



**PLANS COMMITTEE**

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To: Councillors Fryer (Chair), Bentley (Vice-Chair), Campsall, Capleton, Charles, Forrest, Grimley, Lowe, Ranson, Savage, Tassell, Tillotson and Ward  
(For attention)

All other members of the Council  
(For information)

You are requested to attend the meeting of the Plans Committee to be held in Virtual Meeting - Zoom on Thursday, 29th October 2020 at 5.00 pm for the following business.

Chief Executive

Southfields  
Loughborough

28th October 2020

**AGENDA SUPPLEMENT**

5. PLANNING APPLICATIONS

2 - 6

A list of planning applications to be considered at the meeting is attached.

## **Additional items received since the report was drafted.**

**Pages 7 - 33**

**Site Address: Peashill Farm, Ratcliffe Road,  
Sileby**

**Item No. 1**

**P.A. No. P/19/1683/2**

A resident has raised concerns that the conditions as proposed are not enforceable and therefore the decision potentially flawed. It is suggested that conditions 4 and 6 enable the developer to agree different details to that covered by the condition. It is suggested the conditions should not include a 'tailpiece' to the conditions that provides an option for the developer to agree alternative details. It is also suggested that some conditions that require the approved details to be 'maintained' are not sufficiently precise and should instead require the approved details to be 'retained'.

### **Officer Response**

In respect of condition 4, as it is worded, this condition removes the rights of the affected plot owners to remove or alter the boundary treatments which are required to be retained in perpetuity to protect the hedgerow and landscaped buffer. It is correct that such a condition includes a 'tailpiece' to allow flexibility in the future, in the event that they should need to be altered or replaced because of general maintenance.

In respect of condition 6, this condition as worded requires the development to be delivered and constructed in accordance with the submitted phasing plan, unless otherwise agreed. This condition is precisely worded as it relates to a specific plan that has been submitted of which compliance can be enforced should the phasing plan be approved as part of the application. Again, allowing the developer flexibility to deliver the development otherwise not in accordance with the plan, but that which must first be agreed ensures that the development can still be delivered in the event that unforeseen circumstances prevent or delay delivery of the development as approved as part of the application. It is not therefore recommended that conditions 4 and 6 be amended in response to the neighbour's late representation.

### **Recommendation**

However, for the avoidance of doubt it is considered that inserting the requirement for the approved details to be 'retained' rather than 'maintained' in respect of conditions 2 and 3 as recommended by the local highway authority. It is also recommended for the avoidance of doubt that condition 5 be amended to require that the approved fencing to the allotment land be 'retained thereafter'. The full wording of conditions 2, 3 and 5 are recommended below.

*2. Notwithstanding the submitted plans, any garage doors shall be set back from the highway boundary a minimum distance of 5.5 metres for sliding or roller/shutter doors/ 6.1 metres for up-and-over doors / 6.5 metres for doors opening outwards and thereafter shall be so retained.*

*REASON: To enable a vehicle to stand clear of the highway whilst the garage / car port doors are opened/closed, to protect the free and safe passage of traffic, including pedestrians, in the public highway, to ensure that adequate off street parking provision is available to reduce the possibility of on street parking problems locally and in accordance with the National Planning Policy Framework (2019).*

*3. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Davidsons drawing number 1202\_104 Revision P09. Thereafter the onsite parking provision shall be so retained in perpetuity.*

*REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).*

*5. Notwithstanding what is shown on the approved plans, details of the boundary treatment and means of enclosure to be used to secure the allotment site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, provided prior to its first use and retained thereafter.*

*REASON: to ensure the allotment site can be suitably secured and available for use in accordance with Policy CS15 and to ensure its design accords with Policy CS2 of the Core Strategy.*

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**Pages** 33 - 62

**Site Address: Peashill Farm, Ratcliffe Road,  
Sileby**

**Item No.** 2

**P.A. No.** P/19/2162/2

A resident has raised concerns that whilst they remain unpersuaded by the merits of the proposal and the recommendations of the report, they hold grave concerns regarding the drafting of the proposed conditions which are not said to be in accordance with paragraph 55 of the NPPF. It is suggested that conditions 8 and 11 which require details of drainage and its long-term management to be submitted and approved, do not require the developer to implement the approved details. A typographical error on page 58 in respect of the condition numbering is noted. It is also suggested that given there are no conditions covering the finished land levels, it is not possible to conclude the development would not have an unacceptable impact on nearby properties.

