

COMMITTEE REPORT

20190377	32, 34 & 36 BARKBYTHORPE ROAD	
Proposal:	DEMOLITION OF EXISTING 3 DWELLINGS; CONSTRUCTION OF 18 DWELLINGS INCLUDING ASSOCIATED EXTERNAL WORKS (AMENDED PLANS). (S106 agreement)	
Applicant:	MRS P.P. WALKER	
App type:	Operational development - full application	
Status:	Smallscale Major Development	
Expiry Date:	16 April 2021	
AS	TEAM: PM	WARD: Troon



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Summary

- A resolution to approve this application subject to the signing of the s106 agreement was made in July 2020 under delegated powers. At that time only 5 objections were received.

- Negotiations over the content of the s106 agreement have been taking place since then.
- Due to the length of time since the original neighbour notification (July 2019) it was considered that the resolution may now be unsafe as circumstances may have changed in the locality. Therefore, neighbours were re-notified of the application in 10th July 2021.
- A total of 7 objections have now been received raising concerns regarding loss of light, highways, loss of trees/wildlife.
- The key issues are residential amenity, highway, ecology and pollution issues.

Introduction

This application relates to an area of land located to the north/west side of Barkbythorpe Road. It is in a residential area with a play area to the rear (north/west) of the site. To the opposite side of Barkbythorpe Road is the Melton Brook which is also classed as Green Space. Existing housing is to the north and south of the site. Immediately to the west boundary is a builders' yard located to the rear of dwellings on Barkbythorpe Road. The site is currently vacant and appears to have been used for car storage. Included within the site is a bungalow and to the front are a further two bungalows.

The site is within 250m of landfill buffer, within a critical drainage area and within flood zone 2.

Background

There is no relevant history relating to this piece of land.

The Proposal

It is proposed to demolish the three existing bungalows, one towards the rear of the site and two to the front.

The proposal has been amended by reducing the number of houses from 20 down to 18. The site would be developed to include a new access road leading to the 18 new dwellings. There would be a turning head at the far end of the new road.

The housing mix consists of 16 x 3 bed and 2 x 2 bed. There would be 7 detached houses, 8 semi detached houses and 3 terrace houses all being two storeys' in height. All the properties would each have 2 off street parking spaces- either directly on their drive, or as for the 3 terrace houses, a dedicated area to the front.

Policy Considerations

National Planning Policy Framework (NPPF) 2019

Section 2 – achieving sustainable development

Paragraph 11 – the presumption in favour of sustainable development

Section 5 – Delivering a sufficient supply of homes.

Paragraph 64 – affordable housing should be provided.

Section 9 – Promoting sustainable transport

Paragraph 102 – transport issues should be considered from the earliest stage.

Section 11 – Making effective use of land.

Paragraphs 122 – 123 – Achieving appropriate densities

Section 12 – Achieving well designed places.

Paragraph 124 – creation of high quality buildings.

Paragraph 126 – design expectations.

Paragraph 127 – visually attractive, create places that are safe, inclusive and accessible and which promote health and well-being.

Paragraph 128– Design quality considered throughout the evolution and assessment of individual proposals.

Paragraph 130 – Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 15 – conserving and enhancing the natural environment

Paragraphs 170, 175, 178, 179

Section 16 – Conserving and enhancing the historic environment

Paragraph 189.

Development Plan policies

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

The most relevant policies are PS10, CS03, CS07, and CS08

Supplementary Planning Documents (SPD)

Residential Amenity SPD (adopted 2008)

Green Space SPD

City of Leicester Local Plan Appendix One – Vehicle Parking Standards

Development Plan policies

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

Further Guidance

Consultations

Local Highway Authority (LHA): The site is currently occupied by 3 dwellings but one of these has also been used for commercial purposes. The commercial uses have included auto repairs / breaking and skip hire. The proposed development is therefore more consistent with the surrounding neighbourhood which is predominantly residential in nature. Subject to a number of relatively minor issues raised below being addressed, the proposal is generally acceptable to the local highway authority.

