

Meeting	<b>PLANNING COMMITTEE</b>
Time/Day/Date	6.30 pm on Tuesday, 4 September 2018
Location	Council Chamber, Council Offices, Coalville
Officer to contact	Democratic Services (01530 454512)

All persons present are reminded that the meeting may be recorded and by attending this meeting you are giving your consent to being filmed and your image being used. You are kindly requested to make it known to the Chairman if you intend to film or record this meeting.

The Council is aware that planning applications may be controversial and emotive for those affected by the decisions made by this Committee. However all persons present are reminded that the Council will not tolerate abusive or aggressive behaviour towards staff or other visitors attending this meeting and anyone behaving inappropriately will be required to leave the meeting and the building.

The Monitoring Officer would like to remind members that when they are considering whether the following items are exempt information under the relevant paragraph under part 1 of Schedule 12A of the Local Government Act 1972 they must have regard to the public interest test. This means that members must consider, for each item, whether the public interest in maintaining the exemption from disclosure outweighs the public interest in making the item available to the public.

### **AGENDA**

<b>Item</b>	<b>Pages</b>
<b>1. APOLOGIES FOR ABSENCE</b>	
<b>2. DECLARATION OF INTERESTS</b>	
Under the Code of Conduct members are reminded that in declaring disclosable interests you should make clear the nature of that interest and whether it is pecuniary or non-pecuniary.	
<b>3. MINUTES</b>	
To confirm and sign the minutes of the meeting held on 7 August 2018	<b>3 - 4</b>
<b>4. PLANNING APPLICATIONS AND OTHER MATTERS</b>	
Report of the Planning and Development Team Manager.	<b>5 - 8</b>
<b>5. TO CONSIDER THE CONFIRMING OF A TREE PRESERVATION ORDER (TPO) ON LAND TO THE SOUTH OF OVERTON CLOSE COLEORTON</b>	
Report of the Planning and Development Team Manager.	<b>31 - 36</b>

## Index of Applications to be Considered

<b>Item</b>	<b>Application Number and Details</b>	<b>Recommendation</b>	<b>Page</b>
<b>A1</b>	<b>18/01056/FUL: Construction of site access junction and balancing pond</b>  Land North Of Grange Road Hugglescote Leicestershire	<b>Permit</b>	<b>9 - 14</b>
<b>A2</b>	<b>18/00557/FUL: Demolition of existing joiners workshop and stores and erection of new single storey dwelling</b>  Wayside Cottage Loughborough Road Coleorton	<b>Permit</b>	<b>15 - 22</b>
<b>A3</b>	<b>18/00819/FUL: Erection of extensions to clubhouse along with external alterations, and removal of storage container and portakabin changing rooms</b>  Ashby Rugby Club Nottingham Road Ashby De La Zouch	<b>Permit</b>	<b>23 - 30</b>

MINUTES of a meeting of the PLANNING Committee held in the Council Chamber, Council Offices, Coalville on TUESDAY, 7 August 2018

Present: Councillor N Smith (Chairman)

Councillors R Adams, R Ashman, R Boam, J Bridges, R Canny, J Clarke (Substitute for Councillor G Jones), J G Coxon, D Harrison, J Legrys and M Specht

In Attendance: Councillors T Eynon and T J Pendleton

Officers: Mr C Elston, Mrs C Hammond, Miss E Mattley and Miss S Odedra

#### **10. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor G Jones.

#### **11. DECLARATION OF INTERESTS**

There were no interests declared.

#### **12. MINUTES**

Consideration was given to the minutes of the meeting held on 3 July 2018.

Councillor J Bridges asked that his apologies be added to the minutes.

It was moved by Councillor M Specht, seconded by Councillor R Adams and

RESOLVED THAT:

Subject to the above amendment, the minutes of the meeting held on 3 July 2018 be approved and signed by the Chairman as a correct record.

#### **13. PLANNING APPLICATIONS AND OTHER MATTERS**

Consideration was given to the report of the Planning and Development Team Manager, as amended by the update sheet circulated at the meeting.

#### **14. A1 18/00427/FULM : ERECTION OF 10 DWELLINGS WITH ASSOCIATED ACCESS, TURNING AREAS AND CAR PARKING.**

Land Off Forest Road Coalville Leicestershire LE67 3SH

Officer's Recommendation: PERMIT SUBJECT TO SECTION 106

The Planning and Development Team Manager presented the report to members and drew their attention to the change of recommendation on the update sheet.

It was moved by Councillor N Smith, seconded by Councillor J Legrys and

RESOLVED THAT:

The application be deferred in accordance with the recommendation of the Planning & Development Team Manager to allow additional information to be considered.

**15. A2**  
**18/01053/FUL : CHANGE OF USE TO SERVICED APARTMENTS, EXTERNAL ALTERATIONS AND ERECTION OF WALL**  
 57 High Street Kegworth Derby DE74 2DA

Officer's Recommendation: PERMIT

The Senior Planning Officer presented the report to members.

Councillor M Harksworth, on behalf of Kegworth Parish Council, addressed the meeting. He expressed the concerns of the Parish Council in relation to lack of off street parking, over intensification of the site, loss of amenities to neighbours and the overall effect on the village centre conservation area.

Mr M Winship, applicant, addressed the meeting, highlighting that they would replace the windows to the front of the property with wood effect UPVC sash style, would look to making a ground floor apartment wheelchair accessible, that there was bus links outside the property to transfer occupants from the airport and gateway, and in the long term use of the property would support the village community.

In determining the application, members had regard to the lack of objections from the highways authority, that the property was in the conservation area and the buildings either side were listed, and that the applicant was willing to explore the feasibility of making a ground floor apartment accessible to wheelchair users and replacing the windows of the front elevation with a good quality wood effect UPVC sash style.

It was moved by Councillor M Specht and seconded by Councillor J Bridges.

A recorded vote was requested by Councillor J Legrys and the voting was as follows:

<b>Motion to permit the application in accordance with the officer's recommendation (Motion)</b>	
Councillor Ron Adams	For
Councillor Robert Ashman	For
Councillor Russell Boam	For
Councillor John Bridges	For
Councillor Rachel Canny	For
Councillor John Clarke	For
Councillor John Coxon	For
Councillor Dan Harrison	For
Councillor John Legrys	Against
Councillor Nigel Smith	For
Councillor Michael Specht	For
<b>Carried</b>	

The motion was declared CARRIED and it was therefore

RESOLVED THAT:

The application be permitted in accordance with the recommendations of the Planning and Development Team Manager.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.14 pm

**APPENDIX B**

**Report of the Planning and Development Team Manager  
to Planning Committee**

**4 September 2018**

**PLANNING & DEVELOPMENT REPORT**

## **PLANNING COMMITTEE FRONT SHEET**

### **1. Background Papers**

For the purposes of Section 100(d) of the Local Government ( Access to information Act) 1985 all consultation replies listed in this report along with the application documents and any accompanying letters or reports submitted by the applicant, constitute Background Papers which are available for inspection, unless such documents contain Exempt Information as defined in the act.

### **2. Late Information: Updates**

Any information relevant to the determination of any application presented for determination in this Report, which is not available at the time of printing, will be reported in summarised form on the 'UPDATE SHEET' which will be distributed at the meeting. Any documents distributed at the meeting will be made available for inspection. Where there are any changes to draft conditions or a s106 TCPA 1990 obligation proposed in the update sheet these will be deemed to be incorporated in the proposed recommendation.

### **3. Expiry of Representation Periods**

In cases where recommendations are headed "Subject to no contrary representations being received by ..... [date]" decision notices will not be issued where representations are received within the specified time period which, in the opinion of the Planning and Development Team Manager are material planning considerations and relate to matters not previously raised.

