

**Reference: 15/00073/REM**

**Applicant: Morris Homes (Midlands)**

**Location: Land Off Hinckley Road Stoke Golding**

**Proposal: Application for approval of reserved matters (appearance, landscaping, layout and scale) of outline planning permission 14/00262/OUT for residential development of 80 dwellings**

**RECOMMENDATION:- Grant subject to conditions.**

**Introduction:-**

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation as objections have been received from the occupiers of 5 or more addresses the views of which are contrary to the officer recommendation.

**Application Proposal**

This is a reserved matters application for a residential development of 80 dwellings at land off Hinckley Road, Stoke Golding.

Outline planning permission with access was granted following the completion of a S106 agreement on 27 January 2015. The outline permission granted the principle of residential development on the site. This reserved matters application seeks consent for layout, scale, appearance and landscaping.

In accordance with the outline permission, a vehicular access to the site has been granted from Hinckley Road to the east with a pedestrian/cycle access point to the west of the site connecting the development to Sherwood Road.

Following public consultation with residents, councillors and the Parish Council and negotiations with officers an amended layout has been proposed by the applicant to provide a mix of detached, semi-detached and maisonettes properties of 1, 2, 3 and 4 bedrooms. A 10 day re-consultation has taken place.

As per the approval of the outline application 40% of the dwellings are offered as affordable housing which are distributed around the site as part of the layout in clusters.

Play and open space including an equipped area of children's play equipment is proposed to the west of the site linking to the pedestrian/cycle access from Sherwood Road.

