

Recommendation: Conditional approval	
20182505	145 LUTTERWORTH ROAD, LAND TO REAR OF
Proposal:	CONSTRUCTION OF TWO DETACHED DWELLINGS; RELOCATION OF ACCESS FROM LUTTERWORTH ROAD (CLASS C3) (AMENDED PLANS RECEIVED ON 30/01/2019, 12/02/2019, 18/01/2019 and 20/02/2019)
Applicant:	MR DUNCAN JOHNSON
View application and responses	http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20182505
Expiry Date:	29 March 2019
YE	WARD: Aylestone



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Summary

- Councillor Clarke requested that the application be considered by the planning committee given the impacts on the area and the nature of the access
- 4 objections (2 from the same address) made on grounds of amenity, highways grounds, removal of trees and boundary treatment.
- The main issues are residential amenity to neighbouring properties, highways access, wildlife, design, materials, drainage, nature conservation.

- The application is recommended for approval

The Site

The application site is located in a primarily residential area. The application site shares a boundary with 143a Lutterworth Road to the north and in the north west a boundary with the garden of 143 Lutterworth Road. The site shares boundaries with 147 Lutterworth Road and the properties at 8-14 Nuthall Grove (located within Blaby District). The site also shares a western boundary with properties at 32-36 Amanda Road. The predominant housing typology within the context of the site, along Lutterworth Road and Amanda Road, is detached housing. Nuthall Grove is made up of semi-detached houses. The site is not in Flood Zone 1 and not in a Critical Drainage Area.

Background

Application 20081830, for 4 bungalows and extension to side of existing house on site, was refused due to loss of privacy, noise disturbance, unacceptable garages and adverse highways impact.

Application 20090339 for the construction of three detached bungalows and single storey extension to the side of the existing house was also refused due to ecological concerns, adverse highways impact and a prejudicial impact on adjacent land.

The Proposal

This application is for the construction of two detached houses, 2 new detached double garages for the houses, the demolition of the single detached garage of the existing house (relocating and replacing it with a new double garage) to the rear of the house and the alteration of access from Lutterworth Road, moving it northwards and away from the southern boundary. A new access road will span almost the full depth of the site with a width of 4.8m. The three new garages will also have parking spaces to the front of them. The proposed new houses on Plot 1 and Plot 2 both have a ridge height of 9m and an eaves height of 5m. Both properties have a gabled pitched roof profile.

Amendments for Plot 1 and Plot 2 were received with the amended layouts of the floorplans showing wheelchair turning circles and clear space at the side of indicative bed spaces. Further amendments for Plot 1 were received on that changed the principal elevations from west and east to north and south. The patio is now at the south of the property. The first floor windows of the west facing elevation have been replaced with 25mm herringbone bonded brick dummy windows. The existing boundaries to neighbouring properties would be retained with a new 1.8m metal fence and hedging proposed to the front boundary of property.

Policy Considerations

National Planning Policy Framework (NPPF) (2018)

Paragraph 2 states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 states that, at the heart of the Framework, is a presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with the development plan without delay. Where the development plan is absent, silent or relevant policies are out of date, this means granting planning permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole.

Paragraph 53 advises that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.

Paragraph 59 places an emphasis on the importance of a sufficient amount and variety of land to come forward where it is needed and that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 108 of the NPPF declares that decisions should take account of the opportunities for sustainable transport modes and safe & suitable access to and from the site for all people.

Paragraph 109 states that development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts of development are severe.

Paragraph 123 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. The policy includes a set of criteria for both plan making and decision taking, for the latter it advises local planning authorities to refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Paragraph 122 places an emphasis on local planning authorities to support development that makes efficient use of land. It requires decision makers to take into account issues such as the need for different types of housing, including the availability of land suitable for accommodating; local market conditions and viability; the availability and capacity of infrastructure and services, including the potential for further improvement; the desirability of maintaining an area's prevailing character and setting (including residential gardens) and; the importance of securing well-designed, attractive and healthy places.

Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 states that the planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and

landscaping. In addition they must also have a high standard of amenity for existing future users.

Paragraph 130 states that permission should be refused for developments that are of poor design and that do not take the opportunity for improving the character and quality of an area and the way it functions.

