

Erection of 360 dwellings, associated infrastructure and landscaping approved under reserved matters approval ref. 20/01184/VCIM (outline planning permission ref. 13/00956/OUTM) without complying with Condition nos. 2, 3, 5, 6, 7, 9, 10, 11, 12, 13, 16, 19, 20, 21, 22, 23, 24 and 31 so as to allow for amended house types / positioning, road widths, street and bollard lighting, retaining walls and bin stores, and removal of garages  
 Land North Of Grange Road Hugglescote Coalville  
 Leicestershire LE67 2BQ

Report Item No  
 A4

Application Reference  
 21/00857/VCIM

Grid Reference (E) 443959  
 Grid Reference (N) 313000

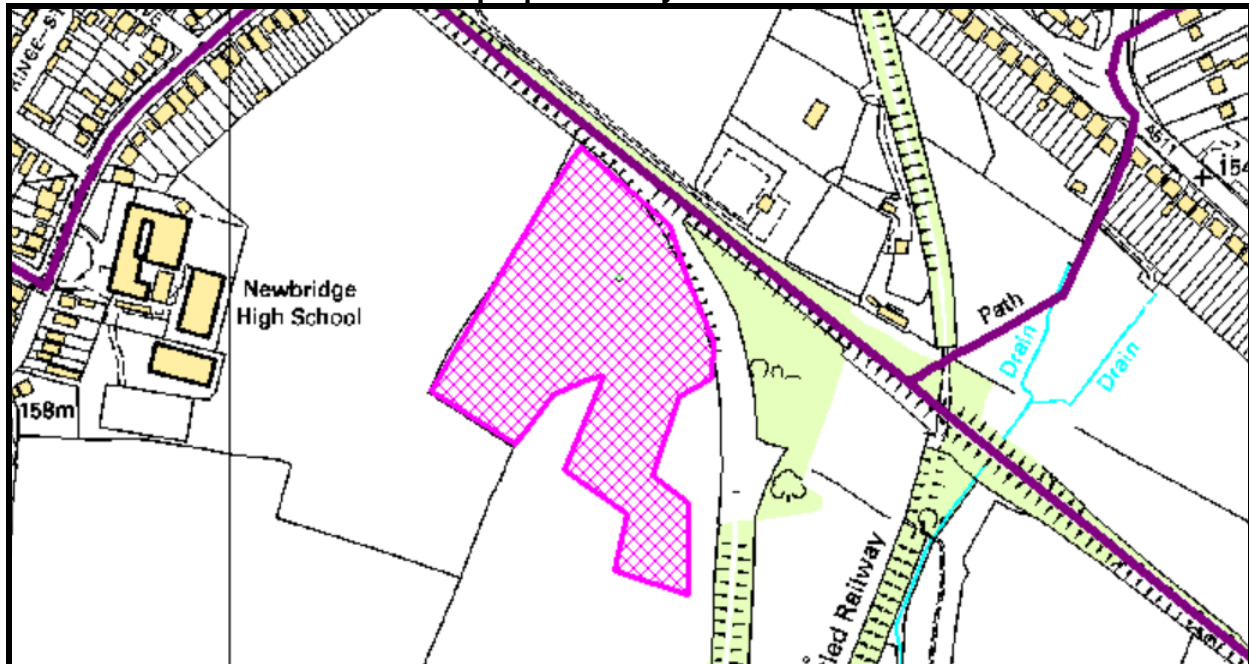
Date Registered:  
 26 May 2021  
 Consultation Expiry:  
 16 July 2021  
 8 Week Date:  
 25 August 2021  
 Extension of Time:  
 30 September 2021

Applicant:  
 Mr Gary Wootton

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.

### **Proposal**

This is an application to "vary" conditions attached to an earlier reserved matters approval for the erection of 360 dwellings and associated development, forming part of the wider South East Coalville development.

### **Consultations**

No objections are raised by neighbouring residents or any statutory consultee.

### **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 continue to 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

In March 2019 reserved matters application 18/00375/REMM for the erection of 360 dwellings on a site of approximately 18 hectares forming part of the wider South East Coalville development (and identified as Phases F1 and F2 of the wider scheme) was determined at the Planning Committee, and approval issued in April 2019. In January 2021 an application submitted under Section 73 of the Town and Country Planning Act 1990, and seeking to "vary" conditions attached to that reserved matters approval so as to allow for a number of amendments to the approved scheme, was resolved to be permitted by Planning Committee and issued in February 2021 (ref. 20/01184/VCIM).

The current application, submitted as a Section 73 application in respect of approval ref. 20/01184/VCIM, seeks further changes (to plots within the northern part of the site), and includes proposed amended house types to 51 of the development's plots, plus amended roof types (amended from gable to hipped roof type) to 23 plots.

### 2. Publicity

No neighbours notified.

Site Notice displayed 4 June 2021.

Press Notice published Leicester Mercury 16 June 2021.

### 3. Summary of Consultations and Representations Received

**Hugglescote and Donington le Heath Parish Council** - no comments received

**Leicestershire County Council Highway Authority** - final comments awaited

#### Third Party Representations

None

### 4. Relevant Planning Policy

#### National Policies

*National Planning Policy Framework (2021)*

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, 55 and 56 (Decision-making)

Paragraphs 108 and 111 (Promoting sustainable transport)

Paragraphs 126, 130, 132 and 134 (Achieving well-designed places)

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

### **Adopted North West Leicestershire Local Plan (2021)**

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 IF4 - Transport Infrastructure and new development  
Policy IF7 - Parking provision and new development

### **Hugglescote and Donington le Heath Neighbourhood Plan - Examiner's Report**

The Examiner issued his report on the submission draft Hugglescote and Donington le Heath Neighbourhood Plan on 8 July 2021. The Examiner concluded that, provided some modifications are made, the plan meets the Basic Conditions and, as such, recommended that it should proceed to referendum.

