

UPDATE SHEET

PLANNING COMMITTEE – 11th March 2014

To be read in conjunction with the Director of Services & Deputy Chief Executive'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 13/00908/OUTM Land adjoining Clare Farm Station Road Ibstock

Following the publication of the Committee report the Local Authority has received an objection from the occupant of No. 51 Station Road along with revised consultation responses from the Environment Agency, the NHS and the County Educational Authority.

In terms of the response from the Environment Agency they have confirmed that the proposed development will only meet the requirements of the National Planning Policy Framework if the measure(s) detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of planning conditions on any planning permission.

With regards to the NHS they have reviewed the original financial request and have now indicated that a contribution of **£23,736.96** would be payable which would be utilised to provide additional consulting rooms at the Ibstock GP Practice due to an increase in patients creating greater demand for consultations.

Leicestershire County Council Education Authority have indicated that *“new residential developments, including affordable housing, generate a net increase in housing and particularly when the previous accommodation is then ‘re-occupied’ by new residents which essentially places increased demand on local services and infrastructure. I understand that demands placed on local infrastructure particularly education in relation to affordable housing can reasonably be expected to generate at least as many school children as open market housing.”* They have also indicated that the proposed development at Station Road, Ibstock would require education contributions to offset the 35 deficit primary school places and 13 deficit high school pupil places which would be generated by the proposed development. In respect of

the changes to the pupil numbers this was due to several factors which included the forecast numbers for the schools being updated since May 2012 to take into account the September 2013 intake, the October census information and a number of housing developments which have gained approval since May 2013. The catchment area, however, has not been altered. In conclusion the County Education Authority have outlined that should outline planning permission be granted the Section 106 Agreement could include a formula to calculate the education contribution subject to any approach being agreed by the County Council solicitors and being CIL test compliant. Following the response the applicant's have requested clarity on the capacity at Heather Primary School, and whether this is within the catchment area, given that there are surplus places at this school.

An objection from the occupant of No. 51 Station Road is summarised as follows: -

- *Development on agricultural land within the National Forest;*
- *The site is situated outside the defined limits to development;*
- *Indicative masterplan of dwellings does not reflect the overall size of dwellings in the immediate surrounding area;*
- *The map shown on the Committee agenda cuts though the boundary of No. 48 Station Road;*
- *A response is still awaited from the Environment Agency although they initially raised concerns about the development;*
- *Ibstock Parish Council objects to the application on the basis that the development will impact negatively on the capacity at local schools, the highway network and ecology as well as the fact that the site is not sustainable and that insufficient off-street parking would be provided for the dwellings;*
- *I believe that the amount requested by the NHS is woefully insufficient to mitigate against the growing needs of Ibstock...To fund additional GP availability as well as parking and surgery expansion will not be covered by the contribution;*
- *Lack of police contribution being paid;*
- *Third party representations have highlighted that there is insufficient public service links to Leicester to enable sustainable green commuting for employment, this development does not reflect the character of the immediate locality;*
- *Values used for measuring the distance to the local amenities are from the entrance to the development and not from the properties so they are therefore inaccurate and misleading. There is no significant increase in employment on the bus route mentioned and there is limited existing employment in Ibstock;*
- *As part of the National Forest, the Council can request exemption from the NPPF requirements;*
- *Since the 2011 census numerous housing developments and planning permissions have been approved therefore the analysis is out of date;*
- *There are various ways that a developer can mitigate against these obligations;*
- *The proposed measures for travel packs should be extended to all houses in the neighbouring area and traffic calming measures along Station Road are not required as the Thorndale estate will be turned into a 'rat run' as people avoid congestion on Melbourne Road at peak times;*
- *Provision has not be adequately detailed for the route of the milk tanker and agricultural machinery accessing Valley and Clare Farms;*

- *The assessment of those with a view is inaccurate as properties further along Station Road will also have their view impacted on by light interference at night and increased noise impact at all times;*
- *The current schooling in Ibstock is inadequate with underfunded Victorian facilities for Primary and Junior School age groups. If Ibstock is to be a Rural Centre, then the education provision and capacity should reflect this aspiration;*
- *The play/open space facilities have not been assessed in relation to the current usage of the local play areas, the likely increase in dog owners and the traffic on the development;*
- *In relation to the archaeology on the site, this statement is inadequate as soon as a digger goes through material, then evidence is at best disrupted and at worst destroyed;*
- *In a culture where sustainability and low consumer miles is of growing concern then using Grade 2 land for dwellings is not sufficiently strategic;*
- *The bat survey was inconclusive and the survey was not conducted over a period whereby the bats could be monitored along the length of Station Road.*

Officer Comments

The committee report prepared has covered the majority of issues raised and in terms of the issues raised which have not been addressed the following response is provided.

Flooding

Given that the suggested conditions and notes to the applicants would be imposed on any consent granted it is considered that the any potential flood risk generated as a result of the development would be suitably mitigated to ensure compliance with Paragraph 103 of the NPPF.

