
Formation of site accesses to Standard Hill and Highfield Street (reserved matters to outline planning permission ref 12/00007/OUTM)

**Report Item No
A7**

**Land North Of Standard Hill And West Of Highfield Street
Coalville Leicestershire**

**Application Reference
16/01198/REMM**

**Applicant:
Miller Homes Ltd**

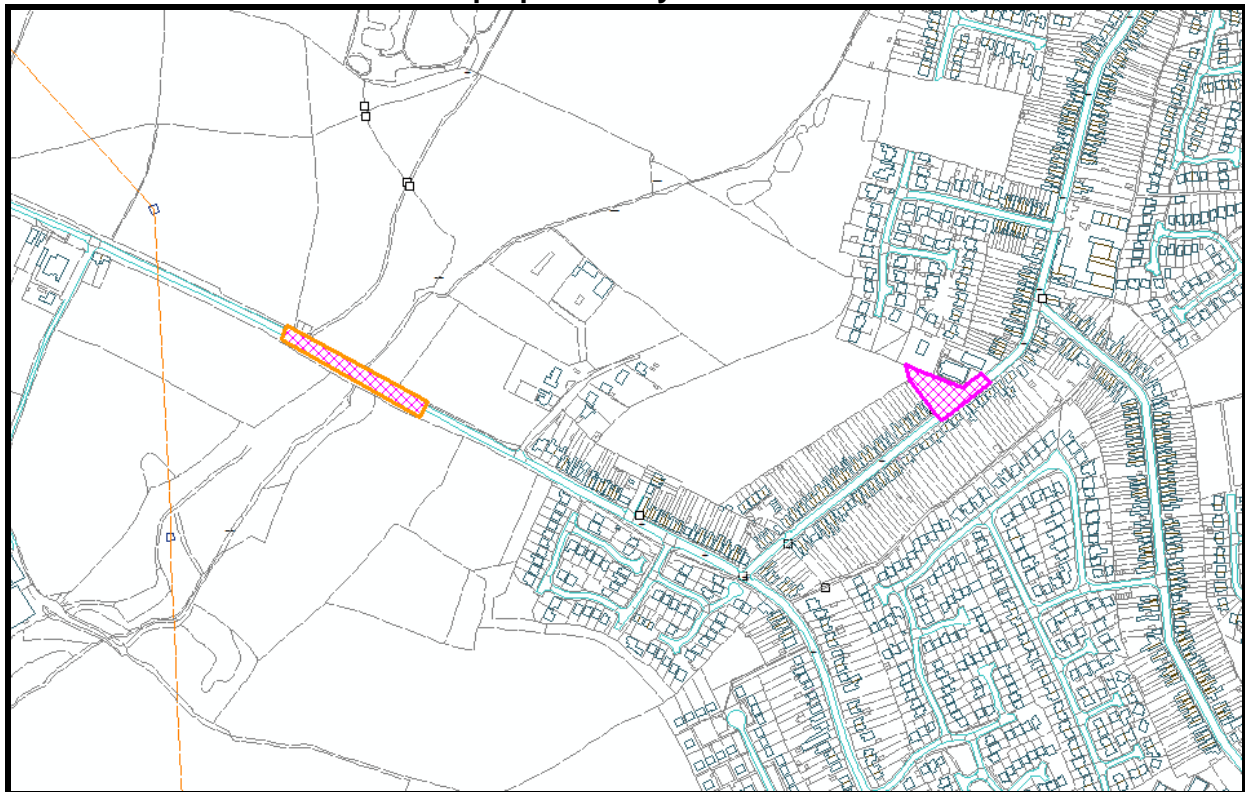
**Date Registered
18 October 2016**

**Case Officer:
James Knightley**

**Target Decision Date
17 January 2017**

**Recommendation:
PERMIT**

Site Location - Plan for indicative purposes only



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Executive Summary of Proposals and Recommendation

Proposal

This application seeks reserved matters approval for the sections of the site relating to two site accesses serving a residential development of up to 400 dwellings (outline planning permission 12/00007/OUTM).

Consultations

Members will see from the main report below that no objections have been received from statutory consultees in respect of the proposals.

Planning Policy

The application relates to two sections of the wider site the subject of the outline planning permission. The majority of the area surrounding the proposed Highfield Street access lies within Limits to Development as defined in the adopted North West Leicestershire Local Plan; the area surrounding the proposed Standard Hill access lies outside Limits to Development. Both sections lie within Limits to Development as defined in the submitted North West Leicestershire Local Plan, as well as being within a site identified as having planning permission for housing.

Conclusion

The report below indicates that the development is acceptable in principle, that there are no other technical issues that would indicate that planning permission should not be granted.

