

Plans Committee – 31st January 2019

Additional items received since the report was drafted.

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Item No. 1

P.A. No. P/18/2172/2

Site Address: 102 Warwick Avenue
Quorn
Leicestershire
LE12 8HE

Additional Representations

Additional representations have been received from the occupier of No. 81 Warwick Avenue who has sent in photographs of police attending a traffic incident in the street. These are unpublished on the Council's website as the images contain sensitive data within the GDPR regulations. The resident refers to the comments of the County Highway Authority which confirms that there have been no reports of personal injury collisions in the vicinity of the site and this seems to be contrary to the evidence of residents. However, it is important to clarify that the County Council only receives reports from the police on occurrences since 2013 and where individuals were hurt. Where only vehicular damage occurs, without personal injury, the police attend the incident without the need to report it to the Highway Authority.

The resident also queries whether the proposed dwellings would be considered to be Lifetime Homes as sought by Policy CS3 of the Core Strategy, where feasible. Lifetime Homes are those which incorporate 16 design criteria with the aim of encouraging better and more adaptable accommodation that is able to meet the changing needs of occupiers over time. The criteria mostly relate to the internal location and configuration of services and utilities and which are now mostly embedded within Part M of the Building Regulations as amended in 2016. There is no reason to suggest that the proposed dwellings would not meet the minimum standard of the Lifetime Homes criteria.

Quorn Neighbourhood Plan

Since the publication of the Committee agenda, the Examiner of the Quorn Neighbourhood Plan has issued his report. Once examined, a successful plan carries considerable weight having been confirmed that, subject to Modifications, the Plan is legally compliant and meets the Basic Conditions. On that basis the policies, as amended by his recommendations, should be given considerable weight. In terms of the application proposal these are (with the Inspector's recommendations in **bold type** and any amendments shown ~~stuck through~~ for deletions or *italicised* for additions to text):

S1 – No change recommended to policy wording

POLICY S1: SETTLEMENT BOUNDARY - Development proposals within the Neighbourhood Plan area will be supported on sites wholly within the

settlement boundary as shown in Figure 2 where the proposal fully complies with all of the policies in this Neighbourhood Plan.

Land outside the settlement boundary is treated as open countryside, where development will be carefully controlled in line with the provisions of this Neighbourhood Plan, local and National strategic planning policies.

H3 – Change to final sentence

POLICY H3: HOUSING MIX – Any new housing development proposals should provide a mixture of housing types specifically to meet identified local needs in Quorn. Support will be given to dwellings of 1, 2 and 3 bedrooms and to homes suitable for older people and those with restricted mobility. 4-plus bedroom units may be included in the mix of dwellings ~~but will be expected to comprise a clear minority. and where they are included within the overall composition of the site, they should be in a clear minority to the number of 1, 2 and 3 bedroom houses.~~

H5

POLICY H5: WINDFALL DEVELOPMENT - Small residential development proposals within the Settlement Boundary will be supported ~~subject to proposals being well designed~~ *where they are well-designed* and ~~meeting~~ *comply with* the relevant requirements set out in other policies in the Development Plan and where such development:

- a) Comprises a restricted gap in the continuity of existing frontage buildings or on other sites within the built-up area of Quorn or where the site is closely surrounded by existing buildings;
- b) Retains existing important natural boundaries such as trees, hedges and streams;
- c) Does not reduce garden space to an extent where it adversely impacts on the character of the area, or the amenity of neighbours and the occupiers of the dwelling;
- d) It provides for a safe vehicular and pedestrian access to the site; and
- e) Does not result in an unacceptable loss of amenity for neighbouring occupiers by reason of loss of privacy, loss of daylight, visual intrusion or noise.

It is considered that these minor modifications to the text do not materially alter the considerations or the planning balance in the officer report,

The weight given to the Neighbourhood Plan has now increased. It is considered by officers that the consideration and planning balance set out in the report are still appropriate, in that, the design proposed is of an acceptable quality in terms of Policies CS2 and EV/1 and the guidance on design in the VDS and Leading in Design SPD and there is no harm relating to matters such as amenity, visual impact, highway safety that cannot be mitigated. The Neighbourhood Plan seeks to specifically control housing mix to dwellings of 3 bedrooms or less and this is a material consideration which should be given considerable weight. However, it is considered in the context of the format of the accommodation and the scale of

the dwellings (being consistent with 3 bedroom properties) this is insufficient to justify a reason for refusal on its own. On balance, the benefits of the scheme are therefore considered to outweigh the limited areas of harm identified and the proposal is considered to comply with relevant Development Plan policies when these are taken as a whole.