

UPDATE SHEET

PLANNING COMMITTEE – 08 April 2014

To be read in conjunction with the
Head of Regeneration and Planning's Report (and Agenda)

This list sets out: -

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

MAIN REPORT

A1 13/00969/FUL – Land at 6 Queens Street, Measham

Following additional consultation with the Council's Tree Officer about the wording of the tree conditions as detailed in the main report, it is considered that the conditions should be amended as follows:

No work shall commence on site until trees on and adjacent to the site have been securely fenced off with protective barriers to form a construction exclusion zone in accordance with BS 5837:2012 Tree in relation to design, demolition and construction. A Tree Protection Plan shall first have been submitted to and approved in writing by the Local Planning Authority. Within the protected areas there shall be no alteration to ground levels, no compaction of the soil, no stacking or storing of any materials and no service trenches shall be dug unless first agreed in writing by the Authority.

Reason- To ensure the existing trees are adequately protected during construction in the interests of the visual amenities of the area.

No development shall commence on site until a detailed scheme of pruning works to be carried out in accordance with BS3998:2010 Tree Work – Recommendations have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.

Reason- in the interests of health and safety and amenity value of the trees.

It is also considered that the following condition should be included to ensure the Tree Protection Plan is adequately implemented.

No works or development shall take place until an auditable system of arboricultural site monitoring by the appointed project arboriculturist has been approved in writing by the Local Planning Authority. This scheme will be appropriate to the scale and duration of the works and will include details of: (*select as appropriate*)

- a. Induction and personnel awareness of arboricultural matters
- b. Identification of individual responsibilities and key personnel
- c. Statement of delegated powers
- d. Timing and methods of site visiting and record keeping, including updates
- e. Procedures for dealing with variations and incidents.
- f. The scheme of supervision shall be carried out as agreed.
- g. The scheme of supervision will be administered by a qualified arboriculturist instructed by the applicant and approved by the local planning authority.

Reason- To ensure that the tree protection plan is adequately implemented in the interests of the visual amenities of the area.

RECOMMENDATION: **NO CHANGE TO RECOMMENDATION, subject to amendments to conditions 20 and 21 and the imposition of the above additional condition.**

A2 **13/00799/FULM** **Residential development of 25 dwellings including affordable housing, formation of sustainable urban drainage system and public open space and demolition and replacement of boundary treatment at corner of Bowleys Lane and Church Street**
Land Off Bowleys Lane, Appleby Magna

Representations

Two further letters of representation have been received from a resident and from Appleby Environment (a formally constituted community group) which object on the following grounds:

- a strategic assessment of the scale of development which would be appropriate for Appleby should be undertaken;
- the Sustainability Appraisals are not affected by withdrawal of the Core Strategy;
- the numbers considered sustainable for all village locations for the entire plan period (up to 2031) has already been exceeded by planning permissions granted since the assessment was made;
- the applications should all be accompanied by an EIA to allow consideration of the individual and cumulative impacts of the applications;
- an Appropriate Assessment of the cumulative impacts on the River Mease SAC needs to be undertaken;
- the District Council's own sustainability criteria show that housing development in the rural villages at all but the smallest scale threatens nationally required sustainability targets;
- inadequate assessment of car travel that will be created by the development;
- lack of appreciation of the importance of the three strands of sustainability - economic, social and environmental;
- impact on Sensitive Area;
- site located outside the Limits to Development;
- Appleby Magna is not a sustainable village due to level of services/facilities;
- no credible evidence that there is significant unmet local housing need,
- social facilities in the village exist but are not extensive;
- local concern about flooding and sewage capacity which has not been addressed;
- destruction of hedgerows and open areas;
- impact on character of Bowleys Lane from road widening;
- increase in noise and pollution due to increased use of Bowleys Lane;
- objections from English Heritage in relation to impact on historic environment;
- significant and irreversible impact on the visual appearance and character of the junction of Bowley's Lane and looking down Church St;
- lack of adherence to Village Design Statement guidelines;
- impact on protected species including great crested newts and breeding birds;
- loss of best and most versatile agricultural land;
- reference back to other issues set out in previous objection letter submitted by Appleby Environment;
- village survey showed strong opposition to the proposed developments with almost nine out of ten villagers saying that they oppose either all or most of the proposed developments;
- lack of public consultation by the applicants.

