

Demolition of existing buildings and erection of up to 18 dwellings and retail convenience store (A1) (outline - details of part access included).

Report Item No  
A5

Workspace 17 Highfield Street Coalville Leicestershire LE6  
3BR

Application Reference  
16/00415/OUTM

Applicant:  
Leicestershire County Council

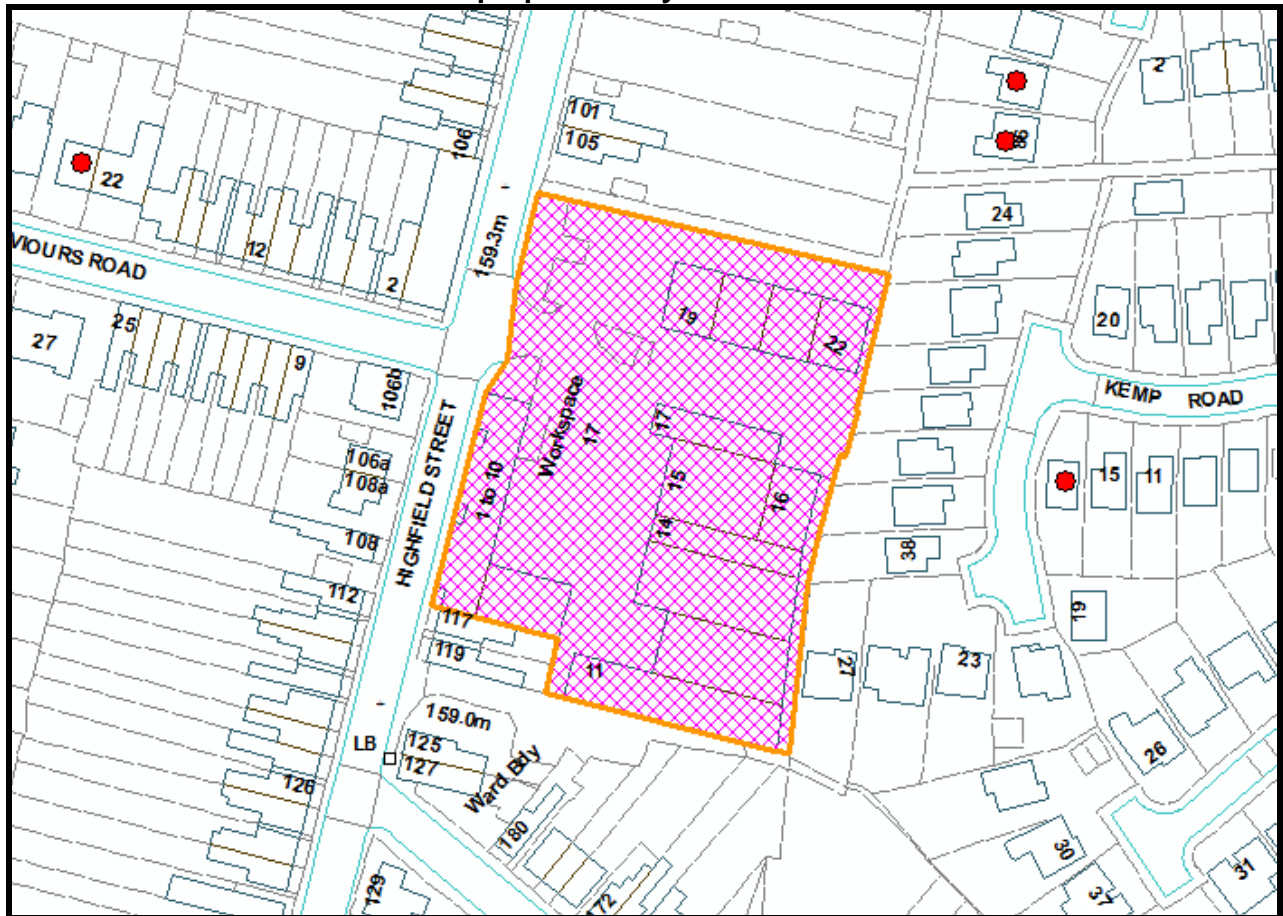
Date Registered  
27 June 2016

Case Officer:  
James Mattley

Target Decision Date  
26 September 2016

Recommendation:  
PERMIT Subject to a Section 106 Agreement

Site Location - Plan for indicative purposes only



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## EXECUTIVE SUMMARY OF PROPOSALS

### Call In

The application has been called in by Councillor Legrys on the grounds of loss of existing employment land.