Paragraph 163 states that when determining planning applications local planning authorities should, inter alia, give priority to sustainable drainage systems unless there is clear evidence that this would be inappropriate.

Paragraph 170 of the NPPF encourages decisions to contribute to and enhance the local and natural environment.

Paragraph 175 advises that local planning authorities should aim to conserve and enhance biodiversity by encouraging opportunities to incorporate biodiversity in and around developments, and that planning permission should be refused for development resulting in the loss of aged or veteran trees unless the need for the development clearly outweighs the loss.

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

Supplementary Planning Document (SPD) – Residential Amenity

Appendix 1 (City of Leicester Local Plan 2006) - Vehicle Parking Standards

Consultations

Trees Advice- No objection, in principle, subject to conditions requiring proposed root protection methods and a no dig cellular confinement system as per submitted method statement. Consultee commented that no consent is given for the felling and reducing trees in adjacent gardens that are close to the site's boundary. Only pruning trees are likely to impact on the proposal to the site's boundary can be consented. Consultee also requested an arboricultural impact assessment and tree constraints plan that shows the root protection area and local of protective fence and an assessment whether pile foundations are required for the proposed new build near trees.

Following submission of requested documents, there was no objection subject to conditions, including proposed root protection method and no dig system as per submitted method statement.

Lead Local Flood Authority- No objections, subject to conditions regarding details of SuDS and drainage.

Highways Authority- No objection, subject to conditions.

Blaby District Council considered the backland development to be out of keeping with the prevailing character of this part of Lutterworth Road/Leicester Road.

Representations

4 objections:

- Location proposed house and garage of Plot 1 will be built very close to their southern boundary of 143 Lutterworth Road.
- Access road will lead to increased noise pollution during and after construction.

- Ownership of trees and hedges on at the boundary as well as the “destruction” to any trees or plants.
- Lack of detail as to the height of the new metal fence, new access point on to the site
- Impact the proposal will have on the shared drain running between 145 and 143A Lutterworth Road.
- Development on site will lead to increase the traffic on the A426.
- Safety regarding vehicles accessing onto and off Lutterworth Road,
- Setting a further precedent of knocking down existing houses and building 2-4 new houses in their place and concerns removing trees that are on the boundary and potentially on their land.
- The house on Plot 2 will be built very close to the northern boundary of 14 Nuthall Gove and encroach on views across the garden as well as affecting privacy and access to light.

Councillor Clarke drew attention to:

- Concerns about vehicle access from Lutterworth Road (e.g. realignment of the driveway to the detriment of the neighbouring property).
- Concerns about design, materials, drainage, fencing/boundary treatment, noise, nature conservation and the impact on congestion.
- One resident requested further detail than provided in the application in her objection.

Consideration

The main considerations are; the principle of the development; the amenity of neighbours, host and future occupiers with regard to outlook, levels of light, living conditions for existing and future residents, private amenity space provisions, design, parking and access, impact upon wildlife, the impact upon the character of the area, and sustainable drainage.

Principle of Development

The proposal is located within a primarily residential area and will make a small contribution to the housing supply in the city- the city currently does not have a five year supply of housing land. Policy CS06 of the Core Strategy aims to meet Leicester’s housing requirements over the plan period through among other things, limited housing growth within established residential areas and small housing infill to support the development of sustainable communities. CS06 adds that the new housing is required to provide a mix of housing, including larger family housing in particular. Policy CS08 recognises that infill housing can play a key role in the provision of new housing. It goes on to state that small scale infill developments should only be developed where damage can be avoided to the qualities making suburban neighbourhoods desirable. With regards to backland developments, CS08 states that they should be compatible

with the locality and any neighbourhood buildings and spaces in terms of design, layout, scale and mass. Development on garden land will not be permitted where it will have an unacceptable impact on levels of biodiversity in the neighbourhood.

It would have been preferable for the application to have included a spur road, which would allow for a more comprehensive development expansion to be possible in the future. However, it is recognised that future access could be gained to the north from the new driveway.