### **Officer Response**

Conditions 8 and 11 require the submission of a drainage strategy, a timetable for its delivery and long-term maintenance and require the development to be carried out in accordance with the approved details. It is concluded by officers that the

conditions meet the relevant tests set out at paragraph 55 of the NPPF. This is because the details to be approved, in terms of its delivery timetable and long term management will be the subject of the approved conditions in which will secure the details are implemented and retained and maintained over the life time of the development. No amendments to conditions 8 or 11 are recommended.

The typographical error on page 9 is noted by officers and in the event that the permission is granted by members, the numbering of the conditions will be corrected and reordered.

In respect of the residents' concerns that no conditions covering finished floor levels have been imposed, condition 2 as recommended on page 56 of the report includes plan no. E135-00-01C PRELIM FFL C which details finished floor levels of all proposed properties. Officers have considered and assessed the submitted details and are satisfied with the floor levels proposed, thus imposing a separate condition specifying the approved details or a condition requiring further details would not meet the tests of reasonable or necessary.

### **Recommendation**

No change to the recommendation is proposed.

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**Pages** 62 - 73

**Site Address:** 23 Buddon Lane, Quorn

**Item No.** 3

**PA No.** P/20/0587/2

Additional correspondence has been received from a neighbour and the ward member who raise the following concerns:

- The 4<sup>th</sup> paragraph on page 71 describes Buddon Lane as a main road. This is misleading.
- The hedgerow on the frontage should be retained to retain the screening to the site.
- A query regarding whether there is a bat roost on site.
- A query regarding why the previous removal of a large tree is not included in the application.
- A query regarding whether the distance between plot 2 and the northeast boundary is now 900mm not 2m as stated in the description at the top of page 63.

### **Officer Response**

- The paragraph in question describes the relationship of the site with the surrounding properties and roads and in this context the wording is not considered to be misleading.

- The existing two points of access to the site will be utilised. The planting on this will be retained as much as possible but the local planning authority can have no control over the height of this when the plots are occupied.
- There is no indication that there is a bat roost on site. The development would involve the removal of an existing dwelling and ancillary buildings/hardstanding and the development of two detached dwellings in a similar area. The existing dwelling is in good condition. There is not a wide expanse of trees around the existing dwelling nor a series of old out buildings with potential for bats. The applicant and developer would need to comply with separate legislation if there is any evidence of bats when demolition works commence and would involve the requirement for a licence from Natural England. It is not considered necessary to require this prior to commencement and the granting of planning permission for this development would not indemnify the applicant or owner if bats were found.
- The local planning authority were not aware of the felling of a large tree on site and there is no requirement for it to be involved. This matter has no bearing on the consideration of this planning application.
- In response to concerns expressed the applicant submitted further amended plans so the distance to the northeast boundary from plot 2 is 900mm and not 2m.

## **Recommendation**

The last bullet point to the description of plot 2 on page 63 should be amended to read 2m.

**Pages** 73 - 87

**Site Address:** 30 Coniston Crescent,  
Loughborough

**Item No.** 4

**PA No.** P/20/1181/2

Additional correspondence has been received from Nanpantan Ward Residents Group expressing concern that full highway safety analysis has not been carried out and that the additional dropped kerb would worsen parking problems in the road. The size of the spaces provided and the gradient to the road are also queried.

The Ward Councillor raises concern that the photographs submitted with the application are not up to date and includes recent photographs of the front of the property.

## **Officer Response**

Due to the small scale of the development, (extensions to a dwelling), it is not considered proportionate or reasonable to require full traffic surveys and analysis. It is acknowledged that the extension of the dropped kerb to serve the three spaces may reduce on street parking but as it would provide three safe off road spaces and

an overall gain, it is not considered that this would be a reason to refuse planning permission. The spaces all measure between 5.2 and 6.5m in length which is within the dimensional guideline provided by the Highway Authority. Whilst the change in levels is recognised this would not result in gradients in excess of those recommended by the Highway Authority and is not an atypical situation for a residential drive.

The recent pictures are noted and Members will be presented with the most recent site context via the committee presentation.

**Recommendation**

That the comments are noted but that no change is made to the recommendation.