

Erection of 203 dwellings with associated highways infrastructure and public open space (reserved matters to outline planning permission ref. 13/00956/OUTM)  
Land South Of Grange Road Hugglescote Leicestershire LE67 2BT

Report Item No  
A1

Application Reference  
20/00726/REMM

Grid Reference (E) 444053  
Grid Reference (N) 312481

Date Registered:  
24 April 2020  
Consultation Expiry:  
4 September 2020  
8 Week Date:  
24 July 2020

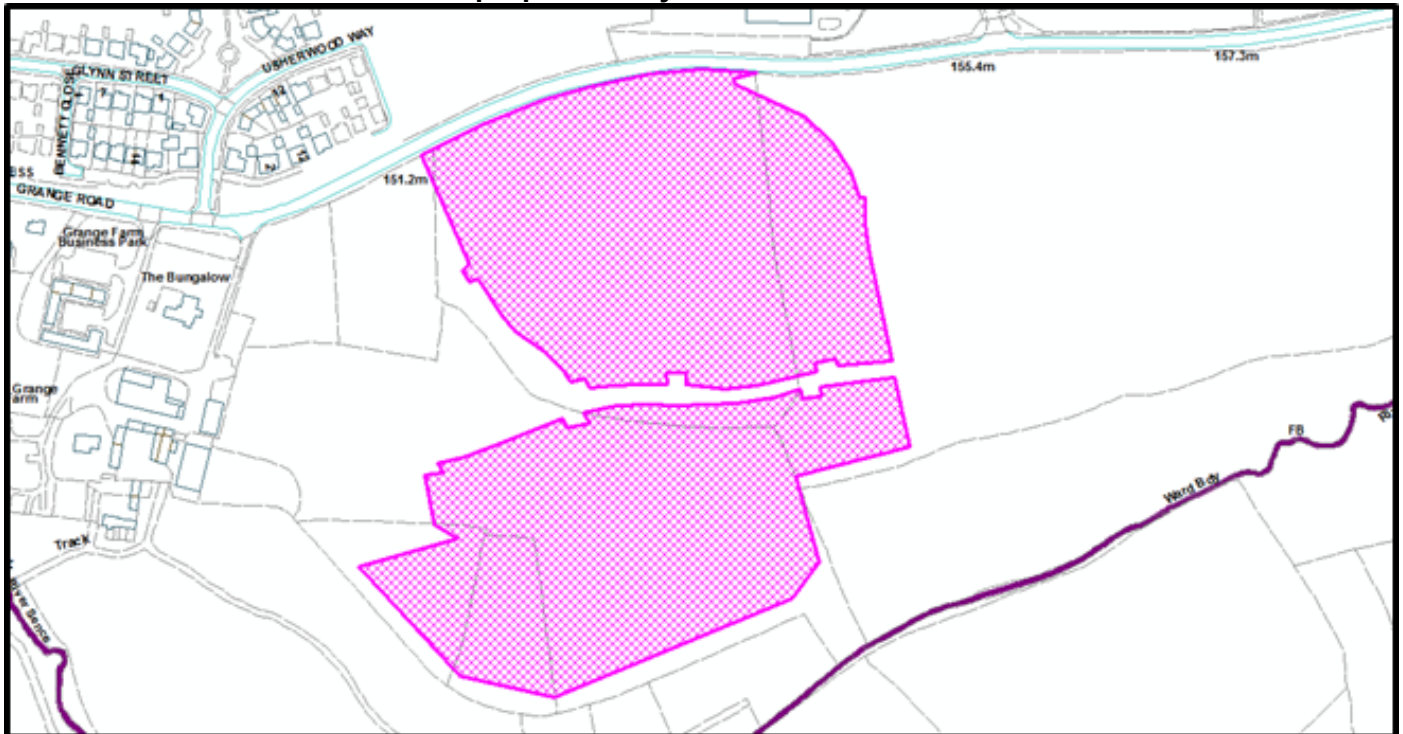
Applicant:  
Miss Sarah Allsop

Extension of Time:  
10 September 2020

Case Officer:  
James Knightley

Recommendation:  
PERMIT

Site Location - Plan for indicative purposes only



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## **Executive Summary of Proposals and Recommendation**

### **Call In**

The application is referred to the Planning Committee for determination on the basis of the Planning Committee resolution of 2 December 2014 in respect of the outline planning permission for the wider South East Coalville development.