### **4. Reasons for Grant**

Where the Planning and Development Team Manager report recommends a grant of planning permission and a resolution to grant permission is made, the summary grounds for approval and summary of policies and proposals in the development plan are approved as set out in the report. Where the Planning Committee are of a different view they may resolve to add or amend the reasons or substitute their own reasons. If such a resolution is made the Chair of the Planning Committee will invite the planning officer and legal advisor to advise on the amended proposals before the a resolution is finalised and voted on. The reasons shall be minuted, and the wording of the reasons, any relevant summary policies and proposals, any amended or additional conditions and/or the wording of such conditions, and the decision notice, is delegated to the Planning and Development Team Manager.

### **5. Granting permission contrary to Officer Recommendation**

Where the Planning and Development Team Manager report recommends refusal, and the Planning Committee are considering granting planning permission, the summary reasons for granting planning permission, a summary of the relevant policies and proposals, and whether the permission should be subject to conditions and/or an obligation under S106 of the TCPA 1990 must also be determined; Members will consider the recommended reasons for refusal, and then the summary reasons for granting the permission. The Chair will invite a Planning Officer to advise on the reasons and the other matters. An adjournment of the meeting may be necessary for the Planning Officer and legal Advisor to consider the advice required

If The Planning Officer is unable to advise at Members at that meeting, he may recommend the item is deferred until further information or advice is available. This is likely if there are technical objections, e.g. from the Highways Authority, Severn Trent, the Environment Agency, or other Statutory consultees.

If the summary grounds for approval and the relevant policies and proposals are approved by resolution of Planning Committee, the wording of the decision notice, and conditions and the Heads of Terms of any S106 obligation, is delegated to the Planning and Development Team Manager.

## **6 Refusal contrary to officer recommendation**

Where members are minded to decide to refuse an application contrary to the recommendation printed in the report, or to include additional reasons for refusal where the recommendation is to refuse, the Chair will invite the Planning Officer to advise on the proposed reasons and the prospects of successfully defending the decision on Appeal, including the possibility of an award of costs. This is in accordance with the Local Planning Code of Conduct. The wording of the reasons or additional reasons for refusal, and the decision notice as the case is delegated to the Planning and Development Team Manager.

## **7 Amendments to Motion**

An amendment must be relevant to the motion and may:

1. Leave out words
2. Leave out words and insert or add others
3. Insert or add words

as long as the effect is not to negate the motion

If the amendment/s makes the planning permission incapable of implementation then the effect is to negate the motion.

If the effect of any amendment is not immediately apparent the Chairman will take advice from the Legal Advisor and Planning and Development Team Manager/Planning and Development Team Manager present at the meeting. That advice may be sought during the course of the meeting or where the Officers require time to consult, the Chairman may adjourn the meeting for a short period.

Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of. The amendment must be put to the vote.

If an amendment is not carried, other amendments to the original motion may be moved.

If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendment, or if there are none, put it to the vote.

## **8 Delegation of wording of Conditions**

A Draft of the proposed conditions, and the reasons for the conditions, are included in the report. The final wording of the conditions, or any new or amended conditions, is delegated to the Planning and Development Team Manager.

## **9. Decisions on Items of the Planning and Development Team Manager**

The Chairman will call each item in the report. No vote will be taken at that stage unless a proposition is put to alter or amend the printed recommendation. Where a proposition is put and a vote taken the item will be decided in accordance with that vote. In the case of a tie where no casting vote is exercised the item will be regarded as undetermined.



**Construction of site access junction and balancing pond**

**Report Item No  
A1**

**Land North Of Grange Road Hugglescote Leicestershire  
LE67 2BS**

**Application Reference  
18/01056/FUL**

**Grid Reference (E) 443170  
Grid Reference (N) 312935**

**Date Registered:  
11 June 2018**

**Consultation Expiry:  
20 July 2018**

**Applicant:  
Mr William Hodgson**

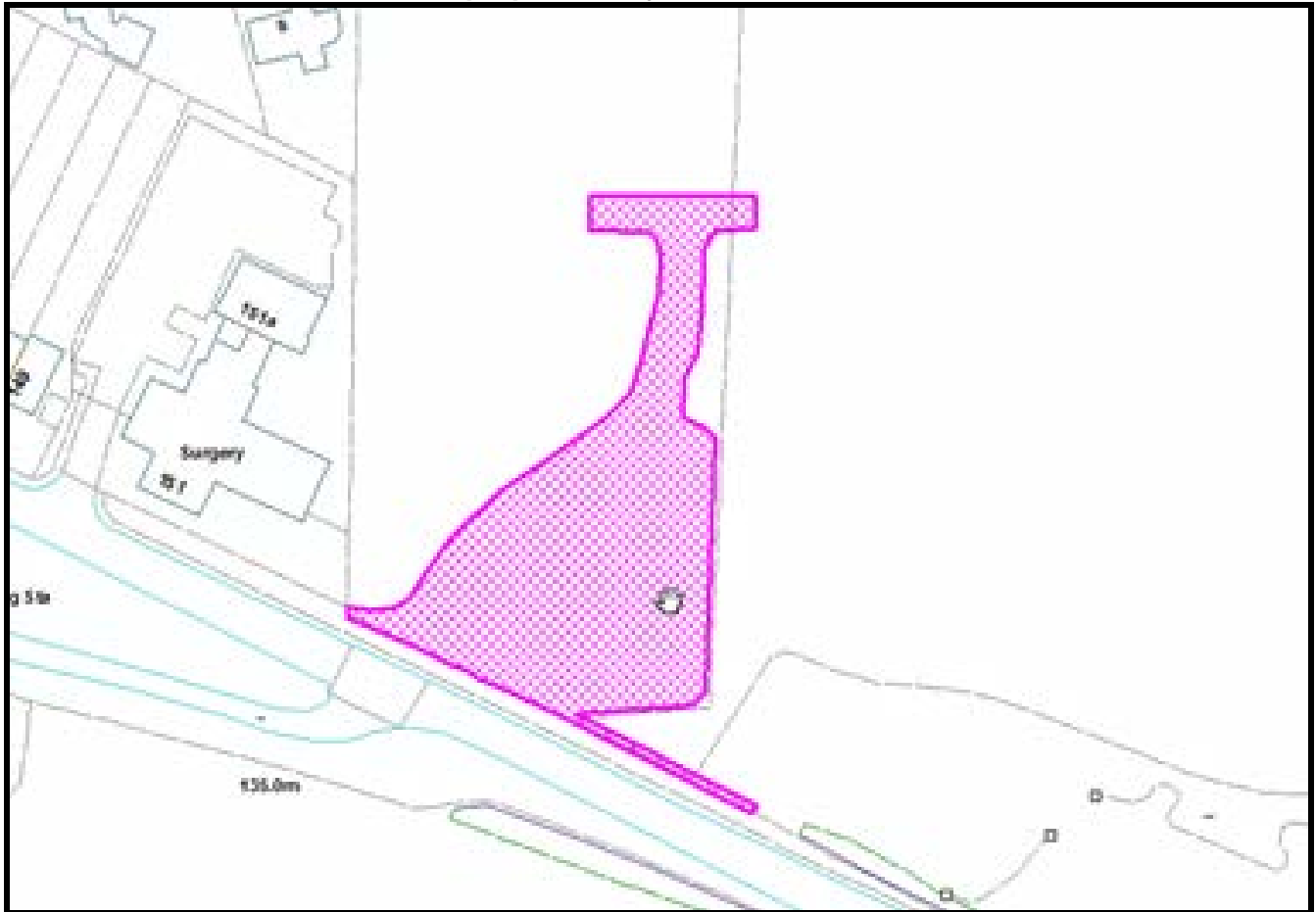
**8 Week Date:  
6 August 2018**

**Case Officer:  
James Knightley**

**Extension of Time:  
14 September 2018**

**Recommendation:  
PERMIT**

**Site Location - Plan for indicative purposes only**



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## **Executive Summary of Proposals and Recommendation**

### **Call In**

The application is called in to Planning Committee by Councillor Johnson on the basis of highway safety and the proposals not being in the public interest.

