

UPDATE SHEET

PLANNING COMMITTEE – 9th May 2018

**To be read in conjunction with the
Head of Planning and Infrastructure 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**

A3 **18/00095/OUT** **Erection of detached dwelling (outline access and layout included)**
Land Opposite Lower Farm House, Netherseal Road,
Chilcote

Additional information received:

The following observations and comments have been received from the applicant's agent:

Eligibility

The assessment of the applicants need is set against average incomes and house prices throughout North West Leicestershire and the Councils interpretation of local incomes and house prices is too broad brush and more local house price variances should instead be applied. The applicant would also be willing to accept a reduction of market value of 45%.

Pre-application advice

Pre-application advice received prior to submission of this application indicated that there may be some support for a local need dwelling, which was recognised in a housing need survey carried out in 2015.

Archaeological Survey

Given the land is in agricultural production and has in the past been extensively drained, it is unlikely that any archaeological remains are present. In such an instance, a condition is suggested to use a watching brief concerning archaeology.

The full contents of these representations are available to view on the public file.

Officer comment:

Eligibility

The Council's Affordable Housing Enabling Officer has confirmed that the Council operates a district wide register with district wide eligibility criteria in accordance with the Council's adopted Allocation Policy. The Housing Department has confirmed that the applicants would not be eligible under the Council's Allocation Policy. Irrespective of this, there is no evidence of an identified need for affordable housing in Chilcote and as there is no policy in the adopted Local Plan which allows for a local need to meet an applicant's personal needs in the countryside, the proposal is therefore contrary to Policies S2, S3 and H5 of the adopted Local Plan. The law is clear that planning decisions should be made in accordance with an up to date development plan, unless material considerations indicate otherwise.

Pre-application advice

The Council's Affordable Housing Enabling Officer has confirmed that the housing needs survey undertaken in Chilcote in 2015 did not identify a need for affordable housing. The housing needs survey referred to in the pre-application advice, which was provided in August 2017, identified a local need for open market housing which

is not covered by Policy H5 of the adopted Local Plan. At the pre-application stage, the agent was advised that a form of intermediate affordable housing may be acceptable only if it could be demonstrated that there was an identified need for affordable housing from people with a local connection to Chilcote. As there is no identified need for affordable housing from people with a local connection to Chilcote, the proposal does not constitute an appropriate rural exception site for affordable housing and is contrary to Policies S2, S3 and H5 of the adopted Local Plan.

Archaeological Survey

The County Archaeologist has confirmed that the site lies within the historic settlement core of the village, as indicated in its original response, a landscape that appears to have been altered significantly by the creation of the 17th/18th century parkland associated with the former Chilcote Hall (demolished late 18th century). Evidence of existing earthworks within the immediate vicinity of the development site, are suggested by photographs provided by the applicant and have been recorded from field surveys. Aerial photographs show the presence of medieval ridge and furrow earthworks to the north of the site, suggesting that any more recent drainage has had a relatively minor impact upon the potential for buried archaeological remains.

The County Archaeologist maintains their objection to the application and has suggested amendments to the wording of reason for refusal no. 3

RECOMMENDATION: Change to recommendation to amend reason for refusal No. 3

Under Policy He1 of the adopted North West Leicestershire Local Plan, the Council will support development that conserves the significance of non-designated heritage assets, including archaeological remains. The site is likely to have a buried archaeological interest, as it lies within in an area of earthwork remains associated with the former village and the post-medieval park. As such the proposal may destroy any buried archaeological remains that are present. The archaeological implications cannot be adequately assessed on the basis of the submitted information. In the absence of such assessment it is not possible to determine whether a conditioned programme of archaeological work secured on any planning approval would be either be appropriate or sufficient to prevent any potential harm. It is therefore concluded that insufficient information has been submitted to ensure that the development would not harm the archaeological remains. There are no public benefits that would outweigh the potential harm to buried archaeological remains and therefore the proposal would not comply with Policy He1 of the adopted North West Leicestershire Local Plan and Plan and paragraphs 135 and 141 of the NPPF.

A4 18/00257/FUL - Lavender House, 80 Snarestone Road, Appleby Magna

Additional Information Received:

Following the publication of the Committee report additional correspondence from the National Forest Company has been submitted by the planning agent. The points raised are summarised below:

- The emerging rural development policy in the draft NPPF doesn't specifically mention the need to locate within existing settlements. It states that decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside.
- The National Forest Tourism Growth Plan (2017-2027) includes targets to grow visitor spend in the National Forest.
- Since the creation of the National Forest visitor numbers have grown from 6.7 million in 2003 to more than 8.1 million in 2016. This has generated expenditure in the area which has risen by 22% from £323.6m in 2003 to £395.2m in 2016 (STEAM 2003-2016). However, around 92% of these visitors are day visitors.
- The National Forest aim to increase the number of visitor overnight stays.
- National Forest research shows that day visitors spend on average £35.58 per person compared to an average of £73.88 per person per night for non-serviced overnight trips.
- A development of this nature would contribute to the local economy.
- While there is a need for new accommodation to support the National Forest, whether this is the right location for accommodation is for the District Council to decide.

Officer comment:

The draft NPPF is still subject to a current consultation, is therefore subject to change, and cannot form the basis of planning decisions today.

The National Forest Company does have strategies and plans, however these do not relate specifically to the application site, and moreover the same argument could be made for any other site, whether sustainably located in accordance with the development plan, or not.

National and local planning policies support sustainable tourism developments, however this proposal is not considered to be a sustainable development due to its location outside of Limits to Development and that the proposal would not be directly related to a specific tourist destination. The attraction of the countryside setting for the tourist accommodation is not significant justification in itself to justify the location of this development.

RECOMMENDATION: No change to recommendation

A5 **17/01607/FUL** **Proposed two-storey and single storey extensions to existing C2 care home.**
Lyndhurst Lodge, 87 Burton Road, Ashby De La Zouch.

Additional information received:

A representation from a third party has been received which raises objections to the proposed development on the following summarised grounds:

- The proposed extensions would result in an overdevelopment of the site;
- There would be an increase in noise, odours and smells
- Proposal would impact on highway safety given that some vehicles may park in the highway;
- It needs to be ensured that render is utilised should permission be granted.

The full contents of this representation is available to view on the public file.

Officer comment:

Planning permission would not be required for the relocation of bins. In any event action could be taken under Environmental Protection legislation should smell and odours become a nuisance to residential amenities.

All other matters raised have already been addressed in the Committee Report.

RECOMMENDATION: No change to recommendation.