

PLANNING COMMITTEE: 14th May 2013
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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13/00102/FUL – Land Rear Of 8-28 High Street, Kibworth Beauchamp, Leicestershire	Erection of 13 dwellings and associated garages, parking and landscaping. Land Rear Of 8-28 High Street, Kibworth Beauchamp, Leicestershire
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INFORMATION

Agent confirmed Arboricultural Method Statement submitted for discharge of condition application is also relevant to this proposal.

Further amended plans have been received (Amendment B): A revised 'External Works and Private Drainage Layout' plan amends access details to show the retention of an existing boundary wall in the ownership of 4/6 High Street. A materials plan confirms which materials are proposed for the dwellings.

CONSULTATIONS/REPRESENTATIONS (responses summarised. See file for full details)

Representations:

A petition/letter has been received with respect to amended plans (Amendment A) on behalf of 6 properties on Morrison Court (numbers 54, 56, 57, 58, 59 and 60). It includes the following concerns:

- Object to creation of dormer bungalows at plots 11 and 12
- Moving plot 12 a mere 900mm will make very little difference to the overbearing impact on our homes
- For original consent (11/01446/FUL) case officer was adamant only 1 single storey bungalow was to be built on the plot. We now have 2 one and a half storey dormer bungalows even closer to our homes. The height of which is the same as some 2 storey dwellings
- Even with hipped roofs would still be overbearing and would invade privacy due to the 1.6 metre level difference.

Further objections have been received from the owner of 4/6 High Street concerning ownership issues. It is suggested that the revised external works and private drainage layout plan submitted repositions the flats approved under 11/01446/FUL to accommodate the access adjacent to the boundary wall. Objections/concerns raised also include:

- Revised plan totally at odds with previous. Cannot place reliance on plans as keep changing
- Are LPA and Highways satisfied plan accurate?
- No verge and concern regarding impact on wall
- Can LPA confirm location of flats consistent with 11/01446/FUL. Were those plans accurate?
- Plan inaccurate, insufficient width for access to correct standard
- 11/01446/FUL not valid
- Have asked developer for accurate drawings. Queries stem from conversation with developer regarding proposal to take down and re-position wall
- Until there is total and unequivocal proof in this matter I feel it is wholly incorrect for this to go to your planning committee with a recommendation for consent.
- I am being forced here to protect my position and do something which, with respect, is the job of the Local Planning Authority and I again reserve my position wholly on costs and to have this submitted for Judicial Review as may be appropriate. I ask that the matter be deferred until a proper and full investigation is held.
- The 90 degree highways splay has been reduced [plans attached to demonstrate].
- Have LCC Highways agreed to this relaxation of standards against the original consent given the visibility issues along Weir Road and the huge debate from other local residents at the original application on highways issues and vehicle movements?
- Is there correspondence from LCC Highways department confirming this is acceptable?

Cllr Holyoak

Email received querying re-positioning of wall shown in application (see file for details).

Agent's response to Ownership Concerns

Various emails including the following points:

As you can see from the drawing, the road is to be constructed without disruption to the boundary wall, causing no issues regarding ownership.

We consider that the position of the building [flats approved under 11/01446/FUL] is as accurate as possible given the original application was based on OS information and the current scheme is based on more accurate survey information.

Please note, as part of the technical approval of the highways access the footpath has nominally increased in width.

We trust this resolves any issues and illustrates that we can deliver the scheme proposals within our clients ownership boundary and in conformity with the planning permission.

Officer Note: A plan has also been submitted showing a comparison between the plan approved under 11/01446/FUL and the current proposal.

Highway Officer Comments on Amendment B plan (External works and private drainage layout 20538_02_105 Rev. F)

I remember this site from a few years back. I can see no problem at all with what is submitted, all of the works are clearly within the application site boundary and as the agent says will not impinge on the boundary wall. The green line boundary appears to tally with our

records and what is on the ground. Clearly if the works do undermine the boundary wall that will be a legal matter between the land owner and the contractor.

LCC Forestry Officer

Submitted Arboricultural Method Statement and tree protection plan satisfactory. Condition should be imposed to ensure the development is in accordance with the ground protection and no dig zones shown in the tree protection plan.