### **Proposal**

This is an application for a proposed site access road served from Grange Road together with associated surface water drainage.

### **Consultations**

Objections have been received from Hugglescote and Donington le Heath Parish Council in respect of the proposals; no objections have been received from the County Highway Authority or from other third parties. Issues raised by the Lead Local Flood Authority are at present unresolved (and as detailed below).

### **Planning Policy**

The application site lies within Limits to Development as defined in the adopted Local Plan and is also identified as a site with planning permission for housing under Policy H1.

### **Conclusion**

Following the provision of additional information, the County Highway Authority raises no objection to the proposed scheme on highway safety grounds. At the time of preparing this report, there were unresolved issues in respect of surface water drainage. Subject to these issues being resolved to the satisfaction of the LLFA, however, the scheme would be considered acceptable, and approval is recommended.

## **RECOMMENDATION:-**

### **PERMIT, SUBJECT TO CONDITIONS**

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.**

## MAIN REPORT

### 1. Proposals and Background

This is a full application for a proposed site access road served from Grange Road together with associated surface water drainage.

The application site forms part of a larger site with the benefit of outline planning permission for a mixed use development including a total of up to 2,700 dwellings (ref. 13/00956/OUTM). That planning permission reserved all matters (and including access) for subsequent approval (although indicated (illustratively) a vehicular access into part of the site in this general location, and a subsequently submitted Vehicular Access Strategy approved under the conditions attached to that outline planning permission has reiterated this intention).

The proposed access would take the form of a priority junction (with ghost island for vehicles waiting to turn into the site) serving a road of carriageway width 6.75m, and with a turning area at the northern end of the proposed access road (which would be of approximate total length 85 metres). The former hedgerow to the site frontage has previously been removed under hedgerow removal notice approval ref. 18/00463/HRN.

The application is referred to Planning Committee for a decision at the request of Councillor Johnson on the basis of highway safety and the proposals not being in the public interest.

### 2. Publicity

3 Neighbours have been notified.  
Site Notice displayed 29 June 2018.

### 3. Summary of Consultations and Representations Received

**Hugglescote and Donington le Heath Parish Council** objects on the following grounds:

- No integrated solution to a number of busy junctions within a short stretch of one another along Grange Road (and including junctions / accesses serving the Taylor Wimpey site (land south of Grange Road), Wainwright Road, Davidsons scheme (north of Grange Road) and Hugglescote Surgery)
- Roundabout should be constructed
- Street lighting should be installed along the length of Grange Road
- 30mph limit should be imposed along the length of Grange Road
- Too much street furniture

**Leicestershire County Council Ecologist** has no comments

**Leicestershire County Council Lead Local Flood Authority** final comments awaited

**Leicestershire County Council Highway Authority** has no objections subject to conditions

### Third Party Representations

None

## 4. Relevant Planning Policy

### National Policies

#### *National Planning Policy Framework 2018*

The following sections of the National Planning Policy Framework (NPPF) are considered relevant to the determination of this application:

- Paragraphs 8, 11 and 12 (Achieving sustainable development)
- Paragraphs 47, 54 and 56 (Decision-making)
- Paragraphs 109 and 110 (Promoting sustainable transport)
- Paragraphs 124 and 127 (Achieving well-designed places)
- Paragraph 165 (Meeting the challenge of climate change, flooding and coastal change)

Further advice is provided within the MHCLG's Planning Practice Guidance.

### Adopted North West Leicestershire Local Plan (2017)

The application site lies within Limits to Development as defined in the adopted Local Plan and is also identified as a site with planning permission for housing under Policy H1. The following adopted Local Plan policies are considered relevant to the determination of this application:

- Policy D1 - Design of new development
- Policy IF4 - Transport infrastructure and new development
- Policy Cc2 - Flood Risk
- Policy Cc3 - Sustainable Drainage Systems

### Other Policies

Good design for North West Leicestershire SPD

Leicestershire Highway Design Guide (Leicestershire County Council)

## 5. Assessment

### *Approach to Assessment*

Whilst the application proposes a vehicular access essentially of the same form as that likely to be proposed as and when a reserved matters application is submitted for this section of the wider site the subject of the existing outline planning permission, the scheme to be considered under this application simply proposes the formation of a vehicular access (and, therefore, the potential level of use as may be proposed under any future reserved matters application would not be directly relevant to the determination of this application). Access was reserved for subsequent approval under the original outline planning permission and, if (in the event that this application were permitted and implemented) a reserved matters application(s) were submitted making use of the currently proposed access, the suitability of that access to serve the quantum of development proposed at that time would need to be considered as part of that reserved matters application(s).

### *Highway Safety*

Insofar as the merits of the development the subject of this application is concerned, the County Highway Authority had initially raised concerns regarding the submission, advising that vehicle

tracking details and a Stage 1 Road Safety Audit (RSA) would be required; these details have now been submitted.

Following review of an additional plan setting out vehicle tracking, the County Highway Authority confirms that it is satisfied that the submitted details adequately demonstrate that manoeuvres can be safely performed (and including without conflict with the proposed central refuge).

Insofar as the submitted Stage 1 RSA is concerned, this identified a number of potential issues (and including a risk of sudden braking incidents where drivers were unsure where the access was, and in particular at night as the junction lies beyond the existing lit area). In response, the RSA recommends extension of street lighting along Grange Road so as to include the proposed junction, and this recommendation has been accepted by the applicant. Three other RSA recommendations (in respect of removal of verge vegetation, treatment of the vehicular crossover for the retained junction on the adjacent land, and siting of utility service covers) are also accepted. The County Highway Authority understands that these measures are proposed to be considered and included at the detailed design stage, and therefore raises no objections to the planning application subject to conditions. As such, the scheme is considered acceptable on highway safety grounds.

Whilst it is noted that Hugglescote and Donington le Heath Parish Council has raised concerns over various matters relating to highway safety along Grange Road, this application needs to be considered on its own merits; as set out above, the County Highway Authority is satisfied that the access proposed would be acceptable in highway safety terms.

#### *Other Matters*

The proposals include associated surface water drainage measures, and including a pond of approximate size 930sqm located adjacent to the Grange Road frontage. In response to the application as submitted, Leicestershire County Council (in its capacity as Lead Local Flood Authority (LLFA)) had requested the provision of additional calculations in respect of the proposed pond (and its relationship to a further off-site pond, not forming part of this application), together with additional information in respect of future management; at the time of preparing this report, the applicant's response had been provided to the LLFA, and the further response of the County Council awaited. The Local Planning Authority has also requested additional information in respect of gradients (so as to be able to assess more fully the visual impact / design implications of the proposed pond in accordance with the requirements of the Good design for North West Leicestershire SPD); this information is awaited.

At the present time, therefore, the surface water drainage aspects of the scheme have not been fully addressed. However, it would seem likely that these matters would be capable of being resolved satisfactorily and it is recommended that delegated authority be granted to officers to agree these details, subject to the LLFA and the design requirements of the District Council being satisfied.

#### *Conclusions*

Subject to the surface water drainage issues above being addressed, therefore, and subject to the imposition of appropriate conditions as summarised below, it is considered that the scheme is acceptable, and it is recommended that planning permission be granted.

