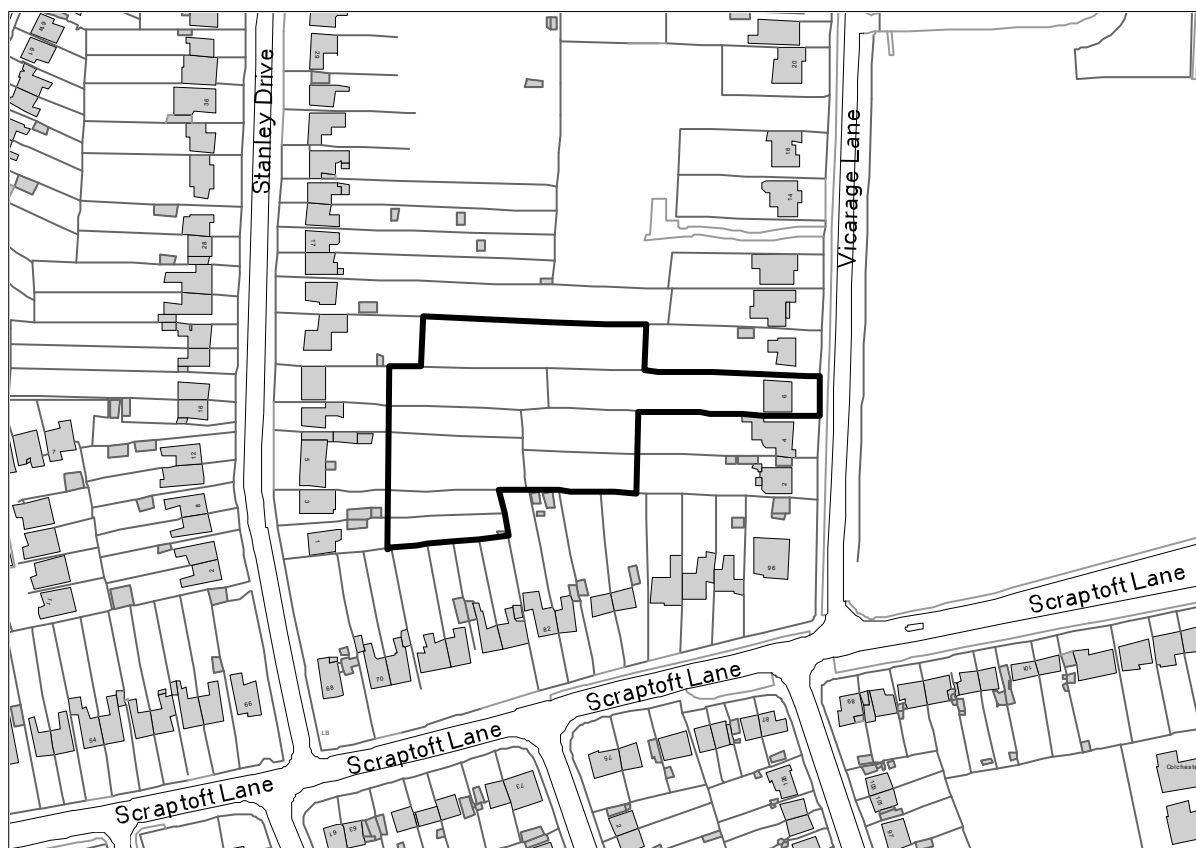


| Recommendation: Conditional approval | |
|---|---|
| 20121075 | 6 VICARAGE LANE, HUMBERSTONE |
| Proposal: | DETAILS OF LAYOUT, SCALE, APPEARANCE AND LANDSCAPING TO PROVIDE ELEVEN HOUSES (2 X 3 BED, 6 X 4 BED & 3 X 5 BED) (BEING MATTERS RESERVED BY OUTLINE PLANNING PERMISSION NO. 20080388) (AMENDED) |
| Applicant: | HAZELTON HOMES LTD |
| App type: | Application for reserved matters approval |
| Status: | Smallscale Major Development |
| Expiry Date: | 8 November 2012 |
| DW1 | WARD: Humberstone & Hamilton |



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Summary

- Application is reported to Committee because 6 objections have been received, and as previous decisions on applications relating to this site have been made by the Planning & Development Control Committee.