### Proposal

Planning permission is sought for the demolition of existing buildings, erection of up to 18 dwellings and the erection of a retail convenience store (A1) (outline - details of part access included) at Workspace 17, Highfield Street, Coalville. The application site which measures some 0.56 hectares is located within the Limits to Development.

### Consultations

One letter of representation has been received which supports the proposal. All statutory consultees have raised no objections subject to the imposition of conditions on any consent granted.

### Planning Policy

It is considered that the development would be compliant with all relevant paragraphs of the National Planning Policy Framework (NPPF) as well as the relevant policies of the adopted and publication version Local Plans and other guidance.

### Conclusion

The site is located within the Limits to Development where the principle of residential development is considered acceptable. The site is a sustainable location for new residential development. The loss of employment land in this instance is considered to be acceptable when having regard to the nature of the existing units, the surrounding residential location and because alternative employment provision would be provided elsewhere in Coalville. The proposed retail convenience store would not result in significant adverse impacts upon the vitality and viability of Coalville Town Centre. Having regard to all of these issues, the proposal is considered to represent sustainable development and would be acceptable in principle.

At the reserved matters stage it would be possible to site up to 18 dwellings and a retail convenience store within the site that would be acceptable in terms of the residential amenities of existing and future occupiers and that could 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.

Therefore, it is recommended that the application be permitted subject to conditions and subject to a Section 106 agreement.

**RECOMMENDATION - PERMIT, subject to conditions and subject to a Section 106 legal agreement;**

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and**

**Members are advised that this summary should be read in conjunction with the detailed report.**

## MAIN REPORT

### 1. Proposals and Background

Planning permission is sought for the demolition of existing buildings and erection of up to 18 dwellings and a retail convenience store (outline - details of part access included) at Workspace 17, Highfield Street, Coalville. The application site which measures some 0.56 hectares is located within the Limits to Development.

The existing light industrial units on the site would be demolished in order to make way for the proposed development. The scheme when it was originally submitted was for 20 dwellings but has now been reduced to a maximum of 18 dwellings. Whilst all matters other than part access are reserved for subsequent approval, an illustrative masterplan has been submitted showing the proposed dwellings and the retail convenience store, together with proposed and retained landscaping.

The applicants have submitted two additional applications in the Coalville area that would secure alternative employment provision (16/00409/OUT and 16/00416/OUTM). The Local Planning Authority is also considering an alternative proposal on the application site for the demolition of existing buildings and erection of up to 20 dwellings (outline - details of part access included) under reference no. 16/00414/OUTM. These applications are also reported in this Planning Committee agenda.

The application is accompanied by a planning, design and access statement, historical building survey, ecology report, geotechnical desk study, sequential assessment and drainage strategy.

The application has been called in by Councillor Legrys on the grounds of loss of employment.

No recent planning history found.

### 2. Publicity

56 neighbours have been notified (Date of last notification 16 August 2016)

Site Notice displayed 5 July 2016

Press Notice published 6 July 2016

### 3. Consultations

County Highway Authority  
Severn Trent Water Limited  
Head of Environmental Protection  
NWLDC Tree Officer  
County Archaeologist  
LCC ecology  
NWLDC Urban Designer  
National Forest Company  
LCC Development Contributions  
NHS Leicester, Leicestershire And Rutland Facilities Management  
Building Control - NWLDC  
Head Of Leisure And Culture  
Manager Of Housing North West Leicestershire District Council  
Police Architectural Liaison Officer  
LCC Flood Management

Head Of Street Management North West Leicestershire District  
Kay Greenbank

#### **4. Summary of Representations Received**

**Leicestershire County Council Archaeologist** does not consider that any further archaeological work is required as part of the scheme.