**RECOMMENDATION- PERMIT, subject to no objections being raised by the Lead Local Flood Authority, and subject to the following condition(s):**

- 1 Time limit
- 2 Approved plans
- 3 Landscaping
- 4 No use of access until implemented in full
- 5 Visibility splays
- 6 Construction traffic management plan
- 7 Highways drainage
- 8 Turning facilities
- 9 Details of any balancing facility equipment (headwalls etc.)

Plus any other conditions as may be required by the Lead Local Flood Authority

**Demolition of existing joiners workshop and stores and  
erection of new single storey dwelling**

**Report Item No  
A2**

**Wayside Cottage Loughborough Road Coleorton Coalville  
Leicestershire LE67 8HH**

**Application Reference  
18/00557/FUL**

**Grid Reference (E) 440582  
Grid Reference (N) 317246**

**Date Registered:  
3 April 2018  
Consultation Expiry:  
14 August 2018  
8 Week Date:  
29 May 2018**

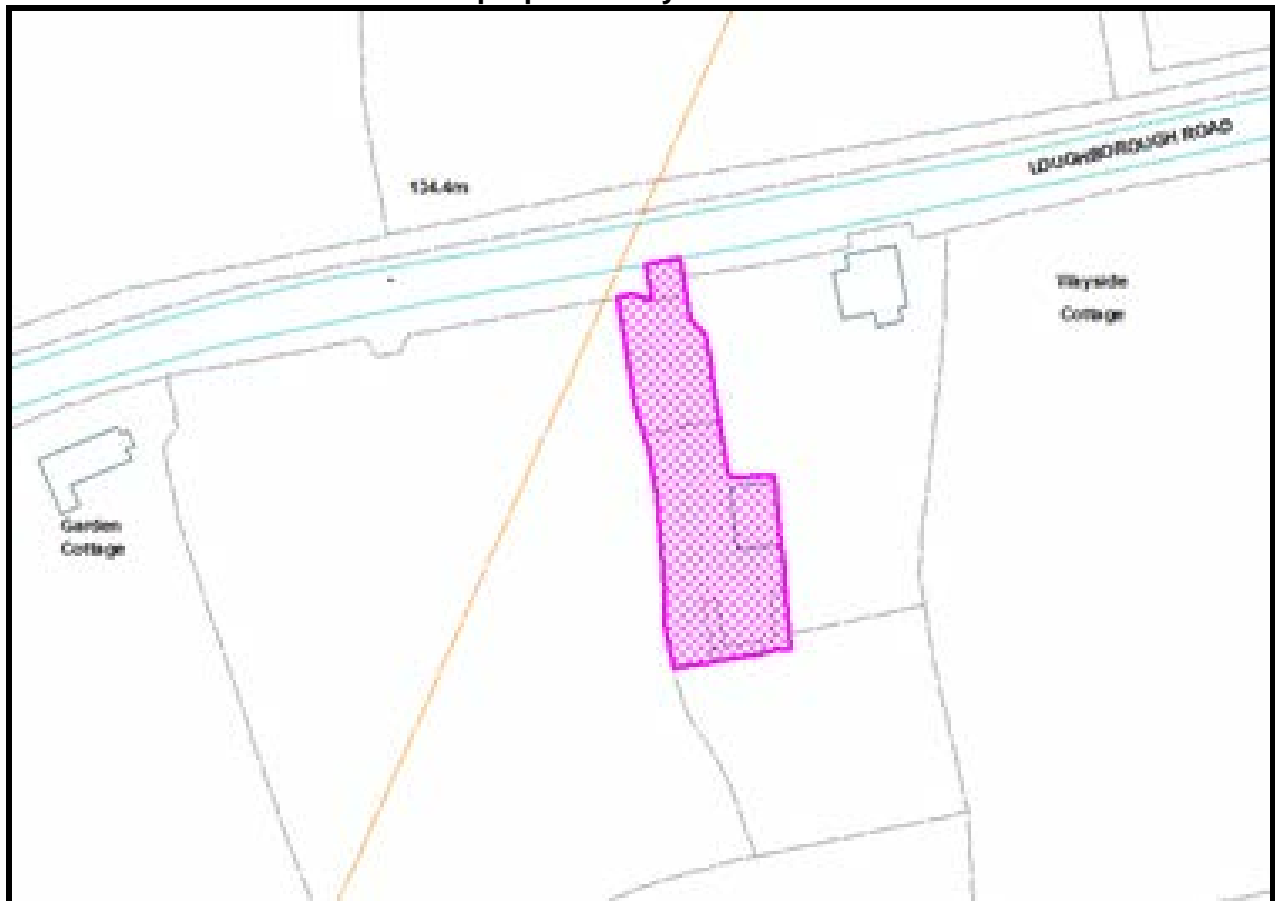
**Applicant:  
Mr Potter**

**Extension of Time:  
7 September 2018**

**Case Officer:  
Hannah Exley**

**Recommendation:  
PERMIT**

**Site Location - Plan for indicative purposes only**



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## **Executive Summary of Proposals and Recommendation**

### **Call In**

The application is brought to the Planning Committee as the planning agent is related to a serving councillor (Councillor Blunt) and contrary representations to the recommendation to permit the application have been received.

### **Proposal**

Planning permission is sought for the demolition of an existing joiner's workshop and associated wood stores and the erection of a single storey detached two-bedroomed dwelling on land to the south-west of Wayside, Loughborough Road, Coleorton. Vehicular access into the site would be achieved via the existing vehicular access off Loughborough Road.

### **Consultations**

A total of 3 letters of representation have been received, with all three stating support for the scheme but with one raising concern about increased traffic onto a busy road. No response had been received from Coleorton Parish Council at the time of writing this report and no objections have been raised by any statutory consultees.

### **Planning Policy**

The site is located outside the Limits to Development on the Policy Map to the adopted Local Plan. The application has also been assessed against the relevant policies in the NPPF (2018), the adopted Local Plan and other relevant guidance.

### **Conclusion**

The application site lies outside the defined Limits to Development close to the sustainable part of Coleorton, where the redevelopment of previously developed land is considered acceptable. The principle of residential development on this site has also been established by the granting of planning permission for the conversion of an existing joiners workshop building to a dwelling (Application 17/01469/FUL).

The modern design of the proposed new dwelling is acceptable and the scheme does not give rise to any significant material impacts upon the occupiers of neighbouring dwellings, visual amenity and the character of the area, highway safety or ecology. Accordingly the application is recommended for planning permission, subject to the imposition of planning conditions.

## **RECOMMENDATION:- PERMIT SUBJECT TO THE IMPOSITION OF CONDITIONS**

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.**



## MAIN REPORT

### 1. Proposals and Background

Planning permission is sought for the demolition of an existing joiner's workshop and associated wood stores and the erection of a single storey detached two-bedroomed dwelling on land to the south-west of Wayside, Loughborough Road, Coleorton. Vehicular access into the site would be achieved via the existing vehicular access off Loughborough Road.

The site is located outside the Limits to Development as defined by the adopted Local Plan (2017).

The application submission was accompanied by a Supporting Statement, Ecology Report and a Mining Report. During the course of the application, the agent confirmed that the applicant was eligible for and had been added to the Local Authority Self-Build Register.

#### Relevant Planning History:

17/01469/FUL - Conversion and extension of joiner's workshop to form one residential dwelling (Permitted)

### 2. Publicity

5 neighbours notified.

Site Notice displayed 24 April 2018.

### 3. Summary of Consultations and Representations Received

The following summary of responses is provided.