RECOMMENDATION:-

PERMIT SUBJECT TO THE IMPOSITION OF CONDITIONS

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

This is a reserved matters application relating to an outline planning permission for up to 400 dwellings on land adjacent to Standard Hill and Highfield Street, Coalville.

The outline planning permission (ref. 12/00007/OUTM) was issued on 17 April 2015 in accordance with the resolution to permit by the Planning Committee on 6 August 2013.

The outline permission included details of the proposed vehicular accesses from Standard Hill and Highfield Street. The approved schemes show the provision of priority junctions to both access points, and with a ghost island included on the Standard Hill access. The Highfield Street access is limited to serving a maximum of 100 dwellings.

Whilst the means of access itself has been approved at the outline stage, the current application essentially seeks reserved matters approval for the other reserved matters (i.e. appearance, landscaping, layout and scale) for the sections of the site as a whole in the vicinity of the approved Standard Hill and Highfield Street junctions.

The application is referred to the Planning Committee for a decision at the request of Councillor Geary.

2. Publicity

31 neighbours have been notified.

Press Notice published 16 November 2016

Site notice posted 11 November 2016

3. Consultations

Hugglescote And Donington Le Heath Parish Council
County Highway Authority
Severn Trent Water Limited
NWLDC Tree Officer
LCC ecology
LCC Flood Management
Kay Greenbank

4. Summary of Representations Received

Third Party Representations

Two representations have been received, making the following points:

- Supports the provision of an access to Highfield Street due to existing parking of vehicles making use of drive difficult
- Double yellow lines should be provided and enforced for 200 yards in either direction of the Highfield Street access
- Rear parking should be provided for Highfield Street residents
- Road needs to be kept clean during construction works
- Traffic lights should be used to discourage drivers cutting through Highfield Street

- Developers need to consider structural impact on neighbouring property when undertaking the development
- Existing brick wall to the boundary with the adjacent property should be retained or replaced with another brick wall

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 57 (Requiring good design)
- Paragraph 61 (Requiring good design)
- Paragraph 203 (Planning conditions and obligations)

Adopted North West Leicestershire Local Plan (2002)

The application relates to two sections of the wider site the subject of the outline planning permission. The majority of the area surrounding the proposed Highfield Street access lies within Limits to Development as defined in the adopted North West Leicestershire Local Plan; the area surrounding the proposed Standard Hill access lies outside Limits to Development.

The following adopted Local Plan policies are considered relevant to the determination of this reserved matters application:

- Policy E2 - Landscaped Amenity Open Space
- Policy E3 - Residential Amenities
- Policy E4 - Design
- Policy E7 - Landscaping
- Policy F1 - National Forest general policy
- Policy H7 - Housing Design

Submitted North West Leicestershire Local Plan

The publication version of the Local Plan was agreed by Council on 28 June 2016 and submitted for examination on 4 October 2016. The weight to be attached by the decision maker to this submitted version should be commensurate to the stage reached towards adoption.

The site is located within Limits to Development as defined in the submitted Local Plan and within an area identified as having planning permission for housing under Policy H1 (site H1n).

The following draft Local Plan policies are considered relevant to this reserved matters application:

Policy D1 - Design of new development

Policy D2 - Amenity

Policy En3 - The National Forest

6. Assessment

Principle of Development

The principle of development on this site for residential purposes was established by the grant of the original outline planning permission in April 2015 and, as a submission for reserved matters approval, therefore, the present application essentially seeks agreement of details in respect of the appearance, landscaping, layout and scale of the identified sections of the site. Assessment of this application should therefore relate to the implications of the particular scheme proposed under this reserved matters application; issues relating to the principle of the development and associated issues (e.g. the suitability of the site accesses from a highway safety point of view and impacts on the wider highway network), are not relevant to this application.

Relevant Reserved Matters Issues

Given the particular nature of the sections of the wider site the subject of this application (i.e. only those areas associated with the Standard Hill and Highfield Street accesses, and not involving the erection of any buildings), the extent of issues to be considered under the relevant reserved matters is limited. Having regard to the four identified reserved matters (i.e. appearance, landscaping, layout and scale), it is considered that the principal matters in this case are likely to be the landscape and layout.

Insofar as layout is concerned, this is in effect dictated by the form of the approved access roads. The submission includes a detailed landscaping scheme for both areas of the site the subject of this application, and the details shown in this regard are considered appropriate at these key site entrance locations. There are existing trees in the vicinity of the proposed Highfield Street access, but there are not considered to be any increased impacts on those trees beyond those already considered when the matter of access was determined at the outline stage.

