

Residential development for up to 30 dwellings including open space, landscaping, and highways and drainage infrastructure (Outline - all matters other than part access reserved)
Land To The East Of Forest Road Coalville Leicestershire

Report Item No
A1

Application Reference
17/01802/OUTM

Grid Reference (E) 442799
Grid Reference (N) 313254

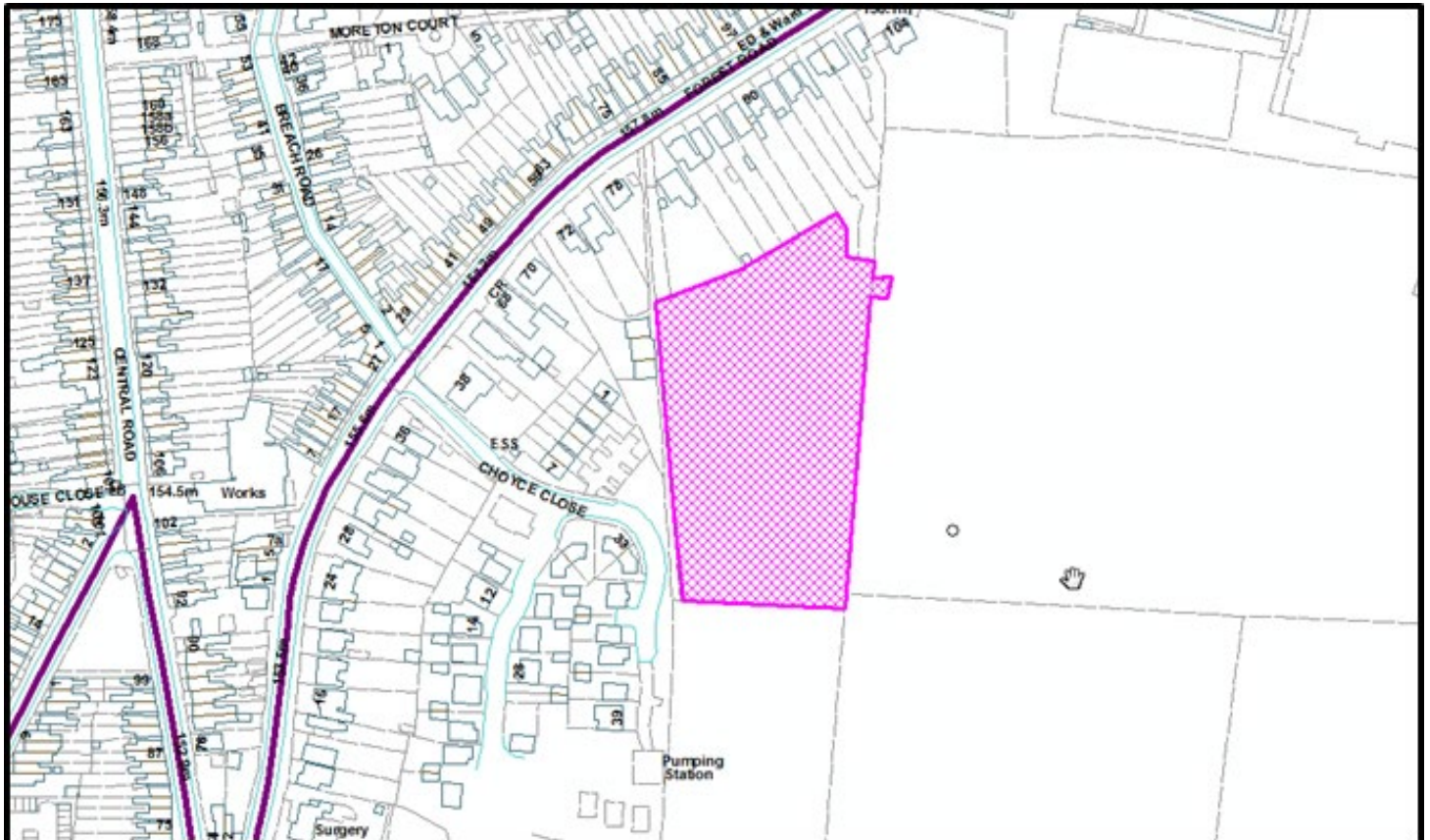
Date Registered:
4 December 2017
Consultation Expiry:
1 February 2018
8 Week Date:
5 March 2018
Extension of Time:
21 December 2018

Applicant:
Davidsons Developments

Case Officer:
James Knightley

Recommendation:
PERMIT subject to S106 Agreement

Site Location - Plan for indicative purposes only



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Executive Summary of Proposals and Recommendation

Proposal

This is an outline application for the erection of up to 30 dwellings on land adjacent to and proposed to be accessed via a site with a resolution to permit residential development.