**Coleorton Parish Council** - no response received.

**Severn Trent Water Ltd** - no response received.

**NWLDC - Environmental Protection** has no environmental observations subject to contaminated land conditions.

**Leicestershire County Council - Ecology** has no objections.

**Coal Authority** has no objection subject to the imposition of a condition.

#### Third Party Representations:

3 letters of neighbour representation have been received raising the following comments:

- the proposal will enhance the site and the surrounding area;
- the building will be in keeping with other properties on Loughborough Road;
- the proposal is for a small dwelling and there are few in Coleorton;
- no objection to the principle of demolishing the joiners workshop and erecting a new dwelling on the site but concerned about the amount of development taking place in the area, specifically with regard to vehicular access,
- concerned about increased traffic onto the busy A512 (where motorists exceed the speed limit) in close proximity to the pub car park and other new development and those wishing to leave or join the A512 at risk of involvement in a road traffic accident;

- the speed limit of the road should be reduced or speed cameras should be introduced to keep residents safe.

#### **4. Relevant Planning Policy**

##### **National Policies**

*National Planning Policy Framework (2018)*

The policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF. The following paragraphs of the NPPF are considered relevant to the determination of this application:

Paragraphs 7, 8, 9, 10, (Achieving sustainable development);  
Paragraphs 11, 12 (The Presumption in Favour of Sustainable Development);  
Paragraph 56 (Planning conditions and obligations);  
Paragraph 74, 79 (Delivering a sufficient supply of homes)  
Paragraph 109 (Promoting sustainable transport);  
Paragraphs 127 (Achieving well-designed places);  
Paragraph 163 (Meeting the challenge of climate change, flooding, and coastal change)  
Paragraph 175, 178 (Conserving and enhancing the natural environment);

##### **Adopted North West Leicestershire Local Plan (2017)**

The following Local Plan policies are relevant to this application:

Policy S1 - Future Housing and Economic Development Needs  
Policy S2 - Settlement Hierarchy  
Policy S3 - Countryside  
Policy D1 - Design of New Development  
Policy D2 - Amenity  
Policy En1 - Nature Conservation  
Policy En3 - National Forest  
Policy IF4 - Transport Infrastructure and New Development  
Policy IF7 - Parking Provision and New Development

##### **Other Guidance**

National Planning Practice Guidance - March 2014.

Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System.

Leicestershire Highways Design Guide.

Good Design for North West Leicestershire SPD.

#### **5. Assessment**

##### **Principle of Development**

In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the development plan

which, in this instance, includes the adopted North West Leicestershire Local Plan (2017).

The application site lies outside the defined Limits to Development and is in the countryside and therefore, Policy S3 of the adopted Local Plan applies. This policy stipulates that only certain types of development (including the redevelopment of previously developed land) are permitted and they must conform to certain criteria whilst aiming to preserve and enhance the environment. With regard to criteria (i) and (iv), the suitability of the proposal in relation to the character and appearance of the landscape and the integration of the proposal within existing development, these are covered below in the 'design and impact on the countryside' section of this report. As for criteria (ii) and (iii), the proposal would not result in the joining of settlements or ribbon development. With regard to criterion (v), the site is located close to the edge of the sustainable part of Coleorton.

Policy S2 of the adopted Local Plan identifies Coleorton in two parts - one in the Lower Moor Road Area, of which the site is close to the edge; and the other areas. The Policy states that developments in the Lower Moor Road part of Coleorton will be restricted to limited infill within the Limits to Development; in other areas of Coleorton development will be limited to conversions of existing buildings and the redevelopment of previously developed land.

In addition, the principle of residential development on this site has also been established by the granting of planning permission for the conversion of the existing joiners workshop building to a dwelling (Application 17/01469/FUL) which is still extant.

Whilst there is no reference in the adopted Local Plan to self-build dwellings, there is policy support for such dwellings in the NPPF, and also in the Self-Build and Custom Housebuilding Act 2015, and the Housing and Planning Act 2016. There are currently 40 people on the Council's self-build register with it being noted that the applicants have registered an interest in such a project. One self-build dwelling has been granted in the Packington area to date. Given the above it, is recognised that a self-build dwelling would provide social and economic benefits, although given that only one such dwelling is proposed, these benefits would be limited.

Therefore, it is considered that the re-development of previously developed land for residential purposes, where permission already exists for the conversion of the existing building to a dwelling, would be acceptable in principle, for the purposes of Policies S2 and S3 of the adopted Local Plan and paragraph 79 of the NPPF.

### **Design and Impact on Countryside**

The need for good design in new residential development is outlined not only in adopted Local Plan Policy D1 but also Paragraph 127 of the NPPF.

Properties in the vicinity are typically two-storey detached properties of traditional form which largely present their principal elevations to the roads on which they are sited. Dwellings are typically located close to the highway but there are examples of dwellings and outbuildings set back from the highway within the vicinity.

The proposed dwelling would replace an existing workshop building of simple form and construction which is considered to have little architectural merit, and therefore, there is no objection to the demolition of the existing building. The proposed dwelling would be of a modern flat roof design and would be set back from the highway behind the existing dwelling. The proposed building would occupy the same part of the site as the existing building, albeit with a less linear footprint and would be tucked behind a stagger in the garden to Wayside

Cottage where mature landscaping exists. The distant views of the building would be available across the adjacent field and hedgerows and down the access drive but would be well screened from the north and west by existing development. To the rear of the site are fields and although there is not substantial landscaping along the rear boundary, there are trees within the wider landscape to the rear which would provide a backdrop for the development. There are no public footpaths close to the site where views of the building would be available. The proposal would be well related to Wayside Cottage and its curtilage buildings such that the proposal would not occupy a prominent position in the wider landscape.

The building would be wider than the existing building but due to its flat roof design and shorter length, it would only have a volume 25 cubic metres larger than the existing building. The building would have a zinc roof with large areas of glazing in grey powder coated frames and the walls would be a mixture of handmade red brick and vertical cedar boarding.

Overall, it is not considered that the proposed building by virtue of its height, design and materials would have no significantly greater impact on the landscape and wider countryside than the existing building on the site which has permission for conversion to a dwelling. Whilst of modern design, the simple form and appearance of the building along with the materials proposed would help assimilate the development in this countryside location and the proposal would be compliant with the aims of Policy D1 of the adopted Local Plan as well as Paragraph 127 of the NPPF. In order that the simple form and modern design of the building is not compromised, it is recommended that permitted development rights are removed by condition.

### **Residential Amenities**

The only neighbouring property would be Wayside Cottage, a two-storey dwelling located to the north east of the site and position close up to the highway boundary. There would be a distance of 25m at its closest point between the existing and proposed dwellings, which is considered to be sufficient to ensure that there would be no overbearing, overlooking or overshadowing impacts from the proposed dwelling on the existing dwelling. The garden to the existing dwelling extends alongside the boundary with the application site and the proposed dwelling would be single storey and therefore, would allow no overlooking of the neighbouring garden. The neighbouring garden is enclosed by 1.8m high close boarded fencing which will ensure the privacy of the occupiers of the proposed and existing dwellings when using their garden areas. It is not considered that any additional boundary treatments or landscaping will be required for this scheme.

Overall, it is considered that the development would not have any significant detrimental impact upon neighbouring residential amenities and the proposal is considered to be acceptable in relation to Policies S3(i) and (iv) and D2 of the adopted Local Plan.

### **Means of Access and Highway Safety**

The County Highways Authority advises that the application falls to be considered under highways Standing Advice, but also suggests attaching a condition to secure the proposed car parking and turning facilities.