Vehicle access: Number 32 Barkbythorpe Road currently has vehicle access onto Barkbythorpe Road, and it is this property that has been used for commercial purposes. Numbers 34 and 36 do not have vehicular access to Barkbythorpe Road. The proposed cul-de-sac will replace the existing private access to number 32, albeit relocated several metres north of its current position. Any part of the existing footway crossing that becomes redundant will need to be reinstated by the developer, and this is covered in one of the recommended conditions below. The TA indicates that a visibility splay of 2.4m x 47m is to be provided in both directions at the mouth of the access. Reference is made in paragraph 5.4 of the TA to the proposed splay is “based on observed vehicle speeds” but no observed speed data has been included in the TA. A 47m splay is suitable for an 85th percentile speed of 30mph but in the absence of measured speeds one would normally set the splay length for the next speed step up. However, in this case it appears that visibility well in excess of the minimum requirement can readily be achieved.

Internal layout: The proposed layout is conventional in nature with kerbed carriageway and footways on both sides in front of dwellings. It incorporates traffic calming measures both vertical and by contrasting surfacing. This is acceptable.

Vehicle parking:

With the exception of one block of three dwellings, which will have a shared block of 6 parking spaces, all of the proposed properties are to be provided with individual vehicle accesses from the new cul-de-sac to their own parking spaces. All the proposed dwellings will have at least 2 car park spaces, predominantly in tandem arrangement. The Council’s current highway design standards require a 2m x 2m pedestrian visibility splay where driveways meet the back of the footway.

Traffic, pedestrian and cyclist impacts: Given the previous uses of the site, trip generation is unlikely to raise any concerns as a result of this proposal. However, in order to improve the transport sustainability of the proposal, our response to an earlier consultation recommended creating a footpath link to the footpath that currently runs from Christopher Drive to the play park adjacent to the north-west of the site. The latest revised layout has incorporated this into the proposal directly off the turning head at the end of the cul-de-sac. This should noticeably improve connectivity from the site for pedestrians/cyclists to nearby services and facilities. Cycle parking is not specifically indicated on the layout drawings but, given the design and layout of the individual dwellings, it is anticipated that cycle storage can be provided by residents within individual properties.

The applicant is advised to provide new residents with advice about sustainable travel options available to them. This would normally be done through a 'Travel Pack'.

No objections subject to conditions.

Lead local Flood Authority (LLFA): no objection subject to conditions.

Environment team (Energy): acceptable subject to condition requiring full design details of the proposed heating system prior to commencement of development.

Waste: There must be hard standing with adequate space for residents to store up to a 360 litre bin and orange recycling bags at the property. The plans do not indicate where collection of the refuse will be from the properties. Access roads to all bin stores should be able to safely accommodate collection vehicles: surfaces, utilities and utility covers should be constructed to withstand the weight of waste collection vehicles (i.e. 32,000 kg). Clearance of overhead fixtures and fittings must be allowed for. A turning assessment should be made with use of the appropriate software (such as Auto Track), taking into account the vehicle dimensions and submitted with the planning application. Reversing of collection vehicles should be avoided, to address traffic and public safety issues. If reversing is unavoidable, the maximum vehicle reversing distance of 12m should be accounted for. There should be a designated management agent who we can contact to deal with any excess waste or general maintenance issues. The management agent should be willing to assist with encouraging correct use of refuse bins and recycling bags (e.g. signage, distribution of LCC literature to new tenants etc.)

Pollution (land contamination): it is a known landfill site. Therefore, a land contamination condition and a landfill gas condition should be attached to any approval.

Pollution (Noise): no objection subject to conditions being attached to any approval.

