

PLANNING COMMITTEE: 11th July 2023
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.

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22/00719/FUL (LFI)	Erection of 21 residential holiday lodges and a management building with associated parking, gallops and landscaping Land at Ate Farms Ltd, Moorbarns Lane, Lutterworth
22/00759/VAC	Variation of Condition 2 (private only use of stabling) of 13/00829/FUL to enable the stables, tack room and hay barn to be used by horses other than the applicant's own including horses owned by visitors staying in lodges which are proposed under planning application 22/00719/FUL)
22/00764/VAC	
22/00767/VAC	Change of use of land from agricultural to equestrian, including formation of horse exercising gallop (Variation of Condition 2 (private exercising of horses) of 14/01336/FUL to enable the land and gallops to be used by horses other than the applicant's own including horses owned by visitors staying in lodges which are proposed under planning application 22/00719/FUL)
	Variation of condition 2 attached to 15/00277/FUL. To enable the exercise arena to be used by horses other than his own including horses owned by visitors staying in lodges which are proposed under planning application 22/00719/FUL.

22/00787/FUL	Land Off Dingley Road, Great Bowden Red Lion Site - Erection of a quadrant courtyard for the purposes of providing an outdoor covered seating area, permanent retention of converted storage container for serving outdoor food and drink, and repainting of the exterior of converted storage container. Dingley Road Site - Creation of a vehicular access from Dingley Road and creation of community car-parking spaces, erection of three dwellings with associated landscaping and environmental enhancement
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5th July email from agent

Further to the notification of the above application, 22/00787/FUL, being heard at the 11th July committee meeting and the release of the associated committee report, please find attached the following supporting documents on behalf of the Applicant:

- Second Supplemental Planning Supporting Statement (SPSS), as produced by Gateley Legal,
- Proposed Car Park Areas drawing, as produced by brp architects, to be read in conjunction the SPSS

Please can these be added to the application documents and included within the list of Committee documents.

The SPSS concludes:

6. Conclusion

6.1 The Applicant does not wish further “planning by appeal” to be necessary in respect of those remaining elements of the Development which do not yet have planning permission (essentially the Dingley Road Site elements).

6.2 Whilst we write without prejudice to any argument which may be advanced on behalf of the Applicant, it remains nonetheless willing to show flexibility with a view to meeting community needs through a detailed form of development which is supported by the LPA itself if reasonably practicable.

6.3 The Application is therefore amended to propose Variant One, Variant Two and Variant Three in the alternative, in addition to continuing to propose the entire Development as previously – for the avoidance of doubt the Applicant remains of the view that the Development is a sustainable development even if Area B, Area C and Area D remain part of it.

6.4 Paragraph 38 of the NPPF confirms that local planning authorities are required through the NPPF to: “...approach decisions on proposed development in a positive and creative way...” and decision-makers at every level “should seek to approve applications for sustainable development where possible”

Local Planning Authority Response to applicant’s 5th July email.

The car parking area drawing is a significant change beyond a simple amendment to the proposals. If a reduced and/or alternative car park / *Variant One, Variant Two and Variant Three* is proposed that should be done through a separate planning application(s).

Additional Representations

1 letter received neither objecting or supporting the application for the following reasons:

Comment: This comment is about the Dingley Road site - have at it with the Red Lion.

Whilst I cannot support the new dwellings and the potentially dangerous access off Dingley Rd, Bowden is desperately in need of parking.

The village is often overrun with cars and, in my experience, this has nearly led to several dangerous incidents. This being said, I am not sure if the Red Lion really needs that many spaces? They could consider removing 5 spaces and adding further landscaping / biodiversity enhancement measures?

If this development must be done, please make sure to do it reasonably. Include permeable paving, landscaping, safe access, and an appropriate number of spaces for the appropriate people.