The proposed dwelling will be accessed via the existing access which is secured by an existing gate. The proposed two bedroomed dwelling is not considered to give rise to a significant number of additional trips on the highway and the submitted plans show that two off street car parking spaces can be provided for within the site. It is also noted that there is an extant permission for a residential use of the site and the current proposal would have no greater

impact on the highway network than the approved scheme. It has been previously demonstrated as part of planning permission 17/01469/FUL that a visibility splay of 2.4 x 97.9 metres can be achieved to the west and a 2.4 x 101 metre splay can be achieved to the east of the existing access. Loughborough Road is a Classified A road with a 50 mph speed limit and although the site cannot provide the 2.4 x 160 metre visibility splays as set out in the Highways Standing Advice, the site already benefits from the existing access and an existing use at the site. It is considered that the use of the property for residential use would pose no additional harm in terms of highway safety matters. A gravel turning facility has been provided at the site in order for vehicles to exit the site in a forward gear. Given that the access is as existing and an appropriate amount of off street car parking and turning has been provided for at the site it is considered that the proposal would not conflict with highway safety policies IF4 and IF7 of the adopted Local Plan or the advice contained in the Leicestershire Highways Design Guide and Paragraph 109 of the NPPF.

### **Ecology**

The application includes the removal of an existing building within the countryside and accordingly, an ecological appraisal (including Protected Species Survey) was submitted as part of the application submission. The County Ecologist advises that the no objection would be raised to the demolition of the former joiners building (with no bat survey being required) and the proposal would be no closer to an existing pond to the south (within 60m). The County Council have records for this species within the vicinity of the site but the pond has been subject to no surveys. However, the County Ecologist advises that the pond has been assessed by the consulting ecologist as 'below average' and on this basis, the County Ecologist advises that a survey is not needed and raises no objection to the application proposal. On this basis it is considered that protected species would not be adversely affected by the proposal and the proposal complies with the Habitats Regulations 2010 and Policy EN1 of the adopted Local Plan and paragraphs 175 of the NPPF.

### **Other Matters**

Due to the historic use of neighbouring land as a landfill site, for clay brick and tile manufacture and quarrying of clay, sand and gravel, the Council's Environmental health Officer advises that permission be conditioned to ensure that the land is fit for use as the development proposed in order to ensure compliance with paragraph 178 of the NPPF and Policy En6 of the adopted Local Plan.

### **Conclusion**

The application site lies outside the defined Limits to Development close to the sustainable part of Coleorton, where the redevelopment of previously developed land is considered acceptable. The scheme does not give rise to any significant material impacts upon the occupiers of neighbouring dwellings, visual amenity and the character of the area, highway safety or ecology. Accordingly the application is recommended for planning permission, subject to the imposition of planning conditions.

### **RECOMMENDATION - PERMIT, subject the following condition(s):**

1. Standard time limit
2. Approved plans
3. Materials
4. Definition of residential curtilage

5. Land contamination
6. Provision of visibility splays
7. Surfacing of driveway
8. Provision of off street car parking
9. Removal of permitted development rights

Erection of extensions to clubhouse along with external alterations, and removal of storage container and portakabin changing rooms  
Ashby Rugby Club Nottingham Road Ashby De La Zouch  
Leicestershire LE65 1DP

Report Item No  
A3

Application Reference  
18/00819/FUL

Grid Reference (E) 437709  
Grid Reference (N) 317674

Date Registered:  
15 June 2018

Consultation Expiry:  
24 July 2018

Applicant:  
Ashby RFC

8 Week Date:  
10 August 2018

Case Officer:  
Chris English

Extension of Time:  
5 September 2018

Recommendation:  
PERMIT

Site Location - Plan for indicative purposes only



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## **Executive Summary of Proposals and Recommendation**

### **Call In**

The application is brought to the Planning Committee as the planning agent is related to a serving councillor (Councillor Blunt) and contrary representations to the recommendation to permit the application have been received.

### **Proposal**

Planning permission is sought for the erection of extensions to clubhouse along with external alterations and removal of storage container and portakabin changing rooms at Ashby Rugby Club, Nottingham Road, Ashby.

### **Consultations**

One letter of representation has been received, raising concerns over the impact of the proposal on the existing bund and highways safety. Ashby de la Zouch Town Council raises no objections, nor have objections been raised by other all statutory consultees.

### **Planning Policy**

The site is located outside the Limits to Development on the Policy Map to the adopted Local Plan and the emerging Ashby Neighbourhood Plan. The application has also been assessed against the relevant policies in the NPPF (2018), the adopted Local Plan, the emerging Ashby Neighbourhood Plan and other relevant guidance.

### **Conclusion**

The application site lies outside the defined Limits to Development where development associated with recreation is considered acceptable in principle. The scheme does not give rise to any significant material impacts upon the occupiers of any neighbouring dwellings, visual amenity and the character of the area or highway safety. Accordingly the application is recommended for planning permission, subject to the imposition of planning conditions.

### **RECOMMENDATION:- PERMIT SUBJECT TO THE IMPOSITION OF CONDITIONS**

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.**



## MAIN REPORT

### 1. Proposals and Background

Planning permission is sought for the erection of extensions to clubhouse along with external alterations and removal of storage container and portakabin changing rooms at Ashby Rugby Club, Nottingham Road, Ashby. The proposed extension to the north-east is to accommodate changing rooms, showers, toilets and a physio/first aid room. The proposed extension to the south-west is to be used as a machine and equipment store.

The site is located outside Limits to Development, as defined by the Policy Map to the adopted Local Plan.

An additional block plan has been submitted during the course of the application to clearly demonstrate the impact of the clubhouse extension on the existing bund and landscaping to the south of the site following concerns raised by a neighbouring property.

Precise measurements of the proposal are available to view on the submitted plans.

#### Relevant planning history:

16/00985/FUL - The erection of 6 floodlights for playing pitch and 4 lights to illuminate associated car parking area - Permitted 28th November 2016.

15/00925/FUL - Retention of two storage containers and Portakabin changing rooms (Retrospective) - Permitted 25th November 2015.

10/00071/FULM - Change of use to Rugby pitch, training area and car park - Permitted 17th November 2010.

### 2. Publicity

3 neighbours notified.

Site Notice displayed 3 July 2018.

### 3. Summary of Consultations and Representations Received

1 No. letter of neighbour representation has been received raising concern on the following grounds:

- Impacts on the existing bund and landscaping screening the clubhouse from the neighbouring properties on Nottingham Road.
- Detrimental impacts on the off-street car parking arrangements.

**Ashby de la Zouch Town Council** have no objections to the application.

**Highways England** have not submitted comments at the time of writing this report.

**Leicestershire County Council's Highways Authority** have referred to their Standing Advice document.

**North West Leicestershire District Council's Environmental Protection Team** have no environmental observations regard to the granting of this planning permission, based upon the details contained within the application.

**North West Leicestershire District Council's Tree Officer** has not submitted comments at

the time of writing this report.

**Severn Trent Water** have not submitted comments at the time of writing this report.

#### 4. Relevant Planning Policy

##### **National Policies**

*National Planning Policy Framework (2018)*

The following sections of the NPPF are considered relevant to the determination of this application:

Paragraphs 8 and 10 (Achieving sustainable development);  
 Paragraphs 11 and 12 (Presumption in favour of sustainable development);  
 Paragraphs 38, 39, 40, 41, 42, 44 and 47 (Decision-making);  
 Paragraphs 54 and 55 (Planning conditions and obligations);  
 Paragraphs 96, 97, 99 and 100 (Promoting healthy and safe communities);  
 Paragraphs 105, 108 and 109 (Promoting sustainable transport);  
 Paragraphs 126, 127 and 130 (Achieving well-designed places); and  
 Paragraphs 175 and 180 (Conserving and enhancing the natural environment).

