

Erection of 28 residential units with associated access and parking

Report Item No
A2

Former Depot Highfield Street Coalville Leicestershire LE67 3BL

Application Reference
14/00931/FULM

Applicant:
Westleigh Developments

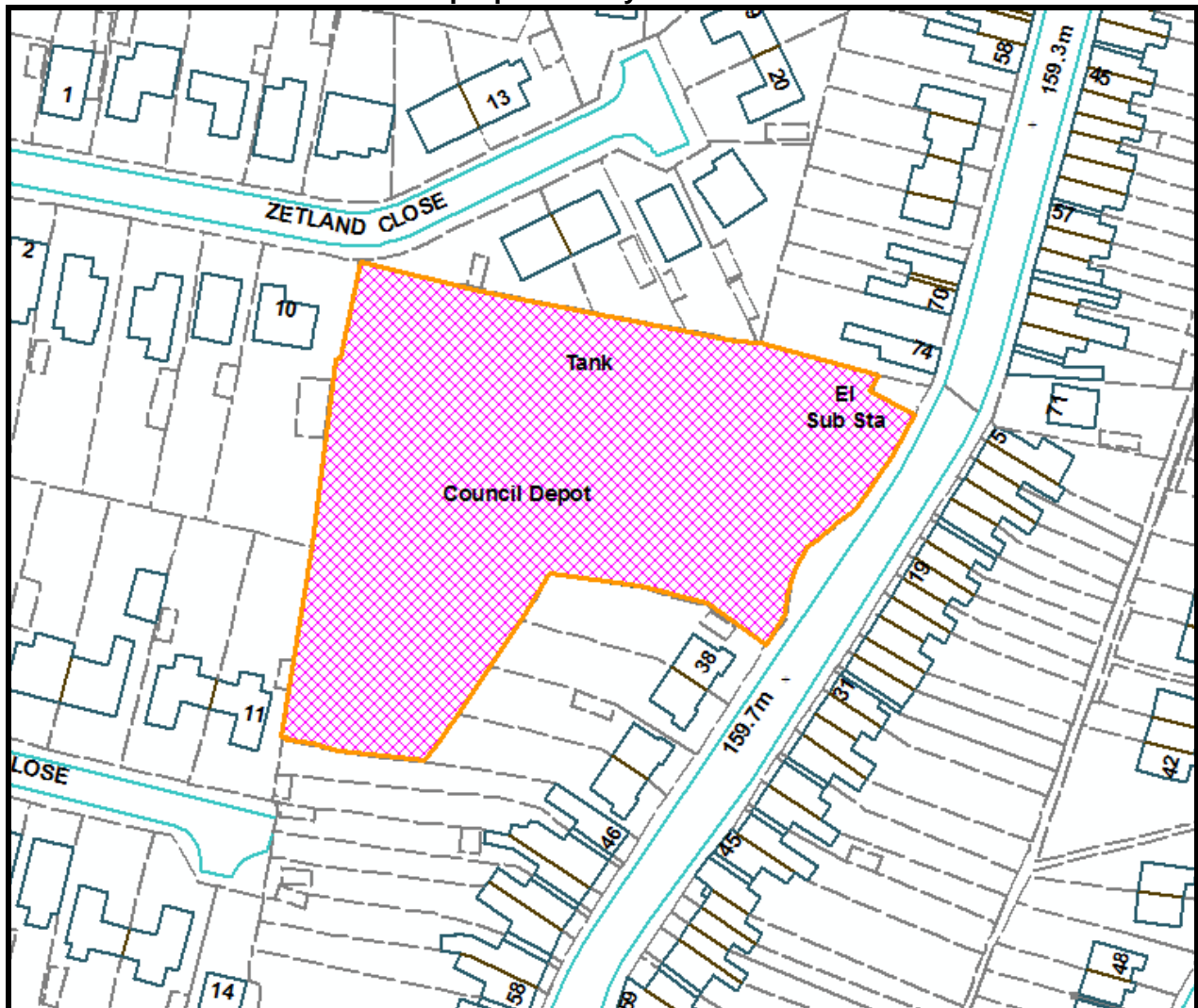
Date Registered
13 October 2014

Case Officer:
James Mattley

Target Decision Date
12 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 28 residential units with associated access and parking. All of the proposed units would be provided as affordable housing.

Consultations

Members will see from the report below that some objections 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, on a brownfield site 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. The scheme would not result in significant impacts upon protected species and there would be no flood risk or drainage issues. 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 28 residential units with associated access and parking at the former depot site off Highfield Street, Coalville. The site is located in a predominantly residential area with dwellings surrounding the site. The application site is within Limits to Development as defined in the adopted North West Leicestershire Local Plan.

