

## **UPDATE SHEET**

### **PLANNING COMMITTEE – 9 December 2025**

**To be read in conjunction with the  
Head of Planning and Infrastructure's Report**

- (a) Additional information received after the publication of the main reports;**
- (b) Amendments to Conditions;**
- (c) Changes to Recommendations**

**A1            25/00274/FULM            Hybrid planning permission for development of the site comprising:**

**Full planning permission for site wide infrastructure works including: new roundabout access from (and alterations to) the A444; new pedestrian crossing points over the A444; internal spine road; all earthworks and site level works including retaining features; creation of development plateaus (within Development Zones 1 and 2); structural landscaping (including boundary treatments and pedestrian / cycle paths); associated utilities and lighting infrastructure; foul and surface water drainage infrastructure.**

**Full planning permission within Development Zone 1 for the erection of Class B8 distribution unit and ancillary offices (E.g.i); service yards and HGV parking; vehicular and cycle parking; gatehouse and security facilities; plant; hard and soft landscaping (including boundary treatments and retaining walls); pedestrian and cycle infrastructure; associated utilities and lighting infrastructure; internal roads; foul and surface water drainage infrastructure.**

**Outline planning permission within Development Zone 2 (with all matters reserved) for the erection of employment unit(s) (Class B2, B8 and / or E.g.iii uses, with ancillary offices E.g.i); service yards and HGV parking; vehicular and cycle parking; gatehouse and security facilities; plant; hard and soft landscaping (including boundary treatments and retaining walls); pedestrian and cycle infrastructure; associated utilities and lighting infrastructure; internal roads; foul and surface water drainage infrastructure**

**Land to the East of the A444 / North of J11 of the M42, Stretton en le Field**

### **Additional Consultee Responses**

National Highways has no objections subject to conditions.

Active Travel England has no objections subject to conditions (and, in particular, advises that it supports the conditions recommended by the Local Highway Authority).

### **Additional Representations**

Additional representations have been received from four individuals, objecting on the following grounds:

Subject	Reason for Objection
<b>Principle of Development</b>	Industrial estate has been forced on residents
	Development not needed due to existing empty units
<b>Transportation and Traffic Issues</b>	Existing roundabout is frequently congested, adding pressure onto the M42 / A42, which already has many accidents due to the levels of traffic using it, and which is subject to long queues when such accidents occur, preventing emergency services reaching the incident
	Significant traffic volumes (including HGVs) will result on the A444 which is already overburdened
	Traffic on A444 does not adhere to the speed limit
	Drivers on the A444 perform unsafe manoeuvres to turn around in traffic
	Unsafe for pedestrians to use the A444 due to traffic levels, great volumes of which come from the existing development at Mercia Park, and which is not using the M42
	HGVs use weight restricted bridge between Chilcote and Netherseal due to incorrect satnavs
	Noise and pollution from traffic
	Traffic management risks and proposals are not fit for purpose or sustainable
	National Highways is only concerned with M42 access so its comments are irrelevant
	Proposed Junction 11 roundabout mitigation does not address wider concerns
	Adverse impact on highway safety
<b>Other Issues</b>	Residents of Chilcote pay a premium on house prices and Council Tax for living in a quiet rural area but have no public transport and limited street lighting
	Residents have too many recycling bins, the contents of which are just put into the black bin by refuse collectors
	Noise
	Stretton en le Field is of historic importance
	More than 10,000 homes are proposed between Appleby Magna and Twycross

Full copies of the representations received are available to view on the Council's website.

The constituency office of **Samantha Niblett MP** (South Derbyshire) comments that the scheme will impact on the constituency of South Derbyshire (and, in particular, constituents who live along the A444), and asks to be included in any future communication on the application.

## **Applicant Comments**

### *Biodiversity Net Gain (BNG):*

The applicant's agent notes that the intention is to deliver all BNG mitigation on-site and, as such, considers that the mitigation could potentially be delivered by way of planning conditions rather than via a Section 106 obligation; the agent therefore suggests that item (i) in the list of Section 106 agreement matters in the officer recommendation be amended to reflect this position.

