

PLANNING COMMITTEE

18th OCTOBER 2018

UPDATE REPORT: 18/00632/OUT: RESIDENTIAL DEVELOPMENT FOR UP TO 60 DWELLINGS WITH ACCESS FROM GRANTHAM ROAD AND ASSOCIATED DRAINAGE INFRASTRUCTURE AND PUBLIC OPEN SPACE.

1. Introduction

- 1.1 The purpose of this report is to provide an update to the Committee in respect of the above planning application and to set out the issues with condition 22, which relates to a proposed pedestrian and vehicular access between the application site and adjacent site to the West (17/01577/OUT) as presented by the applicant.**

2. Background

- 2.1 Members will recall that the planning application was considered at the meeting of 6th September 2018 and was approved, subject to conditions, including an additional condition which had been recommended by the planning committee (condition 22). It is also proposed that a S106 Agreement will accompany the permission.
- 2.2 This proposed condition required that a vehicular and pedestrian access be provided in the application to link the application site with the adjacent application (ref 17/01577/OUT).

3. Update

- 3.1 The Agent has requested that the proposed condition is removed from the permission for a number of reasons, and has provided the Council with a supporting statement for this.
- 3.2 The Agent has highlighted that the adjacent Davidsons site (17/01577/OUT) is not subject to the same condition, requiring the inclusion of a vehicular link between the two sites. Therefore they consider that such a condition would be ineffective and would require the consent of Davidsons to implement and therefore would fail the conditions test.
- 3.3 Paragraph 55 of the NPPF states that planning conditions should be kept to a minimum and only imposed where necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other

aspects.

- 3.4 The Agent has also stated that the inclusion of this condition would result in a ransom situation where the client would be required to pay 30% of the development value to Davidsons and therefore would render the scheme unviable and therefore preventing development.
- 3.5 Linking the two sites would result in a loss of plots of both sites, bringing into question if the sites would be able to provide policy compliant affordable housing for both developments.
- 3.6 The site access has been constructed in accordance with the Leicestershire County Council Highways Design and is capable of being able to serve up to 150 dwellings from a single access point. Therefore in highways terms, the Agent has stated that a second access linking the two sites is not needed. In addition to this, the County Highway Authority did not objection to the proposed development without the internal link road.
- 3.7 The Agent has stated that a pedestrian / cycle link is accepted by both their client and Davidsons and would accept a condition which would reflect this.

4. Recommendation

- 4.1 Taking into account the above issues raised and the conditions “test” as included in the NPPF, it is considered that the inclusion of a vehicular link as proposed at the Planning Committee meeting is inappropriate. It is recommended that the proposed condition wording is amended, which would remove the requirement for a vehicular link, but would provide a pedestrian/ cycle link between the two sites.

Background documents:

- Report to the meeting of the Planning Committee 6th September 2018
- Minutes of the meeting of 6th September 2018.