

PLANNING COMMITTEE: 8 November 2011
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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11/00117/OUT – LUTTERWORTH William Davis Ltd	Residential development with associated infrastructure, public open space and provision of vehicular and pedestrian access (outline application with all matters reserved for subsequent approval), land north of Bill Crane Way.
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ADDITIONAL REPRESENTATIONS:

Amendments to the Conditions are proposed, as follows

Condition 3 is amended to state:

The development hereby approved shall be carried out generally in accordance with the plan "Indicative Site Layout B" (Drawing Ref: 10-116 SK09). Reason:- To ensure a satisfactory form of development that mitigates impact on the character and appearance of the countryside and the Conservation Area settlement of Bitteswell and to accord with Policies IN/1, EV/5, EV/11 and EV/16 of Harborough District Local Plan and the aims and objectives of PPS1 'Delivering Sustainable Development', PPS3 'Housing' and PPS5 'Planning for the Historic Environment'.

Former Condition 15 (Landscape Management Plan) is deleted as this is a duplication of Condition 8.

Former Condition 17 (Archaeology – Written Scheme of Investigation) is deleted as this is superfluous to Condition 15 (formerly Condition 16 in number order).

Small amendments to other Conditions are proposed to improve wording, grammar/punctuation and policy references.

Informative Note 8 should refer to Condition 16 rather than Condition 20.

11/00804/FUL – COTESBACH Mr N Toms	Change of use of land from paddock/field to residential garden and erection of detached garage, Gamekeepers Cottage, Main Street.
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ADDITIONAL REPRESENTATIONS:

(1) **Revised site location plan** received, clarifying the red line and extent of the proposed residential curtilage

(2) **Representation received from applicants** Mr & Mrs Toms, in lieu of verbal representation at Planning Committee. Issues raised include:

i. Mrs Toms spends much time working from home; this has increased since the arrival of one children, with a second expected by end of 2011. The study (to be provided in existing outbuilding) would respond to the growing need of Mrs Toms' professional practice.

ii. One of the applicants' cars has been vandalised since they moved to Cotesbach; a visitor's car at their property has also been vandalised, and an immediate neighbour has also been victim of car crime

iii. This proposal would not set a precedent, because two key elements are the desire to facilitate the repair of the listed outbuilding, and the fact the land is described as being part of the domestic curtilage in the 1887 and 1904 OS maps. *[Officer comment: The proposed garage is not essential to ensure the repair of the listed outbuilding, and only part of the land (proposed for change of use) was part of the dwelling's domestic curtilage on the 1887 and 1904 OS maps.]*

iv. There is nothing within policy which requires development to provide a "public benefit". *[Officer comment: The role of the planning system is to regulate the use and development of land in the public interest. Whether there is a public benefit to granting this application is a material consideration that – potentially – could be considered to outweigh the harm caused. However, the officer's report to Planning Committee sets out why there are no public benefits to this proposal.]*

The remaining points raised by applicants have also been made by either their agent Mr Stewart or Cllr Everett, and are analysed in the officers' report to Planning Committee.

(3) **Representation received from neighbour** (Farmview); issues raised include:

i. Cllr Everett has been to the site, but did not inform neighbour prior to this visit. Neighbour therefore telephoned Cllr Everett to discuss the latter's reasons for supporting the application.

- ii. Cllr Everett has not viewed application site from neighbour's property, and thus cannot have made a fully informed assessment; his views should therefore be disregarded by the Planning Committee
- iii. Cotesbach Parish Council cannot remember the police having raised security as an issue; indeed no cars have been stolen in the long term memories of some long term village residents.
- iv. There is space in the applicants' back yard for another garage.
- v. To grant permission would set a precedent for future development in the village, because other applicants would delve into their property history to support their planning application.

(4) Amended wording for Refusal Reason:

The proposed change of use would cause detrimental harm to the character and appearance of the countryside, and would thus be contrary to Policy EV/5 of the Harborough District Local Plan, Supplementary Planning Guidance Note 17 'Garden extensions', and PPS7 'Sustainable development in rural areas'.

(5) Comments from Mr Bob Woollard, Associate, Capita Symonds:

Photographs supplied of the application site.

Considers that the planning officer has misinterpreted the intent of Policy EV/5 and PPS7: "The fact that this small area of land is currently undeveloped does not automatically mean that the character of the countryside is harmed through the proposal..." *[Officer comment: The Planning officer has not misinterpreted Policy EV/5 and PPS. The harm is not automatically caused, but because harm has been identified the proposal conflicts with those policies. To quote from the officer's report:*

The proposed change from countryside to domestic garden curtilage would cause significant harm to its character and appearance, by reason of both the erection of the garage and the change in the appearance of the land in question that would result from its inclusion in the domestic curtilage.

