

Erection of seventeen affordable dwellings, with access on to Wyggeston Road and North Avenue, associated groundworks and landscaping

Report Item No
A2

Land Off North Avenue Coalville Leicestershire LE67 3QX

Application Reference
14/00991/FULM

Applicant:
Partner Construction Ltd

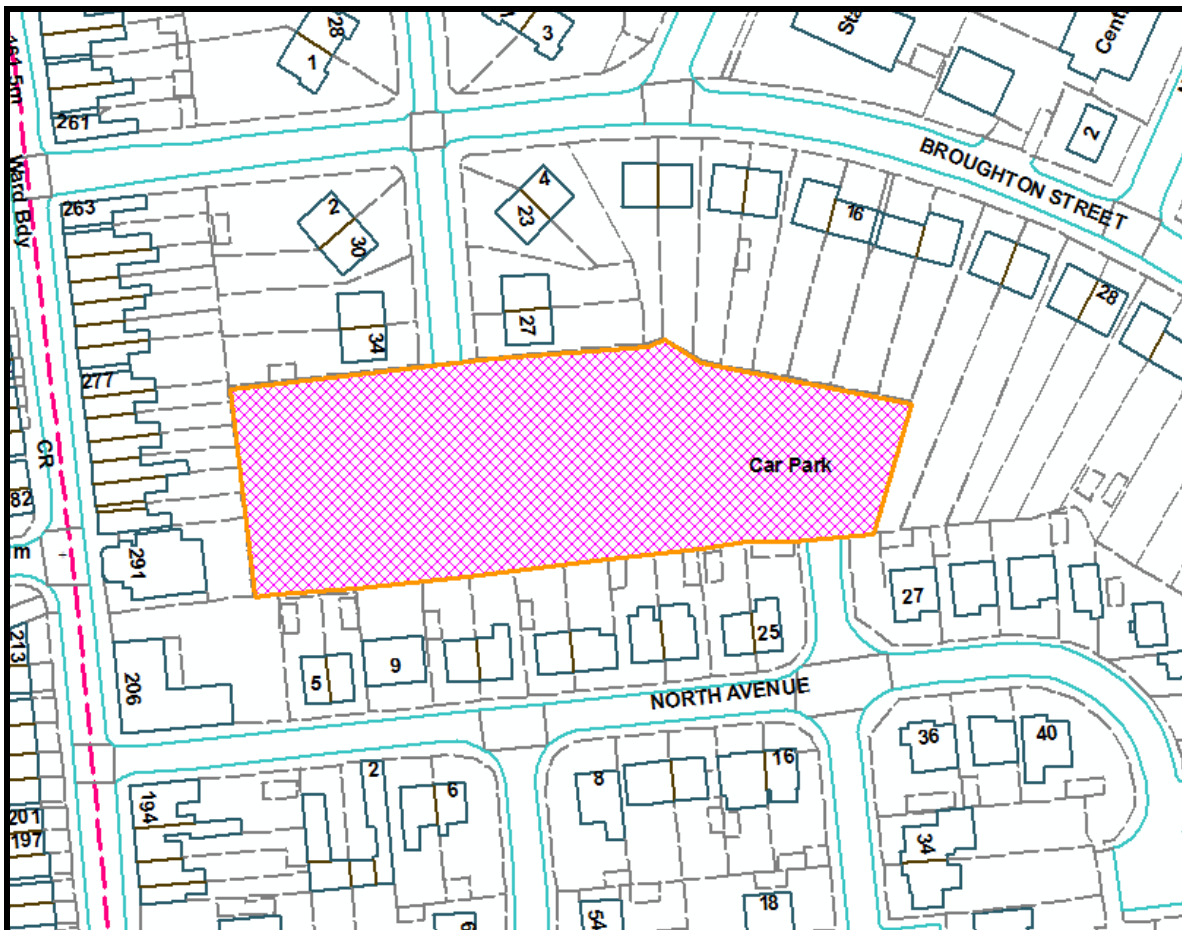
Date Registered
30 October 2014

Case Officer:
James Mattley

Target Decision Date
29 January 2015

Recommendation:
PERMIT Subject to a Section 106 Agreement

Site Location - Plan for indicative purposes only



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EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

Proposal

Planning permission is sought for the erection of 17 residential units with associated access points and parking. All of the proposed units would be provided as affordable housing.