Kibworth Beauchamp Parish Council

Will comment after meeting on 28th May. Due to bank holiday Cllrs have not been able to meet in the timescale.

Cllrs have exchanged views electronically and concerns raised include:

- Plots 11 and 12 would significantly alter quality of amenity to the rear of properties on Morrison Court
- Fence irrelevant as could be removed. Key issue is window to window distance. Shows 12.5 HDC standard is 21 metres.
- If the Owner of Lantern House (4) High St. was not notified of application affecting his land/wall/trees ask whether application is invalid. Raises question of safety of original consent
- Removal/relocation of wall requires Listed Building Consent. Wall affords protection to trees so should be afforded protection within the Conservation Area
- Would retention of wall reduce access unacceptably?
- Implications of separate application 13/00638/LBC on suitability of road junction cannot be ignored.
- Request if possible decision delayed until after 28th May 2013.

OFFICER COMMENT

In response to concerns regarding land ownership and plan accuracy, the agent has confirmed the original consent is based on OS plans, which appear not to tally with the situation on the ground. This application is based on a topographical survey and the revised plan confirms the access could be accommodated adjacent to the wall at 4/6 High Street. The Highway Officer has commented on the revised plan (20538_02_105 Rev. F) and considers it acceptable. Officer's do not recommend a delay to the decision with regards to this issue. Notwithstanding that issues of land ownership are not a material planning consideration, it has been confirmed that the application does not involve works to land (or the wall) in the ownership of 4/6 High Street and therefore the correct notice has been served. It has been noted that the position of the approved flats appears different in the current application to the approved plan. The agent has provided a comparison plan and confirms:

We consider that the position of the building [flats approved under 11/01446/FUL] is as accurate as possible given the original application was based on OS information and the current scheme is based on more accurate survey information.

In any case the flats are outside the site area for the current scheme and their development prior to the occupation of the market housing would be secured by legal agreement.

It has been suggested that permission 11/01446/FUL is invalid, however the application was approved in good faith. A permission may be promptly challenged through the courts, however the permission remains extant at this time and is a material consideration..

RECOMMENDED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. REASON: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. This consent relates to the application as amended by revised plan no. 2862-01 Rev. N, 2862-08 Rev. D, 2862-17B, 20538_02_105 Rev. F and 2862 803 Rev. A attached to and forming part of this consent. REASON: For the avoidance of doubt.
3. The development hereby permitted shall be constructed entirely of the materials as detailed in plan 2862 803 Rev. A and the Materials Specification (2727-900) and in the email from James Walch received 13/05/13 at 17:42 which confirm materials for plots 11 and 12. REASON: In the interests of visual amenity and the character and appearance of the area and to accord with the Harborough District Council Core Strategy Policy CS11.
4. No development shall commence on site until details of the existing and proposed ground levels and finished floor levels of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and shall be retained in perpetuity. The finished floor levels of plot 11 and 12 shall be as shown on plan: 2862 – 17 Rev. B. The position of plots 11 and 12 are approved as shown on plan 2862 -01 Rev. N. REASON: In the interests of visual amenity and the character and appearance of the area and to accord with the Harborough District Council Core Strategy Policy CS11.
5. Prior to the commencement of development, the mud wall along the West boundary shall be protected as detailed on plan: 2862 – 16. The protection measures shall be maintained throughout the course of development on site. REASON: To ensure that no damage is incurred to the historic fabric of the wall and to accord with Harborough District Core Strategy Policy CS11.
6. No development shall commence on site until full details of the means of foul and surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and retained in perpetuity. REASON: To ensure the satisfactory drainage of the site and to accord with Harborough District Core Strategy Policy CS10.
7. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
 - (a) details of any trees and hedgerows to be retained, together with measures for their protection in the course of development;
 - (b) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
 - (c) means of enclosure;
 - (d) hard surfacing materials;
 - (e) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc;
 - (f) programme of implementation

Thereafter the development shall be implemented fully in accordance with the approved details and retained in perpetuity. REASON: To enhance the appearance of the development in the interest of the visual amenities of the area and to accord with Harborough District Core Strategy Policy CS11.

8. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development, whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years from the date of first occupation 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features and to accord with Harborough District Core Strategy Policy CS11.
9. No development shall commence on site until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and shall be retained as such in perpetuity REASON: In the interests of the establishment and management of the landscaped areas and to accord with Harborough District Core Strategy Policy 11.
10. The development shall be carried out strictly in accordance with the Arboricultural Method Statement by The Tree and Woodland Company, March 2013. Ground protection and no dig zones shall be as detailed in the Tree Protection Plan at Appendix 3 to the report. REASON: To ensure that proper steps are taken to safeguard the trees during the course of development and to accord with Harborough District Core Strategy Policy CS11.
11. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
 - a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - e) wheel washing facilities;
 - f) measures to control the emission of dust and dirt during construction;
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - h) measures for the protection of the natural environment;
 - i) hours of construction work, including deliveries; and
 - j) measures to control the hours of use and piling technique to be employed

has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the

- risks of pollution and dangers to highway safety, during the construction phase and to accord with Harborough District Core Strategy Policy CS11.
12. No development shall commence on site until the applicant has secured the implementation of a programme of trial trenching in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition and shall be retained as such in perpetuity. The archaeological works shall be carried out by a suitably qualified body acceptable to the Local Planning Authority. REASON: To ensure satisfactory archaeological investigation and to accord with the Harborough District Council Core Strategy Policy CS11.
 13. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 12 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured. REASON: To ensure satisfactory archaeological investigation and to accord with the Harborough District Council Core Strategy Policy CS11.
 14. The gradient(s) of the access drive(s) shall not exceed 1:12 for the first 10 metres behind the highway boundary. REASON: To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety and to accord with Policies CS5 and CS11 of the Harborough District Core Strategy.
 15. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway and thereafter shall be so maintained. REASON: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users and to accord with Policies CS5 and CS11 of the Harborough District Core Strategy.
 16. Before first use of the development hereby permitted the access drive and any turning space shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and shall be so maintained at all times. REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) and to accord with Policies CS5 and CS11 of the Harborough District Core Strategy.
 17. The existing close boarded fence (except at the point of access) separating the site from properties on Weir Road and Morrison Court shall be retained in perpetuity. REASON: To safeguard residential amenity and to accord with Harborough District Core Strategy Policy CS11.
 18. The development hereby approved shall be implemented in accordance with the approved mitigation measures detailed in the Ecological Survey (RSK, February & July 2011). REASON: In the interests of wildlife and nature conservation and to accord with Harborough District Core Strategy Policy CS11.
 19. The car parking and any turning facilities shown within the curtilage of each dwelling shall be provided hard surfaced and made available for use before the dwelling is occupied and shall thereafter be permanently so maintained. REASON: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area and to accord with Harborough District Core Strategy Policy CS11.

20. No soft landscaping (i.e. plants, trees, hedgerows) shall be allowed to grow above the retained 1.8m fence separating Plots 11 and 12 from the properties in Morrison Court (No.s 56 to 59). REASON: To safeguard the living conditions of adjacent occupiers and to accord with Harborough District Core Strategy Policy CS11.
21. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of the same size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority. REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity accord with Harborough District Core Strategy Policy CS11.
22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, C or E shall take place on the dwellinghouse(s) hereby permitted on plots 1, 2, 3, 11 and 12 or within their curtilage. REASON: In the interests of residential amenity and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements and to accord with Harborough District Core Strategy Policy CS11.
23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows (including dormer windows and rooflights) doors or other form of openings other than those shown on the approved plans, shall be inserted to the dwellings approved on plots 11 and 12. REASON: In the interests of residential amenity and privacy and to accord with Harborough District Core Strategy Policy CS11.

NOTES TO APPLICANT

1. You are advised that this proposal may require separate consent under the Building Regulations and that no works should be undertaken until all necessary consents have been obtained. Advice on the requirements of the Building Regulations can be obtained from the Building Control Section, Harborough District Council. As such please be aware that according with building regulations does not mean that the planning conditions attached to this permission have been discharged and vice versa.
2. This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the XXXX.
3. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager .
4. Some conditions may duplicate material already submitted. In those cases the Local Planning Authority will endeavour to agree details as soon as possible in accordance with the aims of 186 and 187 of the Framework.

