

Demolition of existing garage for proposed food and non-food retail (A1) development with additional restaurant uses (A3/A4), together with ancillary access, parking and servicing

**Report Item No
A3**

Motors Ltd Whitwick Road Coalville Leicestershire

**Application Reference
14/00692/FULM**

**Applicant:
Mr Mark Dalby**

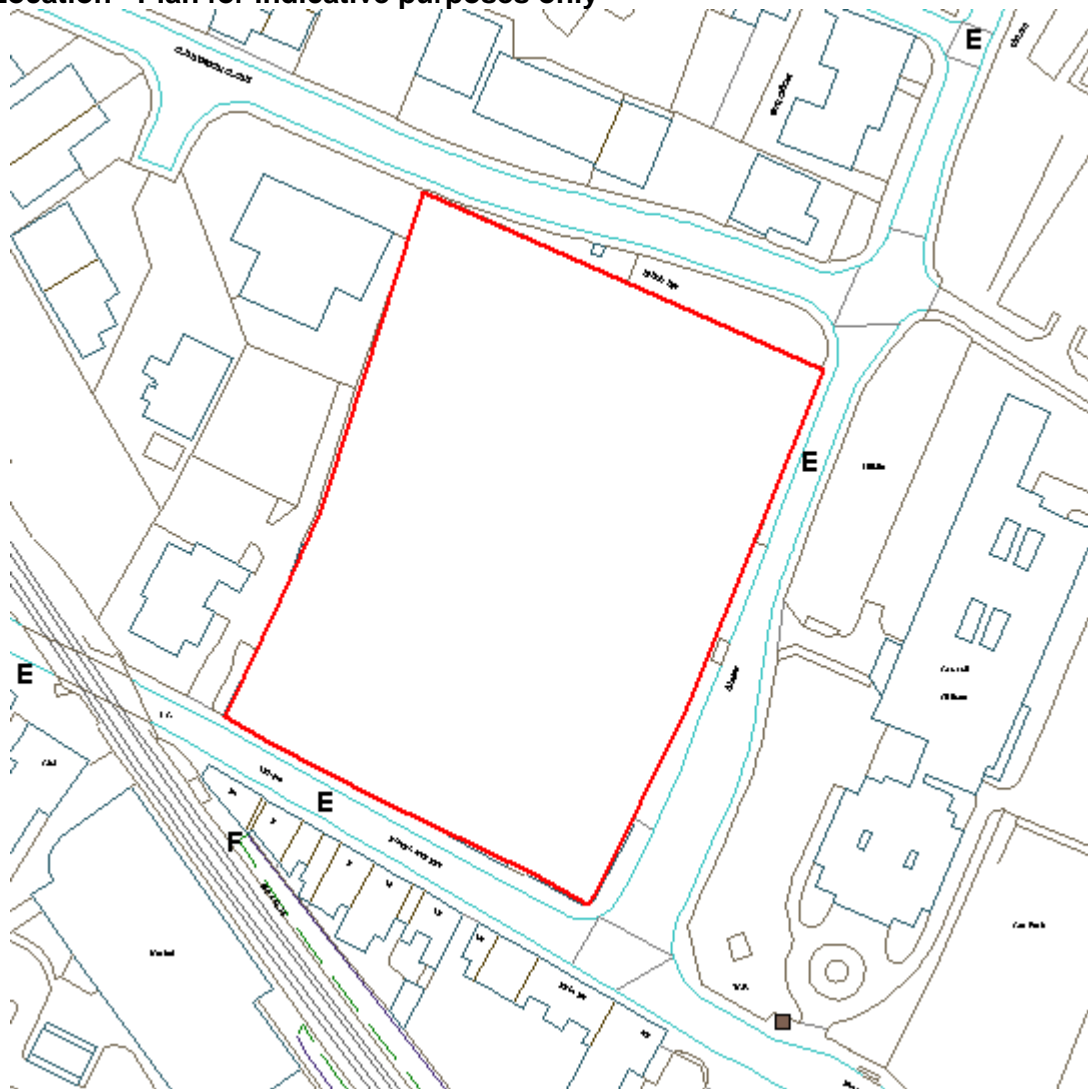
**Date Registered
5 August 2014**

**Case Officer:
James Mattley**

**Target Decision Date
4 November 2014**

**Recommendation:
PERMIT Subject to a Section 106 Agreement**

Site Location - Plan for indicative purposes only



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EXECUTIVE SUMMARY OF PROPOSALS AND REASONS FOR APPROVAL

Call In

The application falls to be determined by the Planning Committee as it is a matter which is considered to be of significant public interest.

Proposal

Planning permission is sought for the demolition of existing garage for proposed food and non-food retail (A1) development with additional restaurant uses (A3/A4), together with ancillary access, parking and servicing at Motors Ford site on land off Whitwick Road/Hotel Street in Coalville.

Consultations

Members will see from the report below that no representations have been received from surrounding neighbours or from statutory consultees. The Council's Urban Designer has raised concern regarding the design of the scheme and a letter of objection has been received from the owner of the Belvoir Shopping Centre.

Planning Policy

The application site is within Limits to Development as defined in the adopted North West Leicestershire Local Plan, and the site is also subject to various retail type policies of the Local Plan, including Policies R1, R8, R11 and R16. Also relevant are the retail policies of the National Planning Policy Framework.

Conclusion

The report below indicates that, the scheme is considered to pass the sequential and impact assessments set out in the NPPF and would be acceptable in principle. The scheme is considered to have the potential to support the vitality and viability of Coalville town centre. Concerns have been expressed from the Council's Urban Designer regarding the design quality of the scheme but, on balance, having regard to the potential economic benefits arising from the scheme these concerns are not considered to warrant a refusal of the application. It is also noted that conditions could be applied to the granting of any planning permission in order to require a revised elevation to Hotel Street and in order to control the quality of the proposed materials.

The proposal is not considered to affect residential amenity in the area, conflict with highway safety, impact upon heritage assets, drainage, flooding or protected species. There are no other relevant material planning considerations that indicate planning permission should not be granted.

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

MAIN REPORT

1. Proposals and Background

Planning permission is sought for the demolition of existing garage for proposed food and non-food retail (A1) development with additional restaurant uses (A3/A4), together with ancillary access, parking and servicing at Motor's Ford site on land off Whitwick Road/Hotel Street in Coalville. The application site is currently occupied by a Ford car dealership which fronts onto Whitwick Road opposite the District Council offices. The site also comprises a number of small, traditional retail units that front onto Hotel Street. The application site is located within the limits to development within Coalville town centre and within an area designated as an outer town centre shopping area.

