

Demolition of care home and erection of 11 dwellings

Report Item No  
A2

Greenacres Linford Crescent Coalville Leicestershire LE67  
4QT

Application Reference  
17/00023/FULM

Applicant:  
Mr Glyn Jones - NWLDC Director Of Housing

Date Registered:  
10 January 2017

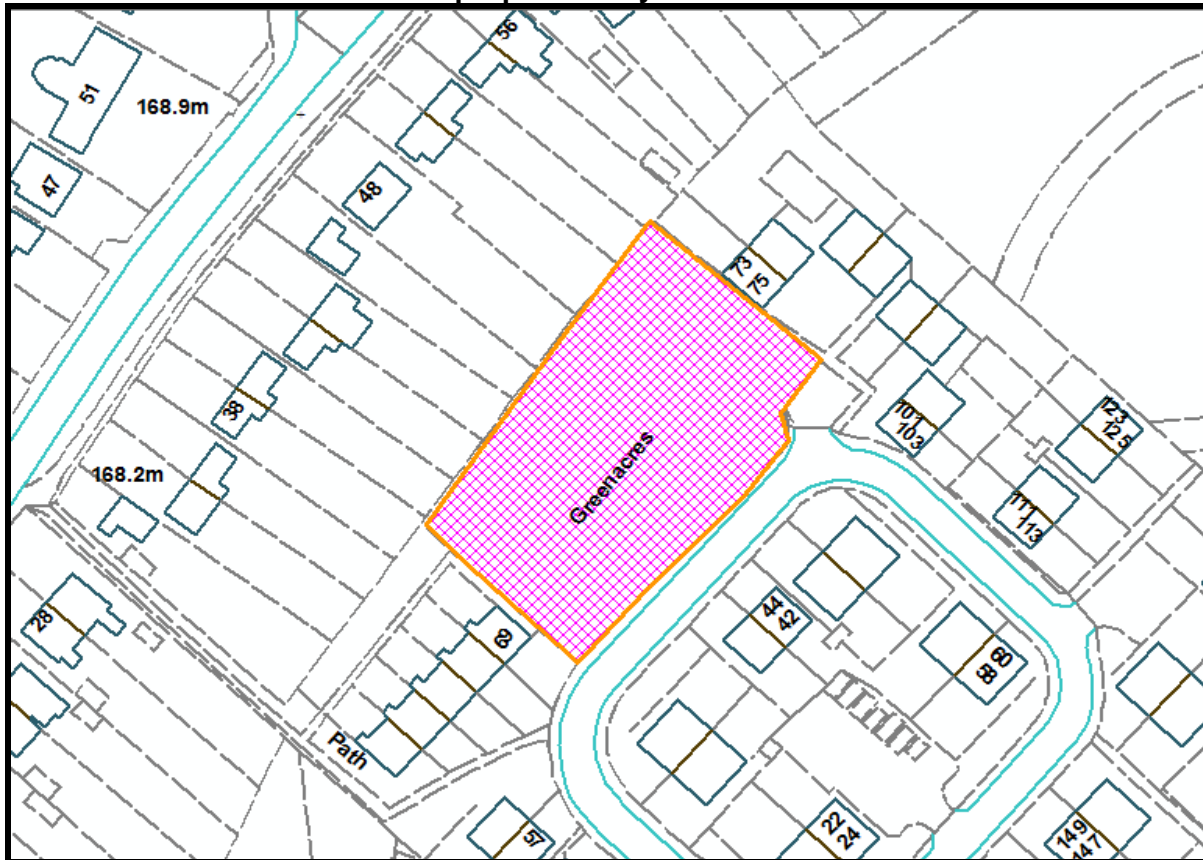
Case Officer:  
Robert McKillop

Consultation Expiry:  
1 February 2017  
8 Week Date:  
11 April 2017

Recommendation:  
PERMIT

Extension of Time:  
None Agreed

Site Location - Plan for indicative purposes only



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## EXECUTIVE SUMMARY OF PROPOSALS

### 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 an objection has been received.

### Proposal

This application seeks full planning permission for the demolition of the existing care home and erection of 11 dwellings at Linford Crescent, Coalville. All of the properties would be provided as Affordable Dwellings and would be social rented houses.

