

Demolition of the existing building and the erection of 24 affordable residential units

**Report Item No
A3**

Police Station Ashby Road Coalville Leicestershire LE67 3QG

**Application Reference
17/01174/FULM**

**Applicant:
Mr Joe Menna**

**Date Registered:
17 August 2017**

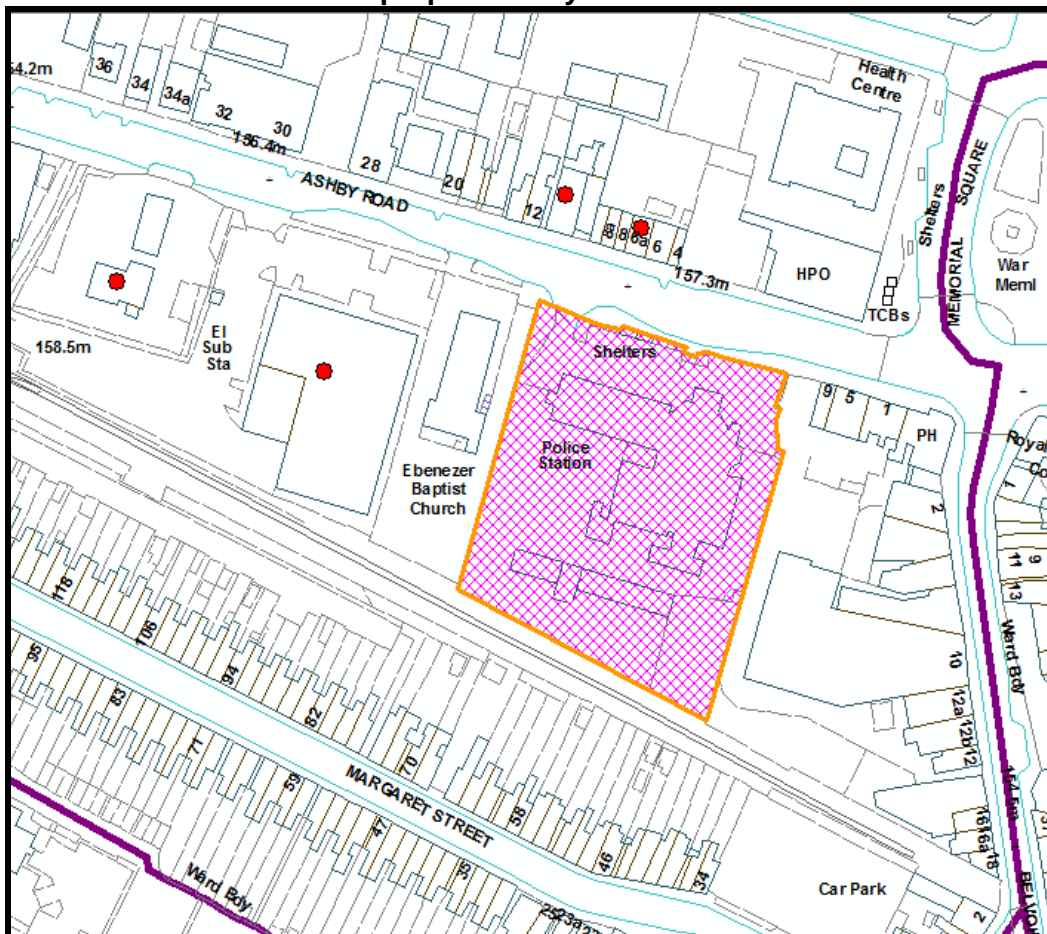
**Case Officer:
James Mattley**

**Consultation Expiry:
5 January 2018**

**Recommendation:
PERMIT subject to S106 Agreement**

**8 Week Date:
16 November 2017
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

The application is reported to the Planning Committee, at the request of Councillor Purver on the basis of additional traffic movements around Memorial Square and to ensure that a suitable design comes forward given the prominent location of the site.

Proposal

Full planning permission is sought for the demolition of the existing building and the erection of 24 affordable residential units at the existing police station site off Ashby Road, Coalville.

