

Recommendation: Conditional approval	
20190833	10 HOLYWELL ROAD
Proposal:	CONSTRUCTION OF THREE DWELLINGHOUSES (3X 3BED) TO REAR OF HOUSE (CLASS C3) ALTERATIONS (AMENDED PLAN RECEIVED 27/06/2019)
Applicant:	MR N BRIDDON
View application and responses	http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20190833
Expiry Date:	22 August 2019
PK	WARD: Aylestone



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Summary

- Brought to committee because objections have been received from more than 5 City addresses;
- 13 objections received raising concerns about residential amenity, character of area, highways and parking;
- The main issues are residential amenity, character and design, parking and highways, trees and sustainable drainage;

- Recommended for approval.

The Site

The site relates to a garden area at the rear of a detached bungalow, formerly used as garages. The site is surrounded by residential properties. Access to the site is gained via a gated roadway running alongside number 10. The site is enclosed by 1.8m high timber fence on all sides. The site is located within a 250m landfill buffer.

Background

An application for the demolition of garage and an outline application with all matters reserved for the construction of two dwellings (app no 20170645) granted conditional approval - 11/07/17

A reserved matters application for the above outline application for details of access, appearance, layout and scale for two detached dwelling was subsequently granted conditional approval on 26/09/2018. However this has not been implemented.

The Proposal

The proposal is for the construction of three dwellings on land at the rear of no.10 Holywell Road. The dwellings would comprise a detached dwelling and a pair of semi-detached properties. The detached dwelling would have a foot print measuring 6.5 metres in width and 8.9 metres in depth. The pair of semi-detached properties would have the same depth and with a width of 11.8 metres. The properties would have a pitched roof with an eaves height of 4.8 metres and ridge height of 8.4 metres.

The properties would each have independent access into their respective rear gardens with two vehicle parking spaces to the front.

The access into the site would be via the existing access road between no.'s 10 and 12 Holywell Road.

An amended parking plan has been submitted which moves the parking spaces by 0.5 metres to provide greater manoeuvring space.

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. 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 out of date. Paragraph 68 of the NPPF states that small and medium sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. The policy goes stating that local authorities are required to support the development of windfall sites through decisions- giving great weight to the benefits of using sustainable sites within existing settlements for homes.

In making an assessment Paragraph 108 of the NPPF 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 degree.

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

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

Development Plan policies

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

Supplementary Planning Documents (SPD)

Residential Amenity SPD

Appendix 01 – City of Leicester Local Plan

Consultations

Lead Local Flood Authority: No objection subject to conditions requiring the submission of a Drainage Strategy and SuDS scheme

Local Highway Authority (LHA): No objection subject to conditions based on the amended access plan

Pollution (Noise): No objection subject to a condition controlling hours of construction

Representations

A total of 13 objections received from 12 City addresses raising the following concerns:

- Lack of parking on Holywell Road and impact on traffic
- Issues during construction
- Overcrowded development
- Residential amenity – privacy, daylight
- Impact on house prices
- Dropped kerb details not on the plans
- Discrepancies on the plans regarding the proposed ridge height

Consideration

The principle of development has been established by the previous approval for the construction of two dwellings on site. The main issues in this case are: residential amenity, character and appearance, living environment, parking and access, trees, ecology and sustainable drainage.

Residential amenity

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

Section 3 of the Council's *Residential Amenity SPD* (2008) ("the SPD") sets out more detailed design guidance for development in outer areas of the City. In particular, it recommends separation distances of 15 metres between a blank wall and principal room windows and of 21 metres between facing principal room windows. It also recommends the provision of a minimum of 100 square metres' amenity space for detached dwellings. The SPD goes on to say a separation distance of 11 metres is recommended between principal room windows and the boundary with any undeveloped land, including neighbouring gardens; that the separation distance between principal room windows may be reduced to 18 metres where direct overlooking is avoided by the positioning of windows, and that a two storey rear extension should not project beyond a 45 degree line from the nearest point of any ground floor principal room window at an adjacent property.

