

Reserved matters application for the erection of 3 no. dwellings following outline planning permission 16/00198/FUL (Matters for approval: access, appearance, landscaping, layout and scale)

Report Item No
A2

Land West Of 67 Loughborough Road Coleorton Coalville
Leicestershire LE67 8HJ

Application Reference
17/00427/REM

Applicant:
Mr M Specht

Date Registered:
10 April 2017

Case Officer:
Rob Duckworth

Consultation Expiry:

17 May 2017

8 Week Date:

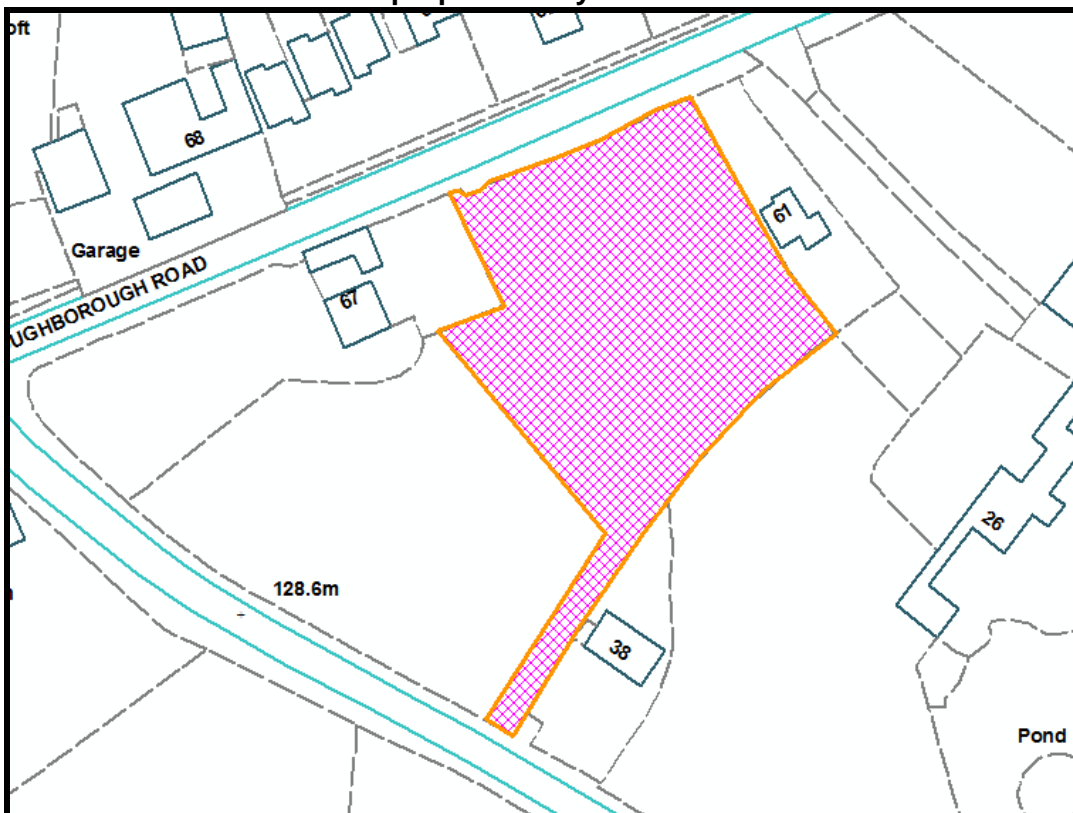
5 June 2017

Recommendation:
PERMIT

Extension of Time:

3 August 2017

Site Location - Plan for indicative purposes only



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EXECUTIVE SUMMARY OF PROPOSALS

Call In

The application is brought to the Planning Committee as the applicant (Councillor Specht) is a serving member and contrary representations to the recommendation to permit the application have been received.

Proposal

The application is the reserved matters application following outline consent and seeks approval for the appearance, layout, scale, internal access and landscaping in connection with the erection of three detached dwellings on the south-eastern side of Loughborough Road between nos. 61 and 67 Loughborough Road. The principle of development and the access point off Loughborough Road have been established by the granting of outline permission 16/00198/OUT with only the other reserved matters for consideration in this application.

Consultations

A total of 3 no. individual representations have been received with all of those representations opposed to the development. Swannington Parish Council has also objected to the development. There are no objections from other statutory consultees.

Planning Policy

The principle of development was established with the granting of Outline Permission 16/00198/OUT and this reserved matters proposal has been assessed against other relevant paragraphs of the NPPF and policies of the adopted and submitted local plans.

