

# **UPDATE SHEET**

## **PLANNING COMMITTEE – 10<sup>th</sup> April 2018**

**To be read in conjunction with the  
Head of Planning and Infrastructure Report (and Agenda)**

**This list sets out: -**

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

**A3**      **17/01810/FUL**      **Erection of a detached dwelling with associated parking and landscaping following the demolition of studio/storage building**  
Cherry Orchard, 1 Hollow Road, Breedon

**Additional information received:**

Amended plans have been received showing further information on the levels of the proposed dwelling with the finished floor level of the dwelling 0.5 metres lower than previously proposed.

The following further comments have been received from Breedon Parish Council:

- Why are Parish Council being consulted when recommendation already made?
- Amended plans do not overcome previous objections;
- Refer to previous comments made in relation to 16/00980/FUL by Historic England, Council's Conservation Officer and the County Archaeologist;
- Part of the site is outside the limits to development;
- Proposal would be incongruous within its setting.

One further comment has been received from a surrounding neighbour stating that a full reconsultation should have been undertaken. No further planning objections are raised and their original objection still stands.

The full contents of these representations are available to view on the public file.

**Officer comment:**

The Parish Council and surrounding neighbours were consulted on the amended plans that show altered level information as is normal practice. All other matters are addressed in the original committee report.

Page 59 of the Planning Committee report indicates that the proposed dwelling is smaller in height in comparison to the previous scheme. For clarification the eaves of the proposed dwelling would be lower than the previous scheme but the ridge would be higher given that a traditional pitched roof is proposed. The overall mass of the dwelling is considered to have been reduced and it is not considered that the proposed dwelling would be overly prominent from the surrounding area.

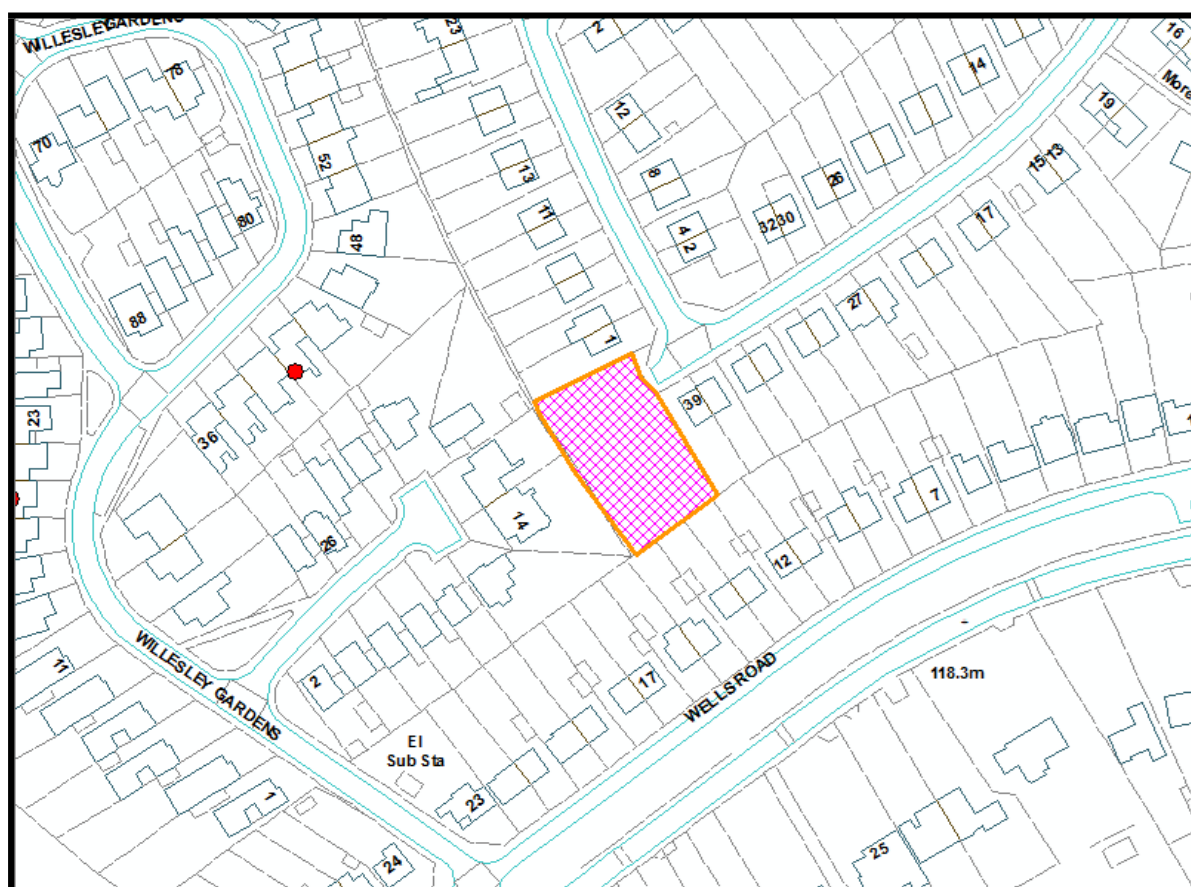
**RECOMMENDATION: No change to recommendation.**