10 Holywell Road

The property to the front of Holywell Road is a detached bungalow. The rear elevation has principal room windows and the separation distance between the existing and proposed dwellings to the rear is approximately 24 metres and therefore I consider there would be no unreasonable impacts in terms of privacy and overlooking between the properties. The separation distance would also avoid any significantly harmful overshadowing to the rear garden of no.10 and by virtue of the separation distance the properties would not appear unduly dominating from the rear gardens of no.10.

8 Holywell Road

The adjacent property would share its side boundary with the development site. The principle room windows at the proposed dwelling would maintain a separation distance of 21 metres which meets the recommendation of the SPD. I consider the separation distance between the properties would avoid any harmful impacts in terms of daylight, outlook, privacy and overshadowing. The proposed detached property may result in some overshadowing of the garden closest to the boundary; however the whole garden would not be overshadowed at all times and therefore I consider the proposal would not result in significant harm in this respect.

12 Holywell Road

The proposed property to the other side is a detached bungalow. This property would share a side boundary with the development site. An acceptable separation distance of 22 metres would be retained with the rear elevation of the bungalow. There is a large detached building along the common boundary with the access road which appears to be used as a shed. I consider there would be no unreasonable impacts on the residential amenity of the occupants of the property from the proposed development.

Paget Street

Properties on Paget Street would share their rear boundary with the development site. The proposed dwellings would maintain a separation distance of 21 metres from the rear elevations of the dwellings on Paget Street in line with the recommendations of the SPD. I consider the proposed properties would not result in significant harm to the privacy of the occupants to the rear. The separation distance would be adequate to avoid any harmful levels of overshadowing and overbearing. The dwellings would not appear unduly dominating when viewed from the gardens to the rear.

General Amenity

The proposed dwellings would not result in any unreasonable levels of noise. The immediate area is an established residential area and the addition of three dwellings would not result in an unreasonable amount of noise and disturbance for adjacent occupants.

The siting of the vehicle parking to the front of the proposed dwellings would not result in significant harm in terms of light and noise to the occupants of no.'s 8, 10 and 12 Holywell Road. The common boundary would comprise of 1.8 metre close boarded fence which would block light from vehicles parking. It is recognised that there would be a degree of noise from the comings and goings which is not currently present; however the first floor side windows would serve non-principal rooms and therefore I consider these would not result in harmful levels of overlooking. I consider a condition to secure these windows as obscure glazed to be reasonable and necessary.

Concerns regarding the impacts of noise and disturbance have been raised by objectors for during the construction phase of the development. Environmental Health Officers have advised that due to the confined access onto Holywell Road and proximity to adjacent residential dwellings a condition to control hours of construction. Usually such a condition is attached to applications for major development; however in consideration of the sites context I consider it reasonable to attach this condition to avoid any harm during the construction phase of the development.

I conclude that the proposal would comply with Core Strategy Policy CS03 and would not conflict with saved Local Plan Policy PS10 and, having regard to the SPD, is acceptable in terms of the privacy and amenity of the neighbouring occupiers.

Character and Appearance

Policy CS03 of the Leicester Core Strategy (2014) states that high quality, well designed developments that contribute positively to the character and appearance of the local built environment are expected. It goes on to require development to respond positively to the surroundings and to be appropriate to the local setting and context and, at paragraph 1 (first bullet point), to contribute positively to an area's character and appearance in terms of *inter alia* urban form and high quality architecture. Policy CS08 states that the Council will not permit development that does not respect the scale, location, character, form and function of the local area. Saved Policy PS10 of the Local Plan (2006) sets out a number of amenity factors to

be taken into account when determining planning applications including the visual quality of the area and the ability of the area to assimilate development.

The local area is predominantly residential comprising of a mixed style and size of properties. There is no one form and design of properties which dominates the local area.