- Site has outline planning permission for residential development including the demolition of 6 Vicarage Lane, the creation of a new access and associated works, which was granted on appeal.
- Application is for approval of details of appearance, landscaping, layout and scale which were matters reserved in respect of the outline planning permission. Eleven detached houses are proposed.
- Previous application for approval of reserved matters for 13 houses was refused last year and the subsequent appeal dismissed. A report on that appeal decision is elsewhere on this agenda.
- In dismissing the appeal, the Inspector concluded that the proposal would not have an unacceptable impact on the living conditions at neighbouring dwellings, that the drainage scheme was appropriate and that the density was not unacceptably high.
- The Inspector's only concern was that the proposed development would create substandard living conditions for some of its occupiers by reason of inadequate privacy and amenity space.
- The current proposal has addressed the Inspector's concerns by reducing the number of houses to eleven and amending the siting of some of them. All would now have adequate privacy and amenity space.
- These changes to the proposal would not result in any greater impact on the living conditions at neighbouring dwellings than the appeal scheme which the Inspector considered acceptable in this respect.
- Approval is recommended

Introduction

The application site is in an area that is primarily residential in character. There are residential properties on all sides of the site generally in substantial plots with long rear gardens. On the opposite side of Vicarage Lane is a recreation ground and Monks Rest Gardens, an area of open space and to the north of the site are community gardens. The application site is currently occupied by an existing dwelling 6 Vicarage Lane and sections of rear gardens originally belonged to 2, 4 and 6 Vicarage Lane and 1, 3, 5, 7, 9 and 11 Stanley Drive.

Background

Outline planning application (20080388) for residential development of this site was refused by the Planning & Development Control Committee in November 2008 against officer recommendation. The reasons for refusal were as follows:

1. *Insufficient information has been submitted to show that acceptable measures to mitigate the risk of flooding to the surrounding area from surface water run-off are planned and as such that the proposals would not have a detrimental impact on residential amenity, contrary to Policy BE18 of the City of Leicester Local Plan and Planning Policy Statement 25: Development and Flood Risk.*
2. *Insufficient information has been submitted to satisfactorily demonstrate that the proposed development would not have an adverse affect on the amenities of neighbouring occupiers in terms of the impact of scale and density and increased*

noise disturbance, contrary to policy H14 of the City of Leicester Plan and provisions of Planning Policy Statement 3: Housing.

The application included indicative plans showing 13 houses but as they were indicative only, did not form part of the formal planning application.

The subsequent appeal was allowed in September 2009 and the Planning Inspector granted planning permission for residential development, including the demolition of 6 Vicarage Lane and the creation of a new access and associated works on land to the rear of Vicarage Lane, subject to conditions to cover the submission of the reserved matters, visibility splays, parking provision, boundary treatment, extension of the access road to the extreme boundary of the site, surface water drainage investigations and proposals, land levels, street lighting and sustainable energy requirements.

The principle of residential development on this site has therefore been established.

An application (20101098) for approval of the reserved matters – layout, scale, appearance and landscaping for a scheme of 13 houses (4 x 3 bed, 7 x 4 bed and 2 x 5 bed) was refused by Planning & Development Control Committee at its meeting on 24 April 2012 against officer recommendation. The reasons for refusal were as follows:

- 1. The number of dwellings proposed and the resulting density of development is unacceptably high, resulting in the failure to provide a comprehensive Sustainable Urban Drainage system and an adequate level of amenity space within the development. Inadequate private garden sizes and distances between the proposed dwellings would result in restrictions to privacy, outlook and the availability of amenity space to the detriment of future occupiers. The proposal is therefore contrary to Policy PS10 of the City of Leicester Local Plan, Core Strategy Policies CS02, CS03 and CS08, Guidance in the adopted Supplementary Planning Document 'Residential Amenity' and paragraphs 56, 57, 99, and 103 of the National Planning Policy Framework.*
- 2. The proposed development would have an unacceptable impact on the amenity of neighbouring residents due to the density of the proposed development and the resulting close grouping and orientation of the proposed houses within the application site. This would have an overbearing impact on, and reduce levels of privacy for, neighbouring residents. The proposal is therefore contrary to policy PS10 of the City of Leicester Local Plan, Core Strategy Policy CS08 and paragraph 56 of the National Planning Policy Framework.*