**A5 18/00043/VCU**

**Erection of four bungalows and associated infrastructure without complying with conditions 2, 4 and 10 of planning permission 16/01224/FUL to remove the side (south western) window to Plot 4 and install a sun pipe to Plot 4's roof, to install solar panels to the roofs of the four bungalows and amend boundary treatments and soft landscaping**

**Land at Staley Avenue, Ashby De La Zouch**

The plan in the agenda booklet for this application is incorrect and an amended site location plan was sent to Planning Committee members and posted on the Council's web site on 6<sup>th</sup> April and the correct plan is shown below.



**Additional Information Received:**

Following the request from a neighbour for the new fencing to the boundary with No. 16 Willesley Gardens to contain holes to allow access for hedgehogs, as per the existing fencing, the County Ecologist advises the following:

- a lot of ecologists are recommending hedgehog holes in fencing, and it is something we would support;
- is provision of at least one hedgehog hole in each boundary fence something that could be a generic requirement for all garden boundary fencing;
- I do not know how effective it would be in the long-run, as it would be impossible to enforce, it's too easy for a small hole at ground level to be blocked, deliberately or accidentally.

Whilst the original application for the four dwellings (16/01224/FUL) was being considered, the ecologist appointed by the Council's Housing team advised that the potential for the development to cause short and long term impacts on hedgehogs was limited, and recommended that mitigation measures for hedgehogs should be provided on the site, which included the potential for passage of hedgehogs through the site being maintained in the fencing during construction.

An email has been received from No. 14 Willesley Gardens, which makes the following additional comments:

- Plot 4 has its roof virtually overhanging our fence which is so close that a large section of fence has been removed for construction and has not been replaced nearly six months later;
- impossible to maintain the replacement fencing;
- solution would have been to have a pair of semi-detached bungalows;
- the fence should be replaced as soon as possible as there has been a spate of robberies nearby and therefore we are very vulnerable;
- it would appear you have considered our objections as relocation of the solar panel and removal of the side window are now shown on the plans.

**Officer Comments:**

In respect of the issues relating to the provision of hedgehog holes in the fencing to the boundary with No. 16 Willesley Gardens, it is noted that the ecologist appointed by the Council's Housing team recommended that the potential for passage of hedgehogs through the site should be maintained in the fencing during construction. Whilst these mitigation measures were not secured by condition, the existing fence to No. 16 (with its hedgehog holes) is still in place and therefore this mitigation measure is in place.

However, the Council's Housing team advises that as a landlord it is responsible for ensuring that a secure boundary is provided to the site, and that by providing such holes any pets owned by tenants could escape from the site.

In response, officers are of the view that whilst it would be desirable for the new fencing on the boundary with No.16 Willesley Gardens to contain hedgehog holes, it would be very difficult to enforce a condition requiring the provision and ongoing maintenance of hedgehog holes. No other residential schemes in the District are subject to such requirements. Therefore it is considered that such a condition is not required, and a reason for refusal on the grounds of lack of hedgehog holes could not be justified in this case.

Matters relating to maintenance of fencing has been addressed in the Committee Report; this is not a planning matter, and therefore cannot be given any weight in the determination of this application. The Council's Housing team has been made aware of residents' concerns regarding this matter, and those raised in respect of the replacement fence to No. 14 Willesley Gardens.

The position of the dwellings is not being changed under this application and so consideration of this matter cannot now be taken into account.

**RECOMMENDATION: NO CHANGE TO RECOMMENDATION**