Housing: Either of following two options:

Affordable Housing Mix to include Intermediate Affordable Housing: Total 4 units:

A. HEDNA Mix (with Intermediate Affordable Housing): total 4 units (100%)

Rented affordable housing: 3 units (81%) comprising:

2 x 2 bed/4 person homes to National Accessible and Adaptable Standard M4(2)
1 x 3 bed/5 person home to National Accessible and Adaptable Standards M4(2)

Intermediate Affordable Housing: 1 unit (19%) comprising:

1 x 2 bed/4 person home to National Accessible and Adaptable Standard M4(2)

Or

Affordable Rent (without Intermediate Affordable Housing): total 4 units:

B. All Affordable Rent (without Intermediate Affordable Housing): total 4 units.

3 x 2 bed/4 person homes to National Accessible and Adaptable Standard M4 (2)
1 x 3 bed/5 person home to National Accessible and Adaptable Standard M4 (2)

Housing: 4 x 3 bed/ 5 person houses, as this would still help achieve the affordable housing needs for LCC. The Type C semi detached properties as these properties fit our criteria regarding M4(2) compliance as well as compliance to NDSS whilst also not appearing any different to the regular housing being provided. For this we would accept any two pairs of the type C semi detached properties. If you could also please ensure them that the affordable housing sought is secured via a section 106 Agreement. In order for these units to be classed as affordable housing, they need to be let via a Registered Provider.

Parks (Open space): I can confirm that the revised open space contribution for the amended scheme is £28,036.00. This contribution is required for improved play facilities, provision of outdoor gym equipment, and refurbished seating at Appleton Park.

Education: The contribution for the net gain of housing towards primary education would be £54,822.47 and the contribution towards secondary education would be £44,687.67. The total would be £99,510.14. The contribution would go towards providing facilities at primary schools within 1 mile of the development and secondary schools within 2 miles all within the boundary of Leicester City.

Archaeology: I recommend that an archaeological desk-based assessment is undertaken as per Para 189 of the NPPF followed by evaluation of the application site. Within 700m of the site archaeological finds and features have been found, including an Anglo-Saxon cemetery, c.600m northwest of the site, and a possible Roman settlement c.550m to the west-northwest of the proposed development.

Trees and Woodlands: No objection subject a condition requiring protection for the existing trees and shrubs during construction.

Environment Agency: no comment.

Representations

Seven letters of objection have been received from occupiers of nearby properties.

The concerns they have raised are:

- Loss of light.
- Overlooking. The development would be better if they were bungalows.
- Disturbance during construction.
- The effect on their well-being.
- Loss of family home.
- The land is contaminated.
- Highway issues: insufficient visibility splays, safety of vehicles, pedestrians, cyclist, congestion during rush hour. Existing property would have issues

regarding visitors to their property and safety when leaving their drive. Therefore, increasing the risk of accidents for the family and visitors.

- Impact on wildlife
- loss of trees.
- Increase in crime.
- Drainage.
- Maintenance of existing property.

Consideration

Principle

The site is located in a residential area and therefore the principle of the proposal for 18 dwellings is accepted subject to residential amenity, highway, ecology and pollution consideration.

The proposed development includes a new road (cul-de-sac) with a turning circle at the end. The proposal includes the demolition of two bungalows to the front facing Barkbythorpe Road and one bungalow within the site. Other workshops / sheds within the site will also be removed.

To the rear of the site would be a pedestrian access direct to Appleton Park where access is currently gained from Christopher Drive.

Design

To the front of the site would be one detached house with its principal elevation facing the new road. There would be a further six detached house, 4 pairs of semi-detached houses and three terraced houses. All properties would be two storeys' in height with gable roofs. The design of the plots allows tandem parking to the houses along the length of the drive allowing green frontages to these houses. I consider that the design of the new road and dwellings is characteristic of a small infill development within the local environment. A condition should be attached to agree the materials.

Residential amenity (proposed development)

The depth of the gardens has a range of 9m (3 dwellings) up to 30m (2 dwellings). The majority of the gardens however have a depth of around 11m. The smallest rear gardens would have an area of approximately 70sq.m., with the largest being over 280sq.m. The rear outlook from the proposed dwellings would be towards existing gardens or the adjacent builder's yard. I consider the rear amenity provision to be an acceptable level for the future occupiers of the development.