There was a subsequent appeal that was dismissed in December 2012. The Inspector concluded that the proposal would not have an unacceptable impact on the living conditions at neighbouring dwellings, that the drainage scheme was appropriate and that the density was not unacceptably high, but he considered the development would create substandard living conditions for some of its occupiers by reason of privacy and amenity space. This on its own was considered sufficient to dismiss the appeal.

A report on the appeal decision can be found elsewhere on this agenda. It should be noted that although the appeal was dismissed, costs were awarded to the appellant in respect of the reasons for refusal relating to the provision of a comprehensive Sustainable Urban Drainage Scheme and the impact on the amenity of neighbouring residents.

The Proposal

The application is an amended scheme for approval of the matters reserved by the outline planning permission relating to layout, scale, appearance and landscaping. Eleven houses are proposed (2 x 3 bed, 6 x 4 bed & 3 x 5 bed), all would be two storey detached.

Supporting Documents

Ecology Report update

Ecology Method Statement

Energy Statement

Groundwater Flooding Assessment

Design & Access Statement

Policy Considerations

Development plan policies relevant to this application are listed at the end of this report.

National Planning Policy Framework (2012)

Supplementary Planning Documents and Guidance

Residential Amenity SPD (2008)

Vehicle Parking Standards SPG (2006)

Energy Efficiency & Renewable Energy SPD (2005)

Consultations

Environment Agency: have no objections to the application now that a party has been identified to maintain the pond and swale. The list of maintenance activities that have been identified in the Owner's Manual are in line with the SUDS Manual C697 (this is a Construction Industry Research and Information Association document that provides best practice guidance on the planning, design, construction, operation and maintenance of sustainable drainage systems (SUDS) to facilitate their effective implementation within developments)

Severn Trent Water: no objection.

Pollution Control (Land): no objection.

Representations

6 letters of objections received from occupiers of surrounding properties summarised as follows:

- flooding/drainage issues including effectiveness of drainage, no maintenance proposals for SUDs, calculations are incorrect, will cause and or exacerbate flooding, proposals do not take full account of flood risk;
- no rainwater harvesting;
- omission of contour lines on plans;
- no details of the size and depth of the drain to the rear of neighbouring properties, and who would be responsible if it overflows;

- details of drainage in terms of size, location, depth and amount of water retention is not covered in depth.
- more people living in the area will increase health and safety risks in the event of flooding;
- loss of outlook;
- overlooking of neighbouring houses;
- loss of privacy to surrounding houses;
- loss of light to houses and gardens;
- poor site layout within the development;
- increased noise from traffic and general comings and goings of residents;
- over-development;
- sustainability as nearest schools are full meaning more car journeys;
- no protected species survey and proposed mitigation would not work;
- pollution from vehicles will run off into SUDS pools;
- no details of the proposed air source heat pumps;
- loss of trees, no tree survey;
- gardens will no longer be private;
- still too many houses proposed;
- noise and disturbance;
- loss of value of property;
- would make the rear of existing houses less secure as their rear gardens backs on to the site;
- would not create a more balanced community as it would simply add more family housing to the area;
- the proposed development would not offer existing residents a good standard of amenity and some would suffer considerably more loss than others;
- it cannot be claimed that the proposed development is sympathetic to the character and appearance of the existing development in the area; there has been no discussion of how the house designs would accord with house types in the area;
- no contextual justification for rear gardens that would be smaller than many existing front gardens; no explanation of how removing all the mature trees is sympathetic to the character of the area;
- the amendments to PPS3 in June 2010 protecting garden land from development, that were issued three weeks before the refused application was submitted have had no noticeable effect on the approach adopted in that application or the current one;

- the proposal is contrary to the conditions attached to the outline planning permission, the Residential Amenity SPD, a number of Core Strategy and Local Plan policies, PPSs 3 and 25, Secured by Design and, various paragraphs in the NPPF.
- errors, omissions and inadequacies in the application;
- no section 106 agreement;
- no Lifetime Homes;
- did not know it was proposed to build houses to its rear when house was purchased.