Consultations

Members will see from the main report below that Hugglescote and Donington le Heath Parish Councils raises concerns in respect of the amount of affordable housing, potential exacerbation of existing hazards caused by cars parked on the site access road and play provision. No other objections have been received.

Planning Policy

The application site is within Limits to Development as defined in the adopted North West Leicestershire Local Plan. Also of particular relevance in this case are the requirements of Policy H4 and the District Council' *Priorities for Developer Financial Contributions for infrastructure provision relating to Major Residential Development Proposals in and around Coalville* policy.

Conclusion

The report below indicates that, given the site's location within Limits to Development and with access to a wide range of services and public transport, the principle of the development of the site for residential purposes would be acceptable. Whilst the proposals would not provide for a policy-compliant 20% affordable housing contribution, the applicant has provided a viability assessment that demonstrates that this could not be provided whilst ensuring the development remains viable, and when also making contributions to other services or infrastructure. The report concludes that the impacts arising from the shortfall in proposed affordable housing would not be so significant as to render the scheme unacceptable.

RECOMMENDATION:-

PERMIT, SUBJECT TO SECTION 106 OBLIGATIONS, AND 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 Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

This is an outline planning application for the erection of up to 30 dwellings on a currently unused site (overgrown / scrub) of approximately 1 hectare. Whilst some matters are reserved for subsequent approval, illustrative plans (in effect, a development framework plan and more detailed illustrative layout) have been submitted which show residential development accessed via the proposed development between Forest Road and Wainwright Road development on land to the east (refs. 13/00802/FULM and 15/00641/FULM).

All matters are reserved save for the access insofar as it relates to the proposed means of vehicular access into the proposed residential development (i.e. via the proposed Forest Road / Wainwright Road development as referred to above). All other matters relating to access (e.g. access routes through the site, and non-vehicular access to adjacent land / pedestrian routes etc.) are reserved for subsequent approval.

2. Publicity

30 neighbours notified.

Site Notice displayed 11 January 2018.

Press Notice published Leicester Mercury 20 December 2017.

3. Summary of Consultations and Representations Received

Hugglescote and Donington le Heath Parish Council comments as follows:

- 20% affordable housing is required under the HEDNA, the North West Leicestershire Local Plan and Government advice
- Exacerbation of existing hazards caused by cars parked on the site access road
- Proposals should include an on-site play area of 600sqm (or, if not achievable, a contribution of £1,400 per dwelling made to improve play provision within the Parish area)

Leicestershire County Council Education Authority requests a financial contribution in respect of the primary school sector of £131,328.00, and a financial contribution in respect of the high school sector of £53,628.51.

Leicestershire County Council Highway Transportation & Waste Management Authority requests a developer contribution of £1,961

Leicestershire County Council Library Services requests a developer contribution of £910

Leicestershire County Council Ecologist has no objections subject to conditions

Leicestershire County Council Lead Local Flood Authority has no objections subject to conditions

Leicestershire County Council Local Highway Authority has no objections subject to conditions and planning obligations

Leicestershire County Council Rights of Way has no objections subject to conditions

Leicestershire Footpath Association has no objections

National Forest Company has no objections subject to conditions and planning obligations

North West Leicestershire District Council Environmental Protection team has no objections subject to conditions

North West Leicestershire District Council Housing Strategy team notes the findings of the viability assessment, and comments that discounted open market would not be the team's preferred tenure

North West Leicestershire District Council Waste Services Officer has no objections

Severn Trent Water has no objections subject to conditions

West Leicestershire Clinical Commissioning Group requests a healthcare contribution of £9,020.16

Third Party representations

None

4. Relevant Planning Policy

National Policies

National Planning Policy Framework 2019

The following sections of the National Planning Policy Framework (NPPF) are considered relevant to the determination of this application:

Paragraphs 8, 11 and 12 (Achieving sustainable development)

Paragraphs 47, 54, 55, 56 and 57 (Decision-making)

Paragraphs 62, 64 and 76 (Delivering a sufficient supply of homes)

Paragraphs 91, 92, 94, 96 and 98 (Promoting healthy and safe communities)

Paragraphs 102, 106, 108, 109 and 110 (Promoting sustainable transport)

Paragraph 117 and 122 (Making effective use of land)

Paragraphs 124, 127, 128, 129, 130 and 131 (Achieving well-designed places)

Paragraphs 148, 150, 153, 155, 157, 158, 163 and 165 (Meeting the challenge of climate change, flooding and coastal change)

Paragraphs 170 and 175 (Conserving and enhancing the natural environment)

Paragraphs 178, 180 and 181 (Ground conditions and pollution)

Paragraphs 189, 190, 192, 197 and 199 (Conserving and enhancing the historic environment)

Further advice is provided within the MHCLG's Planning Practice Guidance.

