PLANNING COMMITTEE 10 March 2009
LIST OF LATE ITEMS RECEIVED AFTER PREPARATION OF MAIN AGENDA:

ITEM 01 **08/00981/FUL** **Mr Michael Pickering**

Consultations:-

4 Additional letters of objection have been received from surrounding residents. No new issues raised.

In total 11 letters of objection have been received from 8 addresses, and a petition containing 10 signatures.

ITEM 02 **08/01049/FUL** **Mr Tony Porter**

Introduction:-

Further amended plans have been received as set out in the main agenda which re-orientate the bedroom windows of the apartments nearest the school away from the playground and over the apartments' amenity space.

Consultations:-

26 further letters of objection have been received raising the same concerns as highlighted in the main agenda.

A petition signed by 39 residents has been submitted objecting to the proposal.

Comments on the application have been received from Barwell Infant School raising the following concerns :

a) The size of the development,
b) The height of the development in relation to the playground,
c) The footfall of people travelling to and from the school past the development on a busy road
d) The development will further aggravate problems with an already congested Stapleton Lane and Kirkby Road.

Barwell Parish Council stands by its previous comments and adds the following:

- The site is currently an employment site and that this development will mean job losses;

- The Car Lift will cause traffic congestion not only outside the development but inside as well;

- The car lift will be a noise hazard;

- The development still overlooks the school;

- That refuse lorries would cause traffic problems whilst emptying the rubbish;

- With already too many flats in Barwell the development threatens the demographics of the village which will not serve the needs of local residents;

- The Development matches the co-op which is an eye sore - the development would be better matching better buildings in Barwell.

The contributions have been stated incorrectly in the main report. The Library Facilities contribution should have stated £820 in total and the Play and Open Space contribution should be £33,995.60 in total.

The Director of Highways, Transportation and Waste Management (Highways) have reiterated their objections in the main report to the amended plans. A further reason for refusal has been included concerning the possibility that the car lift mechanism would fail, and that no information is provided in connection with the time it would take for a vehicle to enter the lift, be raised or lowered and the vehicle exit the lift. Concerns are raised that vehicles would have to wait within the access and within the highway which would restrict the free flow of traffic.

Appraisal:-

Highways concerns regarding lack of parking have been addressed within the main report. Highway objections regarding the building overhanging the highway and the siting of the proposed development on highway land are disputed by the applicant. Whilst land ownership is not grounds to refuse the application, there are concerns regarding the building overhanging the highway which could cause detriment to highway safety.

The proposed car lift allows the creation for 4 additional car parking spaces. Further information on the lift has been requested which includes plans to demonstrate that the lift can be safely accessed with space for vehicles to wait. This information has not been received and this lack of clarity along with the highway safety concerns is considered to warrant refusal of the application.

All further objections received have been discussed previously in the main report.

Recommendation:- REFUSE, for the following reasons:

1. The proposal if permitted, would result in the erection of structures overhanging the highway, which lack adequate clearance from the edge of the carriageway. This could result in additional dangers to large/high vehicle users (including bus passengers), which would not be in the best interests of highway safety.

2. The applicant has failed to demonstrate that an appropriate and safe vehicular access would be provided to the proposed development and the proposal, if permitted would consequently result in an unacceptable form of development and could lead to dangers for road users.

ITEM 03 08/01123/FUL Cawrey Limited

Consultations:-

Director of Highways, Transportation and Waste Management (Highways) objects to the application as the proposed industrial use would be likely to introduce additional movements by heavy vehicles on local roads which are all subject to a 7.5t weight restriction Traffic Regulation Order (TRO). To permit the development would result in the contravention of the TRO, would not be in keeping with the County Council's development control policies and would not be in the interests of highway safety. More favourable consideration would be given to an amended scheme for Class B1 (Offices) use only.

Ratby Parish Council have no objection.

Appraisal:-

Accessibility, Highways Issues and Parking

The Highway Authority has raised concerns that the introduction of the proposed industrial use would require access by HGV's via local roads which would result in the breach of existing 7.5 tonne lorry weight restriction orders imposed in the general interests of road safety and amenity of residents. To permit industrial development in a weight restricted zone would undermine its effectiveness and result in additional dangers to road users, including the young and the elderly. The C4107 Main Street/Station Road in Ratby serves a local school and shops and is subject to regular on-street car parking, congestion and delays, whilst Desford Lane is also weight restricted. The applicant's transportation

consultants point to an existing industrial use (Alexandra Stone) and associated HGV's using Desford Lane and the B5380, however, this is a long established site. The Highway Authority accept that additional HGV movements generated by the proposed development would be likely to be low in numbers, however, it is a specific objective of the County Council's local transport plan to reduce the impact of traffic through local communities, near schools and within town centres. A routing condition or agreement would not be appropriate in this case as it could not be controlled or enforced with a multi user industrial estate. The submitted Transport Assessment does not adequately address the Highway Authority's previous concerns. Favourable consideration would be given to an amended proposal that would include a Class B1 (Offices) use only.