Consideration

The principle of residential development on this site is established by the outline planning permission granted on appeal.

The minutes of the Planning & Development Control Committee meeting on 24 April 2012 when the previous application was refused refer to the fact that whilst Committee took on board the Planning Inspector's judgement (in respect of the outline planning permission) it was felt that he did not make any specific recommendations on how many houses were to be contained on the site. The Committee believed a small reduction in the number of houses could result in an acceptable development. The application before Committee then was unacceptable because the number of houses and, therefore the density was considered too high, resulting in failure to provide a comprehensive sustainable urban drainage scheme or adequate amenity space and spacing of houses within the site, and resulting in a unacceptable impact on the amenity of adjacent properties.

Although the appeal against the refusal of the previous reserved matters application was dismissed it was only on one limited ground relating to the living conditions of some of the future occupiers by reason of privacy and amenity space which formed part of the first reason for refusal. The Inspector did not support the other reasons and concluded that:

- The proposal would not have an unacceptable impact on the living conditions at neighbouring dwellings;
- The drainage scheme was appropriate
- The density was not unacceptably high.

I therefore consider the main issues to be those identified by the Inspector and where there were concerns resulting in the dismissal of the appeal, if these have now been addressed satisfactorily.

Living Conditions

The reduction in the number of houses has resulted in some minor changes to the proposed site layout compared to that of the refused scheme. This is mainly on the north side of the east half of the site. The pair of semi-detached houses on plots 10 and 11 and the detached house on plot 12 of the refused scheme have been replaced by a single detached house (plot 10). This would be sited at an angle to the access road.

For neighbours

The relationship of the houses on the west part of the site with the existing houses and their gardens (1-13 Stanley Drive and 72-82 Scraptoft Lane) that adjoin it is the same as the appeal scheme and as such is acceptable.

The design of the proposed house on plot 11 which would be closest to the rear boundary of the garden to 8 Vicarage Lane has changed slightly. However the size and position of the closest end gable wall facing it has not changed. As such the effect on the living conditions of the occupiers of 8 Vicarage Lane would be no different to what the Inspector considered to be acceptable.

The flank wall of the house on plot 1 would be about 1m closer to the rear boundary of the gardens to 2 and 4 Vicarage Lane than the refused scheme. This wall would however be only be about half the length, contain no windows and the separation distance between it and the rears of the Vicarage Lane houses would be about 40 metres. I consider there would not be any material impact on the occupiers of these houses.

The house on plot 2 would be about 1.5m closer to the rear boundary to the garden of 86 Scraptoft Lane. The separation distance between the rear elevations of the houses would be 48 metres which is more than adequate to protect privacy and outlook of the occupiers of 86. The rear elevation of the proposed house would be set back 12m from the common boundary which accords with the general advice in the SPD.

The Inspector raised no concerns about the impact of plots 10 and 11 of the refused scheme on the rear garden of 13 Stanley Drive. The garden to this house is about 70 metres long and the houses would have had first floor windows facing its bottom end. In the current proposal a single house (plot 10) has replaced the two houses and its rear elevation would be positioned at an angle to the boundary of No 13's garden. The closest first floor windows of the proposed house would serve an ensuite and bathroom. Any overlooking of the end of the garden would therefore be less than with the appeal scheme which the Inspector considered was acceptable in this respect.

Given the Inspector's conclusions and for the reasons stated I consider that the proposal would not have an unreasonable impact on the living conditions at neighbouring dwellings by reason of privacy and outlook. The proposal accords with saved policy PS10 of the Local Plan in this respect. It is backland development which respects the scale, location, character form and function of the local area, as required by CS policies 3 and 8.

For occupiers

The Residential Amenity SPD says that 100 square metres of private amenity space is necessary for detached and semi-detached houses in the Outer Area. In the refused scheme two of the houses would have had provision below the standard with a third only meeting it if unusable areas were counted. With the current proposals all the rear gardens of each of the proposed houses would be in excess of the standard. I therefore consider the Inspector's concerns in relation to this issue have been satisfactorily addressed.

