

Executive Summary of Proposals and Recommendation

Call In

This application has been brought to the Planning Committee at the request of the Strategic Director of Place as the application is of significant public interest and to allow the Planning Committee to assess a residential scheme which is seen as an important catalyst in the regeneration of Coalville.

Proposal

The application is for the erection of 77 dwellings with associated works at Wolsey Road, Coalville. The scheme is a wholly affordable housing scheme.

Consultations

No objections have been received from third parties. A further consultation response is required from the County Highways Authority and County Council Ecologist in relation to their views on further information to be provided by the applicant. All other statutory consultees have raised no objections.

Planning Policy

The application site is within the Limits to Development in the adopted North West Leicestershire Local Plan.

Conclusion

The application site predominately comprises previously developed land in the centre of the Principal settlement in the District and is within the Limits to Development, as such the development is acceptable in principle. The key issues are:

- Design and impact on the character and appearance of the streetscape;
- Neighbours and the amenities of the future occupants;
- Highway safety;
- Ecology;
- Landscaping;
- Drainage and flood risk;
- Land contamination; and
- Development contributions.

The report below looks at these details, and Officers conclude that the details, subject to no contrary observations from the County Highways Authority and County Council Ecologist, are satisfactory. Whilst acknowledging the outstanding matters it is understood that funding for the scheme, given it is a wholly affordable housing scheme, is an issue and that such funding could be withdrawn should a resolution on the application not be reached. Consequently Members are requested to approve the application subject to the highways and ecology matters being satisfactorily resolved and a Section 106 agreement being completed. Subject to a resolution on the highways and ecology matters the proposals would meet the requirements of relevant NWLDC policies, including the adopted Good Design for North West Leicestershire SPD, and the NPPF (2021).

RECOMMENDATION - PERMIT, SUBJECT TO NO CONTRARY OBSERVATIONS FROM THE COUNTY HIGHWAYS AUTHORITY AND COUNTY COUNCIL ECOLOGIST ON THE OUTSTANDING MATTERS RAISED IN THE REPORT, AND SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT AND IMPOSITION OF 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 recommendations, 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 erection of 77 dwellings with associated works at Wolsey Road, Coalville. The 1.68 hectare site is situated on the north-western side of Wolsey Road and is within the Limits to Development. The application site is currently vacant following the demolition of the Mitchell Grieve Needle Works in 2011 (as permitted under application reference 11/00846/DEM) with 'scrub' land existing in the western part of the site. In order to facilitate the development it would also be necessary to demolish the premises of Neals Cars (formerly Autoquip) situated in the north-eastern corner of the site at the junction of Wolsey Road and Baker Street.

The application site is within a predominately commercial area with a recycling and household waste site and waste transfer station, off Linden Way, being set to the immediate north-west of the site.

Originally the application sought consent for 84 dwellings, however, during the course of the application the layout has been amended and the overall number of dwellings reduced to 77.

All of the dwellings to be created are proposed to be affordable dwellings consisting of 4 x 1 bed bungalows; 3 x 2 bed bungalows; 24 x 2 bed houses; 42 x 3 bed houses and 4 x 4 bed houses.

In terms of vehicular access it is proposed that a new access onto Wolsey Road would be formed with a pedestrian link also being provided onto Market Street. The ability to access Baker Street and a potential future route to the Coalville Urban Forest Park from the site would also be proposed.

A transport statement, preliminary ecological appraisal, noise impact assessment, heritage desk-based assessment, geo-environmental report, flood risk assessment and drainage strategy, arboricultural survey and air quality assessment accompanied the application as originally submitted. Following the receipt of consultation responses an air quality odour and dust report as well as a transport assessment have been submitted and re-consultation undertaken.

The recent planning history of the site is as follows:

- 08/00363/FULM - Demolition of existing buildings and erection of a foodstore (class A1) with associated access, parking, landscaping and ancillary facilities - Refused 6th October 2009.
- 11/00767/DEM - Demolition of building - Withdrawn 23rd September 2011.
- 11/00846/DEM - Demolition of building - No Objection 25th October 2011.

2. Publicity

87 Neighbours have been notified.

Site Notice displayed 17 December 2021.

Press Notice published Leicester Mercury 29 December 2021.

Press Notice published Leicester Mercury 21 April 2021.

3. Summary of Consultations and Representations Received

The following summary of representations is provided. All responses from statutory consultees and third parties are available to view in full on the Council's website.

Final Comments awaited from:

Leicestershire County Council - Ecology.
Leicestershire County Council - Highways Authority.

Comments from:

NWLDC Conservation Officer who has advised that:

- The development addressing Wolsey Road would not have regard to the building line;
- Car parking to the frontage of the dwellings would dominate the street and harm the quality of the street environment;
- In the south-eastern corner the layout does not reflect the character of the public conveniences;
- Buildings at the corner of Wolsey Road and the primary street and the corner of Wolsey Road and Baker Street would have blank side elevations;
- Development addressing Baker Street would not form a strong perimeter block and instead would comprise a mix of blank gables and fences, these should be walls.

No Objections from:

Leicestershire County Council - Archaeology.
Natural England.

No Objections, subject to conditions and/or informatives, from:

Environment Agency.
Leicestershire County Council - Developer Contributions.
Leicestershire County Council - Lead Local Flood Authority.
National Forest Company.
NWLDC - Affordable Housing Enabler.
NWLDC - Environmental Protection.
NWLDC - Environmental Protection (Contaminated Land).
NWLDC - Health and Wellbeing Team.
NWLDC - Tree Officer.
NWLDC - Waste Services Development Officer.

Third Party Representations

No third party representations have been received.

4. Relevant Planning Policy

National Policies

National Planning Policy Framework (2021)

The following sections of the NPPF are considered relevant to the determination of this application:

Paragraphs 8 and 10 (Achieving sustainable development);
Paragraphs 11 and 12 (Presumption in favour of sustainable development);
Paragraph 34 (Development contributions);

Paragraphs 38, 39, 40, 41, 42, 44 and 47 (Decision-making);
Paragraphs 55, 56, 57 and 58 (Planning conditions and obligations);
Paragraphs 60, 61, 62, 63, 65, 69, 74, 75, 77, 78 and 79 (Delivering a sufficient supply of homes);
Paragraphs 92, 93 and 98 (Promoting healthy and safe communities);
Paragraphs 107, 108, 110, 111, 112 and 113 (Promoting sustainable transport);
Paragraphs 119, 120, 124 and 125 (Making effective use of land);
Paragraphs 126, 128, 130, 131 and 134 (Achieving well-designed places);
Paragraphs 167 and 169 (Meeting the challenge of climate change, flooding and coastal change);
Paragraphs 174, 180, 183, 184, 185, 186 and 187 (Conserving and enhancing the natural environment); and
Paragraphs 197, 199, 200, 202, 205 and 206 (Conserving and enhancing the historic environment).

Local Policies

Adopted North West Leicestershire Local Plan (2021)

The following policies of the adopted local plan are consistent with the policies of the NPPF and should be afforded full weight in the determination of 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 IF3 - Open Space, Sports 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 - Water - Flood Risk; and
Policy Cc3 - Water - Sustainable Drainage Systems.

Other Policies

National Planning Practice Guidance.
Good Design for North West Leicestershire Supplementary Planning Document - April 2017.
Affordable Housing Supplementary Planning Document - December 2021.
Leicestershire Highways Design Guide (Leicestershire County Council).
Leicester & Leicestershire Strategic Growth Plan (Leicester & Leicestershire 2050: Our Vision for Growth).
Planning (Listed Buildings and Conservation Areas) Act 1990 - Section 72.
Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System).

5. Assessment

Principle of Development and Sustainability

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 comprises the North West Leicestershire Local Plan 2021.

The site is located within the defined Limits to Development where the principle of residential development is acceptable subject to compliance with relevant policies of the adopted Local Plan and other material considerations. Within the NPPF (2021) there is a presumption in favour of sustainable development and proposals which accord with the development plan should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies as a whole or if specific policies in the NPPF indicate development should be restricted.

The sustainability credentials of the scheme would need to be assessed against the NPPF and in this respect Policy S2 of the adopted Local Plan defines Coalville as a 'Principal Town' which is the primary settlement in the District and where the largest amount of new development will take place.

On the basis of the above the application site would be considered a sustainable location for new development due to it benefitting from a range of services and being readily accessible via public transport, as such future residents would not be heavily reliant on the private car to access the most basic of services.

From an environmentally sustainable perspective the majority of the dwellings (48 in total) would be provided on land which was previously developed (brownfield land) which is the most appropriate land for new development in the context of Paragraphs 119 and 120 of the NPPF.

Overall, the proposal would not result in sufficient harm to the built environment, as assessed in more detail below, and would also have positive economic and social sustainability benefits. As a result the proposal would be considered sustainable in accordance with Policy S2 of the adopted Local Plan and the core objectives of the NPPF.

The principle of the development is therefore considered to be acceptable, subject to all other material planning matters being addressed.

Design, Housing Mix and Impact on the Character and Appearance of the Streetscape

The need for good design in new residential development is outlined not only in adopted Local Plan Policy D1, and the Council's adopted Good Design for NWLDC SPD, but also Paragraphs 126 and 130 of the NPPF.

Specifically Policy D1 indicates that the Council will support proposed developments that are well designed and, as a minimum, offer a good standard of design with new residential development required to perform positively against Building for a Healthy Life (BfHL) (formerly Building for Life 12 (BfL12)). The Council's adopted Good Design for NWLDC SPD details criteria that new residential developments are expected to comply with.

Originally the scheme proposed the erection of 84 dwellings, equating to a gross site density of 50 dwellings per hectare, but the number of dwellings has since been reduced to 77, equating to a gross site density of 46 dwellings per hectare, predominately in response to design concerns. Paragraph 124 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, the predominant re-use of previously developed land and the implications of meeting the District Council's design policies, be considered reasonable in this location.