13/00182/FUL - Land OS 4400, Welford Road, Knaptoft, Leicestershire	Erection of a 79m wind turbine and associated works,
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REVISED WORDING TO RECOMMENDATION

For clarity it is recommended the wording of the recommendation be altered to:

REFUSE after the consultation period expiring 17th May 2013, subject to no new material considerations arising during the consultation period, for the following reason.

CONSULTATIONS/REPRESENTATIONS (responses summarised see file for full details)

Additional representations received on behalf of 2 households: One letter of support and one letter of objection. Issues raised include:

- Accumulation of turbines. We can see 23 x 125 metre turbines from our garden [Hill Top Farm, North Kilworth] in addition to 4 smaller turbines.
- HDC has inadequate policy for turbines.

North Kilworth Parish Council:

Given that the site for the proposed 79m high wind turbine is in a particularly prominent position and will be visible for some miles they feel that the application should be refused. They consider that the proposal by virtue of its size, siting and design and prominence would appear to be contrary to policies CS9, CSE 11 and CS17 of the Harborough District Core Strategy. They also consider that building within the countryside of turbines of this size should be resisted. They also note that there is no policy within the Core Strategy to prevent applications of this nature. The site is situated within the Laughton Hills and Lutterworth Lowlands landscapes and would detrimentally affect the nature of the area.

County Ecologist

The documents submitted with the planning application indicate that the turbine has been sited in accordance with national guidance from Natural England (Technical Information Note TIN059 – Bats and single large turbines) in that no part of the turbine will be closer than 50 meters to a hedgerow. However, I am unable to find a reference to the precise turbine location in the documents (and am unable to print to scale in order to measure this). I would therefore recommend that, prior to granting permission, the planning authority ensure that the turbine is sited in a manner so that no part of the turbine is within 50 meters of a hedgerow. The Natural England Guidance Note TIN051 (Bats and onshore wind turbines) provides a formula to calculate the required distance between the turbine base and the hedgerows. The Natural England guidance indicates that a bat survey will not be required, provided the turbine is sited in accordance with these requirements.

We note from the report that the ponds in the vicinity of the site were considered to be of 'below average' potential to support great crested newts. Further survey will therefore not be required. The bird surveys completed recorded a range of commonly found species in numbers typical for the area. The site therefore does not appear to be of great value for birds. A badger sett was found within the wider area, however, this was over 30 meters from the proposed turbine location and is unlikely to be impacted by the development.

OFFICER COMMENT

No comments have been received to date from English Heritage or the Environment Agency. Those consultations expire 14/05/13. In addition no comments have been received to date from the County Archaeologist (consultation expired). Officers do not recommend delaying a decision as this would not be considered to accord with the aims of 186 and 187 of the Framework.

The consultation to the Ministry of Defence expires 17th May 2013. This is reflected in the recommendation. No comments have been received to date.

13/00211/FUL - Land At Leicester Road, Fleckney, Leicestershire	28 dwellings and associated works, Erection of two retail units,
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REVISED RECOMMENDATION

Delegate to approve subject to no environment Agency objections.

OFFICER COMMENT:

Correction in report under Section 106 section–Affordable Housing 5 rent and 3 Intermediate housing.

ADDITIONAL REPRESENTATIONS:

Environment Agency's response:

await additional information in respect of the modelling work to the watercourse, for information purposes at this stage inform you of the "other" comments from the Environment Agency consultees- subject to condition relating to Water Framework Directive Assessment. Plot 6_in respect of a safe distance from the watercourse for this plot, firstly it must not be within the floodplain, secondly if the watercourse was "main river" (which it isn't) we would ask for 8 metres clearance. As this watercourse is non main river, responsibility for maintenance to it is the responsibility of the riparian owner and the Lead Local Flood Authority (Leics. County Council).

LCC Local lead Flood Authority:

Observations - LCC now has responsibility for consenting working on ordinary watercourse and they would like to emphasise our wish to maintain the watercourse through the site on its natural line.

Correspondence between EA and Applicants Drainage Consultants:

Lea Favill

EWE Associates Ltd

Sent: 14 May 2013 12:20

I have read the email forwarded to you from Geoff at the EA.