Consultations

Members will see from the report below that some comments have been received from surrounding neighbours but no objections have been received from any statutory consultees.

Planning Policy

The application site lies within the limits to development and in a sustainable settlement where the principle of residential dwellings are considered to be acceptable. Also material to the determination of the application, however, is the supply of housing in the context of the National Planning Policy Framework (NPPF) and whether the scheme represents sustainable development.

Conclusion

The site is located in a sustainable settlement and the principle of the development is considered to be acceptable. The proposed development would be acceptable in terms of the residential amenities of existing and future occupiers, and would provide for an appropriate form of design that would be in keeping with the locality. The proposal would be acceptable in relation to highway safety subject to appropriate planning conditions. There are no other relevant material planning considerations that indicate planning permission should not be granted.

RECOMMENDATION:- PERMIT, SUBJECT TO THE IMPOSITION OF CONDITIONS AND SUBJECT TO A SECTION 106 AGREEMENT TO SECURE AFFORDABLE HOUSING ON THE SITE

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 erection of seventeen affordable dwellings associated groundworks and landscaping on land to the north of North Avenue and to the south of Wyggeston Road. The land is currently in the ownership of North West Leicestershire District Council. The application site comprises of 0.26 ha of vacant land that was previously used for garaging and car parking provision associated with the surrounding area. The site is located in a predominantly residential area and is located within the limits to development.

All the dwellings would be provided as affordable dwellings. The proposal includes 4 x 1 bed units, 6 x 2 bed units and 7 x 3 bed units which would all be two-storey and comprise detached, semi-detached and terraced properties. The proposal would include for 12 affordable rented and 5 shared ownership properties. Access to plots 1-14 would be taken from Wyggeston Road with access to plots 15-17 gained off North Avenue.

Amended plans have been received during the course of the application to address concerns over the design of the scheme.

The application is accompanied by a sustainable construction statement, planning and affordable housing statement, phase 1 habitat survey report, building for life assessment, design and access statement and transport statement. In addition a viability report has been submitted which demonstrates that the scheme cannot make any further Section 106 contributions in addition to the contribution it makes to affordable housing provision.

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

Planning History:

13/00846/DEM - Demolition of 26 garages - no objection.

2. Publicity

47 no neighbours have been notified (Date last notification 06 February 2015)

Press Notice published 19 November 2014

Site notice posted 11 November 2014

3. Consultations

NWLDC Urban Designer
Hugglescote And Donington Le Heath Parish Council
County Highway Authority
Environment Agency
Severn Trent Water Limited
Head of Environmental Protection
LCC ecology
National Forest Company
LCC Development Contributions
NHS Leicester, Leicestershire And Rutland Facilities Management
Head Of Leisure And Culture
Manager Of Housing North West Leicestershire District Council

Police Architectural Liaison Officer
LCC/Footpaths

4. Summary of Representations Received Statutory Consultees

Hugglescote and Donington Le Heath Parish Council have no objections to the proposed development and comments that it is hoped that potential tenants should be taken from the local housing area.

County Ecologist has no objections to the application.

County Education requests a developer contribution of £37,748.91 towards Coalville Belvoirdale Primary School.

County Footpath Officer originally stated that he has no objections in principle to the proposed diversion but that it would be preferable for pedestrians to avoid having to negotiate the right angled turn shown on the originally submitted plan. This has now been amended and the County Footpath Officer has no objection in principle.

County Highway Authority has no objections subject to the inclusion of relevant planning conditions.