The scheme is in essentially 'landscape led', and has been the subject of extensive discussions with the District Council's Urban Designer since the application's submission with an assessment being undertaken against the requirements of Policy D1 of the adopted Local Plan and the Council's adopted Good Design SPD. Whilst due regard has been given to the importance of this brownfield site as a catalyst to regeneration in the centre of Coalville, a significant number of issues were raised regarding the design quality of the scheme predominantly in relation to the following:

Design of the Central Spine Road

The applicant was advised that there was a need to incorporate meaningful soft landscaping space on the northern side of the spine road as to accommodate the proposed bio-retention strip (which would contribute towards the sustainable urban drainage system (SuDS)) and allow the planting of trees which would have sufficient space to mature in order to soften the development whilst also introducing a sense of arrival and link through to the Coalville Urban Forest Park. It was also necessary to provide definition between the public and private domain to the frontage boundaries of the properties on the southern side of the spine road.

Northern Projecting Courtyards

The applicant was advised that there was a need to reduce the dominance of car parking to the frontage of the plots by incorporating meaningful soft landscaping buffers whilst also designing appropriate threshold treatments in order to protect any soft landscaping introduced. Plots 38, 53, 54 and 69 also needed to be designed so as to address both the internal central spine road and the northern projecting courtyards.

Plots 21 to 27

The applicant was advised that there was a need for the pedestrian link into the site from Market Street to be offered natural surveillance from the plots opposite such a link whilst also enabling the incorporation of appropriate soft landscaping within the shared space. The pedestrian link is important in establishing a future connection through the development towards the Coalville Urban Forest Park.

Plots 28 to 29

The applicant was advised that these plots would form the 'vista' at the end of the central spine road and consequently there was a need for a house type(s) to be designed which would 'command' such a space whilst also incorporating appropriate boundary solutions.

Wolsey Road Frontage (Plots 1 to 4 and 70 to 77)

As is the case with the northern projecting courtyards there was a need to reduce the dominance of car parking to the frontage of the plots by incorporating meaningful soft

landscaping buffers where the planting of mature trees would be possible. It was also necessary for plots 4 and 77 to be designed so as to address both Wolsey Road and the internal central spine road.

Revisions made to the plans have subsequently sought to address the concerns raised by the Council's Urban Designer and in most respects the layout is now considered to be satisfactory in relation to the aspirations of Policy D1 of the adopted Local Plan as well as the Council's adopted Good Design SPD.

The main outstanding matter was in relation to the soft landscaping approach along the central spine road and officers have sought clarification that the landscaping (including tree planting) to be introduced would have sufficient space in which to mature and thrive within the street whilst not interfering with the bio-retention feature or plots 38, 53, 54, 69 and 70. This is so as to ensure that the 'landscape led' approach to the scheme is realised with such landscaping also being important in 'breaking up' the dominance of off-street parking to the frontage of the dwellings. In this respect, whilst the scheme is not wholly compliant with the Council's adopted Good Design SPD (which advocates a 50/50 split between off-street parking and landscaping), the approach is considered acceptable when taking into account the nature of the street to be created (i.e. a tightly compacted street with units close to one another).

A soft landscaping strategy drawing has subsequently been submitted by the applicant which indicates the provision of tree planting (such as oak and field maple) within the scheme as well as a section drawing to show how such tree planting would be introduced. It would be necessary for a condition to be imposed which would require the submission of a precise soft landscaping scheme, with conditions also being necessary to secure the details of tree pits as well as a management and maintenance schedule for the soft landscaping so as to secure its long term retention and survival, and subject to the imposition of such conditions it is considered that the 'landscape led' approach to the design of the development could be appropriately secured.

In terms of the proposed house types the design approach follows a traditional form, in terms of the use of a rectangular brick block and pitched tiled roof, but which has contemporary styled openings and the use of a projecting brick detail so as to provide interest. The Council's Urban Designer considers that such house types are of interest and would be distinctive in the area with the built form and openings of the properties having consistency with the design approach adopted on the residential scheme consented at the former Police Station on Ashby Road, Coalville (as permitted under application reference 17/01174/FULM).

Throughout the course of the application amendments have been made to the house types so as to:

- Introduce chimneys to important plots;
- Ensure that house types which are located at the junction of two roads are appropriately designed so as to offer natural surveillance and interest to the street;
- Re-organise the internal configuration of the single storey dwellings so as to provide a habitable room at the frontage of the dwelling in order to offer natural surveillance of the pedestrian link into and through the site from Market Street; and
- Provide a window at ground floor level in a habitable room to those plots where off-street parking is located to the side of the dwelling.

A unique house type has also been designed for plots 28 and 29 given the importance of these plots in the vista established along the central spine road.

So as to ensure that the design quality anticipated by the elevational information of the dwellings is achieved conditions would be imposed which would require the following:

- A sample panel of the projecting brick detail to be constructed on site;
- Precise details of the protruding window frames to be installed;
- Precise details of the construction method of the chimneys;
- Sectional information to demonstrate that joinery would be set in reveal;
- Precise colour finish and construction material of the joinery;
- Precise details of the finish to eaves and verges;
- Precise details of the finish to cills and lintels;
- Precise details of any canopies to be installed; and
- Details of the location and colour finish to meter boxes (if provided externally).

With regards to materials it is proposed that two different bricks would be utilised in the construction of the dwellings with the materials plan specifying the use of a Cadeby Red multi brick and a Woodland mix brick although such a plan is not clear on the manufacturers of these bricks. Although the use of only two brick types is acceptable to the Council's Urban Designer it is considered that in order to determine the suitability of the proposed bricks further details/samples would be required. In terms of roofing materials it is indicated that a thin leading concrete tile would be utilised, but the materials plan is not clear on the colour of the roofing material to be used or the manufacturer. In order to ensure that suitable bricks and roofing tiles are used in the construction of the dwellings a condition would be imposed on any planning permission to be granted.

In terms of boundary treatments the Council's adopted Good Design SPD outlines that the use of timber close boarded fencing is not supported to those boundaries which are presented onto the public or semi-public realm (including courtyards). Amendments made to the boundary treatment plan have resulted in the introduction of 1.8 metre high brick walls (incorporating a tile crease and brick coping) to those boundaries which would be presented to the public domain with close boarded fence (including acoustic fencing where necessary) being provided within rear gardens. The only exception to this would be the use of close boarded timber fencing to the northern boundaries of plots which lie adjacent to Baker Street and southern boundary of plot 21 adjacent to Market Street. It is considered that a condition could be imposed on any permission granted to ensure that revisions are sought to the boundary treatment scheme in order to ensure that appropriate treatments are provided to the public domain, albeit it is noted that the current boundary treatment along the part of the site adjacent to Market Street currently comprises a 2 metre high metal palisade fence.

It is also indicated on the boundary treatment plan that 0.6 metre high brick walls would be introduced to the frontage of plots on the southern side of the central spine road as well as to the frontage of plots 28 and 29, in line with the recommendations of the Council's Urban Designer. A 0.45 metre high timber knee rail would be utilised to protect landscaping (as well as the bio-retention strip) introduced to the frontage of plots facing onto Wolsey Road, plots 21 to 27, plots 30 to 38, plots 53 and 54, plots 69 and 70 and those on the northern projecting courtyards. The plan, however, is unclear on how landscaping provided between parking spaces would be adequately protected. In imposing a boundary treatment condition on any permission to be granted, as alluded to above, it would be worded so to ensure that an appropriate solution is found to protect landscaping between parking spaces and that consideration is given to an alternative treatment to a timber knee rail which is not considered to be robust or provide an appropriate design solution at its junctions (i.e. where one timber knee rail joins another).

Overall, and subject to the imposition of conditions, it is considered that the design, appearance and scale of the development would be acceptable and enable it to successfully integrate into the environment in which it is set whilst also acting as a catalyst to further regeneration in the centre of Coalville. On this basis it would be compliant with Policy D1 of the adopted Local Plan, the Council's adopted Good Design SPD and Paragraphs 126 and 130 of the NPPF.

Housing Mix

With regards to housing mix, Policy H6 of the adopted Local Plan outlines that a mix of housing types, sizes and tenures is expected on residential developments proposing 10 dwellings. When determining an appropriate housing mix the information contained within the Housing and Economic Development Needs Assessment (HEDNA) is one of the factors to take into account alongside other criteria as outlined in Part (2) of Policy H6. The range of dwelling sizes (in terms of number of bedrooms) identified as appropriate in the HEDNA are as follows:

- 1 bed - 30-35% (Affordable);
- 2 bed - 35-40% (Affordable);
- 3 bed - 25-30% (Affordable); and
- 4 bed - 5-10% (Affordable).

The submitted scheme proposes the following (%):

- 1 bed - 5% (Affordable);
- 2 bed - 35% (Affordable);
- 3 bed - 55% (Affordable); and
- 4 bed+ - 5% (Affordable).

Within the HEDNA it is indicated that a tenure mix of 80% Rented and 20% Intermediate Housing should be sought to meet the identified affordable housing needs of the District.

The proposed number of 2 and 4+ bed properties would be largely consistent with the HEDNA mix but there would be a greater percentage of 3 bed properties than 1 bed properties in comparison to the HEDNA mix.

Given that the proposed scheme is a 'wholly' affordable scheme, the Council's Affordable Housing Enabler has been consulted and they have stated that the applicant has indicated that the tenure mix will provide 74% Affordable Rented and 26% as Shared Ownership properties comprising of:

Affordable Rented - 57 properties

4 x 1 bed 2 person bungalows;
3 x 2 bed 3 person bungalows;
18 x 2 bed 4 person houses;
28 x 3 bed 5 person houses; and
4 x 4 bed 6 person houses.

Shared Ownership - 20 properties

6 x 2 bed 4 person houses; and
14 x 3 bed 5 person houses.

Whilst the tenure mix would provide slightly higher levels of shared ownership than the HEDNA suggests, this is acceptable to the Affordable Housing Enabler given:

"(a) the wholly affordable site is providing a higher number of rented properties than a standard planning gain site;

(b) the flexibility in the tenure mix helps increase site viability ensuring development of an important gateway site in the centre of town;

(c) the recent wholly rented development close by, on the Police Station and the Pick & Shovel sites; and

(d) The shared ownership properties create a more balanced development by introducing an affordable route into home ownership."