The proposed dwellings would not be overly prominent from the street scene by virtue of their siting to the rear of the properties fronting Holywell Road. The proposed dwellings would not have a dominating impact within the street scene nor would it detract within the immediate area. Although the proposed dwellings would be situated to the rear of the bungalow, the separation distances would ensure that the properties would not appear to tower over the existing building form the street scene. The proposed dwellings would be of a modern design with gable end and front. The use of brick to the front with cull detailing would be reflective of some dwellings in the area. The open front porch with pitched roof design would be acceptable and the provision of bay windows to two of the dwellings would not have an adverse effect of the character and appearance of the properties. The front elevations of the properties would have more design detailing than the rear elevations which is considered acceptable.

The boundary treatment around the development site would comprise 1.8 metre high timber fence which is acceptable. Along the front access road, it is proposed to install a 1 metre high picket fence which is acceptable from a highways perspective.

The plans submitted indicate the external finishes for the proposed dwellings. The walls are proposed to be built of red brick and the roof would be tiled. Although the principle of these external finishes is acceptable I consider samples of the external finishes including the colours of each material should be submitted prior to commencement of the development.

I am satisfied that the development would not be too intensive or out of proportion to the surrounding suburban area. I conclude that the proposal would comply with Core Strategy Policies CS03 and CS08, and would not conflict with saved Local Plan Policy PS10 and is acceptable in terms of the character and appearance of the area.

Living conditions

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

Section 3 of the Council's *Residential Amenity* SPD (2008) ("the SPD") sets out more detailed design guidance for development in the outer areas (which would include the application site) of the City.

The proposed dwellings would provide good-sized accommodation suitable for family occupation. All of the principal rooms within the dwellings would have at least one window providing a source of daylight and outlook, and I consider that individual room sizes would be sufficient to accommodate the reasonable furniture requirements of future occupiers whilst maintaining satisfactory circulation space.

I consider the properties would not result in any unreasonable impacts of overlooking, daylight, outlook and overbearing between them.

Although the plans submitted do not include details for bin provision, I consider these can be adequately accommodated within the rear garden and brought to the street side on waste collection days. I do not consider a condition in this respect to be necessary.

The Lifetime Homes Standards have now been replaced by the requirements of the optional Building Regulations Standard M4(2) (accessible and adaptable dwellings). I consider that it is reasonable and necessary to secure compliance with Building Regulations Standard M4(2) as a condition of planning permission.

Section 3 of the Council's *Residential Amenity* SPD (2008) sets out more detailed design guidance for development in outer areas of the City. It advises that semi-detached 2/3 bedroom properties should provide approximately 100 square metres of garden area. The proposed dwellings would have rear garden areas measuring approximately 88 sqm, 75 sqm and 73 sqm which fall short of the recommendations of the SPD outlined above.

The garden areas appear to largely lawn with some hardstanding beyond the rear elevations of the properties. The plans suggest there would be new tree planting to the rear of the gardens. The gardens would largely have unrestricted daylight and the occupants would benefit from a good level of privacy. The rear garden areas are smaller than the areas suggested by the SPD; however, the proposed gardens would be rectangular and not overshadowed. They would sufficiently accommodate typical garden activities and would be useable. Under permitted development extensions to the rear of the proposed dwellings could be constructed as well as outbuildings. One of the conditions of permitted development restricts development to cover 50% of a site's curtilage which can include the front garden. I consider it reasonable and necessary to remove permitted development for extensions to the rear and the construction of outbuildings to ensure that the rear garden would remain of a useable size.

Having regard to the SPD and the site context, I consider that the proposal would provide satisfactory living conditions for the future occupiers and would be consistent with Core Strategy Policies CS03 and CS06 and saved Local Plan Policies AM01, and PS10.

Highways and Parking

Policy CS15 of the Leicester Core Strategy (2014) states that parking for residential development should be appropriate for the type of dwelling and its location, and take into account the amount of available existing off street and on street car parking and the availability of public transport. It also seeks the provision of high quality cycle parking. Saved Policy AM02 of the Local Plan (2006) states that planning permission will only be granted where the needs of cyclists have been successfully incorporated into the design. Policy AM12 gives effect to published parking standards.