### *STARS (Sustainable Travel Accreditation and Recognition Scheme) Monitoring Fee:*

Insofar as item (v) in the list of Section 106 agreement matters in the officer recommendation is concerned, the applicant requests this be clarified to make explicit reference to the justification of this obligation (i.e. to provide support to the appointed Travel Plan Co-ordinator, with audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are achieved).

### *Proposed Implementation / Continuation of Sustainable Access and Transport Strategy (SATS)*

As per the commentary in the main report, the applicant's agent has provided further details on the implementation of the Sustainable Access and Transport Strategy (SATS) scheme for the proposed development; this is summarised below:

- The intention of the SATS is to secure sustainable access to the development; the existing SATS scheme was secured by a condition attached to the original planning permission for Mercia Park, and has subsequently been implemented (and also provided a formal mechanism for complying with other conditions attached to that planning permission related to the provision of bus services, travel planning and monitoring).
- Since the SATS was originally approved, two bus services have been funded by the applicant to serve Mercia Park, providing access to local settlements and villages (including Tamworth and Burton on Trent), with timings tailored to serve key shift changes at Unipart and DSV. In line with the ongoing monitoring of occupier requirements / shifts at Mercia Park and annual staff surveys to understand where staff travel from, the bus services have been altered over time to reflect changes in shift patterns. As part of the SATS process and having regard to the location of staff at Mercia Park, a bus service from Leicester (via Coalville) is currently being considered for a six-month trial in early 2026.
- It has been agreed with Leicestershire County Council Highways that a SATS scheme similar to that for Mercia Park needs to be applied to the Mercia Park expansion to maintain sustainable access to the site should the Local Planning Authority resolve to grant planning permission.
- The scope of the SATS for the Mercia Park expansion site would be agreed with Leicestershire County Council Highways and secured through planning condition(s) requiring a SATS scheme to be submitted / approved and implemented. As per the original Mercia Park permission, occupation of the expansion site would be prevented until such a time as the SATS has been submitted, approved by the Local Planning Authority and implemented (through the subsequent discharging of the relevant conditions).

## **Communication Sent to Members**

Since publication of the committee report, Members of the Planning Committee have received a communication from the applicant, which relates to a briefing note for Members of the Planning Committee.

## **Officer Comment**

### *Additional Representations*

Insofar as the additional representations are concerned, the majority of these are not considered to raise any material planning considerations not already addressed within the main report. In terms of the comments relating to new housing between Appleby Magna and Twycross, it is assumed that this is a reference to a potential new settlement that has been proposed within the Regulation 18 consultation of the new Hinckley and Bosworth Local Plan. At this stage, it is not known whether or not that proposal will become an allocation as the Hinckley and Bosworth Local Plan progresses but, as and when the site was allocated and / or a planning application for such a development was submitted, the relevant supporting documents (including any Transport Assessment etc) would need to take into account any other existing or committed sites in the usual way at that time.

### *Additional Consultee Responses*

As set out within the main report (and as confirmed by the final comments of National Highways reported above), the relevant highway authorities raise no objections in terms of impacts on the existing local and strategic highway networks. To reflect the updated response of National Highways in particular, the recommendation is updated as set out below.

### *Response to Applicant Comments*

#### **BNG:**

Given that the intention is to provide all BNG mitigation on-site, officers would concur that it is possible that the use of a Section 106 obligation may not be required (and the mitigation could potentially be satisfactorily secured by way of planning conditions and the standard mandatory BNG condition). It is recommended that a final decision on this matter be delegated to officers to resolve when detailed conditions and planning obligations are drafted (and when having regard to any advice from the District Council's Head of Legal and Support Services on the provisions of the Section 106 agreement, as necessary). The list of Section 106 items referred to in the main report's recommendation is amended as set out below.

#### **STARS Monitoring Fee:**

For the purposes of clarity, the list of Section 106 items referred to in the main report's recommendation is amended in respect of this matter as requested by the applicant, and as set out below.

#### **SATS:**

The additional information in respect of the intended content of the SATS provided by the applicant's agent is welcomed; whereas it remains the case that these details would need to be secured by way of condition (and would therefore be fully assessed by the Local Planning Authority and Local Highway Authority at the time that a detailed discharge of condition application was submitted), the general approach indicated at this time is considered reasonable by officers. It is also recommended that condition

item 26 in the main report be updated to reflect the intention to seek approval of a further SATS.

