

Extras Report – 27 July 2023

Item No. 5a

Pages 4-40

Planning Application Number P/21/1797/2

Site Address: Land off Zouch Road, Hathern

Updates

1. Further representations have been received from neighbouring properties relating to hedgerow in the southwestern corner of the site.
2. Additional plans have been received showing 'handed' versions of the submitted house types, correlating with the proposed layout.
3. Further information has been provided by the applicant, stating that 70% of the houses to be provided on site will meet or exceed the overall floorspace required in the Nationally Described Space Standards (NDSS), although they may not provide the required storage or size of bedrooms identified.
4. Further consideration has been given to the mechanism to secure biodiversity mitigation and associated landscaping details.

Officer Response

In response to point 1, amended landscaping plans were received on 10/07/2023 and are referenced in the report. These make provision for new hedgerow planting to fill the gap in the southwestern corner of the site. Plan referenced Soft Landscape Proposals (3 of 3) P20-0773-103 Rev K details the area in question and includes provision to fill in an existing gap in the hedgerow with new native hedgerow.

It is unfortunate that updated layout plans received 29/06/2023 do not incorporate the updated landscaping details, but recommended conditions relate and would secure appropriate new planting and its maintenance. These include recommended condition 5 which establishes that the broad provisions of the landscaping plans are agreed, including the above referenced landscaping plan, save for the event where modest changes to landscaping details are required to maximise on site biodiversity mitigation, the details of which are subject to other recommended conditions and S106 requirements.

Conditions 4, 7, 8 and 9 also relate and seek to ensure that a landscaping management plan is agreed, which requires the hedgerow to be retained, except for the two new access points, that protection is in place during construction and to ensure that any new planting achieves their aims.

In response to point 2, the additional plans confirm the proposed layout and confirm the house types shown on the associated layout. They are accepted to confirm the

proposed layout and do not alter issues of residential amenity or design and layout referred to in the report.

In response to point 3, Emerging Local Plan Policy H3: Internal Space Standards is relevant to the consideration of this application and is to be given weight in accordance with NPPF paragraph 48, as set out in section 5.11 of the report. Emerging Policy H3 is subject to objections through the preparation of the Local Plan and can be given limited weight at this stage. However, the policy seeks compliance with nationally described space standards produced by the government. Based on further information provided by the applicant, 70% of the houses to be provided on site will meet or exceed the overall floorspace required in the NDSS, although they may not provide the required storage or size of bedrooms identified. This presents a degree of conflict with emerging policy H3. While policy H3 can only be given limited weight, the conflict is to be considered as part of the planning balance. Although the additional detail presents a negative consideration to be taken into account in the planning balance, officers remain of the view that the benefits of the scheme outweigh the harm, including the conflict with emerging Policy H3, such that the recommendation for approval still stands.

In response to point 4, further consideration has been given to the mechanism to secure biodiversity mitigation and associated landscaping details. Officers are content that all relevant details can be robustly secured through the Section 106 based on the Heads of Terms set out in the report and as amended below and that the recommended condition 3 duplicates the provisions of the S106 such that the condition is not necessary.

Recommendation

Amendment to recommendation A to include minor amendment to wording for biodiversity as follows (shown as italics and underlined):

Biodiversity	<p>To submit the Biodiversity Mitigation and Enhancement Scheme to the Council for its written approval prior to commencement.</p> <p>a) To submit an updated Biodiversity Impact Assessment <i><u>of the approved scheme</u></i></p> <p>b) To provide the Biodiversity Net Gain on site, and/or off-site, or via Biodiversity Impact Compensation (where neither on-site or off-site mitigation are practicably deliverable), in accordance with the Approved Biodiversity Mitigation and Enhancement Scheme.</p> <p>c) Where the provision of the Biodiversity Net Gain on Site cannot be achieved to provide the mitigation measures off Site pursuant to the Approved Biodiversity Mitigation and</p>
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	Enhancement Scheme and pay the Biodiversity Impact Compensation to the Council.
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Amendment to recommendation B to include the following changes to conditions.

Condition 2 be amended as follows:

2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:

