

PLANNING COMMITTEE: 1st December 2015
SUPPLEMENTARY INFORMATION

The "Supplementary Information" report supplements the main Planning Agenda. It is produced on the day of the Committee and is circulated at the Committee meeting. It is used as a means of reporting matters that have arisen after the Agenda has been completed/circulated, which the Committee should be aware of before considering any application reported for determination.

Correspondence received is available for inspection.

The Council produces bi-annual monitoring reports on the level of housing supply within the District. These reports include a five year housing land supply calculation and a housing trajectory for the remainder of the DP period. The latest report of 25th November covers the period from 1 October 2015 to 30 September 2020 and demonstrates a housing supply of 4.36 years.

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15/00988/FUL	Demolition of existing garages and hardstanding and the erection of four dwellings, Garages, St Cuthberts Avenue Great Glen
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Correction to Report

Para 1.1 should read Great Glen not Lubenham

Para 4.1.Original Consultation Period Expiry Date 11.08.15 ; Amended Plan Consultation Expiry 06.10.15

Para 6.19 should read 40% not 30%

Revised Highway Authority Comments (in full)

These revised comments are made on the basis of the amended plans numbered H201-P05-A (below) received via email from the Applicant on 12th November 2015.

As the adopted highway extends through part of the proposed site, in order to make the development as proposed acceptable an area of St Cuthberts Avenue would require extinguishing (stopping up). This stopping up would be required to ensure adequate off-street parking facilities are provided for plot 4 of the proposed development.

Given the development proposal and nature of the eastern end of St Cuthberts fronting the site, the stopping up of this end of St Cuthberts is a proposal the Highway Authority considers possible.

The submitted drawing indicates an area of adopted Highway to be stopped up by the applicant through Section 247 of the Town and Country Planning Act 1990. It should be noted the stopping up process through Section 247 of the Town and Country Planning Act 1990 has a separate consultation process with the Highway

Authority and will therefore be dealt with separate to the advice contained within this report.

However, the area of the adopted highway on St Cuthberts to be stopped up should extend across the full width of the adopted Highway as it exists, and include all areas to be developed including the parking spaces for plot 4 and adjoining planting schemes, as the H.A would not wish to take on the maintenance of any additional trees/planting proposed within the remaining Highway, or agree to the creation of an irregular Highway Boundary.

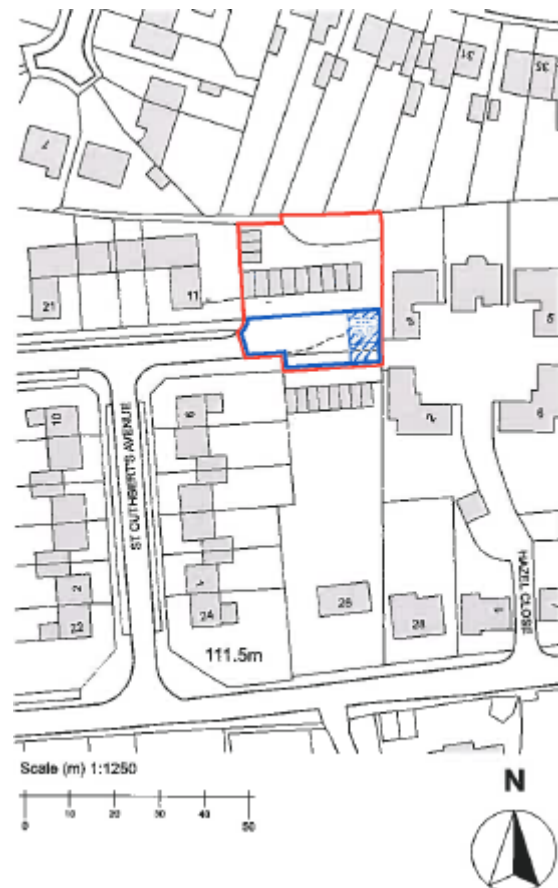
Therefore, as some of the proposed development would still be in the adopted highway, as it falls outside the proposed area of Highway to be extinguished; prior to commencement of development an amended plan(s) should be submitted by the applicant to, and agreed by, the LPA in consultation with the Highway Authority. The amended plan should detail an area of the adopted Highway forming St Cuthberts Avenue to be 'stopped up' which encompasses all parking and planting schemes shown within drawing number: H201-P01-B, AND extending across the full width of the adopted Highway as it exists on St Cuthberts Avenue.