### Consultations

Members will see from the main report below that one neighbour objection letter has been received. No other objections have been raised by 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 principle of residential development is considered to be acceptable and the application would not have any significant impacts on residential amenity, highway safety, ecology, landscaping and flooding. Amended plans are being prepared which should address the design issues which have been raised and a viability assessment is also being prepared and will need to be assessed by the District Valuer. Subject to satisfactory details being provided in respect of these issues and having regard to the assessment in the main report below, it is considered that the application would comply 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 subject to the details below.

**RECOMMENDATION - PERMIT, subject to condition(s) and subject to the completion of a Legal Agreement to secure affordable housing and/or education contributions (dependent on the DVs assessment of the viability assessment) and subject to satisfactory amended plans being received which address the design of the scheme**

**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 the existing care home and erection of 11 dwellings at Linford Crescent, Coalville. The application site is located within Limits to Development and would be accessed from the north western side of Linford Crescent. The site is surrounded by existing residential properties. The application submission is accompanied by a Design and Access Statement.

All of the properties would be provided as Affordable Dwellings and would be social rented houses. The mix proposed is for 1 x 1 bedroom detached bungalow and 10 x 2 bedroom semi-detached two-storey dwellings.

Relevant Planning History:

16/01208/FULM - Demolition of Local Authority care home and erection of 10 dwellings. Withdrawn.

### 2. Publicity

38 neighbours notified.

Press Notice published Leicester Mercury 18 January 2017.

Site notice posted 11 January 2017

### 3. Summary of Consultations and Representations Received

One neighbour letter has been received raising the following objection:

- The development will result in extra parking congestion around Linford Crescent which will make access more difficult for residents with mobility problems.

**Leicestershire County Council - Developer Contributions** requests a contribution of £46,913.79 towards the education sector only.

**Leicestershire County Council - Ecology** has no objections subject to conditions.

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

**Leicestershire County Council - Lead Local Flood Authority** has not responded during the course of the application.

**National Forest Company** has no objections subject adequate details of green roofs and landscaping being secured by way of condition.

**NHS Leicester, Leicestershire and Rutland** has no objections.

**NWLDC Environmental Protection** has no environmental observations.

**NWLDC - Head of Leisure** no representation received.

**NWLDC - Street Management** has no objections.

**Severn Trent Water Ltd** has no objections subject to conditions.

#### **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 32 (Promoting sustainable transport)  
Paragraph 34 (Promoting sustainable transport)  
Paragraph 49 (Delivering a wide choice of high quality homes)  
Paragraph 57 (Requiring good design)  
Paragraph 60 (Requiring good design);  
Paragraph 61 (Requiring good design);  
Paragraph 64 (Requiring good design);  
Paragraph 118 (Conserving and enhancing the natural environment);  
Paragraph 203 (Planning conditions and obligations) and;  
Paragraph 204 (Planning conditions and obligations).

##### **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 the principle of 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 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. It is also noted that the development proposes all social rented houses which would boost the supply of affordable housing in the area. 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**

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 Council's Urban Designer has been consulted and has raised some concerns in relation to the proposed landscaping to the front of the site, the usability of the parking area and also the design characteristics and detailing of the houses. Whilst the appearance of the proposed dwellings would generally be in keeping the appearance of dwellings in the surrounding area, following discussions with the applicant, they have agreed to submit amended plans and elevations to address the above concerns as raised by the Urban Designer. On the basis that the amended plan would demonstrate an improved site layout with more usable parking spaces, better defined public and private spaces and landscaping, and improved elevations to reduce massing or roofs and brickwork, then the application would relate well to the character and appearance of dwellings in the surrounding area. Comments on the amended plans will be reported on the Update Sheet.

The proposed dwellings would reflect the characteristics of the area, with open spaces and landscaping to the front of properties and the development would generally be in keeping with the surrounding built form. The proposed dwellings would benefit from suitably sized rear amenity areas, and subject to suitably designed amended plans, the front curtilage layout would allow for sufficient parking, turning and landscaping that would reflect the open character of the area.