*Applicant's Member Briefing Note*

Officers have no comments in respect of the applicant's briefing note.

**RECOMMENDATION: PERMIT, subject to the conditions set out in the main report (as amended below) and the securing of a Section 106 Agreement to deliver the matters set out in the main report (as amended below):**

**Section 106 Obligations**

- (i) Biodiversity Net Gain (BNG) (unless addressed by way of conditions and / or a conservation covenant)
- (v) Payment of STARS (Sustainable Travel Accreditation and Recognition Scheme) monitoring fee of £11,337.50 to Leicestershire County Council (in respect of the full element of the proposals) so as to provide support to the appointed Travel Plan Co-ordinator, to audit annual Travel Plan performance reports, and to ensure that Travel Plan outcomes are being achieved

**Conditions**

- 26 Submission / approval and compliance with a Sustainable Access and Transport Strategy (SATS) (including provision of bus services and bus service infrastructure) prior to occupation
- 38 Implementation of scheme of glare screening mitigation fencing to internal access roads as shown prior to occupation

<b>A2</b>	<b>23/00427/OUTM</b>	<b>Development of up to 46,451 sqm GIA of B2 (industrial) and / or B8 (storage or distribution) units with ancillary E(g)(i) (offices) and service buildings, along with associated parking, highway infrastructure, landscaping and potential foul drainage connection to Farm Town (outline, all matters reserved except for the principal means of vehicular access to the site).</b>
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Land at Corkscrew Lane, Ashby De L Zouch.

### **Additional Representations**

Four additional third party representations have been received objecting to the application, with the comments raised summarised as follows:

- 1) There is no infrastructure in place which would support the movement of employees via sustainable means of transport (i.e. walking, cycling and bus).
- 2) The highway infrastructure is already congested from the vehicular activity which takes place and therefore the proposal would result in additional impacts to the highway network with the development at Money Hill also adding additional vehicle movements.
- 3) Vehicles should only be able to turn left out of Corkscrew Lane to go directly towards the A42 in order to avoid vehicles using the single track lanes within Farm Town.
- 4) The road signage in and around the lanes serving Farm Town should be enhanced in order to slow vehicle speeds and ensure that lorries do not obstruct the access and egress to and from Farm Town. Traffic restrictions would also be of benefit given that lorries often become 'stuck'.

Full copies of the representations received are available to view on the Council's website.

### **Planning Committee Technical Briefing**

At the Planning Committee Technical Briefing on 3 December 2025, the following queries were also raised by Members:

- 1) What are the timing and programme of works for the A511 corridor improvements which are funded by the financial contributions secured against the Interim Coalville Transport Strategy (ICTS). How would rat-running through settlements be prevented whilst the ICTS works were being undertaken?
- 2) The requirement for an ICTS contribution as part of any outline permission granted given that, in the view of Members, the ICTS has already been fully funded.

- 3) The service operation of the Ashby Business Improvement District (BID) hopper bus service is limited to Fridays and Saturdays and therefore would not offer employees an accessible bus service from Ashby De La Zouch.
- 4) The enforceability of a planning condition which would prevent vehicles turning right out of Corkscrew Lane onto the A511 (Ashby Road) until such time as the works associated with the ICTS have been implemented.
- 5) The requirements of the Local Cycling and Walking Infrastructure Plan (LCWIP) and the delivery of cycle connectivity from Ashby De La Zouch to the application site.

### **Officer Comment**

It is considered that the assessment section of the Committee report covering '*Means of Access, Highways and Transportation*' fully addresses points 1), 2) and 3) of the additional third party representations received. In terms of 4) there is no requirement from the County Highways Authority (CHA) for road signage in and around the highways of Farm Town to be improved, with weight restrictions already being in place which restrict the movement of heavy goods vehicles (HGVs) (unless they are delivering within the area where the weight restriction is in force). In the absence of a request from the CHA, it is considered that the imposition of a condition requiring improved road signage to be introduced would not meet the tests for conditions as outlined at Paragraph 57 of the NPPF.