The proposal would result in the loss of the open and undeveloped character of the land in question, and the proposal – both the change of use and the erection of a garage – would therefore conflict with Policy EV/5 (2) of the Harborough District Local Plan, PPS7, and SPG17.]

The remaining points raised by Mr Woollard have also been made by either the applicants, their agent Mr Stewart or Cllr Everett, and are analysed in the officers' report to Planning Committee.

11/01080/OUT – THURNBY Jelson Ltd	Erection of up to 128 dwellings (means of access to be considered), open space OS 123, Pulford Drive.
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ADDITIONAL REPRESENTATIONS:

20 further letters from 16 additional addresses raising similar issues to those already reported plus the following: 31) HDC should be consistent in its decisions, Station Lane was refused at the last Planning Committee for EV/3 reasons, the same should happen with this application. 32) The fact that the application is scaled down from the original is irrelevant. 33) There are other sites in the area which are more appropriate, plans for 175 houses at Coales Nurseries are expected soon. It would be irresponsible to sanction building on the separation area without considering the suitability of this brownfield site first.

One additional objection with no address has been received to which no material consideration can be given.

LCC Highways: Recommend approval subject to conditions and S106 Contributions

HDC Strategic Housing Officer: Recommend approval subject to S106 Contributions

HDC Open Spaces Manager: The amount of open space required for the development looks to be about right for an urban location. The calculations for this are shown below. All typologies should be provided on site in preference to off site provision. All landscaping proposals should be received with detailed plans and proposals and approved by HDC officers prior to development commencing. All landscaping areas will attract a commuted sum as listed below if adopted by the Local Authority. If a different maintenance regime is considered then details of the contractor, specification and frequency will need to be submitted for approval by HDC officers.

A full copy of the correspondence is available to view on the file.

ADDITIONAL CONDITIONS:

16) Before development commences a scheme of improvements to Public Footpath D19 between Dalby Avenue and Covert Lane shall be submitted to and agreed in writing by the LPA. The scheme so approved shall be completed prior to first occupation of any dwelling.

Reason: To improve pedestrian links between the site and the A47 in accordance with the Council's sustainability objectives

17) For the period of the construction of the development within the site, vehicle wheel cleansing facilities shall be provided within the site and all

vehicles exiting the site shall have all tyres and wheels cleaned, as may be necessary, before entering the Highway.

Reason: To reduce the possibility of deleterious material (mud, stones etc) being deposited in the highway and becoming a hazard for road users.

- 18) Before the development commences, details of the routing of construction traffic shall be submitted to and approved by the Local Planning Authority (LPA) in consultation with the Highway Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times unless otherwise agreed in writing by the LPA.

Reason: To ensure that construction traffic associated with the development does not use unsatisfactory roads to and from the site.

- 19) For the period of the construction of the development, vehicle parking facilities shall be provided within the site and all vehicles associated with the development shall be parked within the site.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of development of the site leading to on-street parking problems in the area during construction.

- 20) No part of the development (as approved) shall be occupied until details of a Residential Travel Plan for the development as a whole has been submitted to and agreed in writing by the LPA. Note: The plan shall comprise proposals to reduce car dependence and vehicle emissions and to establish and encourage the use of alternative transport modes for all journeys. Details of the proposals shall include measures to secure increases in car sharing, public transport use, cycling and walking, to promote alternative modes of travel to the site. The plan shall make provision for relevant surveys, review and monitoring mechanisms, targets, timescales, and phasing programmes. It shall be implemented and subject to regular review in accordance with the above approved details.

Reason: To ensure that adequate steps are taken to provide a transport choice/a choice in mode of travel to and from the site.

- 21) Before first occupation of any dwelling, car parking provision shall be made with the development site on the basis of 2 spaces for a dwelling with up to three bedrooms, 3 spaces for a dwelling with four or more bedrooms and 1 visitor space per five dwellings. The parking spaces so provided shall not be obstructed and shall thereafter permanently remain available for car parking.

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.

- 22) Any garages shall have minimum internal dimensions of 3m x 6m and once provided, shall thereafter permanently remain available for car parking.

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.

- 23) Before first use of the development hereby permitted, visibility splays of 2.4 metres by 43 metres shall be provided at the junction of the accesses with Pulford Drive. These shall be in accordance with the standards contained in the current County Council design guide and shall be so maintained in perpetuity. Nothing shall be allowed to grow above a height of 0.9 metres above ground level within the visibility splays.

Reason: To afford adequate visibility at the access/junction to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.