Adopted North West Leicestershire Local Plan (2017)

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 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 IF1 - Development and Infrastructure

Policy IF2 - Community and Cultural Facilities

Policy IF3 - Open Space, Sport and Recreation facilities

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 He1 - Conservation and enhancement of North West Leicestershire's historic environment

Policy Cc2 - Flood Risk

Policy Cc3 - Sustainable Drainage Systems

Other Policies

Good Design for North West Leicestershire SPD

Priorities for Developer Financial Contributions for infrastructure provision relating to Major Residential Development Proposals in and around Coalville

Leicestershire Highway Design Guide (Leicestershire County Council)

5. Assessment

Principle of Development

Insofar as the principle of development is concerned, and in accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the development plan which, in this instance, includes the adopted North West Leicestershire Local Plan.

As set out under Relevant Planning Policy above, the site is within Limits to Development as defined in the adopted North West Leicestershire Local Plan; on this basis, and given the site's location within the Coalville Urban Area (where a wide range of services and good accessibility to public transport are available), the principle of the development of the site for residential purposes would be supported by the relevant Local Plan policies. Whilst the site also appears to constitute greenfield land (and whereas the NPPF supports maximising the use of previously-developed land), it is also noted that the site is currently of poor visual quality, and its re-use for residential development would not be considered unacceptable in this regard.

Detailed Issues

In addition to the issues of the principle of development, consideration of other issues relevant to the application is set out in more detail below.

Means of Access, Highways and Transportation Issues

Site Access and Impacts on the Wider Highway Network

The application is accompanied by a Highways Report; as set out in the introduction above, the application is in outline with all matters reserved save for the access insofar as it relates to the vehicular access point into the site from the proposed residential development between Forest Road and Wainwright Road (in effect by way of an extension to the proposed 5.5m wide road with 2m wide footways within that adjacent development). In terms of supporting material, the illustrative layout shows the provision of adopted culs-de-sac and private drives served from the primary vehicular route, together with pedestrian links to the proposed adjacent residential development and the public right of way connecting Forest Road and Grange Road. In terms of the proposed vehicular access, the County Highway Authority raises no objections subject to the imposition of appropriate conditions to ensure the site is appropriately accessed given that, until such time as the adjacent development comes forward, the site is in effect "landlocked" in terms of vehicular connections to the public highway.

In terms of the proposals' impacts on the wider highway network, the County Highway Authority notes that a detailed Transport Assessment was provided as part of the planning applications on the adjacent site, and that the applicant has made reference to trip rates and capacity assessments which were accepted by the County Highway Authority at that time; using the previously accepted trip rates the applicant considers that the proposed development would generate 18 two way trips in the AM peak and 20 two way trips in the PM peak. On the basis of capacity assessments submitted as part of the previous applications, the Forest Road junction would operate at 9.4% of capacity and the Wainwright Road at 18.9% capacity. Given the modest increase in the total number of dwellings (up to 30 dwellings), the County Highway Authority is content that additional assessment is not necessary (nor, indeed, would a Transport Statement normally be required for the quantum of development proposed).

Regardless, however (and given that the proposed scheme would be part of a larger development), the County Highway Authority considers that the proposed development would be considered to impact on the wider highway network in Coalville

Given the significance of the A511 around Coalville, the County Highway Authority has been working in collaboration with the District Council to ensure that wider growth in and around Coalville can be accommodated by way of seeking contributions from developers towards measures required to mitigate the impacts (both individually and cumulatively) of the various developments forming that wider growth. This approach has been adopted as it is considered that the cumulative impacts of development around Coalville will have a large-scale impact which should be addressed comprehensively, rather than in a piecemeal manner.

On 15 January 2013, the District Council's Cabinet considered a report relating to Delivering Growth and Prosperity in Coalville which set out proposals to prioritise highways infrastructure contributions in Coalville above affordable housing contributions given the need for significant transportation infrastructure to be provided so as to enable otherwise stalled development to be delivered. Cabinet resolved to (i) agree to the preparation and consultation of an interim Section 106 policy which establishes the approach towards prioritising highway infrastructure contributions in Coalville, which will be reported back to cabinet after the consultation exercise;

(ii) agree that for major developments in Coalville, the Planning Committee be asked to consider the emerging policy through Section 106 agreements; and (iii) to recommend that Planning Committee, where appropriate, prioritise the requirement for highways infrastructure contributions in Coalville above affordable housing contributions where such contributions are necessary, in accordance with the emerging policy proposals. The District Council consulted on a draft policy between 22 February 2013 and 5 April 2013 and, following the conclusion of that consultation, reported back to Cabinet on 11 June 2013. At that meeting, Cabinet resolved to approve the *Priorities for Developer Financial Contributions for infrastructure provision relating to Major Residential Development Proposals in and around Coalville* policy. This policy also needs to be read in conjunction with Local Plan Policy IF4 which provides, amongst others, that, where new development has a demonstrable impact upon the highway network contributions towards improvements will be sought commensurate with the impact (and identifies the A511 corridor between J22 of the M1 and J13 of the A42 as a priority).