In terms of the issues raised by Members at the Planning Committee Technical Briefing, officers would respond as follows:

- 1) What are the timing and programme of works for the A511 corridor improvements which are funded by financial contributions secured against the Interim Coalville Transport Strategy (ICTS). How would rat-running through settlements be prevented whilst the ICTS works were being undertaken?*

It is understood from Leicestershire County Council (LCC) that the Interim Coalville Transport Strategy (ICTS) is to be commenced in Spring 2026 with an anticipated completion date of early 2028.

As part of the proposed development the weight restriction in place on the part of Corkscrew Lane which connects with Ashby Road would be relocated to account for the fact that heavy goods vehicles (HGVs) would need to utilise the part of Corkscrew Lane where the accesses to both the application site and G-Park would be located. In such circumstances HGVs accessing the application site would be prevented from 'rat-running' via alternative routes whilst the ICTS was implemented as the site access would not be within a weight restricted area.

In terms of the 'rat-running' of other vehicles whilst the ICTS is being implemented it is considered that it would be for LCC, as the County Highways Authority (CHA), to appropriately advertise any potential road closures in advance and provide clear directional signage of any alternative routes in order to ensure that vehicular movements are directed to the most appropriate routes. This would be notwithstanding the fact that it would be difficult to determine if any vehicles 'rat-running' via other settlements would be associated with the application site or not.

- 2) The requirement for an Interim Coalville Transport Strategy (ICTS) contribution as part of any outline permission granted given that, in the view of Members, the ICTS has already been fully funded.*



At this time a response has not been received from the County Highways Authority (CHA) in relation to the funding arrangements for the Interim Coalville Transport Strategy (ICTS), i.e. whether it is fully funded, and precisely what the financial contribution sought will be utilised for in connection with the ICTS.

Whilst no response has been received by the CHA, it is acknowledged within the Committee Report that there are ongoing discussions between the applicant and the CHA in relation to the financial contribution towards the ICTS. This is due to the applicant being of the view that the signalisation of the junction of Corkscrew Lane with the A511 (Ashby Road) would result in significant benefit to vehicular movements on the A511 which is a position that is not disputed by the CHA. In such circumstances it is considered that the final financial figure to be paid towards the ICTS (if demonstrated to be necessary) can be negotiated between officers, the applicant and the CHA following a resolution on the application.

- 3) *The service operation of the Ashby Business Improvement District (BID) hopper bus service is limited to Fridays and Saturdays and therefore would not offer employees an accessible bus service from Ashby De La Zouch.*

The Committee Report acknowledges that the Ashby BID hopper bus service is operating a trial period from the end of November 2025 for an initial period of 3 months which is based on current funding. Members brought it to the attention of officers at the Planning Committee Technical Briefing that the Ashby BID hopper bus service is only operational on Fridays and Saturdays and thereby would not readily offer a 'public transport solution' for employees.

It is accepted within the Committee Report that there is only the 'potential' for the Ashby BID hopper bus service to operate to and from the application site and that such a service would need to be 'maintained' if this aspiration was to be realised, and whereby financial funding would be critical. It would also be necessary to expand the number of days that the service is operational if it was to enable employees the opportunity to use public transport to and from the site.

It is accepted, at this time, that the viability of the Ashby BID hopper bus service is yet to be tested. However, it remains reasonable that an informative is imposed on any outline planning permission granted to make the applicant aware of this bus service so that it can be appropriately determined, at the time any public transport strategy (PTS) is submitted, whether the Ashby BID hopper bus service would be a feasible means of enabling employee accessibility from Ashby De La Zouch. Any financial contribution required for the service could also be negotiated by the applicant with the Ashby BID outside of the planning process.

- 4) *The enforceability of a planning condition which would prevent vehicles turning right out of Corkscrew Lane onto the A511 (Ashby Road) until such time as the works associated with the Interim Coalville Transport Strategy (ICTS) have been implemented.*

Paragraph 57 of the NPPF outlines that one of the tests for the imposition of a condition on any planning permission granted is that such a condition is 'enforceable'.

Given that vehicles already utilise Corkscrew Lane, and turn right onto the A511 (Ashby Road), it would not be possible to enforce that any vehicles associated with the application site could not turn right out of the junction of Corkscrew Lane with the

A511 given that it would be unknown whether the vehicles were associated with the application site or not.