The overall layout and design details are considered to be generally 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**

It is noted that the proposed dwellings would share a similar building line and built form as the existing care home building to be replaced. The existing care home is also of a two storey nature with windows in the front and rear elevation in a similar arrangement to those proposed under the current application. No windows are proposed in the side elevation of Plot 11 and it is deemed that the intervening distance away from other properties would ensure that the proposed development does not lead to any new overlooking opportunities. Given the proposed building would occupy a similar position to the existing care home, it is not likely to lead to any increased overbearing or overshadowing of neighbours. Although the built development would be closer to the boundary with No.69 Linford Crescent, Plot 1 would be occupied by a bungalow and it is considered that this low overall height would not have any significant detrimental overbearing or overshadowing impacts on this neighbour. Additionally, although the development would be built closer to the dwellings to the north east, there are no facing windows in neighbouring dwellings that would be affected and as the dwelling on Plot 11 would have a similar building line, it would not result in any significant overbearing or overshadowing.

One neighbour letter was received raising concerns that the development resulting in extra parking congestion around Linford Crescent which will make access more difficult for residents with mobility problems. It is noted from the occupiers of the flats to the north east of the site that occupiers could still be collected from relatively close by to their properties given the parking and turning area to be retained in front of the proposed dwelling on Plot 11. It is deemed that although occupiers would have to travel slightly further, this is not likely to be significantly detrimental to amenity given the access arrangement to be retained.

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 development would lead to some loss of existing parking for flats to the north east of the site. The County Highways Authority (CHA) has been consulted on the application and has advised that this would not represent an unacceptable loss given the retention of four spaces in the existing parking area. The proposed dwellings would benefit from the required number of parking spaces. Plots 1-3 would have an access directly on to Linford Crescent, Plots 3-9 would benefit from a shared access onto Linford Crescent and Plots 10-11 would be accessed off the existing parking and turning area at the north eastern end of the site. Whilst the CHA are generally satisfied with the submitted details, they have requested that conditions are attached to any permission granted in relation to layout, access, pedestrian crossings and visibility, as well as details of the bus stop to be relocated. Given the lack of objection from CHA and subject to suitably worded conditions, the development is considered to 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.

### **Developer Contributions**

Paragraphs 203 and 204 of the NPPF set out the Government's policy in respect of planning obligations and, in particular, provide that planning obligations should be:

- necessary to make the proposed development acceptable in planning terms;
- directly related to the proposed development; and
- fairly and reasonably related in scale and kind to the proposed development.

Equivalent legislative tests are contained within the Community Infrastructure Levy (CIL) Regulations 2010.

The requested developer contributions are listed below.

#### **Education**

In respect of the proposed education contributions, Leicestershire County Council comments as follows:

##### **Primary School Requirements**

The site falls within the catchment area of Broom Leys Primary School. The School has a net capacity of 595 and 601 pupils are projected on the roll should this development proceed; a deficit of 6 pupil places. There are currently 3 pupil places at this school being funded by S106 agreements for other developments in this area which reduces the deficit at this school to 3 pupil places, taking into account the 3 pupils generated by this development.

There are two other primary schools within a two mile walking distance of the development and the overall deficit including all schools within a two mile walking distance of the development is 22 pupil places. A total of 64 pupil places have been discounted that are funded from S106 agreements for other developments in the area. The 3 deficit places created by this development cannot therefore be accommodated at nearby schools and a claim for an education contribution of 3 pupil places in the primary school sector is justified.

In order to provide the additional primary school places anticipated by the proposed development, the County Council requests a contribution for the primary school sector of £29,037.62. This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Broom Leys Primary School.

##### **High School Requirements**

The site falls within the catchment area of Castle Rock High School. This School has a net capacity of 600 and 747 pupils are projected on the roll should this development proceed; a deficit of 147 pupil places. There are 90 pupil places at this school being funded by S106 agreements from other developments in the area to be discounted which reduces the deficit at this school to 57 (of which 56 are existing and 1 is created by the development).

There is one other high school within a three mile walking distance of the development and the overall deficit including all schools within a three mile walking distance of the development is 85 pupil places. A total of 212 pupil places have been discounted that are funded from S106 agreements for other developments in the area. The 1 deficit place created by this development cannot therefore be accommodated at nearby schools and a claim for an education contribution

of 1 pupil place in the high school sector is justified.