A query has also been raised by a resident as to whether any funding would be available for the proposed pavilion at the Bowleys Lane recreation ground, as it was understood that funding for the pavilion would be proposed as part of the housing applications within the village.

The County Archaeologist has confirmed that the application should be recommended for refusal in relation to archaeological impacts.

NHS England has submitted a revised contribution request for £10,220.40 towards an upgrade of Measham Clinic.

Other Matters

Natural England has suggested an amendment to the wording of the Committee Report relating to application of the three tests under regulation 53 of the Habitat Regulations, and this wording is acceptable to the District Council's Legal Advisor.

Officer Comments

The Submission Core Strategy has now been withdrawn and the policies, figures and text within this document can no longer be taken into account. Work is being undertaken to review and update the background information/evidence base document and the Core Strategy itself following the Inspector's advice. In the meantime decisions on applications have to be taken in accordance with the adopted North West Leicestershire Local Plan and the guidance in the NPPF. The Sustainability Appraisals formed the evidence base to and supported the approach within the Core Strategy and therefore as the Core Strategy has now been withdrawn, it is considered that very limited weight should be attached to these Appraisals.

Matters relating to housing land supply, the scale of development and the relevant policies and matters to consider in relation to the principle of the development have been addressed in the Committee Report.

Bowleys Lane is an existing public highway used by traffic and the increased use of the road in connection with the proposal is unlikely to result in levels of noise and pollution that would be significantly detrimental to the residential amenities of occupiers. Furthermore there have been no objections from the Environmental Protection team in respect of noise and pollution.

In relation to if a prohibited activity would take place against a European protected species, the Committee Report (P.75 para. 4) currently states:

'...then the Authority has to consider the likelihood of a protected species licence being granted by assessing the proposal against the three tests set out under regulation 53 of the Habitat Regulations.'

However following the advice of Natural England this should be replaced with following text which gives a more accurate explanation of the consideration the Authority has to take:

'...then the Authority has to have regard to the three tests set out under regulation 53 of the Habitat Regulations and satisfied that planning permission would not be given for a proposal that would be unlikely to be granted an EPS licence.'

As noted in the Committee Report, if a resolution to grant planning permission is taken, then Members would first need to assess the likelihood of a protected species licence being granted against the tests under regulation 53 before determining the application.

The revised contribution request of £10,220.40 from NHS England proportionally takes into account four of the major applications for residential development in Appleby Magna. The request has been forwarded onto the applicant's agent and is considered to be CIL compliant.

As noted in the Committee Report, a contribution of £30,875 (£1,235 per dwelling) is sought towards open space within the village, which would allow the Parish Council some flexibility as to how the money is spent. Officers are not aware of any meetings where contributions specifically towards the proposed pavilion were discussed.

The additional letters of representation do not raise any new issues in relation to flooding, drainage, the historic environment, design and character of the area, impact on protected species, highway safety and other ecological matters and public consultation, and these matters are addressed in the Committee Report.

The Committee Report advises that it has been concluded that the proposal does not constitute EIA development under the EIA Regulations 2011. Copies of Screening Opinions have been placed on the EIA Register. The recent application for 12 dwellings at 3 Top Street, Appleby Magna would not significantly increase the number of dwellings proposed for the village. Therefore it is considered that the cumulative impacts of the housing proposals for the village can be considered as part of the planning applications. An Appropriate Assessment of the impact of the proposal on the River Mease SAC/SSSI has also been undertaken and is contained within the Committee Report.

The wording of the first reason for refusal has been amended to make reference to the relevant paragraphs within the National Planning Policy Framework.

The wording of the second reason for refusal has also been amended to make specific reference to the archaeological issues affecting the site.