##### **Adopted North West Leicestershire Local Plan**

The following policies of the adopted Local Plan are consistent with the policies in the NPPF and should be afforded weight in the determination of this application:

S2 - Settlement Hierarchy  
 S3 - Countryside  
 D1 - Design of new development  
 D2 - Amenity  
 IF7 - Parking provision and new development  
 En2 - River Mease Special Area of Conservation  
 Cc3 - Water - Sustainable Drainage Systems

##### **Emerging Draft Ashby Neighbourhood Plan**

The Ashby Neighbourhood Plan was submitted to the Council on 1 August 2017. The Council undertook a six week consultation on the Draft Neighbourhood Plan which ended on 11 October 2017. The plan has been to Examination, and the Examiner's Report was published in August 2018. The weight to be attached by the decision maker to this version of the plan should be in accordance with the approach set out in Paragraph 48 of the NPPF, having regard to the stage now reached towards adoption, the extent to which there are unresolved objections to the policies relevant to the determination of this application, and the degree to which the emerging policies are consistent with the NPPF.

Policy S1 - Presumption in favour of Sustainable Development  
 Policy S2 - Limits to Development  
 Policy S3 - Development Proposals Outside of the Limits to Development  
 Policy S4 - Design  
 Policy NE4: Nature Conservation  
 Policy NE5: Trees and Hedgerows

### **Other Policies and Guidance**

National Planning Practice Guidance - March 2014.

Leicestershire Highway Design Guidance.

Good Design for North West Leicestershire SPD - April 2017.

The Habitats Regulations (The Conservation of Habitats and Species Regulations 2017).

Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System.

River Mease Water Quality Management Plan - August 2011.

## **5. Assessment**

### **Principle of Development**

The application site is located outside the limits to development in the adopted Local Plan. The Ashby Neighbourhood Plan states that development will be carefully controlled in line with local and national strategic planning policies. Policy S3 of the adopted Local Plan states that development associated with recreation is considered to be acceptable. Given that the proposal would be in connection with an existing recreational use (Ashby Rugby Club) it is considered that the scheme is acceptable in principle subject to all other planning matters.

### **Scale and Design**

The proposed extensions to the existing clubhouse would be constructed of materials that match the existing and would reflect the countryside location with the green cladding finish. Whilst the proposal is not considered to be a subservient addition as the height and width of the extensions would be the same as the existing structure, it is considered that as the extension to the north would replace an existing portakabin and the extension to the south would be screened by the existing boundary treatments, the proposal would not have a significantly detrimental impact on the streetscene or the character of the surrounding area.

The proposed northern and western elevations would include masonry with contrasted graphic lettering that is considered to be of a simple design that would reflect the character of the building. Whilst this would be visible from the highway, it is considered that it is of an acceptable scale and design and would not have a significantly detrimental impact on the streetscene.

Overall, the proposal is considered to have an acceptable design that would be in keeping with the character and appearance of the existing building and the surrounding area. Therefore, the proposal is considered to be in accordance with Policy D1 of the adopted Local Plan, Policy S4 of the emerging Ashby Neighbourhood Plan and the Council's Good Design SPD and the advice contained in the NPPF.

### **Impact upon Residential Amenity**

The neighbouring property that is most likely to be affected by the proposal is No. 219 Nottingham Road, Ashby and the neighbouring property have raised concerns over the impact of the proposed clubhouse extension on an existing bund.

Whilst the proposed clubhouse extension to the south would extend closer to No. 219 Nottingham Road by approximately 18m, it is considered that there would be no significant impact on the neighbouring property as the extension would be approximately 80m from the neighbouring property, the existing bund and landscaping are to remain and a condition would be imposed on any planning permission to ensure the use of the extension remains as a

machine and equipment store. It should also be noted that the Council's Environmental Protection team have no objections to the application.

Overall, the proposal is not considered to result in significant impacts upon surrounding residential amenity. Therefore, the proposed development is considered to be in accordance with Policy D2 of the adopted Local Plan, Policy S4 of the emerging Ashby Neighbourhood Plan and the Council's Good Design SPD.

### **Highway Considerations**

Due to the scale of the proposal, the application is to be assessed under the Leicestershire County Council Highways Standing Advice document.

The proposed extensions are to replace an existing portakabin and an open storage area. As a result of the proposal, the existing off-street car parking arrangements are to be unaltered and the purpose of the extensions are not to increase capacity at the clubhouse but to improve the existing facilities.

It should also be noted that Leicestershire County Highways Department were consulted on the application and raised no concerns, referring the case officer to the Standing Advice document.

The proposal is therefore considered to be acceptable in relation to Policies IF4 and IF7 of the adopted Local Plan, Policy S4 of the Ashby Neighbourhood Plan as well as the Leicestershire Highway Design Guide.

### **Impact on the River Mease Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI)**

The site lies within the catchment area of the River Mease Special Area of Conservation (SAC). Discharge from the sewage treatment works within the SAC catchment area is a major contributor to the phosphate levels in the river. Therefore an assessment of whether the proposal would have a significant effect on the SAC is required.

With regard to foul drainage, the southern extension is to be used for storage, which would not result in an increase in foul drainage from the site. The proposed northern extension is to improve existing facilities at the Rugby Club and any increased use would be minimal. Furthermore, the provision of modern water efficient facilities in the new development would be likely to minimise foul drainage discharge from the site.

Although the footprint of the clubhouse would be increased, the extensions would be sited on an existing area of crushed stone, tarmac chippings and concrete apron and therefore it is not considered that the scheme would lead to any increased run-off, over and above that of the existing arrangement. As such, the integrity of the River Mease SAC would be preserved.

Therefore it can be ascertained that the proposal on the site will, either alone or in combination with other plans or projects, have no likely significant effect on the internationally important interest features of the River Mease SAC, or any of the features of special scientific interest of the River Mease SSSI.

### **Conclusion**

The principle of the development is acceptable. The proposal is not considered to have any

significant detrimental design, residential amenity or highway impacts. There are no other relevant material planning considerations that indicate planning permission should not be granted. The proposal is deemed to comply with the relevant policies in the adopted Local Plan, the emerging Ashby Neighbourhood Plan the advice in the NPPF and the Council's Good Design SPD. It is therefore recommended that the application be permitted.

**RECOMMENDATION - PERMIT, subject to the following conditions;**

- 1 Time
- 2 Plans
- 3 Materials
- 4 Use of south extension

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**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**PLANNING COMMITTEE – TUESDAY, 4 SEPTEMBER 2018**

Title of report	<b>TO CONSIDER CONFIRMING A TREE PRESERVATION ORDER ("TPO") ON LAND TO THE SOUTH OF OVERTON CLOSE COLEORTON</b>
Contacts	<p>Councillor Trevor Pendleton 01509 569746 <a href="mailto:trevor.pendleton@nwleicestershire.gov.uk">trevor.pendleton@nwleicestershire.gov.uk</a></p> <p>Planning and Development Team Manager 01530 454668 <a href="mailto:chris.elston@nwleicestershire.gov.uk">chris.elston@nwleicestershire.gov.uk</a></p> <p>Tree Officer 01530 454683 <a href="mailto:julian.simpson@nwleicestershire.gov.uk">julian.simpson@nwleicestershire.gov.uk</a></p>
Purpose of report	To consider one objection lodged by Mrs LJ Hogg
Council priorities	Homes and Communities
<p>Implications:</p> <p>Financial/Staff</p> <p>Link to relevant CAT</p> <p>Risk Management</p> <p>Equalities Impact Screening</p> <p>Human Rights</p> <p>Transformational Government</p>	<p>None</p> <p>None</p> <p>None</p> <p>Equality Impact Screening already undertaken, issues identified actioned.</p> <p>Under the Human Rights Act 1998, Article 8, there is a right to respect people’s private and family life, their home and correspondence. The making of a TPO potentially impacts on that right. However, in this case it is considered that the making of the TPO is justified in the public interest.</p> <p>None</p>
Comments of Head of Paid Service	Report is satisfactory

Comments of Section 151 Officer	Report is satisfactory
Comments of Deputy Monitoring Officer	Report is satisfactory
Consultees	People with a legal interest in the land affected by the TPO have been consulted and members of the public were consulted by the placing of site notices.
Background papers	Full copies of correspondence received are available on the planning file.
Recommendations	<b>THAT THE TREE PRESERVATION ORDER (TPO) BE CONFIRMED</b>

## 1.0 INTRODUCTION

- 1.1 A provisional woodland TPO was made on 8 June 2018. The TPO needs to be confirmed within six months. Trees protected by the provisional Woodland TPO of 8 June 2018 will lose their protection if not confirmed before 8 December 2018.