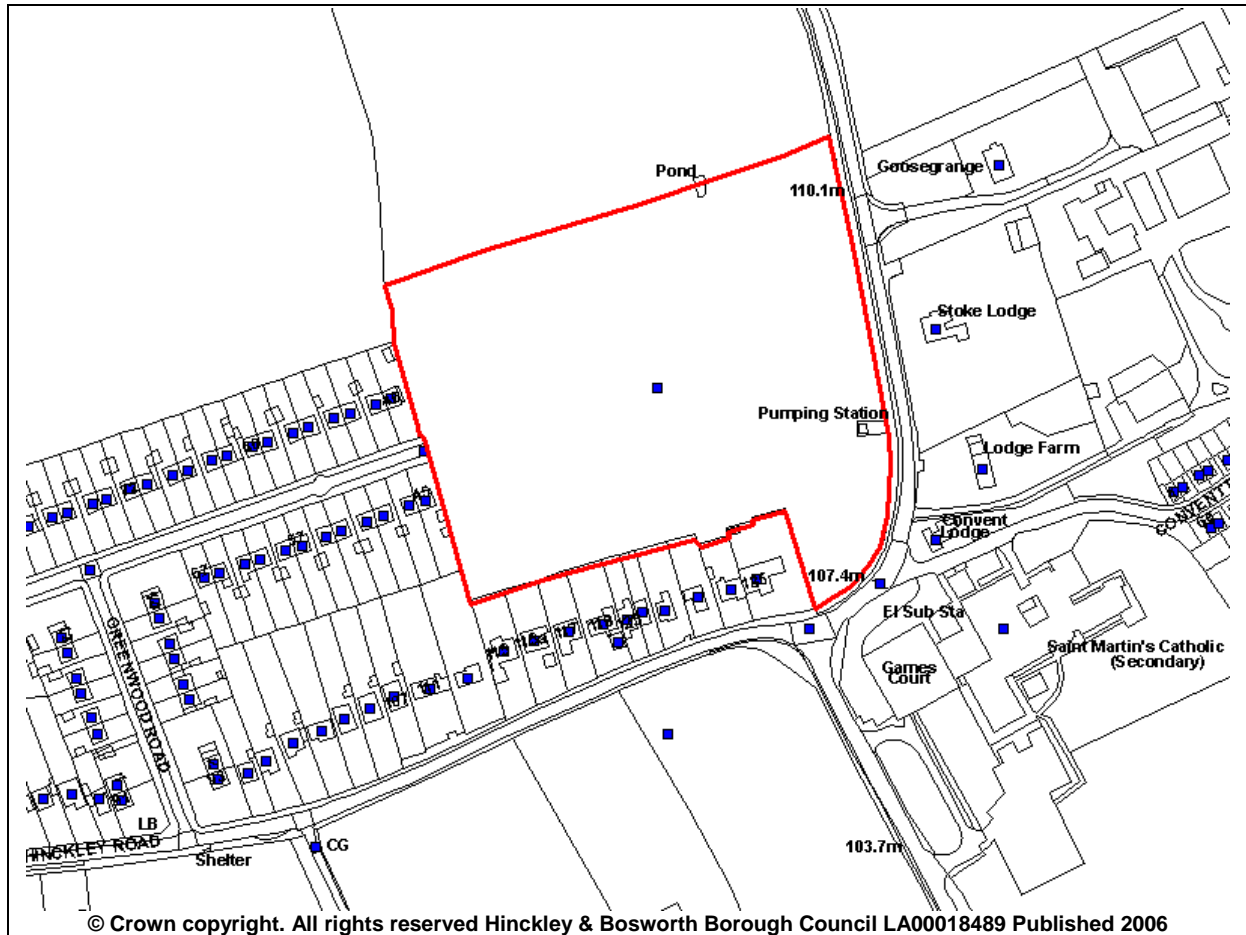
**The Site and Surrounding Area**

The use of the site is currently agricultural land, and is bordered to the north and east by hedgerows. The site is approximately 3.1 hectares in size. It lies adjacent to, but beyond existing residential development to the eastern and northern edges of Stoke Golding. The site rises gently to the north from the gardens of dwellings along Hinckley Road to the south and gently slopes down from residential dwellings along Sherwood Road to the west to Hinckley Road to the east. The village of Dadlington is located some 240 metres to the north of the site. To the south east of the site are recently constructed dwellings at St Martin's Convent that border onto St Martin's School.

**Relevant Planning History:-**

14/00262/OUT Residential Development (Outline - Access Only) Approved 21.01.15

10/00408/OUT Residential Development (Outline - Access Only). Refused 20.08.2010 (Appeal Dismissed)



### Consultations:-

No objection subject to conditions has been received from:-

The Environment Agency  
Severn Trent Water Ltd  
Environmental Health (Land Drainage)  
Leicestershire County Council (Highways)  
Leicestershire County Council (Ecology)  
Leicestershire County Council (Flood Risk)  
Environmental Health (Pollution)  
HBBC Street Scene Services  
Affordable Housing Officer.

Stoke Golding Parish Council initially objected to the proposal on the basis that the outline application proposed 75 dwellings while this submission is for 80 dwellings. Concerns were also raised in relation to the footpath to the front of the site adjacent Hinckley Road, the position of the proposed maisonettes within the site adjacent Sherwood Road, that bungalows should be provided as part of the mix and that a replacement hedge should be provided to Hinckley Road should the existing one need to be removed.

Following meetings with officers, the applicant and representatives from the Parish Council and subsequent receipt of amended plans the Parish Council resolved that they were satisfied with the amendments that had been made and subsequently withdrew their objection.

Site notices and a press notice were displayed. In addition neighbours immediately adjoining the site were consulted.

Eight letters of objection have been received from neighbouring residents. Summary of comments made:-

- a) Do not want a footpath onto Sherwood Road and the developer does not have right of access.
- b) 80 dwellings not needed in the village.
- c) Development is too close to existing bungalows on Sherwood Road.
- d) Lack of parking proposed.
- e) Concerned with proposed loss of Oak tree.
- f) New dwellings would overlook existing properties on Hinckley Road.
- g) Covenants should be placed on all trees proposed to prevent them being removed and causing overlooking.
- h) The existing sewer is inadequate and there is no easement for Severn Trent to pass the sewerage.
- i) The school has reached capacity.
- j) The original proposal was for 75 dwellings and this is now for 80.
- k) Additional landscaping is required to minimise the impact on the privacy of those affected by the development.
- l) Bungalows should be constructed to the back of properties on Hinckley Road to avoid overlooking.
- m) Additional tree planting is required to the back of properties on Hinckley Road and protection in place to stop future residents chopping the trees down.
- n) Visibility at the corner of Hinckley Road will be limited by the retention of the hedge and there is insufficient room for the cycle path.
- o) The site will cause a loss of water pressure.

### **Policy:-**

#### National Policy Guidance

The National Planning Policy Framework (NPPF) 2012  
The National Planning Practice Guidance (NPPG) 2014  
The Community Infrastructure Levy (CIL) Regulations 2010

#### Hinckley & Bosworth Core Strategy 2009

Policy 7: Key Rural Centres  
Policy 15: Affordable Housing  
Policy 16: Housing Density, Mix and Design  
Policy 19: Green Space and Play Provision

#### Hinckley & Bosworth Local Plan 2001

Policy RES5: Residential Proposals on Unallocated Sites  
Policy EMP1: Existing Employment Sites  
Policy IMP1: Contributions towards the Provision of Infrastructure and Facilities

Policy REC2: New Residential Development - Outdoor Open Space Provision for Formal Recreation  
Policy REC3: New Residential Development - Outdoor Play Space for Children  
Policy NE2: Pollution  
Policy NE12: Landscaping Schemes  
Policy NE14: Protection of Surface Waters and Groundwater Quality  
Policy BE1: Design and Siting of Development  
Policy T5: Highway Design and Vehicle Parking Standards.

