

Plans Committee – 7th December 2017

Additional items received since the report was drafted.

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Item No. 1

P.A. No. P/17/1578/2

Site Address Peashill Farm, Ratcliffe Road,

Sileby, Leicestershire, LE12 7QB

Since the publication of the report, the applicant has highlighted that there is potential for parks and the provision of play facilities for young people within the site and that consistency should be applied between Seagrave Road and Cemetery Road schemes. It also notes that a typographical error in Recommendation A as a result of the formatting process. It should read:

“RECOMMENDATION A

- The on-site provision of 30% of the development to Affordable Housing in an appropriate tenure mix
- The on-site provision of additional Cemetery space of a minimum of 0.33ha.
- The on-site provision of allotments
- Outdoor Play space contributions will be sought to meet CS15 standards in terms of parks and formal outdoor sports provision where the provision cannot be provided on site.
- A contribution towards £5,130 towards Sileby Library
- A contribution of £493,639.61 to the Primary School Sector be sought towards Highgate Community Primary School and Sileby Redlands Community Primary School would be the second choice for contribution.
- A contribution of £8,784 towards Mountsorrel Waste Site to provide capacity to deal with additional waste
- A Construction Traffic Routeing Agreement to be submitted to and approved in writing by the Highway Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all time
- The Travel Plan
- Appointment of a Travel Plan Co-ordinator
- Travel Packs
- 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car.
- A Travel Plan monitoring fee of £6,000.00.
- Safeguarding of the open space and management regime
- The sum of £50,000 payable to the Council to be applied by the Sileby Parish Council for the provision of lighting at the Pavilion Car Park in Sileby
- The sum of £30,410 payable to the Council to be applied by the Sileby Parish Council for the provision of works to improve the King Street Car Park in Sileby”

Officer response

It is considered that this amendment should be made for clarity.

Recommendation

That Recommendation A be amended to correct the typographical error highlighted above.

Further comments from Leicestershire County Council Highway Authority

Since the agenda was published, the Highway Authority has submitted further advice on the mitigation options to address the impact of the development at the Mountsorrel Lane/Barrow Road junction. This followed the Highway Authority's observations of 3 November 2017 that there would be a severe unmitigated impact at the junction arising from the proposed 170 dwellings. In those observations, it was the Highway Authority's position that the 170 dwellings at Peashill Farm were considered to be in addition to the 195 dwelling 'capacity' currently within Sileby as identified through the Sileby and Barrow-upon-Soar Transport Study's consideration of the Seagrave Road site. The Highway Authority has consistently applied this 195 dwelling capacity as it has considered that it would be taken up by the existing Seagrave Road application (to be reheard at Appeal) and as such any observations issued since has been on the basis of mitigation being required.

The additional information included:

- Change of priority mitigation option (PBA Drawing no 39052/5501/026 Rev A)
- Mini roundabout mitigation option (PBA Drawing no 39052/5501/028 Rev A)
- T-junction signal mitigation option (PBA Drawing no 39052/5501/029 Rev A)
- Linked signals mitigation option (PBA Drawing no 39052/5501/027 Rev A)
- Associated modelling files for the above
- Technical note covering the above

It is considered that the space constraints at the Mountsorrel Lane/Barrow Road junction would make signalisation unfeasible without third party land to position the necessary traffic signalling equipment. Additionally, no pedestrian facilities appear to have been considered, nor access or servicing of businesses within the signalised area.

Comments are therefore provided on the change of priority and the mini roundabout options only. As a general comment, the Highway Authority considers that the mitigation options presented fail to account for the physical environment, mainly the lack of visibility due to the church wall and the narrow footways.

Change of priority mitigation

The Highway Authority advises that in respect of the change of priority mitigation option, whilst the submitted information shows low levels of delay, it is not acceptable for the following reasons:

- There is inadequate forward visibility around the church wall, leading to safety concerns
- The lack of visibility would also result in higher delays than reported. The PICADY model assumes that the main road is straight and not on a significant bend; therefore the modelling results are likely to be overly optimistic in the level of mitigation to be delivered.
- The use of the give-way on the straight ahead movement in the southeast bound direction of travel on Barrow Road could result in the priority not being observed. This then increases the risk of collisions.
- It is noted that there is a priority give-way proposed on Barrow Road. However, such a feature would be subject to a consultation and the outcome of that cannot be guaranteed, particularly given the local context. The build-out also appears to be positioned directly opposite the access to Old School Court. There is also a parking bay on the opposite side of the proposed build-out.
- It is unclear whether the positioning of the build-out will effectively manage speeds the approach to the give-way (i.e. vehicles could pick up speed again once they have passed this). Additionally, there could be queuing between the build-out and the mini-roundabout which could block northwest bound traffic on Barrow Road. This feature has not been included in the modelling.