Appendix 01 of the Local Plan (2006) sets out guideline standards for car parking in new developments. For dwellings, a maximum of 2 spaces for 3+ bedroom dwellings is recommended and the proposal meets this requirement. The Appendix also recommends the provision of cycle parking at a ratio of 1 space per 2 bedspaces for residents plus 1 per 20 bedspaces for visitors.

A number of comments from objectors have raised concerns regarding parking and congestion on Hollywell Road. It is recognised that Holywell Road is narrow; however the development is situated off Holywell Road with its own access road, parking and manoeuvring. The proposed levels of parking to the front of the dwellings would be in accordance with the Local Highways Authority standards. Likewise the access road into the site and manoeuvring for plot 3, as amended, would also be acceptable for this scale of development.

Paragraph 109 of the NPPF 2018 advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. It cannot be demonstrated that the proposed three dwellings would result in a severe cumulative impact on the local highway network. It would be unreasonable to expect the proposed development to deal with existing problems of parking and congestion in the immediate area.

Cycle parking can be accommodated within the rear gardens of the proposed dwellings, I consider it unreasonable to secure this by way of condition.

The Local Highways Authority have suggested conditions to ensure the parking and access is provided prior to first occupation. Other suggested amendments include the alterations to the footway crossing and any necessary street works to be first approved. I consider it reasonable and necessary to attach such conditions.

The site is within a sustainable location in terms of its proximity and access to other modes of transport. The proposal would provide acceptable levels of off-street parking for the proposed development and I consider it would not result in severe residual cumulative impacts to warrant refusal. I consider the development would accord with Core strategy policy CS15 in terms of managing car parking demand.

Ecology and Landscaping

Policy CS03 of the Leicester Core Strategy (2014) sets out an expectation for high quality, well designed development that contribute positively to the character and appearance of the local natural and built environment. Policy CS17 recognises that Leicester's urban environment, including buildings and private gardens, can provide

important habitats for wildlife, and states that the Council will expect development to maintain, enhance and/or strengthen connections for wildlife. Saved Policy UD06 of the Local Plan (2006) resists development that would impinge upon landscape features of amenity value and requires new development to include planting proposals.

The development site is located in an area which is predominantly residential and surrounded by residential gardens. The boundaries of the site currently has a number of mature trees, some of which may be lost as a result of the development. The trees are not so significant to warrant a tree preservation order for their protection; however it is considered reasonable and necessary to condition a landscaping plan to secure replacement trees and shrubs.

In respect of ecology, the applicant has submitted a supporting habitat survey which provides recommendations to provide replacement planting, specific boundary treatment for protected species to flourish and also enhancements. These measures would result in a net gain in biodiversity in accordance with the requirements of the NPPF. I consider a condition to secure the recommendations within the survey as necessary and reasonable. The condition would be secure a landscape and ecology management plan. A note to applicant for vegetation removal to take place outside of bird nesting season (bird nesting season is February until August) should also be included.

I conclude that the proposal would comply with Core Strategy Policies CS03 and CS17 and saved Local Plan Policies UD06 and BE22, and is acceptable in terms of its impacts upon trees, ecology and landscaping.

Drainage

Policy CS02 of the Leicester Core Strategy (2014) states that development should be directed to locations with the least impact upon flooding or water resources. It goes on to state that all development should aim to limit surface water run-off by attenuation within the site, giving priority to the use of sustainable drainage techniques.

The site falls within flood zone 1 and therefore at a low risk of flooding. A SuDS assessment report has been provided. SuDS measures such as permeable paving, filter drains and bioretention areas could be considered to reduce surface water runoff, whilst also providing amenity and water quality benefits. The Lead Local Flood Authority have requested further details to be submitted in relation to a Drainage Strategy and a SuDS strategy with maintenance details.

On the basis of the above and subject to conditions I consider the proposal would appropriately mitigate any harm in terms of flood risk. As such I consider the proposal would be acceptable on these grounds and would comply with policy CS02 of the Core Strategy.