Emerging Site Allocations and Development Management Policies Development Plan Document (Submission Version)

Policy DM1: Presumption in Favour of Sustainable Development  
Policy DM3: Infrastructure and Delivery  
Policy DM4: Safeguarding the Countryside and Settlement Separation  
Policy DM7: Preventing Pollution and Flooding  
Policy DM10: Development and Design  
Policy DM17: Highways Design  
Policy DM18: Vehicle Parking Standards.

#### Supplementary Planning Guidance/Documents

New Residential Development (SPG)  
Play and Open Space (SPD)  
Affordable Housing (SPD).

#### **Appraisal:-**

The main considerations in the determination of this application are:-

- Principle of development
- Design, scale and layout
- Landscaping and play and open space
- Impact on neighbouring residential amenity
- Flood risk and drainage.

#### Principle of development

Paragraph 11 - 13 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision taking and that it is a material consideration in determining applications. The development plan in this instance consists of the Core Strategy (2009) and the saved policies of the Local Plan (2001). Also material is the emerging Site Allocations and Development Management Policies Development Plan Document (DPD) which has now been through Examination in Public (September 2015) and as such should also now be afforded weight.

Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. This means:-

- Approving development proposals which accord with the development plan without delay, and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless;

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole, or
- Specific policies in the NPPF indicate development should be restricted.

The principle of residential development on the site was established through the grant of outline planning permission (ref: 14/00262/OUT) in January 2015. This permission is subject to conditions and a S106 agreement to secure infrastructure obligations and developer contributions.

This application seeks consent for the detailed layout of the proposed residential development, design and appearance of the dwellings, scale, housing mix and landscaping which is considered in detail below.

### Design, Scale and Layout

Saved Policy BE1 (criterion a) of the Local Plan seeks a high standard of design to safeguard and enhance the existing environment through a criteria based policy. These criteria include ensuring the development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. This is supported by Policy DM10 of the emerging Site Allocations and Development Management Policies DPD. Furthermore, one of the core planning principles of the NPPF is to secure a high quality of design in development.

The layout proposes a mixture of detached, semi-detached and maisonette dwellings at two storey and two and a half storey in scale.

The layout has been designed to provide two main avenues of highway to adoptable standard running from east to west from the vehicular access point from Hinckley Road to the east of the site. Adjacent to Hinckley Road to the site frontage are three sections of private driveways to serve plots facing out onto Hinckley Road. To the north of the site are also two separate private driveways accessed from the proposed adoptable highway leading to properties that face out to open countryside to the north. The two sections of adoptable highway running through the site link up to sections of footpaths/cycleways that runs across the play and open space and link into Sherwood Road to the west. This connects the site to the core of the village for access by foot/cycle to services and facilities.

Initially there was dispute by a third party neighbouring property in respect of the ownership of a small strip of land that sits from the edge of the highway kerb to the existing field boundary at the end of Sherwood Road. Leicestershire County Council has confirmed through investigations that this piece of land forms part of the public highway and as such access for a foot/cycleway can be secured.

The 40% affordable housing proposed reflects the requirements as set out in Policy 15 of the Core Strategy and the signed S106 agreement. The affordable housing constitutes 32 of the 80 dwellings in a mix of 8 one bed maisonettes, 16 two bed dwellings and 8 three bed dwellings.

The private market housing proposed constitutes 48 dwellings split between 3 two bed dwellings, 7 three bed dwellings, 29 four bed dwellings and 9 five bed dwellings. It is considered that this mix would be appropriate and reflective of local market demand and need within the area in accordance with Policy 16 of the Core Strategy.

The density proposed would equate to 26.58 dwellings per hectare. Policy 16 of the Core Strategy states that the density should be at least 30 dwellings per hectare unless site characteristics dictate otherwise. In this instance given the location of the site on the edge of

the existing settlement and the relationship between the site and the open countryside to the north, it is considered that a lower density would be appropriate in this instance.

