

## UPDATE SHEET

### PLANNING COMMITTEE – 10<sup>th</sup> June 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 09/00959/OUTM – Land at Spring Lane/Normanton Road, Packington

###### **Statutory Consultee Update:**

The following consultation responses have been received from statutory consultees in response to the amended plans showing 42 dwellings on the site:

County Highways Authority advises that their previous comments apply in full.

County Ecologist has no further comments to make.

Leicestershire County Council- Highway Transportation and Waste Management Authority advises that a request for a contribution towards civic amenity sites will not be required.

Leicestershire County Council Library Services have requested a revised contribution of £2450.

Leicestershire County Council Education Authority have requested a revised contribution of £137,679.05, which is broken down as follows:

- Primary School Sector; no contribution sought (Justification- when taking into account the proposed development, there would be a deficit of 14 school places but when having regard to other primary schools within a 2 mile walking distance of the development, there is an overall surplus of 7 spaces).
- High School Sector; a contribution of £67,929.45 is sought (Justification - when taking into account the proposed development, there would be a deficit of 65 school places and there are no other high schools within 3 miles of the development and therefore, a claim is justified).
- Upper School Sector; a contribution of £69,749.61 is sought (Justification - when taking into account the proposed development, there would be a deficit of 204 school

places and there are no other upper schools within 3 miles of the development and therefore, a claim is justified).

The applicant has confirmed their agreement to the revised contributions.

### **Third Party Representations Update:**

Two letters of neighbour representation has been received raising the following comments:

- the amended plan is a significant improvement on earlier submissions when having regard to its impact on No.1 Spring Lane but will be reconsidered at the reserved matters stage and so the revisions make little difference at the outline stage;
  - the Design and Access Statement has not been amended to reflect the change in numbers;
  - there are no employment opportunities in the immediate area and therefore, most vehicles using the development will travel across the village to access the M42 or the A511;
  - the site would be removed from the village and would change the boundary of the village resulting in its residents using the car to access services and causing additional congestion within the village;
  - the proposal is for too many houses within a clump on the extreme edge of the village;
  - the application should be refused, especially because the detail shown on the indicative plan does not form part of the application.
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- notwithstanding the minor reductions in numbers for both housing schemes, there is little change in the impact on the village or the adjacent countryside, this remains a large block of housing, divided by a road but nevertheless is seen as a single site at the furthest point from facilities in the village and from Ashby;
  - the assessment of the percentage increase is critically flawed as there are 300 (not 342) properties within the main built up area of the village and therefore, together the two major housing proposals would result in a 26% (not 22.5%) increase which exceeds that envisaged in the Core strategy;
  - the level of growth does not take into account a recent permission for 2 dwellings on Vicarage Lane or a site within the village that has recently been put on the market and could accommodate residential development and there are also figures emerging which show that the latest housing requirements are lower than was the case with the Core Strategy and so less numbers are needed across the district as a whole;
  - there are small sites within the village which can contribute to raising housing numbers in small numbers which together would add up to a reasonable contribution to housing numbers;
  - the shortage of housing land alone does not justify the loss of countryside as demonstrated by a recent appeal for a dwelling in the countryside and the current proposal should be refused.

In response to the additional third party comments raised that have not already been covered in the report within the Main Agenda, officers can advise Members as follows:

*-‘The assessment of the percentage increase is critically flawed’*

The number of properties within Packington has been recalculated using 2011 Census information from the Office of National Statistics (a reputable source of

information), which confirms that there are 324 properties within Packington. This has implications for the level of growth and revised calculations are provided below:

This proposal for 42 dwellings would represent a 12.9% increase in the number of dwellings within the village. The 42 proposed dwellings alongside the 5 new dwellings built since 2006 and the outstanding commitments for 1 dwelling would equate to a 14.8% growth in the village since 2006. Therefore, the proposed development on its own, and with additional dwellings/commitments, would represent a lower level of growth than that for North West Leicestershire as a whole. As such it is considered that the proposal would not result in a significant increase in housing development within the village.

*-‘The level of growth does not account for a recent permission for 2 dwellings’*

The application referred to has been recommended for approval subject to a S106 Agreement but this has not yet been completed and therefore, planning permission has not been issued for these dwellings.

*-‘The shortage of housing land alone does not justify the loss of countryside’*

The appeal decision referred to is for an isolated site located away from the nearest settlements of Melbourne and Kings Newton and is not considered to be directly comparable to the current application proposal.

