

Plans Committee – 21st May 2020

Additional items received since the report was drafted.

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**Site Address: Land off Platts Lane,
Cossington**

Item No. 1

P.A. No. P/19/0813/2

Following the publication of the Agenda, on-going discussions have been had with the Applicant in respect of the draft Section 106 Agreement.

Draft Heads of Terms for the Section 106 Agreement have been submitted by the Applicant, and seek to secure the following:

- Ecological mitigation in the form of a Landscape and Biodiversity Area Scheme in order to off-set the ecological and landscaping impacts associated with the proposed development on the application site;
- To submit to the Borough Council for approval a Landscape and Biodiversity Area Scheme on land adjoining the application site prior to the commencement of the development on the application site; and
- The maintenance and retention of the Landscape and Biodiversity Area thereafter, in perpetuity.

Officers consider that the planning obligations outlined above would mitigate the impacts of the proposed development, and are in accordance with the relevant tests outlined within Paragraph 56 of the National Planning Policy Framework (2019) and the Community Infrastructure Levy Regulations 2010 (as amended).

Notwithstanding the above, in the absence of a signed Planning Obligation, the Local Planning Authority would be unable to secure the delivery and long-term management of the ecological mitigation proposed.

Recommendation

That no change is made to the recommendation or refusal reasons.

Following the publication of the agenda, further comments were received from neighbours highlighting the following concerns:

- That the overall proposed roof height of 7844mm as cited in the officer report is incorrect and that the roof is higher than this
- That the original planning application was rejected by officers because of concerns about the roof height/massing previously proposed & there is no explanation as to why this is now acceptable
- That there is no garage to the side of No. 62
- That the Design is not in keeping
- That neighbour comments on amenity were not considered

Officer Response

Applicants are required to provide accurate plans of proposals and supplied dimensions should be able to be relied upon in the decision making process. However, following comments from neighbours and further investigation it does appear that there is a difference between the ridge height of the submitted revised plan and what has been built. Although this is a retrospective application there is nevertheless a need to obtain corrected plans and to reach a decision based on these.

The original planning application (reference P/18/2310/2) was not rejected by officers solely because of the roof height. Officers negotiated what was considered to be an improvement to the scheme. Whilst this current proposal differs, a judgement still has to be made as to whether the altered form is acceptable.

There is an error in the report relating to No.62 as there is no garage to the side of this property.

Whether the design is in keeping or not is a matter of judgement. It is noted that neighbours do not consider it to be so but ultimately this judgement falls to the decision taker, (the Plans Committee in this case).

The officer report lists and summarises comments received. These do not include any specific reference to loss of amenity but do refer to the overbearing impact of the building on the area and neighbours. Amenity is considered within the committee report in terms of overbearing impact, light and privacy although it is noted that those assessments are made on the basis of the plans submitted.

Recommendation

That consideration of the application be deferred to allow the submission of corrected plans, reassessment of those plans and for a period of re consultation with neighbours and interested parties.