- Application form
- Site Location Plan P20-0773_001 Sheet 1
- Planning Layout P20-0773-011 Rev W Sheet 1
- Planning Layout (Presentation) P20-0773-011 Rev W Sheet 2
- Beamish (with chimney) elevations/floor plans 21118-BM(PC)-1 Rev A
- Beamish (with chimney, render option) elevations/floor plans 21118-BM(PC)-2 Rev B
- Beamish (BM(PC)-1) Elevations OP BM(PC)-1.PO2.OP
- Beamish (BM(PC)-1) Floor Plans OP BM(PC)-1.PO1.OP
- Beamish (BM(PC)-2) Elevations OP BM(PC)-2.PO2.OP
- Beamish (BM(PC)-2) Floor Plans OP BM(PC)-2.PO1.OP
- Blyth (render option) elevations/floor plans 21118-BT-2 Rev A
- Dee (with chimney, render option) elevations/floor plans 21118-DD(PC)-2 Rev A
- Douglas (with chimney, render option) elevations/floor plans 21118-DS(PC)-2
- Lea elevations/floor plans 21118-LA-1 Rev A
- Lea gable option elevations/floor plans 21118-LA-7 Rev A
- Lea (LA-1) elevations OP LA-1.P02.OP
- Lea (LA-1) floor plans OP LA-1.P01.OP
- Lea (LA-9) elevations OP LA-1.P02.OP
- Lea (LA-9) floor plans OP LA-9.P01.OP
- Minsmere elevations/floor plans 21118-MM-2
- Rother elevations/floor plans 21118-RR-1 Rev A
- Sherford elevations/floor plans 21118-SF-1
- Sherford (render option) elevations/floor plans 21118-SF-2
- Sherford (SF-1) Planning elevations OP SF-1.PO2.OP
- Sherford (SF-1) Planning floor plans OP SF-1.PO1.OP
- Sherford (SF-2) Planning elevations OP SF-2.PO2.OP
- Sherford (SF-2) Planning floor plans OP SF-2.PO1.OP
- Solway elevations/floor plans 21118-SL-1 Rev A

- Solway (render option) elevations/floor plans 21118-SL-2 Rev A
- Solway (SL-1) planning elevations S11-19.SL-1.PO2
- Solway (SL-1) planning floor plans S11-19.SL-1.PO1
- Solway (SL-2) planning elevations S11-19.SL-2.PO2
- Solway (SL-2) planning floor plans S11-19.SL-2.PO1
- Seaton elevations/floor plans 21118-SN-1
- Severn elevations/floor plans 21118-SV-1
- Stonethwaite elevations/floor plans 21118-SW-1 Rev A
- Stonethwaite (part render) elevations/floor plans 21118-SW-2 Rev A
- Stonethwaite (SW-1) Planning elevations OP SW-1.PO2.OP
- Stonethwaite (SW-1) Planning floor plans OP SW-1.PO1.OP
- Stonethwaite (SW-2) Planning elevations OP SW-2.PO2.OP
- Stonethwaite (SW-2) Planning floor plans OP SW-2.PO1.OP
- Dalton (left hand) elevations/floor plans 21118-DL-1-LH Rev A
- Dalton (right hand) elevations/floor plans 21118-DL-1-RH Rev A
- Hayle elevations/floor plans 21118-HL-2
- Helmsley elevations/floor plans 21118-HY-1 Rev A
- Helmsley (left hand) elevations/floor plans 21118-HY-1 (LH) Rev A
- Helmsley (HY-1) Planning elevations – Semi left OP HY-1.P02.OP
- Helmsley (HY-1) Planning floor plans – Semi left OP HY-1.P01.OP
- Helmsley (HY-1) Planning elevations – Semi right OP HY-1.P03.OP
- Helmsley (HY-1) Planning floor plans – Semi right OP HY-1.P04.OP
- Ryburn elevations/floor plans 21118-RB-8 Rev A
- Ripon (mid-unit special) elevations/floor plan 21118-RP-8 (mid)-(Sp1) Rev A
- Ripon (special, right hand) elevations/floor plan 21118-RP-8-RH Rev A
- Ripon (RP-1) Planning elevations – Semi left OP RP-1.PO1.OP
- Ripon (RP-1) Planning floor plans – Semi left OP RP-1.PO2.OP
- Ripon (RP-1) Planning elevations – Semi right OP RP-1.PO3.OP
- Ripon (RP-1) Planning floor plans – Semi right OP RP-1.PO4.OP
- Thirsk elevations/floor plans 21118-TS-1
- Single front gable garage elevations/floor plans 15-819 GB08
- Garage double front gable joint ownership elevations/floor plans 15-819 GB07
- Garage deluxe single, front gable single ownership elevations/floor plans 15-819 GB08
- Triple garage elevations/floor plans 15-819 GB09
- Sales garage semi side gable 21118-GB10
- Materials Plan P20-0773-012 Rev K
- Boundary Treatment Plan P20-0773-013 Rev J
- Hard Landscaping Plan P20-0773-014 Rev J
- EVCP Plan P20-0773-015 Rev F

- Adoption Plan P20-0773-016 Rev E

REASON: To provide certainty and define the terms of the permission.

Condition 3 be omitted, and remaining numbering of conditions be updated.

Condition 5 (as per original numbering) be amended to the following:

5. Prior to commencement of development details of landscaping shall be submitted and agreed in writing by the local planning authority. Detailed proposals will be in broad accordance with Soft Landscape Proposals (1 of 3) P20-0773-101 Rev K, Soft Landscape Proposals (2 of 3) P20-0773-102 Rev K, Soft Landscape Proposals (3 of 3) P20-0773-103 Rev K and Soft Landscape Proposals (Composite Plan) P20-0773-104 Rev K and offsetting of biodiversity impacts at the site as may be agreed in relation to Biodiversity Mitigation Strategy and associated details agreed *through provisions of the S106*.