The Reserved Matters

The appearance, layout, scale, internal access and landscaping of the scheme are to be approved in this application. The layout, scale and general appearance of the scheme was broadly approved by the discharge of condition 4 of 16/00198/OUT which required a design brief to be agreed prior to the submission of the reserved matters. The details submitted are considered acceptable with officers having negotiated various amendments.

Conclusion

Whilst the three dwellings would not respond directly to the characteristics of the area in terms of appearance they maintain the general spatial pattern by fronting onto Loughborough Road and being consistent with the building line of Nos. 61 and 67 Loughborough Road. Whilst there is the inclusion of a front garage, discouraged by the outline application, it has been sited and designed in such a way to minimise its impact and will not be read as incongruous within the street scene.

Subject to the imposition of conditions, and notes to the applicant, on any consent granted it is considered that the development proposal would allow for manoeuvring of vehicles and car parking within the site. Access onto Loughborough Road has been established with the matter of a crossing point, and other matters, conditioned as part of the outline permission. In these circumstances the development would be compliant with the NPPF as well as saved Policies T3 and T8 of the adopted Local Plan, Policies IF4 and IF7 of the submission Local Plan and the 6Cs Design Guidance.

Amenity for the existing neighbours adjoining the site and for the future occupants of the site have been assessed and it is considered that there will be no significant overlooking,

overshadowing, overbearing impacts nor loss of outlook in accordance with adopted Local Plan Policy E3, submission Local Plan Policy D2 and the NPPF.

As the site lies within Flood Zone 1, and is also not in a critical surface water drainage area, it is considered that any surface water drainage solution would not exacerbate any localised flooding impact with the plans highlighting that the individual dwellings would seek ways of recycling rainwater and grey water.

It is therefore recommended that the application be permitted.

RECOMMENDATION - PERMIT, subject to conditions;

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

The application is the reserved matters application following outline consent and seeks approval for the appearance, layout, scale, internal access and landscaping in connection with the erection of three detached dwellings on the south-eastern side of Loughborough Road between Nos. 61 and 67 Loughborough Road. The 0.38 hectare site is on land outside the defined Limits to Development as well as upon land designated as Green Wedge under Policy E20 of the adopted North West Leicestershire Local Plan. The principle of development and the access point off Loughborough Road have been established by the granting of the outline permission 16/00198/OUT with only the other reserved matters for consideration in this application. Members are advised that whilst the site has a postal address of Coleorton and is within the Parish of Swannington, it does not fall within the boundaries of these settlements and is more closely related to the settlement of Peggs Green.

The site plan submitted shows that the three dwellings would be served by the one vehicular access point formed off Loughborough Road, as approved at the outline stage, with internal drives leading to each property, each with double garages. The layout and scale are similar to that agreed at the outline stage, although slightly larger, and this design concept was approved by a discharge of Condition 4 of the outline permission which required a design brief to be submitted for approval. The style of the proposed dwellings has also changed to a more modern appearance, again, this was approved via Condition 4 of the outline permission. The landscaping proposed involves the planting of trees, shrubs and hedges, and the inclusion of a wetland area to the rear of the site for ecological purposes.

In respect of the recent and relevant planning history of the site, this would be as follows: -

- 16/00198/OUT - Erection of three dwellings (Outline - Access for approval all other matters reserved); Approved at Planning Committee 13th May 2016.

2. Publicity

22 Neighbours have been notified (date of last notification 11 April 2017).

Site Notice displayed 12 April 2017.

Press Notice published Leicester Mercury 19 April 2017.

3. Summary of Consultations and Representations Received

LCC Ecology - No objection subject to conditions relating to detailed design and implementation of wetland area.

LCC Highways Authority - No objections subject to conditions.

LCC LLFA - Additional information was supplied by the applicant but the LLFA consider that it does not contain sufficient detail to determine the application. More information from the applicant has been requested. Any further comments will be reported on the update sheet.

Severn Trent Water - No representation received.

National Forest - No representations received.

Swannington Parish Council - Objection as per previous objection:

- The site is outside the Limits to Development;
- Nothing has changed on the site since the previous application refused in 2012 and dismissed on appeal apart from the number of dwellings proposed;
- The site is part of Swannington Parish and not Coleorton nor Peggs Green so the fact that Peggs Green would only remain sustainable should the development be approved is wrong;
- Development is not in accordance with Policy S3.