Consultations

Nobody has objected to the scheme, either members of the public or any statutory consultees. A final response from the Lead Local Flood Authority is awaited at the time of writing this report.

Planning Policy

The application site is located inside Limits to Development as defined by the adopted Local Plan. The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

Conclusion

- The site is brownfield (previously developed) land located within the Limits to Development and in a sustainable location within Coalville
- The re-development of the site for affordable housing is acceptable in principle. Officers suggest using conditions to make sure that, when built, the proposal would not have an unacceptable negative affect on residential amenity in the area, have any significant detrimental design impacts, impact upon heritage assets, result in significant drainage or flooding concerns or conflict with highway safety.
- There are no other material planning considerations to indicate that planning permission should not be granted.

The proposal complies with the relevant policies in the adopted Local Plan, the NPPF and all other relevant guidance. It is therefore recommended that the application be permitted subject to conditions and a legal agreement.

RECOMMENDATION - PERMIT, subject to no objections being raised by the LLFA, subject to conditions and a legal agreement.

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 building and the erection of 24 affordable residential units at the existing police station site off Ashby Road, Coalville. The application site is located to the south of Ashby Road and is outside of the Coalville Conservation Area. The site is located within the Limits to Development and in the Town Centre (but not the primary shopping area) as defined in the adopted Local Plan.

The scheme proposes 6 x 1 bed dwellings, 10 x 2 bed dwellings and 8 x 3 bed dwellings. It is proposed that the completed properties will be acquired by the district council and provided as affordable rented properties.

Amended plans and information have been received during the course of the application to address officer concerns over the design of the scheme and to address consultee comments in relation to drainage and highway safety.

The application is accompanied by a design and access statement, building for life assessment, affordable housing statement, drainage strategy and phase 1 ground investigation report.

Relevant planning history:

15/00118/FUL - Demolition of existing police station and construction of a new police station along with associated car parking - permitted.

2. Publicity

39 Neighbours have been notified
Site Notice displayed 4 September 2017.
Press Notice published Leicester Mercury 6 September 2017.

3. Summary of Consultations and Representations Received

No letters of representation have been received from surrounding members of the public.

Leicestershire County Council Archaeologist has no objections.

Leicestershire County Council Civic Amenity Team requests a developer contribution of £1569.

Leicestershire County Council Ecologist has no objections.

Leicestershire County Council Education Department requests a developer contribution of £14,500.33.

Leicestershire County Council Lead Local Flood Authority (LLFA) is currently reviewing additional information and the final comments will be reported on the update sheet.

Leicestershire County Council Highway Authority has no objections subject to conditions.

National Forest Company has requested a financial contribution of £2200 towards off-site planting.

North West Leicestershire Contaminated Land Officer has no objections subject to conditions.

North West Leicestershire Environmental Protection Section has no objections.

Severn Trent Water has not responded at the time of writing this report.

The full contents of all consultee replies are available for members to inspect on the case file.

4. Relevant Planning Policy

The following planning policy is considered relevant to the determination of this planning application.

National Planning Policy Framework

The policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF. The following paragraphs of the NPPF are considered relevant to the determination of this application:

Paragraph 9 and 10 (Achieving sustainable development);
Paragraph 14 (Presumption in favour of sustainable development);
Paragraphs 18-19 (Building a strong, competitive economy);
Paragraph 32, 34, 35 and 39 (Promoting sustainable transport);
Paragraph 47, 49, 50 and 54 (Delivering a wide choice of high quality homes);
Paragraph 56-61 and 64 (Requiring good design);
Paragraph 69 and 74 (Promoting healthy communities);
Paragraph 100, 101 and 103 (Meeting the challenge of climate change, flooding and coastal change);
Paragraphs 129, 131-134, 137-139 and 141 (Conserving and enhancing the historic environment)
Paragraph 203-206 (Planning conditions and obligations).