The report to Cabinet of 15 January 2013 included an indicative list of potential transportation infrastructure measures to which the financial contributions made would be expected to contribute; based on the figures available at that time, the calculations provided to Cabinet suggested a potential contribution of between £4,419 and £4,884 per dwelling. In this case, the County Highway Authority has suggested that a contribution of £144,000 (equating to £4,800 per dwelling) would be appropriate; the applicant is agreeable to making this contribution. It is, however (given that the total number of dwellings may not eventually reach the maximum of 30), considered that it would be appropriate to frame any Section 106 or 278 agreement in a manner whereby the contribution paid would be commensurate to the number of units actually delivered.

Public Rights of Way

The route of public right of way N85 (a footpath connecting Forest Road and Grange Road) abuts the site; on the basis of the submitted illustrative layout, a pedestrian connection would be made between the site and the existing footpath, but no changes to the line of the footpath itself are proposed. In terms of surfacing, it is noted that, under conditions attached to the planning permissions granted in respect of the Cadeby Homes development to the west, an appropriate scheme of hardsurfacing of the existing right of way between the site and Forest Road has been secured, thus helping to maximise the opportunities for residents of the proposed development to access Forest Road on foot.

Transportation Contributions

In addition to the wider highway network mitigation referred to above, the County Highway Authority requires the following (and to be secured by way of Section 106 obligations):

- (i) Submission / approval of a construction traffic routeing agreement
- (ii) Travel Packs (one per dwelling) to inform new residents from first occupation what sustainable travel choices are available in the surrounding area (these can be provided by the County Council if required at a cost of £52.85 per pack); and
- (iii) Two six-month bus passes per dwelling to encourage new residents to use bus services as an alternative to the private car to establish changes in travel behaviour (these can be provided by the County Council if required at an average cost of £360 per pass (approx.; precise amount to be confirmed upon drafting of any Section 106 agreement));

The applicant is agreeable to making the contributions listed above.

Subject to the above, the proposals would be considered acceptable in highways and transportation terms, meeting the requirements of Local Plan Policy IF4.

Flood Risk and Drainage

A Flood Risk Assessment (FRA) has been submitted in support of the application. The Environment Agency flood zone maps indicate that the site lies within Flood Zone 1 (i.e. less than a 1 in 1,000 annual probability of river or tidal flooding in any one year) and, on this basis, the site is considered to pass the sequential test. The site is also identified as falling within an area at very low risk of surface water flooding.

To mitigate the risk of surface water flooding (and to address future implications of climate change, the FRA suggests provision of on-site attenuation (including a balancing facility) prior to discharge to a watercourse so as to accommodate the one in 100 year event (plus an additional 40% for climate change). No objections are raised to the development by the Lead Local Flood Authority subject to the imposition of appropriate conditions.

Insofar as foul sewage is concerned, it is proposed to connect to the adjacent proposed development to the south (in turn connecting to an existing in Wainwright Road); no objections are raised by Severn Trent Water subject to conditions.

The scheme is therefore considered acceptable in terms of flood risk and drainage issues, and (subject to the detailed drainage schemes to be agreed under condition) would meet the requirements of Local Plan Policies Cc2 and Cc3.

Ecological Issues

The application is supported by a number of ecological reports, including in respect of habitats and protected species, as well as additional reports in respect of badgers, bats and reptiles.

The submitted habitat survey indicates that the site contains limited biodiversity, comprising an area that was previously disturbed / cultivated but is now unmanaged and being colonised by coarse grassland and successional scrub, supporting a limited diversity of ground flora. However, in view of the presence of the coarse grassland, surveys have been undertaken in respect of reptiles, and the ecological work has also identified potential for roosting bats and nesting birds to be present in the boundary hedgerows.

Further to the habitat survey work, additional investigations have been undertaken (at the request of the County Ecologist), and are considered acceptable by the County Council, including in respect of badgers, bats and reptiles.

In terms of reptiles, supplementary work has been undertaken in respect of lizards and slow-worms, and translocation proposals provided. Whilst the County Ecologist has requested further clarification in respect of the proposed vegetation clearance and formation of artificial refugia, she considers that the matter can be dealt with by way of conditions requiring submission of details at the reserved matters stage. Additional comments have been provided by the applicant to seek to clarify the remaining queries raised by the County Ecologist, and any further comments made in response will be reported on the Update Sheet.

Subject to the above, therefore, the County Ecologist raises no objections subject to conditions. The scheme is therefore considered acceptable in terms of ecological issues, and would meet the requirements of Local Plan Policy En1.