All the dwellings would be provided as affordable dwellings. The proposal includes 2 x 2 bed bungalows, 14 x 2 bed houses, 8 x 1 bed flats and 4 x 3 bed houses which, with the exception of the bungalows, would all be two-storey and comprise semi-detached and terraced properties. Access to the site would be gained from Highfield Street and the proposal would necessitate the demolition of a range of existing depot buildings on the site.

The application is accompanied by a design and access statement, ecology and protected species survey, building for life assessment and remedial method 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.

The application has been called to Planning Committee by Councillor Johnson because of local concerns and overlooking impacts towards Zetland Close and Bedale Close. Amended plans have been secured during the course of the application in order to try and address the overlooking impacts towards Zetland Close and Bedale Close.

Recent Planning History:

14/00890/DEM - Demolition of depot buildings - No objections

07/0117/3FD - Erection of pre-fabricated office accommodation for a temporary period of two years - Permitted.

2. Publicity

39 no. neighbours have been notified (Date of last notification 16 March 2015)

Site Notice displayed 6 November 2014

Press Notice published 12 November 2014

3. Consultations

County Highway Authority

Environment Agency

Severn Trent Water Limited

Head of Environmental Protection

LCC ecology

NWLDC Urban Designer

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

Head of Street Management North West Leicestershire District Council

4. Summary of Representations Received Statutory Consultees

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

Leicestershire County Council Ecologist has no objection to the proposal and there is no evidence of bats in the buildings. No further surveys or action is required.

Leicestershire County Council Highway Authority has no objection subject to the inclusion of relevant highway conditions and obligations.

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 objections subject to the inclusion of relevant drainage conditions.

Third Party Representations

A total of three letters of objection have been received from surrounding occupiers objecting to the application on the following grounds:

- proposed bin storage areas would be sited in close proximity to existing residential gardens;
- concerns regarding maintenance of fencing;
- request for off-street car parking for existing residents along Highfield Street;
- concern regarding the level of parking and highway safety of the scheme.

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 28 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 0.51 hectares, the proposal would have a density of 54.9 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 traditional form of development along Highfield Street is characterised by back of footway/frontage development which is predominantly two-storey in height. Dwellings are typically constructed of red brick and plain tile in the locality. The application site and the existing depot buildings that are on the site are at odds with the general pattern of development in the surrounding area. The buildings are set within a generous curtilage with most buildings set back from the general building line of the street which dilutes the sense of enclosure found within the adjoining parts of the street. The frontage of the scheme has been designed to take into account the prevailing building line in the surrounding area with Plots 1-7 fronting the highway.

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 concerns principally related to the appearance of the dwellings and whether they were in keeping with the character and appearance of the surrounding area, the extent of displaced parking and the relationship between the proposed development and bungalows on Zetland Close. The amended plans represent an improvement over the originally submitted plans although it would still be necessary to attach relevant planning conditions to ensure an appropriate brick, brick bond, roof tiles, chimney details, eaves, verges, windows and doors are secured. The District Council's Urban Designer considers that the scheme still merits a number of amber indicators that suggest areas of the proposals still require further work. However, these matters could be addressed through suitably worded planning conditions.

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 Highfield Street, Zetland Close and Bedale Close.

Plot 1 would be sited generally in line with No.38 Highfield Street and neither the existing or proposed dwelling would have first floor habitable side windows. This would ensure that an acceptable relationship is formed in this part of the site. Plot 7 would be sited generally in line with No.74 Highfield Street and whilst no habitable room windows are proposed on the side elevation of Plot 7 there are first floor side windows serving habitable rooms on No.74 and these would look towards the rear amenity space of Plot 7. Whilst this relationship is not ideal in terms of the amenity of future occupiers, it is noted that Plot 7 would benefit from a fairly large rear garden and the layout plan also includes for landscaping on the boundary which would assist in reducing any direct overlooking issues.

The original site layout showed that Plots 8-13 would be sited between 8 and 10.5 metres away from the boundary with bungalows located on Zetland Close. The applicant was advised to amend the positioning of Plots 12 and 13 in order to provide a greater distance between first floor rear windows and the boundary with the rear amenity space belonging to 12 Zetland Close. Amended plans have been received securing a more acceptable relationship with this property as the finished floor level of the proposed dwellings has been reduced by 0.3 metres and they

have been re-sited a further 1 metre away from the boundary with 12 Zetland Close. A sectional drawing has been provided which demonstrates that no significant overlooking issues would arise and the landscaping condition could require the planting of a row of trees along this boundary which would further improve this relationship.

Plots 14-20 would be sited between 7 and 9 metres from the rear amenity space belonging to plots 10 Zetland Close and 11 Bedale and some overlooking issues may arise. Whilst a greater distance would have been preferable, it should be noted that there are currently two large industrial buildings which are located immediately on the boundary with these properties and which currently cause overbearing impacts upon these properties. On balance, the proposal is considered to represent an improvement to the residential amenities of these properties and the landscaping condition could require the planting of a row of trees along this boundary which would further improve this relationship.