In order to provide the additional high school places anticipated by the proposed development, the County Council requests a contribution for the high school sector of £17,876.17. This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Castle Rock High School.

The education contributions would need to be secured by way of a suitably worded agreement entered into by the Council and the County Council before the grant of planning permission. However, whilst the need for the contributions per se are not disputed, the applicants are of the view that, should the contributions requested above be sought, the scheme would become unviable. The applicants are therefore in the process of submitting a viability assessment which would need to be reviewed on the Local Planning Authority's behalf by the District Valuer. It is anticipated that the viability assessment will indicate that as the scheme is for 100% affordable housing that the developer is unable to pay for any further contributions on the site. However, it will be necessary for the District Valuer to assess the findings in the viability assessment. Further details will be provided on the Update Sheet.

It would be necessary for the applicant's to enter into an agreement to secure affordable housing on the site in perpetuity if the District Valuer concludes the scheme would not be viable with the education contribution.

### **Ecology**

The County Council Ecologist has been consulted and has advised that the submitted ecology report is satisfactory and the recommendations should be secured by way of a planning condition. Subject to such a condition, it is considered that the development would have an acceptable impact on protected species and would accord with Paragraph 118 of the NPPF and Circular 06/05.

### **Landscaping**

The National Forest Company (NFC) has advised that the potential for other trees to be retained and incorporated into the design should be considered and has also advised that specimen tree planting should be included within the proposed landscaping scheme. The NFC has also recommended that further details about the construction and implementation of the proposed green roofs should be required through planning condition. In terms of the impact on trees, the development would result in some loss of existing trees in the front curtilage of the site, however it is noted that one existing tree would be retained in this area. Existing trees within the rear curtilage of the site would be retained and the loss of trees to the front is considered to represent a minor overall impact. In any case, conditions would be imposed on any consent granted for appropriate landscaping to be supplied to mitigate against the loss of the boundary hedgerow. Conditions regarding the green roof details and implementation would also be attached and on this basis the development would be compliant with Policy E7 of the adopted Local Plan.

### **Flooding**

The site is not in Flood Zones 2 or 3 and is at very low risk of surface water flooding and flooding from rivers. Severn Trent Water Ltd has no objection subject to a condition requiring details of surface water and foul sewerage to be provided prior to development commencing. The Lead Local Flood Authority (LLFA) has commented that no soakaway testing has been undertaken to confirm the viability of infiltration type drainage at the site, which is a requirement of Severn Trent Water Ltd before they accept a surface water connection to their sewers. The



LLFA has advised that the proposed development would have a minor impact and is considered to be acceptable based on the surface water management principles provided within the application and raises no objections subject to conditions. Subject to suitably worded conditions, the application is considered to have an acceptable impact on flooding.

### **Conclusion**

The principle of residential development is considered to be acceptable and the application would not have any significant impacts on residential amenity, highway safety, ecology, landscaping and flooding. Amended plans are being prepared which should address the design issues which have been raised and a viability assessment is also being prepared and will need to be assessed by the District Valuer. Subject to satisfactory details being provided in respect of these issues and taking all of the above into account, it is considered that the application would comply 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 subject to the details below.

**RECOMMENDATION - PERMIT, subject to the following condition(s) and subject to the completion of a Legal Agreement to secure affordable housing and/or education contributions (dependent on the DVs assessment of the viability assessment) and subject to satisfactory amended plans being received which address the design of the scheme**

- 1 Time limit**
- 2 Approved plan**
- 3 External materials**
- 4 Details of vehicular access, pedestrian crossing and bus stop to be relocated**
- 5 Pedestrian visibility**
- 6 Construction management plan**
- 7 Parking layout**
- 8 Boundary treatments**
- 9 Finished floor levels**
- 10 Landscaping and green roof details**
- 11 Landscaping maintenance**
- 12 Drainage**
- 13 Surface water**
- 14 Ecology**
- 15 Affordable housing and/or education contribution if DV indicates the scheme is viable - legal agreement**