REASON: To ensure that an appropriate landscaping scheme is provided that is of good quality and achieve their aims of mitigating habitat loss and that drainage systems retain full function. This is to make sure the development remains in compliance with Core Strategy policies CS2, CS11, CS13, CS15 and CS16.

Item No. 5b
Pages 41-68
Planning Application Number P/22/2223/2

Site Address: Land west of Loughborough, Garendon Park

Updates

1. Further representations have been received objecting to the proposed link road for reasons relating to highway safety and impact on equestrian uses, including concerns regarding the Road Safety Audit and recommendation for inclusion of a Pegasus crossing.
2. An additional plan has been provided to clarify the sections of roads which are subject to conditions.
3. Objections have been received to the determination of the additional plan without further consultation and objections to a section of road not being available to access the Household Waste and Recycling Centre (HWRC).

Officer response

In response to point 1, above, no new material considerations have been raised and the matters referred to in the latest representations have been addressed through the report.

In particular, the matters raised in relation to the Road Safety Audit have previously been considered by the Local Highway Authority who remain of the position stated in the report in that there are no objections to the proposed highway arrangements, subject to conditions.

In response to point 2, above, the additional plan (referenced MA11509/1010 received 21/07/2023) includes annotations to define those sections of road which are proposed as part of this application and gives clarification for the sections of road described by the Local Highway Authority in their recommended conditions.

In response to point 3, the submitted plan does not alter the design or layout of the proposed highway and introduces annotations to existing layouts to give clarification for those sections of highway described by LCC Highways in their recommended conditions. The annotations do not change the layout of the road or any other material considerations which have been consulted on previously and clarify the wording of recommended conditions received from LCC Highways on 26/05/23.

Condition 46 of the outline permission (P/14/1833/2) remains extant and will require access to the Household Waste and Recycling Centre (HWRC) to not be restricted during construction. Similarly, condition 35 of the outline permission will also still apply and makes provision for a phase specific CEMP to be agreed, which, for the employment phase, will be expected to demonstrate how access to the HWRC will be managed during construction.

As there is no change to the physical layout of the proposals as part of this plan and as it includes annotations to clarify the wording of recommended conditions received from LCC Highways on 26/05/23 then there is no need to reconsult on this plan or to delay determination of the application.

Recommendation

That recommended conditions 5 and 6 are updated to include reference to the additional plan as follows:

5. The Hathern Link Road (between Hathern Road and the Garendon Strategic Link Road, *as shown on MA11509/1010 received 21/07/2023*) shall not be opened to public traffic until it has been fully constructed in accordance with MCE drawings numbers MA11509/SP4/1001 Revision B and MA11509/SP4/1002 Revision B.

REASON: In the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

6. The Industrial Estate Road (linking the first employment parcel with the Garendon Strategic Link Road, *as shown on MA11509/1010 received 21/07/2023*) shall not be opened to public traffic until it has been fully constructed in accordance with MCE drawings numbers MA11509/SP4/1003 Revision B.

REASON: In the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

Item No.5c
Pages 69-79
Planning Application Number P/19/1562/2

Site Address:

Davey House
Gelders Hall Road
Shepshed
Leicestershire
LE12 9NH

Updates

1. Email correspondence has been received from Cllr Jane Lennie (Town and Borough Councillor for the ward) asking why the application has taken 4 years to come to Plans Committee. The emails also query whether the lighting is sited and of an acceptable brightness so as to be unintrusive to the wildlife corridor. Query regarding the existing and proposed brightness.
2. It is noted that paragraph 9.2.2 refers to 'limited weight' can be given to emerging policy EV6, but this should say moderate weight.
3. Part 6 of the report 'relevant planning history' does not refer to the pending application P/23/0550/2 which is a Section 73 Application for Variation of Condition 5 (Hours of Operation) of P/17/2467/2 (Installation of 4 internal spray booths with 4 x external exhaust stacks and 4 x external air intake stacks, plus associated equipment. Further outlets for internal paint mixing & abrasion room). The application is pending determination. The current approved hours are 06.00 hours and 17.00 hours Monday to Friday and between the hours of 06.00 hours and 12.00 hours on Saturdays, Sundays and Bank Holidays. The proposed hours are 24 hours a day, 7 days a week.

Officer response

In response to point 1, above, the application has been delayed by negotiations with Environmental Health and the large volume of work of the department. The siting and brightness of the lights has been considered in the officer report, in relation to impacts on the adjacent woodland and the nearest residential neighbours. With the imposition of recommended condition 2, the existing lights can be adapted so as to control their brightness, angle of light spill and timing of operation. The existing brightness is specified in the submitted details and the proposed condition 2 (iii) states that the lighting scheme shall include means to prevent light spillage beyond the rear (north) boundary of the site exceeding 1 lux. The recommended condition 2 requires a lighting scheme to be submitted, that will need to be assessed and agreed with both Environmental Health and the Biodiversity Officer.

In response to point 2, above, the weight does not impact on the conclusion or recommendation of the report.

In response to point 3, above, the pending application P/23/0550/2 to vary the hours of operation of the internal spray booths at the site, will be determined on its merits and does not impact the current application.

Recommendation

No change to the recommendation.