RECOMMENDATION: NO CHANGE TO RECOMMENDATION with amendments to the wording of the two reasons for refusal as follows:

1. The proposal would have a harmful impact on the significance of a scheduled monument, listed buildings and the Appleby Magna Conservation Area, all of which are designated heritage assets. It is considered that clear and convincing justification for the development has not been put forward nor would the public benefits of the proposal outweigh this harm, as required by paragraphs 132, 133 and 134 of the National Planning Policy Framework. As such, when assessed against the National Planning Policy Framework, taken as a whole, the proposal would not constitute a sustainable form of development.
2. The application includes development within areas where archaeological remains may be located, which would be disturbed by works associated with the proposal. The County Archaeologist advises that some targeted trenching, to clarify the character of the geophysics and test areas where the other information suggests a significant potential, needs to be undertaken before determination of the application. The required trial trenching has not been undertaken and therefore without this information it is considered that sufficient information has not been submitted to draw the conclusion that the proposed development would not harm the surrounding archaeological remains. A condition requiring trial trenching to take place after determination would not be sufficient to prevent any harm. It is therefore concluded that insufficient information has been submitted to ensure that the development would not harm the archaeological remains. The public benefits of the proposal would not outweigh this harm when assessed against the policies of the National Planning Policy Framework, taken as a whole. As such the proposal would not constitute a sustainable form of development.

A3 **13/00697/OUTM** **Residential development for up to 29 dwellings (Outline - access included)**
Land Off Top Street, Appleby Magna

Representations

One further letter of representation has been received from Appleby Environment (a formally constituted community group) which object on the following grounds:

- a strategic assessment of the scale of development which would be appropriate for Appleby should be undertaken;
- the Sustainability Appraisals are not affected by withdrawal of the Core Strategy;
- the numbers considered sustainable for all village locations for the entire plan period (up to 2031) has already been exceeded by planning permissions granted since the assessment was made;
- the applications should all be accompanied by an EIA to allow consideration of the individual and cumulative impacts of the applications;
- an Appropriate Assessment of the cumulative impacts on the River Mease SAC needs to be undertaken;
- the District Council's own sustainability criteria show that housing development in the rural villages at all but the smallest scale threatens nationally required sustainability targets;
- inadequate assessment of car travel that will be created by the development;
- impact on Sensitive Area;
- site located outside the Limits to Development;
- Appleby Magna is not a sustainable village due to level of services/facilities;
- no credible evidence that there is significant unmet local housing need,
- social facilities in the village exist but are not extensive;
- concerns regarding scale of development have not been addressed;
- local concern about flooding and sewage capacity which has not been addressed;
- destruction of hedgerows and open areas;
- lack of adherence to Village Design Statement guidelines;
- an outline application should not be considered on a Sensitive Area;
- previous applications for housing on this site have been rejected;
- reference back to other issues set out in previous objection letter submitted by Appleby Environment;
- village survey showed strong opposition to the proposed developments with almost nine out of ten villagers saying that they oppose either all or most of the proposed developments;

A query has also been raised by a resident as to whether any funding would be available for the proposed pavilion at the Bowleys Lane recreation ground, as it was understood that funding for the pavilion would be proposed as part of the housing applications within the village.

The County Archaeologist makes the following comments in relation to the submitted Archaeological Assessment:

'The report concludes that the site lies within the periphery of the settlement with a low to medium archaeological potential. It suggests the any buried remains are most likely to represent evidence of medieval or post-medieval agricultural activities associated with the occupation of the village. The report however cautions that the lack of archaeological investigation prevents confident conclusions as to the quality of preservation of any archaeological remains. Our assessment suggests a rather greater archaeological interest, based upon historic map evidence, which appears to show early 19th century occupation of the northern end of the site, together with a further detached structure to the south. It is not possible to date the origin or character of the depicted activity, but a post-medieval or possibly earlier medieval origin cannot be ruled out.

The report notes the development comprises a significant new build residential component together with services, access and landscaping, it considers the scheme will have a moderate impact upon any buried archaeological remains. In response it's suggests the evidence for both the need for and scope of any appropriate archaeological mitigation should be informed by a programme of field evaluation (trial trenching).

Based upon previous experience, given the absence of recent development, it is likely that should buried remains survive within the application area, their archaeological interest and significance will be comprehensively damaged if not destroyed by the proposed development of the site. In that context, we would suggest, in line with our original advice, that the recommendation for trial trenching to clarify the presence, extent and significance of any archaeological is necessary to meet the developers requirements to inform the planning process (NPPF para 128) and to support the LPAs planning decision (NPPF para 129). In the absence of this information it is not possible to determine the impact of the scheme upon the significance of any affect heritage assets or design and appropriate mitigation strategy.

