

## **PLANNING COMMITTEE 15<sup>th</sup> August 2017**

### **OBSERVATIONS RECEIVED FOLLOWING PREPARATION OF AGENDA**

#### **Item 10: W/17/0894 – Land at Gallows Hill**

##### Alterations to wording of conditions

The scheme has been the subject of negotiation with regards to the wording of conditions and this is ongoing. As such, minor changes are proposed to the condition wording. These are laid out below;

##### Condition 5

“The access to the site from Gallows Hill shall be located and laid out in general accordance with drawing C16133 705 P1”

##### Condition 7

“The subsequent reserved matters applications for any phase of the development shall be submitted in accordance with a Site Wide Design Code which has been approved in writing by the Local Planning Authority”

##### Update to Recommendation

Planning Committee are requested to delegate authority to the Head of Development Services in consultation with the Chair of Planning Committee to:-

- i. Make any minor changes that become necessary to the wording of the conditions prior to the issue of the decision notice following the signing of the Section 106 Agreement.
- ii. Approve the Design Code for the site following the completion of a number of minor changes which are currently being finalised.

#### **Item 13: W/17/1000 - 23 St Marys Road**

Following the withdrawal of the Town Council’s objection, this application has been withdrawn from the agenda and is being determined under delegated powers.

#### **Item 14: W/17/1009 – The Durham Ox, 111 Shrewley Common, Shrewley**

Following the receipt of additional information providing further details of the special circumstances case and the revision of the proposal to include the

removal of an existing outbuilding, this item has been removed from the agenda as officers are satisfied that in the particular circumstances of this case, planning permission can now be granted under delegated powers.

### **Item 15: W/17/1031 – Land North East of Tapster Lane, Lapworth**

Following the receipt of additional information regarding ecological issues and tree surveys it is proposed to reword condition 5 to ensure that appropriate investigation is undertaken prior to commencement of development to ensure that an appropriate level of ecological enhancement is secured.

### **Item 17: W/17/1091 - 47 Cubbington Road**

Further Public Response: 15 Vicarage Road: the demolition will lead to damage to the remaining property. The properties to be demolished are unique and should be locally listed.

Response from Historic England: Historic England have not objected to the proposal but have expressed concerns on heritage grounds. They advise that the Council is able to consider the retention of the buildings which contribute to the character of the Conservation if it is considered to be justified and note that their demolition will cause some harm.

#### Officer Response:

Paragraph 132 of the NPPF sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

In this particular case, it is considered that the proposal would result in less than substantial harm to the Conservation Area. The building is not listed or locally listed and from a structural perspective, cannot be extended in a structurally appropriate manner without the demolition and rebuilding of the structure. The proposals would result in a development which has the same appearance and character as that already permitted and is considered to be an enhancement and overall improvement to the site.

In overall terms, it is therefore considered that the public benefits of the proposal outweigh the limited harm to the character of the Conservation Area. The Conservation Officer has requested additional conditions be added to any approval granted for the provision of samples of the facing materials, roofing materials and so that full permitted development rights are removed.