Adopted North West Leicestershire Local Plan (2017)

The following policies are relevant to this application:

Policy S1 - Future Housing and Economic Development Needs
Policy S2 - Settlement Hierarchy
Policy D1 - Design of New Development
Policy D2 - Amenity
Policy H4 - Affordable Housing
Policy H6 - House Types and Mix
Policy IF4 - Transport Infrastructure and New Development
Policy IF7 - Parking Provision and New Development
Policy He1 - Conservation and enhancement of North West Leicestershire's historic environment
Policy Cc3 - Sustainable Drainage System

Other Policies / Guidance

National Planning Practice Guidance - March 2014.

The Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations').

Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System.

6Cs Design Guide (Leicestershire County Council).

Good Design for North West Leicestershire SPD - April 2017.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Assessment

Principle

The site is located within the Limits to Development and in the Town Centre (but not the primary shopping area) as defined in the adopted Local Plan. Whilst there are policies in the adopted Local Plan which seek to resist residential development in primary shopping areas there are not such policies in relation to land such as this that is outside of the primary shopping area.

The concept of new development being directed to locations that minimise reliance on the private motorcar is contained within the NPPF and Policy S2 of the adopted Local Plan sets out a settlement hierarchy. The application site is located within Coalville which benefits from an extensive range of local services/facilities and is accessible via public transport.

The provision of 24 affordable dwellings on previously developed land would represent a significant benefit of the scheme and overall the scheme is considered to represent sustainable development when balancing the environmental, social and economic elements of the application. Taking all of these issues into account, the proposal is considered acceptable in principle.

Design and Heritage

The need for good design in new residential development is outlined not only in adopted Local Plan Policy D1 but also Paragraphs 57, 60 and 61 of the NPPF.

The site immediately abuts the Coalville Conservation Area and Policy He1 of the adopted Local Plan and the advice in the NPPF require heritage assets to be preserved and enhanced. Where development results in harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

The proposed development must also be considered against section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that special regard shall be had to the desirability of preserving or enhancing the character or appearance of a conservation area.

The application which has been submitted has been the subject of discussions and negotiations with the District Council's Urban Designer and Conservation Officer during the course of the application, and has been amended in order to address previously expressed concerns regarding the design quality of the scheme. The concerns principally related to connections, the fragmentation of perimeter blocks and the relationship with the adjacent church and Ashby Road. Amended plans have been submitted which represent an improvement over the originally submitted plans and have sought to address the previously raised concerns, especially in relation to the design and appearance of the terraced units that front onto Ashby Road. The amended plans also show how connections would be possible in the future with the

greenway to the rear of the site and has moved development away from the adjacent church.

It is considered that the scheme now addresses the previous concerns which have been raised although it would be necessary to attach relevant planning conditions in respect of materials, surfacing, landscaping and boundary treatments to ensure appropriate details given the design advice in the Council's Good Design SPD and the prominent nature of the site adjacent to the conservation area.

Overall, subject to conditions, the design, appearance and scale of this proposal is acceptable and would not look out of keeping with the character and appearance of the adjacent conservation area. In view of the above this development would be compliant with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies He1 and D1 of the adopted Local Plan, the Council's Good Design SPD and the advice contained in the NPPF.

Affordable Housing

The development seeks to provide 100% affordable housing on this development. The affordable proposal relates directly to consultations with the Strategic Housing Team and the proposed scheme relates directly to the affordable housing needs identified in terms of house types and tenures.

The completed properties would be acquired by NWLDC Housing Department who would own and manage the homes. The homes would be allocated through the Leicestershire Sub Regional Choice Based Lettings Scheme which would ensure that those households with a District Connection are given priority.

It is also noted that the proposed development is close to all the main facilities in the town. Taking all of these issues into account the Strategic Housing Team strongly supports this development and is considered to comply with Policy H4 of the adopted Local Plan.

Highway Safety

An amended access is proposed off Ashby Road in a similar location to the existing access. The County Highway Authority (CHA) originally requested more information in relation to calming speeds of vehicles at the junction, details of vehicle tracking and the removal of the yellow box markings within the carriageway of Ashby Road. Following the submission of amended plans the CHA have now confirmed that the proposed development is acceptable subject to conditions.

The applicants have confirmed that it is their intention for the development to be served by an adoptable internal road and the CHA have stated that the road is suitable for adoption.