Recommendation:- Additional reason for refusal

4. The proposed development would introduce additional movements by heavy goods vehicles on local roads to the detriment of highway safety contrary to policy NE5 of the adopted Hinckley and Bosworth Local Plan and the guidance contained within Leicestershire County Council's highway design guidance, 'Highways, Transportation and Development'.

ITEM 04 **08/01144/FUL** **Mr Calcott**

Consultations:-

Two further letters of objection have been received from neighbouring properties raising similar issues as in main report and a further letter from a previous objector enclosing photographs of the site and parking issues outside of the property.

ITEM 05 **09/00006/FUL** **Burbage Parish Council**

Appraisal:-

Burbage Parish Council have confirmed that a visual inspection of the roof space has been carried out and there was no visible sign of bats in the roof space.

ITEM 06 **09/00012/DEEM** **Mr Alex Jones HBBC**

Consultations:-

One objection has been received from a neighbouring property

Head of Community Services (Environment) has no objection to the development

One neighbour has commented on the application in which questions were raised regarding the use of the lighting late into the night which may disturb nearby residents sleep and the ability of the timer to ensure lights are not operating outside stated hours. The neighbour also suggests an emergency number on site in the event the lights malfunction and a schedule of events to be provided to local residents so they can anticipate when the lights will be used.

Additional information has been received from Head of Corporate Services (Green Spaces) regarding the lighting and timer details. The proposed lighting does not include additional screening attachments such as a baffle however these screening elements are unnecessary to avoid disturbance to nearby residents. The more than adequate distance of the lights from surrounding properties, angled onto the MUGA only, which does not operate early in the morning or late at night would not disturb surrounding residents. The lighting will also incorporate a manual switch in case of timer failure but this will not be accessible to the public. In addition an emergency telephone number will be displayed on the column in case of malfunction.

Sport England raises no objection.

Appraisal:-

The additional information received from Head of Corporate Services (Green Spaces) does not include the light fitting specifications. In order to ensure the amenity of local residents Condition 2 remains on the recommendation and light fitting specifications are to be submitted to and agreed in writing by the Local Planning Authority prior to installation of the lighting column.

Recommendation:-

The following further condition be placed onto the approved application;

"The intensity of the illumination of the floodlights hereby approved shall be no greater than 560 Candelas per square metre and shall be maintained at this level thereafter."

Reason:-

"To ensure the amenity of nearby residents and to avoid unnecessary levels of light to accord with Policy BE1 of the adopted Hinckley And Bosworth Local Plan"

ITEM 07 **09/00013/DEEM** **Mr Alex Jones HBBC**

Consultations:-

Two neighbours commented on the application posing questions regarding the location, hours of operation and luminance levels of the lights.

Head of Community Services (Environment) has no objection to the development

Additional information has been received from Head of Corporate Services (Green Spaces) regarding the lighting and timer details. The proposed lighting does not include additional screening attachments such as a baffle however these screening elements are unnecessary to avoid disturbance to nearby residents. The more than adequate distance of the lights from surrounding properties, angled onto the MUGA only, which do not operate early in the morning or late at night would not disturb surrounding residents. The lighting will also incorporate a manual switch in case of timer failure but this will not be accessible to the public. In addition an emergency telephone number will be displayed on the column in case of malfunction.

Appraisal:-

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Reason-

"To ensure the amenity of nearby residents and to avoid unnecessary levels of light to accord with Policy BE1 of the adopted Hinckley And Bosworth Local Plan.

ITEM 10 **09/00076/FUL** **Burbage Parish Council**

Consultations:-

82 Additional Letters of objection have been received from residents of surrounding properties. No new issues raised. In total, 84 letters of objection have been received from 43 addresses.

16 letters of support has been received, suggesting that this is a much needed facility within the area.

An additional petition has been received containing signatures from residents of 54 addresses surrounding the site who object to the proposal on similar grounds as reported in the main agenda.