

Recommendation: Conditional approval	
20170553	377 UPPINGHAM ROAD
Proposal:	DEMOLITION OF DWELLING; CONSTRUCTION OF FIVE DWELLINGS (2 X 5-BED, 3 X 2-BED) (CLASS C3)(AMENDED PLANS REC 01/03/19 & 9/4/19)
Applicant:	ABC ENTERPRISE
View application and responses	http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20170553
Expiry Date:	11 January 2019
SSB	WARD: Thurncourt



Introduction

This application site is a detached bungalow with an extensive rear garden located within an area defined by the City of Leicester Local Plan as being primarily residential. There are two small ponds in the rear garden of the site.

To the rear of the site is a railway embankment, which is designated as a Biodiversity Enhancement Site, with trees protected by a Woodland Tree Preservation Order. The site is also within 250m of a Landfill Buffer Zone and Uppingham Road is within an Air Quality Management Area and 1:1000 year flood zone.

Background

20080590 Planning permission granted for two houses and four bungalows in July 2008 but not implemented.

20152052 An application for the demolition of the bungalow and the construction of two houses and four bungalows was withdrawn.

The Proposal

Plots 1 and 2 are detached houses with five bedrooms (one in the loft space) each facing Uppingham Road with a private drive leading to the three dwellings at the rear. These two properties located at the front would have small gardens to the front and rear with integral garages to the side. The properties would have rear gardens that are a minimum of 100sq.m in area.

Vehicular access is off Uppingham Road between plots 1 and 2 and leads to the three dwellings proposed to the rear (Plots 3-5). Two parking spaces are proposed to each of these properties and private amenity space in the form of gardens to the rear ranging in size from 78sqm to 116sqm. The properties back onto the woodland. The block paving to the front two properties would be of permeable materials.

Boundary treatment comprising a variety of 2m and 0.9m close board fences around individual plots. Sight lines are proposed to the access onto Uppingham Road. A number of trees on the site would be removed to facilitate the development.

The original plans have been amended to improve the appearance of the proposed properties to the rear and their relationship within the site and to the surrounding properties. The number of properties to the rear has been reduced from four to three.

The proposal is supported by a design and access statement, protected species assessment and a flooding report. Also provided are:-

Arboricultural - Impact Assessment & Method Statement – August 2018
Arboricultural Survey – May 2018

Policy Considerations

National Planning Policy Framework (NPPF) 2019

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 contains 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.

Leicester city Council does not currently have a 5 year housing land supply therefore the policies relating to housing are considered out of date.

In making an assessment Paragraph 108 of the NPPF (2019) states that development proposals should take up appropriate opportunities to promote sustainable transport modes; ensure safe and suitable access can be achieved for all users and; any significant impact (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable.

Paragraph 109 advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 117 requires planning policies and decisions to promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 127 sets out criteria for assessing planning applications which includes issues such as the long term functionality of development proposals; visual impacts; the ability of development to relate to local character; creation of a sense of place using various design tools such as building types and materials; optimising the potential of development sites; and, designing safe, secure and inclusive developments with a high standard of amenity for existing and future users.

Paragraph 130 states that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 163 of the NPPF advises 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 encourages planning policies and decision to contribute to and enhance the natural environment. Paragraph 177 clearly states that the presumption in favour of sustainable development does not apply where development requiring

appropriate assessment because of its potential impact on a habitats site is being planned or determined.

Paragraph 178 places an emphasis on local planning authorities to ensure that development sites are suitable for their proposed use, taking into account ground conditions. Paragraph 180 requires decision makers to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Supplementary Planning Documents (SPD)

Appendix 01 of the City of Leicester Local Plan

City of Leicester Local Plan – Adopted 2006 Appendix 1; Parking Standards

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

Wildlife Legislation

- EU Habitat & Species Regs. (2010)
- Wildlife & Countryside Act (1981) as amended

Development plan policies relevant to this application are considered in the body of this report and also listed at the end of this report.

Consultations

Local Highway Authority – recommended amendments to the original design of the access drive and parking areas. These have been secured.

Severn Trent Water – no objection and recommend conditions regarding drainage.

Trees and Woodlands - The submitted Tree Protection Plan details illustrate how work can be carried out whilst successfully retaining the TPO trees.