The dwellings have been designed to be traditional in form and appearance with properties featuring chimneys, brick detailing, stone cills and lintels, bay windows and appropriate fenestration. The dwellings would predominantly be constructed from three traditional mixed red bricks (Ibstock Balmoral, Ibstock Birtley Old English and Ibstock Weston Red Multi). Key feature properties would also be finished in ivory render. The roof tiles would predominantly be a narrow profile concrete tile finished in slate grey (Russell Lothian Slate Grey) and key feature plots would feature a red clay tile (Forticrete Gemini Autumn). Private drives would be finished in block paving. Overall it is considered that the palette of materials proposed would reflect the character of the surrounding area and would lead to a high quality finish to complete the individual design and appearance of the dwellings.

The development has been designed to avoid parking to the front of dwellings where possible and to provide in-curtilage parking to the side of the dwelling to provide a strong streetscene. A number of plots have garaging and all dwellings meet or exceed the parking requirements for the number of parking spaces per dwelling. Whilst the affordable maisonettes proposed to the centre of the site feature small parking courts to the rear, which would not normally be considered acceptable, in this instance given that they would feature a high level of natural surveillance and would be well overlooked by neighbouring dwellings. The parking courts have also been integrated into the layout effectively by allowing the maisonettes to have a strong frontage looking out over the play and open space.

Overall it is considered that the proposal represents a high quality form of development and is considered to be acceptable.

### Landscaping and Play and Open Space

Policy NE13 of the Local Plan and Policy DM10 of the emerging Site Allocations and Development Management Policies DPD requires developments to incorporate a high standard of landscaping where this would add to the quality of the design and siting.

The landscaping proposals submitted with the scheme seek to retain existing hedgerows to the northern boundary and the existing hedgerow running alongside Hinckley Road. Where necessary gaps will be in-filled with replacement planting. The hedgerows will be cut to 2 metres in height.

Trees and shrubs will be planted to the southern and western boundaries of the site where proposed dwellings back onto existing dwellings along Hinckley Road and Sherwood Road.

Existing trees will be retained within the site such as the Oak and Ash trees set within the hedgerow along Hinckley Road and the mature Ash tree within the hedgerow to the northern boundary of the site. Appropriate tree protection measures and a no-dig construction will take place in accordance with the submitted Arboricultural Method Statement.

Appropriate soft landscaping and planting as part of the proposed landscaping will take place within individual plots and open space areas within the site to ensure the development is landscaped to a high quality.

Boundary treatment will take the form of black wrought iron fencing to the frontage of plots and to the boundaries of the play and open space and equipped play area. Individual plots are to be divided by close boarded fences and brick walls to frontages.

The play and open space to the west of the site and the proposed area of equipped children's play equipment meets the requirements of Policy REC3 of the Local Plan and the requirements as set out in the S106 agreement.

Overall it is considered that the landscaping and play and open space proposed is acceptable and would contribute towards achieving a high quality residential development.

#### Impact on Neighbouring Residential Amenity

Policy BE1 (criterion i) of the Local Plan and Policy DM10 of the emerging Site Allocations and Development Management Policies DPD states that development proposals should not harm residential amenity.

The nearest residential dwellings are located to the south of the site along Hinckley Road and to the west of the site along Sherwood Road. Plots 9 - 21 would back onto the rear of existing dwellings to the south of the site along Hinckley Road. Concern has been raised by several occupiers of those properties in respect of the distance between the proposed dwellings and their properties and issues with overlooking and loss of privacy. The distance from the rear elevations of the proposed dwellings to the rear elevations of dwellings along Hinckley Road would be 30 metres or more. This would exceed the minimum standard of 25 metres as set out in the Council's SPD on New Residential Development. In addition the garden depths of the proposed dwellings meet or exceed the 12.5 metre standard as set out in the SPD. With the planting proposed to the rear gardens of Plots 9 - 21 it is not considered that the proposed dwellings would overlook or result in a significant loss of privacy to those existing dwellings and their gardens along Hinckley Road.

To the west of the site bungalows exist along Sherwood Road. Plots 23 - 26 back onto the side of the garden of 45 Sherwood Road, a semi-detached bungalow. A landscaping belt including trees is to be planted to reduce the loss of privacy into this rear garden from plots 23 - 26. Plots 49, 51 and 52 have been designed to avoid significant overlooking to 46 Sherwood Road with planting to the rear gardens to maintain privacy.

There are no other dwellings whose amenity would be affected directly by the proposal and overall it is not considered that the proposed development would have a significant detrimental impact upon the amenity of neighbouring properties.