**Leicestershire County Council Ecologist** has no objections to the proposed development subject to conditions.

**Leicestershire County Council Education Department** requests a developer contribution of £26,099.21.

**Leicestershire County Council Footpaths** raises no objection to the scheme subject to the imposition of conditions.

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

**Leicestershire County Council Library Service Team** requests a developer contribution of £540.

**Leicestershire County Council Lead Local Flood Authority (LLFA)** considers that the proposed scheme is acceptable subject to the inclusion of relevant planning conditions.

**National Forest Company** raises no objection to the proposed scheme subject to off-site planting or to an off-site financial contribution.

**North West Leicestershire Environmental Protection Section** has no objections subject to conditions in respect of a construction management plan and land contamination.

**Severn Trent Water** has no objection to the proposal subject to the imposition of conditions.

One letter of representation has been received expressing a preference for this scheme over the purely residential development. The representation letter also supports the development as it would retain the existing trees on the site.

#### **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 adopted 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 22 (Building a strong, competitive economy)  
Paragraph 24 (Ensuring the vitality of town centres)  
Paragraph 26 (Ensuring the vitality of town centres)  
Paragraph 27 (Ensuring the vitality of town centres)  
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 109 (Conserving and enhancing the natural environment)  
Paragraph 112 (Conserving and enhancing the natural environment)  
Paragraph 118 (Conserving and enhancing the natural environment)  
Paragraph 123 (Conserving and enhancing the natural environment)  
Paragraph 124 (Conserving and enhancing the natural environment)  
Paragraph 203 (Planning conditions and obligations)  
Paragraph 204 (Planning conditions and obligations)

**Adopted North West Leicestershire Local Plan (2002)**

The following Local Plan policies are relevant to this application:

Policy S2 - Limits to Development  
Policy E2 - Landscaped Amenity Open Space  
Policy E3 - Residential Amenities  
Policy E4 - Design  
Policy E7 - Landscaping  
Policy F1 - National Forest General Policy  
Policy F2 - National Forest Tree Planting  
Policy F3 - National Forest Landscaping and Planting  
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 R1 - Central Shopping Areas  
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 Greater Coalville Area.

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

### **North West Leicestershire District Council Play Area Design Guidance SPG**

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

### **Publication Version North West Leicestershire Local Plan**

The publication version of the Local Plan was agreed by Council on 28th June 2016 with a view to its submission for examination in September 2016. Given the advanced stage that has now been reached it is considered that weight can be attached to the following policies:

- S1 - Future housing and economic development needs
- S2 - Settlement hierarchy
- D1 - Design of new development
- D2 - Amenity
- H4 - Affordable housing
- IF1 - Development and infrastructure
- IF4 - Transport Infrastructure and new development
- IF7 - Parking provision and new development
- En1 - Nature conservation
- En3 - The National Forest
- Cc2 - Flood risk
- Cc3 - Sustainable drainage systems

## **6. Assessment**

### **Principle and Sustainability**

The site is located within the Limits to Development within the adopted and publication version Local Plan, where the principle of residential development is considered acceptable subject to highway, design and amenity criteria and compliance other relevant policies of the adopted Local Plan and other material considerations.

Policy H4/1 of the adopted 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 site is located within Greater Coalville where there is a range of day to day services and facilities that would be readily accessible via public transport to future occupiers. Taking this into account, it is considered that the application site is located within a sustainable location.

One of the main issues with the principle of developing the site is the loss of employment land. The existing site is made up of a number of small light industrial units which vary in size but which provide for a total floorspace of approximately 23,000 square feet (2137 square metres). Whilst it is important to seek to maintain the existing stock of employment land and buildings, in order to provide a basis for continuing economic prosperity of the area, the NPPF advises against the 'long term protection of sites allocated for employment use where there is no

reasonable prospect of a site being used for that purpose'. Policy Ec3 of the publication version Local Plan also allows for non-employment development subject to one of the following criteria being satisfied:

- (a) The property has been vacant for at least 6 months and has been the subject of genuine marketing for commercial (B class) uses for at least that period of time, at reasonable market values, and which has proved unsuccessful, or, where the use is no longer economically viable;
- (b) The site is no longer capable of meeting the needs of modern businesses;
- (c) Continuation in employment use would be inappropriate in terms of adjoining uses or the amenity of the wider area

At present occupancy rates of these units is at 14% and on the whole the units are in a poor state of repair which Leicestershire County Council consider are not financially viable to repair. It is also recognised that the existing site is located in a predominantly residential area where the noise and disturbance arising from industrial uses is not harmonious with surrounding residential amenity. Taking this into account, the proposal would not conflict with the criteria outlined in Policy Ec3 of the publication version Local Plan.