However, the trees to the rear in the woodland may result in the closest of the proposed properties being shaded at the front for most of the day, as well as the constant shade from the woodland. Because of the close proximity of the woodland to the rear there may be pressure on the successful retention of the TPO woodland, as the woodland is likely to restrict light into the proposed properties and the pressure for pruning will become significant. The detailed report submitted proposes the removal of a number of trees, one of which is identified as being within the protected woodland.

Other trees proposed for removal are acceptable (T16, 17, 18, 20 and 21). The location of 3 bungalows encroaches within the Root Protection Area (RPA) of T13 located on adjacent land. It is recommended pile foundations be used on this property to protect the roots.

Local Lead Flood Authority (LLFA)

The previously approved application identified that the redundant railway embankment drains towards the rear ends of the gardens of Uppingham Road. There is a small ditch running along the back of these gardens at the base of the embankment and discharges into Bushby Brook. This has been blocked by garden debris downstream from the application site, probably on land owned by Network Rail.

The LLFA consider that this needs to be cleared before any development commences and they recommend an appropriate condition to this effect.

Noise Team – The key concern is the impact during the construction phase due to the number of properties being built in such close proximity to the existing neighbouring properties. In order to preserve the amenity of the surrounding neighbours they recommend hours of work condition.

Representations

Eleven objections were received on the following grounds with further comments on the amended plans:

- Detrimental impact to existing wildlife both on the site and to the railway embankment;
- Inaccuracies on the submitted planning application;
- Development plots not big enough, inadequate separation distance and out of proportion to the site;
- The trees and hedges around the site will be detrimentally affected and no space for future planting of trees;
- Loss of green space; loss of character; loss of bio-diversity;
- A detailed response to the Arboricultural Assessment Report
- The properties will be overshadowed by TPO Trees;
- Lack of adequate parking provision and space for emergency vehicles;
- Increase in traffic to Uppingham Road which could give rise to safety concerns, especially due to the proximity of a bus stop to the proposed access;
- Noise nuisance, pollution and safety issue from vehicle movements and residents;
- Detriment to the existing residential amenity of the adjoining houses, especially in terms of loss of light, overlooking, amenity and outlook;
- Proposed houses are out of keeping with the character of the area;
- Increase the risk of flooding; drainage and SUDS;
- No capacity for the additional sewerage;
- The proposal would lead to a loss of green space and represents over development of the site;

- Adverse feeling of being hemmed in;
- Will the bus stop outside be relocated; private road used for turning;
- This is a high density development with little regard for the character of the area;
- Loss of Human Rights

One objector has responded to the amended plans expressing concern regarding:-

- Why has the process taken two years it is not in the interest of democracy?
- This appears to be a new application and should have a new number;
- Should be determined by Planning Committee;
- The application is being given preferential treatment?

Consideration

Principle of Development

The proposal is acceptable in principle subject to development plan policies and guidance in the NPPF as it is within a residential area. I consider the key issues are the scale of the development, appearance, impact upon the surrounding residential properties, ecology, impact on TPO trees, flooding, sustainable drainage and traffic.

Policy CS06 of the Leicester Core Strategy (2014) undertakes to meet the City's housing requirements over the plan period through, *inter alia*, limited housing growth within established residential areas and small housing infill to support the development of sustainable communities. Policy CS08 goes on to resist development on garden land where it would have an unacceptable impact upon levels of biodiversity.

In the absence of such unacceptable impact and there are no site specific constraints to indicate that residential development would be inappropriate or inherently harmful. In the above policy context and having particular regard to the City's current housing supply position, I conclude that the development of this site is acceptable in principle, subject to the foregoing consideration of the impact and quality of the proposed development.

Scale - The site covers an area of approximately 0.3 hectares. The proposed houses to the front of the site have a ridge height similar to the adjacent properties and are similar in mass and proportion. Whilst some objectors have referred to the houses as being three storeys, they are in fact two-storey with the roof space being utilised for rear dormers as bedrooms; the installation of dormer windows could take place without requiring planning consent to certain existing houses in the area subject to permitted development rights not being removed. The three dwellings to the rear are of an appropriate scale in relation to the size of the site and are an acceptable distance (more than 21m) from the existing properties and proposed properties to the front.