The two storey building serving plots 23-28 would be located at the end of the rear gardens belonging to No.38 and N0.40 Highfield Street. The 'L' shaped elevation of the apartment block would impact predominantly on No.38 Highfield Street. In terms of overlooking, the 'L' shaped elevations would contain two windows at first floor level that would look directly towards the end section of the rear garden belonging to No.38. However, these do not serve habitable windows and are shown as obscure glazing which would ensure against significant direct overlooking impacts. The eastern side end gable to the apartment block would contain two first floor bedroom windows but these would only have an oblique view towards the rear garden of No.38. Having regard to the overall size of the rear garden belonging to No.38 and the relationships outlined above, it is not considered that any significant overlooking issues would arise. In terms of overshadowing impacts, the orientation between the existing garden and the proposed dwelling would ensure that no significant overshadowing impacts would arise. There would be some overbearing impacts upon the end section of the rear garden but given the overall size of the rear garden these are not considered to result in significant impacts upon residential amenity that would warrant a refusal of the application.

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 by upgrading the existing access onto Highfield Street. The submitted plan indicates that this access would be a minimum width of 4.8 metres overall. The County Highway Authority states that they would normally seek to resist a proposal that could lead to an increase in use of an access where visibility is substandard. However, on the basis of the existing use of the site and the potential for traffic, it is unlikely that it would be possible to sustain a reason for refusal on highways grounds. A range of conditions and obligations are recommended by the County Highway Authority should planning permission be granted.

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.

A total of 48 car parking spaces are proposed which equates to an average of 1.71 car parking spaces per dwelling. Whilst this level of car parking is over and above the level required by the Local Plan, it is noted the County Highway Authority raises no objections to the level of car parking and the submitted layout is acceptable in this regard. With the exception of one bed units on the site, all properties would have access to two car parking spaces. On this basis, the level of car parking is considered to be acceptable.

The County Highway Authority also requires a construction traffic routing agreement which would need to be secured by a Section 106 agreement.

A letter of representation from a surrounding neighbour has indicated that the proposed development should provide off-street car parking spaces for existing residential properties. No such provision is proposed on the plan and the County Highway Authority consider the scheme to be acceptable without providing additional car parking for existing properties.

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%);

- Payment of £35,752.34 to Leicestershire County Council in respect of high school education;
- Payment of £1,831 to Leicestershire County Council in respect of civic amenity;
- Payment of £1,340 to Leicestershire County Council in respect of Libraries (towards the costs of an enhanced programme of refurbishment / improvements to facilities, including equipment and other library materials);
- Provision of an on-site children's play area (including provision of a commuted sum in respect of future maintenance) or an off-site contribution of £24,700;
- Provision of Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack);
- Provision of 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £350.00 per pass);
- New/Improvements to 2 nearest bus stops (including raised and dropped kerbs to allow level access); to support modern bus fleets with low floor capabilities. At £3263.00 per stop;
- Information display cases at 2 nearest bus stops; to inform new residents of the nearest bus services in the area. At £120.00 per display;
- 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 any 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 that 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.

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. A Section 106 agreement would also be required in order to control construction traffic routing.

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 maintenance issues are not material planning considerations.

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. The scheme would not result in significant impacts upon protected species and there would be no flood risk or drainage issues. 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:

Drawing number 40076/019A deposited with the local planning authority on 24 February 2015;

Drawing number 40076/002M deposited with the local planning authority on 24 February 2015;

Drawing number 40076/016A deposited with the local planning authority on 24 February 2015;

Drawing number 40076/015E deposited with the local planning authority on 24 February 2015;

Drawing number 40076/012B deposited with the local planning authority on 11 December 2014;

Drawing number 40076/011B deposited with the local planning authority on 11 December 2014;

Drawing number 40076/013B deposited with the local planning authority on 11 December 2014;

Drawing number 40076/008C deposited with the local planning authority on 11

December 2014;
Drawing number 40076/007B deposited with the local planning authority on 11 December 2014;
Drawing number 40076/014C deposited with the local planning authority on 11 December 2014;
Drawing number 40076/001 deposited with the local planning authority on 13 October 2014;
Drawing number 40076/003 deposited with the local planning authority on 13 October 2014;
Drawing number 40076/009A deposited with the local planning authority on 13 October 2014;
Drawing number 40076/006A deposited with the local planning authority on 13 October 2014;
Drawing number 40076/005A deposited with the local planning authority on 13 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)
 - vi. render

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 - The existing details are unacceptable from a design perspective.

- 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 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.

- 11 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.