In addition, whilst the proposal would result in the loss of employment on the site, the applicants have submitted two additional applications in the Coalville area that would secure alternative employment provision. The details of these applications are detailed below:

16/00409/OUT - 8,000 square feet (743 square metres) of B2 at Samson Road, Coalville  
16/00416/OUTM - 52,000 square feet of B1/B2 at Vulcan Way, Coalville

The strategy put forward by Leicestershire County Council would result in the loss of 23,000 square feet of employment floorspace at the Highfield Street site but this would be replaced by 60,000 square feet of new modern employment floorspace elsewhere within Coalville. The applicant estimates that the new sites would support between 95 and 120 jobs whereas the Highfield Street site is only able to support approximately 47 jobs on the site (and only provides for 7 jobs at present due to low occupancy rates).

Having regard to all of the above it is considered, overall, that the proposed development of the site is acceptable in principle but it would be necessary to include provisions in the Section 106 legal agreement to ensure that the alternative employment provision elsewhere in Coalville is provided within an appropriate time period.

### **Proposed Main Town Centre Uses**

The proposed development includes a convenience store of up to 370 square metres (gross) and the planning application is supported by information in respect of the sequential test.

In terms of the sites considered by the applicants' Retail Assessment, these are principally the development sites at the Belvoir Shopping Centre and land at Hotel Street both in Coalville. The Retail Assessment concludes that neither of these sites would be available for redevelopment within a reasonable timescale and they would serve a different catchment area to the neighbourhood convenience store proposed at the application site. Three vacant units within and on the edges of the town centre have also been considered but none of these would provide for a suitable level of floorspace.

Paragraph 24 of the NPPF provides that local planning authorities 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. The application site is out of centre (i.e. the least sequentially suitable), although it is accepted that, for the reasons set out in the applicants' Retail Assessment, no centre or edge of centre locations are available. Paragraph 24 also provides 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. In this case, for the reasons already set out within this report, the site has a good level of accessibility.

Insofar as impact is concerned, the NPPF does not require an impact assessment for developments of less than 2,500sqm. However, Paragraph 27 provides that, where an application is likely to have significant adverse impact on town centre vitality and viability or investment in centres, it should be refused. In this case, it is accepted that any significant adverse impacts on existing centres would be unlikely.

On the basis of the above, it is considered that the proposed development would be acceptable in retail / town centre policy terms, and would not adversely affect the vitality and viability of nearby centres.

### **Means of Access and Transportation**

All matters are reserved for subsequent approval except for access into the site from Highfield Street. Whilst the illustrative layout shows internal access roads, these would be a matter for the reserved matters stage(s).

The existing site access onto Highfield Street would be utilised. The County Highway Authority (CHA) has been consulted on the application and raises no objection to the proposed scheme subject to the inclusion of conditions. Some recommended conditions would need to be considered at the reserved matters stage and the legal obligation would need to secure details of the routing of construction traffic.

In conclusion, the County Highway Authority raises no highway safety objections to the proposed scheme subject to the inclusion of relevant conditions. Taking these matters into account, therefore, the proposed development is considered acceptable in terms of Means of Access and Transportation issues and would comply with Local Plan Policy T3 in the adopted Local Plan, Policy IF4 in the publication version Local Plan and the advice in the NPPF.

### **Neighbours' Amenities**

The impacts on neighbouring occupiers arising from the proposed development would need to be assessed at the reserved matters stage(s); notwithstanding the details shown on the illustrative layout, there would appear to be no reason in principle why up to 18 units and a retail convenience store could not be provided on the site in a manner which would not significantly adversely impact upon neighbours' amenities.

The District Council's Environmental Protection team has no objections subject to a condition regarding construction details. However, the condition recommended would not meet the tests for conditions as it would require information to be provided that is covered under separate legislation. In addition, it is not considered that the proposal would result in significant adverse impacts on health or quality of life. Accordingly, the requirements Policy E3 of the adopted Local Plan and D2 of the publication version Local Plan are considered to have been met by the scheme and the proposal would not conflict with paragraph 123 of the NPPF.