Any stopping up of the adopted highway on St Cuthberts should ensure private means of vehicular access to and from the adopted Highway is permanently retained for the remaining garage owner(s) to the south of the site. A minimum distance of 6 metres in front of all these remaining garages should also be permanently retained to ensure users can continue to manoeuvre in and out of said garages.

It should be noted if the area to be stopped up does not encompass the whole of the adopted highway within the red site boundary a commuted sum could be required to cover likely maintenance costs of any non-standard materials agreed for surfacing, which would be subject to a separate S278 agreement with the Highway Authority.

Given the stopping up of the end of St Cuthberts Avenue is necessary to make the proposal acceptable in highway terms the Highway Authority would advise the stopping up is conditioned accordingly to ensure this is undertaken prior to commencement of development.

In view of the above considerations the Highway Authority would not seek to resist the proposal as it is unlikely it would be possible to sustain a reason for refusal on highway grounds in the event of an appeal.



Additional Conditions

12. Prior to Commencement of Development an amended plan shall be submitted to, and agreed by, the Local Planning Authority in consultation with the Highway Authority, detailing an area of adopted Highway forming St Cuthberts Avenue to be 'stopped up' which shall encompass all parking and planting scheme falling within the current Highway extents and extending across the full width of the adopted Highway as it exists on St Cuthberts Avenue. The area so agreed shall be stopped up prior to commencement of Development. **Reason:** To enable dedicated parking for plot 4 to be provided and to ensure a satisfactory form of development in the interests of the highway

13. No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access. **Reason:** To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic, including pedestrians, in the public highway.

14. No part of the development, its supports or foundations shall be positioned in, on, over, upon, or within any part of the public highway. **Reason:** In the general interests of highway safety.

15. Any shared private drives serving no more than a total of 5 dwellings shall be a minimum of 4.25 metres wide for at least the first 5 metres behind the highway. The access drive shall be provided before any dwelling hereby permitted is first occupied and shall thereafter be permanently so maintained. NOTE: If the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides. **Reason:** To ensure that vehicles entering

and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway.

Notes To Applicant

7) This planning permission does NOT allow you to carry out access alterations in the highway. Before such work can begin, separate permits or agreements will be required under the Highways Act 1980 from the Infrastructure Planning team. For further information, including contact details, you are advised to visit the County Council website: - see Part 6 of the '6Cs Design Guide' at www.leics.gov.uk/6csdg.

8) You will be required to enter into a suitable legal Agreement with the Highway Authority for any off-site highway works before development commences and detailed plans shall be submitted and approved in writing by the Highway Authority. The Agreement must be signed and all fees paid and surety set in place before the highway works are commenced.

15/01067/OUT	Erection of up to 32 dwellings (means of access to be considered), Land North Of Stretton Lane, Houghton On The Hill Leicestershire
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Revised Reason:

The proposed development would have an adverse effect upon the rural character and appearance of the Site and the rural setting of Houghton on the Hill. **This harm is not outweighed by the benefits of the scheme, including housing land supply.** Accordingly the proposal is contrary to Core Strategy Policy CS11 and CS17c. The proposed development would also be contrary to the aims and objectives of the Framework.

Correction to Report

Para 6.48 should be deleted, it repeats para 6.47.

Leicestershire County Council Ecology (in full)

“To reiterate our previous comments and discussions on this application I can confirm that we have no objections to this application provided that the mitigation contained within the Great Crested Newt Mitigation strategy (Middlemarch Environmental, November 2015) is followed. The proposed layout must be in accordance with the proposed Illustrative Masterplan (FPCR, 6795-L-02 Rev E) to ensure that the GCN mitigation is incorporated into the design of the development. The objections from neighbours appear to be covering two points; the potential fragmentation of GCN habitat and the need for further survey of the garden ponds. The mitigation strategy has been written on the assumption that GCN are present within the garden ponds and there is therefore no need for further survey. The 6m buffer surrounding the development will be managed as suitable GCN habitat. This connects all existing ponds and there will continue to be suitable GCN foraging routes between all ponds, including pond 1 to the north-west of the site.