HEDNA mix is one of several factors to have regard to when assessing a housing development of 10 or more dwellings with regard also being given to the *"mix of house types and sizes already built and/or approved when compared to the available evidence"* (criterion (b) of Part (2) of Policy H6) as well as the *"nature of the local housing sub-market"* (criterion (d)) and the *"needs and demands of all sectors of the community"* (criterion (e)). Furthermore the supporting text to Policy H6 outlines at paragraph 7.48 that *"1 bed properties are generally not regarded as providing sufficient flexibility for changing household composition and are therefore not considered sustainable in the long term"* with paragraph 7.49 indicating that there needs to be a focus on *"delivering 2 and 3 bedroom properties in order to provide a better balance in the housing market."*

In respect of the property mix the Affordable Housing Enabler has outlined that it meets the identified needs in the area and is acceptable.

On the basis that the Affordable Housing Enabler is supportive of the tenure and property mix, and taking into account the guidance within Policy H6, it is considered that the housing mix proposed would be acceptable and compliant with the aims of criterion (3) of Policy H4 and Part (2) of Policy H6 of the adopted Local Plan.

Part (3) of Policy H6 of the adopted Local Plan outlines that on developments of 50 or more dwellings should provide a proportion of dwellings that are suitable for occupation by the elderly, including bungalows (criterion (a)) and a proportion of dwellings which are suitable for occupation or easily adaptable for people with disabilities (criterion (b)).

As is outlined above the proposed development would provide 7 bungalows which is acceptable to the Affordable Housing Enabler, on the basis of the need for these types of dwellings, with the applicant also confirming that such bungalows would be constructed to meet the standards outlined in Part M4(2) of the Building Regulations.

On this basis it is considered that the development would be compliant with Part (3) of Policy H6 of the adopted Local Plan.

Overall, the mix of housing types and tenures would suit local requirements and consequently would be compliant with Building for a Healthy Life (BfHL) criteria relating to 'Homes for Everyone'.

Impact on the Historic Environment

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, when considering whether or not to grant planning permission for development which affects a Conservation Area or its setting, to have special regard to the desirability of preserving or enhancing the character or appearance of that area. Such an approach is also supported by Paragraphs 197, 199, 200, 202 and 206 of the NPPF.

The eastern boundary of the application site lies adjacent to the boundary with the Coalville Conservation Area with the north-eastern site boundary also being opposite the Coalville Conservation Area. The public conveniences on Wolsey Road are also within the Coalville Conservation Area and lie adjacent to part of the south-western site boundary.

The Coalville Conservation Area Character Appraisal notes the contribution made to "*Coalville's twentieth century heritage*" by the public conveniences (erected 1927 - 1928) and the Co-operative New Bakery (constructed 1928 - 1930).

The Grade II listed Memorial Clock Tower at Memorial Square is the closest listed building to the application site and is situated 52 metres to the south-east, albeit the Council's Conservation Officer has not identified any impacts arising to the setting of this heritage asset as a result of the proposed development.

As part of their original consultation response, to the scheme of 84 dwellings, the District Council's Conservation Officer provided comments which are as outlined in the '*Summary of Consultations and Representations Received*' section of this report. Following the receipt of revised plans, which reduced the number of dwellings to 77, the Council's Conservation Officer was reconsulted. In their revised response they have advised that the only comment which has been addressed is the provision of windows in the side elevation of plot 70.

Whilst the comments of the Council's Conservation Officer are acknowledged these relate to conflict with aspects of BfHL and the Council's adopted Good Design SPD and do not identify that any harm arises to the significance of the setting of the Coalville Conservation Area. It is concluded, in the '*Design, Housing Mix and Impact on the Character and Appearance of the Streetscape*' section of this report above, that the Council's Urban Designer has no objections to the application and that a scheme broadly compliant with BfHL and the Council's adopted Good Design SPD would be delivered.

Taking into account the above it is considered that no harm arises to the significance of the setting of heritage assets and consequently an assessment in the context of Paragraph 202 of the NPPF is not required.

On this basis, it is determined that the proposal would be compliant with Policy He1 of the adopted Local Plan, Paragraphs 197, 199, 200, 202 and 206 of the NPPF and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Archaeology

A heritage desk-based assessment has been submitted in support of the application. Following consideration of this assessment the County Council Archaeologist has advised that whilst the eastern part of the site (brownfield land) has no potential for archaeological remains, the western part ('scrub' land) has seen limited change and consequently there is the potential for archaeological remains to be preserved on this part of the site.

The development proposals would include works (such as foundation construction, services and landscaping) which would likely impact on any remains which are present. Consequently it would be necessary for the developer to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance. On this basis the County Council Archaeologist advised that any planning permission should be granted subject to a condition requiring a suitable programme of archaeological investigation to be undertaken.

Following receipt of this consultation response the applicant has subsequently liaised with the County Council Archaeologist outlining that the western part of the site formed part of a former landfill (as confirmed by a site investigation report), with there also being the presence of Severn Trent Water sewers in the area and that the buildings which were demolished had basements associated with them. Consequently the applicant outlined that there was little undeveloped areas on the site which would necessitate the need for further intrusive archaeological investigations.

After considering such information the County Council Archaeologist has advised that there would no longer be a requirement for archaeological conditions to be imposed on any planning permission to be granted in light of the site circumstances.

On this basis the proposal would be considered compliant with Policy He1 of the adopted Local Plan, insofar as it relates to archaeology, as well as Paragraph 205 of the NPPF.

Neighbours and Future Occupants Amenities

Policy D2 of the adopted Local Plan seeks to ensure that adverse effects of development on residents' amenities is minimised (and including in respect of pollution).

The nearest existing residential dwellings to the site are numbers 24 to 30 Mantle Lane (even no's inclusive) which are two-storey terraced properties situated to the south-east of the site.

Plot 1 on the proposed development would be the closest residential dwelling to those on Mantle Lane and would be set around 35 metres, at its closest point, to the north-west of the western (front) elevation of no. 30 Mantle Lane. Plot 1 is designed so that its principal (front) elevation is directly facing east (i.e. towards the Springboard Centre) and would have an eaves height of 5.02 metres and ridge height of 8.04 metres.

Taking into account the separation distance and the overall height of plot 1, which would be no greater than that of the commercial premises to the south of the site which lie directly opposite the residential properties on Mantle Lane, it is considered that no adverse overbearing or overshadowing impacts would arise to existing residential amenity. There would also be no adverse overlooking impacts given that any direct views from plot 1 would be towards the commercial premises in the Springboard Centre.

Noise associated with the proposed residential development would also be no greater than that associated with the commercial premises which currently surround the existing residential properties on Mantle Lane, with these residential properties also being located close to the Coalville Town Centre. Consequently no adverse noise impacts would arise to existing residential amenities.

In terms of future residential amenities it is considered that the proposed dwellings would have an acceptable relationship with the existing residential dwellings on Mantle Lane given the separation distance identified above. It is also considered that the relationship between the proposed dwellings themselves, in terms of overlooking, overbearing and overshadowing impacts, would also be acceptable with 'back to back' and 'side to back' separation distances largely being consistent with the recommendations outlined in the Council's adopted Good Design SPD.

The other matter to consider in relation to future residential amenities is the potential noise and odours associated with the commercial operations which are undertaken in premises which surround the site, including the recycling and household waste site (RHWS) and waste transfer station (WTS) which are situated to the immediate north-west of the site on Linden Way.

Paragraph 187 of the NPPF outlines that planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs), and that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.

It further states that where *"the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."* As such the onus is on the applicant to suitably mitigate the impacts the existing commercial activities around the site would have on the future amenities of any occupants of the proposed dwellings, rather than the existing commercial activities being subject to unreasonable restrictions as a result of new development.

A noise assessment (NA) accompanied the application as originally submitted and this assessment concluded that the overall noise climate across the site is primarily determined by traffic noise from Ashby Road, Mantle Lane and other nearby roads in the vicinity. It is also concluded that noise from the RHWS and WTS, as well as an electrical sub-station to the south-west, were audible at the development site but that the commercial premises to the south-west and east did not create any obvious noise impacts.

Given the impacts which arise the NA outlines the following mitigation measures:

- Barrier attenuation through the installation of a 3 metre high fence to those properties which have a garden adjacent to the RHWS and WTS or electrical sub-station. Such a barrier would reduce noise levels within the gardens to 43 decibels (dB) which would be compliant with the British Standard (BS) 8233 (Guidance on sound insulation and noise reduction for buildings). In this respect it is acknowledged that BS 8233 outlines that the guideline value of 43dB is not always achievable and consequently *"development should be designed to achieve the lowest practicable levels in these external amenity spaces, but not be prohibited."*
- All habitable room windows within the proposed dwellings should be fitted with windows with a minimum manufacturer's weighted sound reduction index (Rw) of 33dB. Such a sound reduction should be achieved by the window unit as a whole including its frame and furniture.
- Habitable room windows overlooking Wolsey Road should be provided with proprietary wall or window mounted trickle vents to achieve background ventilation in accordance with Building Regulations requirements. Vents, when open, should have an acoustic rating equivalent to that of the glazed portion of the window system. Typically, this may

- result in a rating on the trickle vent which is 6dB higher than the windows glazing system Rw rating.
- All habitable room windows which overlook the RHWS and WTS should be fitted with a passive ventilation system which provides an equivalent open area to an open window, or provision made for a full mechanical ventilation system so as to enable windows to be closed by future residents at times when noise generating activity is being undertaken on the above site. Outside of the operating hours of the RHWS and WTS there would be no noise impact in this respect.
 - The boundary treatments to those plots which adjoin commercial premises to the south-west and north-east should be provided with solid barrier fencing to a minimum height of 3 metres. Such barrier fencing should be continuous to the ground and have no significant gaps, in practice this can be achieved by close boarded fencing panels and gravel boards.