The proposed development envisages six units (five of which would be used for retail purposes) at the site providing a total floorspace of 5,949 sq. m (gross) together with car parking, servicing and landscaping. The proposed units range in size from 304 sq. m to 3,130 sq. m and, with the exception of the smallest unit which is proposed to be used for A1, A3, A4 uses, the units would be arranged in a single retail terrace set back from Whitwick Road. The applicant seeks open A1 use of the proposed retail floorspace for which no information has been provided in terms of named operators. The submitted retail assessment indicates that the following retail and restaurant floorspace is proposed:

Unit 1 - 665 square metres

Unit 2 - 665 square metres

Unit 3 - 500 square metres with a possible mezzanine providing an additional 185 square metres

Unit 4 - 500 square metres

Unit 5 - 1665 square metres with a possible mezzanine providing an additional 1465 square metres

Unit 6 - 304 square metres

The main access to the site would be from Whitwick Road although a separate access would be formed on Old Station Close to be used for servicing. The scheme would also include for pedestrian access points onto Hotel Street and Whitwick Road.

The application is accompanied by a Design and Access Statement, Flood Risk Assessment, Planning Statement, Transport Assessment, Framework Travel Plan, Protected Species Report, Retail Statement and Archaeological Assessment.

Pre-application advice has been carried out prior to the formal submission of this application.

Relevant Planning History:

08/00917/OUTM - Demolition of existing buildings and redevelopment of the site for a mix of uses including A1 foodstore, other A1-A5 retail space, residential apartments and associated car parking, infrastructure works, servicing and public realm enhancements (Outline - all matters reserved) - permitted.

10/01045/REM - Demolition of existing buildings and redevelopment of the site for a mix of uses including A1 foodstore, other A1-A5 retail space, 20 no. residential apartments and associated car parking, infrastructure works, servicing and public realm enhancement (Reserved Matters to Outline Planning Permission Ref 08/00917/OUTM) - permitted.

12/00945/EXTM - Application for a new planning permission to replace planning permission 08/00917/OUTM in order to extend the time period for the implementation of the demolition of existing buildings and redevelopment of the site for a mix of uses including A1 foodstore, other A1-A5 retail space, residential apartments and associated car parking, infrastructure works, servicing and public realm enhancements (Outline - all matters reserved) (and as per reserved matters approval ref. 10/01045/REM) - withdrawn.

2. Publicity

68 Neighbours have been notified (Date of last notification 18 August 2014)

Site notice displayed 19 August 2014

Press Notice published 27 August 2014

3. Consultations

County Highway Authority
Environment Agency
Severn Trent Water Limited
Head of Environmental Protection
Natural England
NWLDC Tree Officer
County Archaeologist
LCC ecology
NWLDC Conservation Officer
NWLDC Urban Designer
LCC Fire and Rescue
Development Plans
Building Control - NWLDC
Head Of Street Management North West Leicestershire District
Head of Environmental Protection

4. Summary of Representations Received Statutory Consultees

Environment Agency has no objection subject to the inclusion of relevant conditions and notes to applicant.

Leicestershire County Council Archaeologist raises no objection to the proposed development subject to the inclusion of relevant conditions.

Leicestershire County Council Ecologist originally placed a holding objection to the application until such time as additional bat surveys were provided. Following the submission of further bat surveys the County Ecologist has removed the holding objection and now raises no objection subject to the inclusion of relevant conditions.

Leicestershire County Council Highway Authority raises no objection to the proposed scheme subject to the inclusion of relevant conditions and obligations.

National Forest Company requests an off-site contribution of £12,400 towards woodland planting and landscaping.

Natural England raises no objections to the proposed development subject to providing notes to the applicant.

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

North West Leicestershire Environmental Protection Section has no environmental observations.

Severn Trent Water has no objection subject to the inclusion of relevant drainage conditions.

Third Party Representations

No representations have been received from members of the public.

Zurich Assurance Limited who own the Belvoir Shopping Centre have objected to the proposed scheme on the following grounds:

- The proposal would have a significant impact on the viability and vitality of the Town Centre;
- The proposal would be in direct competition with the Belvoir Shopping Centre and would result in vacant units within the Belvoir Shopping Centre;
- Any planning permission should be restricted to bulky goods;
- The amount of car parking proposed would have an impact upon the Town Centre in terms of accessibility and connectivity;
- Design of the scheme is unacceptable and would result in a blank frontage to Hotel Street that would not contribute towards permeability and connectivity;
- Degree of car parking proposed could have a detrimental impact on existing traffic conditions and surrounding air quality;
- Proposals encourage the use of the private car;
- The application proposals are speculative and there is a concern as to whether there would be demand for the scale of retail floorspace proposed.

5. Relevant Planning Policy

National Policies

National Planning Policy Framework

The Department of Communities and Local Government published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF brings together Planning Policy Statements, Planning Policy Guidance Notes and some Circulars into a single consolidated document. The NPPF contains a number of references to the presumption in favour of sustainable development. It states that local planning authorities should:

- approve development proposals that accord with statutory plans without delay; and
- grant permission where the plan is absent, silent or where relevant policies are out of date unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

The NPPF (Paragraph 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

The policies of the North West Leicestershire Local Plan as set out in more detail in the relevant section below are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application. In March 2014 the Government published National Planning Practice Guidance (NPPG) to supplement the NPPF. The NPPG does not change National Policy but provides practical guidance as to how such policies should be applied.

The following sections are considered relevant:

Paragraph 17 sets out the 12 core planning principles. In particular, the third principle provides that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.

"24 Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale."

"26 When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). This should include assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made."

"27 Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused."

"32 All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

"34 Plans and decisions should ensure developments that generate significant movement

are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas."

"57 It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes."

"58 Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping."

"60 Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness."

"61 Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."

"64 Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

"129 Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal."

"131 In determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and

- putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness."

"132 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be..."

"203 Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition."

"204 Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development."

Adopted North West Leicestershire Local Plan (August 2002)

The site is located within Limits to Development and within an area subject to the following policies:

Policy R1 provides that shopping and related development (such as financial and professional services and food and drink uses) will be permitted within Coalville and Ashby de la Zouch Town Centres, on allocated sites, and in existing or proposed local shopping areas. New retail development outside these areas will only be permitted where it can be shown that a number of criteria would be satisfied.

Policy R8 provides that redevelopment for shopping and related purposes will be permitted on those sites identified as such within Coalville and Ashby-de-la-Zouch town centres, subject to environmental and traffic considerations. The Policy requires that redevelopment of these sites must be comprehensive in design and well-related to the form and functioning of adjoining parts of the shopping area. Piecemeal redevelopment which would be prejudicial to the objectives of this policy will not be permitted.

Policy R11 provides that, in addition to the uses set out in Policy R4, only uses within Use Classes D1 and D2 will be permitted to ground floor frontages within the outer part of the Coalville town centre shopping area, and that shop window displays will be required where appropriate. (Policy R4 lists uses such as retail, financial and professional services and food and drink-related uses as being appropriate within the core area).