Third Party Representations

Three individual representations objecting to the application have been received and the concerns raised are summarised as follows: -

- Flooding and drainage issues exist on the site - proposals will worsen the situation.
- Who will maintain the pond?
- Highway safety - crossing place / traffic island issues.
- Not in accordance with outline plans.
- Not consulted on the discharge of condition for the Design Brief
- Garage located to the front despite informative on outline permission.
- Visual design - its form is not suitable.
- All vegetation and trees have been removed and at the incorrect time.
- Proposed dwellings are too large.
- Inclusion of roof lights.
- Inclusion of a flat roof.
- Terraced appearance.
- Amenity - overlooking, overshadowing and overbearing impacts.
- Site will impact on Green Belt

4. Relevant Planning Policy

National Planning Policy Framework

The NPPF (Paragraph 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

Save where stated otherwise, the policies of the adopted and submitted Local Plans as listed in the relevant sections below are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application.

The following sections of the NPPF are considered relevant to the determination of this application:

6. Delivering a wide choice of high quality homes
7. Requiring good design
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

Adopted North West Leicestershire Local Plan (2002) Saved Policies

The application site is outside the Limits to Development as defined in the adopted North West Leicestershire Local Plan. The following Local Plan policies are relevant to this application:

Saved Policy E3 - Residential Amenities

Saved Policy E4 - Design
Saved Policy E7 - Landscaping
Saved Policy E20 - Green Wedge
Saved Policy E26 - Sites of County or District Ecological or Geological Interest
Saved Policy F1 - General Policy; National Forest
Saved Policy F2 - Tree Planting
Saved Policy F3 - Landscaping and Planting
Saved Policy T3 - Highway Standards
Saved Policy T8 - Parking
Saved Policy H7 - Housing Design

Submitted North West Leicestershire Local Plan

The publication version of the Local Plan was agreed by Council on 28 June 2016 and submitted for examination on 4 October 2016. Examination hearing sessions were held in January and March 2017 and the Council commenced consultation on its Main Modifications on 12 June 2017. The weight to be attached by the decision maker to this submitted version (as proposed to be modified) should be in accordance with the approach set out in Paragraph 216 of the NPPF, having regard to the stage now reached towards adoption, the extent to which there are unresolved objections to the policies relevant to the determination of this application, and the degree to which the emerging policies are consistent with the NPPF.

Policy S3 - Countryside
Policy D1 - Design of New Development
Policy D2 - Amenity
Policy H6 - House Types and Mix
Policy IF4 - Transport Infrastructure and New Development
Policy IF7 - Parking Provision and New Development
Policy En1 - Nature Conservation
Policy En3 - The National Forest
Policy En6 - Land and Air Quality
Policy Cc2 - Water - Flood Risk
Policy Cc3 - Water - Sustainable Drainage Systems

National Planning Practice Guidance

6Cs Design Guide (Leicestershire County Council)

5. Assessment

Principle

The principle of development on this site for residential purposes was established by the grant of the outline planning permission 16/00198/OUT. The outline permission approved matters relating to access from Loughborough Road. This is a submission for reserved matters approval, therefore, the present application essentially seeks to provide a greater level of detail in relation to the layout, scale, appearance, internal access and landscaping of the development. Assessment of this application should therefore relate to the visual and residential amenity implications of the particular scheme proposed under this reserved matters application; issues relating to the principle of the development are not relevant to this application.

Layout, Scale and Appearance

The submitted scheme for the three houses on the site directly relate to the design brief

approved under Condition 4 of 16/00198/OUT. The properties have a distinct building line concordant with that of the houses flanking the site. The spatial pattern is also roughly maintained - detached dwellings in quite generous plots set back from the road. No. 67 Loughborough Road exhibits a plot with three buildings, one of which is forward of the main house close to the edge of the road and the houses on the other side of Loughborough Road have a staggered building line. The proposed layout of the building respects this mix by having a slightly staggered building line.

The scale of the properties is proportionate to many houses in the vicinity which have mixed footprint sizes and eaves and ridge heights. Any increase in scale over existing properties in the vicinity is marginal and will not be significantly noticeable particularly considering the houses will be set back approximately 26m from the edge of Loughborough Road and set low in the plot based on the sloping topography of the site.