Layout, Landscaping and Design

Whilst layout, landscaping and detailed design of the proposals would be reserved matters, the application is supported by a Design and Access Statement and a Building for Life 12 assessment setting out the applicants' proposals, and explaining the approach taken in terms of design; the applicant's Building for Life 12 assessment concludes that a "green" would be achieved under all 12 criteria. The application is also accompanied by an illustrative plans submitted in order to demonstrate how the site could be developed for the number of dwellings proposed.

A number of minor issues had been raised by the District Council's Urban Designer regarding the illustrative scheme, and including the need for policy-compliant levels of car parking to be shown in accordance with the guidance in the Good Design for North West Leicestershire SPD, treatment of site levels, use of opportunities available for the site (including potential to frame views of the Parish Church), appropriate siting of bin collection points, and treatment of SUDs.

Further to these concerns, additional material has been submitted, indicating likely site and balancing pond gradients. In terms of the proposed road layout, it is not clear whether the gradients would be within the parameters that the County Highway Authority would require in order for them to be adopted and, potentially, therefore, such a layout could require roads to remain as private. However, this is not considered to necessarily represent a concern subject to appropriate arrangements being made in respect of public accessibility and servicing etc. (and including, for example, in respect of waste collection). The submitted illustrative details also suggest that the balancing facility would have internal gradients of no steeper than 1:3 (and, as such, would have the potential to comply with the District Council's Good Design for North West Leicestershire SPD which seeks to avoid steeply-sided basins that require fencing, thus preventing them from becoming a useable part of the public open space network).

Insofar as waste collection is concerned, the District Council's Waste Services Development Officer notes that the application is in outline at this stage, but has provided some comments on the submitted illustrative material (noting where the illustrative layout would not comply with the relevant requirements). He therefore, draws the applicant's attention to those requirements, and requests that any subsequently submitted reserved matters scheme is designed so as to comply with them.

In terms of trees and landscaping, it is noted that landscaping would be a reserved matter. However, the application is accompanied by an Arboricultural Assessment identifying and categorising the existing trees on the site (and which are located on the site's periphery). This identifies that a small number of trees would need to be removed in order to accommodate the proposed scheme as indicated on the illustrative layout. However, whilst these would all fall within Retention Categories B (moderate quality) or C (low quality), given that the application is in outline, it is considered that only the impacts associated with the proposed access location (which forms part of the proposals for determination at the outline stage) would be directly relevant at this stage.

Of the trees identified for removal in the Arboricultural Assessment, a small section of Group G2 (Category C), plus one tree from Group G3 (Category B), would be lost by the formation of the proposed access point into the site. Given the limited impacts in terms of numbers and quality of trees, the proposals are considered acceptable in this regard. For its part, the National Forest Company welcomes the intentions to retain the majority of the trees, and requests the imposition of appropriate conditions to protect those retained trees during construction.

In terms of new landscaping, this would be addressed as part of any subsequent reserved

matters submission. Insofar as National Forest planting is concerned, the National Forest Company notes that 20% of the overall site area would normally be required to be made available as National Forest planting, either by way of on-site planting or an off-site contribution (and as set out in more detail under Developer Contributions below).

Whilst in outline form only, therefore, the scheme is nevertheless considered to have the potential to provide for an appropriate form of site layout, landscaping and design, and any future reserved matters application would, in principle, be able to meet the requirements of Local Plan Policy D1.

Historic Environment

The site does not contain, nor is in close to proximity of, any listed buildings or Conservation Areas. In terms of non-designated heritage assets, the application was accompanied by e-mail correspondence between the applicant's archaeological consultant and the County Archaeologist. The County Archaeologist's comments confirm that there is good evidence for prehistoric activity in the vicinity, but that the archaeological potential of this site has already been established through a good coverage of desk-based assessments for the wider area. The County Archaeologist is content that, given the amount of previous evaluation, the remaining necessary archaeological investigation of this site (including evaluation and any subsequent phases of mitigation) could be secured by condition requiring such mitigation to be undertaken and submitted prior to the determination of any reserved matters application.

Subject to the imposition of an appropriate condition, therefore, the proposals would be considered to provide for appropriate assessment of any matters of archaeological interest, and the requirements of Local Plan Policy He1 would be complied with.

Neighbours' and Future Occupiers' Amenities

In terms of amenity issues, the impacts of the proposed development need to be considered both in terms of the impacts on the future living conditions of residents of the proposed development, having regard to the site's location, as well as on existing residents arising from the proposed development. These are considered in turn below.

In terms of future residents' amenities, the application is accompanied by a Noise Screening Report which identifies that the dominant noise source affecting the site would be road traffic (principally on Forest Road) but that, with appropriate mitigation (including in respect of orientation of units and installation of double glazing / acoustic ventilation), no unacceptable impacts would arise. No unacceptable impacts are identified in terms of any noise associated with the use of facilities at Newbridge School. Subject to the imposition of conditions securing this mitigation where relevant, no objections on noise grounds are raised by the District Council's Environmental Protection team.