EWE Associates Ltd initially undertook a flood risk assessment which included river modelling which was approved by the EA. Following this the layout was amended and a watercourse diversion added to the scheme. As such, EWE forwarded the proposed scheme to the EA for approval in principle. The EA responded on the 19th February 2013 with the attached letter which gives approval in principle to the works with several conditions including river modelling.

Following this EWE was instructed by Bellway Homes to revise both the modelling and FRA for a 28th February 2013 planning application submission. The works were completed to schedule.

Following this a response dated 5th April 2013 was received from the EA requesting the digital model. Unfortunately I had gone on leave and was unable to forward the modelling files until 30th April 2013.

I have just spoken with David Towle at the EA who has confirmed that the modelling review will be completed by an EA modelling specialist located in Birmingham. I commented that during the original application several issues such as flows estimates, modelling scenarios

and blockage analysis were agreed with the EA. Subsequently the latest model simply changes six cross sections within the site to suit the new channel diversion. The cross sections have been sized to ensure that the works do not increase flooding either upstream or downstream of the site. The new model uses the criteria original set by the EA within the original submission. As such, there shouldn't be any major issues with the new model.

David commented that he would be chasing the modelling specialist during today in order to resolve this issue.

I trust this clarifies the situation.

Platts, Geoff Environment Agency
Sent: 14 May 2013 09:09

We requested modelling information for the diversion of the watercourse from the applicants drainage consultants on 19th February 2013. The modelling information was sent to my e-mail account whilst I was on annual leave (30/4/2013) and so re-mained un actioned until 7th May 2013 (day after bank holiday). The modelling information is currently being re-viewed. The previous modelling information was subject to several re-consultations before we were "content" with the findings and so you can see that it will not be a quick job to approve it and certainly not by today.

At present therefore we are unable to quantify the risk of flooding to the site and would suggest that you defer making a decision until we are better able to inform you on flood risk to this site and to others elsewhere, sorry.

S106 Contributions:

Maintenance contribution to on-site open space: £24,455.00 per 500sq.m. (pro ratad)

Enhancement off site:

Parks and gardens: £5,600.00

Sports facilities: £51,940.00

Amenity Greenspace: £4,480.00

Children and young people: £2,380.00

Allotment: £1,330.00

Cemeteries and Burial grounds: £5,534.20

1 letter of objection-obs. As in the report.

AMENDMENTS TO CONDITIONS:

Condition 3 revised and additional plans planning layout 12053-500C-C, Site section 12053-503; Street scene 12053-501Rev A; Housetypes 12053-511A; 12053-512A; 12053-520A; 12053-521A; 12053-524A; 12053-526A; 12053-528A; 12053-529A; 12053-530A; 12053-531A; 12053-532A; 12053-533A.

Condition 20

No development shall take place until a Water Framework Directive (WFD) Assessment of the impact of the proposed watercourse diversion has been completed and demonstrated that the scheme will not cause any deterioration in the status of the waterbody. The WFD Assessment should consider:

- the impact the works will have on river channel hydromorphology, physiochemistry and biology lending consideration to each of the quality elements in turn;
- whether the work will result in a deterioration of the ecological status of the water body as a result of the diversion;

- both local and wider effects of diverting the watercourse, including cumulative impacts throughout the receiving water body;
- both immediate and long-term impacts of the diversion on the above quality elements;
- appropriate mitigation measures to prevent local (and wider, if appropriate) degradation (e.g. by way of providing a more natural and stable channel form, i.e. less acute meanders removing the increased risk of sedimentation or any future requirement for channel modification), of the watercourse.

The Assessment should be submitted to and agreed in writing by the local planning authority and implemented as approved. Thereafter the development shall be implemented in accordance with the mitigation measures agreed.

Reason

The River Sence from Burton Brook to Countesthorpe Brook water catchment (ref GB104028046620) as illustrated by the Humber River Basin Management Plan (HRBMP), has been designated under the HRBMP as being at Moderate Ecological Status. Under the Water Environment (WFD)(E&W) Regulations 2003 we are required to prevent deterioration of this status and achieve Good Ecological Status (GES) in this catchment by 2027.