County Library Services requests a developer contribution of £880 towards Coalville Library.

County Waste Services requests a developer contribution of £1111 towards Coalville Civic Amenity Site.

Environment Agency has no objections to the application but states that Severn Trent Water should be consulted to ensure that sufficient drainage capacity is available.

Severn Trent Water has no objections to the proposal subject to the inclusion of drainage conditions.

Third Party Representations

A total of five number of representations have been received making the following comments:

- _ would the developer upgrade existing rear garden fences_;
- _ impact upon adjacent residential amenities;
- _ impact upon highway safety;
- _ developing the site will exacerbate parking problems elsewhere;
- _ construction traffic would cause disturbance and the local roads are inadequate for such vehicles;
- _ construction noise and pollution;
- _ impact of the proposal on property prices;
- _ mature trees should be planted as part of the landscaping scheme;
- _ developing the site could cause surface water run-off issues for existing residential properties.

5. Relevant Planning Policy

National Policies

National Planning Policy Framework

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.

Save where stated otherwise, the policies of the North West Leicestershire Local Plan as listed 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.

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

Paragraph 14 (Presumption in favour of sustainable development)
Paragraph 17 (Core planning principles)
Paragraph 32 (Promoting sustainable transport)
Paragraph 34 (Promoting sustainable transport)
Paragraph 47 (Delivering a wide choice of high quality homes)
Paragraph 49 (Delivering a wide choice of high quality homes)
Paragraph 57 (Requiring good design)
Paragraph 59 (Requiring good design)
Paragraph 60 (Requiring good design)
Paragraph 61 (Requiring good design)
Paragraph 100 (Meeting the challenge of climate change, flooding and coastal change)
Paragraph 101 (Meeting the challenge of climate change, flooding and coastal change)
Paragraph 103 (Meeting the challenge of climate change, flooding and coastal change)
Paragraph 118 (Conserving and enhancing the natural environment)
Paragraph 123 (Conserving and enhancing the natural environment)
Paragraph 173 (Ensuring viability and delivery)
Paragraph 203 (Planning conditions and obligations)
Paragraph 204 (Planning conditions and obligations)

Adopted North West Leicestershire Local Plan (2002)

The application site is outside Limits to Development as defined in the adopted North West Leicestershire Local Plan. The following Local Plan policies are relevant to this application:

Policy S2 - Limits to Development
Policy E3 - Residential Amenities
Policy E4 - Design
Policy E7 - Landscaping
Policy E8 - Crime Prevention
Policy F1 - National Forest General Policy
Policy T3 - Highway Standards
Policy T8 - Parking
Policy H4/1 - Housing Land Release
Policy H6 - Housing Density
Policy H7 - Housing Design
Policy H8 - Affordable Housing

Policy L21 - Children's Play Areas

Other Policies

North West Leicestershire District Council Affordable Housing SPD

Key Principle AH2 provides that affordable housing will be sought on all sites of 15 or more dwellings in the Coalville area.

Key Principle AH3 requires a minimum of 20% of residential units to be available as affordable housing within the Coalville area.

North West Leicestershire District Council Play Area Design Guidance SPG

The District Council's Play Area Design Guidance SPG sets out the relevant requirements in respect of children's play provision required in association with residential development.

6Cs Design Guide (Leicestershire County Council)

The 6Cs Design Guide sets out the County Highway Authority's requirements in respect of the design and layout of new development.

6. Assessment

Principle

The site is located within the limits to development where the principle of residential development is considered acceptable subject to compliance with the relevant policies of the adopted North West Leicestershire Local Plan and other material considerations.

Policy H4/1 of the Local Plan relating to the release of land for housing states that a sequential approach should be adopted. Whilst a sequential approach is outdated in the context of the NPPF, the sustainability credentials of the scheme would still need to be assessed against the NPPF.