As part of the consideration of the application the District Council's Environmental Protection Team have been consulted. Following their review of the NA it has been concluded that it would be critical for the recommendations to be executed to the exact specifications detailed within the NA so as to avoid any adverse noise impact to the amenities of any future occupants. Consequently, it is recommended that conditions be imposed on any planning permission to be granted to secure a precise scheme of mitigation measures to ensure they are compliant with the recommendations of the NA.

The Council's Environmental Protection Team also outlined that there was concern with regards to the odour and dust which would be generated by the RHWS and WTS and that a comprehensive odour and dust assessment would need to be provided before the determination of the application.

An odour and dust assessment (ODA) has subsequently been submitted in support of the application and re-consultation undertaken with the District Council's Environmental Protection Team.

The conclusions of the ODA are that a baseline review undertaken has determined that both the RHWS and WTS operate under an Environmental Permit with no complaints regarding odour or dust having been received by either the District Council or Leicestershire County Council. It also outlines that as part of a site walkover there was no detectable odour or evidence of dust deposition as a result of the operations at the RHWS and WTS. Furthermore, observations made during the assessment at the entrances to both the RHWS and WTS established there was no odour or dust as a result of the operations undertaken, including the trackout of vehicles accessing and egressing the RHWS and WTS. On the basis that no evidence of odour or dust was experienced there was no requirement to mitigate impacts to the amenities of future occupants of the proposed dwellings.

The District Council's Environmental Protection Team have reviewed the submitted ODA and agree with its conclusions in that there would be no odour or dust implications to the amenities of any future occupants of the properties which would require mitigating.

Overall, and subject to the imposition of relevant conditions, it is considered that the amenities of existing and future occupants would be safeguarded and consequently the proposal would be compliant with Policy D2 of the adopted Local Plan and Paragraph 187 of the NPPF.

Highway Safety

The County Council Highways Authority (CHA) have been consulted on the application with the assessment of the CHA being based on guidance within the Leicestershire Highways Design Guide (LHDG).

In their original consultation response the CHA recommended the refusal of the application on the following grounds:

- "1. The applicant had failed to demonstrate that the traffic impact of the proposals would not be severe.*
- 2. The applicant has failed to demonstrate that safe and suitable access for all users would be provided; and*
- 3. The proposal, if permitted, could lead to vehicles performing U-turn manoeuvres from Wolsey Road to Mantle Lane to avoid negotiating the roundabout junction, which is not in the interests of highway safety."*

The applicant has subsequently entered into negotiations with the CHA so as to address the concerns which have been raised.

Site Accesses

The site is located on Wolsey Road, an unclassified no through route, which is subject to a 30mph speed limit and runs parallel to Mantle Lane which is a Class C road, A retaining wall leading to an underpass separates these two highways.

It is proposed that a new vehicular access onto Wolsey Road would be formed so as to serve plots 4 to 69 which would comprise a simple priority junction of 5.5 metres in width and which, following amendments, would have 6 metre kerb radii. This vehicular access would also be provided with vehicular visibility splays of 2.4 metres by 43 metres. Such an access would be compliant with the LHDG and is therefore acceptable to the CHA.

With regards to plots 1 to 3 and 70 to 77 these would be served by individual accesses onto Wolsey Road so as to enable off-street parking to the frontage of these plots. The submitted drawings indicate that a vehicular visibility splays of 2 metres by 43 metres could be achieved for the northernmost plot (plot 77) and 2 metres by 30 metres for the southernmost plot (plot 1). The applicant's submitted Transport Assessment (TA) indicates that a 2 metre setback distance has been used for the vehicular visibility splays given that the guidance within Manual for Streets indicates that such a setback may be considered in some very lightly-trafficked and slow speed situations. However, the CHA have advised that the LHDG requires a 2.4 metre setback distance, and the TA does not provide any evidence regarding recorded speeds which may support the approach adopted by the applicant. As such the CHA have requested further evidence to demonstrate that the use of a 2 metre setback would be appropriate in this instance.

The CHA have also indicated that the visibility splay from plot 1 to the mini-roundabout, being 30 metres, would only be appropriate on a highway where the 85th percentile speed is demonstrated to be 20mph. On this basis the CHA have advised that the applicant would be required to either provide a speed survey to demonstrate the recorded speed or increase the visibility splay to 43 metres.

There is also concern from the CHA in relation to potential conflict between the manoeuvres of vehicles from the parking spaces to the frontage of plots 1 to 3 and 70 to 77 should the existing

on-street parking bays opposite the site (on Wolsey Road) be in use, as well as the conflict with pedestrians accessing such parked vehicles. In order to appropriately assess this relationship the CHA have requested the submission of a Stage 1 Road Safety Audit (RSA) with appropriate designers response.

The CHA have also requested further swept path analysis to be provided in relation to the movement of the Council's waste vehicles serving plots 70 to 77 given that they would likely utilise the junction with Baker Street as a turning head which is an unadopted private access. It would need to be demonstrated that the Council's waste vehicle could manoeuvre without requiring access to third party land (i.e. Baker Street).

It is also the case that the CHA have identified that the development proposes to extend the 'no waiting at any time' (double yellow lines) restriction fronting the application site (on Wolsey Road). This would be acceptable to the CHA but could only be facilitated by a Traffic Regulation Order (TRO) which would be at the applicant's expense and which would be subject to a public consultation, consequently there is no guarantee that such a restriction would be implemented.

The CHA have also advised, in relation to the accesses, that the following should also be considered and addressed by the applicant:

- That uncontrolled pedestrian crossings would need to be shown at the proposed access and Baker Street with the provision of tactile paving and replacement dropped kerbs.
- That 1 metre x 1 metre visibility splays would need to be provided for the private access serving plot 77.

The applicant has submitted this information to the Council to address the matters raised associated with the accesses, including a Stage 1 RSA and speed survey, and a re-consultation with the CHA has taken place and any comments received will be provided to the committee as a late update.

Subject to the CHA raising no objections to the revised information it is considered that the proposed accesses would not result in an unacceptable impact to pedestrian and highway safety.

In terms of other matters associated with the accesses the concerns of the CHA are noted in relation to provision of planting, including tree planting, between the parking spaces associated with plots 1 to 3 and plots 70 to 77 potentially impacting on the visibility splays associated with these plots. It is, however, the case that such planting is important from the 'landscape led' approach to design adopted with the National Forest company specifically requesting the provision of tree planting on Wolsey Road. Subject to the imposition of a condition requiring the planting, with the exception of trees which are set away from the visibility splays, to be maintained at an appropriate height (likely 0.6 metres) it is considered that such planting would not compromise highway safety. As part of the submission of a landscaping scheme it could be ensured that suitable root protection barriers are incorporated so as to ensure the highway is not compromised.

In direct discussions with the applicant the CHA have advised that any replacement street lighting on highway land, relocation of gullies on highway land and the potential diversion and/or protection of existing statutory utilities equipment would be a matter to be addressed as part of the detailed design of the highway works which would be a process undertaken separately with the CHA should planning permission be granted.

Internal Layout

In their original consultation response the CHA outlined that in order for the site to be considered suitable for adoption it would be necessary for the internal layout to be designed so as to be fully compliant with the LHDG. Based on the layout as submitted the CHA have identified the following issues which conflict with the LHDG.

Geometry

The CHA originally outlined that the extents of the site that are proposed to be put forward for adoption are unclear and that the bend in the vicinity of plot 28 would require swept path analysis and forward visibility to be demonstrated for a suitable refuse vehicle. Such forward visibility would be required to be 25 metres (if the road is to be adopted) and would need to be wholly contained within the highway.

Whilst swept path analysis was subsequently submitted the precise vehicle used was not confirmed by the applicant with it being the case that forward visibility had also not been demonstrated.

It was also outlined that any shared surfaces would be required to be 7.5 metres wide from start to finish with no taper, so as to accord with the LHDG, and consequently a revised site layout is required which includes junction and turning head radii throughout.

Turning Heads

The CHA originally outlined that there are no turning heads present on the roads serving plots 38 - 53 and 54 - 69 with it being necessary to ensure that all turning heads comply with the LHDG. Whilst an amended drawing was submitted it remained the case that the turning head in the vicinity of plots 34 and 35 would not be compliant with the LHDG.

The applicant has subsequently advised that service vehicles would serve plots 54 - 69 and 38 - 53 from the main spine road given that the roads serving such plots would not be put forward for adoption. In response to this the CHA have outlined that if such roads are not to be adopted then it would not be necessary for turning heads to be provided but such highways should be served by a dropped kerb with a continuous footway. The CHA have also advised that any turning head within the vicinity of plots 34 and 35 would not need to comply with the LHDG in the circumstances that this part of the highway would not be put forward for adoption. It would, however, be necessary to demonstrate that the District Council's Waste Vehicle could manoeuvre within this area for the purposes of waste collection.

Speed Control

Along the main spine road, speed is proposed to be controlled by the introduction of ramps and so as to comply with the LHDG such features should demonstrate a 20mph design speed. The CHA has advised that as presently proposed the speed ramps would not maintain a consistent 20mph design speed and therefore conflict with the LHDG. Consequently the applicant has been requested to revise speed control features along the main spine road in order to ensure they are compliant. This information has been submitted to the CHA for their comments and should it be received back before the committee it will be reported as a late paper.

Refuse Collection

The CHA has outlined that the applicant is required to clearly show the bin collection points on the proposed site layout and that it should be ensured that these do not obstruct the pedestrian visibility splays. T

Pedestrian Links

The CHA has indicated that a pedestrian link is shown in the vicinity of plot 21 which would enable a connection onto Market Street although such a link would direct pedestrians onto the private drive (serving plots 21 to 27). On this basis the CHA has concerns that future residents would petition for the private drive to be adopted by the CHA and as such the pedestrian link should be omitted.

Whilst acknowledging these comments, the provision of pedestrian links into and through the site is important in enabling future access to the Coalville Urban Forest Park as part of the regeneration of this area of Coalville. As the adoptability of a highway is not a planning matter it is considered that the future petitioning for such a highway to be adopted is not sufficient grounds to justify the omission of this link. As the scheme is a wholly affordable housing scheme future occupants would be made aware of the presence of this link by the housing provider.