Appearance - The houses are similar in size to those on Uppingham Road and those recently approved on Holman Row. There is no specific style of houses along Uppingham Road, although most are detached, as are the proposed larger houses to the frontage. The front of the houses forms an attractive addition to the street scene

and will not dominate the existing houses. The appearance of the dwellings is satisfactory whilst they lack the specific detailing compared to the existing properties this is acceptable due to their scale. Amended plans include redesigned dormers, thus improving their appearance and breaking up the mass of the roof of the bungalows making them more aesthetically pleasing to the eye and it also allows greater outlook from the bedrooms, whilst avoiding overlooking of existing properties.

The applicant has indicated that the proposal will be constructed in red brick and comply with M4 (2) Category Housing Standards (accessible and adaptable). I consider that this is satisfactory and appropriate to this location.

Amenity for occupiers/neighbours - The development of the site would inevitably affect the outlook of the neighbouring properties. However, as this is a relatively modest residential development (five units) of traditional single family houses, I do not consider that the proposal would be likely to give rise to unacceptable level of noise, disturbance or air pollution that would detrimentally affect the amenity of the occupiers of neighbouring residential properties.

The two-storey properties are located to the frontage on Uppingham Road and the bungalows to the rear of the site. There is an acceptable separation distance between the proposed and existing properties so as to maintain the existing level of privacy and not result in any significant overlooking or loss of outlook.

The dwellings to the rear have a separation distance of more than 21m between habitable room windows and the rear gardens have an acceptable level of amenity space, ranging from 78sq.m. to 116sq.m. The design of the dormers has been amended to improve the design. I consider that the proposal complies with the Residential Guide SPD.

Although the construction process itself would generate noise, this does not constitute a valid reason to refuse an application and once the development is brought into residential use, disturbance is likely to be minimal. The proposed dwellings are detached from the existing houses located approximately 1m (875mm) from the boundary. I recommend a condition regarding the control of noise during the construction stage to protect the amenity of nearby residents.

The front and rear elevation of house No 2 is slightly forward of No 375 Uppingham Road and is unlikely to substantially overshadow the front or rear windows. No 375 has one side facing first floor bedroom window. This secondary window serves the same room as the first floor front window, so the proposed building will not lead to an unacceptable loss of light and outlook to this property. Due to the orientation of the properties, a small amount of shadow may be cast over the rear garden of 375 Uppingham Road but this would not lead to a significant loss of residential amenity.

The relationship of house No1 with 379 Uppingham Road is similar. The rear elevation would be some 3m behind that of the garage along the boundary at no 379. I consider that there would be no significant impact on the garage. Furthermore the closest habitable room window on this property is to the first floor and I consider that the proposal would not result in any significant loss of light or outlook to the first floor window as the proposed building would not breach the 45° line taken from the middle of this window. I consider that this element complies with the Residential Amenity

SPD. Additionally any loss of light would be minimised as the development is orientated to the west of no 379, so a shadow would not be cast over the building except in late evening.

The main house at 379 Uppingham Road is set approximately 3m from the boundary with the application site, and the only side facing window does not serve a principal room. I believe that the proposal has been well designed and will not have a significantly detrimental impact upon the visual amenity of the area or the surrounding properties.

Ecology and Trees - The ecology survey submitted concludes there are currently two small ponds in the rear garden of the site and the railway embankment to the rear is a Biodiversity Enhancement Site. As the proposal would remove the ponds and demolish the existing bungalow, a protected species survey was required to investigate for the presence of Great Crested Newts, bats and other protected species.

The survey found no protected species on the site and I do not consider that the proposal would be detrimental to ecology in terms of the loss of the ponds or the redevelopment of the garden. The site measures approximately 1650m² and 595m² of the site will constitute undeveloped garden – approximately one third of the site. Whilst there would appear to be no protected species or mature trees on the site, there is dense undergrowth, which may be suitable for ground nesting birds. I recommend a condition to ensure that this is only cleared outside of the nesting season (March–August). I recommend that a further survey be undertaken before development commences.

The amended proposal illustrates that dwelling to the rear are located at least 12m from the rear boundary with only garden space in between them and the boundary. Conditions are recommended to protect T13 and T15 (in adjacent gardens) for the future. I do not consider that the proposal would have a detrimental impact upon the Biodiversity Enhancement Site or trees protected by the Woodland Tree Preservation Order. The loss of trees within the site is considered acceptable due to their limited quality and the lack of TPO protection.