With regard to car parking numbers, the 6Cs document and the Good Design SPD generally require two spaces for three bedroom properties and below. The scheme accords with this guidance and proposes a total of 48 car parking spaces. The County Highway Authority raises no objections to the level of car parking and the Council's Urban Designer raises no objection to the design of the car parking spaces across the scheme subject to suitable conditions. Overall, it is considered that the level of car parking is acceptable for this site and it is noted that the site is within easy walking distance of the Town Centre.

Overall, therefore, the highway safety aspects of the scheme are considered acceptable subject to appropriate conditions. The proposal is considered acceptable in relation to IF4 and IF7 of

the adopted Local Plan, the advice contained in the County Council's 6Cs document and the Good Design SPD.

Residential Amenity

Consideration has been given to the impact of the development on surrounding residential properties and other uses. The site is located in the Town Centre and directly adjacent to non-residential uses such as shops over the road and the Baptist Church immediately adjacent to the site.

It is not considered that the proposed residential dwellings would result in overlooking, overbearing or overshadowing to any surrounding uses. The dwellings would not result in significant levels of noise and disturbance to surrounding uses given that the site is located within the Town Centre which is subjected to a level of noise at present.

In terms of the impacts arising to the potential new occupiers, the dwellings are set back from Ashby Road and the Environmental Health Officer has no objections to the proposed development. Therefore it is not considered that noise and disturbance to the potential new occupiers would represent a significant constraint to development on the site.

Overall the development is deemed to be acceptable in relation to Policy D2 of the adopted Local Plan and the advice in the NPPF.

Flood Risk and Drainage

The Environment Agency flood zone maps indicate that the site lies within Flood Zone 1, and on this basis the site would appear suitable for development in principle (and in flood risk sequential terms, would meet the requirements of the NPPF).

It is noted within the proposals that betterment, in the form of a reduction in impermeable area, would be provided. The Lead Local Flood Authority (LLFA) consider that the submitted drainage and flood risk details appear generally suitable but originally requested additional information in terms of levels, proposed drainage storage and exceedance events.

This information has now been submitted and is currently being assessed by the LLFA. It is likely that conditions would need to be attached to any planning permission to ensure that detailed and satisfactory surface water and foul drainage schemes are provided on the site. However, it is noted that the final comments from the LLFA are awaited and they will be provided on the update sheet.

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.

In summary, the developer contributions required in respect of this application having regard to the requirements of the District Council's guidance and other service providers' requests are as follows:

- Contribution of £2200 towards off-site National Forest planting;
- Payment of £14,500.33 to Leicestershire County Council in respect of primary and high school education;
- Payment of £1569 to Leicestershire County Council in respect of civic amenity; and
- Payment of £7500 to introduce a traffic regulation order for waiting restrictions on the internal road layout.

The legal agreement would ensure that the proposed residential units are provided as affordable dwellings in perpetuity.

Insofar as the various developer contributions are concerned, the view is taken that the proposed obligations would comply with the relevant policy and legislative tests as set out in Circular 05/2005, the CIL Regulations and the NPPF.

Conclusion

The site is previously developed land located within the Limits to Development and in a sustainable location within Coalville. The re-development of the site for affordable housing is considered to be acceptable in principle.

Subject to relevant conditions, the proposal is not considered to affect residential amenity in the area, have any significant detrimental design impacts, impact upon heritage assets, result in significant drainage or flooding concerns or conflict with highway safety. There are no other material planning considerations that indicated planning permission should not be granted.

The proposal is deemed to comply with the relevant policies in the adopted Local Plan, the NPPF and all other relevant guidance. It is therefore recommended that the application be permitted subject to conditions and a legal agreement.

RECOMMENDATION - PERMIT, subject to no objections being raised by the LLFA, subject to the following conditions and subject to a legal agreement;

1. Time limit
2. Approved plans
3. External materials and external details
4. Foul and surface water drainage
5. Levels
6. Construction traffic management plan

7. Access, parking, surfacing and turning
8. Off-site highway works (removal of yellow box marking)
9. Cycle parking
10. Pedestrian visibility splays
11. Landscaping
12. Landscaping – replanting
13. Boundary treatments
14. Land contamination