Other Matters

Representations have been received requesting provision of double yellow lines to Highfield Street and provision of rear parking for existing residents. Whilst not matters for this reserved matters application, it is noted that the outline planning permission was subject to a Section 106 obligation requiring the developer to make an application for a Traffic Regulation Order to restrict on street parking on Highfield Street. It is also noted that, at the time that the outline application was under consideration, the developer confirmed that it would be willing to provide rear access parking to as many properties as possible on the north western side of Highfield Street; this would matter would, however, be more properly considered at the relevant reserved matters stage(s) for the section(s) of the wider site within which this rear access / parking provision would be situated. It is nevertheless noted that a request has also been received to provide direct access from the proposed Highfield Street access; the applicant's response to

this request has been requested and any comments received will be reported on the Update Sheet.

Conclusions

As set out above, the principle of the development has already been established by way of the outline planning permission, and assessment is therefore limited to those issues relevant to the submitted reserved matters.

The submitted scheme is considered acceptable in this regard, and approval is recommended.

RECOMMENDATION- PERMIT, subject to the following condition(s):

- 1 The development shall be carried out strictly in accordance with the conditions set out in the outline planning permission 12/00007/OUTM except as may be modified herein.

Reason - To determine the scope of this approval.

- 2 The proposed development shall be carried out strictly in accordance with the following plans deposited with the Local Planning Authority on 18 October 2016 unless otherwise required by a condition of this approval:
 - Site location plan (20078_00_010_01)
 - Landscape proposals (P16-0601_01)

Reason - To determine the scope of this approval.

- 3 The vehicular accesses to Standard Hill and Highfield Street shall not be brought into use until such time as a scheme for the implementation of the landscaping scheme shown on drawing no. P16-0601_01 (and including a timetable for implementation and details of measures to secure its long-term maintenance) has been submitted to and agreed in writing by the Local Planning Authority. The landscaping scheme shall thereafter be implemented and maintained in accordance with the agreed scheme.

Reason - To ensure satisfactory landscaping is provided within a reasonable period, and to comply with Policy E7 of the adopted North West Leicestershire Local Plan.

- 4 Any tree or shrub which may die, be removed or become seriously damaged shall be replaced in the first available planting season thereafter unless a variation to the landscaping scheme is agreed in writing with the Local Planning Authority.

Reason - To provide for the replacement of any trees, and to comply with Policy E7 of the adopted North West Leicestershire Local Plan.

- 5 Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, fences, walls or other means of enclosure shall be erected unless in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

Reason - In the interests of highway safety, to ensure an appropriate form of design, and to

comply with Policies T3, E4 and H7 of the adopted North West Leicestershire Local Plan.

- 6 No site works of any description shall take place on the site at any time unless the existing trees and hedgerows shown as retained on drawing no. P16-0601_01 are securely fenced off in accordance with measures first submitted to and agreed in writing by 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 and hedgerows are adequately protected during construction, in the interests of the visual amenities of the area, and to comply with Policy E7 of the adopted North West Leicestershire Local Plan.

- 7 Notwithstanding the submitted plans, nor Condition 2 above, no retaining walls / structures shall be erected unless in accordance with precise details of their external materials of construction first submitted to and agreed in writing by the Local Planning Authority.

Reason - To ensure the development takes the form envisaged by the Local Planning Authority, to ensure an appropriate form of design, in the interests of the amenities of the area, and to comply with Policies E4 and H7 of the adopted North West Leicestershire Local Plan.

Notes to applicant

- 1 Reserved matters approval has been granted for this proposal. The Local Planning Authority engaged with the applicant at the pre-application stage, and 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.
- 2 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:
- Collapse of shallow coal mine workings.
 - Collapse of, or risk of entry into, mine entries (shafts and adits).
 - Gas emissions from coal mines including methane and carbon dioxide.
 - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
 - Transmission of gases into adjacent properties from underground sources through ground fractures.
 - Coal mining subsidence.
 - Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

- 3 The applicant's attention is drawn to the list of approved drawings set out under Condition 2 above. Whilst the Local Planning Authority acknowledges the receipt of other plans with the application (refs. 20078_02_012, 20078_03_100 Rev B, 20078_03_106 and 20078_03_200 Rev B), it is of the view that these more properly relate to the details approved under the outline planning permission, and any approval for amended plans in respect of these items should be addressed as part of the current Section 73 application (ref. 16/01200/VCUM) relating to the outline permission.
- 4 The applicant is advised that any alternative boundary treatment proposed to be erected pursuant to Condition 5 above should have regard to the need to provide for appropriate treatment to any public realm-facing boundaries, and including, for example, provision (or retention) of brick walls to the garden boundaries of existing properties on Highfield Street.