Consequently, I'm afraid I would recommend refusal of the scheme in its present form, pending receipt of the results of a suitable programme of trial trenching. However, if the planning authority is minded to approve I would recommend the imposition of conditions to secure both a stage of trial trenching and any necessary follow-up mitigation.'

NHS England has submitted a revised contribution request for £11,422.80 towards an upgrade of Measham Clinic.

Officer Comments

The Submission Core Strategy has now been withdrawn and the policies, figures and text within this document can no longer be taken into account. Work is being undertaken to review and update the background information/evidence base document and the Core Strategy itself following the Inspector's advice. In the meantime decisions on applications have to be taken in accordance with the adopted North West Leicestershire Local Plan and the guidance in the NPPF. The Sustainability Appraisals formed the evidence base to and supported the approach within the Core Strategy and therefore as the Core Strategy has now been withdrawn, it is considered that very limited weight should be attached to these Appraisals.

Matters relating to housing land supply, the scale of development and the relevant policies and matters to consider in relation to the principle of the development have been addressed in the Committee Report.

An outline application can be considered on a site that constitutes a Sensitive Area; an indicative layout has been provided which shows the likely extent of development would cover the majority of the site, and as such it was considered that the layout of the proposal did not need to be considered in detail at outline stage.

Whilst the County Archaeologist recommends refusal pending receipt of the results of a suitable programme of trial trenching, he also goes onto advise that if the Authority is minded to approve the application he recommends the imposition of conditions to secure both a stage of trial trenching and any necessary follow-up mitigation. The County Archaeologist has also advised that conditions can be imposed on this proposal, rather than a reason for refusal similar to the Bowleys Lane site, as the Bowleys Lane site contains evidence of buried archaeological remains, is adjacent to the historic core of the village and forms part of the setting to important heritage assets within the village.

The revised contribution request of £11,422.80 from NHS England proportionally takes into account four of the major applications for residential development in Appleby Magna. The request has been forwarded onto the applicant's agent and is considered to be CIL compliant.

As noted in the Committee Report, a contribution of £35,815 (£1,235 per dwelling) is sought towards open space within the village, which would allow the Parish Council some flexibility as to how the money is spent. However the report then goes on to state that '*...a commuted sum towards upgrading and improving the existing play area in the village would be acceptable in this instance.*', which is at odds with the previous sentence. For clarification, it is advised that a contribution is sought towards open space within the village, rather than solely for the play area. Officers are not aware of any meetings where contributions specifically towards the proposed pavilion were discussed.

The additional letter of representation does not raise any new issues in relation to flooding, drainage, design and character of the area, ecological matters and public consultation, and these matters are addressed in the Committee Report.

The Committee Report advises that it has been concluded that the proposal does not constitute EIA development under the EIA Regulations 2011. Copies of Screening Opinions have been placed on the EIA Register. The recent application for 12 dwellings at 3 Top Street, Appleby Magna would not significantly increase the number of dwellings proposed for the village. Therefore it is considered that the cumulative impacts of the housing proposals for the village can be considered as part of the planning applications. An Appropriate Assessment of the impact of the proposal on the River Mease SAC/SSSI has also been undertaken and is contained within the Committee Report.

RECOMMENDATION: NO CHANGE TO RECOMMENDATION subject to the inclusion of conditions relating to submission of a Written Scheme of Investigation for archaeological work (to include trial trenching) and completion of site investigation and post investigation assessment and provision made for analysis, publication and dissemination of results and archive deposition.

A4 13/00797/FULM Erection of 39 residential units including affordable housing and provision of sustainable urban drainage and on site public open space
Land adjoining 33 Measham Road, Appleby Magna

Representations

Two further letters of representation have been received, one from a local resident and one from Appleby Environment (a formally constituted community group). The representations raise objection on the following grounds:

- a strategic assessment of the scale of development which would be appropriate for Appleby should be undertaken;
- the Sustainability Appraisals are not affected by withdrawal of the Core Strategy;
- the numbers considered sustainable for all village locations for the entire plan period (up to 2031) has already been exceeded by planning permissions granted since the assessment was made;
- the applications should all be accompanied by an EIA to allow consideration of the individual and cumulative impacts of the applications;
- an Appropriate Assessment of the cumulative impacts on the River Mease SAC needs to be undertaken;