The Inspector's other concern related to the separation distances between the fronts of the dwellings on the plots on the east half of the site which would face each other across the access road. This would only have been about twelve to thirteen metres

and it was considered this would be insufficient to create acceptable privacy conditions.

With the current proposals there is only one instance where the fronts of the proposed houses would directly face each other across the access. In this case the separation distance would be 21 metres which is normally considered acceptable separation between rear elevations where a higher level of privacy is expected.

The house on plot 10 would be sited at an angle to the access road such that its front elevation would be at an angle of about 45 degrees to that of the house opposite on plot 3. This combined with suitable boundary treatment would prevent direct overlooking. At its closest, the separation distance between the front elevations of these houses would be just over 15 metres. The eaves height of both houses would be 5m and as such the ratio between the street width and building height is 1:3 which is in accordance with the Residential Amenity SPD. Due to the angled relationship between the fronts of the two houses the separation is greater for the remainder. I therefore consider the Inspector's concerns in relation to this issue have been satisfactorily addressed.

I consider that the proposed development would provide suitable living conditions for its future occupiers and is acceptable in terms of saved policy PS10 of the Local Plan. It would create buildings and spaces that are fit for purpose as required by Core Strategy Policy 3 and be a high quality and inclusive design advocated in paragraphs 56 and 57 of the National Planning Policy Framework.

Drainage

Flooding of the site particularly from ground water has been a contentious issue in terms of the concerns raised by the objectors going back to the outline application. This issue has been considered by the Planning Inspectors in respect of both appeals and on both occasions the Inspectors found the proposals to be acceptable in this regard.

The drainage proposals are the same as for the refused scheme including a land drain to the site perimeter, a swale on the south side of the access road and depressions to provide areas within the site for volume storage of surface water. Severn Trent Water has no objection to the proposals subject to further conditions and the Environment Agency similarly have no objection to the scheme now that arrangements for the management and maintenance of the SUDS features have been agreed.

The Inspector stated that *"taken as a whole the drainage proposal manages the flood risk and should improve the site's drainage and reduce its susceptibility to flooding. It should also secure the improvement of drainage in the areas immediately adjacent to the site, whilst not increasing the risk of flooding elsewhere as required by paragraphs 99 and 103 of the Framework"*. In considering this issue he states that *"there is no justification to refuse planning permission on drainage grounds"*

I therefore consider the proposal to be in accordance with CS policy 2 and saved policy BE20 of the Local Plan.

Density

The Inspector concluded that the density of the refused scheme was not unacceptably high and was appropriate for this suburban area. The current

proposals have reduced the number of dwellings proposed by two to eleven, thus reducing the density of development. I consider this represents the “*small reduction in the number of houses*” which Committee previously considered could result in an acceptable development.

Other Considerations

Comments by objectors in respect of other issues

Two residents who have objected to this proposal made very detailed and lengthy representations to the Inspector about the refused scheme including amongst other things, the application site boundaries, the lack of contour lines on the plans and conformity with conditions on the outline planning permission. Other than the main issues he identified, the Inspector’s decision letter makes it clear that all of the other matters raised were taken into account, and he raised no concerns about them.

These other matters did not feature in the reasons for refusal by Committee or in the reasons why the appeal was dismissed. In my opinion they have all been properly considered previously and as such no further discussion of them is required in this report.

Developer Contributions

As this is an application for reserved matters, developer contributions cannot now be sought. If they were considered necessary to mitigate the impact of the development on local infrastructure and facilities for example, the Inspector would have required them when granting the outline planning permission.

Conclusion

I consider the proposal has addressed the concerns raised by the Inspector in respect of the appeal proposal and would provide acceptable living conditions. It has reduced the number of houses proposed, reflecting the previous resolution of the Committee, even though the Inspector did not consider the density of development to be unacceptable. The drainage proposals are acceptable and there are no objections from either Severn Trent Water or the Environment Agency. The proposal would not have an unacceptable impact on the living conditions at neighbouring dwellings.

