

**REPORT TO THE PLANNING COMMITTEE
MEETING OF 5th April 2022**

Status: For comment

Title: To adopt the Terms of Reference for the review of the implementation of the Local Planning Authority (LPA) approved landscape plan, at Hursley Park, Great Bowden

Report of: David Atkinson – Director of Planning and Regeneration

Portfolio Holder: Cllr J Bateman, Planning and Regulatory Cabinet Member

Where from: Harborough District Development Management Team

Where to next: Planning Committee

1. Outcome sought from Committee

- 1.1 The purpose of this report is to request the Committee adopt the Terms of Reference for the review of the implementation of the Local Planning Authority (LPA) approved landscape plan, and any approved associated Landscape Management Plan (LMP) relating to the Mulberry Homes development at Hursley Park, Great Bowden: planning reference 15/01801/OUT & 16/02083/REM and for the Planning Committee to note them.

2 Recommendations

- 2.1 That Planning Committee adopt the Terms of Reference set out at paragraph 4.1 in the report to establish the extent to which the approved detailed landscape plans for Hursley Park have been implemented.**
- 2.2 That a report arising from the review of the implementation of the approved landscape plans at Hursley Park, Great Bowden be brought to Planning Committee for consideration as soon as possible.**

3. Summary

- 3.1 At its meeting on the 15 February 2022, the Planning Committee Chair presented the following statement:

'Due to deep seated and long-standing concerns from residents regarding the Hursley Park site in Great Bowden, relating particularly to the Landscape Management Plan, it's state of completion and levels of enforcement. I would ask that this committee agree to commission a root and branch report from the planning department relating to the Landscape Management Plan.'

Terms of reference for this report are to be decided but will encompass compliance, enforcement, processes, procedures, conclusions, and any actions required.

The report will then come back to this committee at a later date for consideration'.

- 3.2 The following evening on the 16 February 2022, a public meeting was held between residents of Hursley Park, Ward Members, the local MP and officers of the Council. The major concern expressed by residents was the paths on the park itself, in that they should tarmac with concrete edges as approved on planning landscape plans but have instead been installed with limestone gravel with wooded edges. The residents advise that the change in path material will require considerable maintenance and cost to the residents who now are responsible for the management of Hursley Park. Further concerns also expressed was the lack of the approved wildflower meadow.

4. The Terms of Reference

- 4.1 The purpose of the review is to establish the extent to which the approved detailed landscape plans (Detailed Landscape Proposals P16-0864_05C, 06C, 04B, 07B of 16/02083/REM), specifically approved Landscape Plan Ref P16-0864-05C and 06C (The Landscape Plans), have been implemented. The Planning Committee is asked to adopt the following Terms of Reference for this review:
- a. To investigate if the Landscape Plans been implemented effectively with specific regard to the installation of the pathways.
 - b. To determine if the change from tarmac paths (as specified in the Landscape Plans) to a gravel surface was appropriate.
 - c. To review and determine if the process undertaken by which the surfacing of the pathways was changed from tarmac to gravel was compliant with the requirements set out in the Equality Act 2010.
 - d. To evaluate the approach taken to ensure the delivery of wildflower meadows was appropriate and robust.
 - e. To formally assess if the planning compliance approach been appropriate and proportional.

5. Financial Implications

- 5.1 There are costs involved in the appointment of consultants to complete the independent review of The Landscape Plans, these will be met from within the currently approved budget. There are also potential legal costs should the Council seek a legal opinion on the outcome of the review, these would be within budget in 2022/23 when this legal opinion would be sought.

6. Legal Implications

- 6.1 By conducting a thorough review of this matter it is intended that the ability of the Council to examine its decision-making process and transparency will be demonstrated thereby enabling this long-standing matter to be concluded.