Mini roundabout mitigation option

The Highway Authority advises that in respect of the mini roundabout mitigation option, whilst the submitted information shows lower levels of delay, it is not acceptable for the following reasons:

- Lack of visibility affecting the ability to judge gaps.
- Significant over-running of the refuse vehicle in to the opposing carriageway, which would have vehicles waiting to enter the mini roundabout.
- No deflections on approach to the mini-roundabout.
- It is noted that there is a priority give-way proposed on Barrow Road. However, such a feature would be subject to a consultation and the outcome of that cannot be guaranteed, particularly given the local context. The build-out also appears to be positioned directly opposite the access to Old School Court. There is also a parking bay on the opposite side of the proposed build-out.
- It is unclear whether the positioning of the build-out will effectively manage speeds the approach to the mini-roundabout (i.e. vehicles could pick up speed again once they have passed this). Additionally, there could be queuing between the build-out and the mini-roundabout which could block northwest bound traffic on Barrow Road. This feature has not been included in the modelling.

From the Highway Authority's perspective, the additional dwellings could be situated anywhere in Barrow-upon-Soar or Sileby, as the location of dwellings is not a matter under consideration as the conclusion of the Transport Study was based on an area wide assessment.

As the submitted mitigation schemes are not considered to be acceptable the Highway Authority's position remains, as per the update provided on 24 November 2017, that in accordance with the Transport Study the Highway Authority would consider that only one application (of an approximate scale of 195 dwellings) could be approved, unless nil-detriment mitigation to the level of 10 dwellings was provided for any proposals beyond the 195 dwellings accounted for in the Transport Study.

Officer Response

The comments of the Highway Authority have been noted and carefully considered. It remains officer's view that a scheme of mitigation is possible and that a planning condition could secure a revised scheme of mitigation taking on board the comments of the Highway Authority.

A suggested wording for the condition is as follows:

"Prior to the commencement of development a scheme to improve the capacity of Mountsorrel Lane and Barrow Road shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the 10th dwelling.

REASON: In order to ensure that the cumulative impact of the development does not result in a severe impact on the flow of traffic and highway network."

Recommendation

That a further condition is added under recommendation B of the committee report to secure the highway mitigation required.

Sileby Parish Council

Representatives for the Parish Council have sent a 94 page document including previous representations to the Seagrave Road; Highway responses to P/17/2182/2 (the current application on Seagrave Road); an assessment on highway impacts; a recent appeal decision at East Riding (relating to a mixed use development including 380 dwellings); and the response to the Seagrave Road item on this agenda.

The report concludes that the proposals would locate a significant amount of housing in a location that is situated at the third tier of the Council's settlement strategy. If it is considered that the Council cannot identify a 5-year housing land supply, then it is short by a modest amount. Set against that, the development would prejudice and undermine the overarching spatial policies of the Core Strategy and the harm to the overall adopted plan-led strategy for the area and this carries considerable weight – particularly given the strong emphasis throughout the NPPF for planning to be a fundamentally plan-led process.

Under the circumstances, Sileby Parish Council respectfully suggests that Plans Committee consider refusing this application on grounds of the cumulative impact and harm would conflict with the development plan, in particular policies CS1, CT/1,

CT/2 and ST/2 due to the scale of the development proposed in the open countryside.

Alternatively, should the Council follow the advice of its officers then the Council should review the proposed S106 requirements in the light of necessary infrastructure and mitigation works/proposals (including improved access, public transport, car parking improvements and other measures to encourage use of non-car transport modes) in the light of any updated assessment of highway impacts.

A copy of the report has been published on the website.

Officer Response

Whilst the respondent's points have been carefully considered, no change to the recommendation is proposed.

Recommendation

No change to the Recommendation be made

Since the publication of the report, additional comment has been received on behalf of Sileby Parish Council, which reiterates the points made in their earlier representation and adds a comment relating to highway mitigation. They raise concern about the highway impact of the proposals and suggest they conflict with paragraph 32 of the NPPF unless the mitigation measures suggested are delivered. The full response can be viewed on the online application file.