The concept of new development being directed to locations that minimise reliance on the private motorcar is contained within the NPPF. The application site is located within Coalville which benefits from a range of local services/facilities and is accessible via public transport. Therefore the proposal is considered to score well against the sustainability advice in the NPPF.

The provision of 17 affordable dwellings on a brownfield site that would help to maintain the Council's housing land supply position would also count in favour of the scheme. Taking all of these issues into account, the proposal is considered acceptable in principle.

Density

Policy H6 of the North West Leicestershire Local Plan both seek to permit housing development which is of a type and design to achieve as high a net density as possible, taking into account factors such as housing mix, accessibility to centres and design. Policy H6 of the North West Leicestershire Local Plan also requires a minimum density of 40 dwellings per hectare within locations well served by public transport and accessible to services and a minimum of 30 dwellings per ha elsewhere. The NPPF states that Local Planning Authorities should set out their own approach to housing density to reflect local circumstances.

With a site area of 0.26 hectares, the proposal would have a density of 65 dwellings per

hectare. It is noted that the policy does not set a maximum density requirement and requires a minimum density of 40 dwellings per hectare in sustainable locations. On this basis, the scheme is not considered to conflict with Policy H6 of the Local Plan or the advice in the NPPF. Nevertheless, the Policy states that other considerations need to be taken into account including design which is considered in more detail below.

Design

The need for good design in new residential development is outlined not only in Local Plan Policy H7, but also 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 indicates that in the determination of planning applications regard will be had to the wider settings of new buildings; new development should respect the character of its surrounding, in terms of scale, design, height, massing, materials of construction, the spaces between and around buildings and the street scene generally.

The surrounding area is characterised by a mixture of post-war residential properties. Properties along North Avenue consist primarily of two storey semi-detached houses, as well as a number of one-storey detached bungalows, and are characterised by modest sized front gardens set back from the road behind low fences and hedges. Properties along Broughton Road consist predominantly of two storey semi-detached houses, with some two storey terraced houses. Properties along Belvoir/Central Road are mainly two storey terraced houses and are characterised by a continuous linear building line. The scheme seeks to develop its own contemporary style in order to provide a distinctive character whilst respecting the scale of surrounding built development.

The scheme has been the subject of extensive discussions and negotiations with the District Council's Urban Designer at the pre-application advice stage and during the course of the application, and has been amended in order to address previously expressed concerns regarding the design quality of the scheme. The original concerns principally related to a lack of parking provision, house types that were neither distinctive or in keeping with the locality, poor architectural expression and a car dominated environment. The amended plans represent an improvement over the originally submitted plans although it would still be necessary to attach relevant planning conditions to ensure appropriate landscaping, quality of materials within the courtyard, lighting, surfacing and boundary treatments.

An existing pedestrian route through the site (N109) would be retained although this would be re-aligned. Amended plans have been received during the course of the application to ensure that the route of the footpath is direct and convenient for users. The scheme would include for surveillance towards the footpath and conditions can be attached to the granting of any planning permission to ensure an appropriate surface material and adequate lighting. No objections are raised to this element of the scheme from the Council's Urban Designer or the County Footpath Officer.

In terms of design issues, therefore, it is considered that the proposed dwellings are appropriate in this area, and the requirements of Local Plan Policies E4, H7 and the design advice in the NPPF are considered to be met by the scheme subject to the inclusion of relevant design conditions.

Residential Amenity

Consideration has been given to the impact of the development on surrounding residential properties. The most immediately affected dwellings would be located off Belvoir Road, North Avenue and Wyggeston Road.

Properties located to the north of North Avenue generally have rear gardens measuring 9-12 metres in length and the distance between the side elevations of Plots 5, 8 and 15 and the rear elevations of these properties would be between 11-15 metres. When having regard to these distances and the orientation of the existing and proposed dwellings, it is not considered that any significant overshadowing or overbearing issues would arise. Plots 5 and 8 would include for one first floor window on the side elevations but these windows would serve bathrooms and could be conditioned to be obscure glazed which would ensure that no significant overlooking issues would arise. Plots 6 and 7 would include for first floor habitable windows but these would be located further into the site and an acceptable first floor window distance of around 21 metres would be achieved with 11 and 13 North Avenue.