### **Proposal**

This is a reserved matters application for the erection of 203 dwellings and associated development, forming part of the wider South East Coalville development.

### **Consultations**

Concerns have been raised by Hugglescote and Donington le Heath Parish Council in respect of the proposals, and amendments have been requested by the County Highway Authority.

### **Planning Policy**

The application site lies within Limits to Development as defined in the adopted Local Plan and is also identified as a site with planning permission for housing under Policy H1.

### **Conclusion**

The proposed development is considered to represent an appropriate form of development in accordance with the outline planning permission, and would provide for an acceptable standard of design to meet the Local Planning Authority's design objectives.

## **RECOMMENDATION:-**

### **PERMIT, SUBJECT TO CONDITIONS**

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies 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

This is a reserved matters application for the erection of 203 dwellings on two parcels of land totalling approximately 6.8 hectares forming part of the wider South East Coalville development (and identified as Phases A1.1 and A1.2 of the wider scheme).

The original outline planning permission (ref. 13/00956/OUTM) was determined at the Planning Committee in December 2014, and issued in September 2016 following completion of a Section 106 obligation securing contributions including in respect of affordable housing, travel plans, travel packs, bus passes, children's play / public open space / recreation, biodiversity enhancement, education, civic amenity, libraries and healthcare. An associated Section 278 agreement between the applicants and Leicestershire County Council secured contributions towards off-site highways infrastructure.

All matters were reserved for subsequent approval, and all five reserved matters for the phases to which this application relates (i.e. access, appearance, landscaping, layout and scale) are included for consideration as part of this reserved matters submission. However, the outline planning permission was accompanied by an indicative development framework plan indicating the general location of built development, open space and highway infrastructure within the site, and has subsequently been subject to approved discharge of condition submissions in respect of a site-wide masterplan, Design Code and a vehicular access strategy.

The phases the subject of this application are located to the southern side of Grange Road and would be accessed via a new road running between the two parcels, and which has previously been approved under a separate reserved matters application (ref. 19/00747/REMM). As per the site-wide masterplan, land to the south and west of the current application phases is identified as public open space (and, as per the access road, already the subject of reserved matters approval ref. 19/00747/REMM).

### 2. Publicity

No neighbours notified.

Site Notice displayed 7 August 2020

Press Notice published Leicester Mercury 12 August 2020

### 3. Summary of Consultations and Representations Received

**Hugglescote and Donington le Heath Parish Council** raises the following issues:

- Housing mix not in accordance with local demand and residents' needs and the development is primarily for 4 bed units
- Insufficient bungalows
- Insufficient affordable housing
- Insufficient on-site play provision
- Play provision needs to be made prior to 100 dwellings being occupied
- Direct access to Millfield or Ashburton Road playing fields is only possible by clambering over the former railway
- Covid-19 situation is likely to slow down sales
- Additional tree planting required

- Gaps in hedgerows should be filled with new planting
- Appropriate refuse collection and emergency vehicle access should be provided
- Site would be over-developed
- Tandem car parking and garage spaces are not always used properly, resulting in on-street parking
- Queries whether roads would be adopted
- Further information on the scheme's carbon footprint are required
- Direct discussions between the developer and the Parish Council would be beneficial

**Leicestershire County Council Lead Local Flood Authority** has no objections

**Leicestershire County Council Highway Authority** has raised a number of concerns in respect of the detailed layout and submitted Travel Plan (and as set out in more detail in the relevant section below)