Whilst there was an informative on the outline permission advising that from a design perspective no detached garages should be provided to the frontage of any of the proposed plots, a garage to the front of Plot 3 has been provided regardless. Informatives do not carry any weight on a decision notice and provide guidance to the applicant. The indicative outline plans showed a garage to the front of Plot 1 but in the reserved matters submission, the location of the garage is to the front of Plot 3. This location is considered to be acceptable based on the variety of buildings along Loughborough Road, in particular No. 67 which has buildings very close to the edge of the road, it is not considered that the inclusion of the garage would detract from the general character of the area. Furthermore, the garage will be set back from Loughborough Road by over 17m and screened by the proposed planting to the front of the site. The design of this garage has been amended following negotiations to hip the roof on all sides resulting in a pyramidal roof; minimising its massing and impacts.

Plot 2 has been handed with the garage position swapping sides; this followed a request from officers to break up the rather extensive ridge line running from Plot 1 and 2 which had a look more akin to a row of terraces than semi-detached dwellings. The handing of the plot has alleviated the issue and resulted in an improved form of development.

The design of the proposed houses is much more modern than can be seen in the vicinity along Loughborough Road but paragraph 60 of the NPPF states *"Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness."* It is considered that the proposed dwellings are not so modern as to contrast significantly. The design maintains the general shapes and proportions of the dwellings in the vicinity but imparts a more modern style to the exterior; this will add to the character of the area and the local distinctiveness as promoted by the NPPF. The final colour palette and materials will be conditioned but the submitted plans are coloured giving some indication of the final finish expected.

The inclusion of roof lights is not significant and will not affect the overall impact of the development. The inclusion of a flat roofed element to the rear of the houses is considered acceptable.

Based on the above it is considered that the layout, scale and appearance of the proposed development would be acceptable and the proposal complies with adopted Local Plan Saved Policies E4 and H7, submitted Local Plan Policies S3, D1 and H6 and the NPPF.

Internal Access and Parking

Only the access from Loughborough Road was granted at the outline stage. This application deals with the internal access and car parking provision. Internally there will be private drives served from the single access from the road. These produce sufficient manoeuvring room for the properties to allow for exit in a forward gear without resulting in any safety issues. Parking is provided for each property in the form of a double garage and external parking spaces. The number of spaces provided for each house is at least four with the potential for more on Plots 1 and 2. The parking and garage sizes are appropriate to meet modern standards and no objections have been received from County Highways who only wish to condition the completion of the access and parking areas prior to the occupation of the houses.

There has been concern from the third party representations received that the issue of the crossing place on Loughborough Road has not been properly addressed. This matter is dealt with by Condition 7 of the outline permission which calls for details to be submitted prior to the works commencing.

Based on the above it is considered that the proposal is acceptable and accords with Policies T3 and T8 of the adopted Local Plan and Policies IF4, IF7 of the submitted Local Plan, the 6Cs Design Guide and the NPPF.

Flooding and Drainage

The site lies within Flood Zone 1 and is not identified as a site with a critical drainage issue on the Environment Agency's Surface Water Flooding Map and details of drainage would be dealt with under separate legislation.

As the amount of hard surfacing is to increase significantly, the risk of surface water run-off increases. Initially, the LLFA have objected to the proposals based on the lack of detail submitted but further details were submitted during the course of the application. These additional details were further assessed by the LLFA who maintain their objection on lack of sufficient detail. More information has been requested of the applicant. The level of detail requested should be reasonably forthcoming and it is expected that matter can be sufficiently resolved. Should the requested detail and/or the formal response of the LLFA not be available for Members' consideration it is considered that a condition relating to the matters would suffice and would allow for the issue to be resolved prior to the commencement of any works. Subject to their comments it is considered that with the methods proposed the surface runoff from the site will be minimised and will not result in any issues. Insofar as foul drainage is concerned, it is indicated on the application forms that this would be discharged to the main sewer with such discharge being agreed with Severn Trent Water under separate legislation. Severn Trent Water have not raised an objection to the application and therefore this means of foul drainage is considered appropriate and would ensure compliance with Paragraph 120 of the NPPF.

Concern has been raised by the landowner to the rear of the site who has chronic problems with drainage from the site and surrounding area, with the inclusion of the wetland area a cause of concern. The full details of this wetland area including its management, maintenance and drainage flows will be conditioned to ensure that there are no adverse impacts resulting from this area.

Based on the above it is considered that the proposal is acceptable and accords with submitted Local Plan Policies Cc2 and Cc3.

