

Comments of Deputy Chief Executive	The report is satisfactory.
Comments of Section 151 Officer	The report is satisfactory.
Comments of Deputy Monitoring Officer	The report is satisfactory.
Consultees	None
Background papers	Application documents in respect of planning application ref. 13/00335/OUTM
Recommendations	<p>TO EITHER:</p> <p>(A) CONFIRM THE DECISION TO REFUSE PLANNING APPLICATION 13/00335/OUTM BASED ON THE RESOLUTION OF PLANNING COMMITTEE OF 3 DECEMBER 2013; OR</p> <p>(B) NOT CONFIRM THE DECISION TO REFUSE AND INSTEAD TO RECONSULT ON THE APPLICANTS' PROPOSED AMENDMENTS TO PLANNING APPLICATION 13/00335/OUTM, AND TO RECONSIDER THE APPLICATION AT A FUTURE MEETING OF THE PLANNING COMMITTEE</p>

1.0 BACKGROUND

1.1 In May 2013, planning application 13/00335/OUTM was submitted to the District Council. The application proposes the following:

- 605 new dwellings
- A 60 unit extra care facility
- A health centre (2,000sqm (gross), including 1,200sqm GP area, 150sqm pharmacy and 400sqm future expansion space)
- A primary school (210 pupil capacity on a site of 1.5ha)
- A nursery school (adjacent to the primary school)
- A community hall
- Retail development (total 560sqm) located in two areas of the site
- Public open space, and play areas (14.3ha)
- Pedestrian and cycle links, including connections to Featherbed Lane, Plantagenet Way, Wood Street, North Street and Smisby Road (and including via existing rights of way)

1.2 The application was reported to the Planning Committee meeting of 12 November 2013 with an officer recommendation to permit subject to the withdrawal of the Highways

Agency TR110 Direction, subject to Section 106 obligations, and subject to conditions. At that meeting, Planning Committee resolved to defer the application so as to enable further consideration to be given to improving access between the application site and Ashby de la Zouch town centre. Further to that deferral, however, the agents for the application advised that, in their view, there was no good reason for the application to not be positively determined at the following Planning Committee meeting on 3 December 2013, and requested that the application be reported back to that meeting, advising that, if the application was not reconsidered at that meeting, they were instructed to appeal and to apply for costs. The application was subsequently reported back to Planning Committee on 3 December 2013, again with an officer recommendation to permit (and as per the recommendation to the 12 November 2013 Planning Committee meeting).

- 1.3 At that meeting, Planning Committee resolved to refuse the application on the grounds of unacceptable access (in terms of connections to the town centre and vehicular access to Woodcock Way), the adverse impacts on highway safety at Junction 13 of A42, and the under-provision of affordable housing.
- 1.4 Following that meeting, however, and at the request of the applicants, the decision notice was not issued so as to enable further discussions with key stakeholders and officers in light of concerns expressed by Members when the application was considered by the Planning Committee.

2.0 NEXT STEPS

- 2.1 The primary purpose of this report is to update Members on the request from the applicants to reconsider the application rather than issue the decision notice as per the 3 December 2013 Planning Committee resolution, and to seek Members' views as to whether or not they wish to reconsider the application.
- 2.2 In particular, the applicants have written to the Local Planning Authority indicating that they propose revising the access arrangements such that Woodcock Way would serve no more than 30 dwellings by private car, whilst retaining access for pedestrians and cyclists and the potential for access by bus and emergency vehicles. They also advise that they propose making an increased financial contribution towards measures that are assessed as being necessary to improve connectivity with the town centre. The applicants consider that these proposed changes are material considerations in the determination of the planning application, in the light of which they consider it appropriate that the matter is now revisited by Members.
- 2.3 In addition, the applicants advise that, since the application was resolved to be refused, they have had the opportunity to assure local Ward Members and Town Councillors of their commitment to realising the wider development of Money Hill, with the associated benefits that they consider this would bring. They advise that they have made clear to Ward Members and Town Councillors that the ability to realise these ambitions is dependent on the positive determination of the current application as this will provide the commercial assurances necessary in order to be able to proceed.
- 2.4 The applicants advise that, should Members resolve to grant planning permission at the Planning Committee meeting of 8 April 2014, they will not submit an appeal against non-determination in respect of the application.

- 2.5 In view of the above, Members' instructions are requested to determine how they wish the District Council to proceed in this matter. In terms of the options available, these appear to be to either confirm that the decision made at the 3 December 2013 Planning Committee meeting should continue to stand (and, therefore, that the refusal notice be issued in accordance with that resolution) or, as requested by the applicants, to reconsider the application at a future meeting of the Planning Committee. Should this latter option be preferred, it is officers' advice that, prior to reconsidering the application, more detailed information of the applicants' proposed amendments (and including clarification on any highway related impacts of the proposed changes and the amended proposals in respect proposed measures / financial contributions in respect of enhancing linkages to the town centre) should be sought and, where applicable, be subject to consultation.