**Leicestershire County Council Rights of Way** - no comments received

**Leicestershire Police** makes a number of recommendations in respect of reducing the opportunities for crime

**National Forest Company** requests further details in respect of the proposed landscaping.

**North West Leicestershire District Council Strategic Housing team** has no objections

**North West Leicestershire District Council Waste Services Team** - no comments received

### **Other Representations**

Councillor Johnson raises the following concerns:

- No children's play area proposed
- Proposed bungalows too far to walk from Hugglescote Surgery
- Shining of vehicle headlights from Grange Road into new dwellings' bedrooms

### **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 and 55 (Decision-making)

Paragraphs 106, 109 and 110 (Promoting sustainable transport)

Paragraphs 122 and 123 (Making effective use of land)

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

Paragraph 165 (Meeting the challenge of climate change, flooding and coastal change)

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

### **Adopted North West Leicestershire Local Plan (2017)**

The application site lies within Limits to Development as defined in the adopted Local Plan and is also identified as a site with planning permission for housing under Policy H1 (site H1h). The following adopted Local Plan policies are considered relevant to the determination of this application:

Policy D1 - Design of new development  
Policy D2 - Amenity  
Policy H6 - House types and mix  
Policy IF1 - Development and Infrastructure  
Policy IF3 - Open Space, Sport and Recreation Facilities  
Policy IF4 - Transport Infrastructure and new development  
Policy IF7 - Parking provision and new development

### **Other Policies**

Good Design for North West Leicestershire SPD

Leicestershire Highway Design Guide

## **5. Assessment**

### **Principle of Development**

The principle of development on this site for residential purposes was established by the grant of the original outline planning permission in September 2016 and, as a submission for reserved matters approval, the present application essentially seeks agreement of details in respect of the access, appearance, landscaping, layout and scale. Assessment of this application should therefore relate to the implications of the particular scheme proposed under this reserved matters application; issues relating to the principle of the development and associated matters are not relevant to this application.

### **Other Matters Relating to the Outline Planning Permission**

In addition to a range of conditions requiring submission and approval of details in respect of various matters prior to trigger points such as commencement / occupation etc., the outline planning permission also requires certain matters to be included as part of the reserved matters application(s) (either for the site as a whole or the relevant phase). These conditions include requirements in respect of: provision of a masterplan (Condition 5); a Design Code (Condition 8); a statement setting out how the Design Code has been complied with (Condition 9); details of modelling and buffer works relating to the River Sence (Conditions 11 and 16); a vehicular access strategy (Condition 27); a site-specific Travel Plan for the relevant phase (Condition 31); and details of continuous routes suitable for buses (Conditions 32 and 33). However, whilst these conditions generally require these matters to be submitted with the first reserved matters application for the relevant phase, the consortium has already sought to address the majority of these on a site-wide basis under separate (approved) discharge of condition applications, and the submission requirements under Conditions 5, 8, 11, 16, 27, 32 and 33 have, in effect, already been complied with. In terms of the remaining conditions referred to above, the following conclusions are reached:

*Condition 9:* In accordance with the condition, the application is accompanied by a statement setting out how, in the applicant's view, the scheme meets the requirements of the approved Design Code, and the requirements of the condition are met. Officers' assessment of the scheme's performance against the Code is set out in more detail under Urban Form, Design and Site Layout below.

*Condition 31:* The application is accompanied by a Travel Plan; further assessment is set out under Highway Safety, Transportation and Access Issues below.

**Urban Form, Design and Site Layout**

The proposed development would provide for a total of 203 dwellings, equating to a density of approximately 30 dwellings per hectare. Paragraph 122 of the NPPF requires development to make efficient use of land; the density of the proposed development would, when having regard to the location of the development and the implications of meeting the District Council's design policies, be considered reasonable in this location.

As per previous reserved matters submissions in respect of the wider South East Coalville site, the scheme is intended to be a landscape-led development in accordance with the principles set out in the agreed Design Code for the site as a whole and the landscaping proposed would accord with the street typologies approved under the Code.

