

# UPDATE SHEET

## PLANNING COMMITTEE – 31 January 2017

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 publication of the main reports;
- (b) Amendments to Conditions;
- (c) Changes to Recommendations

### MAIN REPORT

#### A1 16/01408/FUL – Land at North Close, Blackfordby

Two amended plans have been received from the agent to address minor errors with Plots 4 and 5.

The agent has confirmed that the applicant is agreeable to the additional contribution of £1534.26 required in respect of the impact on the River Mease SAC from surface water discharge.

No comments have been received from Severn Trent Water in respect of the proposed foul and surface water drainage details.

#### Letters of representation:

Ashby de la Zouch Town Council supports the application.

Historic England has no comments.

#### Officer Comments:

No further comments to make.

### RECOMMENDATION: NO CHANGE TO RECOMMENDATION

## **A2 16/01059/OUT – Land at Quarry Lane Snarestone**

Two letters have been received from the agent which makes the following summarised comments:

- The report suggests that if the existing corn store were converted to residential use the adjoining buildings could still be used for agricultural use and eludes to this being a reason for refusal;
- The use of conditions as part of prior notifications can effectively control the use of adjoining buildings;
- If a prior notification application were submitted to convert the corn store a condition could be included that saw the demolition of adjoining buildings/structures and/or their use restricted such that an environmental objection was not raised;
- The corn store is quite clearly of robust and substantial construction (it is engineered to withstand the weight of corn stored to four metres and with machines pushing up against the walls), such that, in my experience of prior notification applications, there would normally be no requirement for a structural survey;
- In two recent prior notification examples in the District the subject buildings afforded less structural integrity than the subject building;
- It is fairly reasonable to suggest that a reason for refusal on a prior notification application could not be sustained on structural grounds on this building;
- Therefore significant weight should be attached to the fallback position that would create three dwellings from the corn store, with use of the remaining buildings conditioned either to restrict their subsequent use or for their demolition;
- There appears to be no assessment of the application against the Planning Practice Guidance for Rural Housing;
- Villages such as Snarestone will only be able to remain sustainable communities if small scale new developments such as this are permitted;
- This application would help retain the Primary School which is currently at threat due to lack of space as highlighted by third party representations including the head teacher;
- Snarestone benefits from a church, also used as a community facility, bus service, play area, public house and primary school, given this level of service provision some modest development can be allowed.
- The proposal has been deliberately scaled to trigger affordable housing. An offsite contribution of £100,000 (together with gifting of a red brick barn) is offered as a need has been highlighted for a new school room locally. Similar contributions have been offered in Breedon and Osgathorpe.
- Given the distance to a mains sewer of 100 metres it is considered the site could be considered for non mains drainage. However given no response from the Environment Agency has been forthcoming the applicant is opting for a mains connection which has led to an objection;
- No allowance has been made to the removal of agricultural operations in the officer report, which provide clear benefits to water quality in the River Mease catchment.
- These are all lawful agricultural uses but which create diffuse water pollution and their removal would be of benefit to the River Mease catchment.
- There would be no River Mease objection sustained as part of a prior notification application and as confirmed by the case officer in the report:

- If the fallback position is to create four dwellings, with both mains or non-mains drainage, at the site via conversion applications it is difficult to accept an objection can be raised for a main connection for the submitted application for five dwellings.

### **Officer Comments:**

In respect of the fallback position for conversion of the corn store (the modern building on the site) to three dwellings under Class Q permitted development rights, it is acknowledged that it could be possible to require the other two buildings to be demolished or used solely for machinery and fodder storage only. Whilst examples of the conversion of other modern farm buildings to dwellings have been provided by the agent to demonstrate why the corn store is structurally sound, these relate to different sites.

Having regard to the above, that an application for conversion of the existing buildings has not been formally submitted, and in particular given that this application relates to new dwellings rather than a conversion scheme, it is considered that the fallback of a Class Q conversion is still given limited weight. The Committee Report also notes that the provision of a fourth dwelling from conversion of the traditional red brick building is afforded very limited weight.

Matters relating to the provision of land, a building and a financial contribution to Snarestone Primary School are addressed in the committee report. Whilst the contents of the Parish Council website are noted regarding the church being used as a village hall, it is still considered that occupiers of the proposed dwellings would be reliant on the car for most of their journeys.

Whilst several applications/decisions relating to converted/new dwellings are referred to by the agent, it is a fundamental tenet of the planning system that every planning application is considered on its own merits.

It is acknowledged that the existing buildings and other agricultural uses that are open to the elements, i.e. a cattle corral, silage clamp and manure store, result in surface water runoff to the ground. However the site is around 580 metres from the River Mease and as such given this distance it is considered unlikely that the existing surface water runoff from the site is would adversely impact on the SAC. As such it is considered existing surface water runoff cannot be offset against the impact on the SAC from foul drainage discharge from the site into the mains sewer.

The impact on the SAC cannot be taken into account under prior notification applications. However any prior notifications that are approved in the River Mease SAC catchment are subject to an informative advising that if the proposal would be likely to have a significant effect on the SAC then written prior approval is required from the Authority.

### **RECOMMENDATION: NO CHANGE TO RECOMMENDATION**

**A3 16/01269/OUT - 78 Loughborough Road, Peggs Green, Coleorton**

**Additional information received:**

Following the publication of the Committee agenda a consultation response from the Coal Authority has been received advising that they have no objections to the application subject to the imposition of a condition on any consent granted.

**Officer comment:**

The Committee report which has been prepared and presented to Members suggested that no objections would be raised by the Coal Authority and this has been confirmed to be the case. A condition (no. 11) is already suggested to be imposed to address the comments of the Coal Authority.

**RECOMMENDATION: No change to recommendation.**

**A4 16/01080/OUT – Mount Pleasant, Nottingham Road, Peggs Green**

The following consultation response has been received from the following consultees:

**NWLDC Environmental Protection** – no environmental observations.

**Coal Authority** – no objections subject to conditions.

**RECOMMENDATION – NO CHANGE TO RECOMMENDATION, SUBJECT TO AN AMENDMENT TO THE WORDING OF CONDITION 8 (Coal Authority)**

**A5 16/01127/VCU – 5 Melbourne Lane, Breedon on the Hill**

One additional letter of neighbour representation has been received commenting in relation to the amended plans, but the issues have already been addressed in the main report and therefore, it is not considered necessary to duplicate these points.

**RECOMMENDATION: NO CHANGE TO RECOMMENDATION**