- *Should this application be permitted, we would recommend that the following be incorporated into a condition(s) of the development:*
- *All development to be in accordance with the GCN mitigation strategy (Middlemarch Environmental, Report RT-MME-120118-Rev B, Nov 15).*
- *Layout to be in accordance with Illustrative Masterplan (Dwg 6795-L-02 Rev E, FPCR)*
- *Landscaping strategy must be submitted and reflect GCN mitigation.*
- *Prior to commencement a Biodiversity Management Plan must be submitted and agreed.*
- *Updated badger surveys should be completed if the development has not commenced within 3 years from the date of the initial survey.*
- *Recommendations in section 6.3 of the Preliminary Ecological Assessment (Middlemarch Environmental, Report RT-MME-119479, June 2015) to be followed.*
- *These should be viewed as our final comments on this application”*

Additional Correspondence

Officers have been copied in on correspondence between a core group of residents and the Co-op. On 2nd November residents asked the Co-op to withdraw their application and at the same time made a formal offer to purchase the land from the Co-op to develop it as a 'wild-flower meadow and woodland' A response from the Co-op was received 16th November, which the residents responded to on 18th November. A response from the Co-op was received 28th November. These letters are available to view on-line at www.harborough.gov.uk/planning

Further correspondence has been received from several objectors raising the following additional points:

- The law requires a full survey of the relevant ponds next spring/early summer, no decision on the application can therefore be made.
- The proposed mitigation corridor is not appropriate
- Alternative sites are available
- There are still buildings that will be overlooking our two main bedrooms at first floor and out 5th bedroom on the ground floor
- The proposed development will have a profound impact on the quality of our life and privacy with an obvious loss of sunlight and daylight during the day. There will also be increased light pollution at night from additional street lighting as well as a round the clock increase in noise pollution. The right of way footpath running alongside my garden is also a potential gathering point for groups of people to cause disruption as this will be the short cut into the village.

Civil Aviation Authority & Related Noise Impact Assessment

The Civil Aviation Authority was notified of the planning application on 28th October 2015. No formal response has been received. One of the objectors contacted the CAA directly whom and referred the objector to the CAA Guidance on Civil Aviation Authority (CAA) Planning Consultation Requirements available on their website.

At Para 3.1 of this guidance it states:

"It is essential that the CAA be informed immediately whenever a Local Planning Authority is minded to **grant permission** for a proposed development to which an officially safeguarded civil airport or NATS has objected" (**Officer emphasis**)

Noise Impact Assessment

The same objector also responded to the additional comments received from ENS (Applicant's acoustician) and added further comment to that raised by Leicester Airport, in particular:

The Airport Manager, Mac Clarke, assumed the elevation of the site was the same as for the airport for the purposes of his comments. As this site is 15m (ie 50 feet) above the airport, it means that the height overhead of the proposed development will be 50 feet less than he suggested ie on approach would be 200 feet rather than 250 feet above this site. And of course heights for aircraft taking off will also be 50 feet less than otherwise.

Officer Comment: Officers will notify the CAA of any Committee resolution

Correction to Appendix A

Highways – Up to £36,016.85 - should be removed – the final amount will be dependent on take up of bus passes.

Community Facilities – 1 bed – should read £325.00 NOT £235.00

15/01425/OUT	Erection of up to 70 dwellings to include structural landscaping; open space and other ancillary works (means of access to be considered only). Land Off Berry Close, Great Bowden Leicestershire
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Correction to Appendix A

Community Facilities – 1 bed – should read £325.00 NOT £235.00

15/01342/FUL	Demolition of existing sheltered housing scheme, erection of 11 affordable housing bungalows including 2 bungalows dedicated for wheelchair users, Clover Court, Hearth Street, Market Harborough
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15/01343/FUL	Erection of 99 dwellings (substitution of house types of 07/00360/REM). Farndon Fields, Farndon Road, Market Harborough, Leicestershire
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15/01391/OUT	Erection of up to 40 dwellings including vehicular access Land at end of Dunmore Road, Market Harborough
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Additional Representations

(i) Email copied to HDC 30 November:

On behalf of PLiB (Protect Little Bowden),

- Committee Papers were only made available online to review last week
 - Planning Portal has been down all over the weekend not allowing any access to these documents meaning lack of availability of documents to:
 - o review
 - o consider and
 - o allow time (typically, weekend first chance most residents have due to work commitments) to liaise with other local residents, to then
 - o discuss our right to speak as residents and agree who
 - o it has also given very little time for us to approach you, as our Ward Councillors to request that you also address the council meeting regarding this application highlighting our concerns
 - o taking the above into account, we feel the application needs to be deferred to the next planning meeting as we have not been afforded sufficient time to prepare
- I have also attached a document containing photos which highlights the issues surrounding parking and access on Dunmore Road/Scotland Road which we would like Planning Committee Councillors to see prior to meeting tomorrow evening. A hard copy will be delivered to the Council Offices today before mid day. How can we ensure this is circulated accordingly? Once again, is this something you are able to do on our behalf as our Ward Councillors?

(ii) A submission has been received by officers on the 30th November which shows photographs of the traffic on Dunmore Road. Copies of the submission are available for members inspection.