During the course of the application, the scheme has been the subject of discussions between officers and the applicant, intended to address a number of concerns raised by officers (including the District Council's Urban Designer) in respect of the originally submitted scheme, including elevational treatment (including for corner turning house types), use of a wide variety of house type design approaches (and thus reducing the ability to create character), relationships between adjacent house types, dominance of car parking within the street scene, limited numbers of units with chimneys, on-plot landscaping, and limited pedestrian connections. Following the submission of various amendments, these concerns are now considered to have been addressed and, subject to the imposition of conditions in respect of various details, the scheme is considered acceptable from a design point of view.

In terms of housing mix issues, 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 existing Section 106 obligations securing affordable housing (7.5%) as part of the development, Policy H6 refers to the need to have regard to the most up-to-date 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 as follows:

<i>Tenure</i>	<i>No. of Bedrooms (% of each tenure type)</i>			
	<i>1</i>	<i>2</i>	<i>3</i>	<i>4+</i>
Market	0-10	30-40	45-55	10-20
Affordable	30-35	35-40	25-30	5-10

Following amendment, the submitted scheme proposes the following (%):

<i>Tenure</i>	<i>No. of Bedrooms</i>			
	<i>1</i>	<i>2</i>	<i>3</i>	<i>4+</i>
Market	1.1	23.0	48.7	27.3
Affordable	25.0	62.5	12.5	-

Insofar as the market housing is concerned, it is noted that the scheme would be slightly more weighted towards larger units than as suggested in the HEDNA (although it is acknowledged that Policy H6 indicates that the HEDNA mix is one of a number of criteria to be considered when applying the policy, and that Inspectors' decisions elsewhere in respect of housing mix have indicated that reserved matters applications cannot normally be used to secure a specific mix of house types (i.e. as housing mix is not, in itself, a reserved matter)). Nevertheless, it is acknowledged that the mix has moved to a position significantly more in accordance with that suggested in the HEDNA as a result of amendments made during the course of the application and, overall, it is considered that the market housing mix now performs well in respect of the HEDNA.

Policy H6 also requires a proportion of dwellings suitable for occupation by the elderly (including bungalows) for developments of 50 or more dwellings; four single storey dwellings are included within the proposed development. The policy also requires a proportion of dwellings suitable for occupation or easily adapted for people with disabilities; in addition to the four bungalows referred to above, the applicant draws attention to the provision of 33 of the "Leamington Lifestyle" house type within the proposed development which, the applicant confirms, is easily adaptable in accordance with Part M4 (2) of the Building Regulations.

In terms of affordable housing generally, as set out above, the Section 106 agreement requires the provision of a minimum of 7.5% of the proposed dwellings within each phase to be affordable. However, the need to comply with the terms of the Section 106 agreement is not directly relevant to the determination of this reserved matters application (and the precise nature of the proposed affordable contribution within the two phases the subject of this application would need to be agreed separately under the provisions of the Section 106 agreement prior to commencement on the phase). Nevertheless, in terms of the affordable provision indicated, it is proposed that 8 out of 100 units (8.0%) would be provided within Phase A1.1 and 8 out of 103 units (7.7%) would be provided within Phase A1.2 (or, in total, 16 out of 203 units (7.9%)), thus ensuring that the development would meet (and slightly exceed) the minimum requirements for each phase.

Insofar as the mix of affordable units is concerned in terms of dwelling size and tenure type, this would also need to be resolved under the provisions of the Section 106 agreement, but the Strategic Housing Team nevertheless confirms that it is content with the location of the affordable properties indicated at this time. The Strategic Housing Team had initially raised a number of issues in respect of the scheme shown as part of the reserved matters application (including in respect of the minimum contribution required for each phase (see above), the total contribution for the two phases, the tenure and property type mixes, affordable unit car parking provision and internal space standards), these have now been addressed to the Strategic Housing Team's satisfaction. At this stage, therefore, the District Council's Strategic Housing team indicates that it is satisfied with the house types indicated as intending to be the affordable contribution for these phases of the wider development.