## **Design**

The proposed scheme has been assessed by the District Council's Urban Designer, and rated in accordance with CABI's Building for Life 12 criteria which scores on the basis of red/amber/green. The Council's Urban Designer reviewed the original proposals for up to 20 dwellings and originally had some concerns over the illustrative layout that had been submitted as part of the application. These concerns included issues regarding the amount of development and parking integration.

The applicant submitted a revised layout reducing the overall number of dwellings from 20 to 18 and has also provided additional information which has addressed some of the issues which have been raised. It is accepted that the majority of these issues would need to be fully addressed by reserved matters including connectivity to the surrounding public right of way. Suitable conditions and notes to applicant can be provided to indicate that the design concerns would need to be fully addressed as part of any future reserved matters application(s).

Therefore, whilst the scheme in outline cannot be assessed fully against Building for Life, it is considered that it has been demonstrated that, in principle, an appropriate scheme for up to 18 dwellings and a retail convenience store could be satisfactorily developed on the site, and would comply with E4 of the adopted Local Plan, D1 of the publication version Local Plan and advice in the NPPF.

## **Density**

Local Plan Policy H6 provides that, for sites of 0.3 hectares and above, residential development should meet a minimum density of 40 dwellings per hectare within locations well served by public transport and accessible to services, and a minimum density of 30 dwellings per hectare elsewhere.

The application site area is given as 0.56 hectares and the maximum of 18 dwellings proposed by the developers would therefore equate to a maximum density of 32.1 dwellings per hectare, which would fall short of the requirements set out in Policy H6. However, when considering that parts of the site would be taken up by the creation of new landscaping, the retention of existing trees and the provision of a retail convenience store, the net dwelling density would be higher and more in-line with that stated in Policy H6. Therefore, the scheme is considered to have an appropriate density.

## **Ecology and Trees**

There are existing trees located within the north western section of the site that are protected by a Tree Preservation Order. The illustrative masterplan indicates that these trees are shown for retention on the illustrative masterplan. In the event that planning permission were to be granted, conditions would need to be attached to any planning permission requiring existing trees to be protected during construction works and the issues surrounding trees would need to be considered further at the reserved matters stage once the precise location of built development was established.

In terms of ecology, Leicestershire County Council's ecologist considers that the ecology reports that have been submitted are satisfactory and the proposal would not cause unacceptable impacts upon protected species. The submitted ecology report recommends that bird boxes are installed on the new buildings and this could be secured at the reserved matters stage.

Therefore, subject to the imposition of suitably-worded conditions and notes to applicant the submitted scheme is considered acceptable in ecological terms and in respect of the impact upon trees.

### **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 LLFA 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**

The requested developer contributions are listed below.

#### *Affordable Housing*

The Council's SPD on affordable housing indicates that for developments of this scale in the Greater Coalville area 20% of the units should be provided as affordable housing (i.e. 4 units, assuming the construction of the maximum 18 dwellings as proposed). In terms of tenure split, the District Council's Affordable Housing Enabler advises that a tenure split of 80% affordable rented and 20% shared ownership would be sought and the District Council's Strategic Housing Team is seeking the following:

Affordable Rented - 3

1 x 2 bed homes  
2 x 3 bed homes

Shared ownership - 1

1 x 3 bed home

However, it is accepted that the current requirements are likely to change over time, and it is considered appropriate for the Section 106 agreement to secure a minimum of 20% (and including the tenure split suggested above) with the actual contribution in terms of unit types to be agreed by the District Council.

#### *Education*

In respect of the proposed education contributions, Leicestershire County Council comments as follows:

#### *Primary School Requirements*

The site falls within the catchment area of Hugglescote Community Primary School. The School has a net capacity of 420 and 1007 pupils are projected on the roll should this development proceed; a deficit of 587 pupil places. A total of 533 pupil places are included in the forecast for

this school from S106 agreements for other developments in this area and have to be discounted. This reduces the total deficit for this school to 54 pupil places.

