

Demolition of existing garages and erection of 2no. two bedroom bungalows.

Report Item No
A4

Land Adjacent To 32 Verdon Crescent Coalville Leicestershire
LE67 4QW

Application Reference
16/01207/FUL

Applicant:
Mr Glynn Jones

Date Registered:
14 October 2016

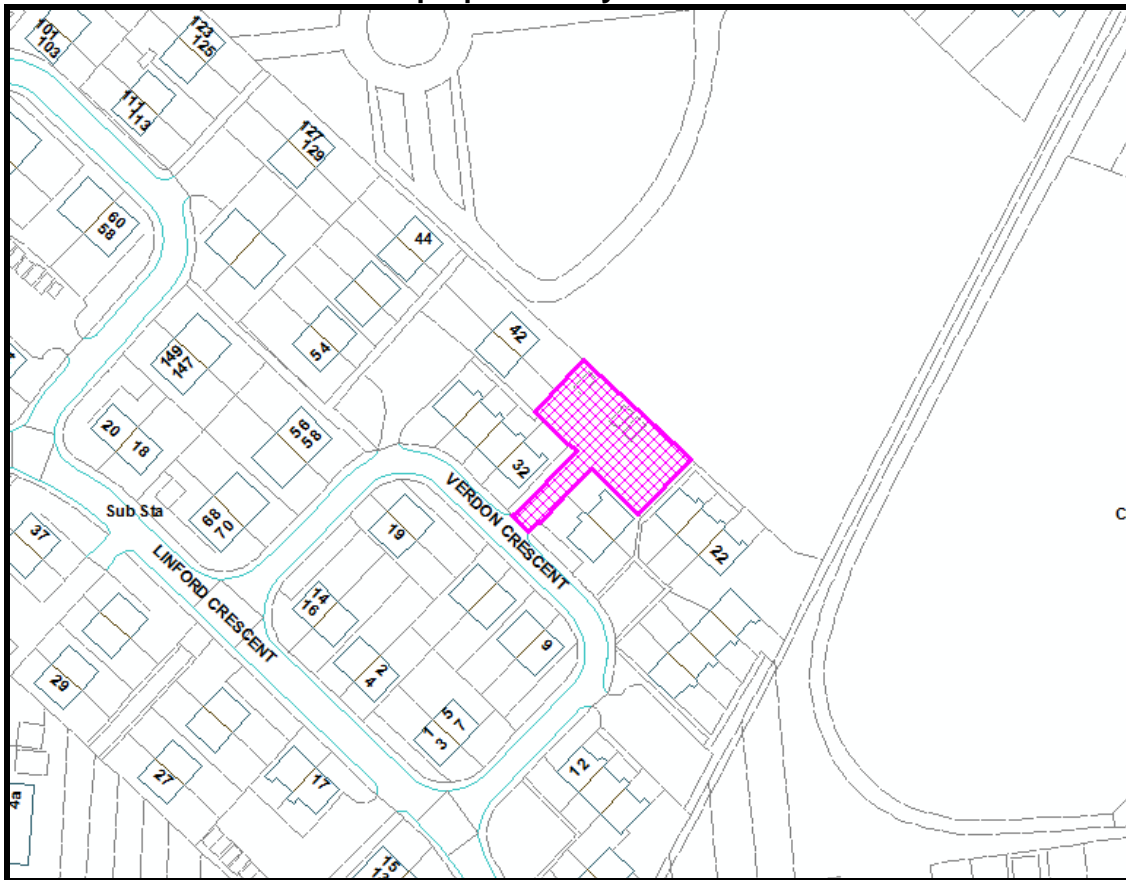
Case Officer:
Robert McKillop

Consultation Expiry:
15 November 2016

Recommendation:
PERMIT

8 Week Date:
9 December 2016
Extension of Time:
None Agreed

Site Location - Plan for indicative purposes only



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Executive Summary of Proposals and Reasons for Approval

Reason for Call In

In accordance with the North West Leicestershire District Council Constitution, the application has been referred to Planning Committee as the application is submitted by the Council for its own development and objections have been received.

Proposal

This application seeks full planning permission for the demolition of existing garages and erection of 2no. two bedroom bungalows at land adjacent to 32 Verdon Crescent, Coalville.