Under the provisions of the Section 106 obligation entered into at the outline stage, a significant contribution to green infrastructure (including public open space, children's play and National

Forest planting) is required to be implemented (within the site as a whole). Insofar as this part of the wider site is concerned, the submitted layout broadly corresponds with the various areas of proposed green infrastructure on the site-wide masterplan, and would be considered to provide a suitable contribution to the network of open space proposed as part of the development's overall landscape-led approach.

Under the provisions of the Section 106 agreement, the developer for each phase of the wider development is required to agree the details of those areas of public open space etc. under that agreement prior to commencement on the relevant phase. As such, this is essentially a matter relating to discharge of planning obligations rather than the current reserved matters application. Whilst Hugglescote and Donington le Heath Parish Council has made comments in respect of the quantum and timing of public open space / children's play, the strategy for public open space provision is already addressed under the outline planning permission and Section 106 agreement and is not directly relevant to the determination of this reserved matters application. In the case of this particular section of the wider site, it is noted that the parcels themselves include on-site feature open space formed round a pair of retained mature ash trees, forming part of new green link through the site. This part of the site is also immediately adjacent to proposed public open space to the south, and a new children's play area to the west.

### **Highway Safety, Transportation and Access Issues**

As set out above, whilst the site is subject to an agreed vehicular access strategy, the details of the proposed means of access are a reserved matter for determination as part of this application. The submitted scheme shows the proposed dwellings served via a new east-west road passing between the two phases the subject of this application (and which, itself, would be served from the "Gateway" road linked to Grange Road via a new roundabout (part of the principal route running north-south through the eastern part of that part of the South East Coalville development located to the south of Grange Road)). The Gateway and the east-west route have previously been approved under a separate reserved matters application (ref. 19/00747/REMM), and are not the subject of this reserved matters submission.

In response to the submissions, the County Highway Authority has requested some additional information in support of the application, including in respect of visibility to proposed junctions onto the east-west route (i.e. as it is only the route itself that currently has approval; the appropriateness of any accesses onto it would need to be considered as part of this reserved matters application). Other minor changes in respect of the internal layout are also sought; the County Highway Authority's comments on the latest amendments are awaited, and any further comments received will be reported on the Update Sheet. However, one of the matters raised by the County Council is in respect of the proposed "connecting" private drives (i.e. those unadopted drives where access is possible from both ends), and the County Highway Authority suggests that the "through" routes ought to be prevented by use of physical features (e.g. gates / bollards etc.). It is understood that the County Council's objections in respect of such connecting private drives relate to the potential for future requests to adopt such routes rather than any specific planning-related (e.g. highway safety) reason and, as such, it is not considered that the proposed routes would be unacceptable. Whilst, given their location (and the availability of alternative higher order vehicular routes close by), it would seem very unlikely that the unadopted drives would be used on a regular basis by drivers other than those wishing to access the properties they serve, their availability for use by pedestrians would be possible given the intention for them to be adopted by a management company rather than individual households. Furthermore, from a layout / design and connectivity point of view, use of cul-de-sacs would be likely to be less appropriate than the scheme as currently proposed, particularly so given that they would be likely to need to be accompanied by additional turning heads. From



a waste collection point of view, it is understood that use of routes allowing continuous forward gear by waste collection vehicles is generally more efficient; where the use of unadopted drives by waste vehicles is intended, the District Council's Waste Services team will usually require the developer to enter into an agreement with the District Council so as to indemnify for any potential future damage. It is also considered that conditions designed to ensure that the unadopted drives proposed to be maintained by a management company are available for use by all (including provision of signage) ought to be attached to any consent so as to clarify those drives' status.

In terms of other issues, it is noted that the applicant has amended the setting out of a 90 degree bend within the development by pushing back the frontage landscaping to increase forward visibility around the bend (and in accordance with the suggestion of the County Highway Authority). In order to ensure an appropriate landscape treatment of this corner, it is considered that an alternative to increased width tarmac ought to be considered if forward visibility of this nature is considered appropriate under Manual for Streets (for example, soft landscaping set at a level below the forward visibility height); this issue could, it is considered, be addressed by way of a suitably worded condition.