There are 6 other primary schools within a two mile walking distance of the development. There is an overall surplus in this sector after including all primary schools within a two mile walking distance of the development of 33 pupil places. An education contribution will therefore not be requested for this sector.

#### *High School Requirements*

This site falls within the catchment area of Newbridge High School. The School has a net capacity of 590 and 749 pupils are projected on roll should this development proceed; a deficit of 159 pupil places. A total of 121 pupil places are included in the forecast for this school being funded from S106 agreements for other developments in this area and have to be discounted. This reduces the total deficit for this school to 38 (of which 36 are existing and 2 are created by this development).

There is 1 other high school within a three mile walking distance of the development but this also has a deficit. In order to provide the additional high school places anticipated by the proposed development, the County Council requests a contribution for the high school sector of £26,099.21. This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Newbridge High School.

#### *Upper School Requirements*

This site falls within the catchment area of King Edward VII Science & Sport College. The College has a net capacity of 1193 and 1250 pupils are projected on roll should this development proceed; a deficit of 57 pupil places. There are currently no pupil places in this sector being funded from S106 agreements for other developments in the area to be discounted.

There is 1 other upper school within a three mile walking distance of the development which has a surplus of 309 pupil places. There is an overall surplus in this sector after including all upper schools within a three mile walking distance of the development of 252 pupil places. An education contribution will therefore not be requested for this sector.

#### *Library Services*

The proposed development is within 0.9km of Coalville Library and the proposal would impact on local library services in respect of additional pressures on the availability of local library facilities. Therefore, a library contribution of £540 is requested.

#### *Children's Play Equipment*

Under the District Council's Play Area Design Guidance Supplementary Planning Guidance (SPG), on-site children's play provision is required at a rate of 20 square metres per dwelling. Given that 18 dwellings are proposed, this would require a play area of not less than 360 square metres. No on-site children's play area is proposed as part of this proposal and no off-site commuted sum is proposed. The Council's SPG regarding children's play areas specifies that the Council will not seek any additional provision where existing play areas, within 400 metres walking distance, satisfy the needs of the area, including the proposed development.

There would be a distance of less than 400 metres between any part of the proposed site and the existing children's play area located to the north of Clutson Road and, therefore, this would be considered a reasonable walking distance in accordance with the Council's SPG. The existing children's play area is considered to be of a sufficient size and accommodates a sufficient level of equipment. Therefore, an off-site commuted sum will not be required in this instance.

#### *National Forest Planting*

The application site extends to 0.56ha and the National Forest Company's (NFC) Planting Guidelines, as set out in the Guide for Developers and Planners, expects 20% of the site area to be for woodland planting and landscaping. However, in this instance they would be willing to accept off-site planting and the applicant is agreeable to such an approach. In the event that planning permission were to be granted, this would need to be secured by a legal agreement.

#### **Other**

The existing public footpath to the north of the site is located outside of the application site and, therefore, it seems unlikely that the scheme would have a significant impact upon it. Therefore, it would be unreasonable to require the developer to upgrade the existing public footpath to a cycle path or to provide increased width and new surfacing. However, the scheme is likely to result in the removal of the palisade fence that forms the boundary between the site and the public right of way. The precise details of such boundary treatments would be an issue which is considered at the reserved matters stage.

#### **Conclusions**

The site is located within the Limits to Development where the principle of residential development is considered acceptable. The site is a sustainable location for new residential development. The loss of employment land in this instance is considered to be acceptable when having regard to the nature of the existing units, the surrounding residential location and because alternative employment provision would be provided elsewhere in Coalville. The proposed retail convenience store would not result in significant adverse impacts upon the vitality and viability of Coalville Town Centre. Having regard to all of these issues, the proposal is considered to represent sustainable development and would be acceptable in principle.

At the reserved matters stage it would be possible to site up to 18 dwellings and a retail convenience store within the site that would be acceptable in terms of the residential amenities of existing and future occupiers and that could 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.

Therefore, it is recommended that the application be permitted subject to conditions and subject to a Section 106 agreement.