Officer Comment:

Downtime of the HDC website occasionally occurs. It is not a reason to delay or defer a decision on this or other planning committee items. Our understanding is that Planning Online was available until at least 5.55pm on Saturday.

Appendix A

Community Facilities – Calculation* based on the number of bedrooms:

- 1 bed - £325.00
- 2 bed - £433.00
- 3 bed - £498.00
- 4 bed - £650.00
- 5 bed - £866.00

*Contribution will be sought, subject to confirmation of what project the contribution will be spent on.

15/01438/FUL

Change of use from shop A1 to café A3,
units 2-3 Glendale House, 1 Church St,
Great Glen

15/01574/FUL	Proposal: Erection of a dwelling with detached double garage and cycle store. Land Adjoining The Rectory, Norton Lane, Gaulby
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Additional Representations

2 letters of support have been received raising the following points:

- The proposed development would undoubtedly enhance Gaulby village
- this site has always been an unsightly overgrown patch of land instantly noticeable as one pulls into the village on Stoughton Road.
- I do not believe that the proposed driveway onto Stoughton Road is a problem.
- The traffic on Stoughton Road tends to be slow as it is either leaving the village and about to go round a blind bend or has passed the 30 mph sign on the way in to the village and is slowing down to turn left into Main Street
- I can see no reasons why this application should not be approved.
- The site in question is clearly what in other planning context would simply be 'infill'.
- The village has always been short of amenities which is, of course, part of its charm, as it is a quiet backwater of Leicestershire.
- a well managed boundary hedge and trees will be much better than the ragged careless product of years of neglect.

1 letter of support from Gaulby Parish Meeting

"We were approached by Mr and Mrs Nisbet earlier this year with a view to considering their application for development of this site. A meeting was held at which the Applicants made a full and detailed presentation of their application and they answered questions raised of them in a clear and open manner. By a clear majority the meeting supported the application. As regards those in the minority who were opposed to the application I am presuming that they will record any objections or reservations that they may have direct with HDC"

2 additional letters of objection have been received from The Old Rectory and Norton Gorse raising the following concerns:

- Numerous applications of such have been made and each either declined or withdrawn - we understand for same reasons
- The main road adjacent to the site and that which site entry is proposed is an extremely busy and fast road with a high number of vehicles entering the village (on route to Billesdon and the A47) and those who exit the village (for work and schools).
- Acceptance of this proposal by HDC will give precedent for others, we included, to then justifiably propose direct access to Stoughton Road from our properties, which would again further exaggerate the materiel safety issues that result from any such proposal.
- The plot is a centre piece of the village, previously part of the former rectory. Any such development of this site would destroy the former character of this location and its impact on the village. After years of disregard the site has

basically been taken over by nature, which now adds to the character of the site.

- The village of Gaulby does not have the amenities to support on-going had-hoc development such as this and that previously proposed
- This objection together with other rejections was made at the recent parish council meeting; however details of such objections were not recorded in any meeting minutes.
- The land has tree preservation orders, a section of conservation area and a range of wildlife
- We have concerns regarding the effect the property would have on our privacy as the plot is immediately adjacent to, and at an angle to our property
- Whilst the plot is in need of management due to being neglected by the current owners, we do not feel that building on it is the solution;

In addition 1 'joint letter' has been received which include the above two properties and Oakridge. As the occupiers of these properties are unable to address Committee in person, the letter has been provided in full.

"We write this joint letter as neighbours of properties on Norton Lane in Gaulby, adjacent to the application site as we are unable to provide representation in person to the above Planning Committee meeting.

We jointly object to the above planning application, and wish to draw to the attention of the Planning Committee to the following reasons to support our view:

1) *The proposed access point is on a very busy main road used daily by heavy agricultural vehicles and used as a cut through between the A47 and the A6. Previous concerns have been made about this stretch of road, most recently at the last Parish Council meeting, where traffic calming measures were considered. We understand that previous applications for access to adjacent properties onto this stretch of road have been refused by HDC due to safety concerns, and would question why this proposal would be any different, indeed being closer to a blind junction. We therefore do not agreed with the statement regarding the proposal not affecting highway safety, as set out in Para 7.2 of Mrs Parry's report;*

2) *We understand that a number of trees within the application site are subject to Tree Preservation Orders, contrary to Para 1.3 in the report provided by Mrs Nicola Parry;*