There are no site specific constraints or designations to indicate that a residential development on the application site would be inherently harmful or inappropriate. The principle of the development is acceptable subject to design, amenity, wildlife/biodiversity, SuDS/drainage, trees, highways and parking considerations.

Design

Policy CS03 of the Core Strategy (2014) states that high quality, well designed developments that contribute positively to the character and appearance of the local built environment are expected. Moreover, it requires the development to respond positively to the surroundings and to be appropriate to the local setting and context, and (at paragraph 1) to contribute positively to an area's character and appearance in terms of urban form and high quality architecture. Policy CS08 states that the Council will not permit development that does not respect the scale, location, character, form and function of the local area.

Saved Policy PS10 of the Local Plan (2006) sets out a number of amenity factors to be taken into account when determining planning applications, including the visual quality of the area and the ability of the area to assimilate development.

The surrounding residential area is dominated by two storey houses with wide varieties of architectural style and building materials. The proposed detached houses on Plot 1 and Plot 2 will be of a traditional design and style with pitched roof profiles. Policy CS03 establishes an expectation for a high standard of design and architectural quality. The planning application form states that the buildings would be finished in facing brickwork and clay roof tiles "which would be consistent with neighbouring dwellings." While I am satisfied that (in terms of form and mass) the proposal would not harm the general character and appearance of the wider area, I consider it necessary (due to the lack of specificity of materials) in the interests of the character and appearance of the area, to secure greater detail and samples of the finish materials as a pre commencement-condition of planning permission.

A new 1.8m fence and hedge to the front boundary of property along Lutterworth Road has been proposed on the proposed site plan. Given the location, I consider that it is necessary, in the interest of the character of the streetscape, for greater details for the front boundary treatment to be provided prior to commencement and secured as a condition of planning permission.

I consider that the application is in keeping with the scale and size of the houses in the surrounding context and, subject to a pre-commencement condition regarding the materials and new proposed fencing, would comply with policy CS03 of the Core Strategy (2014) and Saved Policy PS10.

Living Conditions

Policy CS03 of the Leicester Core Strategy (2014) states that new development should achieve the highest standards of accessibility and inclusion, whilst Policy CS06 states that new housing developments will be required to provide an appropriate mix of housing types, sizes and tenures to meet the needs of existing and future households in the City. The amenity factors set out at Saved Policy PS10 of the Local Plan (2006) apply to the future occupiers of proposed development as well as to the occupiers of existing neighbouring property. Saved Policy AM01 of the Local Plan (2006) states that planning permission will only be granted where the needs of people with disabilities have been successfully incorporated into the design.

Section 3 of the Council's *Residential Amenity* SPD (2008) sets out more detailed design guidance for development in outer areas of the City. It recommends the provision of a minimum of 100 square metres amenity space for detached and semi-detached dwellings.

The Plot 1 amenity garden space is approximately 294m² and the area of amenity garden space for Plot 2 is approximately 264m². Therefore both plots meet the recommendation of the SPD.

The amended layout for Plot 1 altered the aspect from western to a southern aspect, overlooking the garden. Changes to the internal layout included having brick dummy windows (with a herringbone bond) substitute the first floor windows on the west elevation for bedroom 1. The only window for bedroom 1 was on the south facing elevation. The first floor consists of four bedrooms, two en-suite bathrooms and a shared bathroom. On the ground floor, the kitchen and the lounge both have French doors that open onto the path leading to the patio. The amended layout replaces a window in the southern wall of the lounge with bi-fold doors, which provide access to the patio. The patio location has been amended. It now is adjacent to the south facing elevation. Following a change of aspect, the depth of the garden from the south facing elevation is greater than the 11m required in the Residential Amenity SPD.

The layout for Plot 2 has no changes to the aspect and retains the east and west principal elevations from the original proposal. The ground floor consists of a dining room in the north-west of the layout, kitchen in the north east of the layout and the lounge spanning the southern portion of the layout. The lounge has openings to the south, east and west of the property. The kitchen has French doors on the south elevation to provide access to the patio area. The lounge has bi-fold doors, on the east elevation, which provide access to the patio and garden. As with Plot 1, the first floor of Plot 2 also consists of four bedrooms, two en-suite bathrooms and a shared bathroom. The depth of the garden of Plot 2 is 18.169m from the east facing elevation, which meets the requirements of the Residential Amenity SPD. All of the principal rooms of both plots would have at least one window providing a source of daylight and outlook, as well as opportunity for natural ventilation. I therefore consider that the outlook from all windows is acceptable.