#### **Other Updates:**

A letter has been received from Andrew Bridgen MP who provides the following comments on the application:

‘ . . . I have received a number of objections to the various Planning Applications from residents of the village and I understand over 70 were lodged with the Council. I have had the issues of the principle and sustainability of the proposal and associated flood risks raised in correspondence to me. I would ask that your committee consider all of these local objections to the application and whether this scale of house building is appropriate in the village.’

The applicant has verbally raised concern about the merits of the suggested Police contribution, given that no contribution has been sought by Leicestershire Police for the other housing site off Normanton Road which is reported elsewhere on this agenda.

Following clarification of the affordable housing being offered by the applicant, the affordable housing section found on page 48 of the main agenda is updated as follows:

Under the Council's Affordable Housing SPD, 30% affordable housing is required on sites of 5 dwellings or more, and this would equate to 12.6 dwellings for the current proposal. The applicant is proposing that 12 of the dwellings be affordable, including 8 affordable rented properties (comprising bungalows and houses) and 4 shared ownership properties (houses). The Council's Strategic Housing Team have been consulted on the application and have advised that they are satisfied with the proposal.

**RECOMMENDATION: NO CHANGE TO RECOMMENDATION.**

## **A2 09/01002/OUTM – Land to the south of Normanton Road, Packington**

### **Statutory Consultee Update:**

The following consultation responses have been received from statutory consultees in response to the amended plans showing 30 dwellings on the site:

Severn Trent Water Ltd – no comments have been received.

Coal Authority were consulted following a request from the County Planning Authority. The Coal Authority has confirmed that the site is not within a defined Development High Risk Area and therefore, a risk assessment is not required. A Standing Advice note to applicant is recommended and this is already including within the officer report found in the Main Agenda.

County Highways Authority has advised that following a recent review of fees and costings for Real Time Information (RTI) systems, and more certainty over bus service provision within Packington (a new commercial service is to operate), a revised developer contribution of £5840 is now sought.

Leicestershire County Council- Highway Transportation and Waste Management Authority advises that a request for a contribution towards civic amenity sites will not be required.

Leicestershire County Council Library Services have requested a revised contribution of £1830.

Leicestershire County Council Education Authority has requested a revised contribution of £137,679.05, which is broken down as follows:

- Primary School Sector; no contribution sought (Justification- when taking into account the proposed development, there would be a deficit of 12 school places but when having regard to other primary schools within a 2 mile walking distance of the development, there is an overall surplus of 9 spaces).
- High School Sector; a contribution of £53,628.51 is sought (Justification - when taking into account the proposed development, there would be a deficit of 64 school places and there are no other high schools within 3 miles of the development and therefore, a claim is justified).
- Upper School Sector; a contribution of £55,065.48 is sought (Justification - when taking into account the proposed development, there would be a deficit of 203 school places and there are no other upper schools within 3 miles of the development and therefore, a claim is justified).

The applicant has confirmed their agreement to the revised contributions.

A cumulative assessment has been provided by the County Education Authority, which considers whether the existing schools could accommodate the educational needs expected from both of the housing developments proposed for Packington (a total of 72 dwellings). They have advised as follows:

- Primary School Sector; no contribution sought (Justification- when taking into account the proposed development, there would be a deficit of 21 school places but when having regard to other primary schools within a 2 mile walking distance of the development, there is an overall surplus/deficit of 0 spaces).

- High School Sector; a contribution of £121,557.96 is sought (Justification - when taking into account the proposed development, there would be a deficit of 68 school places and there are no other high schools within 3 miles of the development and therefore, a claim is justified).

This contribution would be used to accommodate the capacity issues created by the proposed development by improving and remodelling or enhancing existing facilities at Ashby Ivanhoe College.

- Upper School Sector; a contribution of £124,815.09 is sought (Justification - when taking into account the proposed development, there would be a deficit of 207 school places and there are no other upper schools within 3 miles of the development and therefore, a claim is justified).

This contribution would be used to accommodate the capacity issues created by the proposed development by improving and remodelling or enhancing existing facilities at Ashby School.

In conclusion, the County Education Authority are satisfied that the cumulative educational impacts arising from both developments can be accommodated with developer contributions.

### **Third Party Representations Update:**

One letter of neighbour representation has been received raising the following comments:

- notwithstanding the minor reductions in numbers for both housing schemes, there is little change in the impact on the village or the adjacent countryside, this remains a large block of housing, divided by a road but nevertheless is seen as a single site at the furthest point from facilities in the village and from Ashby;
- the assessment of the percentage increase is critically flawed as there are 300 (not 342) properties within the main built up area of the village and therefore, together the two major housing proposals would result in a 26% (not 22.5%) increase which exceeds that envisaged in the Core strategy;
- the level of growth does not take into account a recent permission for 2 dwellings on Vicarage Lane or a site within the village that has recently been put on the market and could accommodate residential development and there are also figures emerging which show that the latest housing requirements are lower than was the case with the Core Strategy and so less numbers are needed across the district as a whole;
- there are small sites within the village which can contribute to raising housing numbers in small numbers which together would add up to a reasonable contribution to housing numbers;
- the shortage of housing land alone does not justify the loss of countryside as demonstrated by a recent appeal for a dwelling in the countryside and the current proposal should be refused.