3) *We would like to draw the attention of the Planning Committee to two further objections submitted by Mr and Mrs Monks, and Dr and Mrs Da Forno during the consultation process, which are not referenced in section 4.4 of the report from Mrs Parry. These have been re-submitted to Harborough District Council by email on 30th November 2015 for the attention of the Planning Committee;*

4) *It is stated that the site is enclosed and well-screened by mature trees. However, the trees separating the site from the neighbouring Old Rectory property and land are within the boundary of The Old Rectory. Unfortunately due to the species of tree, they are causing problems with foundations of the garage and the lawn area and so are likely to have to be removed. This will result in a significant impact on privacy from the application site to both the land and the house of The Old Rectory. Even without the removal of these*

trees, the lack of foliage on the trees around the plot prevents screening of any property that is built here, and again would impact on The Old Rectory;

5) There is significant wildlife present on the site, including muntjac deer, owls and bats which are regularly seen. We would be concerned about the effect any development of the site would have on this wildlife;

6) The report from Mrs Parry states in Para 6.3 that there is a limited bus service serving Gaulby. There is in fact no public transport serving the village, which we believe further reinforces the need for any property in the village to require the use of private cars to access local amenities.

We would respectfully request the Planning Committee to take the above reasons for our objecting to the application into consideration, in conjunction with our comments submitted online during the consultation process, as part of their decision-making at the Planning Committee on 1st December 2015"

Officer Comment

- There are no TPO's within the Gaulby settlement. A small portion of the trees are within the Conservation Area
- County Ecology has raised no objections to the application
- Gaulby is served by a Rural Rider bus service (Route 8 between Billesdon and Leicester) on a Friday

15/01627/FUL	Increase in roof height and installation of dormer windows; erection of a two storey side and rear extension; erection of a balcony to the west elevation; erection of a porch to front elevation and installation of timber cladding, Tall Trees, Mill Lane, Shearsby
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Additional Representation received:

A further 8 letters of objection have been received since the Committee report was written, including representation on the amended plans. Matters raised are:

- ~ design inappropriate for the adjacent buildings; height would dwarf adjacent properties;
- ~ proposal will “protrude above the other two bungalows and would be clearly visible on the southern approach to the village”;
- ~ contrary to CS17 c) as will intrude on the landscape;
- ~ if permitted could set a precedent which could change the character of the Conservation village;
- ~ proposal “far exceeds what was agreed in 2013”;
- ~ damage to private driveway and service pipes underneath it;
- ~ overlooking, overshadowing and loss of privacy to neighbouring property;
- ~ will dominate the area and fail to protect existing Listed Buildings.

No new matters have been raised which have not previously been addressed within the Officer’s report.

Additional Consultee response received:

County Ecology have viewed the bat survey submitted 20th November and their comments in full are as follows:

“The ecology report submitted in support of this application (Arbtech, November 2015) is satisfactory. No protected species or ecological features of note were identified, and no further action is required.”

With regard to points 6.12 and 7.2 of the report, the proposal is therefore not considered to cause harm to protected species and thus complies with CS8.

Revised condition

5) **Openings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the east elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy and to accord with Harborough District Core Strategy Policy CS11.

Planning Committee Speakers List – 1st December 2015

Speakers please note that the Council's constitution requires evening meetings to end at 9.30pm, unless the Committee votes to continue the meeting. If a meeting does adjourn at 9.30pm, remaining business will be considered at a time and date fixed by the Chairman or at the next ordinary meeting of the Committee and the existing speakers list will be carried forward.

Application no.	Parish	Speaker	Type
15/00988/FUL	Great Glen	Mark Perris Chris Woods	Applicant Agent
15/01067/OUT	Houghton on the Hill	Dr Ian Hill Michael Hopkinson Paul Swan Dr Frank Clark Simon Thodey Dr Tony Bentley	Objector Objector Objector Objector Objector Objector
15/01425/OUT	Great Bowden	Mrs J Driver Peter Mitchell John Foreman Paul Claxton Cllr Champion Cllr Knowles	Objector Objector Objector Parish Council Ward Member Ward Member
15/01342/FUL	Market Harborough		
15/01343/FUL	Market Harborough	Chris Dwan Cllr Mrs Simpson	Applicant Ward Member
15/01391/OUT	Market Harborough	Maxine Kempster Karen Rawlings Andrew Maltman Grainne Purkiss Cllr Evans	Objector Objector Objector Objector Ward Member
15/01438/FUL	Great Glen	Donna Barnett Charlotte Archer Joanne Dilkes	Supporter Supporter Applicant
15/01574/FUL	Gaulby	David Nisbet	Applicant
15/01627/FUL	Shearsby	Philip Baildon	Parish Council