No.27 and 34 Wyggeston Road are both two storey properties located to the north of the site and each have first floor rear bedroom windows. The submitted site plan has marked on the commonly used 45 degree rule which is used to assess overbearing and overshadowing impacts upon first floor windows and this shows that the proposed plots would not be located within a 45 degree angle of these windows. Plot 1 would not include for first floor habitable windows on its side elevation and, therefore, no significant overlooking is considered to arise to the occupiers of No.34. Plots 12 and 13 would be located a sufficient distance away from the boundary with the rear garden of No.27 which would ensure that no significant overlooking issues would arise.

There is a church and residential properties located to the west of the site along Belvoir Road. Plots 1-2 would have rear gardens of approximately 17 metres in length and Plots 3-5 would have rear gardens of some 10 metres. It is considered that suitable back to back distances would be established in this area of the site and would ensure that no significant overlooking, overbearing or overshadowing issues would arise.

The first floor side elevation of Plot 17, which would contain only a bathroom window, would be located around 2.0 metres away from the boundary with the end of the rear gardens belonging to No.16 and 18 Broughton Street. These properties have rear garden lengths of some 28 metres and taking this into account it is not considered that any significant overlooking, overbearing or overshadowing issues would arise.

The blank side elevation of Plot 15 would be located around 1.0 metres away from the boundary with the end of the rear garden belonging to No.25 North Avenue and 13 metres away from first floor rear windows belonging to this property. This is considered to be an acceptable relationship and would not result in any significant overlooking, overbearing or overshadowing issues.

There would be comings and goings to the site from both Wyggeston Road and North Avenue but these are not considered to result in significant noise and disturbance to surrounding properties when having regard to the previous use that operated from the site. In coming to this conclusion it is noted that the Council's Environmental Protection team raises no objection to the proposed scheme.

In terms of the objections raised over construction noise it is considered that this is an inevitable

temporary, manifestation of any development project, which is not the concern of the planning system unless there would be exceptional amenity harm. It is not considered that exceptional amenity harm would arise in this instance and as noted above the Council's Environmental Protection team has not suggested the use of such a condition in this instance.

Having regard to all of the above, it is deemed that the development would not have any significant detrimental impact upon neighbouring residential amenities and is considered to be acceptable in relation to Policy E3 of the Local Plan.

Highway Safety

Vehicular access to the site would be provided from the two points on the existing highway network. A total of 5 dwellings would be accessed from North Avenue to the south of the site with the remaining 12 dwellings accessed from Broughton Street via Wyggeston Road. The County Highway Authority is satisfied with the highway safety aspects of the proposals subject to the inclusion of relevant planning conditions.

In terms of proposed parking, the Local Plan includes parking standards in the Annex (based on Leicestershire County Council parking standards) that seeks to ensure that no more than an average of 1.5 off-street car parking spaces are provided per dwelling, and were based on the advice contained in PPG3. PPG3 has now been superseded by the advice in the NPPF which is less prescriptive in terms of parking standards. The advice in the NPPF is that Local Planning Authorities should, amongst other things, take account of expected levels of car ownership, the type, mix, accessibility and use of the development and the opportunities for public transport. The County Council's 6C's design guide requires parking provision to be provided on the basis of location and size and type of housing.

A total of 33 car parking spaces are proposed which equates to an average of 1.94 car parking spaces per dwelling. This is considered an acceptable level of car parking when having regard to the size of the units and the distance to the Town Centre. It is noted that the County Highway Authority raises no objections to the level of car parking and the submitted layout is acceptable in this regard. On this basis, the level of car parking is considered to be acceptable.