I consider that extensions to the north and west elevations of the Plot 1, to the north, east and south elevations of Plot 2 and the addition of outbuildings at both plots would need to be assessed. Therefore, my recommendation is that permitted development rights for future be removed by condition.

Residential Amenity

Policy CS03 of the Leicester Core Strategy (2014), states that development must respond positively to the surroundings and be appropriate to the local setting and context. Saved Policy PS10, of the Local Plan (2006), lists a number of factors regarding amenity that should be taken into account when determining planning applications. These include: noise and air pollution; the visual quality of the area; additional parking and vehicle manoeuvring; privacy and overshadowing; safety and security; and the ability of the area to assimilate development.

Appendix G of the Residential Amenity SPD states that the minimum distance between any principal room windows in an extension and the boundary with undeveloped land, including gardens, should be 11m.

The north facing elevation of Plot 1 is less than 11m to the boundary but has no bedroom windows on the first floor and has only an en-suite bathroom window. The impact upon the neighbouring residential amenity from the north facing elevation is not sufficient enough to justify refusal of the application. With regards to the non-principal west facing elevation, the separation distance to the neighbouring property is over 25m. Hence, it would meet the requirements of the Residential Amenity SPD.

In order to meet Appendix G of the Residential Amenity SPD, the first floor windows on the West Facing Elevation at Plot 1 have been replaced (in the amended proposal) with brick work with a 25mm recessed herringbone bonding pattern. I consider it necessary to it necessary to prevent the future installation of first floor windows by condition.

The south facing elevation of Plot 2 has a distance of less than 11m to the boundary however, this has no first floor windows. Moreover, the existing tall hedging on the boundary from the site 147 Lutterworth Road means the likelihood of overlooking and an impact on privacy from Plot 2 to be negligible.

Concerns were raised in the objections received that the new access road would impact the amenity of the existing house on site and 143a Lutterworth Road. However, the access road passes the non-principal elevations of both houses. Furthermore, even though the introduction more vehicles into this area could have some impact on noise, the intensity of use is unlikely to cause significant harm.

Overall, I do not consider that the amended proposal would have a significant detrimental impact upon the amenity of neighbouring properties in terms of light, overlooking, air quality and loss of privacy.

Accessible Homes

While the Planning Justification Statement did not reference Building Regulations Standard M4 (2), the amended layouts of the floorplans show wheelchair turning circles and clear space at the side of indicative bed spaces. I consider that it is reasonable and necessary to secure compliance with Building Regulations Standard M4 (2) as a condition of planning permission.

Access, Highways and Parking

Policy CS15, of the Leicester Core Strategy (2014), states that parking for residential development should be appropriate for the type of dwelling and its location, and take into account the amount of available existing off street and on street car parking and

the availability of public transport. It also seeks the provision of high quality cycle parking. Policy AM12 gives effect to published parking standards.

Appendix 01 of the Local Plan (2006) sets out guideline standards for car parking in new developments. For dwellings, a maximum of 2 spaces for 3+ bedroom dwellings is recommended.

The proposal relocates the access to a more central location where visibility splays can be provided out on to Lutterworth Road in accordance with the required standards. The Local Highways Authority are concerned that it is not clear if service/delivery vehicles could enter and leave the site in a forward direction, as a suitable shared turning area is not specified on the plan, and potential turning areas could be used for car parking. However the Local Highways Authority believe conditions could be imposed requiring such details to be submitted for approval. I consider it reasonable and necessary to secure this as a condition of planning permission.

Local Highways Authority comments add that whilst the access road (which they note should remain private and not adopted) is on to a busy road, it would be difficult to demonstrate that the development will lead to any unacceptable highway safety issues, especially as the proposed access meets current standards, and replaces a substandard access. Therefore, despite concerns raised in objections relating to the access, I do not consider that there is justification to refuse the application on Highway safety concerns.

