COMMITTEE EXTRACT

Committee Date: 25 September 2007

Reference:- **07/00789/REM** **Parish:-** **Barwell Parish Council**

Applicant:- **Barratt East Midlands**
Barratt Homes
16 Regan Way
Chillwell
Nottingham

Location:- **Land Rear of 41-65 The Common Barwell Leicestershire**

Proposal:- **APPROVAL OF RESERVED MATTERS FOR ERECTION OF 30 DWELLINGS AND ASSOCIATED PARKING**

Introduction:-

This is a reserved matters application for the erection of 30 residential units on land off The Common Barwell. Outline planning permission for access to the site was approved 27th July 2006. The site is located on the south-eastern edge of the village of Barwell, is currently accessed from The Common via a partly made up track between Nos. 49 and 51 The Common and is an open grassed area formerly used as a paddock for horses. The boundary to the site is well defined by existing mature field boundary hedgerows and trees. An open watercourse runs through the site that slopes from north to south. The total site area measures 1.12 hectares of which 0.94 hectares is considered to be developable land. There are open fields to the east and south that form part of a designated Green Wedge between the settlements of Barwell, Earl Shilton and Hinckley. To the west, north-west and south-west there are residential properties and to the north lies an established Industrial Estate off Dawsons Lane.

A Design and Access Statement, Planning Statement, Ecological Appraisal Report, Tree Assessment Report and Noise Assessment have been submitted in support of the application. The Design Statement states that the overriding aim of the proposal is to create a development that is consistent with the existing urban character of Barwell whilst observing the sites constraints. The development seeks to utilise the existing watercourse as a central feature in terms of both visual amenity and ecology. The Ecological Appraisal identifies key habitats and species present either within the site and/or within the surrounding area together and assesses the potential for supporting various species. A Section 106 Agreement covering a comprehensive range of amenity and community provisions was completed at the outline stage.

History:-

06/00384/OUT	Erection of 30 Residential Units with Associated Parking and Access	Approved	27.07.06

Consultations:-

No objection has been received subject to standard conditions from:-

Severn Trent Water Limited
Director of Highways, Transportation and Waste Management (Highways)
Director of Environment and Heritage Services (Archaeology).

Environment Agency does not object to the application and is satisfied with drainage details provided in respect of conditions attached to the outline planning permission in terms of surface water drainage and run-off limitation measures, together with the 5 metre buffer zone to the watercourse.

Barwell Parish Council object to the application on the grounds that the proposed access junction with The Common will cause severe traffic problems and suggest that either a roundabout or traffic lights

are looked at to alleviate this problem. In addition the Parish Council have concerns about future maintenance of the water course, the stability of any proposed bridge for refuse, emergency vehicles and child safety and the adequacy of foul water drainage from the site.

Head of Health and Environment has no objection to the development but requires further details to be submitted in respect of noise assessment of the adjacent commercial site and the proposed acoustic fencing.

Borough Council's Land Drainage Consultant comments that the watercourse running through the site should be kept open and incorporated into a sustainable drainage system for the disposal of surface water.

E.on Central Networks have no objection but advise of electrical apparatus in close proximity to the site that may have the potential to generate noise.

Leicestershire Constabulary Crime Reduction Officer has no objection to the development and provides further observations and recommendations in respect of security measures and crime reduction.

Leicestershire County Council (Developer Contributions Officer) acknowledges the existing Section 106 Agreement for financial contributions towards Library Services, Waste Management and Ecology.

Primary Care Trust acknowledges the existing Section 106 Agreement for financial contributions towards Health Care Facilities.

Derwent Living (Registered Social Landlord) request that the affordable housing element of the scheme be located together to aid management of the units.

Press Notice and Site Notice posted, neighbours notified, 5 letters received raising the following issues:-

i) generation of additional traffic
ii) highway safety issues
iii) no traffic calming measures
iv) on-street parking
v) route used by HGV lorries and buses
vi) ridge heights
vii) potential overlooking

Development Plan Policies:-

Government Guidance

Planning Policy Guidance 3 'Housing' encourages housing development that makes more efficient use of land (i.e. densities of between 30 and 50 dwellings per hectare) and encourages development at places with good public transport accessibility.

Planning Policy Statement 7 'Sustainable Development in Rural Areas' encourages new development in, or next to, existing towns and villages near to local service centres where employment, housing and other community facilities are or can be provided close together and also to prevent urban sprawl.

Local Plan Policies

The site is within the settlement area of Barwell as defined in the adopted Hinckley and Bosworth Local Plan.

Policy RES1(e) of the adopted Local Plan states that residential development will be granted on land east of The Common, Barwell, provided that vehicular access is from The Common only and block planting and landscaping will be carried out along the south-eastern boundaries of the site adjacent to the Green Wedge. Policy RES2 seeks 6 units of affordable housing on this site.

Policy RES2 of the adopted Local Plan requires 6 affordable housing units to be provided on this site. [Do you want to mention RES 2 again?]

Policy BE1 of the adopted Local Plan seeks to secure attractive development and to safeguard and enhance the existing environment. Development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features, Development should incorporate landscaping to a high standard and ensure adequate highway visibility for road users and adequate provision for on and off street parking for residents and visitors together with turning facilities and should not adversely affect the occupiers of neighbouring properties.

Policy NE12 of the adopted Local Plan states that proposed development should take into account the existing landscaping features of the site and should make provision for further landscaping where appropriate.