In conclusion, the County Highway Authority has no objections to the proposed development subject to relevant highway conditions. Therefore, it is not considered that the proposal would conflict with highway safety policies T3 and T8 in the Local Plan or the advice in the NPPF.

Flood Risk and Drainage

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). 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.

Developer Contributions

Paragraphs 203 and 204 of the NPPF set out the Government's policy in respect of planning obligations and, in particular, provide that planning obligations should be:

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

Equivalent legislative tests are contained within the Community Infrastructure Levy (CIL) Regulations 2010.

In summary, the developer contributions required in respect of this application having regard to the requirements of the District Council's guidance and other service providers' requests are as follows:

- Provision of affordable housing (minimum of 20% including 12 affordable rented and 5 shared ownership)
- Payment of £37,748.91 to Leicestershire County Council in respect of primary school education
- Payment of £1,111 to Leicestershire County Council in respect of civic amenity
- Payment of £880 to Leicestershire County Council in respect of Libraries
- Provision of an on-site children's play area (including provision of a commuted sum in respect of future maintenance)
- Payment of the District and County Councils' Section 106 monitoring fees

Whilst the need for the contributions per se is not disputed, the applicants are of the view that, should all of the contributions requested above be sought, the scheme would become unviable. The applicants have therefore provided a viability assessment, and that has been reviewed on the Local Planning Authority's behalf by the District Valuer. The viability assessment indicates that as the scheme is for 100% affordable housing, the developer is unable to pay for any further contributions on the site and the District Valuer confirms that the findings in the viability assessment are accurate.

As such, it would appear that the District Council needs to consider whether the aim of securing a significant number of new affordable dwellings, which is strongly supported by the Council's Affordable Housing Enabler, outweighs the shortfall in contributions which would normally be sought in association with new residential development. Given that the District Valuer has agreed with the findings contained in the viability assessment, the view is taken that the significant benefits from the provision of additional affordable housing and contributing to the Council's housing land supply position would, on balance, be considered to outweigh the harm which the non-provision of the otherwise required developer contributions would result in.

The completed properties would be owned and managed by East Midlands Housing Group, who have an established track record in delivering high quality affordable homes, and would be allocated through the Leicestershire Sub Regional Choice Based Lettings Scheme, which prioritises those households with an evidenced district connection.

Other

The County Ecologist raises no objections to the submitted ecological information and the application is considered to be acceptable in terms of its impact upon protected species and any other ecological constraint on the site.

In terms of neighbour objections raised that have not already been addressed the impact of the proposal upon property prices is not a material planning consideration. A boundary treatment condition is recommended which would ensure that suitable boundary treatments are proposed to the site boundaries.

It would be necessary for the applicant's to enter into a Section 106 agreement to secure an all affordable housing scheme given that the viability assessment indicates that the scheme cannot afford to pay other developer contributions given the affordable nature of the scheme.

Conclusion

The site is located in a sustainable settlement and the principle of the development is considered to be acceptable. The proposed development would be acceptable in terms of the residential amenities of existing and future occupiers, and would provide for an appropriate form of design that would be in keeping with the locality. The proposal would be acceptable in relation to highway safety subject to appropriate planning conditions. There are no other relevant material planning considerations that indicate planning permission should not be granted.

The District Council's decision to grant planning permission arose following careful consideration of the development plan and all other relevant considerations.

Therefore, it is recommended that full planning permission be granted, subject to relevant planning conditions and legal obligations to ensure that affordable housing is provided on the site.

RECOMMENDATION - PERMIT, subject to the following conditions and subject to a legal agreement to ensure that affordable housing is provided on the site;

- 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:

- _ PAR 121 PA 400 deposited with the local planning authority on 5 February 2015;
- _ PAR 121 PA 001 deposited with the local planning authority on 5 February 2015;
- _ PAR 121 PA 100 deposited with the local planning authority on 17 December 2014;
- _ PAR 121 PA 200 deposited with the local planning authority on 17 December 2014;
- _ PAR 121 PA 300 deposited with the local planning authority on 17 December 2014;
- _ PAR 121 PA 500 deposited with the local planning authority on 17 December 2014;

- _ PAR 121 PA 600 deposited with the local planning authority on 17 December 2014;
- _ PAR 121 SUR 001 deposited with the local planning authority on 30 October 2014;

Reason - To determine the scope of this permission.