The site plan shows that Plot 1 and Plot 2 have two parking spaces on the driveway, plus an additional two spaces for each plot provided by the garages. Based on Appendix 01 of the Local Plan (2006), the application site is located within Zone 4. For a Class C3 dwelling for a three bedroom house, the Vehicle Parking Standards suggests two parking spaces.

I consider there to be sufficient parking provided by the proposal and that it meets AM12 Appendix 01 of the Local Plan (2006).

Waste Storage and Collection

The application form has stated that that the existing proposed properties will have bin storage adjacent to each dwelling and residents will wheel their respective refuse and recycle bins to a communal bin store located at the north east of the site, close to the access point.

Ecology/Landscaping

Policy CS03 of the Leicester Core Strategy (2014) sets out the urban design objectives for new development including the creation of spaces that are fit for purpose. Policy CS17 recognises that Leicester's urban environment, including buildings and private gardens, can provide important habitats for wildlife, and states that the Council will expect development to maintain, enhance and/or strengthen connections for wildlife. Saved Policy UD06 of the Local Plan (2006) requires new development to include planting proposals and resists development that would impinge upon landscape features of amenity value.

The development site is close to Biodiversity Enhancement Sites (BES), Local Wildlife Sites (LWS), and is surrounded by mature gardens. These areas provide significant green corridors and connectivity for wildlife including suitable habitats for bats and birds.

The report carried out by the applicant's specialist consultant stated that there were no signs of bat roosting in the garage due to be demolished. However, there was moderate bat roosting potential on the existing dwelling on site. Further surveys emergence and re-entre surveys were requested prior to determination. However such surveys only are possible from April; however the applicant has indicated that no work would be carried out on the existing dwelling without a further surveys being carried out. I consider it necessary and reasonable to secure this as a condition of planning permission.

Ecological enhancements were requested and submitted and I am satisfied with the submitted enhancement. Therefore, to ensure that there is a net gain in biodiversity consistent with the NPPF, I consider that it is necessary and reasonable to secure that the provision of any planting be of locally native and insect attracting species and the provision of boxes (in appropriate locations) for birds, bats and hedgehogs, together with a plan for the maintenance of those parts of the site that would not be within curtilage of any dwelling within the site. I recommend that these provisions be secured as part of a condition for a landscape and ecology management plan (LEMP) for the site. A landscape plan showing the location and species of proposed plants on site was not submitted but this could be secured by condition of planning permission.

I consider that the proposal would be acceptable with regards to Policy CS17 (2014). This is provided that the recommendations of the Ecologist's report are followed.

Trees

The Trees and Woodland officer raised issues regarding the application. Firstly, the Arboricultural report identifies a number of trees in adjacent gardens close to the proposal with a recommendation to fell or reduce. Consent can only be given to prune such trees to the boundary. I will seek to secure this via a condition. Secondly, the consultee was concerned that the proposed new entrance would have a serious impact on the mature beech unless a cellular confinement system was used to protect the rooting area. Similar concerns were raised with regards to the access road to the proposed new plots having an impact on the boundary trees and trees in adjacent properties. Following the comments raised, the agent provided a Tree Protection Plan that shows the root protection areas, a topographical survey with root protection areas and an Arboricultural impact assessment. Additionally, they have submitted an amended proposed site layout plan (drawing number 4571/DJ/18/003/P6) that shows the existing trees to be retained, existing trees to be removed and the proposed trees. Upon assessing the provided documents the consultee was satisfied that the removal of trees can be conditioned in addition to other conditions (such as a no dig cellular confinement system installed for the new entrance and access road prior to commencement). I consider such conditions necessary.

Surface Treatment

The space around the proposed plots would be substantially hard surfaced to provide vehicular access, car parking and turning space. Whilst the expanse of hard surfacing is not ideal, it would not be visible from Lutterworth Road and, on balance of the need to provide adequate parking and turning space to serve the dwellings, I consider that aspect of the proposal would not justify withholding planning permission.

Drainage

Policy CS02, of the Leicester Core Strategy (2014), states that development should be directed to locations with the least impact upon flooding or water resources. It goes on to state that all development should aim to limit surface water run-off by attenuation within the site, giving priority to the use of sustainable drainage techniques. Saved Policy BE20 of the Local Plan (2006) undertakes only to permit development if adequate mitigation measures can be implemented to reduce the risk to an acceptable level.