Policy NE13 of the adopted Local Plan states that planning permission will not be granted for development proposals which would inhibit or damage the drainage functions of the natural watercourse system, unless on or off site protection, alleviation or mitigation works are undertaken. This will include development in areas at risk from flooding, that prevents access to watercourses for maintenance or that gives rise to substantial changes in the characteristics of surface water runoff.

Policy T5 of the Local Plan refers to the application of appropriate standards for highway design and parking targets for new developments unless a different level of provision can be justified.

Policies REC2 and REC3 of the adopted Local Plan and the Council's Supplementary Planning Guidance for Play and Open Space require a financial contribution towards formal and informal public open space if it cannot be provided within the site.

The Borough Council's Supplementary Planning Guidance on New Residential Development provides further guidance for developers on density, design, layout, space between buildings and landscaping/boundary treatments along with highways and parking. Housing developments should make efficient use of land and be of appropriate density taking into account the general character of the surrounding area and the provision of necessary open spaces.

Appraisal:-

The Principle

The site is formally allocated for residential development in the adopted Local Plan and outline planning permission has been granted relating to access to the site, therefore the proposals are considered acceptable in principle, subject to the design, density, scale and layout being satisfactory.

Density and Mix

The proposal would result in an overall density of 30 dwellings per hectare which is within Government guidance (30 - 50 dwellings per hectare). The site is on an edge of settlement location adjacent to a designated Green Wedge and has existing constraints that reduce development potential. There is an open watercourse traversing the site, there is established boundary vegetation that has to be retained to comply with Policy RES1(e) and the Highway Authority would object to any higher density than that proposed given the constraints of the proposed vehicular access. The proposed density is therefore considered to be acceptable for these reasons. There is a mixture of 30No. 2, 3, 4 and 5 bedroom dwellings proposed on the site of varying sizes and styles and mixed tenure in the form of affordable housing provision.

Design and Layout

One of the major factors influencing the layout of the proposed development is the existing open watercourse that dissects the site. The proposed layout retains and enhances this feature and it provides a positive impact in terms of the visual amenity of the site. Amended plans have been received that address some issues of concern regarding the mix, and layout proposed on the originally

submitted plans. The amended plans are considered to provide the development with key buildings in prominent positions and frontages to the water feature. Adequate separation distances are provided between the site and existing surrounding development and in general, between the units within the site itself. The provision of private amenity space and parking within the development is considered to be acceptable and includes parking provision for the two existing dwellings adjacent to the access road. Retention of the majority of the trees and additional planting of the mature field boundary hedging is proposed to meet the requirements of the criteria in policy RES1(e). Additional details have been requested from the applicant in terms of the acoustic barrier to protect the development from potential noise from the adjacent commercial premises off Dawsons Lane. These details have not been supplied at the time of writing this report and will be included as a late item. The affordable housing has been split into two separate areas of the site in line with the Council's Supplementary Planning Guidance on Affordable Housing which discourages polarisation and promotes the creation of mixed communities.

Highway Safety

The vehicular/pedestrian access between Nos. 49 and 51 The Common is to be retained in accordance with Policy RES1(e) of the Local Plan and substantially upgraded to adoptable standards. The approved access will incorporate highway improvement works including the provision of appropriate kerb radii, pedestrian footway and visibility splays of 2.4 metres by 90 metres in both directions from the site. The Highway Authority have no objection to the development despite the objections raised by existing residents.

Developer Contributions

A total of 6 affordable housing units are to be provided on the site (5 rented and 1 shared ownership) in line with policy RES2 of the adopted Local Plan. Financial contributions in respect of library facilities (£1,850), civic amenity (£1,234), health care facilities (£6,888) and off-site public play and open space (£55,500) have been secured through a Section 106 Agreement at the outline stage. No contribution was required for education facilities as all sectors had spare capacity.

Conclusion

The site has been formally allocated for residential development in the adopted Local Plan. The access meets the requirements of Policies RES1(e) and T5 of the adopted Local Plan and the proposals are acceptable to the Highway Authority. The proposed density is within Government guidelines and the requirements of the adopted Local Plan. The layout and design of the dwellings is considered acceptable. Therefore it is considered that the application should be approved.

RECOMMENDATION:- Permit subject to the following conditions

SUMMARY OF DECISION - The proposal is in conformity with Policies RES1(e), RES2, BE1, NE12, NE13, T5 and REC2 and REC3 of the adopted Hinckley and Bosworth Local Plan. Planning permission is granted subject to the following conditions:

1 This permission relates to the application as revised by amended plan Nos. 816 100 Revision F, additional list received by the Local Planning Authority on 12th September 2007.

2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) development within Schedule 2, Part 1 Classes A - E inclusive shall not be carried out on Plots 19, 20, 21, 22, 27 and 28 unless planning permission for such development has first been granted by the Local Planning Authority.

Reasons :-

1 To define the permission.

2 To safeguard amenities of neighbouring properties and to ensure the retention of adequate private amenity to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 The applicant is reminded that this permission should be read in conjunction with the outline planning permission (reference No. 06/00384/OUT),a copy of which is attached, and any outstanding conditions on that permission must also be complied with, together with the Section 106 agreement in place.

4 The applicants attention is drawn to the contents of the attached reports provided by Leicestershire Constabulary Crime Reduction Officer and Central Networks.

Contact Officer:- Mr R Wright Ext 5894