It was also indicated by the CHA that the pedestrian link, originally proposed, would not be overlooked due to the provision of landscaping around the link. The plans have subsequently been amended to provide the link adjacent to the carriageway, so that it is not obscured by landscaping, with amendments being made to the internal arrangement of the house types proposed to plots 21 to 27 so as to ensure that habitable rooms are at the front of the dwelling which offer active surveillance of the link.

The applicant has subsequently submitted information which seeks to address matters associated with the internal layout, connected with the geometry, turning heads, speed control and refuse collection, and re-consultation has been undertaken with the CHA.

Subject to the CHA raising no objections to the revised information a conclusion would be made that the proposed layout would not result in an unacceptable impact to pedestrian and highway safety.

Impact on the Wider Highway Network

In their original consultation response the CHA advised that the trips rates appeared to be low. Consequently a revised Trip Rate Information Computer System (TRICS) has been undertaken using 85th percentile person trips. It is indicated in the TA that the existing 586 square metre industrial building on the site could be brought back into use without planning permission and consequently an assessment of the trip generation associated with the building has been undertaken.

On the basis of the TA, the existing building could generate 3 two-way vehicle movements in the morning (AM - 8 - 9am) peak period and 2 two-way vehicle movements in the afternoon/evening (PM - 5 - 6pm) peak. With regards to the proposed development the TA identifies that this would generate 77 two-way trips in the AM peak and 67 two-way trips in the PM peak. The TA acknowledges that not all of these trips would be undertaken by vehicles and when utilising 'method of travel to work' for the North West Leicestershire 010 Middle Super Output Area (MOSA) the modal split would result in 52 two-way vehicle trips in the AM peak and 46 two-way vehicle trips in the PM peak.

When deducting the movements that could be associated with the existing industrial building this would result in an overall figure of 49 two-way vehicle trips in the AM peak and 44 two-way vehicle trips in the PM peak.

The impact of these additional trips has been considered at the following study area junctions:

- Site access/Wolsey Road priority junction;
- Wolsey Road/Mantle Lane/Memorial Square roundabout junction; and
- Memorial Square/High Street/Belvoir Road/Ashby Road signalised crossroads.

In assessing the application the CHA has identified that whilst the Site access/Wolsey Road priority junction and Wolsey Road/Mantle Lane/Memorial Square roundabout junction would operate well within capacity, the Memorial Square/High Street/Belvoir Road/Ashby Road signalised crossroads would operate over capacity with significant queuing and delays.

So as to address the significantly detriment effect on this junction the CHA would seek a financial contribution of £25,000 so as to upgrade the pedestrian facilities at this junction to a nearside type which may result in improvements to the capacity at this junction. The applicant has agreed to pay this contribution.

The CHA has also identified that a financial contribution towards the Coalville Transport Strategy (CTS), which is planned to safeguard against rates of deterioration and optimise traffic flow whilst maintaining safety on the A511, would also be required and which is commensurate with other developments permitted in the area. Based on a figure of £4,800 per dwelling this would result in a contribution request of £369,600 and the applicant has agreed to pay this contribution.

Subject to the securing of the financial contributions in a Section 106 agreement the proposed development would not result in a severe cumulative impact on the highway network and would therefore be acceptable.

Off-Site Highway Impacts

In respect of the Wolsey Road/Mantle Lane and Memorial Square mini-roundabout junction the initial observations of the CHA stated the following with it being noted that all development traffic would be required to utilise this junction:

"The retaining wall separating Wolsey Road and Mantle Lane ends approximately 17 metres north of the roundabout junction, therefore there are no physical obstructions to prevent vehicles performing a U-turn manoeuvre at this location in order to avoid the junction. Vehicles doing so would cause significant highway safety concerns due to the limited visibility and the lack of turning space and would result in vehicles crossing the centre line of Mantle Lane, into oncoming traffic. Such manoeuvres would therefore result in the risk of conflict and this would be required to be addressed due to the significant change that a residential development of this scale would have on the existing traffic movements on Wolsey Road."

So as to address this, the submitted TA provides a scheme of improvements at this junction which would comprise the replacement of the existing hatching and 'keep clear' markings with a kerbed central reservation. This is proposed so as to prevent vehicles performing U-turn manoeuvres from Wolsey Road to Mantle Lane.

In response to this scheme the CHA advised that the applicant should update the proposal so as to show the movement of heavy goods vehicles (HGVs) and cars from Wolsey Road onto Mantle Lane. The applicant, however, has advised that it is not possible for HGVs or cars to undertake such a manoeuvre due to the corner being too tight (for HGVs) and the proximity of the entrance to and exit from the mini-roundabout (for cars). The CHA have subsequently accepted this position.

The provision of a kerbed island to the mini-roundabout will also impact upon the existing dropped crossing from Wolsey Road to Mantle Lane and this is an issue which needs to be addressed by the applicant.

With regards to the proposed footway works the CHA noted the contents of the TA but advised that further plans would need to be submitted to demonstrate compliance with tables DG1 and DG9 of Part 3 of the LHDG. The applicant has subsequently advised that the drawings submitted are to scale and demonstrate compliance with the relevant tables in Part 3 of the LHDG and the CHA have confirmed that they are acceptable.

The applicant has subsequently submitted information which seeks to address the issue with the off-site highway works and re-consultation has been undertaken with the CHA.

Subject to the CHA raising no objections to the revised information, a conclusion would be made that the proposed off-site highway works would not result in unacceptable impacts to pedestrian and highway safety or a severe cumulative impact on the highway network.

The CHA has advised that the access of HGVs to the Springboard Centre, vehicle tracking details to ensure that the wheel-track of HGVs is clear of the proposed kerb and a scheme of signage for the improvement works would be considered as part of the detailed design process undertaken separately with the CHA should planning permission be granted. In terms of the signage the applicant has advised that HGVs would be directed towards the junction of Memorial Square/High Street/Belvoir Road/Ashby Road for the reasons as outlined above (i.e. such vehicles cannot turn directly onto Mantle Lane) and this would not be materially different to the existing/historic situation.

Parking

The Council's adopted Good Design SPD and LHDG advise that a minimum of two off-street parking spaces for dwellings with between 1 and 3 bedrooms and a minimum of three spaces for dwellings with 4+ bedrooms should be provided. On the basis of the number of bedrooms, the minimum amount of off-street parking spaces advised by such documents would total 149 spaces.

In their original consultation response the CHA indicated that the level of off-street parking proposed is in line with the Department for Communities and Local Government (DCLG) paper method which is a methodology which is acceptable to the CHA. It is, however, the case that such a method deviates from the recommendations of the Council's adopted Good Design SPD and LHDG.

On the basis of the submitted plans a total of 143 off-street parking spaces (which includes four visitor spaces) would be provided, so consequently the amount of off-street parking below the recommendation of the Council's adopted Good Design SPD and LHDG would be 10 spaces. Whilst below the recommendations of such documents it outlined at criterion (c) of part (2) of Policy IF7 that when assessing the provision of parking the Council will have regard to:

"any transport assessment/statement and travel plan associated with a proposed development and, in appropriate circumstances, agree to reduce the required car parking provision where the proposed development has, or is, proposed to have good access to other modes of transport."

Paragraph 107 of the NPPF also indicates that in setting local parking standards for residential development policies should take into account, amongst other things:

- *the accessibility of the development (criterion (a)); and*
- *the availability of and opportunities for public transport (criterion (c)).*

In terms of this proposal it has to be acknowledged that the application site is within the centre of Coalville with future residents not necessarily being dependent on, or requiring, a private car given the accessibility provided to neighbouring settlements by public transport and the availability of services to meet their day to day needs. An increase in the number of parking spaces would also compromise the design enhancements implemented with the provision of landscaping so as to ensure that off-street parking is not dominant to the frontage of those plots fronting onto Wolsey Road as well as the projecting side streets.

The Council's Affordable Housing Enabler has also outlined that they have no objections to the reduced parking provision given the site's location in relation to the town centre.

Furthermore the CHA do not object to the level of off-street parking provision which is only slightly below the recommendations of the Council's adopted Good Design SPD and LHDG.

Whilst the CHA did request clarity from the applicant in relation to the management of parking spaces where they are allocated to two dwellings (e.g. plots 40 - 51), it was made clear by the applicant that such parking spaces would be clearly demarcated and conveyed to the appropriate plot as part of the tenancy agreement and then subsequently managed by the Registered Provider who would own the properties. Such management is acceptable to the CHA.

Overall an appropriate level of off-street parking would be provided which would not result in adverse impacts to pedestrian or highway safety or result in undesirable on-street parking either within the development or outside of the application site.

Highway Conclusions

Paragraph 111 of the NPPF outlines that development should only be refused on highway grounds where *"there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."* The primary outstanding highway matters to be resolved with the CHA are associated with the following:

- Demonstration of vehicular visibility splays compliant with the LHDG to plots 1 to 3 and 70 to 77 (requires submission of a speed survey); and
- Demonstration that the manoeuvres of vehicles associated with plots 1 to 3 and 70 to 77 do not result in conflict with the on-street parking bays on Wolsey Road (requires submission of a Stage 1 RSA).

All other outstanding matters (totalling 6 matters) are considered to be minor in nature and amended information has been submitted by the applicant to address these matters.

Whilst noting the two primary outstanding matters it is considered there is no longer a fundamental objection to the application from the CHA on highway safety grounds and consequently it is considered that the outstanding matters will be resolvable to the satisfaction of the CHA.

Subject to the CHA raising no objections to the information that has been submitted to address the primary outstanding highway matters it is considered that the proposal would not compromise pedestrian or highway safety nor would the cumulative impacts on the road

network be severe.

Such a conclusion would be based on the imposition of conditions on any planning permission to be granted and the completion of a Section 106 agreement which would secure the payment for highway improvement works in line with the Coalville Transport Strategy (CTS) as well as improvements at the Memorial Square/High Street/Belvoir Road/Ashby Road signalised crossroads and off-site highway works. Travel packs and bus passes would also be secured in the legal agreement.