Given the Inspector’s conclusions and the changes made by the current proposal I consider there are no justifiable reasons not to approve this application. I recommend APPROVAL subject to the conditions below.

CONDITIONS

1. No development shall take places until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. (To ensure the appearance of the development is satisfactory in accordance with Core Strategy policy CS3)
2. 2 metre by 2 metre sight lines on each side of each vehicular access shall be provided at the time of development and shall be retained. (In the interests of

the safety of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3)

3. The access road shall be surfaced with a hard bound material (not a loose aggregate) in accordance with details including a timetable for carrying out the work that have first been submitted to and approved in writing by the local planning authority. (In the interests of residential amenity and to ensure the appearance of the development is satisfactory, and in accordance with policy PS10 of the City of Leicester Local Plan and Core Strategy policy CS3)
4. No gates or similar barrier shall be erected across the access from Vicarage Lane unless they are set back a minimum of 5m from the back of the highway and hung so as to open inwards. (To allow a vehicle entering the site to wait off Vicarage Lane so as not to cause an obstruction to traffic)
5. No dwelling shall be occupied until a footway crossing has been provided at its vehicular access in accordance with guidance in the Leicester City Council and Leicestershire County Council document `6Cs Design Guide`. (To ensure a satisfactory means of access to the highway, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3)
6. No dwelling shall be occupied until any existing footway crossing that becomes redundant as result of the development and any damaged or altered areas of footway or other highway along the site's frontage to Vicarage Lane have been reinstated in accordance with details that have first been submitted to and approved in writing by the local planning authority. (To ensure a satisfactory means of access to the highway, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3)
7. The approved landscaping scheme shown on drawing No 1044-27 Rev H shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority. For a period of not less than five years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (To ensure the appearance of the development is satisfactory in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3)
8. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority before occupation of any of the dwellings. The landscape management plan shall be carried out as approved. (To ensure landscape areas are properly maintained in the interests of the appearance of the development in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03)
9. All works to retained trees shall be carried out in accordance with British Standard for Tree Work BS 3998:2010. (In the interests of the health and amenity value of the trees and in accordance with Policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3)

10. Before the development is begun, all existing trees, shrubs or hedges to be retained on the site shall be protected in accordance with the details shown on the Tree Protection Layout Plan (drawing No 1044-26C. No materials shall be stored, rubbish dumped, fires lit or buildings erected within these fences; no changes in ground level shall be made within the spread of any tree, shrub or hedge without the previous written approval of the local planning authority. No trees shall be used as anchorages, nor shall any items whatsoever be affixed to any retained tree. (To ensure retained trees on the site and those on adjacent land are properly protected in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3)
11. No development shall take place until the route of the perimeter drain has been agreed on site with a representative of the local planning authority, and shall be marked out and installed accordingly. (To ensure that any disturbance around the roots of trees and hedges is minimised and in accordance with policy UD06 of the City of Leicester Local Plan)
12. No dwelling shall be occupied until confirmation has been received from Severn Trent Water Ltd that the drainage provision for the disposal of surface water and foul sewage has been implemented in accordance with approved details. (To ensure 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 and to minimise the risk of pollution in accordance with policies PS10, PS11 and BE20 of the City of Leicester Local Plan)
13. Clearance of the site of trees, shrubs and undergrowth shall be in accordance with Ecology Method Statement dated July 2012. Details of the phasing and timing of site clearance and the implementation of mitigation measures shall be agreed with the local planning authority prior to any further clearance taking place. The biodiversity enhancement and habitat creation through appropriate landscaping and installation of features such as bird and bat boxes shall be implemented in accordance with the Statement prior to occupation of any of the dwellings or in accordance with a timetable previously agreed with the local planning authority. (To ensure that any disturbance to wildlife is minimised and to maintain the biodiversity value of the site, in accordance with Core Strategy Policy CS17.)
14. No development shall take place until details of bat bricks/tiles to be incorporated within the elevations of the proposed building, and boxes to be attached to buildings have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and the approved features retained thereafter (In the interests of biodiversity and in accordance with policy CS 17 Biodiversity of the Core Strategy)
15. Should the development not commence within 12 months of the date of the last protected species survey, then a further protected species survey shall be carried out of all buildings, trees and other features by a suitably qualified ecologist. The survey results shall be submitted to and agreed in writing with the local planning authority and any identified mitigation measures carried out before the development is begun. Thereafter the survey should be repeated annually until the development begins. (To avoid the killing or injuring of bats in order to accord with the legal protection afforded bats under the Wildlife

and Countryside Act 1981 (as amended by the CRoW Act 2000), the Habitat & Species Regulations 2010 and under European legislation and in accordance with Core Strategy policy 17)

