this proposal Sport England has sought the views of the England and Wales Cricket Board (ECB), the Rugby Football Union (RFU), and the Football Foundation (FF) who act as Sport England's technical advisors in relation to their sport and its facilities. Their comments are summarised as:

ECB

1. They confirm that the building would not impact on the use of the cricket pitch as it is sited approximately 90m away. **Noted.**
2. However, users of the access road and car park would be at risk of ball strike from cricket balls due to the proximity of the cricket pitch. As such, there is a requirement for a ball strike risk assessment to be submitted. **See above.**
3. Any mitigation recommendations contained in the ball strike risk assessment would be required to be installed prior to the construction of the access road and car parking by the applicant and this mitigation would need to be maintained by the applicant in perpetuity. **See above.**

RFU

1. They advise that they are not aware of any issues regarding ownership or access to the proposal. **Noted.**

FF

1. The FF and Leicestershire FA are not aware of any land ownership or access issues to the proposal. **Noted.**
2. The FF confirms that the proposed building would not impact on any grass football pitches and that historically this area has not been marked out with football pitches. **Noted.**

Assessment against Sport England Policy/NPPF

The proposal would lead to the loss of playing field land. The proposal therefore needs to be considered against the exceptions in Sport England's policy which accord with the specified justifications included in paragraph 103 of the NPPF. Sport England has assessed the proposal against exception 5 of Sport England's Playing Fields Policy (which is in accordance with paragraph 103 c) of the NPPF) which states:

The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

An assessment of the benefits of the indoor sports facility is thus required. The planning application is accompanied by a Planning, Design and Access Statement to support the proposal to construction this two storey boxing facility for The Heart of England Community Boxing Club. This Statement provides details of the existing Boxing Club which was established in 2003, and its requirements to move from its current temporary facility to a permanent location. Details are provide of the club's existing membership numbers of 60 persons and its aspirations to grow these numbers. Information is provided on the advantages that boxing can have on a community with reference made to the government report – 'The Right Hook Report.' The boxing club would be sited on an area of land to the north-east of Hinckley town centre.

Alongside other sports activities which include: Hinckley Football, Rugby, Cricket, Tennis and Netball Club, the area is described in paragraph 7.05 as being an "existing sports hub." Paragraphs 6.01-6.06 describe how the building would provide a net internal area of 1018m2 split over two floors and that the detailed proposal seeks to create a 'fit for purpose' building of the highest standard with a clear recognisable identity for the sport of boxing.

The accommodation provided would include space for a full size competition boxing ring and 2 full size boxing rings along with a large training space, gym and fully accessible changing rooms. Based on the information and plans submitted, the proposed boxing gym indoor facility would provide a significant benefit to the development of sport in the area.

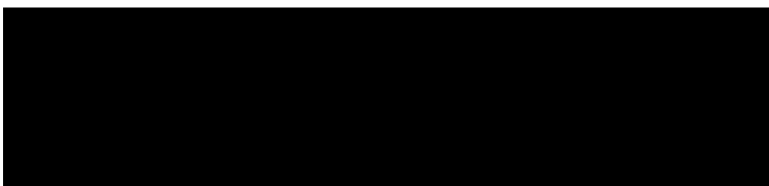
The development would be located on land which is incapable of forming part of a playing pitch. However, the proposed access road and car park would be at risk of being hit by cricket balls from the adjoining playing pitch. As such there would be risk of injury to persons, vehicles and property in these areas. Paragraph 103 of the NPPF requires that playing fields should not be built on where they would prejudice the use of any remaining areas of playing field on the site. Paragraph 193 also requires that new development should be integrated effectively with existing businesses and community facilities such as sports clubs. It further goes on to state that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Therefore, the applicant (or "agent of change") should include details of measures to protect the operation of Hinckley Town Cricket Club from any significant adverse effect arising from the siting of this new development.

As raised above, the application is accompanied by a Planning Statement. Sport England has previously been involved in a pre-application enquiry for a boxing gym proposal at the site and so it is disappointing that the Planning Statement does not make any reference to paragraph 193 of the NPPF and the measures incorporated into the development to protect the operation of Hinckley Town Cricket Club. The application submission does not include a Ball Strike Risk Assessment, as raised by the ECB, to enable the proposal to be assessed against paragraphs 103 and 193 which seek to protect sports club from having unreasonable restrictions placed on them as a result of development permitted after they were established. As such, based on the lack of evidence presented in the application submission it is Sport England's opinion that this proposed development would prejudice the use of the remaining land being used as a playing field. [See above.](#)

Drawings & Reports Submitted in Support of the Above

- 100P10 – Proposed Site Plan
- 101P7 – Proposed Site Plan Showing Access
- RDM Environmental & Geotechnical Engineer Ltd Phase II Intrusive Assessment
- 415.064498.00001 - Proposed Boxing Facility, Hinckley - Transport Assessment
- LSUK.24-0049_CBA_V3 - (LaboSport Ball Strike Assessment)
- 4279-Axis Surveys Topographical Survey.pdf

Kind Regards,



Jack Geary, Senior Architectural Technologist, Corporate Architecture Ltd.
For and On Behalf of Heart of England Community Boxing Club.