Subject to no objections being raised by the CHA, and the above being secured, the proposal would be compliant with Policies IF4 and IF7 of the adopted Local Plan as well as Paragraphs 107, 110, 111 and 112 of the NPPF. If a circumstance arose where the primary outstanding highway matters remain unresolved post the committee meeting, the application would be brought back to the Planning Committee for further consideration. The application, however, is presented at this time to the Committee given the potential withdrawal of funding, for what is a wholly affordable housing scheme, should a resolution not be reached.

Ecology

Vegetation, in the form of trees and other shrubs, are present on the site. Such features could be used by European Protected Species (EPS) or national protected species. As EPS may be affected by a planning application, the Local Planning Authority has a duty under regulation 9(5) of the Habitats Regulations 2010 to have regard to the requirements of the Habitats Directive in the exercise of its functions.

A preliminary ecological appraisal (PEA) accompanied the application as originally submitted and following consultation the County Council Ecologist advised that further bat surveys would need to be undertaken in line with the recommendations of the ecological appraisal but that this would need to be undertaken prior to the determination of the application. Following subsequent discussions with the applicant it has been outlined by the County Council Ecologist that an endoscope bat survey would be acceptable, and the applicant has advised that this survey will be carried out on the week commencing the 28th February 2022 so as to be submitted before the committee on the 8th March 2022.

The County Council Ecologist has also indicated that should recommendations within the PEA be adhered to, which include the provision of hedgehog boxes and holes in fences, hedgerow planting, amenity grassland, construction environmental management plan (CEMP) and lighting strategy, then a net-gain in biodiversity would be achieved albeit at the time the application was submitted the wording within the NPPF did not include the requirement for 'measurable net gains' in biodiversity which was introduced in April 2021. The County Council Ecologist has also requested the installation of 18 groups of 3 integrated Swift bricks in suitable locations given that the application site is within a Swift Alert Area. These elements can be secured by condition.

Subject to the findings of the bat survey and the imposition of conditions to secure the above the proposed development would be considered compliant with Policy En1 of the adopted Local Plan as well as Paragraphs 174 and 180 of the NPPF and Circular 06/05. If there were any issues as a result of the bat survey which could not be mitigated, the application would be brought back to Planning Committee for further consideration. The application, however, is presented at this time to the Committee for the reasons as concluded in the '*Highway Safety*' section of this report above.

Landscaping

An arboricultural survey has been submitted in support of the application and this outlines that there are 11 individual trees on the site as well five groups of trees. The majority of the individual trees and groups are rated as being in category C (trees of low quality) with only one individual tree (a *Betula pendula* - Silver Birch) being rated in category B (trees of moderate quality). This tree is located centrally in the site towards the south-western site boundary.

The application site is also situated within the National Forest.

The Council's Tree Officer has reviewed the arboricultural survey, as well as visiting the site, and considers that it provides an acceptable assessment of the existing tree cover. The Council's Tree Officer also advises that none of the trees on the site, including the Silver Birch, are of any particular arboricultural merit or significance to the wider local tree cover.

It is noted that the proposed development would result in the removal of all the trees on the site. Whilst this is the case the Council's Tree Officer does not have any objection to this, given that the trees are of a low quality and there would also be an opportunity to introduce new landscaping on the site which would be required so as to maintain local tree cover and provide suitable amenity for future residents.

With regards to the National Forest Company (NFC) they have outlined that the submitted layout would not demonstrate compliance with Policy En3 of the adopted Local Plan, as well as the National Forest Strategy 2014 - 2024, in the circumstances that 20% of the site area would not be dedicated to woodland planting and landscaping (being an area of 0.34 hectares based on the site area of 1.68 hectares). In such circumstances that the policy compliant woodland planting is not achievable on site, the NFC advise that a financial contribution for such planting would be required. This is discussed in more detail in the '*Developer Contributions*' section of this report below.

In terms of other landscaping matters the NFC have outlined that street tree planting is envisaged by Paragraph 131 of the NPPF and whilst they welcome the heavy standard street tree planting proposed it is necessary to ascertain the future management responsibilities for such trees to ensure they are retained. The NFC also indicated that it would be beneficial for details in relation to the species and sizes of the trees proposed, along with details of the tree pits, to be provided in advance of any decision being made so to ensure that the tree planting is achievable, with it being imperative to the NFC that tree planting along the Wolsey Road frontage is implemented.

Subsequent to this the applicant has submitted a soft landscaping strategy which indicates the type of tree planting which would be undertaken on the site, and which would deliver trees along the Wolsey Road frontage as well as within the site itself. A condition would be imposed which would require the submission of a precise soft landscaping scheme, so as to detail the type of planting which would be delivered, and which would include the details of tree pits. It would also be necessary to impose a condition which details the future management and maintenance of such soft landscaping so as to secure its long term retention and survival which is important in light of the contribution such soft landscaping will make to the design aspirations of the development.

In terms of hard landscaping the plans are not specific on the types, and colours, of hard landscaping which would be introduced to the highways and pedestrian routes as well as the hard landscaping within the curtilage of the dwellings. Consequently a condition would be

imposed which would require the details of the hard landscaping to be approved.

Overall, and subject to the imposition of the conditions, the proposal would be considered compliant with the aims of Policies D1, En1 and En3 of the adopted Local Plan.

Drainage and Flood Risk

The site lies within Flood Zone 1 and is therefore in an area at the lowest risk of flooding. The site is also predominately not at risk of surface water flooding, although small areas at low risk do exist and part of the centre of the site is at a high risk of surface water flooding. This being based on the Environment Agency's Surface Water Flood Maps.

In their original consultation response the Lead Local Flood Authority (LLFA) outlined that the surface water proposals seek to discharge to onsite oversized pipes and storage tanks before being discharged at a rate of 8.3 litres per second (l/s) to a Severn Trent Water (STW) surface water sewer. Whilst the applicant had considered and discounted a range of sustainable urban drainage (SuDS) features, given space constraints, it was outlined that permeable paving (where appropriate) and bioretention features would be incorporated into the scheme albeit the drainage layout plan did not show such features. The LLFA also outlined that the below ground storage tanks did not provide multiple benefits in line with SuDS principles of quantity, quality, biodiversity and amenity with the initial proposals also not providing appropriate levels of treatment as required by the CIRIA SuDS Manual C753. Maintenance and management arrangements for all aspects of the drainage scheme were also not provided.

The applicant has subsequently submitted an amended flood risk assessment and drainage strategy and re-consultation was undertaken with the LLFA. In their revised response the LLFA have outlined that the surface water drainage strategy would include cellular storage, permeable paving in the private driveways/accessways and some soft landscaping SuDS features. A maintenance schedule for such surface water drainage elements, as well as a developer enquiry response from STW confirming that a connection at the discharge rate proposed (8 l/s) is acceptable, were also included in the revised strategy.

On the basis of the revised information the LLFA have raised no objections to the application subject to the imposition of conditions which would require the submission and approval of the precise surface water drainage scheme, the management of surface water during the construction phase and precise details of the maintenance and management schedules for the surface water drainage scheme. Subject to the imposition of such conditions the proposal would be considered compliant with Policies Cc2 and Cc3 of the adopted Local Plan and Paragraphs 167 and 169 of the NPPF.

Insofar as foul drainage is concerned, it is indicated that this would be discharged to the mains sewer and a connection would need to be agreed with Severn Trent Water (STW) under separate legislation. Given the above conclusion it is considered that the foul drainage can be met by the existing sewerage system in place. On this basis the proposed development would accord with Paragraph 185 of the NPPF.

Land Contamination

The Council's Land Contamination Officer has reviewed the submitted Geo-Environmental Report and considers that on the basis of the findings of this report any planning permission to be granted should be conditioned so that a further risk based land contamination assessment is undertaken as well as a verification investigation and remedial scheme, if required.

The Environment Agency (EA) have commented that the previous use of the site included a historic landfill and factory which presents a medium risk of contamination which could be mobilised during construction and consequently pollute controlled water. Controlled waters are particularly sensitive in this location because the application site is located on secondary aquifers.

It is also established from the EA records that the tipping of domestic refuse and industrial waste commenced in 1930 and was completed in May 1972. Whilst operations on the site ceased prior to the implementation of licensing under the Control of Pollution Act 1974, landfill gas monitoring (most recently in January 1996) has confirmed the presence of high qualities of landfill gas in areas of the site. Consequently the potential for further gas generation must be assumed.

In reviewing the submitted Geo-Environmental Report the EA have outlined that it demonstrates that it will be possible to manage the risks posed to controlled waters by the development, but further details will be required before built development is undertaken. On this basis the EA advise that conditions should be imposed on any permission which would require the submission of a remediation strategy.

It is considered that the imposition of such conditions is reasonable in the circumstances that the land would be utilised for residential purposes, and therefore necessary to ensure the health and safety of any future occupants, as well as to ensure that the water environment is not polluted. Subject to the imposition of such conditions, the development would accord with Policy En6 of the adopted Local Plan as well as Paragraphs 174, 183 and 184 of the NPPF.

Developer Contributions

A request has been made for a Section 106 contribution towards on-site affordable housing provision, education, civic amenity, libraries, transportation, off-site National Forest planting and off-site open space, sport and recreation facility enhancements. These requests have been assessed against the equivalent legislative tests contained within the Community Infrastructure Levy (CIL) Regulations (CIL Regulations) as well as Policy IF1 of the adopted Local Plan and Paragraphs 34, 55 and 57 of the NPPF.

Affordable Housing

The District Council's Affordable Housing Enabler has identified that the proposal would seek to provide 77 properties as a wholly affordable development. Such a number of affordable properties would exceed the requirements outlined in part (1) of Policy H4 of the adopted Local Plan with the applicant outlining that an agreement is in place with a Registered Provider.

Given that the scheme is wholly affordable the NPPF requirement for 10% of the homes to be provided as Affordable Home Ownership is not applicable.

Whilst the proposal would exceed the requirements of part (1) the development is acceptable to

the Affordable Housing Enabler, although it would be important for any permission granted to reflect that the entire scheme is a grant funded housing scheme.