As set out above, (and as per the requirements of Condition 31 of the outline planning permission) the application is accompanied by a Travel Plan relating to this phase of the wider scheme, and which sets out a range of measures designed to reduce reliance on single occupancy vehicle trips (and in accordance generally with the Framework Travel Plan for the site as a whole forming part of the outline application submissions). This site-specific Travel Plan has been assessed by the County Highway Authority, and it advises that amendments ought to be made to the document, including the addition of further information in respect of pedestrian and cycle accessibility and facilities within the site, together with provision of cycle maps to new residents. It is therefore considered that these matters would need to be addressed to the County Highway Authority's satisfaction prior to any consent being issued.

A public right of way (Footpath N54) passes east-west through the southern section of the current application site. Under the scheme the subject of reserved matters approval ref. 19/00747/REMM, this route is proposed to be replaced by a new pedestrian link to the south of this parcel, passing through the proposed green infrastructure areas. The issues relating to the diversion of the right of way have already been assessed under the earlier reserved matters application, and are considered to remain acceptable. In addition (and in accordance with the approved site-wide masterplan), the scheme includes a new north-south pedestrian route through the site, connecting Grange Road with the new public open space to the south.

Overall in respect of highway safety, transportation and access issues, therefore, it is noted that, whilst a number of matters need to be resolved to the County Highway Authority's satisfaction, these appear to be relatively minor in nature, and capable of being addressed. It is therefore recommended that any resolution to permit be subject to the County Council confirming that it has no objections on any highway safety or pedestrian / cycle accessibility grounds.

### **Residential Amenity**

There are no existing neighbours considered to be materially affected by the proposals; insofar as future residents of the proposed development are concerned, the proposed layout is considered to include appropriate relationships between the new dwellings, providing for an acceptable level of amenity, and complying with the relevant Local Plan and SPD policies.

### **Other Matters**

In response to queries raised by Hugglescote and Donington le Heath Parish Council regarding the sustainability credentials of the development, the applicant confirms that, whilst there are no specific renewable energy measures proposed on the site (noting that neither the Local Plan nor the outline planning approval require such), the development would be built to comply with current building regulations and every house would be designed so as to regulate its water consumption to be no more than 100 litres per person per day (which would be more stringent than the existing maximum of 125 litres per person per day standard as set out in the Building Regulations).

### **Conclusions**

As set out above, the principle of the development has already been established by way of the outline planning permission, and assessment is therefore limited to those issues falling within the reserved matters.

The reserved matters scheme the subject of this application is considered to be acceptable, and previously raised design and highway safety concerns are considered to have been addressed to an acceptable degree. It is therefore recommended that reserved matters approval be granted.

**RECOMMENDATION- PERMIT, subject to no contrary representations raising new issues being received by 4 September 2020, subject to no objections being raised by the County Highway Authority on highway safety or pedestrian / cycle accessibility grounds, and subject to the following condition(s):**

- 1 Compliance with outline planning permission
- 2 Approved plans
- 3 Landscaping (including future maintenance and management)
- 4 Hard surfacing (including provision of transition strips to proposed roads)
- 5 Materials
- 6 Boundary treatment
- 7 Tree / hedgerow protection
- 8 Levels
- 9 Pedestrian and cycle connections (including any works to public rights of way and other routes)
- 10 Car parking
- 11 External lighting
- 12 Windows, doors, rainwater goods, utility boxes, chimneys, eaves and verges

- 13 Windows to car parking areas
- 14 Bin / recycling storage and collection points
- 15 Street name plates
- 16 Retaining walls / structures
- 17 Compliance with details approved pursuant to outline planning permission conditions (and forming part of the reserved matters submission)
- 18 Provision of signage in respect of unadopted roads / drives intended for public use
- 19 Landscaping treatment to forward visibility splays (including Plot 52)

**Plus any other conditions as may be recommended by the Local Highway Authority**

**(subject to no contrary observations by 4 September 2020)**