- 24) All details of the proposed development shall comply with the design standards of the Leicestershire County Council as contained in its current design standards document. Such details must include parking and turning facilities, access widths, gradients, surfacing, signing and lining (including that for cycleways and shared use footway/cycleways) and visibility splays and be submitted for approval by the local Planning Authority in consultation with the Highway Authority before development commences.

Note: Your attention is drawn to the requirement contained in the Highway Authority's current design guide to provide Traffic Calming measures within the new development.

Reason: To ensure a satisfactory form of development and in the interests of Highway safety.

- 25) Before first occupation of any dwelling a new pedestrian/cycle access to Fernvale Primary School from Pulford Drive shall be provided in accordance with details that have first been submitted to and approved in writing by the LPA.

Reason: In the interests of pedestrian safety and in accordance with the Council's sustainability objectives

ADDITIONAL S106 CONTRIBUTIONS:

Highways

(i) Public Transport

- Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area.
- 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car.
- Improvements to 2 nearest bus stops including:-
 - Raised and dropped kerbs to allow level access; to support modern bus fleets with low floor capabilities.

- Information display cases; to inform new residents of the nearest bus services in the area.
- Bus shelters at 1 nearest pick-up / City bound bus stop; to provide high quality and attractive public transport facilities to encourage modal shift.

However if the configuration of the site should change, we would expect to be consulted again.

The above requirements are made on the basis of information made available to the Sustainable Travel Group on the above date. Any variation from the submitted information may result in a change in requirements

(ii) Traffic Signals

In order to mitigate the impacts of the development on the highway network, the following contributions are required:

- Alterations to the traffic signal junction of the A47 with Station Road

Open Space and Community Facilities:

Commuted sum contributions are expected with regards to Sports Facilities, Amenity Greenspace, Children and young people, Semi natural greenspace and Allotments. Furthermore, S106 Contributions are also expected in line with the Roger Tym and Partners October 2010 Assessment of Local Community Provision and Developer Contribution.

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11/01145/REM – MARKET HARBOROUGH Persimmon Homes (North Midlands)	Erection of 50 dwellings with associated garages, access roads, public open space and landscaping (reserved matters of 10/00179/OUT), land at Clack Hill, Kettering Road.
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ADDITIONAL REPRESENTATIONS:

The Proposal

The application also relates to the following amended or additional plans:

House Type Pack EMS.1551_24C

Plots 29-30 Floor Plans and Elevation Drawing EMS.1551_24A 63

Plots 31-32 Floor Plans and Elevation Drawing EMS.1551_24A 63

(1) Additional representations

One letter of objection, issues raised focus on highways and construction traffic. All summarised under Points 6 – 11 of report to Planning Committee, except for a proposed solution to these problems, namely the creation of a temporary traffic light controlled site access off Kettering Road, for the duration of development until occupancy of first dwelling. Reason: to minimise disturbance to residents of Shelland Close.

Market Harborough Civic Society comments (25.10.11) on the revised plans: "Supports. The design could be improved by the addition of chimneys."

(2) Archaeology

A Written Scheme of Investigation has been received for a topographic survey at the Clack Hill site. LCC Archaeology has not yet received a report of the work and further evaluation work is required to fulfil the requirements of Condition 12 of the appeal decision and to make an informed decision regarding the Reserved Matters application, including archaeological trial trenching.

(3) Comments from LCC Highways:

No further comments have been received.

(4) Conditions – Amendments to these as follows:

Condition 1 to include reference to House Type Pack EMS.1551_24C; Plots 29-30 Floor Plans and Elevation Drawing EMS.1551_24A 63; and Plots 31-32 Floor Plans and Elevation Drawing EMS.1551_24A 63

Condition 10 to be re-worded and to become Condition 11, and a new Condition 10 to be imposed:

Condition 10

Notwithstanding any details shown on the submitted plans, no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: any existing trees, shrubs and hedges to be retained and measures for protection during the course of development; new tree and shrub planting; surface treatments to all footpaths and cycleways; fencing and boundary treatments, and all externally visible materials thereof; the proposed balancing pond; proposed finished levels or contours; and the position of services and/or drainage runs. Reason: To enhance the development, safeguard the appearance of the area, and to ensure compliance with Policies IN/1, HS/7 and EV/20 of the Harborough District Local Plan.

Condition 11

All hard landscaping works shall be carried out in accordance with the details approved pursuant to condition (10) prior to the first occupation of the development. All soft landscaping shall be carried out in accordance with the details approved pursuant to condition (10) in the first planting season following the first occupation of the development. Any trees or shrubs which within a period of 5 years from the completion of the planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. Reason: To ensure that the work is carried out within a reasonable period and is properly