Traffic

The two detached dwelling houses have at least one off street parking space and one garage space and the three houses at the rear have two off street parking spaces each. I consider the proposal has an acceptable level of vehicle parking spaces and meets the requirements highlighted in the City of Leicester Local Plan – Adopted 2006 Appendix 1; Parking Standards

The site is located off Uppingham Road, a major transport route. This is a sustainable location as there are good public transport links to the site.

The proposed entrance is located on a clear, straight section of Uppingham Road, and is 200m from a major junction. As such, visibility approaching the site is likely to be good, and whilst vehicles would be accelerating from the east, the speed limit is 30mph and vehicles approaching from the west are likely to be decelerating for the

approaching junction. I consider that the proposed location of the entrance is safe for drivers and pedestrians.

Whilst the access is located in close proximity to a bus stop the level of traffic therefore using this access point will not be so great that it would pose a hazard to highway safety.

I do not consider that the increase in vehicular traffic would be detrimental to the amenity of surrounding residents, whilst some noise would be generated by vehicles turning and manoeuvring within the site, this would not be significantly greater than disturbance generated by other residential properties. The proposed garages are located adjacent to the boundary of the site with adequate turning space.

Flooding and Sustainable Drainage

Details have been provided with the submitted plans of permeable paving and water butts. However, I consider that more information is required. Further improvements would help to reduce pressure on the current drainage system, reduce overall risk from surface water flooding and make allowances for the likely impact of climate change. I therefore recommend a condition to resolve these matters in accordance with policy CS02 of the Core Strategy.

Conclusion

I consider that the proposed development of five dwellings in a residential area is acceptable. The separation distances between the properties within the site and between those around the site and surrounding properties is acceptable. Amended plans have been received which ensure that no significant overlooking occurs to the rear elevation of the existing residential properties.

Adequate parking has been provided and the location of the access is acceptable. The proposal is unlikely to have any significant detrimental impact or unacceptable impact upon bio-diversity. Conditions are recommended for SUDS and Access Housing to ensure that the construction meets current requirements.

Although there are protected trees to the rear of the site I am satisfied they are not directly threatened by the development and can be protected by appropriate measures. Likewise with the tree on the adjacent site

I recommend 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. The development shall only be carried out using the materials specified in the approved plans (2017/03/68/B). (In the interests of residential amenity and in accordance with policy CS03 of the Core Strategy.)

3. No development shall take place on the site until works to the ditch running along the back of the development site at the base of the embankment is clear of debris and to convey the overland flows from the site generated by periods of rainfall. The debris clearance shall be completed in accordance with the approved scheme, which shall have been first agreed in writing with the City Council as local planning authority, in consultation with the Environment Agency. (In order to reduce the risk of flooding on the site and in accordance with Policy BE20 of the City of Leicester Local Plan this is a PRE-COMMENCEMENT condition).
4. No development shall take place until details of drainage works for the disposal of both surface water and foul sewerage, (incorporating Sustainable Urban Drainage System principles) has been submitted to and agreed in writing with the City Council as local planning authority. The agreed works shall be fully completed before the first occupation of any of the dwellings. (To ensure that the development is provided with a satisfactory means of drainage, to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with policy BE18 of the City of Leicester Local Plan this is a PRE-COMMENCEMENT condition.)
5. All street works for adoption shall be constructed in accordance with the Council's standards. (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.)
6. The 2 metre by 2 metre sight lines on the each side of the 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 policies AM01 and AM12 of the City of Leicester Local Plan.)
7. The access drive shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the Highway boundary prior to first occupation of any dwellings hereby approved. (For the safety and convenience of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan.)
8. No dwelling shall be occupied until the parking and garages as approved have been provided and are available for use. Thereafter the parking and garage facilities shall not be obstructed in any way that would prevent such use. (To ensure adequate off street parking is provided and retained, and in accordance with Policy AM12 of the City of Leicester Local Plan.)
9. No part of the development shall be occupied until footway crossing(s) have been provided at each vehicular access in accordance with the Council's standards contained in the Council Standards. (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.)