Consultations

Members will see from the main report below that two objections letters have been received from neighbours. There are no other objections raised from statutory consultees.

Planning Policy

The application site lies within the Limits to Development as defined in the adopted and submitted North West Leicestershire Local Plans. The application has also been assessed against the relevant policies in the NPPF and other relevant guidance.

Conclusion

The site is located within the Limits to Development where the principle of residential development is considered acceptable. Furthermore, in respect of the social, economic and environmental impacts, the proposed scheme is considered to represent sustainable development. The development would appear in keeping with the character and appearance of the surrounding area and would not have any adverse impacts on residential amenities or highway safety. There are no other material planning considerations that indicate planning permission should not be granted and accordingly the proposal, subject to relevant conditions, is considered acceptable for the purposes of the policies referred to in the main report below.

RECOMMENDATION - PERMIT, subject to of 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 and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

Planning permission is sought for the demolition of existing garages and erection of 2no. two bedroom bungalows at land adjacent to 32 Verdon Crescent, Coalville. The application site is located within Limits to Development and would be accessed from the north eastern side of Verdon Crescent. The site is in a residential area although there is a cemetery to the north of the site and a sports playing field to the east. The application submission is accompanied by a Design and Access Statement.

No recent planning history was found for this application.

2. Publicity

8 neighbours notified.

3. Summary of Consultations and Representations Received

Two public letters have been received raising the following point of objection:

- Although the proposed bungalows require parking spaces, the loss of the informal parking will make access more difficult for existing residents and will lead to on-street parking problems in the area;
- The occupiers of the proposed dwellings should be suited to elderly neighbours;
- The works could result in noise and disruption during the construction phase.

Leicestershire County Council - Highways has no objections subject to conditions.

NWLDC Environmental Protection has no environmental observations.

Severn Trent Water Ltd has not responded during the application process.

4. Relevant Planning Policy

National Policies

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 North West Leicestershire Local Plan as listed in the relevant section 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:

- Paragraph 14 (Presumption in favour of sustainable development)
- Paragraph 49 (Delivering a wide choice of high quality homes)
- Paragraph 57 (Requiring good design)
- Paragraph 64 (Requiring good design)

Adopted North West Leicestershire Local Plan (2002)

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

Policy S2- Limits to Development
Policy E3 - Residential Amenities
Policy E4 - Design
Policy E7 - Landscaping
Policy T3 - Highway Standards
Policy T8 - Parking
Policy H4/1 - Housing Land Release
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. The weight to be attached by the decision maker to this submitted version should be commensurate to the stage reached towards adoption.

Policy S2 - Settlement Hierarchy
Policy D1 - Design of New Development
Policy D2 - Amenity
Policy En1 - Nature Conservation
Policy IF4 - Transport Infrastructure and New Development
Policy IF7 - Parking Provision and New Development

Other Guidance

6Cs Design Guide (Leicestershire County Council)

The 6Cs Design Guide sets out the County Highway Authority's requirements in respect of the design and layout of new development.

National Planning Practice Guidance - March 2014.

5. Assessment

Principle and Sustainability

The application site lies within the defined Limits to Development in Coalville where residential development would accord with Policy S2 of the adopted Local Plan and Policy S2 of the submitted Local Plan.

Consideration should be given to whether the proposals constitute sustainable development (inclusive of its economic, social and environmental roles) given the presumption in favour of such as set out in the NPPF. As the Coalville benefits from a range of day to day services and good public transport links to surrounding areas it is considered to be a socially sustainable location for new development. In terms of environmental considerations, future occupiers would not be heavily reliant on the private car to access services which would potentially reduce vehicle emissions and it is noted that the site is on previously developed land. There would be some limited economic benefits associated with the scheme by way of supporting local construction jobs and services in the area. Overall, the development is therefore considered acceptable in principle subject to other material considerations.

Design and Impact upon Character

The need for good design in new residential development is outlined not only in Local Plan Policy H7, but also paragraphs 57, 60 and 61 of the NPPF, with paragraph 61 outlining that

although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment. Policy E4 of the adopted Local Plan and Policy D1 of the submitted North West Leicestershire Local Plan indicate that in the determination of planning applications regard will be had to the wider settings of new buildings; new development should respect the character of its surrounding, in terms of scale, design, height, massing, materials of construction, the spaces between and around buildings and the street scene generally.