Landscaping

The proposed landscaping scheme involves the planting of trees, shrubs and hedges to bolster

the development and to add to the trees retained on site and around its periphery as well as replacing the hedgerow fronting Loughborough Road. The trees detailed are of an acceptable mix and are to be substantial specimens which will add maturity upon planting rather than whips that will take many years to contribute to the site. Whilst several of the existing trees on the front and within the site are or have been removed, the proposed scheme will help to screen the development and complement its form.

The hard landscaping is proposed to be high quality with granite setts to the main access and paving across the internal access and drives. Slabs are proposed around the houses and patios all edged appropriately. Boundary treatments are to be dealt with by Condition 6 of the outline permission but they are outlined on the submitted plans as low brick wall with piers, and 1.8m high timber fencing.

To the rear of the site is a dedicated wetland area to help increase the biodiversity of the site. This is not a balancing pond. Details of the wetland area and how it will be drained will be conditioned as part of this application if approved. A method and maintenance schedule has been conditioned by Condition 14 of the outline permission. As wetland areas are a sensitive matter the precise details were not requested in this application directly; the use of a condition will allow for tighter control and a more successful wildlife area.

Based on the above it is considered that the landscaping part of this application is acceptable and accords with adopted Local Plan Policies E7, F1, F2 and F3, submitted Local Plan Policies En1 and En3, and the NPPF.

Impact on Residential Amenities

It was determined under the outline permission that due to the positioning of the proposed development and its relationship with the surrounding properties, it was unlikely that the new dwellings would have a significant impact on the amenities of occupiers of nearby properties in terms of loss of light, privacy or overbearing impacts. Nevertheless, with the submission of greater details relating to the design and scale of the dwelling the impact of the development on the occupiers of neighbouring properties can be assessed in more detail.

The application site is situated between two-storey residential dwellings of No's. 67 and 61 Loughborough Road. No. 61 does have a window to the side gable facing the site but this does not serve a habitable room and any loss of light to this window and the plot as a whole has been mitigated by the inclusion of hipped roofs to the house and the garage as well as being sited in-line with the neighbouring property so as to minimise the presence of stark walls to the front or rear gardens. The shadow paths of the plots have been assessed and it is considered that whilst some overshadowing will occur it will be limited and not significant enough to warrant a refusal of the application. Any light lost will be mainly in the front garden of the neighbouring property on winter afternoons. The house at No. 61 itself will block most of its own light in the later afternoon and evenings. The garage to the front of Plot 3 will have the most impact on No. 61 although, as mentioned the roof has been designed so as to not result in significant overshadowing and overbearing effects. Furthermore the existing hedge between the properties is to be maintained which will provide some screening of the proposed development from the neighbouring site.

On the other side, at No. 67, the main impacts will be from Plot 1 although between the two is an existing detached garage which will aid in separating the two properties, provide some screening and obscure the views. Furthermore, there are no habitable room windows proposed to the front of Plot 1 and the closest window will be an obscure glazed en-suite window.

Having reviewed the impact of the proposal in detail, it is considered that the proposed dwellings would not significantly affect the amenities of occupiers of the neighbouring properties in terms of loss of light, privacy overbearing impact nor outlook. It is also deemed that there would be sufficient distance between the proposed dwellings and the existing properties so as not to result in any significant overbearing, overlooking or overshadowing impacts for the future occupiers of the proposed dwellings.

It is therefore considered that the proposal would comply with the provisions of adopted Local Plan Policy E3, and submitted Local Plan Policy D2.

Conclusion

The principle of development on this site for residential purposes was established by the grant of the outline planning permission. The layout, scale, appearance, internal access, landscaping and drainage of the development is deemed to be acceptable and would complement the existing streetscape and would accord with adopted Local Plan Policies E4, E7, H7, F1, F2, F3, T3 and T8, submitted Local Polices S3, D1, H6, En1, En3, IF4, IF7, Cc2 and Cc3, the 6Cs Design Guide and the NPPF. It is also considered that the proposal would be acceptable in relation to residential amenities of existing and future occupiers and as such would accord with adopted Local Plan Policy E3 and submitted Local Plan Policy D2. It is therefore recommended that the application be permitted.

It is therefore recommended that the application be permitted.

RECOMMENDATION - PERMIT, subject to the following conditions;

- 1 Outline conditions
- 2 Approved plans
- 3 Materials
- 4 Drainage
- 5 Wetland area details
- 6 Landscaping
- 7 Levels
- 8 Obscure glazing of relevant windows
- 9 Parking provision
- 10 Removal of permitted development rights