

Rutland House Community Trust
Working Group Meeting
19th November 2018
5pm - 6pm

Present: OTC; Adam Lowe, Joy Clough, Anne Skipworth, Jean Denyer MBE
RHCT; Sammy Lambert, Bex Norris
Resident; Polly Moverley, James Curtis, Steve Green

Adam Chaired and opened the meeting with a slide presentation giving an overview of the situation, the objective being to identify facts and accurate information based on the points raised at the meeting of the Council.

Discussion Points from the Slide Dec and subsequent comments.

- a) Correct Information Plans. Yes, we are all on the same page now and the key point was that RCC passed the application based on the correct plans.
- b) Loss of Allotment Land. The land in question is currently not allotment land and Joy was very diligent in producing a report for the meeting that highlighted this, along with other key time lines and lease due process. It having been accepted that due process had not been followed as the lease clearly states that planning permission may not be sought without the landlords permission, however, Councillors have moved through this as it has been identified that RHCT had approached OTC with the view to this development and OTC requested further detail, Adam pointed out the plans give extra detail and we now have something to work with in making an informed decision.
- c) Lease - Can We Build. Basically yes, There is nothing in the lease which prevents OTC from voting to give permission for building. Over Development. RCC have passed the application which tends to suggest that due consideration to any planning consideration have been addressed, Adam explained that an amount of development (for example, the quantity of buildings or intensity of use) that is excessive in terms of demands on infrastructure and services, or impact on local amenity and character. A list of planning considerations was presented and the residents concerns about overlooking, loss of light, noise and vehicle head lights were all discussed, with Sammy confirming that RHCT were coming up with solutions to the concerns identified. This included, see residents report, that adequate screening with planting of trees is incorporated, this being part of the written agreement moving forward.
- d) Recreation Area for the Residents. Bought up the point of amenity land, Amenity – something that contributes to an area's environmental, social, economic or cultural needs. The term's meaning is a matter for the exercise of planners' discretion, rather than being defined in law. Each Councillor will need to make their own decision here, it was highlighted by Cllr Denyer and Sammy that the residents needs basically were different and the indicators are that what is being offered is agreeable and an acceptable provision. Adam will get another similar facility in Leicester to help demonstrate that RHCT development does actually offer an appropriate recreation/amenity area. It is also noted that the RHCT residents have access to their own allotment plot.
- e) Residents Concerns Addressed. Some point covered, work in progress. The land was leased for 'the use and enjoyment of residents and staff...' Concerns were raised about the extent, suitability and quality (light and sunshine) of the remaining amenity space.
- f) Building Disruption. All accepted that there is always some disruption.
- g) Ground Rent - Reviewed by Solicitor once decisions are made. All agreed.

The reports by Joy Clough and the Residents will be made available to ALL Councillors, Residents and RHCT for complete transparency and this will enable Council to make an informed decision.

During the meeting there were some points raised, this section covers them with answers from the meeting. If points raised are covered in either of the reports they may not be repeated here.

- 1) Was land and layout of the plan within the boundary of the agreed lease. Yes.
- 2) Can the building be moved. The answer is no, the decision of the Council should be made on its current layout and location.
- 3) Would RHCT consider reducing the size of the building. The answer is no, the building needs to be viable, both financially as this is a large investment and fit for the purpose of the residents.
- 4) An observation was that RHCT have been on the site since about 1991, they have limited access issues with the school. Sammy pointed out that the changing of staff shifts has for some years been adapted to avoid a clash with school finish and RHCT staff change overs. there have also been no reported incidents.
- 5) Will it overlook, the residents have calculated that the distance from the back of their properties to the back of the new build is 32 meters. The residents are requested trees to help screen, RHCT have in principle agreed. A final decision on where the trees would be planted needs to be clarified when the decisions are made on the application.
- 6) Fencing and security / welfare of the residents appears to have been agreed between the residents and RHCT in their own discussions.
- 7) The increased staff and location of parking, especially at night could be a nuisance, it was highlighted that cars and residential areas will always have this issue, it is a difficult call however Anne pointed out that the screening trees would help reduce headlight impact and the road network is on the flat. Adam has asked for some numbers from Sammy regarding this, specifically at night.
- 8) A point was raised about this area being a designated Green Space in the RCC Local plan, Adam will seek clarity for the next meeting.
- 9) Screening trees could be a planning issue, Adam will seek advice from RCC on the use of trees for screening.
- 10) Agreements on screening, informal discussion points that help resolve residents and OTC concerns should be considered as formal terms of the lease to ensure all parties concerned maintain their commitment to the mutual benefit of all parties, especially as Councillors will move on and written word was agreed is the best way forward. Council will have to argue this as part of any lease agreement.