In terms of the movement of heavy goods vehicles (HGVs), hybrid planning permission has previously been granted for employment development on the land to the north-west of the application site (now known as G-Park and formerly the Lounge Disposal Point) (application reference 19/00652/FULM). A reserved matters application for the employment development on the G-Park site is currently under consideration (application reference 25/01411/REMM). It is noted that the hybrid planning permission granted was not subject to a condition which would prevent vehicles (including HGVs) associated with the G-Park site from turning right out of the junction of Corkscrew Lane with the A511 (Ashby Road), irrespective of the timings associated with the implementation of the ICTS.

It is considered that the only manner in which it would be known as to whether the HGVs turning right out of the junction of Corkscrew Lane onto the A511 were associated with the application site would be in the circumstance that the building proposed on the adjacent G-Park site was not operational. Such a scenario is considered highly unlikely given that reserved matters consent for development on the G-Park site is already under consideration, and it would be necessary (should outline permission be granted) for a further reserved matters application to be submitted for the employment development on the application site.

Thereby, the requirement for such a condition on any outline permission to be granted would not only be 'unenforceable,' it would also be unnecessary and unreasonable given the high probability that the development at G-Park will already be operational. On this basis such a condition would not meet the tests outlined at Paragraph 57 of the NPPF.

*5) The requirements of the Local Cycling and Walking Infrastructure Plan (LCWIP) and the delivery of cycle connectivity from Ashby De La Zouch to the application site.*

The Committee Report acknowledges that the Council's Local Cycling and Walking Infrastructure Plan (LCWIP) identifies the creation of a 4.5 kilometre link between Coalville and Ashby De La Zouch (ref: A-C03 and C-C04) but considers such a link to not be 'feasible'. This is due to safety concerns around segregated infrastructure, and high level of cost (in the region of £2.57 to £3.68 million) when accounting for the creation of a traffic free route in the fields adjacent to the A511, the need for landowner consent, and the likely ecological barriers.

Even if the route was considered feasible, a detailed design review has not been undertaken to establish the costs involved. It would be necessary for the costs to be established to subsequently determine the types of developments which may contribute towards such costs, as well as the level of contribution which may be attributed to an individual application. Therefore, a contribution towards a cycle link between Ashby De La Zouch and Coalville cannot be requested.

On the above basis, there is no committed cycling (or walking) scheme in place which the development could contribute to, and the County Highways Authority (CHA) has not requested that the proposed development facilitate the introduction of cycling (or walking) infrastructure.

It would also be unreasonable to impose a condition (or obligation) which would require the creation of pedestrian and cycle connectivity between Coalville and

Ashby De La Zouch given that it would be unreasonable for the development to be responsible for funding the entirety of any pedestrian and cycle connectivity given that such infrastructure would be of a wider benefit (including to the adjacent employment development at the G-Park site) than simply being associated with the proposed development. The tests at Paragraphs 57 and 58 of the NPPF would therefore not be met.

Notwithstanding the above, officers remain of the view that cycle connectivity to the site from Ashby De La Zouch would still be achievable if accessing the site from the south-west via Leicester Road and Corkscrew Lane.

*Criterion (i) of Policy S3 of the Adopted Local Plan*

For the avoidance of doubt, and if unclear from the Committee Report, the conclusion in relation to the compliance with criterion (i) of Policy S3 of the adopted Local Plan is that the mitigation proposed and the limited viewpoints from where a 'significant' effect would be experienced would result in the character of the landscape being '*safeguarded*.' However (and notwithstanding the proposed landscaping), it would seem difficult to conclude that the appearance and character of the landscape would (as required by criterion (i) of Policy S3) also be '*enhanced*'.

Despite this conflict with criterion (i) of Policy S3 of the adopted Local Plan, the overall view of officers is that the proposals can be considered to comply with the development plan as a whole with the weight to be attributed to other factors outweighing that attributed to the landscape character not being enhanced.