Report Corrections

6.39 "missing text" should have followed the previous para *The NPPF takes a similar approach, and also promotes biodiversity net gain, stating in paragraph 180 (d) that, "opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."*

6.40 - "missing text" should have read *"Biodiversity Net Gain (BNG) is now required for all development schemes by law through the Environment Act 2021, which must deliver a 10% improvement in biodiversity for at least 30 years."*

Refusal Reason Corrections

- 1) The proposed development at the Dingley Road Site will lead to less than substantial harm to the significance and setting of The Vicarage, No.11 Dingley Road and the walls and gate piers (all Grade II listed); the Great Bowden Conservation Area and the Village Hall and cemetery, both non-designated heritage assets. The harm identified to these heritage assets is not outweighed by public benefits of the proposal, including the proposed community car park. The proposal is therefore contrary to Harborough Local Plan Policy HC1, Section 16 of the Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

<p>23/00815/VAC & 23/00816/VAC</p>	<p>Erection of a quadrant courtyard for the purposes of providing an outdoor covered seating area (revised scheme of 20/01468/FUL) (retrospective) (Variation of condition 1 (car parking area and cycle storage timescales) of Planning Enforcement Notice appeal reference APP/F2415/C/21/3276444 to retain the Quadrant Courtyard without compliance with the requirement to lay out the 6 Parking Spaces within four months)</p> <p>Erection of a quadrant courtyard for the purposes of providing an outdoor covered seating area (revised scheme of 20/01468/FUL) (retrospective) (Variation of Condition 2 (car parking area and cycle storage timescales) of 20/01884/FUL to retain the Quadrant Courtyard without compliance with the requirement to lay out the 6 Parking Spaces within four months)</p>
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LCC Highways

The Applicant is seeking to vary the time frame for the provision of the off-street car parking as set out within the Appeal Decision for Appeal A in accordance with 'Site Plan - As Proposed', drawing number L316-BRP-00-00-DR-A-0402-P06. As stated above, the condition currently reads:

' (i) Within 4 months of the date of this decision the car parking area shown on Plan No L316-BRP-00-00-DR-A0402-P06 has been laid out in accordance with that Plan for 6 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.'

The Applicant is proposing to amend the wording within section (i) to:

'On or before 15th May 2025, the car parking area shown on Plan No L316-BRP-00-00-DR-A0402-P06 has been laid out in accordance with that Plan for 6 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.'

As part of the variation of condition application the Applicant has provided a 'Planning Supporting Statement', authored by Gateley Legal. This document lays out the reasons for the proposed variation of the time frame as detailed below.

The Applicant currently has a second dual site application that includes both the 'Red Lion Public House' and an area of land on Dingley Road submitted under 22/00787/FUL under consideration by the Local Planning Authority (LPA). The proposals for this scheme are as follows:

'Red Lion Site - Erection of a quadrant courtyard for the purposes of providing an outdoor covered seating area, permanent retention of converted storage container for serving outdoor food and drink, and repainting of the exterior of converted storage container. Dingley Road Site - Creation of a vehicular access from Dingley Road and creation of community car-parking spaces, erection of three dwellings with associated landscaping and environmental enhancement.'

Point 3.4 of the 'Planning Supporting Statement' states the LPA are recommending 22/00787/FUL for refusal.

Point 3.5 then goes onto state the Applicant would therefore face the prospect of a further planning appeal.

Point 3.6 states that the suggested date of 15 May 2025 is based on the time frame of 24 month for 20/01468/FUL to be considered by the Planning Inspectorate (PI). Whilst the LHA are satisfied that if 22/00787/FUL is refused by the LPA and the Applicant does appeal, a date of 15 May 2025 may be satisfactory. However, this time frame is based on a worst-case scenario relying on both matters to occur. Firstly, it cannot be taken for granted the LPA

'Planning Committee' would refuse the application. Secondly, the LHA have concerns that if for instance 22/00787/FUL was to be refused by the LPA, it could not be guaranteed the decision would be appealed.

The suggested worded condition is open ended and does not expressly oblige the Applicant to provide the off-street car parking until the end date. The LHA would expect to see the off-street car parking provided at the earliest opportunity. The Applicant may wish to amend the revised timescale to an earlier date, although the LHA appreciate this may require a further Variation of Condition application. Based on the above, the LHA object to the variation of condition 1 of appeal A attached to 20/01468/FUL (Appeal Decision Ref: APP/F2415/C/21/3276444).

