

PLANNING & LICENSING COMMITTEE

14TH MARCH 2023

ADDENDUM REPORT

Report no.	Item no.	Application no.	Applicant	Parish
45/2023	1	2022/0778/FUL	MR & MRS HUTTON	MARKET OVERTON

Consultee comments:

RCC Highways: Following submission of amended plans, the Highways objection to the proposal is removed.

Officer Comments:

The Agent is understood to have provided an 8-page position statement for members to review prior to the meeting. After being provided with a copy of this statement, Officers consider there is a need to address a number of inaccuracies and assertions within its contents that it is considered may affect Members consideration of the application if not highlighted at this stage.

Neighbourhood Plan Policies have not been overlooked but were not considered to outweigh those of the other policy docs in this instance for reasons given and clarified below.

Simply because the application meets an identified need for housing types within the neighbourhood plan does not result in the site being in an acceptable location.

Neighbourhood Plan Status

The statement is correct in stating that the plan has been made. The plan however clearly identifies and supports the limits of development of the village set out in the Site Allocations and Policies DPD, including replication of a plan showing those limits within the document. This site lies outside that area, and the neighbourhood plan makes no exceptions for development of this type to be located beyond those limits.

The agent asserts on page 4 of their response that “*The Parish Council acknowledge that the quantum and type of housing cannot be met through infill development within the village’s planned limits of development (PLD); development outside of the PLD **must** be considered to meet the identified need.*”

The neighbourhood plan policy makes no such acknowledgement, nor do the specific comments of the Parish Council in respect of the planning application, which

are included within the Officer's main report. Specifically it states at paragraph 6.2.2 that "*the Neighbourhood Plan does not allocate land for housing*". Whilst policy MOP1 sets out the approach of the Neighbourhood Plan to dwelling sizes and types, it makes no reference to the location of development, a matter left to the Site Allocations and Policies DPD (2014) and the previously referenced Planned Limits of Development.

Landscape sensitivity and Capacity Study area.

The Agent states that the site was evaluated for landscape sensitivity and capacity as site M03 within the 2012 study. It is important to note that whilst that study did indeed conclude that site M03 overall had low landscape sensitivity and high capacity for development, the application site only forms a small part of study area M03, which includes all of the land surrounding the Lodge Trust, much of which has a different relationship with its surroundings than the application site.

The agent's assessment of the site within the application and as part of the planning statement also makes no reference to the specific highlighting of the importance of the tree line within M03 as being an important feature delineating the edge of the village.

The agent states on page 5 of their statement that none of the key views identified within the Neighbourhood Plan look into or out of the application site. Officers consider this statement to be inaccurate, with Important View E (approaching the village from Cottesmore and viewing the south side of the village) being directed at the application site and the land to either side across the fields from the Cottesmore direction.

Contrary to the assertions of the agent, the presence of the Lodge Trust buildings is acknowledged within the report, and the difference between those and the application site is highlighted. In particular, this relates to the considerable set back of the Lodge Trust buildings from the roadside in comparison to the application site, which directly adjoins the road.

Impact on trees and amenity

The council's own forestry officer considers that contrary to the statement, the tree belt is not safeguarded by the development but will in fact be threatened by it. Their response is not based on the physical impact of the construction works on the root protection area of the trees but on the amenity levels present in relation to the proposed dwellings on the site and the likely resulting pressure on the Council to authorise works to those trees to improve amenity levels within the gardens of the proposed dwellings.

Highways

On the basis of the withdrawal of the objection from the Highways Authority, **Reason for Refusal 2 should be deleted from the recommendation.**