Policy R16 provides that, within the Coalville and Ashby de la Zouch shopping areas and other local and village centres, only the use of upper floors for a number of specified purposes will be permitted, subject to parking and amenity considerations. It also provides that, where the proposals will not cause a problem in the locality, the requirement to provide car parking spaces to serve small schemes for the creation of flats over existing shops in such areas may be waived in cases where private car parking cannot be reasonably provided on site or in the locality where certain criteria can be met.

In addition to the policies listed above, the following policies of the adopted North West Leicestershire Local Plan are also relevant:

Policy S2 states that development within the Limits to Development will be permitted where it complies with the policies in the Local Plan.

Policy E3 seeks to prevent development which would be significantly detrimental to the amenities enjoyed by the occupiers of nearby dwellings.

Policy E4 seeks to achieve good design in new development.

Policy E7 states that all development should make appropriate provision for hard and soft landscaping.

Policy E8 states development will only be permitted where appropriate crime prevention measures are incorporated as an integral part of the design, layout and landscaping features.

Policy E9 requires access by all persons with restricted mobility where sites are open to the public.

Policy F1 states new development within the boundaries of the National Forest should reflect the importance of its Forest context by making appropriate provision for landscaping and tree planting.

Policy F3 requires landscaping and planting schemes for new development.

Policy T3 states that development will be permitted only where its highway design and layout make adequate provision for vehicular access, servicing arrangements and circulation.

Policy T8 sets out the criteria for the provision of parking associated with development.

Policy T13 requires adequate provision for cycle parking.

Submission Core Strategy (April 2012)

At a meeting of the Full Council on 29 October 2013, the District Council resolved to withdraw the Submission Core Strategy.

Other Policies

6C's Design Guide (Highways, Transportation and Development) - Leicestershire County Council

Paragraphs 3.171-3.176 set out the County Council's guidance in relation to parking standards for residential development. This document also provides further info in relation to motor cycle/cycle parking, the design of on/off-street parking and other highway safety/design matters.

6. Assessment

Principle of Development

The development plan for North West Leicestershire comprises the saved policies of the 2002 Local Plan, which was altered in 2004 and 2005. The relevant policies include R1, R8c, R11 and R16. Policy R8 relates to 'Potential Redevelopment Areas' and identifies the site for

shopping and related purposes. This policy requires the redevelopment of the site to be comprehensive in design and well-related to the form and functioning of adjoining parts of the shopping area. The proposed scheme is considered to comply with the thrust of the retail policies contained in the Local Plan although it is necessary to consider in more the advice contained in the National Planning Policy Framework (NPPF) in relation to the sequential and impact tests.

Paragraph 24 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Applications for main town centre uses should be required to be located in town centres, then in edge of centre locations and, only if suitable sites are not available, should out-of centre sites be considered. Paragraph 24 goes on to say that when considering edge-of-centre and out-of-centre proposals, preference should be given to accessible sites that are well connected to the town centre. The proposals map accompanying the Local Plan shows that the application site is located within the boundaries of Coalville town centre as defined by the town centre inset. The site is also identified as an 'outer town centre shopping area' adjacent to the 'core town centre shopping area', the boundary of which is formed by the railway line. Therefore, it is considered that the sequential test should be applied to this site and the application is accompanied by information in this regard.

It is considered that the only in-centre site that might be capable of accommodating development of a similar scale to the application scheme is the site of the Belvoir Shopping Centre and Coalville Market. There is little doubt that the site of the Belvoir Shopping Centre and Coalville Market is suitable for further retail-led development. It is located within the heart of the town centre and is the focus of the area designated by the Local Plan as the 'core town centre shopping area'. The owners of the shopping centre have previously brought forward proposals for its comprehensive redevelopment and extension. A planning application was submitted in 2009 (ref: 09/00359/FULM) for the extension and reconfiguration of the shopping centre to provide additional retail floorspace, a hotel, cinema, car parking and new public realm. The permission has not been implemented, although a planning application to extend the time period for the implementation was submitted to the District Council in April 2013 (ref: 13/00330/EXTM). Whilst it is clear that this would represent a suitable alternative to the application site it is necessary to have regard to the availability of this site.

Planning permission for the scheme was granted in April 2010 and both economic and market conditions have changed since then. Whilst an application has been made to renew this permission and the District Council resolved to approve that application in August 2013, the planning permission has still not been issued due to a failure to complete a Section 106 agreement. Furthermore, no evidence has been provided that the redevelopment scheme is currently being marketed. In these circumstances, it is difficult to conclude that the site would be available for redevelopment within a reasonable timescale and that it would present a realistic alternative to the proposed development at the application site. In the Committee Report (dated February 2013) to planning application 12/00945/EXTM which sought to extend the time limit of the previous application on the application site, a similar conclusion was reached:

Whilst the Belvoir Centre is considered to remain a sequentially preferable site, on the basis of the lack of progress in respect of the implementation of the permission for the approved scheme for that site, it is considered that, at this time, there is significant doubt as to whether or not a development is likely to be delivered on that site within a reasonable length of time. As such, in terms of this issue, it would not be considered appropriate to withhold an extension of time permission for the Ford garage site. It remains the officer view that, in sequential terms, there is

no preferable site to the Ford garage site, other than the Belvoir Centre site.

Having regard to these matters, it is concluded that there are no available and suitable sequentially preferable alternatives within Coalville town centre and that the current proposals are considered to satisfy the requirements of paragraph 24 of the NPPF.

Paragraph 26 of the NPPF states that when assessing applications for retail, leisure and office development outside of town centres which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set threshold. Where there is no locally set threshold then the default threshold is 2,500 sq. m. The impact tests to be considered for such developments are:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made.

In terms of the impact upon planned development, the only major proposed investment in Coalville town centre is the proposed extension and redevelopment of the Belvoir Shopping Centre (discussed above). The District Council has received a representation in respect of the current application that was submitted by Barton Willmore on behalf of Zurich Assurance Limited, the owners of the Belvoir Shopping Centre. This representation is mainly concerned with impacts on the existing shopping centre rather than its proposed extension and redevelopment. It is also noted that the 2009 proposals for the redevelopment of the Belvoir Shopping Centre came forward after a planning application had been submitted for the retail-led redevelopment of the application site and during the economic recession. The consideration of any additional impacts on the planned investment arising from the revised scheme must be weighed in that context. In these circumstances, it would be difficult to conclude that the application scheme would have a significant adverse impact on the planned investment at the Belvoir Shopping Centre or outweigh the positive benefits that the proposed investment at the application site would afford to the town centre, as discussed in more detail below.

The second impact test contained at paragraph 26 of the NPPF requires an assessment of the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider area. When considering the previous outline planning application on the site, the District Council took the view that, rather than assessing the development to be the source of an acceptable degree of harm to the town centre, it was adjudged to have no harmful impact on the vitality and viability of the town centre and, furthermore, as a key gateway to the town centre, its redevelopment would act as a catalyst for the redevelopment of the town. It is accepted that the current scheme on the site differs from that previously proposed and the District Council has sought independent retail advice following the objection received from the owners of the Belvoir Shopping Centre.

