

UPDATE SHEET

PLANNING COMMITTEE – 9 June 2015

To be read in conjunction with the
Head of Planning and Regeneration'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 13/00959/OUTM – Residential development for up to 42 dwellings
(Outline - details of access included)
Land at Spring Lane/Normanton Road, Packington

Additional neighbour representations

A resident has questioned what the required visibility splays should be for the access to this site as the report attached as the appendix report (page 53 of the agenda) refers to 2.4 x 120 metre splays and the condition imposed on the now quashed planning permission refers to 2.4 x 65 metres.

Six further letters of objection have been received raising the following concerns:

- The Council now has a five year supply of housing land and does not need to grant planning permission for development on greenfield sites outside limits to development.
- Harmful to the character and appearance of the countryside and setting of the village.
- Cumulative impact of the development along with the other application for residential development.
- Brownfield sites are available in the village which will more than supply the needs of the village.
- Impact on the village school which is already stretched to capacity and insignificant contribution to the school.
- Impact on highway safety and increase in traffic through the village.
- Refusal of other Greenfield sites outside limits to development in the District.
- Question about sewage capacity for the village.

Officer comment

For the avoidance of doubt, the County Highway Authority has now confirmed that, as per Condition No 14 imposed on the now quashed planning permission, the requirement is for the provision of visibility splays of 2.4 metres by 65 metres at the junction of the access with Normanton Road before first occupation of any dwelling permitted.

The additional objections raised above have already been addressed in the reports in the main Agenda and do not introduce any new issues.

RECOMMENDATION – NO CHANGE TO THE RECOMMENDATION

- A2 13/01002/OUTM – Erection of 30 dwellings, including 8 affordable homes (outline – access included)**
Land South of Normanton Road, Packington

Additional neighbour representations

Five further letters of objection have been received raising the following concerns:

- The Council now has a five year supply of housing land and does not need to grant planning permission for development on greenfield sites outside limits to development.
- Harmful to the character and appearance of the countryside and setting of the village.
- Cumulative impact of the development along with the other application for residential development.
- Brownfield sites are available in the village which will more than supply the needs of the village.
- Impact on the village school which is already stretched to capacity and insignificant contribution to the school.
- Impact on highway safety and increase in traffic through the village.
- Refusal of other Greenfield sites outside limits to development in the District.
- Question about sewage capacity for the village.

Officer comment

The additional objections raised above have already been addressed in the reports in the main Agenda and do not introduce any new issues.

RECOMMENDATION – NO CHANGE TO THE RECOMMENDATION

- A3** **14/01106/OUTM** **Proposed development of 345 dwellings (use class C3), doctors surgery/health centre (use class D1), community centre (use class D1), access, associated infrastructure, open space, landscaping and play area (outline - all matters other than part access reserved)**
Land Laying to the west of Whitehill Road and South of Ibstock Road, Ellistown

This application has been withdrawn.

- A4** **15/00196/FULM** **Erection of 41 dwellings and associated infrastructure including the provision of play space and combined cycle and footpath (resubmitted 14/00520/FULM)**
Land At Wells Road And Willesley Road, Ashby De La Zouch

Additional information received:

3 additional neighbour letters of objection has been received raising the following concerns:-

- a) No substantial alteration made to the original plan
- b) Developer has given misleading figures
- c) Un-sustainable and the site is further from the town centre, employment and key services, than the Packington Nook application which was dismissed at appeal
- d) This site does not have similar credentials to Shellbrook, the distances to essential services are double that of the Shellbrook site
- e) It does not meet the NPPF objective of Sustainable Transport
- f) High quality landscape value and report implies the site is not protected by any formal landscape designation
- g) No assessment of potential harm of the development
- h) Highway safety and no consideration of how agricultural vehicles could be safely driven through the scheme
- i) No designated children's play area
- j) Houses approved for Ashby are in excess of the planned requirement
- k) Members must be advised whether the proposed financial contributions are caught by the pooling restrictions in CIL Regulation 123.

Officer comment:

In respect of the pooling restrictions, Leicestershire County Council have provided additional evidence to demonstrate that their Libraries and Education (Primary, High and Upper School Sectors) requests, in combination with previous obligations, do not exceed five obligations and therefore can be secured through the planning process, by way of a legal agreement. The other contributions are separate projects and therefore there are no changes to the sought contributions, as listed at the bottom of page 176 in the main report.

The additional objections raised have already been addressed within the report in the Main Agenda.

For the avoidance of doubt 185 letters of original objection have been received, from 97 different addresses.