Insofar as the amenity impacts on neighbouring occupiers arising from the proposed development are concerned, whilst an illustrative development framework plan has been submitted, all matters (other than the proposed vehicular accesses) are reserved for subsequent approval. Whilst the illustrative material indicates that an acceptable relationship between existing and proposed dwellings would be achievable, any reserved matters scheme would need to be appropriately devised to the boundaries of the site adjacent to other dwellings (and, in particular, those on Forest Road and on the recently constructed Cadeby Homes site to the west) so as to ensure that occupiers of both existing and proposed dwellings were afforded an appropriate level of amenity. There is no reason to suggest that the eventual form of

development proposed under the reserved matters would necessarily result in undue loss of amenity to adjacent occupiers, and the scheme is, at this outline stage, acceptable in this regard. Based on the locations of the proposed vehicular accesses, it is not considered that any unacceptable impacts on occupiers of dwellings in the vicinity of those accesses (and including from vehicular movements and, potentially, vehicle headlights etc.) would be likely to result; in addition to the noise issues already outlined above, the submitted Noise Screening Report also indicates that any increase in noise to existing residential properties associated with increased traffic would be unlikely to be significant.

Geotechnical Issues and Land Contamination

The application is accompanied by a Phase I Site Appraisal assessing the potential hazards / contamination risks. This concludes, amongst others, that the risk of contamination would be moderate in the northern part of the site, and very low elsewhere, and that risk from ground gas would be negligible. The Appraisal therefore indicates that the site would be suitable for the proposed development subject to further investigative / remedial works and including undertaking a Phase II ground investigation prior to development. The District Council's Environmental Protection team raises no objections in this regards subject to conditions in respect of further investigations / remediation as necessary. The development is therefore considered acceptable in this regard.

Other Matters

Developer Contributions

Paragraph 56 of the NPPF sets out the Government's policy in respect of planning obligations and, in particular, provides 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 Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010.

The applicant advises that, when taking into account the provision of the various contributions set out below, the development would not be viable, and a viability assessment has been submitted to demonstrate this. Paragraph 57 of the NPPF provides that, where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable, and that it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. In support of the case for considering a viability assessment in respect of this application, the applicant's agent considers that, notwithstanding the updated approach to viability set out in the updated NPPF issued in 2018 (and which is unchanged in the 2019 version) (along with associated guidance in Planning Practice Guidance), the particular circumstances of the site including the relatively high abnormal costs associated with the foundation requirements, ground conditions and gradient of the site justify the need for a viability assessment at the application stage. The agent also notes that these site-specific abnormal costs would not have been picked up in the general greenfield archetypes modelling within the Local Plan viability work. It is accepted that, in this case (and when having regard to the level of detail available at the time of the preparation of the viability appraisal of the Local Plan), it would be reasonable to consider the applicant's viability assessment.

Affordable Housing

As a greenfield site within the Coalville urban area, an affordable housing contribution of 20% would be required under Local Plan Policy H4.

As set out above, a viability assessment has been submitted by the applicant to demonstrate that, with the provision of all policy-compliant contributions, the proposed development would be unviable. As such (and in accordance with the approach set out in the District Council's *Priorities for Developer Financial Contributions for infrastructure provision relating to Major Residential Development Proposals in and around Coalville* policy), the applicant proposes reducing the affordable housing contribution until such a point as the scheme becomes viable. Using this approach (and on the basis of the provision of an on-site contribution in accordance with the Council's preference set out in Policy H4), a total of two affordable properties are proposed (and, for the purposes of appraisal under the viability assessment, comprising 1 no. 2 bed and 1 no. 3 bed dwellings, available as discounted open market value properties). The assessment has been undertaken on the basis of the properties being available at 80% of open market value (and, therefore, in accordance with the definition of discounted market sales housing set out within the NPPF, which refers to housing sold at a discount of at least 20% below local market value).

This contribution would equate to approximately 6.7% of the development (assuming a total of 30 units), clearly some way short of the policy-compliant 20%, and slightly below the 7.5% agreed for the adjacent sites forming part of the wider South East Coalville development. The viability assessment has been reviewed by the District Valuer on the Local Planning Authority's behalf, and its conclusions are accepted.

Whilst it does not dispute the findings of the District Valuer, the District Council's Strategic Housing team comments that providing the units as discounted market sales housing would not be its chosen tenure, and also comments that, when applying the discount of 20% on market value, this is still not necessarily sufficient to help meet the needs of those households in greatest need of an affordable home in this area. Whilst this position is appreciated, it is also noted that the 20% discount would meet the NPPF definition of being (at least) 20% below market value. It is also acknowledged that, were a greater discount applied, this would also have a greater impact on the development viability (and, hence, potentially reducing the contribution overall). On balance, therefore, given the viability constraints, it is considered that the affordable housing contribution proposed would represent a reasonable balance between amount of affordable units and the type of tenure.