- the District Council's own sustainability criteria show that housing development in the rural villages at all but the smallest scale threatens nationally required sustainability targets;
- inadequate assessment of car travel that will be created by the development;
- site located outside the Limits to Development;
- Appleby Magna is not a sustainable village due to level of services/facilities;
- no credible evidence that there is significant unmet local housing need,
- social facilities in the village exist but are not extensive;
- concerns regarding scale of development have not been addressed;
- local concern about flooding and sewage capacity which has not been addressed;
- destruction of hedgerows and open areas;
- lack of adherence to Village Design Statement guidelines;
- adverse impact on residential amenities;
- endorses the objection letter by English Heritage of the inappropriateness of development on this site;
- reference back to other issues set out in previous objection letter submitted by Appleby Environment;
- village survey showed strong opposition to the proposed developments with almost nine out of ten villagers saying that they oppose either all or most of the proposed developments;

A query has also been raised by a resident as to whether any funding would be available for the proposed pavilion at the Bowleys Lane recreation ground, as it was understood that funding for the pavilion would be proposed as part of the housing applications within the village.

NHS England has submitted a revised contribution request for £15,030.00 towards an upgrade of Measham Clinic.

Leicestershire Police advises that if the amendments relate to part of the site then leaving a site where more houses can be built needs to be avoided so that sites are not split to avoid contribution requirements. However if the Authority is satisfied that the same site area is involved and there is a genuine reduction in the number of dwellings in the same area then this will drop below the threshold where the Police seek contributions.

Other Matters

The agent has submitted two further plans which demonstrate that road layout accords with the 6Cs Design Guide.

Officer Comments

The Submission Core Strategy has now been withdrawn and the policies, figures and text within this document can no longer be taken into account. Work is being undertaken to review and update the background information/evidence base document and the Core Strategy itself following the Inspector's advice. In the meantime decisions on applications have to be taken in accordance with the adopted North West Leicestershire Local Plan and the guidance in the NPPF. The Sustainability Appraisals formed the evidence base to and supported the approach within the Core Strategy and therefore as the Core Strategy has now been withdrawn, it is considered that very limited weight should be attached to these Appraisals.

Matters relating to housing land supply, the scale of development and the relevant policies and matters to consider in relation to the principle of the development have been addressed in the Committee Report.

The Highway Authority has previously advised that there were concerns relating to the adoptability of the proposed road layout. Whilst this is not a planning matter, the plans showing the road layout have been forwarded onto the County Highway Authority for comment. It should be noted that if these have not been received in time to be reported to Planning

Committee, the absence of the comments would not prejudice the determination of the application.

The revised contribution request of £15,030.00 from NHS England proportionally takes into account four of the major applications for residential development in Appleby Magna. The request has been forwarded onto the applicant's agent and is considered to be CIL compliant.

As noted in the Committee Report, an on site play area and open space is proposed due to the distance from the recreation ground. Officers are not aware of any meetings where contributions specifically towards the proposed pavilion were discussed.

The number of dwellings proposed has been reduced to a scale considered appropriate for this site which is a proper planning reason and has not been done so to avoid paying developer contributions. Therefore the proposal is now below the threshold under which Leicestershire Police seeks contributions.

The additional letters of representation do not raise any new issues in relation to flooding, drainage, historic environment, highway safety, design and character of the area, ecological matters and public consultation to those addressed in the Committee Report. The local resident's representation raises concern about design issues which are addressed in the main report, and also overlooking of his dwelling and garden area from the proposed unit forming Plots 9 and 10. It should be noted that the report addresses this issue and the side window shown on the plans would be relocated to the rear of the property (P.151 para.4) and Condition 3 would reflect this.

The Committee Report advises that it has been concluded that the proposal does not constitute EIA development under the EIA Regulations 2011. Copies of Screening Opinions have been placed on the EIA Register. The recent application for 12 dwellings at 3 Top Street, Appleby Magna would not significantly increase the number of dwellings proposed for the village. Therefore it is considered that the cumulative impacts of the housing proposals for the village can be considered as part of the planning applications. An Appropriate Assessment of the impact of the proposal on the River Mease SAC/SSSI has also been undertaken and is contained within the Committee Report.