Residential amenity (neighbouring properties)

The closest existing dwellings to the proposal would be 2 properties off Donald Close and the distance between the proposed rear elevations to the existing rear elevation would be over 22m. That distance is in accordance with guidance in the Residential Amenity Guide SPD which requires a distance of 21m between two rear elevations with facing principle windows. The other property that would be close to the

development would be 31 Christopher Drive, however the proposed dwelling would be located alongside that property, therefore there would be minimal impact upon the dwelling in terms of loss of outlook. The remainder of the existing houses that surround the site have existing long gardens and therefore there would be a minimal loss of amenity to the occupiers of those properties.

Highways / waste

The arrangement of the number of street car parking spaces is accepted in that there are two spaces per property. The car parking spaces for 12 of the properties would be in tandem formation to the side of their property. It is likely that visitors would park on the highway.

The drawings indicate that there would be areas in the rear gardens for the storage of the waste bins. Each occupier would put the appropriate bin to the front of their property on bin collection days. The bin lorry would access the development along the new road.

Sustainable Drainage

The Lead Local Flood Authority requires further information. However, it is considered that these details can be addressed through the use of a pre-commencement of development condition.

Housing

A total of 4 units to be affordable are required. The applicant has agreed to that provision and details to secure it will form part of the S106 agreement. The properties that will be affordable will be 2 pairs of Type C semi detached properties but the actual two pairs are not currently identified. The applicant has stated that a condition requiring the properties to be category M4(2) is acceptable.

Landscape / Trees / Ecology

There are a few issues that need addressing with regards to the hard and soft landscaping and boundary treatment. The applicant has agreed to a condition requiring the provision of all of these details. The proposed footpath from the development to the play area off Christopher Road connects to an existing footpath within the play area. The poplar trees to the rear boundary can be removed at any time by the owner as they are not protected. They do offer wildlife habitat and the applicant will have to be mindful of the implications when felling the trees.

Archaeology

As the site lies within 700m of a site where there are archaeological finds, I will attach a condition requiring a desk-based assessment to be undertaken as per Para 189 of the NPPF.

Pollution (noise)

To protect the amenity of the future occupiers in terms of noise from the industrial estate on the opposite side of Barkbythorpe Road and traffic noise from Barkbythorpe Road, I am suggesting a condition be attached requiring an acoustic survey which may conclude that a ventilation scheme is required which would enable the occupants to keep their windows closed if they chose to do so to minimise noise disturbance.

Pollution (land)

This is it is a known landfill site. I therefore will be attaching a land contamination condition and a landfill gas condition, both conditions would need to be pre-commencement of development conditions.

Energy

The proposal includes heat pumps and PV's and I suggest a condition be attached to secure the details prior to commencement of the development.

Developer Contributions / Section 106 agreement

The statutory tests for the use of section 106 obligations are set out in Regulation 122 of the CIL Regulations 2010. This states that obligations should be:-

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development.

The applicant has agreed to contribute £28,036.00 which would be used to fund the following works at Appleton Park:

- improved play facilities.
- provision of outdoor gym equipment.
- refurbished seating

The applicant has agreed to contribute towards education facilities to the sum of £99,510.14, which would be divided between primary and secondary schools

A total financial contribution would be £127,546.14.

Given the number of dwellings proposed the Service Director for Housing has requested the proposal provide affordable housing in line with Policy CS07 of the Core Strategy which for this area the figure is 20% of the total number of units, which equates to 4 dwellings. The applicant has agreed for the details and number of the affordable units to form part of the s106 agreement.

Conclusion

I therefore consider that the proposal as amended is acceptable and that it is in compliance with the aims of the NPPF. I consider that the proposal would also contribute towards meeting the City's five year housing land supply. The level of accommodation that would be provided is acceptable and there would be no adverse impact on the amenity that the occupiers of neighbouring properties currently enjoy.

I therefore consider that the proposed development as amended is acceptable and is in accordance with the NPPF, Core Strategy and the City of Leicester local plan policies.

The details of the s106 agreement are now agreed between all parties but signatures are still required.

I therefore recommend APPROVAL subject to the following conditions and the SIGNING OF A S106 AGREEMENT to secure the agreed financial contributions and affordable housing provision.