#### Flood Risk and Drainage

Policy NE14 of the Local Plan and states that development proposals should provide satisfactory surface water and foul water measures. This is supported by Policy DM7 of the emerging Site Allocations and Development Management DPD. In addition the NPPF sets out at Paragraph 100 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

The outline application was accompanied by a Flood Risk Assessment and the scheme has been considered by the Environment Agency, Severn Trent Water and Leicestershire County Council (Drainage). A drainage strategy has been submitted which proposes permeable paving to private driveways and large pipes within the adoptable highways to capture surface water run off to reduce surface water flows down to the south eastern corner of the site where the outfall connects to the existing water course. The scheme also proposes cellular storage within the site for the capture of surface water to ensure that flow levels meet the 1 in 100 year flood scenarios.

Neighbouring residents along Hinckley Road have raised concerns with flooding from the existing field running into rear gardens. It is considered that the proposed drainage scheme will alleviate this, as at present there is no proper drainage within the site with the exception of the ditch to the south eastern corner of the site and due to lack of maintenance this has often been blocked, leading to flooding issues. With the proposed drainage strategy providing sufficient storage capacity for surface water drainage within the site and through the outflow to the south east corner of the site, the present flooding problems that residents have experienced are likely to be both improved and resolved with the implementation of the drainage strategy, as it takes all the surface water drainage from the site away from these properties completely.

The Environment Agency has raised no objection to the proposed development subject to the discharge of conditions from the outline permission relating to surface water and the improvement foul water drainage.

It is considered that the development proposed would not lead to flood risk and would be in accordance with the requirements of the NPPF and Policy NE14 of the Local Plan.

### Conclusion

It is considered for the reasons set out above that the proposal would create a high quality form of residential development.

Overall the proposal is considered to be a sustainable form of development and subject to conditions the scheme is considered to be acceptable.

### **RECOMMENDATION:- Grant subject to conditions.**

#### **Conditions:-**

- 1 The development approved shall be carried out in accordance with the submitted details as follows:-
  - Dwg No. HRSG-OS Rev A - Site Location Plan
  - Dwg No. E169/P/PL01 Rev M - Site Layout Plan
  - Dwg No. E169/P/MP01 Rev D - Materials Plan
  - Dwg No. E3373/501 Rev C - Drainage Strategy Plan
  - Dwg No. MM2633.01\_B - Proposed Landscaping Plan
  - Dwg No. E169/P/BS01 Rev B - Bedroom Size Plan
  - Dwg No. E169/A/AH01 - Affordable Housing Plan
  - Dwg No. Q3492\_D - Proposed LEAP Plan
  - Dwg No. E169/P/TP01 Rev B - Tracking Plan
  - Dwg No. 2631.TPP Rev B - Proposed Tree Protection Plan
  - Dwg No. E169/P/GAR\_01 - Garage Plans and Elevations
  - Dwg No. E149/P/CARP\_01 - Carport Plans and Elevations
  - Dwg No. E169/P/BIN\_01 - Binstore Plans and Elevations
  - Dwg No. E169/P/HTAPP/01- Appleton 2 House Type Elevations
  - Dwg No. E169/P/HTAPP/02- Appleton 2 House Type Floor Plans
  - Dwg No. E169/P/HTDA/01- Dalton House Type Elevations
  - Dwg No. E169/P/HTDA/02- Dalton House Type Floor Plans
  - Dwg No. E169/P/HTDUN/01- Dunham 2 House Type Elevations
  - Dwg No. E169/P/HTDUN/02- Dunham 2 House Type Floor Plans
  - Dwg No. E169/P/HTRUF/01- Rufford 2 Plus House Type Elevations
  - Dwg No. E169/P/HTRUF/02- Rufford 2 House Type Floor Plans
  - Dwg No. E169/P/HTCAP/01 Rev A- Capesthorpe House Type Elevations