RECOMMENDATION: NO CHANGE TO RECOMMENDATION

A9 14/00047/FUL – 242 Melbourne Road Ibstock

Following the publication of the Committee report the Local Authority has received a further five letters of objection from the occupant's of No. 230 Melbourne Road, Nos. 3, 6 and 7 Linden Close and No. 36 Penistone Street as well as a petition with 42 signatories from the residents of Maple Drive and Linden Close. A viability appraisal, undertaken by the District Valuer, has also been received. The applicant has also submitted information to address some of the conditions which were imposed on the officer's report prepared for the Committee Agenda.

With regards to the viability of the scheme and the provision of either an on-site contribution or off-site financial contribution for affordable housing the District Valuer has concluded that they are of the opinion *"that a scheme with 20% affordable housing, no section 106 contributions and a profit level of 17.5% shows a land value of approximately £329,300 and is not viable against a benchmark of £420,000 land value."* An assessment based on a scheme of all private housing with no on-site contribution or off-site financial contribution based on a developer profit of 17.5% and a residual land value of £420,000 was *"marginally viable."* In conclusion, therefore, the District Valuer has stated that *"on the basis of viability we would suggest that a scheme is not viable with either on site affordable housing or an off-site financial contribution and we would recommend that the Council gives serious consideration to the scheme as put forward."*

The objections received from the occupants of No. 230 Melbourne Road, Nos. 3, 6 and 7 Linden Close and No. 36 Penistone Street can be summarised as follows: -

- *The access to Plots 6 and 7 would pass directly in front of the windows and why can't the access come from Melbourne Road?*
- *There is a child's playing green next to the proposed new drive and the dwellings will cause even more congestion on Maple Drive;*
- *Does the applicant own the access drive and have right of access from Linden Close?*
- *Large delivery vehicles and emergency vehicles will have difficulty reaching the properties;*
- *Will there be a permanent barrier between the service road off Melbourne Road?*
- *Are the semi-detached bungalows to be designated as affordable housing?*
- *The garages and parking court could become a place for youths to congregate and create noise impacts on the amenities of neighbours;*
- *No. 230 will be overshadowed and overlooked by Plot 1;*
- *The maintenance of the existing hedge will be impossible and it will become overgrown;*
- *Traffic noise and disturbance will increase both in and outside the site;*

Officer Comments

The committee report prepared has covered the majority of issues raised and in terms of the issues raised which have not been addressed the following response is provided.

Viability

In the circumstances that the District Valuer has concluded that the scheme would not be viable with either an on-site affordable housing contribution or an off-site financial contribution it is considered that in order to comply with the principles of

Paragraph 173 of the NPPF no contribution should be sought in this particular instance.

Neighbour Objection

In respect of the objections raised it is considered that the Committee report has adequately covered the issues raised in the relevant sections (Residential Amenity and Highway Safety). In respect of the particular issues associated with the access road off Linden Close it is noted that the approved residential scheme on the site (as considered under application reference 13/00024/FUL) allowed the same access road to serve one dwelling. In the circumstances that the amount of vehicular movements associated with two dwellings, particularly two bedroom types, would not be materially higher than one and given that the County Highways Authority has no objections it is considered that a refusal of the application on the impacts on highway safety could not be justified in this instance. The potential servicing of these dwellings via the same access to Plots 1 – 5 would also cause highway safety concerns given that any dual access (one off Linden Close and one off Melbourne Road) would be detrimental to highway safety given that existing occupants of Linden Close could enter or exit the estate in the same manner. In the circumstances that Linden Close is not a classified road it is also acknowledged that a vehicular access into the existing site, No. 242 Melbourne Road, would likely not require planning permission as it would be permitted under Class B of Part 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). In terms of land ownership details the Council does not hold records on these matters and as such the applicant will be the assumed owner of the land outlined in red on the site location plan, should Certificate A on the application forms be completed, unless this is proven to be incorrect. Whilst ‘title deeds’ plans have been provided by the occupant’s of both Nos. 3 and 7 Linden Close these have not identified that the land over which the access would be formed is not within the ownership of the applicant. In any case should any land owned by neighbours be required by the applicant as part of the development then the applicant would require permission from these landowners prior to any work being carried out.