The development is located in Flood Zone 1 and does not reside within a known flooding Hotspot and nor a Critical Drainage Area (CDA) and is considered at low risk to all forms of flooding. The Lead Local Flood Authority (LLFA) has confirmed that it has no objection to the application subject to full drainage and sustainable drainage details being provided prior to commencement of the development. I consider it reasonable and necessary to secure such details as conditions of planning permission.

Conclusion

The site is considered acceptable for the proposed backland development and will make a modest contribution towards the City Council's 5 years housing supply. Overall, the proposed development would provide a good standard of amenity for the future residents, without causing harm to the amenity of the existing residents. There is safe and adequate access and parking and appropriate measures to ensure the sustainability, including sustainable drainage of the development can be achieved. While, concerns have been raised by objectors, on balance I consider that the amended proposal is unlikely to have significant detrimental impact upon the character or the residential amenity of the area. The proposal is in accordance with the aims of the NPPF, relevant development plan policies and guidance.

Therefore, I recommend this application for APPROVAL subject to the following conditions.

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. Before the development is begun, the materials to be used on all external elevations and roofs shall be submitted to and approved by the City Council as local planning authority. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
3. Before the development is begun, the details and the materials to be used for the proposed 1.8m fence and hedge to the front boundary shall be submitted to and approved by the City Council as local planning authority. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3 and Saved Policy PS10. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

4. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any order amending or revoking and replacing that Order with or without modification, no development that would otherwise fall with Classes A,B,C,E and H (of Schedule 2)) of that Order shall be carried out within the curtilage of the dwellinghouse hereby approved without planning permission having first been obtained from the local planning authority. (To ensure that any further development at the site does not unacceptably affect the privacy and amenity of the neighbour occupiers and the character and appearance of the area, and to ensure that adequate amenity space for future occupiers of the development is retained on the site, in accordance with Policy CS03 of the Leicester Core Strategy (2014) and saved Policy PS10 of the Local Plan (2006)).
5. Before the development is begun, details of a no dig cellular confinement system for the entrance and access road must be submitted and agreed. No development shall be undertaken except in accordance with the approved details. (To minimise the risk of damage to trees and other vegetation in the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3,this is a PRE-COMMENCEMENT condition).
6. Before the development is begun, all vegetation intended for clearance shall be clearly identified on site in accordance with details to be submitted to and approved by the City Council as local planning authority, before any clearance is begun. Any clearance of vegetation should be carried out outside of bird nesting season(In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3,this is a PRE-COMMENCEMENT condition.)
7. Before any equipment, machinery or materials are brought on to the site for the purposes of the development, all existing trees, shrubs or hedges to be retained on the site shall be protected by fencing in accordance with British Standard BS 5837:2012. The location of the protective fencing shall not be within the root protection area of all retained trees. The fencing shall be maintained until all equipment, machinery and any surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and no alteration to the ground level shall be made without the prior written approval of the City Council unless this is clearly indicated on the approved plans. (To minimise the risk of damage to trees and other vegetation in the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.
8. Prior to the commencement of the development, a Landscape Plan showing the location and type of proposed plant species on site shall be submitted to and approved by the local planning authority.(To compensate for the loss and impact on biodiversity and connectivity for wildlife and to be in accordance with Core Strategy policy CS17. This is a PRE-COMMENCEMENT condition).

