

PLANNING COMMITTEE

11 October 2023

Amendment/Correction List

Additional Information for Councillors

Agenda Item 4 (Applications for Consideration)

Item 3 – AUTUMN FARM, EASENHALL ROAD, HARBOROUGH MAGNA
Application Reference R23/0211

UPDATE 5-Year Housing Land Supply Position

On 5 October 2023, the Council published its updated five-year Land Supply Position Statement. Based on the analysis of deliverable sites from 1 April 2023 to 31 March 2028, the Council can now identify a housing land supply of **6.1 years** against the plan requirement. This monitoring evidence was published after the agenda for this committee was published and updates the 5.6-year position as stated in Para 10.3 of the officer report. This change does not affect the overall assessment of the application as set out within the agenda.

ADDITIONAL CONSIDERATION

Within the initial submission of the application, the applicant has stated that the dwelling is needed for the continued viability of the farm business. A formal case has not been put forward to the Local Authority in relation to the need of the dwelling outside of this initial claim.

During the assessment process of the application, additional matters have been raised to the case officer which have included the need for the dwelling for medical reasons. However, no official documentation has been provided to substantiate this claim and the application was not submitted by way of a disability exemption. The Council has a duty to assess matters of equality accordingly and these matters have been received in good faith.

Section 149 of the Equality Act 2010 states that a public authority must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act. The Local Authority has taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application. The equality implications arising from the additional matters raised have been considered by the Local Authority however the information provided to them on the matter is not considered sufficient to outweigh the reasons for refusal of this scheme as outlined in the officer report or directly link to the application proposal as submitted for assessment to the Local Planning Authority.

**Item 4 – 16-26a Dunchurch Road, Lawrence Sheriff Almshouses, Dunchurch Road
Application Reference R23/0560**

UPDATE Ecology

WCC Ecology have requested that a condition for mitigation and enhancement measures be applied to the consent.

ADD Condition 13 to read as follows:

“Prior to the commencement of the construction of the new building, a detailed schedule of habitats and species mitigation and enhancement measures (to include timing of works, protection measures for nesting birds and small mammals and native species planting enhancements where possible) has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation and enhancement measures shall thereafter be implemented in full.

REASON: To ensure that protected species are not harmed by the development.”

UPDATE Drainage

Further to section 9 of the officer report for Drainage and Flooding, The LLFA have provided a response removing their objection and requesting the following conditions:

ADD Condition 14 to read as follows:

“Prior to the commencement of the construction of the new building a detailed surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

1. Undertake infiltration testing in accordance with the BRE 365 guidance to clarify whether or not an infiltration type drainage strategy is an appropriate means of managing the surface water runoff from the site.
2. Where infiltration is demonstrated to not be feasible, the LLFA expect all post development discharge rates off site not to exceed the site Greenfield rates calculated. Where it has been established to the satisfaction of the LLFA this is technically not possible to achieve these rates, a minimum of 50% betterment should be applied to the pre-development discharge rate.
3. Where the drainage scheme proposes to connect into a third party asset, for example a public sewer, further information should be provided regarding the ownership, purpose, location and condition of this asset along with confirmation of the right to connect into it. This could take the form of land ownership plans showing riparian ownership, land drainage consent, flood risk activity permit or agreement under Section 106 of the Water Industry Act (1991).
4. Provide drawings/plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date may be treated as a minimum and further source control SuDS should be considered during the detailed design stages as

part of a 'SuDS management train' approach to provide additional benefits and resilience within the design.

5. Provide detail drawings including cross sections, of proposed features such as infiltration structures, attenuation features, and outfall structures. These should be feature-specific demonstrating that such the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
6. Provide detailed, network level calculations demonstrating the performance of the proposed system. This should include:
 - a. Suitable representation of the proposed drainage scheme, details of design criteria used (incl. consideration of a surcharged outfall), and justification of such criteria where relevant.
 - b. Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events
 - c. Results should demonstrate the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results should be provided as a summary for each return period.
 - d. Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.
7. Provide plans such as external levels plans, supporting the exceedance and overland flow routing provided to date. Such overland flow routing should:
 - a. Demonstrate how runoff will be directed through the development without exposing properties to flood risk.
 - b. Recognise that exceedance can occur during any storm event due to a number of factors therefore exceedance management should not rely on calculations demonstrating no flooding.

REASON: To prevent the increased risk of flooding; to improve and protect water quality; and to improve habitat and amenity.”

ADD Condition 15 to read as follows:

“No occupation of the new building shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved surface water drainage strategy (2042-PL15) has been submitted in writing by a suitably qualified independent drainage engineer and approved in writing by the Local Planning Authority. The details shall include:

1. Demonstration that any departure from the agreed design is in keeping with the approved principles.
2. Any As-Built Drawings and accompanying photos.
3. Results of any performance testing undertaken as a part of the application process (if required/necessary).
4. Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges, etc.
5. Confirmation that the system is free from defects, damage and foreign objects.

REASON: To secure the satisfactory drainage of the site in accordance with the agreed strategy, the NPPF and Local Planning Policy.”

ADD Condition 16 to read as follows:

“No occupation and subsequent use of the development shall take place until a detailed, site-specific maintenance plan is provided to the LPA in consultation with the LLFA. Such maintenance plan should:

1. Provide the name of the party responsible, including contact name, address, email address and phone number.
2. Include plans showing the locations of features requiring maintenance and how these should be accessed.
3. Provide details on how surface water each relevant feature shall be maintained and managed for the lifetime of the development.
4. Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance.

REASON: To ensure the future maintenance of the sustainable drainage structures.”

**Item 5 – Plot 8, Ansty Aerodrome, Combe Fields Road, Combe Fields
Application Reference R23/0727**

AMEND Condition 11 to read as follows:

PART 1

The unit hereby approved shall not be occupied until measures required to achieve a BREEAM excellent rating or above for the unit, including the provision of improvements to the building fabric, PV Panels over the car parking, air source heat pumps, and heat recovery on the ventilation systems, as set out within the Energy Report (221096-P04, 03-07-23), have: (a) been provided; (b) an independent verification report submitted by a suitably qualified independent surveyor (or equivalent) verifying and providing evidence that the approved details and measures for the unit have been provided; and (c) evidence that an application has been made for a post-construction certificate confirming that the unit achieves a minimum excellent BREEAM rating, has been submitted to and approved in writing by the Local Planning Authority. The measures provided within the unit shall thereafter be maintained and retained in perpetuity.

PART 2

Within one year of the unit hereby approved being occupied, a post-construction certificate confirming that the unit achieves a minimum excellent BREEAM rating shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of air quality, sustainable development, reducing carbon emissions and tackling climate change.”

Item 6 – Cloudesley Bush Pumping Station, Mere Lane, Copston Magna

Application Reference R23/0786

UPDATE 5-Year Housing Land Supply Position

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