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. Prior to the commencement of the development details of all the materials to be used for the development shall be submitted to and approved in writing with the City Council as local planning authority. The development shall be carried out in accordance with the approved materials. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

3. Prior to the commencement of any development a detailed landscaping scheme and ecological management plan (LEMP) showing the treatment and maintenance of all parts of the site which will remain unbuilt upon shall be submitted to and approved in writing by the City Council as local planning authority. This scheme shall include details of: (i) the position and spread of all existing trees, shrubs and hedges to be retained or removed; (ii) new tree and shrub planting, including plant type, size, quantities and locations; (iii) means of planting, staking, and tying of trees, including tree guards; (iv) other surface treatments; (v) boundary treatments; (vi) any changes in levels; (vii) the position and depth of service and/or drainage runs (which may affect tree roots). The approved LEMP scheme shall contain details on the after-care and maintenance of all soft landscaped areas and be carried out within one year of completion of the development. 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. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03 and CS17. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

4. 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 any 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 local planning authority 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 CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

5. Prior to occupation of each dwelling, bird and bat boxes/bricks shall be installed to that dwelling in accordance with details that have previously been submitted to and approved in writing by the local planning authority. The boxes/bricks shall be retained thereafter. (In the interest of biodiversity and in accordance with Policy CS17 of the Core Strategy).

6. Prior to the commencement of the development a further protected species survey shall be carried out at the site by a suitably qualified ecologist. The survey results and any revised mitigation shall be submitted to and approved in writing with the local planning authority and any identified mitigation measures carried out in accordance with the approved plan. Thereafter the survey shall be repeated biennially and any mitigation measures reviewed by the local planning authority until the development commences. (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. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

7. Prior to occupation of each dwelling, hedgehog boxes and gaps or holes within fences to allow free movement of hedgehogs shall be installed to that respective plot in accordance with details that have previously been submitted to and approved in writing by the local planning authority. The boxes and gaps or holes in fences shall be retained thereafter. (In the interest of biodiversity and in accordance with Policy CS17 of the Core Strategy).

8. Prior to the commencement of the development adequate provision shall be made by the developer for a full site survey to ascertain the ground conditions and potential danger from landfill gas. Appropriate measures shall be taken as a result to protect the development from hazards associated with landfill gas. Those details shall be submitted to and agreed in writing with the City Council as local planning authority and the approved measures shall be installed in accordance with these details and retained thereafter. (The site is within 250m of a landfill site known to have accepted wastes and it is considered that there is a perceptible risk of landfill gas adversely affecting it and in accordance with policy PS11 of the City of Leicester Local Plan. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

9. No development shall be carried out until the site has been investigated for the presence of land contamination, and a Site Investigation Report incorporating a risk assessment and, if required, scheme of remedial works to render the site suitable and safe for the development, has been submitted to and approved in writing by the City Council as local planning authority. The approved remediation scheme shall be

implemented and a completion report shall be submitted to and approved in writing by the City Council as local planning authority before any part of the development is occupied. Any parts of the site where contamination was previously unidentified and found during the development process shall be subject to remediation works carried out and approved in writing by the local planning authority prior to the occupation of the development. The report of the findings shall include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This shall be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11". (To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy PS11 of the City of Leicester Local Plan. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

10. Prior to the commencement of the development full details of the Sustainable Drainage System (SuDS) together with the implementation, long term maintenance and management of the system shall be submitted to and agreed in writing with the local planning authority. No property 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 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 secure surface water runoff and to secure other related benefits in accordance with Core Strategy Policy CS02. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

11. Prior to the commencement of the development full design details of the proposed heating system shall be submitted to and approved in writing with the local planning authority. The approved scheme shall then be implemented and retained. (To ensure that the development reduces greenhouse gas emissions and contributes towards the mitigation of climate change and 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).

12. Prior to the commencement of the development an acoustic survey shall be carried out to assess noise from nearby industrial units, noise from Barkbythorpe Road and other identified noise sources. The developer shall then (subject to the findings of the noise assessment) carry out an insulation scheme, including ventilation arrangements, in accordance with details which shall have first been approved in writing the local planning authority. The sound insulation scheme shall be designed to comply with the relevant World Health Organisation Guidelines Community Noise for noise sensitive development and BS8233:2014. (In the interest of residential amenity

and in accordance with City of Leicester Local Plan policy PS10 and PS11 and Core Strategy Policy CS03.)