The conclusion reached in the independent retail advice is that the proposal has the potential to bring about benefits in terms of enhanced retailer representation, reinforcing the role of Coalville town centre in the retail hierarchy and has the potential to increase the comparison goods turnover of the town centre. Such an increase would provide attendant benefits such as increased footfall, increased investor confidence and greater operator interest. In view of these findings, it is concluded that the proposed development at Hotel Street would not give rise to any significant adverse impacts on either proposed investment in the town centre or the vitality and viability of the town centre. Indeed, the proposals have the potential to support the future

performance of the town centre, increase local consumer choice and encourage more sustainable shopping patterns. The application scheme is therefore considered to have met the requirements of paragraph 26 of the NPPF.

The proposed retail development would accord with the requirements of relevant planning policy for town centres as contained within the NPPF and the Local Plan. The proposals satisfy the requirements of paragraph 24 and 26 of the NPPF and would support the objectives of Policy R8 of the Local Plan. Accordingly, the principle of the development is considered to be acceptable.

Design

The need for good design in new development is outlined in paragraphs 57, 60 and 61 of the NPPF, with paragraph 61 outlining that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment. Policy E4 seeks to achieve good design in new development. The aspiration in the NPPF is to "always seek to secure high quality design" (paragraph 17) and that "permission should be refused for development of poor design that fails to take the opportunities available from improving the character and quality of an area and the way it functions" (paragraph 64).

The site layout of the proposal is arranged with a terrace of five retail units located to the west of the site (set back from Whitwick Road by 40 metres) with a dedicated service yard located behind and accessed from Old Station Close. A total of 154 car parking spaces are proposed and these would be located between Whitwick Road and the front elevation of units 1-5. A stand alone unit (unit 6) is located at the junction of Hotel Street and Whitwick Road and a new public space, including rain garden, would be created between unit 1 and unit 6.

In terms of site opportunities, the application site is located with the town centre and alongside the town's original street - Hotel Street. This street is characterised by buildings that are located at the back or a short distance from the back of the pavement edge, with frequent doors to the street creating a bustle of street activity as people walk into and out of these buildings. Street vitality is heavily reliant on the strong and direct relationship between buildings and the street, i.e. active frontages. This street/building relationship is typical of places with a traditional town centre character and this represents an opportunity to reflect similar relationships within the proposed scheme.

This critical relationship with Hotel Street was secured in the previously approved mixed use retail scheme on this site but has been lost to a large extent under the current proposals as unit 1 would not have an active frontage to Hotel Street. The elevation would contain some glazing in close proximity to the proposed new public space but would largely consist of a blank elevation despite the variety of materials proposed along this elevation (including glass cladding, brickwork, wood effect rainscreen, aluminium cladding). The elevation also consists of an access ramp and fire door immediately onto Hotel Street. The Council's Urban Designer objects to this element of the scheme and considers that the application does not comply with paragraph 61 of the NPPF that refers to "connections between people and places and the integration of new development into the natural, built and historic environment" or Paragraph 58 of the NPPF which promotes developments that are, "are visually attractive".

Another key opportunity with the development of this site is to ensure that movement on foot

and by bicycle is easy, direct, convenient and safe. In terms of the original layout supplied, the proposal would have forced pedestrians to walk across a large car park navigating across circulation lanes and between parked cars. The layout and detailed design of these proposals would have compromised access particularly for the young and those with mobility impairments. The applicants were advised at the pre-application advice stage to consider desire lines and crossing points along Whitwick Road and Hotel Street but these have not been included within the submitted scheme. As such, the Council's Urban Designer considered that the development proposals would run counter to paragraph 58 of the NPPF that encourages the creation of "attractive and comfortable places to live, work and visit" and paragraph 61 that seeks to, "address the connections between people and places" and the user hierarchy advocated in Manual for Streets. However, an amended plan has been submitted during the course of the application which has amended the site layout to include for a central walkway from Whitwick Road through the car park which would help to address, to some extent, the concerns raised by the Council's Urban Designer. It is also noted that the scheme includes for cycle parking and an area of public open space that would provide direct pedestrian access to Hotel Street.

The site offers the opportunity to create a strong gateway to the town centre of the junction with Whitwick Road and Hotel Street. The scheme includes for built development in the form of a single storey unit that would be used as a cafe. Such gateway buildings are normally, but not always, two storeys or more in height (such as in the 'Tesco' scheme) and the single storey nature of this unit and the scale of the proposed building mass behind this particular gateway structure (i.e. units 1 -5) would dilute the proposed single storey building. During pre-application advice discussions and during the course of the determination of this application the applicant's agent has been advised that this building be increased in height and suggested that as a proposed A3 use, a second storey 'pod' could be added to allow access to a external seating space on the roof. Unfortunately, the applicants have not made any alterations to the height of the building and have cited commercial reasons.

In summary, the Council's Urban Designer considers that the layout, form (urban grain) and appearance of the proposed development is not urban in character but is instead typical of suburban and edge of town retail parks - a typology that is largely generic, anonymous and dominated by cars and associated movement infrastructure. For the reasons set out above the Council's Urban Designer objects to the design of the proposals and does not consider that they conform to design policies in the Local Plan and in the NPPF. Whilst it is clear that reservations remain regarding the design of the scheme, the pedestrian connectivity of the scheme has been improved by the introduction of a central walkway from Whitwick Road and conditions can be attached to the granting of any planning permission to require details of an amended elevation to Hotel Street in order to break up the mass of this elevation as well as details of materials, surfacing, lighting and landscaping. Through the discharge of these conditions, it would not be possible to fundamentally overcome the issues raised by the Council's Urban Designer but it would be possible to make some improvements to the scheme. The acceptability of the scheme in light of the design concerns is discussed in more detail in the 'Conclusion' section of this report.

Historic Environment Issues

The site is located adjacent to the former Railway Hotel (now a day nursery), a Grade II listed building and consideration has been given to the impact of the proposal upon that designated heritage asset. The development would be located around 11 metres away at the closest point and the submitted plans indicate that, at a maximum height of 10.4 metres (approx), the proposed building would not be as tall as the existing listed building. It is noted that the previously approved scheme on the site included for a building that would have been

somewhere in the order of 12.5 metres taller than the ridge of the listed building's roof and, therefore, the previous scheme is considered to have a much more significant impact than the application currently submitted.

Nevertheless, the Council's Conservation Officer considers that the setting of the listed building would be affected by the development especially as the side elevation of the building is a functional elevation rather than having an active frontage. Whilst there would be harm to the setting of the listed building, the setting is not enhanced particularly by the current buildings which are to be demolished. Given the wider benefits of the scheme, the Council's Conservation Officer considers, on balance, that the harm to the setting of the listed building would be outweighed by other positive elements such as the re-development of this gateway site and the wider economic benefits.