The proposed development would reflect the character the surrounding area which generally comprises semi-detached bungalows which differ slightly in layout and orientation. The proposed dwellings would not feature prominently in views within the street scene given the set back and position behind existing bungalows, and although the proposed bungalows would be visible from the public open space to the rear, they would be adjacent to other bungalows and would be in keeping with the surrounding built form. Each proposed dwelling would have an area of residential curtilage to the side/rear and two tandem parking spaces to the front and the proposed layout is deemed to be acceptable and in keeping with the surrounding area. The proposed front gable and door and window openings are considered to result in a more contemporary appearance and given the aforementioned characteristics, the proposed dwellings are considered to be sufficiently in keeping with the general character of development in the area. The overall layout and design details are considered to be acceptable and the application would therefore accord with Policy E4 and H7 of the adopted Local Plan, Policy D1 of the submitted Local Plan and the design advice in the NPPF.

Impact upon Residential Amenity

Two representations have been received from neighbours. Although the site is to the rear of several neighbouring bungalows, the proposed dwellings would be set 5.6 metres away from all boundaries with neighbours. Given this intervening distance, low height and hipped roof design, the proposed bungalows would not lead to any significant overbearing or overshadowing and the ground floor level windows would not allow for any new overlooking opportunity. Although the driveway would run adjacent to the boundary of surrounding properties, given the existing use of the site for parking and garages, it is considered that this would not result in any additional noise or disturbance. Although residents have raised concern about disturbance during the construction phase, this is not likely to be significantly detrimental and would not warrant reason to refuse the application. In relation to other concerns raised, the suitability of future occupiers is not a material planning consideration and a condition would be attached to ensure the proposed boundary treatments would have an acceptable position and appearance.

Overall, it is considered that the development would not have any significant detrimental impact upon the amenity of neighbouring residential properties or future occupiers and would accord with Policy E3 of the adopted Local Plan and D2 of the submitted Local Plan.

Highway Considerations

The County Highways Authority (CHA) has been consulted on the application and although highlighted some concern regarding insufficient turning space, it concluded this is not likely to result in any significant harm to highway safety. In their comments, they noted that the site presently offers informal parking for residents of Verdon Crescent although none of the garages appear to be in use for parking. Although neighbour objections have been received in relation to the loss of the informal parking area, given the lightly trafficked nature of Verdon Crescent, it is considered that although some additional on-street parking may occur, this is not likely to result in any significant detrimental impact on highway safety. The site access would not be

altered and visibility for both pedestrians and vehicles and the access width would remain acceptable and in accordance with current highways design guidance. The CHA has confirmed that they have no objections subject to conditions.

Overall, subject to suitably worded conditions, it is deemed that the application would have an acceptable impact on highway safety. The application is deemed to accord with Policies T3 and T8 of the adopted Local Plan, Policies IF4 and IF7 of submitted Local Plan and the advice in the 6Cs Design Guide.

Other

There are no trees or shrubs within the application site that would be affected and the site is not in Flood Zones 2 or 3 and is not likely to be affected by flooding.

Conclusion

The principle of residential development is considered to be acceptable and the application would not have any significant impacts on residential amenity, design, highway safety and flooding. Taking all of the above into account, it is considered that the application complies with relevant policies of the adopted and submitted Local Plans and the National Planning Policy Framework. It is therefore recommended that the application is permitted.

RECOMMENDATION - PERMIT, subject to the following condition(s):

- 1 The development shall be begun before the expiration of three years from the date of this permission.

Reason- to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The proposed development shall be carried out strictly in accordance with the following amended plans, unless otherwise required by a condition of this permission:

- Drawing No.2667-29 (Proposed Site Layout), received 14 October 2016;
- Drawing No.2667-30 (Proposed Plots 1 & 2), received 14 October 2016.

Reason - For the avoidance of doubt and to determine the scope of the permission.

- 3 No building shall be erected on site above damp proof course level until representative samples of the materials to be used in all external surfaces have been submitted to and agreed in writing with the Local Planning Authority. The works shall be undertaken in accordance with the approved details.

Reason- to enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.