Other Matters

The applicant has submitted amended plans to outline the materials which would be utilised and specifying certain details in order to remove some of the pre-commencement conditions imposed on the Committee report. The details submitted are considered to be satisfactory and as such the wording of Conditions 2, 3, 4, 14 and 15 of the permission will be amended to reflect the revised details. Condition 15 referred to lighting details for the parking court and following the receipt of the amended plan consultation has been undertaken with the Council’s Environmental Protection team who have verbally confirmed that there would be no objection to the proposed lighting scheme indicated on the plans.

RECOMMENDATION: APPROVE, subject to conditions and the following conditions being amended on the basis of the revised information.

2. This development shall be implemented in accordance with drawing numbers 100 and 101, received by the Local Authority on the 15th January 2014, and drawing numbers 150E, 250D, 251C and 252A, received by the Local Authority on the 4th April 2014, unless otherwise required by another condition of this permission.

Reason – for the avoidance of doubt and to determine the scope of the permission.

3. The external materials to be utilised in the development shall be in strict accordance with those specified on drawing number 150E, received by the Local Authority on the 4th April 2014, which shall be as follows: -
- Ibstock Stoneleigh Light Red bricks to all Plots;
 - Sto Render to Plots 2 and 4 of Colour Reference 31320 with a Smooth Finish;
 - Forticrete Gemini Roof Tiles to all Plots coloured Dark Brown;
 - White uPVC windows to all Plots;
 - Timber Doors by Coalville Glass and Glazing painted in Farrow and Ball Colours Pitch Black, Olive Green, Rectory Red and Catspaw;
 - Brick voissors and brick on edge cills to all Plots;
 - Keystone GRP Chimneys to Plots 1, 2, 3, 4 and 5;
 - Black uPVC Rainwater Goods with Rise and Fall Brackets;
 - Utility Boxes painted to match Brickwork;
 - Timber Porches painted White;
 - Wet Bedded Verges;

Reason – to ensure a satisfactory standard of external appearance given the viability constraints of the site.

4. No utility boxes shall be provided unless in accordance with those shown on the approved plans, as outlined in Condition 2 of this permission, unless alternative positions and finishes have first been submitted to and agreed in writing by the Local Planning Authority.

Reason – in the interests of neighbouring amenities and the visual amenities of the locality.

14. Prior to the first occupation of any dwelling on the site the off-street parking provision, including garage spaces, as shown on drawing number 150E and 252A received by the Local Authority on the 4th April 2014 shall be provided and thereafter shall permanently remain available for car parking.

Reason - to ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.

15. The scheme of lighting and marking of the off-street parking spaces shall be provided in strict accordance with that shown on drawing number 150E, received by the Local Authority on the 4th April 2014, unless an alternative scheme is first submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme, or any subsequent variation, which shall thereafter be so maintained at all times.

Reason – to ensure a satisfactory overall appearance of the completed development and to ensure the security of the parking facilities.

This page is intentionally left blank

A5 **14/00051/FULM** **Residential development for 27 dwellings including demolition/conversion of former school (amended scheme)**
Land Off Church Lane, Ravenstone, Coalville,
Leicestershire

Additional information received:

An additional letter of objection has been received stating that part of the public footpath passes outside of the application site and, therefore, they cannot promise to carry out improvement works to this section of the footpath. The letter of objection also indicates that the owner intends to erect fencing that would come to the edge of the proposed road and do little to enhance the street scene.

A response has been received from Ravenstone Parish Council which states that the previous application was refused on the grounds of unsustainability and there are not any material changes to this application which would justify a reversal of this decision. The Parish Council raise the same concerns as with the previous application on the site.

Officer comment:

It is correct that part of the public footpath falls outside of the application site. Should the developer not be able to come to some form of agreement with the relevant landowner then they have indicated that they could provide the improvement works within the application site.

Any fencing off of the public footpath would be an issue for the relevant enforcement authority.

The comments from the Parish Council have already been addressed in the Committee Report.

RECOMMENDATION: No Change to Recommendation

This page is intentionally left blank