The site also lies adjacent to the Coalville conservation area and the current buildings have limited merit given the appearance and poor condition. Although the design of the proposed building in close proximity to the Coalville conservation area is not considered to be a positive addition, it is not considered that the proposal would be harmful to the conservation area and, therefore, the Council's Conservation Officer does not raise an objection to the scheme.

In terms of archaeology, the County Archaeologist advises that the significance of the site lies in its 19th Century origins, specifically the survival on the Hotel Street frontage of buildings and elements of buildings which are likely to have their origin in the early development of Coalville. The affected buildings include probable workers' cottages, and a number of buildings of at least local significance. The County Archaeologist raises no objection to the application subject to the inclusion of relevant conditions including the approval of a written scheme of investigation. It is also noted that the principle of the demolition of these buildings has already been established by previous planning applications and demolition notices on the site.

Highway Safety

The County Highway Authority (CHA) was previously consulted on the application site (currently occupied by Motors Coalville Ltd) for proposals to build a Tesco store of 6,526sqm along with two retail units totalling 714sqm and 63 residential flats (08/00917/OUTM). The CHA recommended approval for the previous Tesco application, subject to improvement works on the highway network. The current application is for a retail park totalling 5,949sqm across six units. The current application therefore represents a smaller scale of development. However, the CHA advised that a new Transport Assessment (TA) would need to be submitted to identify any significant changes to the background highway network and to re-scope the extent of off-site works to be commensurate to the revised proposals.

The site is proposed to be accessed via a new ghost island priority junction to be provided on Whitwick Road. Units 1 to 5 are proposed to be serviced off Old Station Close whilst Unit 6 (which is much smaller in scale) is proposed to be serviced from the main car park. The CHA is content with the access details and servicing arrangements in principle.

The TA has considered the traffic impact at the A511/Whitwick Road roundabout and the Hotel Street/Whitwick Road junction as agreed with the CHA at scoping stage. Initial investigation at scoping stage also considered the likely traffic flows at the High Street/Memorial Square junction and the A511/Thornborough Road roundabout, but it was subsequently agreed with the CHA that the impact was unlikely to be material and therefore did not require consideration in the TA. In assessing the traffic impact, the TA has considered the level of trips likely to be generated from the proposed retail park using the industry standard TRICS database.

Whitwick Road/site access

The ghost island priority junction has been demonstrated to operate well within capacity, for both the weekday evening and Saturday peak.

Hotel Street/Whitwick Road junction

The priority junction has been shown to operate well within capacity, both with and without the development in the weekday evening and Saturday peak.

A511/Whitwick Road roundabout

The roundabout has been demonstrated to be operating at a level over its capacity in the evening peak without development. As a result of the development generated traffic, the following operational impacts are predicted:

- A511 (western approach): immaterial impact
- Hermitage Road: remains within operational capacity
- A511 (eastern approach): slight impact with increase in queues and delays , over capacity
- Whitwick Road: slight impact with increase in queues and delays, still within capacity however over theoretical capacity where congestion effects become evident.

Although there will be an impact at the A511/Whitwick Road roundabout, given that a) the trip generation figures are reasonable and b) the previous application for a larger Tesco store only proposed minor improvements at the junction, the CHA is content that no mitigation works are required as it is unlikely that a scheme could reasonably be conditioned which would be commensurate to the level of development proposed. The roundabout has been demonstrated to operate within capacity in the Saturday peak.

A total of 154 car parking spaces are now proposed in the revised site layout. This is within the maximum levels set out in the 6C's Design Guide. Given the edge of town centre location, and in line with the principles of the Framework Travel Plan, the CHA require a Car Park Management Strategy to be provided.

A Framework Travel Plan (FTP) has been provided in support of the application. A late resubmission of the FTP was made and whilst there are minor issues to be resolved (these relate to calculations/references following revision of targets) the FTP can now be considered acceptable in principle. The CHA anticipates more precise details to be provided through the individual unit Travel Plans as each unit comes to be occupied.

The County Highway Authority raises no objections to the proposed scheme subject to conditions and subject to Section 106 contributions to secure the following:

1. A Construction Traffic Routeing Agreement to be submitted to and approved in writing by the Highway Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.
2. Appointment of a Framework Travel Plan Co-ordinator from occupation of the first unit for a minimum of five years following the occupation of the last unit.
3. Appointment of a Travel Plan Co-ordinator for each unit/occupier from first occupation for a minimum of five years.
4. One Travel Pack per employee, to be provided from first employment. This can be provided

through Leicestershire County Council at a cost of £52.85 per pack. If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC.

5. One six-month bus pass per employee to be provided at first occupation. This can be provided through Leicestershire County Council at a cost of £350.00 per pass.
6. A contribution of £6,526.00, towards the improvement of the two nearest bus stops on Whitwick Road to provide raised kerbs.
7. An iTRACE monitoring fee of £11,337.00 for the Framework Travel Plan.
8. An iTRACE monitoring fee of £6,000.00 for the Travel Plan of each unit to be occupied.

The applicant's transport consultant has provided a response to the contributions requested by the CHA and indicates that the request for bus passes and iTRACE contributions would not be CIL compliant. There are ongoing discussions surrounding these contributions with the CHA; however, the CHA is content that this application can be recommended for approval subject to agreement of contributions at the S106 discussions stage. Any update regarding this matter will be reported on the update sheet.

Flood Risk and Drainage

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

The layout indicates that the scheme would include for a rain garden which would act as a small sustainable drainage feature although the scheme would also utilise new foul and surface water drains. Conditions would need to be attached to any planning permission to ensure that detailed and satisfactory surface water and foul drainage schemes are provided on the site.

Overall, in terms of issues of Flood Risk and Drainage, it is considered that the scheme is acceptable, and would provide for appropriate drainage solutions to accommodate the proposed development. In coming to this conclusion it is noted that the Environment Agency and Severn Trent Water raise no objections to the proposed development subject to the inclusion of relevant planning conditions and notes to applicant.

Ecology

In terms of ecological issues, the County Ecologist originally placed a holding objection to the application pending the submission of additional surveys in relation to bats. These additional surveys have now been submitted as part of the application and identifies that a small number of bats were seen emerging from the rear of two of the buildings along Hotel Street. The County Ecologist does not consider the roosts to be significant, but as they would be lost, a licence would be needed from Natural England to demolish these buildings. Mitigation in the form of bat boxes built into the structure of the new buildings would be acceptable, as outlined in section 4 of the consultants' report. The comments received also indicate that update surveys and (if appropriate) revised mitigation proposals would be required if the buildings have not been demolished within three years of the submitted ecology survey. Subject to the imposition of conditions relating to update surveys and ecological mitigation, the County Ecologist raises no objection to the proposed scheme. Natural England raises no objections to the scheme

subject to biodiversity and landscape enhancements which could be secured by appropriate conditions and notes to the applicant.