Officer comments

The Parish Council's representations have been carefully considered and addressed in the main report. In relation to the highway impact and whether the proposal causes severe impact on the highway network, it is considered that provided a suitable mitigation strategy is provided the proposal would not lead to a severe impact on the highway network.

Recommendation

No change required.

Since the publication of the report, a further detailed report (over 44pages) has been submitted by the applicant examining the evidence of HEDNA and the demand in relation to the application site. The analysis undertaken reflects the potential for a significantly greater continuing requirement for larger family housing in the owner occupier sector as a result of prolonged under occupation by older households compared to the HEDNA market housing outputs (i.e. the requirement for 4+ bedroom homes is suggested to be some 44% compared to the 20% maximum suggested by the HEDNA range). The subject site proposal to provide 29.4% of the market homes with four bedrooms broadly reflects a mid-point between these proportions. The proposed mix offered is considered by the applicant to represent a reasonable approach taking account of the Council's evidence. A copy of the full report is available on the Council's website.

Officer Response

The submitted evidence of the applicant has been carefully considered. Demand is one of the three tests of Policy CS3 and the evidence base of HEDNA – the others being the relationship to existing properties and site characteristics/design. The report supplements the applicant's case and is noted.

Recommendation

No change is proposed to the Recommendation.

Since the publication of the report, an email has been received from the applicant stating that the site plan revision number listed on page E3 should be 7305L 17 F. There is also an L missing from the same reference at condition 2 on page E26. This should also read 7305L 17 F. For clarity the list of plans showing the proposal are:

- 7305L 17 F Proposed Site Plan
- 7501L 16 B Proposed Elevations
- 7305L 15 B Proposed Floor Plan
- SCP/16212/D04 B Proposed Highway Improvements

The same E mail corrects the floor space figures given in the Planning Statement to those in the revised Design and Access Statement. These are:

- 2,239 sq. metres Gross External Area (GEA) – Given in the committee report as 2,460 sqm
- 2,125 sq. metres Gross Internal Area (GIA) – Not given in the committee report
- 1,331 sq. metres Net Sales Area – given in the committee report as 1,424 sqm

These altered figures are because Lidl's modular store design was revised during the application process. As they result in a marginally smaller store area it was not considered necessary to update the earlier documents.

Officer Response

The alterations to the plan number are the result of a drafting error. The correct plan was publicised and considered in reaching a recommendation. It is recommended that **condition 2** be amended to reflect the corrected plan number.

The revised floor space figures amount to a minimal reduction in floor area and do not alter the considerations that informed the recommendation on this item. They are correctly cited in the more recent Design and Access amendment. It is recommended that **condition 20** be revised as follows:

“The store shall not exceed 1,331 sqm (net) and 2,239 sqm (gross external floor area) and of this no more than 258 sqm (net) shall be used for comparison retail.”

Recommendation

Amend condition 2 to reflect the correct plan number and revise condition 20 as indicated in this report.

Since the publication of the report, the applicant has submitted a further letter following the publication of the Council's independent advice. Whilst the applicant notes and agrees with the overall conclusion of the independent advice in respect of the ALDI application, the applicant considers there is no evidence of significant adverse impact on the viability and vitality of centres and that the proposal passes the sequential test, there are certain comments within the report that the applicant disagrees with relating to site size required being 1.28ha due to a typographical error in one paragraph of the applicant's statement (mistakenly referencing 0.64ha), the suitability of town centre sites, the availability of Grange Park and whether this centre is viable and should be continued as an adoption. A copy of the full letter is available on the Council's website.

Leicestershire County Council Highway Authority

As set out in the main report the Highway Authority has undertaken checks on the submitted revised capacity assessments as per below and can confirm that the access is a suitable distance from the A6004 Ling Road roundabout and is suitable to cater for the quantum of development proposed.

Officer Response

The issues raised are noted. The conclusions of the independent advice have been carefully considered and the Local Planning Authority is of the view that there is no fundamental disagreement in the overall conclusion, i.e. that the development proposed passes the sequential test or result in a significant adverse impact on the viability or vitality of centres. The local centre (as approved) allows retail uses and other community uses including health care, place of worship and community hall. It is noted that an application has now been received for a community hall under reference P/17/2344/2.

Recommendation

No change to the recommendation is proposed.