- 12 Before first occupation of any dwelling hereby permitted, all redundant existing vehicular accesses shall be closed permanently and the redundant existing vehicular crossings reinstated in accordance with a scheme that has first been submitted to and agreed in writing with the Local Planning Authority.

Reason - In the interests of pedestrians and in the general interests of highway safety.

- 13 Before first occupation of any dwelling, the car parking and turning shall be provided, hard surfaced and made available for use as shown on the submitted plans. The parking spaces and turning areas so provided shall thereafter be permanently so maintained.

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.

- 14 Before first occupation of any dwelling 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.

- 15 If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected at the access they shall be set back a minimum distance of 5 metres behind the highway boundary and shall be hung so as to open inwards only.

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.

- 16 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.

- 17 Before the development commences, details of satisfactory pedestrian visibility splays at the junction of each private access with the main access road shall be submitted to the Local Planning Authority for approval in writing. Before the first occupation of each dwelling, the approved pedestrian visibility splays in connection with the access serving that dwelling shall be provided with nothing within those splays higher than 0.6 metres above ground level, in accordance with the current standards of the Highway Authority and shall be so maintained in perpetuity.

Reason - In the interests of pedestrian safety.

- 18 Before the development commences, details of maximum achievable visibility splays at the junction of the private drive with Highfield Street shall be submitted to the Local Planning Authority for approval in writing. The approved visibility splays shall be

provided before first occupation of any dwelling hereby permitted, and shall be so maintained in perpetuity. Nothing shall be allowed to grow above a height of 0.6 metres above ground level within the visibility splays.

Reason - To afford satisfactory visibility at the access/junction to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.

- 19 Before first occupation of any dwelling, its access drive and any turning space shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and shall be so maintained at all times.

Reason - To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)

- 20 The proposed access shall have an EFFECTIVE width of a minimum of 4.8 metres for a distance of at least 10 metres behind the highway boundary.

Notes: If the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.

Reason - 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.

- 21 Before first occupation of any dwelling hereby permitted, the vehicular access to the site shall be provided with 6 metre radii on both sides of the access.

Reason - To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety and to afford easy access to the site and protect the free and safe passage of traffic in the public highway.

- 22 Before the development hereby permitted is first used, cycle parking provision shall be made to the satisfaction of the LPA and once provided shall be maintained and kept available for use in perpetuity.

Reason - In the interests of the sustainability of the development and to encourage alternative transport choice.

- 23 Notwithstanding the submitted details, no development shall commence on site until such time as precise details of amendments to the existing waiting restrictions complete with associated road markings and signage has been submitted to and agreed in writing by the Local Planning Authority. No dwelling shall be occupied until such time as the agreed scheme has been implemented in full, unless otherwise agreed in writing with the Local Planning Authority.

Reason - To ensure a satisfactory form of access and in the interests of road safety.

- 24 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.

- 25 The window units serving the first floor hall, bathroom and landing on the apartment block 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.

Notes to applicant

- 1 This decision is subject to a Section 106 Obligation regarding the following matters:
 - Provision of on-site affordable houses;
 - Construction traffic routeing;
 - Monitoring fees.
- 2 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.
- 3 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).
- 4 Your attention is drawn to the comments made by the Environment Agency (ref: LT/2014/118704/01-L01)
- 5 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.
- 6 In relation to Condition 10, 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.
- 7 In relation to Condition 5, the Local Planning Authority would expect that public facing boundaries are constructed in brick rather than timber.
- 8 On the basis of the submitted plans, the details of visibility splays, including pedestrian visibility splays are not in accordance with the guidance contained in 'The 6Cs Design Guide'. Before development commences, an amended plan should be submitted to and approved by the Local Planning Authority.

The Highway authority would recommend that a requirement for details of the routeing of construction traffic, to be approved by the Local Planning Authority in consultation with the Highway Authority, should be included in a S106 legal agreement. During the period of construction, all traffic to and from the site shall use the agreed route at all times unless otherwise agreed in writing by the LPA.

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. The SAB role is currently anticipated to commence in April 2014. 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.

The internal layout geometry does not comply with current adoptable standards contained in the Leicestershire County Council publication 'The 6Cs Design Guide' and will not be adoptable in this format. The Applicant is strongly encouraged to provide a layout that will be suitable for adoption in accordance with this guidance. The Highway Authority will, however, serve APCs in respect of all plots served by the private road 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.

Normally, when a layout provides details of direct frontage access onto an access road, a 2 metres wide footway should be provided on that side.

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. No work shall commence on site without prior notice being given to the Highways Manager.

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.

- 9 In relation to Condition 8, it is recommended that a row of trees be provided along the northern boundary to further improve the relationship between the scheme and the adjacent properties.
- 10 In relation to Condition 3, it is recommended that the render used on the scheme is traditionally applied rough cast render, consistent with the traditional characteristics of the area from which the scheme draws its inspiration.