In terms of part (3) of Policy H4 the Affordable Housing Enabler has identified that the tenure mix would result in the provision of 74% Affordable Rented and 26% as Shared Ownership properties comprising of:

Affordable Rented - 57 properties

4 x 1 bed 2 person bungalows;
3 x 2 bed 3 person bungalows;
18 x 2 bed 4 person houses;
28 x 3 bed 5 person houses; and
4 x 4 bed 6 person houses.

Shared Ownership - 20 properties

6 x 2 bed 4 person houses; and
14 x 3 bed 5 person houses.

The proposed tenure mix is acceptable to the Affordable Housing Enabler for the reasons as outlined in the '*Housing Mix*' sub-section of the '*Design, Housing Mix and Impact on the Character and Appearance of the Streetscape*' section of this report above. It is, however, expected that the Section 106 agreement would include wording which secured the allocation of the rented properties in line with the Allocations Policy Schedule in the Council's standard legal agreement. The property mix is also acceptable and meets the identified needs in area.

Subject to this the proposal is compliant with part (3) of Policy H4.

The Affordable Housing Enabler has acknowledged that the applicant has sought to provide a mix of houses that reflect identified needs with the inclusion of bungalows being welcomed. As these property types have been requested to meet the needs of elderly and/or disabled applicants on the Council's Housing Register, it is requested by the Affordable Housing Enabler that those households that need such accommodation are prioritised on allocation.

The internal layouts of the bungalows would also now be acceptable on the basis that level access would be provided and showers, rather than baths, would be provided within the bathrooms.

On this basis the proposal would be compliant with part (5) of Policy H4.

In terms of the legal agreement the Affordable Housing Enabler has identified that this should include the following requirements:

- "1. To aid viability and to ensure that the site is delivered as a wholly affordable site through a Registered Provider, we are supportive of the Affordable Rents being set at no more than 80% of market rents.*
- 2. All affordable properties are passed over to a Registered Provider as Freehold properties.*
- 3. Rented properties will be allocated through the District Council's Choice Based Lettings*

(CBL) System. Property types have been requested to meet the identified needs of residents registered on the Council's Housing Register. The Council's CBL system enables a single point of registration for those with a housing need and a local connection to the District. The legal agreement will include a cascade to enable Registered Providers to allocate properties off their own list if the Council cannot provide a suitable applicant, but thereafter properties will be allocated off the Council's CBL system.

4. *Registered Provider Tenancy terms will have regard to North West Leicestershire District Council Tenancy Strategy.*
5. *Low cost home ownership properties should be advertised through local estate agents and/or internet sites in addition to the Homebuy Agent where necessary."*

In the circumstances that the above mechanisms can be secured in the Section 106 agreement, and the applicant is willing to meet these affordable housing requests, the development would be compliant with Policy H4 of the adopted Local Plan and Paragraph 65 of the NPPF.

Education

Leicestershire County Council (Education) have requested a secondary school sector contribution of £217,926.32 for Newbridge High School on Forest Road along with a Post-16 sector contribution of £46,558.74 for Castle Rock School on Warren Hills Road. No requests are made for the primary or special schools sectors.

The applicant has confirmed their acceptance to the payment of the education contribution.

Civic Amenity

Leicestershire County Council (Civic Amenity) have requested a contribution of £5,034.00 for improvements to the civic amenity facilities within Coalville which would mitigate the increase in the use of this facility generated by the proposed development.

Such a contribution would be utilised for either the acquisition of additional containers or installation of additional storage areas and waste infrastructure at the above civic amenity site or on land adjacent land so as to increase the site's capacity for handling and separating waste.

The applicant has confirmed their acceptance to the payment of the civic amenity contribution.

Libraries

Leicestershire County Council (Library Services) have requested a contribution of £2,270.00 for improved stock provision (i.e. books, audio books, newspapers, periodicals for loan and reference use) at Coalville Library on High Street, or to enable the reconfiguration of the internal space within the library so as to enable additional uses of the building (i.e. resident meetings including book readings and activities).

The applicant has confirmed their acceptance to the payment of the library contribution.

Transportation Contributions

Although a further consultation response from the County Highways Authority (CHA) is awaited they have indicated that the following developer contributions would be requested which are required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets and reducing car use.

- A contribution of £369,600.00 (£4800.00 per dwelling x 77 dwellings) for the Coalville Transport Strategy.
- A contribution of £25,000.00 for upgrades to the pedestrian crossing facilities at the Memorial Square/High Street/Belvoir Road/Ashby Road signalised junction.

It is possible that the CHA may also require the provision of:

- Travel packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by Leicestershire County Council at £52.85 per pack).
- Two six month bus passes per dwelling (2 application forms to be included in the Travel Pack and funded by the developer); to encourage new residents to use bus services as an alternative to the private car and to establish changes in travel behaviour from first occupation (£360.00 per pass).

The applicant has confirmed their acceptance to the payment of the currently requested highway contributions.

Health

No consultation response has been received from the NHS West Leicestershire Clinical Commissioning Group indicating that a financial contribution towards enhancements or improvements at the nearest GP practice to the application site is required.

National Forest

It is outlined in the '*Landscaping*' section of this report above that in the circumstances that the policy compliant woodland planting is not achievable on the site, the National Forest Company (NFC) advise that a financial contribution for such planting to be provided off-site would be required.

Based on the site area of 1.68 hectares there would be a requirement for 0.34 hectares of the site to be dedicated to woodland planting and landscaping. Consequently the financial contribution would be calculated on the basis of £35,000 per hectare and as such the contribution would be £11,760.00 (0.336 hectares x £35,000).

The NFC would request that such a contribution is secured in the Section 106 agreement.

The applicant has confirmed their acceptance to the payment of the National Forest contribution.

Open Space, Sport and Recreation Facilities

Policy IF3 of the adopted Local Plan outlines that open space, sport and recreation facilities should be sought on development proposals of 50 dwellings or more. Given that it is proposed that 77 dwellings would be created the terms of Policy IF3 would be applicable.

When considering an application against Policy IF3 due regard is to be given to four criteria, (a) to (d), which are as follows:

- (a) The scale of the proposed development and the mix and type of dwellings to be provided;
- (b) The nature and scale of existing open space, sport and recreation provision within the locality of the proposed site;
- (c) The likely population characteristics resulting from the proposed development as well as

- that of the existing population in the locality; and
- (d) Local evidence of need, including (but not limited to) a Playing Pitch Strategy, open space assessment of need or equivalent sources.

In terms of criterion (a) of Part (1) of Policy IF3 it is proposed would result in a mix of predominately 2 and 3 bedroom dwellings, with a lower percentage of 1 and 4+ bedroom dwellings (this is as outlined in the '*Housing Mix*' sub-section of the '*Design, Housing Mix and Impact on the Character and Appearance of the Streetscape*' section of this report above). Given such a mix it is considered that the dwellings would be predominately aimed at couples or families. The consultation response from the District Council's Health and Wellbeing Team indicates that the population generated as a result of the development, using a housing multiplier, would be 179 people.

With regards to criterion (b) of Part (1) of Policy IF3 the consultation response from the District Council's Health and Wellbeing Team outlines that a natural turf pitch must be within 15 minutes' walk time of a development site, and an artificial grass pitch (AGP) must be within a 15 minutes' drive time. Scotlands Playing Field, accessed off Forest Road, is a public open space (POS) managed by the District Council which is located 0.8 miles from the application site (15 minute walk time, 5 minute drive time) and currently on-site is a playing field with associated pavilion/changing room block, a six rink bowls green with associated pavilion/clubhouse. The site is also utilised for running, cycling and walking activities.

Coalville Park on London Road is also within a 20 minute walk of the application site and is a 3.45 hectare sized Green Flag Accredited park which is owned and managed by the District Council. Coalville Park has formal gardens, tennis courts, play provision and a skate park.

In terms of criterion (c) of Part (1) of Policy IF3 the consultation response from the District Council's Health and Wellbeing Team indicates that the development site is on the border of the wards of Coalville East and Coalville West with the population of Coalville East being 2,859 and Coalville West being 3,085. This gives a total population of 5,944 with such figures being provided from 2019 Office for National Statistics data. The existing population characteristics of Coalville would be varied given its status as the Principal Town within the District. The population characteristics associated with the development would likely involve the movement of small to medium sized families into the settlement along with younger couples.

With regards to criterion (d) of Part (1) of Policy IF3 the consultation response from the District Council's Health and Wellbeing Team indicates that regard has been given to the supplementary planning document (2019), the North West Leicestershire Playing Pitch Strategy (PPS) (1 & 2) (2017) and Local Football Facility Plan (LLFP) (2017).

Part (2) of Policy IF3 outlines that any open space, sport and recreation provision should be designed as an integral part of the proposed development in accordance with Policy D1 of the adopted Local Plan. Part (3) of Policy IF3 indicates that the provision of open space, sports and recreation facilities should be located on-site unless an off-site or partial off-site contribution would result in equally beneficial enhancement to existing open space, sports and/or recreation facilities which is of benefit to the local community. The latter part of Policy IF3 indicates that further guidance will be set out in a supplementary planning document (SPD) but to date no such SPD has been produced.

The proposed scheme would result in the creation of 77 dwellings on a 1.68 hectare site comprising predominately previously developed land. As is identified on the plans there would be no provision of sports or recreation facilities on the site and any open space would be limited

to that which is situated to the south-east of plots 21 to 24. Consequently, in order to meet the terms of Policy IF3 off-site contributions would be required to enhance existing open space, sports and/or recreation facilities impacted on by the proposed development.

As part of their consultation responses the District Council's Health and Wellbeing Team have indicated that the following sport and recreation facilities would be impacted on by the proposed development and where off-site financial contributions would be sought.

The calculations of the financial contributions are based on the current population, forecasted future population growth, the percentages of population split into age groups and current trends in participation levels within football through the use of team generation rates.