In terms of the impacts of the reduced provision of affordable housing, this was assessed in more detail when the *Priorities for Developer Financial Contributions for infrastructure provision relating to Major Residential Development Proposals in and around Coalville* policy was introduced, but the provision of reduced affordable housing contributions (and any associated shortage of affordable housing in the District) has the potential to impact upon some of the most vulnerable people within the District and increase the number of homelessness cases. However, this needs to be balanced against the need to adopt a proportionate approach to developer contributions and viability so as to enable sustainable development to come forward, and the need to consider the potentially harmful impact on other service areas were the shortfall in viability to be addressed by way of reductions in contributions to other areas of infrastructure. It is considered that, whilst the reduced affordable housing contribution would count against the development to an extent in terms of its performance under the social objective of sustainable development, it is not considered that this issue would be so unacceptable as to warrant a refusal of permission, given the identified need for new development in the Coalville area to

prioritise transportation infrastructure over affordable housing. Therefore, the view is taken that, whilst the reduced contribution to affordable housing is unfortunate, the proposals represent a sustainable approach to delivering development overall.

In the event that permission were to be granted (and having regard to the District Council's *Priorities for Developer Financial Contributions for infrastructure provision relating to Major Residential Development Proposals in and around Coalville* policy), it would be considered appropriate to limit the implementation period of any planning permission granted. It would also, it is considered, be appropriate to include a mechanism within the Section 106 agreement ensuring periodic review of the scheme's viability (and thus potentially enabling increased affordable housing contributions to be made in the event that the viability of the scheme improves prior to the scheme's implementation).

Transportation and Accessibility Contributions

These are as set out under Means of Access, Highways and Transportation Issues above.

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 Hugglescote Community Primary School. The school has a net capacity of 420 and 1126 pupils are projected on the roll should this development proceed, a deficit of 706 pupil places.

Whilst, having regard to existing capacity at three other primary schools within a two mile walking distance of the development (namely Belvoirdale Community, Broom Leys and All Saint's C of E Primary Schools), the deficit would be reduced to 151 spaces, the Local Education Authority advises that the 9 deficit places created by this development cannot be accommodated elsewhere, and a request for an education contribution in respect of the additional deficit places created by the development within the primary school sector is made (£131,328.00), and would be used for improving, remodelling or enhancing existing facilities at Hugglescote Community Primary School (or any other school within the locality of the development).

High School Requirements:

The site falls within the catchment area of Newbridge High School. The School has a net capacity of 590 and 753 pupils are projected on roll should this development proceed, a deficit of 163 pupil places. A total of 141 pupil places are included in the forecast for this school from Section 106 agreements for other developments in this area and are therefore discounted. This, the Local Education Authority advises, reduces the total deficit for this school to 49 pupil places (of which 46 are existing and 3 would be created by this development). There is one other high school within a three mile walking distance (Castle Rock High School), but it also has a deficit, and a request for an education contribution in respect of the additional deficit places created by the development within the high school sector is made (£53,628.51), and would be used for improving, remodelling or enhancing existing facilities at Newbridge High School (or any other school within the locality of the development).

Upper School Requirements:

The site falls within the catchment area of King Edward VII Science and Sport College. The

school has a net capacity of 1,193 and 1,150 pupils are projected on roll should this development proceed, a surplus of 43 pupil places, and an upper school sector education contribution is not therefore requested.

The applicant is agreeable to making the education contributions sought.

Library Services

Leicestershire County Council advises that an additional 90 people would be added to the catchment population of Coalville Library are anticipated to be generated by the proposed development and, in order to meet the requirements for providing a minimum of 1,157 stock items per 1,000 population, additional items will be required, and a contribution of £910 towards library services is requested by the County Council. The applicant is agreeable to making the library contributions sought.

Civic Amenity

Leicestershire County Council advises that an additional 8 tonnes of municipal waste are anticipated to be generated annually by the proposed development, and a contribution of £1,961 towards additional facilities at the Coalville Civic Amenity site is therefore requested by the County Council. The applicant is agreeable to making the civic amenity contributions sought.

Children's Play, Public Open Space and National Forest planting

Policy IF3 of the adopted Local Plan requires that developments of 50 or more dwellings provide for the provision of open space, sport and recreation facilities. Whilst the application proposes the erection of fewer than 50 units, it is considered that, in practice, the development would, in combination with the proposed schemes to the east, would form part of a wider site and, as such, it would be appropriate to consider the requirements of Policy IF3 in this context.