- 4 Prior to the first occupation of the dwellings hereby approved, the car parking and turning areas shall be provided in accordance with details shown on Drawing No.2667-29 (Proposed Site Layout), received 14 October 2016, and once provided shall thereafter be maintained and kept available for use at all times.

Reason- to ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.

- 5 If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected they shall be set back a minimum distance of 6 metres behind the highway boundary and shall be hung so as not to open outwards.

Reason: To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway.

- 6 No development (except any demolition permitted by this permission) shall commence on site until a Risk Based Land Contamination Assessment has been submitted to and approved in writing by the Local Planning Authority, in order to ensure that the land is fit for use as the development proposes. The Risk Based Land Contamination Assessment shall be carried out in accordance with:

- BS10175:2011+A1:2013 Investigation of Potentially Contaminated Sites Code of Practice;
- BS 8576:2013 Guidance on Investigations for Ground Gas - Permanent Gases and Volatile Organic Compounds (VOCs); and
- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

Should any unacceptable risks be identified in the Risk Based Land Contamination Assessment, a Remedial Scheme and a Verification Plan must be prepared and submitted to and agreed in writing by the Local Planning Authority. The Remedial Scheme shall be prepared in accordance with the requirements of:

- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004; and
- BS 8485:2015 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings
- The Verification Plan shall be prepared in accordance with the requirements of:
- Evidence Report on the Verification of Remediation of Land Contamination Report: SC030114/R1, published by the Environment Agency 2010;
- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

If, during the course of development, previously unidentified contamination is discovered, development must cease on that part of the site and it must be reported in writing to the Local Planning Authority within 10 working days. Prior to the recommencement of development on that part of the site, a Risk Based Land Contamination Assessment for the discovered contamination (to include any required amendments to the Remedial Scheme and Verification Plan) must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the land is fit for purpose and to accord with the aims and objectives of paragraph 120 of the NPPF.

- 7 Prior to occupation of the completed development, or part thereof, Either
- 1) If no remediation was required by Condition 6 a statement from the developer or an

approved agent confirming that no previously identified contamination was discovered during the course of development, or part thereof, is received and approved in writing by the Planning Authority, or

- 2) A Verification Investigation shall be undertaken in line with the agreed Verification Plan for any works outlined in the Remedial Scheme and a report showing the findings of the Verification Investigation relevant to the whole development, or part thereof, shall be submitted to and approved in writing by the Local Planning Authority. The Verification Investigation Report shall:
- Contain a full description of the works undertaken in accordance with the agreed Remedial Scheme and Verification Plan;
 - Contain results of any additional monitoring or testing carried out between the submission of the Remedial Scheme and the completion of remediation works;
 - Contain Movement Permits for all materials taken to and from the site and/or a copy of the completed site waste management plan if one was required;
 - Contain Test Certificates of imported material to show that it is suitable for its proposed use;
 - Demonstrate the effectiveness of the approved Remedial Scheme; and
 - Include a statement signed by the developer, or the approved agent, confirming that all the works specified in the Remedial Scheme have been completed.

Reason: To ensure that the land is fit for purpose and to accord with the aims and objectives of paragraph 120 of the NPPF.

- 8 No building shall be erected on site above damp proof course level until a detailed scheme for the boundary treatment of the site is submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented before the dwelling is occupied.

Reason- To preserve the amenities of the locality.

- 9 No building shall be erected on site above damp proof course level until precise details of the existing and finished ground levels and the proposed floor levels of the buildings in relation to an existing datum point have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason- to ensure the development takes the form envisaged by the Local Planning Authority.

- 10 Notwithstanding the details shown on the approved plans, no development shall commence until a landscaping scheme for the site has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in the first planting and seeding season following either the first occupation or the bringing into use of the development hereby approved unless an alternative implementation programme is first agreed in writing with the Local Planning Authority.

Reason- To ensure satisfactory landscaping is provided within a reasonable period.

- 11 Any tree or shrub which may die, be removed or become seriously damaged shall be replaced in the first available planting season thereafter and during a period of 5 years from the first implementation of the approved landscaping scheme or relevant phase of the scheme, unless a variation to the landscaping scheme is agreed in writing with the Local Planning Authority.

Reason- To provide a reasonable period for the replacement of any trees.

Notes to applicant

- 1 Planning permission has been granted for this proposal. Discussion with the applicant was not necessary in this instance. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.