In response to the additional third party comments raised that have not already been covered in the report within the Main Agenda, officers can advise Members as follows:

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*-The assessment of the percentage increase is critically flawed'*

The number of properties within Packington has been recalculated using 2011 Census information from the Office of National Statistics (a reputable source of information), which confirms that there are 324 properties within Packington. This has implications for the level of growth and revised calculations are provided below:

This proposal for 30 dwellings would represent a 9.2% increase in the number of dwellings within the village. The 30 proposed dwellings alongside the 5 new dwellings built since 2006 and the outstanding commitments for 1 dwelling would equate to a 11% growth in the village since 2006. Therefore, the proposed development on its own, and with additional dwellings/commitments, would represent a lower level of growth than that for North West Leicestershire as a whole. As such it is considered that the proposal would not result in a significant increase in housing development within the village.

When considered cumulatively with the other major housing proposal for the village reported earlier on this agenda (a maximum of 72 dwellings), this would equate to a 22% increase in new dwellings within the village, which would represent a higher level of growth anticipated for the villages than proposed across the District as a whole in the GL Hearn Study. When taking into account new dwellings/commitments this growth increases to 23.7% and 24% respectively.

This revised figure (representing the level of growth) is slightly higher than that envisaged for the District as a whole and it is higher than that envisaged for smaller settlements within the Core Strategy. However, even if a development takes the scale of growth in a settlement over that which was envisaged district wide in the Core Strategy, this should not be a reason for refusal on its own (particularly as no weight can be attached to the provision of the Core Strategy). A particular adverse impact would have to be demonstrated.

The application has been considered on site and by statutory consultees and found to be acceptable in terms of its impacts on the countryside, the setting and character of the settlement, highway safety etc. Furthermore, when having regard to the sustainability credentials of the sites, the proposals would represent a sustainable form of development as advocated in the NPPF.

It is considered that this level of cumulative development (growth) for Packington is considered acceptable and therefore, the revised calculations do not change the recommendation to the Planning Committee.

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#### **Other Updates:**

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' . . . I have received a number of objections to the various Planning Applications from residents of the village and I understand over 70 were lodged with the Council. I have had the issues of the principle and sustainability of the proposal and associated flood risks raised in correspondence to me. I would ask that your committee consider all of these local objections to the application and whether this scale of house building is appropriate in the village.'

As a result of a technical error, the report provided in the main agenda does not provide the applicant's details, which are as follows:

- Mr S Brassington and Mr S Bryan

**RECOMMENDATION: NO CHANGE TO RECOMMENDATION.**



**A4 14/00309/FULM**

Following the publication of the Committee report the Local Authority has received additional representations to the application from the occupants of Bosworth Grange raising various issues and concerns in respect of the operations of Tankmania and the potential cumulative noise impacts with the Ashby Canal restoration project which has recently commenced. Given the timing of the receipt of these comments there has been insufficient time for them to be considered and assessed sufficiently in order to provide an 'update' to the recommended decision of the application. It is also noted that a response to the consultation undertaken with the County Ecologist in respect of the revised Great Crested Newts survey is yet to be received and as such it cannot be satisfactorily concluded that the development would not result in detriment to Great Crested Newts which are a protected species.

**RECOMMENDATION: THAT THE APPLICATION BE DEFERRED TO ALLOW A CONSULTATION RESPONSE TO BE RECEIVED FROM THE COUNTY COUNCIL ECOLOGIST AND TO ASSESS THE REVISED REPRESENTATIONS RECEIVED FROM OBJECTORS.**

**A5 14/00188/FUL                      Erection of two detached dwellings with garaging  
18 Meadow Lane, Coalville, Leicestershire**

**Additional information received:**

Five additional letters of objection have been received from surrounding neighbours.

**Officer comment:**

The additional letters of objection that have been received do not raise any new issues that have not previously been addressed in the committee report.

An amended condition is necessary in order to rectify an incorrect drawing number.

**RECOMMENDATION: AMEND CONDITION 5**

5        The boundary treatments, as shown on drawing number 14.100.06 A shall be implemented before the dwelling is occupied.

*Reason - to preserve the amenities of the locality.*