NHS

In the circumstances that the original works required to Ibstock GP surgery would be funded by the Bellway Homes scheme at land south of Ashby Road, which is likely to be implemented in the near future, the NHS have revised their financial request so that additional consultation rooms within the existing surgery can be provided. Following receipt of the revised figure the applicant's have indicated that they would agree to meet the NHS financial contribution request.

Education

With regards to the education request the County Council have indicated that they would review any formula proposed by the applicant in agreeing the financial request given that the total number of dwellings, as well as property sizes, would not be agreed at this stage given that the application is in outline form only. Although the applicants are requesting clarity on whether Heather Primary School falls within the catchment area of the site they have indicated that they would be policy compliant in accepting the financial requests of the County Council education authority in any event.

Neighbour Objection

In respect of the objection from the occupant of No. 51 Station Road it is considered that the Committee report has adequately covered the issues raised in the relevant sections. Although it is acknowledged that the census data is taken from 2011 the conclusions made in the 'scale of development and cumulative impacts' section of the Committee Report have taken into account planning permissions granted since

that time. The plan outlined on the front page of the report in the Committee agenda is also a 'free hand' indication of the site location and should not be read as being an approved plan of the application. Clearly the site location plan submitted with the application, and consequently conditioned, does not include the garden land associated with No. 48 Station Road.

RECOMMENDATION: NO CHANGE TO RECOMMENDATION apart from the following conditions and notes to the applicant being attached to any decision notice.

25. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Revision B dated January 2014 and Drawing No. BMW/2219/WSK02 P3, received by the Local Authority on the 10th March 2014, and the following mitigation measures detailed within the FRA:

1. *Limiting the discharge rate and storing surface water run-off generated by all rainfall events up to 100 year plus 30% (for climate change) critical rain storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off site – Sections 4.4 to 4.11.*
2. *Confirmation of the opening up of any culverts across the site, location and condition survey of whole culvert – Sections 2.4 and 3.5 to 3.6.*
3. *Finished floor levels are set no lower than 600mm above the 100 year plus 20% (for climate change) flood level to Ordnance Datum (AOD), established by the above FRA – Section 3.2 to 3.3.*

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason – to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To reduce the risk of flooding from blockages to the existing culvert(s). To reduce the risk of flooding to the proposed development and future occupants.

26. No development shall take place until the detailed design of the surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydroecological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage scheme should demonstrate the surface water run-off generated by rainfall events up to the 100 year plus 30% (for climate change) critical rain storm will not exceed the run-off from undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

1. *Surface water drainage system(s) to be designed in accordance with either the National SuDs Standards, or CIRIA C697 and C689, whichever are in force when the detailed design of the surface water drainage system is undertaken.*
2. *Limiting the discharge rate generated by all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.*

3. *Provision of surface water run-off attenuation storage to accommodate the difference between the allowable discharge rate(s) and all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm.*
4. *Detailed design (plans, cross, long sections and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements.*
5. *Details on how the on site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development, to ensure long term operation to design parameters.*

Reason – to prevent the increased risk of flooding, both on and off-site.

27. No development shall take place until an assessment of the options to reduce flood risk to Valley Farm and Clare Farm from the culverted watercourse as shown on Drawing No. B5741-PL-007, including the opportunity of de-culverting the watercourse, has been submitted to and approved in writing by the local planning authority (in consultation with the Lead Local Flood Authority (LLFA) Leicestershire County Council (LCC).

Reason – to reduce the risk of flooding from blockages to the existing culvert(s). To reduce the risk of flooding on site and to adjacent land and properties.

Notes to Applicant

16. Erection of flow control structures or any works which involve culverting or alterations to any existing culvert of an ordinary watercourse requires the prior consent from the Lead Local Flood Authority which in this instance is Leicestershire County Council. It is best to discuss proposals for any works with them at an early stage.
17. Severn Trent Water should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewerage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution.
18. During the period of construction, oil and fuel storage will be subject to the Control of Pollution (Oil Storage) (England) Regulations 2001. The Regulations apply to the storage of oil or fuel of any kind in any kind of container which is being used and stored above ground, including drums and mobile bowzers, situated outside a building and with a storage capacity which exceeds 200 litres. A person with custody or control of any oil or fuel breaching the Regulations will be guilty of a criminal offence. The penalties are a maximum fine of £5000 in Magistrates' Court or an unlimited fine in Crown Court. Further details of the Regulations are available from the Environment Agency.
19. It is recommended that the installation of fittings that will minimise water usage such as low, or dual flush WC's, spray taps and economical shower-heads in the bathroom are installed. Power showers are not recommended as they can consume more water than an average bath. Water efficient versions of appliances such as washing machines and dishwashers are also recommended. For outdoors consider installing a water butt, or even a rainwater harvesting system, to provide a natural supply of water for gardens. Simple treatment systems exist that allow rainwater to be used to supply WC's within the home. Following the above recommendations will significantly

reduce water consumption and associated costs when compared to traditional installations. Rainwater harvesting utilises a free supply of fresh water and reduces the cost to the environment and the householder.