

PLANNING APPLICATIONS COMMITTEE

ADDENDUM 7th July 2020

Item

- 1 ADD to Neighbour Responses:
A further response from Cllr Kondakor has been received stating:
1. It is not possible to see timeline of documents and may need to keep looking at everything to find changes
 2. Old versions on which people have commented have been deleted.
 3. There is no date of website publication show to ensure they were online 21 days before the meeting.

AMEND to Neighbours Responses:
Add 'MP' after Marcus Jones title.

ADD to Neighbour Responses:
There have been fifteen further responses from people who have previously responded and one from a neighbour who has not previously responded. The comments are summarised below;

1. Purchased house off plan and was not notified of these proposed houses so feel misled by Developer. The view was main reason for buying house which would be lost and will reduce value of property.
2. Road junction off the Long Shoot will not cope with extra traffic.
3. Has easement area changed on amended plans?
4. Where headlights will be allowed to shine into existing properties at the junctions can the easement be planted with substantial planting?
5. Repeated new applications should not be allowed as already considered by the Secretary of State.
6. Existing MUGA has antisocial behaviour worried that new open space will have same antisocial behaviour.
7. Something needs doing to land as it's an eyesore.
8. Existing properties are exclusive 3, 4 and 5 bedroom properties which is different to these new properties.
9. Objects to Greendale Road being linked with other roads. Road will become congested.
10. School and doctors are saturated with waiting lists at Milby primary School and St Nicolas Primary School.
11. Road still hasn't been finished.
12. The application should be deferred until the Concept Plans have been adopted similarly to another case deferred by Committee so that it can be reassessed by the Planning Officer.
13. The application is out of context with the Concept Plan.
14. It is being pushed through to make Concept Plan irrelevant and full weight should be given to this emerging plan.

15. Irresponsible just to bring one application to Committee during Covid.
16. Previously it was agreed that a ground floor window would be a tax window it is now shown as a false window so this could be altered in the future. Also previously objected to a first floor window which remained in the previous application and is in the latest application.
17. Committee report by Planners is biased in favour of approving application.
18. Concerns of residents were recognised by the Planning Inspector and Secretary of State for Biodiversity, Water Drainage, Education, provision of pepper potting and Infrastructure remain unaddressed by the applicant.
19. Issue of schooling is getting worse more children now have to be ferried by taxi twice a day.
20. Concerned that meeting can't be face to face so that Councillors will understand the strength of feeling against application.
21. Cross examination on Appeal to Rule 6 was extremely intense.
22. Inspector and Secretary of State considered it was not sustainable and didn't meet Policies.
23. Further houses not required as developments in area already approved e.g. A5 Aquatics and Redrow.
24. Should have a 30m easement similarly to Callendar Farm to existing neighbours.
25. If Taylor Wimpey on Callendar Farm has considered a number of Suds are required on the border of the site, why does Bellways consider that a 5m easement to the ditch has the same protection?
26. Neighbours in Greendale Road were not notified of the application so is breaching planning law.
27. Coventry Evening Telegraph states it has been recommended for approval so this is just a tick box exercise.
28. Over intense and poor character for the development leading to a cramped site unlike the surrounding properties.
29. Colour versions shows trees that do not exist and would compromise the attenuation tank. The presence of these makes the development look more acceptable.
30. Will exacerbate existing surface water flooding.
31. Ecosystem will be irreparably damaged.
32. Extra pollution emitted from new properties and associated vehicles.
33. The fact that the new proposal has contributions to be via a S106 Legal Agreement instead of a Unilateral Undertaking is not a material consideration. The fact the scheme has not addressed previous issues and has used a similar layout is a material consideration.
34. Biodiversity should not be dealt with offsite and should be addressed on site.
35. Policy states affordable units must be pepper potted and they are not.

36. Not acceptable that garages cannot be used for parking and should be built larger to provide a parking spot as lack of provision will lead to more on street parking.

37. There should be no infringements to the Council's Residential Design Guide in terms of distance standards or allowing reasons not to meet standards.

38. Health screening report only refers to the new residents and not existing and the proposal will not provide positive health and wellbeing to existing neighbours.

39. Once again the Air Quality Management Area and Assessment has been ignored and the development will make an impact.

40. Concerned that bus stops provision is for The Long Shoot and should be for St Nicolas Park Drive which now runs every hour contrary to the Transport Assessment that states it runs half hourly.

41. Committee must be made aware that a neighbour has made a case to the Local Ombudsman which is still outstanding regarding the fact that the Council has allowed identical applications even after the previous case went to the Secretary of State and Planning Inquiry and which ignores guidance by the Secretary of State. Committee should be requested to postpone until the case is heard by the Ombudsman.

The Council responded to the original complaint in relation to point 41 above to advise that the Council considered that there had been material changes since the last application as the Applicant on the previous application had intended for 106 contributions to be carried out via a Unilateral Undertaking. This Unilateral Undertaking had been considered flawed by the Inspector and Secretary of State. The Applicant this time proposes to pay 106 contributions via a 106 Legal Agreement written by the Council and is therefore considered to be a material change by the Council.

The Ombudsman has responded to the Council on the 6th July 2020 to state that the Ombudsman has decided not to investigate this current complaint as they consider it is speculative as the planning application has not been determined.

The Council's Legal Team therefore consider there is no impediment to determining this application in the normal way.

ADD to Conditions:

27. Notwithstanding the Detailed Landscape Proposals drawing number 18-008-01 revision AD (sheet 1 of 2) and 18-008-02 revision AC (sheet 1 of 2), additional tree planting can be provided at the T junction adjacent to plots 358 and 349 providing the trees are located so as not to impede maintenance to the ditch or cause erosion to the top of the bank. (Location and type to be agreed with the affected existing neighbouring properties prior to planting).

AMEND Schedule of Conditions:

Amend revision number from AD to AC on drawing titled 'Detailed Landscape Proposals (1 of 2) drawing number 18-008-02' same received date.

Amend the Single Garage drawing to WM_GAR_1B_WE_02 received 6/07/2020.

AMEND Condition 11 in the Schedule of Conditions to read:

11. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles, the approved FRA and Drainage Strategy, and an assessment of the hydrological and hydrogeological context of the development, 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:

- Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to the QBar Greenfield runoff rate of 5 l/s for the site.
- Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Provide plans and details showing the allowance for exceedance flow and overland flow routing, overland flow routing should look to reduce the impact of an exceedance event.
 - Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network.
 - Details to include permeable paving to the private drives servicing plots 335 - 337, 349 - 352 and 353 - 357.