16. No dwelling shall be occupied until the scheme of boundary treatment to Nos. 4 and 8 Vicarage Lane and the remainder of the application site boundaries has been completed in accordance with the details shown on drawing Nos. 1044-05G and 1044-13F. (To ensure the appearance of the development is satisfactory and to protect the privacy of the occupiers of the surrounding houses, in accordance with policy PS10 of the City of Leicester Local Plan and Core Strategy policy CS03)
17. No dwelling shall be occupied until its plot boundaries have been enclosed in accordance with the details shown on drawing No. 1044-13F. (To ensure the appearance of the development is satisfactory and in the interests of the privacy of the occupiers of the development, in accordance with policy PS10 of the City of Leicester Local Plan and Core Strategy policy CS03)
18. The development shall be carried out in accordance with the following approved plans: 1044-01X, 1044-02B, 1044-03D, 1044-04, 1044-05G, 0144-07C, 1044-13F, 1044-14C, 1044-15B, 1044-16B, 1044-17C, 1044-19, 1044-20C, 1044-23C, 1044-26C, 1044-27H, 1044-29B, 1044-30C, 1044-31, 1044-33, 1044-34A, 1044-301K, BRK-02, TBR-01, TBR-02, TBR-03, RLG-02. (For the avoidance of doubt and in the interests of proper planning)

NOTES FOR APPLICANT

1. REASON FOR APPROVAL. In the view of the City Council, the proposal complies with the relevant criteria in the City of Leicester Local Plan and Core Strategy policies listed in this decision, and there are no material considerations which outweigh these policies. The National Planning Policy Framework (2012) and relevant Supplementary Planning Documents and Guidance have been taken into consideration. The proposal has satisfactorily addressed the concerns raised in respect of the dismissed appeal in respect of the previous refusal of approval of the reserved matters.
2. DECISION TAKING
3. Development on the site shall avoid the bird nesting season (March to September), but if necessary a re-check for nests should be made by an ecologist (or an appointed competent person) not more than 24 hours prior to the commencement of works. If any nests or birds in the process of building a nest are found, these areas will be retained (left undisturbed) until the nest is no longer in use and all the young have fledged. An appropriate standoff zone will also be marked out to avoid disturbance to the nest whilst it is in use.

All wild birds are protected under the Wildlife and Countryside Act (1981) as amended making it an offence to kill, injure or disturb a wild bird during the nesting season or to damage or destroy an active nest or eggs during that time.

4. The applicant should note that they will be required to enter into a Section 38 Agreement in respect of on-site highway provision.

Policies relating to this recommendation

- 2006_AM01 Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations.
- 2006_AM12 Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
- 2006_BE16 Planning permission will be granted for the development of renewable energy installations where local impacts are not outweighed by wider benefits. Major developments must realise their potential for incorporating renewable energy technologies.
- 2006_BE20 Developments that are likely to create flood risk onsite or elsewhere will only be permitted if adequate mitigation measures can be implemented.
- 2006_BE22 Planning permission for development that consists of, or includes, external lighting will be permitted where the City Council is satisfied that it meets certain criteria.
- 2006_H03 Provides guidance on minimum net densities to be sought for residential development sites according to location.
- 2006_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
- 2006_PS11 Control over proposals which have the potential to pollute, and over proposals which are sensitive to pollution near existing polluting uses; support for alternative fuels etc.
- 2006_UD06 New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.
- 2010_CS02 Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.
- 2010_CS03 The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.
- 2010_CS06 The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.
- 2010_CS08 Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.
- 2010_CS17 The policy sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network.