- 3 Notwithstanding the submitted plans, nor Condition 2 above, no development shall commence on site until details/samples (as appropriate) of the:-
- i. bricks
 - ii. eaves and verges
 - iii. roofing materials
 - iv. rain water goods
 - v. windows and doors (including heads and cills)

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 given the prominence of the site.

- 4 Notwithstanding the submitted plans, nor Condition 2 above, no development shall commence on site until such time as precise details of the treatment of all hard surfaces 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.

- 5 Notwithstanding the submitted plans, nor Condition 2 above, no development shall commence on the site until such time as a detailed scheme for the boundary treatment of the site has been submitted to and agreed in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until such time as the approved scheme has been implemented in full (unless an alternative timescale is first agreed in writing by the Local Planning Authority).

Reason - To preserve the amenities of the locality.

- 6 No development shall commence on site until such time as detailed finished floor levels and site levels (in relation to a fixed datum point and indicating surrounding land levels) 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 appropriate land levels because finished floor levels have not been supplied with the application.

- 7 Notwithstanding the submitted plans, nor Condition 2 above, no dwelling shall be occupied until such time as precise details of the positioning and finishes of utility boxes to individual units 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 an appropriate form of design.

- 8 No dwelling shall be occupied until such time as a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in the first planting and seeding season following the first occupation 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.

- 9 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.

- 10 The window units serving the first floor bathroom on Plots 1, 5, 8 and 17 shall be glazed with obscure glass to Pilkington Standard 3 (or equivalent) which shall thereafter be retained unless planning permission has first been granted by the Local Planning Authority.

Reason - To avoid the possibility of overlooking of the adjacent development.

- 11 No development shall commence on site until such time as a scheme for the parking courtyards, including numbering of spaces and illumination, 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 the development provides for a satisfactory form of design, in the interest of amenity.

- 12 No development shall commence on site until such time as a lighting scheme for the pedestrian link 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 the development provides for a satisfactory form of design, in the interest of amenity.

- 13 Notwithstanding the details shown on the approved plans, no development shall commence until details of any bin stores and any bin storage areas for the proposed units have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.

Reason - To ensure the development takes the form envisaged by the Local Planning Authority, in the interests of amenity and highway safety.

- 14 No development shall commence on site until provision has been made for the satisfactory disposal of foul and surface water from the site in accordance with a scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason - To that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem.

- 15 Off-street car parking and turning facilities shall be provided within the application site in accordance with the details shown on drawing No. PAR 121 PA 001; the parking and turning areas shall be surfaced and marked out prior to the development being brought into use, and shall thereafter be so maintained at all times.

Reason - To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area and to enable vehicles to enter and leave the site in a forward direction in the interests of the safety of road users.

- 16 The accesses shall be provided in accordance with the details shown on drawing No. PAR 121 PA 001; the accesses shall be surfaced with tarmac, concrete or similar hard bound material (not loose aggregate) for a distance of at least 7 metres behind the highway boundary before first use of the development and once provided shall be so maintained at all times.

Reason - To enable vehicles to enter and leave the highway in a slow and controlled manner in the interests of general highway safety, to ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway and to reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)

- 17 Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway and thereafter shall be so maintained.

Reason - To reduce the possibility of surface water from the site being deposited in the highway causing dangers to highway users.

- 18 No development shall commence on the site until such time as a construction traffic/site traffic 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 material (mud, stones etc.) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.