**RECOMMENDATION - PERMIT, subject to conditions and subject to a Section 106 legal agreement;**

1 Application for approval of the reserved matters shall be made to the Local Planning

Authority before the expiration of three years from the date of this permission and the development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

- 2 Approval of the details of the appearance, layout, access (save for the details of vehicular access into the site from Highfield Street), landscaping and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

*Reason - This permission is in outline only.*

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

- Site Location Plan (0310) deposited with the Local Planning Authority on 27 June 2016.

*Reason - To determine the scope of this permission.*

- 4 A total of no more than 18 dwellings shall be erected and the A1 unit shall not have an internal floorspace in excess of 370 square metres.

*Reason - To define the scope of this permission.*

- 5 No development shall commence on site until a Remedial Scheme and a Verification Plan have been 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; and  
- BS 8485:2015 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings

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;  
- BS 8485:2015 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings;  
- CIRIA C735, "Good practice on the testing and verification of protection systems for buildings against hazardous ground gases" CIRIA, 2014.

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.

The Risk Based Land Contamination Assessment shall be carried out in accordance with:

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

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.*

- 6 Prior to occupation of the completed development, or part thereof, 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 the whole development, or part thereof, 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.*

- 7 No development 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 scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of two treatment trains to improve water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the

responsibility for the future maintenance of drainage features.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing and phasing arrangements embodied within the scheme.

Full details for the drainage proposal should be supplied including (but not limited to); flow control details, pipe protection details, long sections, cross sections, construction details, adoption and maintenance schedules and full model scenario's for the 1 in 1, 1 in 30 and 1 in 100 year plus climate change. Where discharging to a sewer, this should be modelled as surcharged for all events above the 1 in 30 year, to account for the design standards of the public sewers.

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

- 8 No development approved by this planning permission shall take place until such time as a detailed construction phasing plan has been submitted to, and approved in writing by, the Local Planning Authority.

Details within the phasing plan should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

*Reason - To prevent an increase in flood risk and maintain the existing surface water runoff quality through the entire development construction phase, and to prevent damage to the final surface water management systems.*

- 9 No development shall take place until a scheme for foul drainage has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.

*Reason - To protect the water environment by ensuring that there is no risk of pollution due to the increase in foul flows, particularly with regards to any potential adverse impact on the performance of any combined sewer overflows downstream.*

- 10 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.*

- 11 No site works of any description shall take place on the site until such time as the existing trees to be retained have been securely fenced off in accordance with a scheme that has first been submitted to and agreed in writing with the Local Planning Authority. Within the fenced off areas there shall be no alteration to ground levels, no compaction of the soil, no stacking or storing of any materials and any service trenches shall be dug



and back-filled by hand, unless any alteration is first agreed in writing by the Local Planning Authority.

*Reason - To ensure that existing trees are adequately protected during construction in the interests of the visual amenities of the area.*

- 12 The first reserved matters application shall be accompanied by a further Building for Life 12 assessment.

*Reason - To provide evidence that demonstrates detailed compliance with Building for Life 12.*

- 13 Unless first agreed in writing by the Local Planning Authority, no site clearance operations that involve the destruction or removal of vegetation on the site shall be undertaken during the months of March to August (inclusive).

Reason - To ensure that breeding birds are not adversely affected, in the interests of nature conservation.

### **Notes to applicant**

- 1 At the reserved matter stage, consideration should be given to the following:
- providing connectivity to the public right of way to the north of the site;
  - dual aspect buildings on corner plots;
  - well integrated car parking;
  - good quality hard and soft landscaping;
  - visible boundaries should be constructed in brick walls;
  - adequate lighting on any unadopted roads;
  - permeable surfacing;
  - surveillance of the adjacent public right of way.
- 2 Your attention is drawn to the notes to applicant provided by the LLFA in their response dated 18 August 2016.
- 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 2015.
- 4 A Section 106 legal agreement would be required and would need to include the following matters:  
Affordable Housing;  
Off Site National Forest Planting;  
Education contribution of £26,099.21  
Library contribution of £540;  
Construction traffic routeing;  
Ensuring alternative employment provision is provided elsewhere within Coalville.
- 5 At the reserved matters stage the Local Planning Authority would expect swift nest boxes to be installed as per the recommendations contained within the submitted ecology report.
- 6 Your attention is drawn to the comments from the Council's Recycling Team (dated 15 August 2016 11:50).