9. No work should be carried out on the existing dwelling without further surveys being carried out as recommended in the submitted ecology report (RammSanderson, November 2018) and confirmed in the letter dated 20th February 2019 from Corporate Architecture. (In the interests of Bats, which are protected species, and in accordance with Core Strategy CS17.)
10. All building works shall comply with the methods detailed in the Ecologist's Report submitted as part of this application on the 16th of November 2018 unless otherwise first submitted to and approved in writing by the City Council as local planning authority. (To ensure bats, which are a Protected Species, are not harmed during building works and in accordance with policy CS17 of the Core Strategy.)
11. Prior to first occupation of the approved dwellings, one bat box/tile and one bird box/tile, and one hedgehog box, shall be installed to each dwelling in accordance with details that have previously been agreed in writing by the local planning authority and implemented in accordance with approved details and retained thereafter. (To secure biodiversity improvements in accordance with Core Strategy policy CS17).
12. Prior to the commencement of development full details of the Sustainable Drainage System (SuDS) together with implementation, long term maintenance and management of the system shall be submitted to and approved by the local planning authority. No dwelling shall be occupied until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include: (i) full design details, (ii) a timetable for its implementation, and (iii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
13. Prior to the commencement of development details of foul drainage, shall be submitted to and approved in writing by the City Council as local planning authority. No dwelling shall be occupied until the foul drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
14. No dwelling shall be occupied until such time as the visibility splays of 2.4 metres by 65 metres shown out of the access on to Lutterworth Road on the amended plan 4571/DJ/18/008 received on 30 January 2019 have been provided and 2 metre by 2 metre sight lines on each side of each vehicular access have been provided, and they shall be retained thereafter. (In the interests of the safety of pedestrians and other road users, and in accordance

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- with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
15. Before first occupation of any dwelling, the existing vehicular access serving the host dwelling shall have been permanently closed and the proposed access shown on the amended plans, shall have been provided and surfaced in a hard bound material for a minimum distance of 5 metres behind the back edge of footway and shall be positively drained so as to prevent surface water running from the site and into the highway, and shall thereafter be permanently so maintained. (This is in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
 16. Prior to the commencement of the development hereby approved details of all street works, including alterations to the footway crossing, shall be submitted to and approved in writing by the City Council as local planning authority. No part of the development shall be occupied until the following works have been carried out in accordance with details shown on the approved plans: (a) footway crossing(s) at each vehicular access; (b) alterations to footway crossing(s); (c) reinstatement of any redundant footway crossings and/or damaged or altered areas of footway or other highway and all streetworks must be implemented in full accordance with the approved details. (To achieve a satisfactory form of development, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3. This is PRE-COMMENCEMENT CONDITION).
 17. Turning space shall be provided and maintained to enable all vehicles, including delivery vehicles to enter and leave the site in a forward direction and shall be kept available within the site. (In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
 18. No gates, barrier, bollards or other such obstruction shall be placed across the proposed shared private access drive, unless they are set back at least 10 metres behind the highway boundary (back of widened footway) and shall be erected so that they do not open outwards. (In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
 19. The dwellings and their associated parking and approach shall be constructed in accordance with 'Category 2: Accessible and adaptable dwellings M4 (2) Optional Requirement. On completion of the scheme and prior to the occupation of each dwelling a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to the City Council as local planning authority certifying compliance with the above standard. (To ensure the dwelling is adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS6)
 20. This consent shall relate to the submitted plans as amended by plan ref. no. 4571/DJ/18/007/P3 received by the City Council as local planning authority on 20/02/2019, 4571/DJ/18/003/P6 received by the City Council as local planning

authority on 20/02/2019, 4571/DJ/18/005/P1 received by the City Council as local planning authority on 18/01/2019, 4571/DJ/18/004/P3 received by the City Council as local planning authority on 12/02/2019, 4571/DJ/18/008/P0 received by the City Council as local planning authority on 30/01/2019, 4571/DJ/18/002/P0 received by the City Council as local planning authority on 21/01/2019, 4571/DJ/18/006/P1 received by the City Council as local planning authority on 21/01/2019 (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. The effect of condition 4 of this planning permission is that all future alterations and extensions to these dwellings, and the construction of outbuildings within the curtilage of each dwelling, will require planning permission from the City Council as the local planning authority. (This includes the insertion of windows).
2. The visibility splay will be cleared to a height of 600mm above the level of the adjacent carriageway
3. The proposed shared access drive will remain private and will not be considered for adoption by the Highway Authority, but the responsibility of future maintenance will lie with the residents of the dwellings served by the private drive.
4. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway. For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk

Policies relating to this recommendation

- 2006_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
- 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_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.
- 2014_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.
- 2014_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'.
- 2014_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.

- 2014_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.
- 2014_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.