## 2.0 BACKGROUND

- 2.1 A request to make a TPO has been received from Coleorton Parish Council who own a small shelterbelt on public open space to the rear of Overton Close, bordering the north verge of the A512.
- 2.2 The woodland forms a screen between the highway and dwellings on Overton Close. Following some unauthorised felling, the Parish Council undertook thinning operations to reduce the density of trees in line with their management plan and to benefit the valuable understorey. Recently it had been noticed that several trees were marked with white paint and the Parish Council are concerned that this would be the precursor for further illegal felling by a neighbour who alleges that the trees interfere with their TV reception.
- 2.3 The Parish Council wish to address this issue with the neighbour but wanted to protect the trees before further action could be taken.
- 2.4 The young woodland is now 12-15m. high and consists of pole stage, mixed native broadleaf trees with some Norway maple and Sycamore with Hazel and Holly as an understorey. The Council's Trees Officer has confirmed that the woodland does have the potential to double in height.
- 2.5 Overall the woodland is diverse and healthy with an indefinite life expectancy. It is clearly visible to the public and there is a foreseeable threat to some of the trees within it.
- 2.6 A provisional TPO was prepared and served, and came into force for a six month period on the 8 June 2018. Because an objection has been made to the TPO, this Planning Committee



is now asked to formally confirm the TPO. The effect of this would be to protect the trees detailed within the TPO made on 8 June 2018 on a permanent basis.

### **3.0 OBJECTIONS AND OFFICER COMMENTS**

#### **Summary of Representations Received**

- 3.1 Whilst Mrs Hogg states that she has no overall objection to the TPO, she would like the Council to take into consideration comments she has helpfully outlined.
- 3.2 Along with trees on the south side of the A512, Mrs Hogg considers that the trees block direct sunlight and do not provide a sound barrier. She would like to fell or reduce the height of the trees she has paint marked because they interfere with light into the garden and obscure solar panels thereby restricting their effectiveness. When windy, the trees interfere with TV reception and have reached a height where if they were to blow down they would cause extensive damage to her property.
- 3.3 The Parish Council have indicated that they wish to resolve the issue and confirmation of the TPO would not prevent them from doing so subject to planning consent being secured from the local planning authority for proposed works to the trees protected by the TPO. A management plan could be approved by the local planning authority for routine works but it must be recognised that a resident has no legal right to TV reception or to light in respect of vegetation. If works are to be carried out to reduce these issues it needs to be carried out by agreement with the tree owner. Confirming the provisional TPO should help ensure that any proposed works to the protected trees are only undertaken when agreed.
- 3.4 The trees are young and well rooted. With appropriate management their stability can be maintained and any unhealthy or unstable trees removed. The Parish Council have shown their intention to manage the woodland responsibly by appointing a forestry consultant to write a management plan and implement his recommendations.
- 3.5 It is therefore considered that the proposed TPO, as per the map at Appendix 1 of this report meets the legal requirement for confirming a TPO, and that the reasoning set out in the objection to the TPO does not indicate that the TPO should not be confirmed. It is, accordingly, recommended that the TPO be confirmed with immediate effect.

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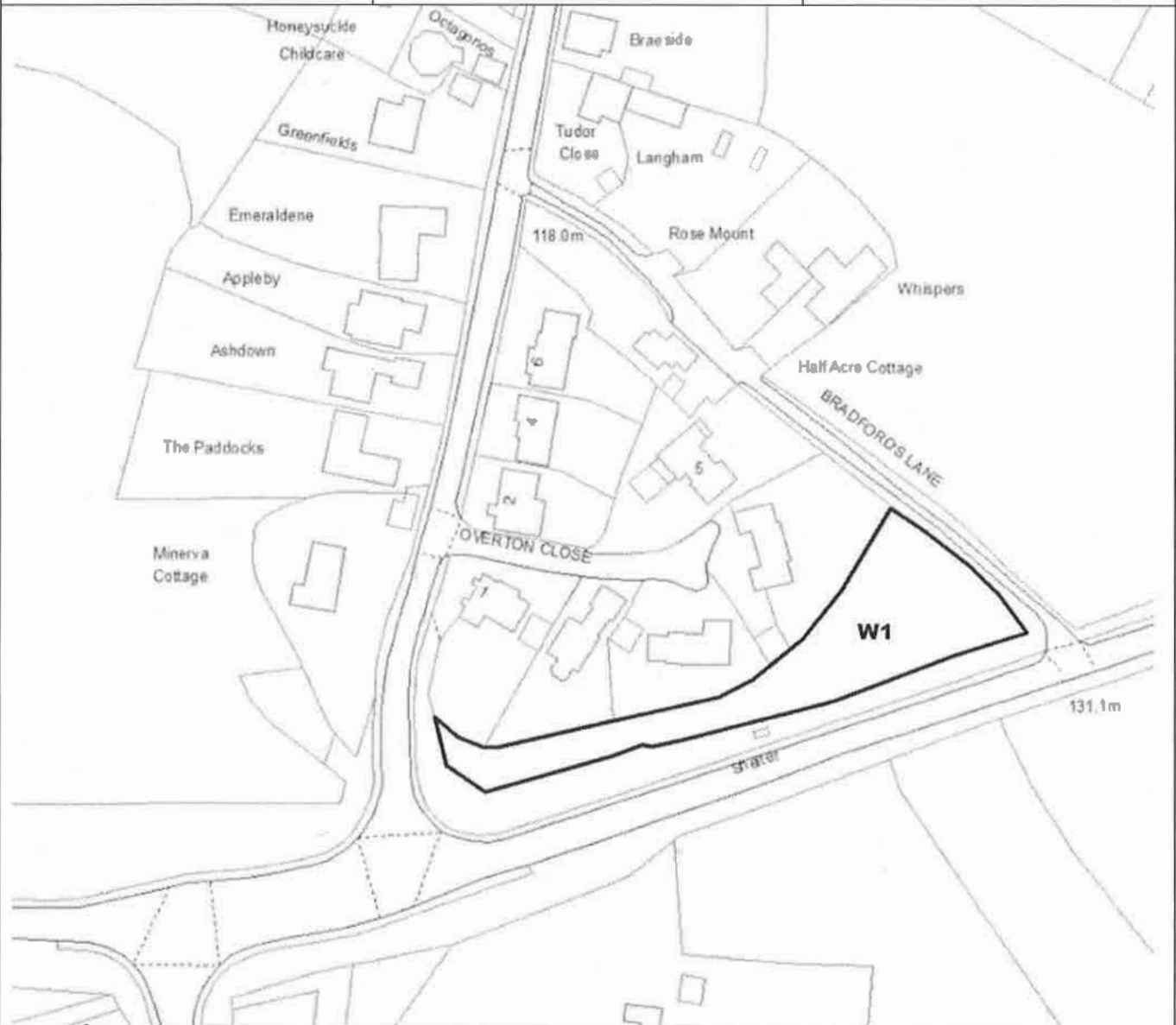
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**TREE PRESERVATION ORDER  
 T 464  
 Land to the south of  
 Overton Close  
 Coleorton**

NORTH WEST LEICESTERSHIRE  
 DISTRICT COUNCIL

T Galloway  
 Director of Place



Dated 20 day of December 2017

*[Handwritten Signature]*  
 (Duly Authorised Officer of NWLDC)

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