Other

In terms of National Forest Planting the scheme does not include for 20% of the site area to be planted. The National Forest Company has been consulted on the application and is disappointed that the application makes no reference to the need to accommodate planting within the development. However, as with the previous Tesco application on the site, the NFC would raise no objections to the scheme subject to a financial contribution of £12,400 towards off-site planting. The applicant's agent originally questioned the need for the financial contribution given that the scheme included for some planting but has now indicated that they are agreeable to a financial contribution of £6,200. Officers recognise that the current scheme differs from the previous Tesco scheme on the site and also includes for some on-site tree planting. Taking this into account a reduced contribution of £6,200 is considered to be acceptable in this instance.

In terms of the proposed landscaping shown on the submitted plans, the Council's Tree Officer has raised concerns over the suitability of the proposed landscaping in relation to the surrounding highway and car park areas as well as issues over the size of the proposed planting pits. Any increase in the size of the planting pits is likely to result in a reduction in the level of car parking that would be provided on site although a condition for a landscaping scheme is recommended which would ensure that more suitable species of trees are provided on the site.

Planning conditions would be required in respect of land contamination.

Conclusion

As set out above the Council's Urban Designer strongly objects to the design of the proposals and does not consider that they conform with design policies in the Local Plan and in the NPPF. The concerns primarily relate to pedestrian connectivity, the lack of active frontages along Hotel Street and the design and appearance of the elevations that would be visible along Hotel Street. There have been some improvements to the connectivity of the scheme during the course of the application and conditions could be attached to the granting of any planning permission to require details of an amended elevation to Hotel Street in order to break up the mass of this elevation. Through the discharge of various conditions, it would not be possible to fundamentally overcome the issues raised by the Council's Urban Designer but it would be possible to make some improvements to the scheme.

It should be noted that the existing Ford Garage site is made up of large areas of car parking and commercial style buildings that do not result in a positive addition to the surrounding area. The range of units along Hotel Street are now derelict and some have been partially demolished which has resulted in these buildings detracting from the local environment. Therefore, whilst concerns remain regarding the design of the scheme, the replacement of the existing buildings on the site would be welcomed in principle and would remove buildings that currently detract from the area.

Paragraphs 18 and 19 of the NPPF indicates that significant weight should be placed on the need to support economic growth through the planning system. The proposal is not considered to have harmful impacts on the vitality and viability of the town centre and, furthermore, as a key gateway to the town centre, its redevelopment could act as a catalyst for the redevelopment of

the town. The scheme has the potential to bring about benefits in terms of enhanced retailer representation, reinforcing the role of the town centre in the retail hierarchy and has the potential to increase the comparison goods turnover of the town centre. Such an increase would provide attendant benefits such as increased footfall, increased investor confidence and greater operator interest. Therefore, the scheme would have some clear economic (and some social) benefits to Coalville and would accord with the thrust of the policies contained in the NPPF that seek to secure a strong, competitive economy. Therefore, whilst concerns have been expressed from the Council's Urban Designer regarding the design quality of the scheme, on balance, having regard to the potential economic benefits arising from the scheme, these concerns are not considered to warrant a refusal of the application and the scheme is considered to represent sustainable development.

The proposal is not considered to affect residential amenity in the area, conflict with highway safety, impact upon heritage assets, drainage, flooding or protected species. There are no other relevant material planning considerations that indicate planning permission should not be granted.

RECOMMENDATION - PERMIT, SUBJECT TO SECTION 106 OBLIGATIONS, AND SUBJECT TO THE IMPOSITION OF CONDITIONS

- 1 The development shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The proposed development shall be carried out strictly in accordance with the following plans, unless otherwise required by a condition of this permission:

Drawing No. 0927 001 B deposited with the Local Planning Authority on 3 October 2014;
Drawing No. (08) 04 A deposited with the Local Planning Authority on 1 October 2014;
Drawing No. (08) 03 A deposited with the Local Planning Authority on 1 October 2014;
Drawing No. (08) 02 A deposited with the Local Planning Authority on 1 October 2014;
Drawing No. (02) 01 deposited with the Local Planning Authority on 5 August 2014;
Drawing No. (08) 08 deposited with the Local Planning Authority on 1 October 2014;
Drawing No. (08) 07 deposited with the Local Planning Authority on 1 October 2014;
Drawing No. (08) 06 deposited with the Local Planning Authority on 1 October 2014;
Drawing No. (08) 05 deposited with the Local Planning Authority on 1 October 2014.

Reason - To determine the scope of this permission.

- 3 The total gross floor space of the proposed development shall not exceed 5,949 square metres at any time unless separate planning permission has first been obtained from the Local Planning Authority.

Reason - To ensure satisfactory control over the retail impact of the development, and to comply with Policy R1 of the North West Leicestershire Local Plan.

- 4 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order revoking or re-enacting that Order), units 1-5 shall be used solely for purposes falling within Class A1 (shops) of the Town and Country

Planning (Use Classes) Order 1987 (as amended), and for no other purpose.

Reason - To ensure satisfactory control over the retail impact of the development, and to comply with Policy R1 of the North West Leicestershire Local Plan.

- 5 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order revoking or re-enacting that Order), unit 6 shall be used solely for purposes falling within Class A1 (shops), Class A3 (restaurants and cafés) or Class A4 (drinking establishment) of the Town and Country Planning (Use Classes) Order 1987 (as amended), and for no other purpose.

Reason - To ensure satisfactory control over the retail impact of the development, and to comply with Policy R1 of the North West Leicestershire Local Plan.

- 6 None of the units hereby permitted shall be amalgamated or subdivided, unless otherwise agreed in writing with the Local Planning Authority.

Reason - To ensure satisfactory control over the retail impact of the development, and to comply with Policy R1 of the North West Leicestershire Local Plan.

- 7 Save for any works associated with the formation of the access and highway network connections as shown on drawing no. ADC1093/001 Rev B, no development (excluding demolition) shall commence on the site until such a time as the Whitwick Road site access junction as shown on drawing no. ADC1093/001 Rev B has been provided in full and is available for use by vehicular traffic.

Reason - To provide vehicular access to the site, including for construction traffic and in the interest of highway safety.

- 8 No development (excluding demolition) shall commence on the site until such a time as a construction management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable.

Reason - To reduce the possibility of deleterious materials (mud, stones, etc) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic associated with the development does not lead to on-street parking problems in the area.

- 9 If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected they shall be set back a minimum distance of 5 metres behind the highway boundary and shall be hung so as not to open outwards.

Reason - To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway.

- 10 Notwithstanding the submitted Framework Travel Plan, no development (excluding demolition) shall commence until such time as a scheme of measures to reduce car travel to/from the site, are submitted to and agreed in writing by the Local Planning Authority.