In conclusion, the meeting went very well, there was lots of relevant information, points raised at the Council meeting were covered and some new points tackled with equal success with only a few points needing to be clarified.

Adam suggests that another meeting is the next step once he has answers, the plan is hold that meeting well before the December Council meeting with a view to present the whole report for a decision to be made at the December meeting.

Adam Lowe

Follow Up Action Points:

8) A point was raised about this area being a designated Green Space in the RCC Local plan, Adam will seek clarity for the next meeting. Response from RCC 23 November 2018.

We did consider the Protected Open Space policy but as the site was effectively within the curtilage of the existing development we concluded that the plan had a drafting error and that this particular land should not have been included in the green area. On that basis my Policy colleagues said they would review the boundary when publishing the next version of the plan. The reason for designating the area as important open space were not compromised by the development, see delegated report attached which covers the issues.

9) Screening trees could be a planning issue, Adam will seek advice from RCC on the use of trees for screening. Response from RCC 23 November 2018.

With regard to trees, there is already a substantial tree screen between the development and Claresholme Close (inc evergreen conifers). Coupled with the distance between buildings and the fact that the development doesn't have significant windows facing that way, even if the trees had not been there we could not have resisted on overlooking grounds. Residents were concerned about potential loss of trees that was not proposed anyway, and they are outside the site boundary. Planning permission is not required to plant trees in any location. I can't ask the developer to plant trees now, and as set out above, it was not necessary.

Rutland House Community Trust
Working Group Meeting
3rd December 2018
5pm - 6pm

Present: OTC; Adam Lowe, Joy Clough, Jean Denyer MBE
RHCT; Sammy Lambert.
Resident; Polly Moverley, James Curtis, Steve Green

The Meeting notes captured above were accepted.

Adam looked for if any new information had come to light.

Joy had presented a document on Sunlight, the benefits of, which is added as a reference document for the Councillors to read. The discussion around this highlighted that sunlight is beneficial to health and wellbeing and the previously identified solution to a potential screening option could actually also cut down on natural light. Proximity of the new build to the current was again raised as a concern, however as Planning had not identified this there is a conclusion that may be drawn that this build is acceptable from a Planning Consideration point.

Adam had spoke with RCC planning about a potential agreement between the residents and the RHCT of a new tree screening, RCC Planning believe the screen is adequate and overlooking was not an issue in this case, however James (residents) did point out that the view from their properties was one of their concerns, the positive approach of RHCT wanting to address this with additional screening does need to be appropriate, this could entail some of the deciduous trees coming out, OTC should refer to their own Tree Works document to explore this option, certainly it was felt at least one tree needs removal (planning permission would be needed) and another tree would need work, with evergreen being used to plug gaps.

Amenity land or space was raised again and Adam identified at least one other property in Leicestershire that demonstrated that this is an issue at other locations and the lack of formal guidance is frustrating. RHCT are offering what is an improved internal living space and facilities for the client base, the outside amenity area would be less, however it is still considered by RHCT as adequate. A suggestion by Adam that did they NEED the car parking at the rear, reduce two parking spaces as it became apparent at a site visit that the majority of staff actually use the upper carpal only, this would benefit the client base and RHCT, possibly event he residents as cars would not parked near the tree line.

Sammy reported back, via Adam, that the baskets had been moved away.

Sammy confirmed there was no movement for a review of the building layout and as such the Council should make their decision based on the current lans that have been passed by RCC planning, the only variation now is that the additional landscaping (patio areas) has been added.

Adam had asked for overall increased ridge height in comparison to the current building, RHCT architect feedback was that the highest point of the ridges would not exceed 450 mm (18 inches) of the current build ridge line. The area of the build is or appears slightly lower, which probably account for this and why it has not been an issued for Planning approval either.

Current screening further o the 'right' and behind the current building and the highlighted point that staff tend to use the upper carpark, coupled with the daytime staff tend to finish at or before 5pm was a positive and helps with some of the concerns about additional traffic.

There being no other issues the meeting was concluded with Adam and Joy explain that the Council will be presented with all documents for the December 12th meeting.

END.