Pavilion/Changing Room Improvements at Scotlands Playing Fields

The LFFP highlights that there is a priority for improvement works to be undertaken to the pavilion/changing room at Scotlands Playing Field which was reported to be in a 'poor' condition. Since the timing of the LFFP there has been considerable further usage of the pavilion/changing room and whilst essential repair works have been carried out the building still required extensive renovation work in order to make it 'fit for purpose'. Furthermore Sport England recommend that 1 pavilion should be available per 2 pitches, if the site pitches were marked out for adult 11 a side football there would be 3 pitches which consequently reinforces that the site is already under resourced. Given the above conclusions, the additional demands of the proposed development could not be supported by the existing facilities and consequently a contribution would be sought for improvements to the existing pavilion/changing rooms or the construction of a new pavilion/changing rooms.

The proposed application creates a demand for 0.21 of a pitch, which equates to a financial contribution of £25,488.00 (including a project management fee).

Natural Turf Pitch Improvements at Scotlands Playing Fields

As is the case above the LFFP highlights that the pitches on the site are in a poor condition with investment required. Furthermore the PPS 2 identifies that the natural turf pitches require specific action to take place in order to level the surface with the pitches also suffering from poor drainage which impacts on their usability, particularly during spells of wet weather. Such issues with the usability of the pitches often results in the scheduling of youth and mini-teams (26 in total) being impacted on and results in some matches being located off-site due to the lack of capacity.

It is also identified in PPS 1 that there is no actual spare capacity at the site to accommodate the current level of demand which makes it clear that the site supports and serves the community and is a valuable asset. Therefore, and in order to meet the additional demands arising from the development, the pitches will need to be improved. Consequently a contribution is sought towards works which would improve the pitch quality including, but not limited to, enhanced maintenance regimes, pitch levelling and improved aeration.

The proposed application creates demand for 0.16 of a pitch, which equates to a contribution of £12,284.00 (including project management fee).

Improvements to Ancillary Facilities at Scotlands Park Lawn Bowling Site (Scotland Playing Fields)

The District Council own and manage the Scotlands Park bowling green site and its associated facilities, the main hirer of this facility is Scotlands Park Bowls Club. Whilst the current state of the pavilion/clubhouse and playing green is reported to be standard, there would be additional demands placed on these facilities as a result of the development. Consequently a contribution is sought for the ongoing maintenance and improvement works to the site in order to ensure that the facility remains in a standard, or above standard, condition which enables safe community use.

The proposed application creates demand for 0.011 of a rink which equates to a contribution of £4,394.00 (including project management fee).

Allotments at Scotlands Playing Field

The consultation response from the District Council's Health and Wellbeing Team indicates that there is scope for a change of use of a paddock area to allotment gardens which would be of benefit to the local community and a contribution is therefore sought to assist in setting up this new site.

The proposed application creates demand for 450 square metres of allotments which equates to a contribution of £5737.00 (including project management fee).

Coalville Park

It is outlined by the District Council's Health and Wellbeing Team that there is scope for the expansion and improvement of the play area and that the adjacent recreation ground is identified as an area for environmental improvement so as to integrate it into the main park for the benefit of the local community.

The proposed application creates demand for 489 square metres of equipped children's play space which would equate to a contribution of £77,954.00 (including project management fee).

It is also the case that the proposed development would create demand for 2740 square metres of green space and gardens which would equate to a contribution of £43,129.00 (including project management fee).

Conclusion in Relation to Open Space, Sport and Recreation Facilities

On the basis of the above figures the total off-site financial contribution towards open space, sport and recreation facilities would equate to £168,986.00 (including any relevant management fees).

The applicant has confirmed their acceptance to the payment of the Open Space, Sport and Recreation Facilities contribution.

In conclusion it is considered that the provision of the above contributions would enable the enhancement of existing open space, sport and recreation facilities within the vicinity of the site. It is considered that such contributions are reasonable given the total number of dwellings proposed and the level of impact to existing facilities arising as a result of the development.

On the above basis it is considered that the terms of Part (3) of Policy IF3 are met in that the off-site financial contributions, as well as the provision of the village hall, will result in an equally beneficial enhancements to existing facilities which would be utilised by future residents given

their proximity to the site.

Section 106 Total Contributions:

On the basis of the above the following contributions would be secured within a Section 106 agreement:

- Affordable Housing - all dwellings on site.
- Education - £264,485.06.
- Highways - £394,600.00.
- Civic Amenity - £5,034.00.
- Libraries - £2,270.00.
- National Forest - £11,760.00.
- Open Space, Sports and Recreation Facilities - £168,986.00
- Total Financial Contribution - £847,135.06.

Overall, and insofar as the developer contribution is concerned, the view is taken that the proposed contribution would accord with the principles of relevant policy and legislative tests outlined in Policies IF1 and IF3 of the adopted Local Plan, Circular 05/95, the CIL Regulations and the NPPF.

Other Matters

The District Council's Waste Services Development Officer has outlined that in order for the Council's waste vehicles to enter the site it would be necessary for the roads to be built to an adoptable standard, unless the District Council is indemnified against any damage caused to 'private' highways which would be maintained by a management company on behalf of the applicant. The applicant has indicated that the primary highway would be put forward for adoption albeit the County Highways Authority (CHA) are still reviewing the suitability of the highway being adopted as is outlined in the '*Highway Safety*' section of this report above.

Information in respect of the turning of a District Council's Waste Vehicle within the site has also been submitted and re-consultation with the County Council Highways Authority (CHA) and Council's Waste Services Development Officer has been undertaken so as to ascertain the acceptability of this information. The CHA will take the lead in this respect although it is noted that the primary highway serving plots 19 to 20 and 28 to 37 would be proposed as an unadopted highway.

Notwithstanding the adoptability of the primary highway, the highways serving plots 21 to 27; 38 - 53 and 54 to 69 would not be of a standard which would enable the Council's waste vehicles to serve the properties directly and as such bin collection points (BCPs) would be required adjacent to the primary highway. The layout plan has been updated to show the positioning of such BCPs and these are acceptable to the District Council's Waste Services Development Officer, although the detail that bins would need to be presented in the BCP for collection would need to be provided by the applicant to any future resident at the time of their occupation. A note to the applicant would be imposed to make them aware of this matter.

A condition would be imposed on any permission granted to ensure that BCPs are provided along with details being secured of the bin storage arrangements for the dwellings.

Conclusion and Contribution to Sustainable Development

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 (2021). The application site is within the defined Limits to Development and predominantly comprises a brownfield site within the centre of Coalville which is defined as the 'Principal Town' and is the primary settlement in the District where the majority of new development would be undertaken. On this basis the principal of the redevelopment of the site is considered acceptable.

In addition to the need to determine the application in accordance with the development plan, regard also needs to be had to other material considerations (and which would include the requirements of other policies, such as those set out within the National Planning Policy Framework (NPPF)). The NPPF contains a presumption in favour of sustainable development. Having regard to the three objectives of sustainable development, it is concluded as follows:

Economic Objective:

This objective seeks to ensure that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity, and that the provision of infrastructure is identified and coordinated. It is accepted that, as per most forms of development, the scheme would have some economic benefits. The applicant has confirmed that the contributions as set out in the relevant sections above would be made and these would be secured in connection with the scheme.

Social Objective:

The economic benefits associated with the proposed development would, by virtue of the social effects of the jobs created on those employed in association with the construction of the development, also be expected to provide some social benefits. The NPPF identifies in particular, in respect of the social objective, the need to ensure that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and by the fostering of a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities health, social and cultural well-being.

Subject to the extent of the contribution being secured in a Section 106 obligation, the scheme has the potential to deliver a level of affordable housing greater than that required by Policy H4 of the adopted Local Plan with the range and types of house types meeting an identified need.

In terms of the social objective's stated aim of fostering a well-designed and safe environment, it is considered that, subject to the imposition of conditions to secure suitable design detailing and landscaping, that the scheme would be of an appropriate design which would successfully integrate into, and enhance, the environment in which it is set.

As per the economic objective above, the scheme would provide for the necessary infrastructure to support the development and perform well in terms of the need to provide accessible services and open spaces that reflect current and future needs and support the communities' health, social and cultural well-being.

Environmental Objective:

The development would be undertaken on a predominately brownfield site which would be the most appropriate land for new development as outlined by Paragraphs 119 and 120 of the NPPF. Given the location of the development in the centre of Coalville the site would also be

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well served by public transport and other facilities which would enable the development to contribute positively towards the movement towards a low carbon economy. Subject to the outcome of the required bat survey, the scheme would also not have unacceptable impacts in terms of the natural and historic environment with the imposition of conditions ensuring that the scheme's design would protect and enhance the built environment.

Having regard to the three objectives of sustainable development, therefore, and having regard to the conclusions in respect of various technical issues as outlined above, it is considered that subject to the imposition of conditions and the securing of a Section 106 agreement the overall scheme would represent sustainable development and approval is recommended.

RECOMMENDATION - PERMIT, subject to no contrary observations being raised by the County Highways Authority and County Ecologist on the outstanding matters raised in the report, and subject to the following conditions and completion of a Section 106 agreement;

1. Time limit.
2. Approved plans.
3. External materials.
4. Design detailing.
5. Colour finish to rainwater goods and meter boxes.
6. Finished ground and floor levels.
7. Soft landscaping scheme.
8. Soft landscaping replanting.
9. Soft landscaping management plan.
10. Hard landscaping scheme.
11. Boundary treatment scheme (including retaining walls if necessary).
12. Foul drainage.
13. Surface water drainage.
14. Surface water drainage management during construction.
15. Surface water drainage long-term maintenance scheme.
16. Compliance with recommendations in noise assessment.
17. Precise details of insulation scheme including glazing, acoustic fencing and ventilation so as to mitigate noise impacts.
18. Further risk based land contamination assessment.
19. Verification investigation.
20. Remediation strategy.
21. Verification report.
22. Compliance with recommendations of ecological appraisal.
23. Installation of 18 groups of 3 integrated swift bricks.
24. Ecological management plan.
25. Construction environmental management plan.
26. Lighting strategy.
27. Bin storage and collection points.
28. Provision of pedestrian links.
29. Highway conditions (once known).