Reason - To ensure that adequate steps are taken to provide a transport choice/a choice in mode of travel to/from the site.

or

Notwithstanding the submitted Framework Travel Plan, a scheme of measures to reduce car travel to/from the site shall be agreed in writing with the Local Planning Authority within three months of the date of first occupation of any unit, unless an alternative timescale is first agreed in writing with the Local Planning Authority.

Reason - To ensure that adequate steps are taken to provide a transport choice/a choice in mode of travel to/from the site.

(relevant condition will be finalised following discussion and negotiation with the County Highway Authority)

- 11 Notwithstanding the submitted Framework Travel Plan, no unit shall be occupied until such time as a Travel Plan is submitted for the corresponding unit and has been approved in writing by the Local Planning Authority.

Reason - To ensure that adequate steps are taken to provide a transport choice/a choice in mode of travel to/from the site.

or

Notwithstanding the submitted Framework Travel Plan, a Travel Plan shall be submitted to and agreed in writing with the Local Planning Authority within three months of the date of first occupation of each of the corresponding units, unless an alternative timescale is first agreed in writing with the Local Planning Authority.

Reason - To ensure that adequate steps are taken to provide a transport choice/a choice in mode of travel to/from the site.

(relevant condition will be finalised following discussion and negotiation with the County Highway Authority)

- 12 Notwithstanding the submitted Framework Travel Plan, no unit shall be occupied until such time as a Car Park Management Plan is submitted to and has been approved in writing by the Local Planning Authority.

Reason - To ensure that car parking is effectively managed given the edge of town centre location of the development.

- 13 No development (excluding demolition) shall commence on site until such time as a scheme of bus stop improvements has been submitted to and agreed in writing with the Local Planning Authority. None of the units hereby permitted shall be occupied until the agreed scheme has been provided in full, unless otherwise agreed in writing with the Local Planning Authority.

Reason - To encourage the use of bus service to/from the site.

- 14 No development (excluding demolition) shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage scheme should demonstrate the surface water run-off generated up to and including the 100 year plus 20% (for climate change) critical rain storm will not exceed the allowable discharge rate from the site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- Surface water drainage system/s to be designed in accordance with either the National SUDs Standards, or CIRIA C697 and C687, whichever are in force when the detailed design of the surface water drainage system is undertaken.
- Limiting the surface water run-off generated by all rainfall events up to the 100 year plus 20% (for climate change) critical rain storm to a discharge rate to be agreed with Severn Trent Water Ltd (STW), so that it will not exceed the run-off from the pre-developed site and not increase the risk of flooding off-site. Written confirmation of the discharge rate agreed with STW will need to be provided as part of any Discharge of Condition application submission.
- Provision of surface water run-off attenuation storage to accommodate the difference between the allowable discharge rate set by STW and all rainfall events up to the 100 year plus 20% (for climate change) critical rain storm.
- Detailed design (plans, cross, long sections and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements.
- Details of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development, to ensure long term operation to design parameters.

Reason - To prevent the increased risk of flooding, both on and off site.

- 15 The development hereby permitted shall not be commenced (excluding demolition) until such time as a scheme to install oil and petrol separators has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason - To protect the water environment.

- 16 No development (excluding demolition) shall commence on site until provision has been made for the satisfactory disposal of foul water from the site in accordance with a scheme which shall first have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented as approved.

Reason - To ensure that satisfactory provision is made at the appropriate time for the disposal of foul water, to prevent pollution of the water environment, and to prevent the increased risk of flooding.

- 17 No development (except any demolition permitted by this permission) shall commence on site until a Risk Based Land Contamination Assessment has been submitted to and approved in writing by the Local Planning Authority, in order to ensure that the land is fit

for use as the development proposes. The Risk Based Land Contamination Assessment shall be carried out in accordance with:

- BS10175 Year 2011+A1:2013 Investigation Of Potentially Contaminated Sites Code of Practice;
- BS 8576 Year 2013 Guidance on Investigations for Ground Gas - Permanent Gases and Volatile Organic Compounds (VOCs)
- BS8485 Year 2007 Code of Practice for the Characterisation and Remediation from Ground Gas in Affected Developments; and
- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

Should any unacceptable risks be identified in the Risk Based Land Contamination Assessment, a Remedial Scheme and a Verification Plan must be prepared and submitted to and agreed in writing by the Local Planning Authority. The Remedial Scheme shall be prepared in accordance with the requirements of:

- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

The Verification Plan shall be prepared in accordance with the requirements of:

- Evidence Report on the Verification of Remediation of Land Contamination Report: SC030114/R1, published by the Environment Agency 2010;
- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

If, during the course of development, previously unidentified contamination is discovered, development must cease on that part of the site and it must be reported in writing to the Local Planning Authority within 10 working days. Prior to the recommencement of development on that part of the site, a Risk Based Land Contamination Assessment for the discovered contamination (to include any required amendments to the Remedial Scheme and Verification Plan) must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the land is fit for purpose and to accord with the aims and objectives of paragraph 120 of the NPPF.

18 Prior to occupation of any part of the completed development, a Verification Investigation shall be undertaken in line with the agreed Verification Plan for any works outlined in the Remedial Scheme and a report showing the findings of the Verification Investigation relevant to either the whole development or that part of the development shall be submitted to and approved in writing by the Local Planning Authority. The Verification Investigation Report shall:

- Contain a full description of the works undertaken in accordance with the agreed Remedial Scheme and Verification Plan;
- Contain results of any additional monitoring or testing carried out between the submission of the Remedial Scheme and the completion of remediation works;
- Contain Movement Permits for all materials taken to and from the site and/or a copy of

- the completed site waste management plan if one was required;
- Contain Test Certificates of imported material to show that it is suitable for its proposed use;
- Demonstrate the effectiveness of the approved Remedial Scheme; and
- Include a statement signed by the developer, or the approved agent, confirming that all the works specified in the Remedial Scheme have been completed.

Reason - To ensure that the land is fit for purpose and to accord with the aims and objectives of paragraph 120 of the NPPF.

- 19 No demolition/development shall take place/commence until a programme of archaeological work, commencing with an initial phase of trial trenching, has been detailed within a Written Scheme of Investigation, submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- The programme and methodology of site investigation and recording (including the initial trial trenching, assessment of results and preparation of an appropriate mitigation scheme)
- The programme for post-investigation assessment
- Provision to be made for analysis of the site investigation and recording
- Provision to be made for publication and dissemination of the analysis and records of the site investigation
- Provision to be made for archive deposition of the analysis and records of the site investigation
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No development shall take place at any time other than in accordance with the agreed Written Scheme of Investigation. None of the units shall be occupied until such time as the site investigation and post investigation assessment has been completed in accordance with the programme set out in the agreed Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason - To ensure satisfactory archaeological investigation and recording, and to comply with the NPPF.