**RECOMMENDATION – NO CHANGE TO RECOMMENDATION.**

**A3          25/01184/FUL          Erection of a 10-bedroom House in Multiple Occupation (HMO), including associated hard and soft landscaping, communal areas, cycle storage and bin store**

2 Central Road, Hugglescote, Coalville, LE67 2FD

### **Additional Information**

#### *Comments received from the Council's Waste Services Team*

Since publication of the Committee Report, the applicant has submitted a plan which shows the location of the bin collection point which is located within the site adjacent to the pedestrian access point from Central Road. The Council's Waste Services Team has also confirmed the number of receptacles that would be required for a residential unit of this size and nature. The number and type of refuse receptacles are listed below.

2 x 240 litre bins and 1 x 180 litre bin for domestic non-recyclable waste  
2-3 x red boxes for glass bottle and jars  
3-4 x red boxes for cans, foil, tins, and plastics  
2 x blue bags for paper  
3-4 yellow bags for cardboard  
1 x 240 litre bin for garden waste (if required)

The Council's Waste Services Team confirms that it has considered the detailed proposals for the storage and collection of refuse on this site previously in the determination of a number of previously approved applications and subsequent discharge of condition applications. It is also confirmed that the details submitted as part of the current application are considered to be acceptable. It is therefore recommended that condition 15 as listed on page 153 of the agenda pack be revised so that it requires the provision of refuse storage and collection proposals prior to first occupation of the development which are to be retained and available for use thereafter.

#### *Comments from the Council's Contaminated Land Officer*

No comments have been received from the Council's Contaminated Land Officer in respect of the submitted reports. Therefore a pre-commencement condition relating to a land contamination assessment would still need to be imposed as set out in the main report.

#### *Comments received from the County Councillor for Coalville South, Paul Harrison*

A representation has been received from Cllr Paul Harrison which raises concerns in respect of the following matters:

- Concerns that the proposal is overdevelopment and unsustainable intensification of the use as a result of the high occupancy proposed which is disproportionate to the plot and the character of the area.
- Harm to residential amenity and character due to the increased noise and disturbance from the use and the loss of privacy and quiet enjoyment for neighbouring properties.
- Fire safety risk due to the density of the development which would put adjacent properties at risk
- Loss of garden space
- Additional parking pressure in the local area where public transport availability is weak

The comments received can be read in full on the Council's website.

Officer comments: With the exception of fire safety concerns and the loss of garden space, the above matters raised are considered within the published report.

In response to concerns raised about fire safety, such matters are subject to the Building Regulations which are not a material consideration in respect of the determination of a planning application as they are separate legislation.

In response to concerns raised about the loss of garden space, the proposal seeks to redevelop the site of a former dwelling. No loss of garden space to the adjoining or adjacent properties would occur. It is considered that the proposed garden space is adequate in this location for the proposed development.

### **Committee Technical Briefing**

At the Committee Technical Briefing, various questions / queries were raised by Members based on the contents of the Committee Report. Such questions / queries, as well as the responses provided by the applicant and statutory consultee (where applicable), are as follows:

#### *1) Impacts on the adjacent Gas Governor and public safety*

As set out in the report, a Gas Governor is located adjacent to the site which fronts Grange Road. Members have requested confirmation that the carrying out of the development and the ongoing use would not have any impacts on the function or safety of the apparatus. It has also been confirmed that Cadent as the statutory undertaker responsible for the apparatus has been consulted on the application with no response. Attempts have been made by Officers to seek a response ahead of the committee meeting. No response has been received.

Cadent have published a document titled "*Specification for Safe Working in the Vicinity of Cadent Assets*" dated February 2023 which provides guidance for developers working within close proximity to apparatus such as the Gas Governor adjacent to the application site. This online document confirms that any damage to apparatus will be subject to legislative reporting responsibilities to the Health and Safety Executive (HSE) under Reporting of Injuries, Diseases & Dangerous Occurrences Regulations 2013, Gas Safety Management Regulations 1996 and the Pipelines Safety Regulations 1996. It also confirms that it is the responsibility of the developer to ensure that any work carried out also conforms with the requirements of the Construction and Design Management (CDM) Regulations 2015 and all other

relevant health and safety legislation. It is therefore considered that the public safety impacts arising from the works proposed are adequately accommodated across separate regulatory regimes. This document is also available on Cadent's website which has a page that specifically relates to working safely near their assets.