These proposals involve the diversion of a 115m length of ordinary watercourse within the above catchment, which could have a damaging impact to the hydromorphological, physiochemical and biological WFD quality elements of the watercourse locally and to the receiving waterbody downstream. The proposed channel design has poor morphology, due to the acute angled meanders, which will likely lead to erosion during high flows and the increased mobilisation of sediment downstream. It's highly likely that engineering solutions will be required to prevent this where none currently exist.

Regulation 17 of the Water Environment (WFD)(E&W) Regulations 2003 places a duty on each public body including local planning authorities to 'have regard to' River Basin Management Plans (RBMP's), in this instance the HRBMP. Further, paragraph 2 of the National Planning Policy Framework (NPPF) states planning policies and decisions must reflect and where appropriate promote relevant EU obligations and statutory requirements. It also identifies RBMPs as a source of evidence (para 165). In legal terms, the WFD applies whether or not national planning policy refers to it and is a material consideration for a planning decision.

13/00281/FUL - Travellers Site, Bonehams Lane, Gilmorton Leicestershire.	Change of use of land for the siting of 5 traveller pitches to include ancillary works and buildings.
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National Policy Consideration: Planning Policy for Travellers Sites (March 2012) forms the overarching policy guidance.

Revise Condition 8 to reflect this:

This site shall not be used by any persons other than gypsies and travellers as defined in paragraph 1 of Planning Policy for Travellers Sites March 2012.

Revise wording to conditions 10 and 14 to allow works on new site to take place and families to move in prior to highway works commencing (thus meaning they will not need to be temporarily re-sited). A 3 month period after occupation is considered reasonable.

Thus condition 10 will read:

“Within 3 months of the occupation of the new site the off site highway works, off site highway works to provide carriageway widening and consequential works shall be provided as generally shown in the submitted details (Dwg No:- 2012.4273.11A). The detail in this drawing may be subject to change at the technical approval stage of the S278 process under the Highways Act 1980.

Condition 14 to read:

Within 3 months of the occupation of the new the existing site use shall permanently cease and the measures outlined in the Design and Access Statement implemented and retained thereafter in perpetuity

Further letter from Marrons in behalf of occupiers of Holt Farm

Refers to lack of landscaping on Northern boundary and requirement for 4m high bund. CC own land and are prepared to make it available and tenant farmer prepared to construct at own expense if Applicant will plant it.

13/00328/CLU - Mowsley Hills Farm, Theddingworth Road, Mowsley.	Certificate of Lawfulness of Existing Use of building as a single dwelling house with associated residential curtilage
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A further letter of objection received from local resident:
Objects strongly and refers to non-payment of Council tax and breach of planning.

Parish Council:
Further strong objection reiterates points previously made.
Concerns that Council tax not paid and recommendation made prior to expiry of consultation
(now expired).

Applicant has responded to objections made and disputes some of information put forward.
Reiterates statements made as part of the application.
Council tax now paid by current tenants and has no control over previous tenant's finances.
Refers to postal delivery issues.
States there has never been any attempt to disguise occupation.

Planning Committee Speakers List – 14th May 2013

Application No.	Parish	Speaker	Type
13/00102/FUL Page 1	Kibworth	Mrs Cockerill Mr Peter Leverett Mr M Williams Cllr Holyoak	Objector Objector Applicant Ward Cllr
13/00135/VAC Page 13	Shearsby	R H Dahm Mrs Vann	Objector
13/00182/FUL Page 19	Knaptoft	Roz Ousey Mr Youngjohns Mr Paul Latham	Parish Parish Parish
13/00185/FUL Page 38	Fleckney	James Phillips	Applicant
13/00211/FUL Page 43	Fleckney	Bellway Homes Liam Whelan Chris Huffadine Stuart Pryor Oliver Bennett Peter Leigh John Flower Alan Birch	Supporter Objector Objector Objector Objector Not Known Parish Ward Cllr
13/00245/FUL Page 64	Shearsby	Mrs M Jeffery Mrs Vann Mr J Edwards	Objector Objector Agent
13/00281/FUL Page 72	Gilmorton	Elizabeth Green Adam Jacobs obo Framework	Supporter
13/00328/CLU Page 82	Mowsley	Roz Ousey Fiona Stait Mr R Holyland	Parish Objector Applicant