RECOMMENDATION: NO CHANGE TO RECOMMENDATION

A5 15/00083/OUTM Residential development (up to 81 dwellings), associated open space, community and drainage infrastructure (Outline - access only) Re-submission of 14/00460/OUTM Land On The East Side Of Butt Lane, Blackfordby

Additional information received:

21 additional letters have been received raising the following objections:-

- a) Un-sustainable and development in the countryside on greenbelt and loss of character
- b) Brownfield first, loss of greenfield and agricultural land
- c) Joining of Blackfordby and Woodville
- d) 25% increase in the size of the village
- e) Identical to previously refused scheme
- f) Not appropriate or necessary
- g) Flooding, drainage and water pressure
- h) Increase in traffic (including construction traffic) and highway safety
- i) Bus route 9 could be axed at any time, what is the point in bus passes, if there is no bus route
- j) School places and other infrastructure at full capacity
- k) Local knowledge ignored
- l) Safety and public health due to the coal and clay mining activities
- m) Land ownership disputes
- n) Notice period is too short and no direct notification of proposed development to local homeowners
- o) Loss of view and overlooking
- p) Increase 'dog waste'
- q) Ecology and traffic modelling are flawed
- r) Precedent for future development
- s) No assessment of environmental consequences

An amphibian survey has been submitted and re-consultation has been undertaken with the County Ecologist.

The Police have asked for those requests which have not been found to be compliant, to be re-considered and confirm that they will be objecting on acceptability and sustainability grounds, should the Policing request not be met in full by the development.

Officer comment:

The additional objections raised have already been addressed within the report in the Main Agenda.

In respect of the concerns raised about increased dog waste, this is covered by separate Environmental Health legislation and is not a material planning consideration. Concern has also been raised about the development setting precedent for further development but it is a fundamental tenet of planning legislation that each application should be assessed on its own planning merits.

The Authority has directly consulted 105 neighbours, and provided them with the statutory period of consultation – 21 days. In addition, letters of representation have been received throughout the course of the application which have been taken into consideration in the determination of the application.

In respect of the submitted amphibian survey, the County Ecologist is in agreement with the findings that the development should not impact on the Great Crested Newt population, but is of the opinion that the mitigation does not take into account that the site will change during the course of the construction. Accordingly, a condition is required to strengthen and clarify the mitigation, which is proposed in lieu of Condition 23 which required the submission of the newt survey (now submitted).

In light of no additional information or assessment from the Police, there is no requirement to re-consider the specific requests which have not been found to be compliant. Accordingly as the Policing requests have not been met in full, the Police therefore raise an objection on acceptability and sustainability grounds.

RECOMMENDATION: NO CHANGE TO RECOMMENDATION, subject to amendments to the following conditions:-

Condition 23 to be re-worded to read as follows:-

- a) Prior to the commencement of development a scheme for the clearance, cutting and spraying of vegetation and storage of construction materials, arisings/rubble, substrates such as subsoil, topsoil, stone, gravel shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme for the entire construction period.
- b) Within a year of construction and annually during the construction period, the on-site attenuation basins, ditches and above-ground SUDS features are to be surveyed and if necessary appropriate mitigation and timetable submitted to and approved in writing by the Local Planning Authority. The mitigation is to be subject to review prior to the construction of each phase and if revised, to be re-submitted to and approved in writing by the Local Planning Authority. The mitigation measures are to be carried out in accordance with the approved details and timetable for implementation.

Condition 24 to include:-

- g) Provision of watercourse crossing to be included within the detailed design of the site access to prevent an obstruction to the existing on site surface water flow route to the south western (adjacent to Butt Lane) boundary within the site.

Notes to Applicant

Additional note to applicant to read as follows:-

In respect of condition 23, throughout the entire construction period, the construction site must be kept clear of vegetation through regular cutting or spraying with suitable herbicide. Construction materials should be stored off the ground and arisings/rubble should be placed in a skip or taken off site immediately. Substrates such as subsoil, topsoil, stone, gravel should be stored within cleared areas of compacted hard standing well away from and with no connection to Great Crested Newts habitats such as hedges, ditches, grasslands and standing water.

A7 15/00257/FUL Erection of a radio transmission mast
Summit Bardon Hill, Copt Oak Road, Markfield,
Coalville

Additional information received:

A more detailed response has been received from East Midlands Safeguarding team indicating that they have no objections to the proposed scheme subject to a condition to ensure against interference to navigational aids.

Officer comment:

The Local Planning Authority are currently seeking advice as to whether such a matter would be covered by separate legislation and, therefore, whether or not a planning condition or note to applicant would be required.

RECOMMENDATION: No change to recommendation but seek delegated authority to add a condition or note to applicant regarding radio interference subject to the advice received.