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10. No part of the development shall be occupied until any redundant footway crossings and/or damaged or altered areas of footway or other highway have been reinstated in accordance with the Council's standards. (For the safety and convenience of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
 11. A turning space, to enable vehicles always to enter and leave the site in a forward direction, 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.)
 12. Prior to the first occupation of any of the dwellings, the boundary treatment shown on the approved plans shall be implemented in accordance with these details, and retained in perpetuity on the site. (In order to protect the privacy and residential amenity of the surrounding residential properties, and in accordance with Policy PS10 of the City of Leicester Local Plan.)
 13. Prior to commencement of the development a 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 shall be repeated annually until the development begins. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000), the Habitat & Species Regulations 2010 and CS 17 of the Core Strategy this is a PRE-COMMENCEMENT condition).
 14. All trees subject to a Tree Preservation Order and T1, 2, 4, 5, 6, W9, T11, T12, T13, 14, 15, H19 and T24 shall be protected from damage during building operations, in accordance with details submitted in the arboriculture report (RJ Tree Services Ltd May 2018) and BS 5837. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
 15. Before the development is begun, all existing trees, shrubs or hedges to be retained on the site shall be protected by fences erected not within the root protection area in accordance with details which shall first have been submitted to and approved by the City Council as local planning authority. No materials whatsoever 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. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and 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).
 16. Before the development is begun, a scheme shall be submitted to and approved by the City Council as local planning authority indicating details of temporary

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- site entrances, temporary storage areas for soil and other materials, and the placing of plant and site huts to be adopted during building operations and shall be implemented. (To ensure the satisfactory development of the site, and in accordance with policy UD06 of the City of Leicester Local Plan and 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)
17. Before any clearance is begun (which shall be outside the bird nesting season) 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 and carried out in accordance with the approved details. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
 18. Any proposed hard standing within close proximity to TPO trees and their RPA should be constructed using a no dig system, and retained as such in perpetuity on the site. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
 19. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to three dwellings to the rear of the site as specified in (Part 1, Classes A, E and F) of Schedule 2 to that Order shall be carried out without express planning permission having previously been obtained. (Given the nature of the site, the form of development is such that work of these types may be visually unacceptable or lead to an unacceptable loss of amenity to occupiers of neighbouring properties; and in accordance with policy PS10 of the City of Leicester Local Plan).
 20. Before any clearance is begun all trees to be pruned shall be clearly identified on site in accordance with details to be submitted, approved and all work shall be carried out in accordance with BS 5837 and the approved details. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
 21. The dwelling and its 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 the 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)
 22. Finished floor levels within the proposed development shall be set no lower than existing flood levels and flood proofing/resilience techniques shall be incorporated in accordance with 'Improving the Flood Performance of New Buildings' (Department of Communities and Local Government, 2007). (To

minimise the risk of damage in times of flooding, and in accordance with policy BE20 of the City of Leicester Local Plan and Core Strategy policy CS02).

23. Prior to the commencement of development details of a Sustainable Drainage System (SuDS) shall be submitted to and approved by the local planning authority. No houses shall be occupied until the system has been provided in accordance with the approved details. It shall be retained and maintained thereafter. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy, this is a PRE-COMMENCEMENT condition).
24. No construction or demolition work, other than unforeseen emergency work, shall be undertaken outside of the hours of 0730 to 1800 Monday to Friday, 0730 to 1300 Saturday or at any time on Sundays or Bank Holidays, unless the methodology has first been submitted to and approved the Council. The methodology must be submitted at least 10 working days before such proposed work commences. Should any unforeseen emergency work need to be undertaken the Council shall be notified as soon as is practical after the necessity of such work has been decided by the developer or by anyone undertaking the works on the developer's behalf. (In the interests of residential amenity and in accordance with policies PS10 of the City of Leicester Local Plan.)
25. This consent shall relate solely to the amended plans ref. no. 2019/03/63 received by the City Council as local planning authority received on 1/3/19 and the block plan dated 9/4/19, unless otherwise agreed in writing with the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. With regard to condition 3, it will be necessary to ensure that the drainage channel to the rear of the site, flowing into Bushby Brook is clear of debris. Details of the works submitted to the City Council for approval should include a monitoring scheme to show how works could be undertaken in the future should the problem persist.
2. With regard to condition 4 above, the levels of run off from the site should be limited to existing rates to prevent any increase in standing water.
3. 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
4. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may

have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application).

The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2019 is considered to be a positive outcome of these discussions.

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_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
- 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_CS15 To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.
- 2014_CS14 The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.
- 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.