Notes to applicant

- 1 Your attention is drawn to the comments of the County Footpath Officer dated 20 November 2014 08:04.
- 2 Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SuDS). SuDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage

approaches which involve piping water off site as quickly as possible. SuDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SuDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open spaces.

The variety of SuDS techniques available means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

All oil storage facilities, including any temporary or mobile containers utilised during or subsequent to the development, must comply with the Control of Pollution (Oil Storage) (England) Regulations 2001.

The Regulations apply to the storage of oil or fuel of any kind in any kind of container which is being used and stored above ground, including drums and mobile bowsers, situated outside a building and with a storage capacity which exceeds 200 litres. A person with custody or control of any oil or fuel breaching the Regulations will be guilty of a criminal offence. The penalties are a maximum fine of £5000 in Magistrates' Court or an unlimited fine in Crown Court. Further details of the Regulations are available from the Environment Agency.

The site lies with the catchment of the River Sence. Under the Water Framework Directive we have a duty to improve waters to Good Ecological Status. The River Sence is currently a deteriorating waterbody and therefore during and subsequent to the development, all precautions must be taken, and appropriate protective facilities installed to prevent the discharge, run-off, or seepage of any coloured, silted or contaminated waters from the site or its associated areas into any land drain, surface water sewer, ditch, watercourse or other controlled water either directly or indirectly. The protective measures must be installed at the very earliest stages of the development.

3 - In order to deliver a diversion of public footpath N109, you will be required to apply to North West Leicestershire District Council for it to make an appropriate order. The proposed diversion shown on drawing No. PAR 121 PA 001, and the proposed layout, will not be acceptable to Leicestershire County Council. Further details should be submitted for approval.

- The proposed roads do not conform to an acceptable standard for adoption and therefore it they will NOT be considered for adoption and future maintenance by the Highway Authority. The Highway Authority will, however, serve APCs in respect of all plots served by all the private roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge MUST be made before building commences. Please note that the Highway Authority has standards for private roads which will need to be complied with to ensure that the APC may be exempted and the monies returned. Failure to comply with these standards will mean that monies cannot be refunded. For further details see www.leics.gov.uk/htd or phone 0116 3057198. Signs should be erected within the site at the access advising people that the road is a private road with no highway rights over it. Details of the future maintenance of the private road should be submitted for the approval of the LPA before any dwelling is occupied.

- This planning permission does NOT allow you to carry out access alterations in the highway. Before such work can begin, separate permits or agreements will be required under the Highways Act 1980 from the Infrastructure Planning Team. For further information you are advised to visit the County Council website (www.leics.gov.uk/6CSDG), or email roadadoptions@leics.gov.uk.
 - Please be aware that Leicestershire County Council as Lead Local Flood Authority (LLFA) are currently not a statutory consultee to the planning process for drainage matters. If Schedule 3 of the Flood and Water Management Act 2010 is implemented Leicestershire County Council will become the SuDs Approval Body (SAB) and also a statutory consultee of the planning process. You will need to contact Leicestershire County Council if you have an aspiration for us to adopt any SuDs features associated with the development. Please e-mail roadadoptions@leics.gov.uk if you wish to discuss further.
- 4 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.
 - 5 Severn Trent Water advise that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.
 - 6 Planning permission has been granted for this proposal. The Local Planning Authority acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England)) Order 2010 (as amended).
 - 7 This decision is subject to a Section 106 Obligation to secure the provision of on-site affordable houses.
 - 8 In relation to Condition 4, the use of a Charcon Woburn Graphite Rumbled block or equivalent is recommended. The Local Planning Authority would also encourage the use of a permeable surfacing material.
 - 9 In relation to Condition 11, it is expected that the parking courtyards be illuminated by bollard lighting and that spaces should be numbered by metal plates rather than thermoplastic white markings.
 - 10 In relation to Condition 5, the Local Planning Authority would expect new boundary treatments to be erected on any site boundary that is currently in a poor state of repair and would expect brick walls to be erected on public facing boundaries.