13. 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 contained in the Street Design Guide. (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 CS03.)

14. No part of the development shall be occupied until the 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 with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

15. All street works shall be constructed in accordance with the Council's standards contained in the Street Design Guide. (To achieve a satisfactory form of development, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

16. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) the loading and unloading of plant and materials; (iii) the storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works. (To ensure the satisfactory development of the site, and in accordance with policies AM01, UD06 of the City of Leicester Local Plan and Core Strategy policy CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

17. Prior to the first occupation of each unit, the occupiers of that dwelling shall be provided with a 'Residents Travel Pack' details of which shall be submitted to and approved in writing by the local planning authority in advance. The contents of the Travel Pack shall consist of: information promoting the use of sustainable personal journey planners, walking and cycle maps, bus maps, the latest bus timetables applicable to the proposed development, and bus fare discount information. (In the interest of promoting sustainable development, and in accordance with policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy)

18. (A) No development shall take place until a programme of archaeological work including a Written Scheme of Investigation following the submission of an archaeological desk-based assessment has been submitted to and approved in writing by the City Council as local planning authority in respect of a supervised watching brief and excavation where required. The scheme shall include an assessment of

significance and research questions; and: (1) the programme and methodology of site investigation and recording; (2) the programme for post investigation assessment; (3) provision to be made for analysis of the site investigation and recording; (4) provision to be made for publication and dissemination of the analysis and records of the site investigation; (5) provision to be made for archive deposition of the analysis and records of the site investigation; (6) nomination of a competent person or persons or organization to undertake the works set out within the Written Scheme of Investigation.

(B) No demolition or development shall take place other than in accordance with the Written Scheme of Investigation approved under (A) above.

(C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under (A) above, and the provision made for analysis, publication and dissemination of results and archive deposition has been secured, unless agreed in writing with City Council as local planning authority. (To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced; and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

19. The dwellings and the 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 dwellings 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 CS06)

20. This consent shall relate solely to the following plans:

- P001 site location
- P003d proposed site plan
- P004b visibility splays
- P005b speed table
- P006c landscape
- P101b type A1 & A2 plans
- P102c type A1 elevations
- P103c type A2 elevations
- P201a type B floor plans
- P202c type B elevations
- P301b type C plans
- P302c type C elevations
- P401b type S plans
- P402b type S elevations
- P501a type T plans
- P502c type T elevations
- P801b street elevations
- P901a plot 1 & 2 garage

P902a single garage

(For the avoidance of doubt)

NOTES FOR APPLICANT

1. The sound insulation scheme should consider incorporating mechanical ventilation to allow windows to remain closed irrespective of the external conditions if identified as being necessary by the agreed noise survey. Windows should not be permanently sealed closed but should be able to be kept closed, by choice, whilst allowing to enjoy an adequate source of amenity.
2. 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. With regards to the Travel Pack the contents of the pack are intended to raise the awareness and promote sustainable travel, in particularly for trips covering local amenities. The applicant should contact highwaysdc@leicester.gov.uk for advice.
3. 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. 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

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| 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_AM02 | Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely 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. |
| 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.
2014_CS01	The overall objective of the Core Strategy is to ensure that Leicester develops as a sustainable city, with an improved quality of life for all its citizens. The policy includes guidelines for the location of housing and other development.
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_CS07	New residential development should contribute to the creation and enhancement of sustainable mixed communities through the provision of affordable housing. The policy sets out the broad requirements for affordable housing.
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_CS13	The Council will seek to maintain and enhance the quality of the green network so that residents and visitors have easy access to good quality green space, sport and recreation provision that meets the needs of local people.
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.
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_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.
2014_CS18	The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets.
2014_CS19	New development must be supported by the required infrastructure at the appropriate stage. Developer contributions will be sought where needs arise as a result of the development either individually or collectively.