The weight to be attached by the decision maker to this submitted version should be in accordance with the approach set out in Paragraph 48 of the NPPF, having regard to the stage now reached towards adoption, the extent to which there are unresolved objections to the policies relevant to the determination of this application, and the degree to which the emerging policies are consistent with the NPPF. National Planning Practice Guidance confirms that "a local planning authority must have regard to a post-examination draft neighbourhood development plan, so far as material to the application". In view of the stage the plan has reached and the Examiner's findings, considerable weight can be attributed to its policies at this point.

The site lies within Limits to Development as defined in the Neighbourhood Plan. The following Neighbourhood Plan policies are considered relevant to the determination of this application:

Policy G2 - South East Coalville Development Scheme  
Policy G3 - Design  
Policy H1 - Housing Mix  
Policy T2 - Residential and Public Car Parking

### **Other Policies**

Good Design for North West Leicestershire SPD

Leicestershire Highway Design Guide

## 5. Assessment

Having regard to the existing reserved matters approval for the site, it is considered that the assessment of this application should be principally related to those matters that the applicant seeks to amend under this Section 73 application.

### Urban Form, Design and Site Layout

The basic form and design approach of the proposed amended scheme would, in effect, be unchanged from that previously approved (i.e. a landscape led development in accordance with the principles set out in the agreed Design Code for the site as a whole).

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; similar provisions are set out in Policy H1 of the emerging Neighbourhood Plan. Local Plan 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:

#### *No. of Bedrooms (%)*

1	2	3	4+	
Market	0-10	30-40	45-55	10-20
Affordable	30-35	35-40	25-30	5-10

The most recently approved scheme proposed the following:

#### *No. of Bedrooms (%)*

1	2	3	4+	
Market	-	1.8	27.0	71.2
Affordable	14.8	48.1	37.0	-

The proposed amended scheme proposes the following:

#### *No. of Bedrooms (%)*

1	2	3	4+	
Market	-	1.8	24.6	73.6
Affordable	14.8	48.1	37.0	-

As such, the change in housing mix would be limited, albeit the proposed amended market housing mix would result in a small increase in the proportion of dwellings of 4 or more bedrooms at the expense of 3 bedroom units, whereas Local Plan Policy H6 and emerging Neighbourhood Plan Policy H1 seek to encourage developments to accord with the suggested mix set out in the HEDNA (amongst other factors). As previously noted, however, it is also accepted 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).

Insofar as affordable housing is concerned, it is noted that the mix and distribution of affordable units is controlled separately under the provisions of the Section 106 obligations. However, on

the basis of the units indicated as affordable on this application, the mix would be unchanged, although the location of some of the affordable units would be amended. Under the previously indicated scheme, the affordable units (27 in total) would be distributed between four areas of this parcel; the proposed changes indicated would, in effect, result in one of those groups (a group of four units in the northern part of the site) being relocated to a different section of the northern area (and maintaining the overall distribution of the 27 units in four separate groups). The District Council's Strategic Housing team has no objections to the changes proposed, and notes that the separate affordable housing phasing plan (required to be agreed under the Section 106 obligations) will need to be updated at the appropriate time to reflect these changes.

As set out in the introduction above, a number of changes are proposed, including a number of minor changes to dwelling design. It is considered that all of these would have limited impact, and would not materially affect the design quality of the scheme as a whole.

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

The proposed amended scheme would not result in any material changes to the proposed internal highway network. In response to the application, the County Highway Authority has identified that the notes on the updated public right of way signage plan (which is updated to reflect the amended site layout rather than any changes to the rights of way routes) would need to be updated to refer to the latest suite of plans. The applicants confirms that the plans will be updated to this effect; subject to this matter being resolved, it is understood that the comments of the County Highway Authority will be addressed, and the recommendation below provides that the final confirmation of the County Council's satisfaction with the scheme be secured prior to the issuing of any formal approval.

### **Residential Amenity**

The principal changes the subject of this application would be located in areas which are not in close proximity to neighbouring dwellings and, as such, it is not considered that any significant residential amenity issues would arise, and the scheme is therefore considered to remain acceptable under Policy D2 of the Local Plan.

### **Conclusions**

As set out above, the principle of the development has already been established by way of the outline planning permission (and a detailed layout has previously been approved under the previous reserved matters approvals). The main issues to be considered are therefore those relating to the changes proposed in the revised scheme vis-à-vis those previous approvals.

The revised reserved matters scheme the subject of this application is considered to remain acceptable and, therefore, it is recommended that this Section 73 application be approved.

**RECOMMENDATION- PERMIT, subject to the County Highway Authority confirming it raises no objections, 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
- 5 Materials
- 6 Boundary treatment (including means of construction of any stone walls)
- 7 Tree Protection
- 8 Levels
- 9 Pedestrian and cycle connections (including any works to public rights of way and other routes (e.g. former mineral railway))
- 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 Substations
- 18 Compliance with details approved pursuant to outline planning permission conditions (and forming part of the original reserved matters submission)
- 19 Strategy for treatment of safeguarded land
- 20 Provision of vehicular connection to land to the east
- 21 Strategy for provision (and future stopping up) of turning head adjacent to the western site boundary
- 22 Public art
- 23 Provision of semi-mature trees to northern public open space

**PLANNING APPLICATIONS- SECTION A**

- 24 Provision of signage in respect of unadopted roads / drives intended for public use
- 25 Public transport infrastructure (bus stops)
- 26 Boundary treatment to properties on Hawley Close