- Dwg No. E169/P/HTCAP/02- Capesthorpe House Type Floor Plans
- Dwg No. E196/P/HTMAL/01- Malham House Type Elevations
- Dwg No. E196/P/HTMAL/02- Malham House Type Floor Plans
- Dwg No. E169/P/HTBRA/01- Bramhall House Type Elevations
- Dwg No. E169/P/HTBRA/02- Bramhall House Type Floor Plans
- Dwg No. E196/P/HTWIL/01- Willington House Type Elevations
- Dwg No. E169/P/HTWIL/02- Willington House Type Floor Plans
- Dwg No. E169/P/HTWIN/01- Winstar House Type Elevations
- Dwg No. E169/P/HTWIN/02- Winstar House Type Floor Plans
- Dwg No. N196/P/HTMOR/01- Moreton 2 House Type Elevations
- Dwg No. E169/HTMOR/02- Moreton 2 House Type Floor Plans
- Dwg No. E196/P/HTSTRA/01- Stratford A House Type Elevations
- Dwg No. E169/P/HTSTRA/02- Stratford A House Type Floor Plans
- Dwg No. E196/P/HTPIC/01- Pickmere House Type Elevations
- Dwg No. E169/P/HTPIC/02- Pickmere House Type Floor Plans
- Dwg No. E196/P/HTSTA/01- Staunton House Type Elevations
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- Dwg No. E196/P/HTEAT/01- Eaton House Type Elevations
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- Dwg No. E196/P/HTSEV/01- Severn House Type Elevations
- Dwg No. E196/P/HTSEV/02- Severn House Type Floor Plans
- Dwg No. E196/P/HTWILSA/01- Willington Hip House Type Elevations
- Dwg No. E196/P/HTWILSA/02- Willington Hip House Type Floor Plans
- Dwg No. E169/P/HTBUFG/01 Rev A- Budworth FG House Type Elevations
- Dwg No. E169/P/HTBUFG/02- Budworth FG House Type Floor Plans
- Dwg No. E169/P/HTWHA/01- Wharfedale House Type Elevations
- Dwg No. E169/P/WHA/02- Wharfedale Floor Plans
- Dwg No. N196/P/HTMORSA/01- Moreton 2 SA House Type Elevations
- Dwg No. E169/HTMORSA/02- Moreton 2 SA House Type Floor Plans
- Dwg No. E169/P/HTWILSA/02- Willington SA House Type Floor Plans
- Dwg No. N196/P/HTWILSA/01- Willington SA House Type Elevations
- Dwg No. N196/P/HTSTADG/01- Stratford A DG House Type Elevations
- Dwg No. E169/HTSTADG/02- Stratford A DG House Type Floor Plans
- Dwg No. N196/P/HTSTDG/01- Stratford DG House Type Elevations
- Dwg No. E169/HTSTADG/02- Stratford A DG House Type Floor Plans
- Dwg No. E169/P/HTCHSA/01- Chatsworth SA House Type Elevations
- Dwg No. E169/P/HTCHSA/02- Chatsworth SA House Type Floor Plans
- Dwg No. E169/P/HTBRE/01- Brereton House Type Elevations
- Dwg No. E169/P/HTBRER/02- Brereton House Type Floor Plans
- Dwg No. E169/P/HTBUDX/01- Budworth Extended House Type Elevations
- Dwg No. E169/P/HTBUDX/02- Budworth Extended House Type Floor Plans
- Dwg No. E169/P/HTCHAX/01- Chatsworth Extended House Type Elevations
- Dwg No. E169/P/HTBUDX/02- Chatsworth Extended House Type Floor Plans
- Dwg No. E169/P/HTCHAXE/01- Chatsworth Extended End House Type Elevations
- Dwg No. E169/P/HTBUDXE/02- Chatsworth Extended End House Type Floor Plans
- Dwg No. E169/P/HTR1/01- R1 1 Bed House Type Floor Plans
- Dwg No. E169/P/HTR1/02- R1 1 Bed House Type Floor Plans

2 Notwithstanding the detail shown on the approved plans the Oak tree (NT1) shall be retained and any works within the vicinity of the root protection area of the tree shall be subject to 'no dig' construction and tree protection measures as shown on the submitted Tree Protection Plan.

3 The approved hard and soft landscaping scheme as shown on Dwg No. MM2633.01\_B shall be carried out in accordance with the approved details. The soft

landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the local planning authority.

**Reasons:-**

- 1 To ensure the development is carried out in accordance with the submitted details, for the avoidance of doubt and in the interests of proper planning.
- 2 To ensure the retention of important mature trees which contribute towards the visual and landscape amenity of the area in accordance with Policy NE12 of the adopted Hinckley and Bosworth Local Plan 2001.
- 3 To ensure satisfactory landscaping is provided in the interests of visual amenity in accordance with Policy NE12 and Policy BE1 (criterion a) of the adopted Hinckley and Bosworth Local Plan 2001.

**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 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site [www.planningportal.gov.uk](http://www.planningportal.gov.uk).
- 4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

**Contact Officer:-** Simon Atha Ext 5919