The applicant advises that, for this part of the wider site, it is not proposed to provide a separate children's play area but, instead, it is intended to make a financial contribution of £10,000 towards the enhancement of the proposed facility within the first phase of the adjacent Forest Road / Wainwright Road development (to be maintained by a management company). The applicant indicates that this contribution would provide for the following additional facilities:

- 2 no. pieces of play equipment for toddler user group;
- 1 no. bench;
- Play area signage;
- Safety surfacing (if required);
- Play mounding;
- Sensory shrub planting;
- Access with 2 points of exit from a surface footpath; and
- Fencing

The applicant confirms that, in terms of location, there would be sufficient space to locate this Local Area for Play (LAP) immediately south of the proposed Local Equipped Area for Play (LEAP) based on a minimum activity zone of 100sqm, and that it could be informally separated with mounding and shrub planting, (albeit this would be subject to detailed design).

Given the particular nature of the specific scheme the subject of this application, it is considered that this would represent a reasonable approach so as to ensure that the play provision to be

made in association with the wider development would be enhanced in a commensurate way so as to accommodate the additional users likely to be generated by the additional housing now proposed. It is noted that the Parish Council suggests payment of an off-site contribution to it, but (as per the wider South East Coalville site), the applicant's intention is for play provision to be funded / maintained privately by a management company.

Insofar as National Forest planting is concerned, the National Forest Company notes that, for a development of this scale, 20% of the site (i.e. 0.2ha) would be required to be provided as woodland planting and landscaping and, whilst some areas of open space would (on the basis of the illustrative plans) be provided on-site (e.g. in the area adjacent to the balancing pond), the 0.2ha requirement would not be met. The applicant is agreeable to making the National Forest contributions sought.

Overall in terms of public open space and other green infrastructure, therefore, the proposals are considered acceptable.

Healthcare

West Leicestershire Clinical Commissioning Group (CCG) requests a developer contribution of £9,020.16 in respect of healthcare as set out in the consultation response above. This request has been supported by detailed information setting out the projected impacts on capacity arising from the proposed development (with the principal impacts being on the Broom Leys surgery) together with commensurate costs of mitigation. The applicant is agreeable to making the healthcare contributions sought.

Insofar as the various developer contributions are concerned, the view is taken that, save where indicated otherwise above, the proposed obligations would comply with the relevant policy and legislative tests as set out in the NPPF and the CIL Regulations.

Housing Mix

Local Plan Policy H6 requires a mix of housing types, size and tenure to meet the identified needs of the community. Whilst tenure is in effect addressed by the proposed Section 106 obligations in respect of affordable housing as part of the development, (see above), Policy H6 refers to the need to have regard to the most up-to-date Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA), and sets out the range of dwelling size (in terms of numbers of bedrooms) identified as appropriate in the HEDNA.

The application is in outline form only, and the submitted illustrative layout does not specify bedroom numbers etc. It is, however, recommended that a condition be attached ensuring that the scheme proposed at the reserved matters stage reflects the need to meet the requirements of Policy H6.

Overall Planning Balance, Contribution to Sustainable Development and Conclusions

As set out within the report above, the proposed development would be acceptable in principle, given the site's location within Limits to Development.

Having regard to the three dimensions of sustainable development, it is considered that the proposals would sit well in terms of the economic objective insofar as it would make a positive contribution to economic growth associated with the proposed development and, on the basis of

the contributions proposed to be made to local services, would be accompanied by the provision of infrastructure.

Insofar as the social dimension is concerned, the development would bring the benefit of providing additional housing, but would deliver a significantly reduced affordable housing contribution. In terms of design, the application is in outline form only but, it is considered, has the potential to perform well in this regard subject to any reserved matters scheme meeting the principles set out in the District Council's Good Design for North West Leicestershire SPD.

In terms of the environmental dimension, the proposals have the potential to perform well in terms of need to travel and the movement towards a low carbon economy, given their location within Limits to Development and adjacent to the existing built up area. Subject to mitigation, the scheme would also have limited impacts on existing features of the natural and historic environment.

It is considered that the proposals are acceptable and approval is recommended.

RECOMMENDATION- PERMIT, subject to Section 106 Obligations, and subject to the following condition(s):

- 1 Time limits (and including in respect of the requirements of the District Council's *Priorities for Developer Financial Contributions for infrastructure provision relating to Major Residential Development Proposals in and around Coalville* policy)
- 2 Submission / approval of reserved matters
- 3 Approved plans
- 4 Housing mix
- 5 Drainage (including foul and surface water, long-term maintenance of SUDs and management of surface water during construction)
- 6 Tree protection (in relation to those trees affected by the proposed site access)
- 7 Ecology
- 8 Archaeology
- 9 Noise mitigation to proposed dwellings
- 10 Contaminated land
- 11 Construction environmental and traffic management plan(s)
- 12 Highways (including provision of the site access, and limitation on total number of dwellings pending completion of the Forest Road - Grange Road link)