Additional Representations

2 objection comments from 2 separate households received (same comments provided on both VACs):

I object to the application to delay the reinstatement of car parking and cycle storage on the basis that this is needed at the Red Lyon in order to reduce the congestion on Main st and adjoining roads when persons are using the pub/ restaurant/outside & inside eating areas, particularly during peak trade periods.

In terms of the planning officer suggesting there is no congestion on main st as a result of pub trade I beg to differ as every Friday, Saturday and Sunday both sides of the street are fully parked up, with vehicles spilling onto Langton rd making it truly impossible for vehicles to pass through safely or pull onto or off manor rd onto main st.

The congestion is totally unacceptable and I am sincerely concerned that there will be a serious accident on main st/corners of as a result of there being no parking available at the Red Lyon, hence my reason for objection.

With regards to the applicant stating that the 6 parking spaces/ cycle storage, will necessitate the removal of the large hedge. Might it be prudent for a spacial specialist acceptable to both the applicant and those opposing the plan to review the space available to determine if it is possible to deliver on the said parking & disabled access to toilets whilst retaining the hedge. Retention of the hedge would clearly be consistent with the village being a conservation area.

I wish to object to the granting of this application, which is scheduled to be determined at the committee meeting on 11th July 2023.

As a long term resident of Main Street, living directly opposite the Red Lion, I regularly experience the parking and traffic problems and dangers caused by the total loss of all the parking at this establishment which was present when the establishment was registered as an asset of community value (and operated with a much reduced number of covers. The reinstatement of the 6 spaces contained in the original plans for this site would make a small but material difference to the current situation.

On a regular basis I see cars parked on all four corners of the junctions of Main Street with Langton and Manor Roads and Gunnsbrook Close. Also frequently seen are drives blocked and large vehicles making a hazardous journey between two lines of parked cars. Near misses are common not to mention delays to public transport and the risk that emergency service vehicles would not be able to easily access my home or the other properties. At busier periods when returning to my home I have to seek parking further away – a problem not experienced at all when the pub had its own parking.

The applicant, in seeking a two year delay in implementing the conditions imposed by the planning inspectorate cites the hope that his other dual site application will alleviate the

problem for Main Street Residents. Given that visitors to the pub are not prepared to park safely in neighbouring roads preferring instead to block drives and park on dangerous corners there is no way that they will drive to the other side of the village, park and pay and then walk back to the pub. If they will not walk 50 meters from a safer parking spot there is no chance they will walk the 250 meters to use the new car park – were it to be approved. Human nature does not operate like that.

I do not believe that the reinstatement of the six spaces would necessitate the removal of the hedge. Cars entered and left this site in forward gear for many ,many years. Yes, wheelchair users need to access the disabled lavatories through the car park, but I believe with careful signage for motorists the few occasions this happens would not be a problem. All other customer could enter and leave the site through the pub itself as they have always done.

The hedge is a valuable amenity in screening residents and other villagers from the noise and light pollution that increased use of the garden generate. It also hides the ugly structure which contains the pizza oven, storage and serveries and for which no planning permission has yet been sought. It feels that loss of the hedge is a kind of threat to objectors. I am certain that a car parking consultant – instructed by agreement between both the council and the applicant could verify that safe parking and access to the disabled lavatories can be obtained without is removal.

I therefore hope that this application will be refused.

21/01848/FUL	Change of use of agricultural/grazing land to a single traveller pitch for the siting of a static caravan, touring caravan, and installation of hardstanding, and the erection of a day room (part retrospective) Walkers Stables, Hungarton Lane, Keyham
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Additional condition re landscaping proposed:

* All soft landscaping shown on plan submitted on the 8th November 2021 titled "Landscaping" shall be carried out in the first planting and seeding season following the completion of the development. Thereafter, all shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any hedge planting which, within a period of five years from completion of the development, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

REASON: To ensure a satisfactory landscaped setting for the development and to accord with Harborough Local Plan Policy GD5"

23/00505/FUL	First floor extensions to side and rear to create a new (additional) first floor apartment, and relocation of external staircase Great Glen Post Office, 11 Stretton Road, Great Glen
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23/00709/FUL	Change of use of land and installation of condenser unit. Harborough Market Hall, Northampton Road, Market Harborough Leicestershire
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