Notwithstanding this, the applicant has contacted Cadent directly and has provided Officers with a copy of the correspondence received. This states *'We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective'*. An informative to be imposed on any planning permission as set out below has been recommended by Cadent. The third paragraph has been added by Officers to refer to Cadent's document and webpage referred to above

*Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.*

*If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/our-services/gas-diversions](https://cadentgas.com/our-services/gas-diversions)*

*Please also refer to Cadent's document titled "Specification for Safe Working in the Vicinity of Cadent Assets" dated February 2023, and the following page on their website: <https://cadentgas.com/digging-safely>*

The applicant is duly aware of the risks associated with the Gas Governor and subject to the above informative being include on the decision notice, the Local Planning Authority has considered public safety risks associated with the carrying out of the development.

- 2) *Further information on the number of HMOs within the area and how such uses impact on the community.*

The Council's Environmental Protection Team has confirmed that that there are a total of 25 HMOs across the area including Coalville (15), Hugglescote (2), Donngton Le Heath (0), Ellistown (4) and Whitwick (4). The data is provided based on the number of HMO licenses that have been issued, or pending issue. A HMO licence is only required when the number of occupants will be five people or more. HMOs that contain 3 or 4 occupants are not subject to licencing requirements thus data on these units is not available.

The Council's Community Safety team have confirmed that they are aware of ongoing parking issues around the school on Ashburton Road and a 10 bedroom HMO could give rise to additional on street parking pressures and unsafe parking practices in the locality. These matters have been considered by the County Highway Authority who raise no objections to the proposal. However, in respect of HMO uses generally, they are not known to be the cause of antisocial behaviour or community safety issues providing that such uses are well-managed by landlords through robust tenancy agreements. However, such matters are beyond the control of the Local Planning Authority. Furthermore, it has been confirmed by the Community Safety Officer that the local police officers that patrol the local area "are also of the opinion that HMOs are generally not an issue".

Overall, while it is acknowledged that in a small number of circumstances Houses in Multiple Occupation can give rise to issues of anti-social behaviour, the information the Council holds suggests that this is no more likely to occur than in other forms of privately owned or rented residential accommodation. Given the relatively small number of known HMOs in the local area, it is not considered that the proposal for a large HMO in this location would give rise to unacceptable impacts on the community in respect of the mix and balance of the local community, community cohesion, anti-social behaviour or noise that would justify a refusal of planning permission.

*3) Question on the external measurements of the proposed development, with particular interest in the proposed front elevation.*

The proposed measurements are shown on the submitted drawings (Floor Plan drawing number A100). The front elevation measures 5.8m externally and would be attached to the flank wall of No. 4 Central Road. The proposed dwelling extends a total of 7.2m beyond the rear wall of No. 4 Central Road with the majority (5.5m) being single storey in scale.

*4) The adjoining neighbouring property at No.4 Central Road being in use as a children's home which gave rise to concerns about the impact on vulnerable people from the proposed HMO use due to the extent of the shared party wall.*

While No. 4 Central Road was the subject of a planning application and permission in 2022 for use of the property (which included the current application site) as five assisted living units, that permission has never been implemented and has since lapsed. Officers within the Council Tax Team have confirmed that, according to records they hold on the adjacent property, this is occupied by a single occupant as a single dwelling and not as a care facility. It is not therefore considered that the proposed use or development gives rise to any concerns in respect of vulnerable people. The Council's Environmental Protection team has not raised any objections in respect of this matter.

*5) Questions and concerns about the need for a Construction Management Plan due to the location of the site and the nature of the highway network and access.*

As set out in the report, a Construction Management Plan has been formally submitted and approved by the Local Planning Authority in consultation with the Local Highway Authority in relation to the previously approved development on the site which is of a similar scale and nature. This demonstrates that the Local Highway Authority have considered and determined previously that construction can take place on the site safely to the satisfaction of the Local Highway Authority. A new Construction Management Plan will need to be submitted and approved in consultation with the Local Highway Authority prior to the commencement of development as recommended within the report.

**RECOMMENDATION – NO CHANGE TO RECOMMENDATION, SUBJECT TO AN AMENDMENT TO CONDITION 15 AND ADDITION OF A NOTE TO APPLICANT**

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