- 20 The scheme shall be carried out strictly in accordance with the recommendations contained within Section 4 of the report entitled 'Bat Activity Survey Report - September 2014' prepared by JTecology and deposited with the Local Planning Authority on 12 September 2014.

Reason - In the interests of nature conservation and protected species.

- 21 If any building on the site is not demolished by 30th September 2017, an updated bat survey with revised mitigation (if necessary) shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be carried out in accordance with the updated bat survey and mitigation measures (if submitted).

Reason - In the interests of nature conservation and protected species.

- 22 Notwithstanding the submitted plans, nor Condition 2 above, no development (excluding demolition) shall commence on site until detailed plans/details/samples (as appropriate) of the:-
- a. bricks, brick bond, and mortar
 - b. cladding (glass, metal and timber)
 - c. roofing materials
 - d. rain water goods
 - e. windows and doors
 - f. stone gabions
 - g. rain garden

have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the works shall be executed in accordance with that agreement.

Reason - To ensure that the works are executed in an appropriate manner and to ensure a satisfactory standard of design.

- 23 Notwithstanding the submitted plans, nor Condition 2 above, no development (excluding demolition) shall commence on site until such time as precise details of the treatment of all hard surfaces (including all access roads, footways, drives and parking / manoeuvring areas) have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure the development provides for a satisfactory form of design, in the interest of amenity.

- 24 Notwithstanding the submitted plans, nor Condition 2 above, no development shall commence on site (excluding demolition) until such time as a landscaping scheme has been submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in the first planting and seeding season following either the first occupation or the bringing into use of the development hereby approved unless an alternative implementation programme is first agreed in writing with the Local Planning Authority. The scheme shall have particular regard to the treatment of the site boundaries.

Reason - To ensure satisfactory landscaping is provided within a reasonable period.

- 25 Any tree or shrub which may die, be removed or become seriously damaged shall be replaced in the first available planting season thereafter and during a period of 5 years from the first implementation of the approved landscaping scheme or relevant phase of the scheme, unless a variation to the landscaping scheme is agreed in writing with the Local Planning Authority.

Reason - To provide a reasonable period for the replacement of any trees.

- 26 Notwithstanding the submitted plans, nor Condition 2 above, no development (excluding demolition) shall commence on site until such time as a detailed scheme for the boundary treatment of the site has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the first unit is occupied.

Reason - To preserve the amenities of the locality.

- 27 No development shall commence on site (excluding demolition) until such time as a lighting scheme has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall be carried out in accordance with the agreed details.

Reason - To ensure a satisfactory standard of design and to provide an accessible environment.

- 28 Notwithstanding the submitted plans, nor Condition 2 above, no development (excluding demolition) shall commence until such time as a revised treatments to the southern and western elevations of unit 1 have been submitted to and agreed in writing with the Local Planning Authority. The scheme shall be carried out in accordance with the agreed details.

Reason - To ensure that the works are executed in an appropriate manner and to ensure a satisfactory standard of design.

Notes to applicant

- 1 Written requests to discharge one or more conditions on a planning permission must be accompanied by a fee of £97 per request. Please contact the Local Planning Authority on 01530 454666 for further details.
- 2 All works within the limits of the public highway shall be carried out to the satisfaction of the Highway Area Manager (telephone 0116 305 2202).
- 3 The Developer will be required to enter into an Agreement with the Highway Authority under s278 of the Highways Act 1980 for works within the highway and detailed plans shall be submitted and approved in writing by the Highway Authority. The s278 Agreement must be signed and all fees paid and surety set in place before the highway works are commenced.
- 4 C.B.R tests shall be taken and submitted to the County Council's Area Manager prior to development commencing in order to ascertain road construction requirements.
- 5 All street furniture or lining that requires relocation or alteration shall be carried out entirely at the expense of the Developer, who shall first obtain separate consent of the Highway Authority.
- 6 If you intend to provide temporary directional signing to your proposed development, you must ensure that prior approval is obtained from the County Council's Area Manager for the size, design and location of any sign in the highway. It is likely that any sign erected in the highway without prior approval will be removed. Before you draw up a scheme, the Area Manager's staff (telephone 0116 305 2104) will be happy to give informal advice concerning the number of signs and the locations where they are likely to be acceptable.
- 7 The applicant is advised that this approval relates solely to planning permission, and does not convey any consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. The Local Planning Authority would encourage the applicants to discuss a signage code in order to set design parameters for unit signage including size, materials, colours and lighting prior to the submission of any advertisement consent.
- 8 A section 106 is required and would need to provide the following:
 - A Construction Traffic Routeing Agreement;
 - Appointment of a Framework Travel Plan Co-ordinator from occupation of the first unit

for a minimum of five years following the occupation of the last unit.

- Appointment of a Travel Plan Co-ordinator for each unit/occupier from first occupation for a minimum of five years.
- One Travel Pack per employee, to be provided from first employment.
- One six-month bus pass per employee to be provided at first occupation. ____
- Contributions towards iTRACE ____
- National Forest Contribution of £6200 towards forest planting.

9 The Environment Agency states the following:

Whilst we welcome the proposed SuDS drainage strategy detailed within the above FRA and shown on Drawing No. D/001 P2, the proposed discharge rate from the site of 22.3l/s is higher than the 8l/s allowable discharge rate previously set by STW for this site, (planning application No.10/01045/REM). We therefore recommend an allowable discharge rate is sought from STW before detailed design of the surface water drainage scheme is undertaken.

10 Your attention is drawn to the advice provided by Natural England (ref 129655) dated 3 September 2014.

11 In relation to the conditions in respect of lighting, seating and surfacing, the submitted discharge of condition details should accord with the Council's adopted Four Squares and Streets plan.

12 In relation to landscaping, the discharge of condition information should specify details in respect of planting pits, protection (including space for growth) of 12no. car park trees and 11no. frontage trees. The car park trees should be semi-mature standard and the frontage trees should be super-semi mature, i.e. 40-80cms girth and a minimum of 10m in height.

13 The timber and timber effect cladding should be FSC certified.

14 In respect of surfacing, the discharge of condition information should not show thermoplastic markings to demarcate parking spaces and/or usage restrictions.

15 In relation to Condition 23 the Local Planning Authority would advise the following:

Rainwater goods must be hidden within the cladding of the structure and not visible as shown on submitted plans;

The selected bricks should be traditionally inspired and laid with a Flemish or English Garden Wall bond used throughout with recessed mortar joints through the use of chariot wheels. Prior to discharging any condition the Council will require a sample panel of the proposed materials including joints, edge finishes, visible fixings and the interfaces between adjoining materials.

16 The Council's Urban Designer indicates that the revised elevation could include for a glazed material with a pattern based on decorative floor tiles that are visible on two former shop entrances on Hotel Street proposed for demolition and that the west elevation could include for a terracotta rain screen material.

17 In relation to boundary treatments, public realm facing or boundaries visible from the public realm should be constructed from brick with double tile crease and coping brick.