Other Matters

Turning to other matters (not otherwise addressed above) raised by objectors:

- House prices are not a material planning consideration

Conclusion

The proposed development would not result in significant harm to the residential amenities of adjacent neighbours nor would it harmfully impact the character of the area and the significance of the locally listed building. The proposal would have an acceptable impact on ecology and trees and landscape measures can be secured by way of condition. Likewise suitable sustainable drainage mitigation can be accommodated within the site and secured by condition. I consider the parking provision is sufficient to avoid severe highways impacts.

The Council cannot currently demonstrate a supply of specific, deliverable sites sufficient to provide five years' worth of housing against objectively assessed housing requirements and the NPPF establishes a presumption in favour of sustainable development.

I therefore recommend that planning permission be APPROVED subject to the following conditions:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. Before the development is begun, the materials to be used on all external elevations and roofs shall be submitted to and approved by the City Council as local planning authority. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
3. Prior to the commencement of the development hereby approved details of all street works, including alterations to the footway crossing, shall be submitted to and approved in writing by the City Council as local planning authority. Prior to the occupation of the development all streetworks must be implemented in full accordance with the approved details. (To achieve a satisfactory form of development, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3. This is a PRE-COMMENCEMENT condition).
4. Prior to the commencement of development details of drainage, and especially foul drainage, shall be submitted to and approved by the local planning authority. No property shall be occupied until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy, this is a PRE-COMMENCEMENT condition).

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5. The development hereby approved shall not progress beyond damp proof course level until a detailed landscape and ecological management plan (LEMP) showing the treatment of all parts of the site which will remain unbuilt upon shall be submitted to and agreed in writing with the City Council as local planning authority. This scheme shall include details of: (i) new tree and shrub planting, including plant type, size, quantities and locations; (ii) means of planting, staking, and tying of trees, including tree guards; (iii) other surface treatments; (iv) fencing and boundary treatments, including details of the entrance gates; (v) any changes in levels; (vi) the position and depth of service and/or drainage runs (which may affect tree roots); (vii) details of planting design and maintenance of rain garden; (viii) details of 2 x bird boxes to be erected under the guidance and supervision of a qualified ecologist. The approved LEMP shall be carried out within one year of completion of the development. For a period of not less than ten 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 (To ensure that the finished development contributes positively to the character and appearance of the area and that appropriate provision for biodiversity in accordance with the submitted ecology report is made within the site, and in accordance with saved Policy UD06 of the Local Plan (2006) and Policies CS03 and CS17 of the Leicester Core Strategy (2014)).
 6. Prior to the commencement of development full details of the Sustainable Drainage System (SuDS) together with implementation, long term maintenance and management of the system shall be submitted to and approved by the local planning authority. No 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 timetable for its implementation, and (iii) a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy, this is a PRE-COMMENCEMENT condition.)
 7. No part of the houses shall be occupied until the following works have been carried out in accordance with details shown on the approved plans: (a) surfacing and marking out of all parking areas; (b) provision of loading/unloading areas; (c) provision of turning space. The parking, loading/unloading areas and turning space shall not be used for any other purpose. (In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
 8. No part of the houses shall be occupied until the 2 metre by 2 metre sight lines on each side of each vehicular access on land shown within the control of the applications control have been provided, and they shall be retained thereafter. (In the interests of the safety of pedestrians and other road users, and in

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- accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
9. No part of the houses shall be occupied until the footway crossing has been altered in accordance with guidance in the Leicester City Council and Leicestershire County Council document `6Cs Design Guide`. (To achieve 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.)
 10. Before first occupation of any dwelling, the proposed access shown on the amended plans, shall have been provided and surfaced in a hard bound material for a minimum distance of 5 metres behind the back edge of footway and shall be positively drained so as to prevent surface water running from the site and into the highway, and shall thereafter be permanently so maintained. (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 CS3.)
 11. The dwellings and their associated parking and approach shall be constructed in accordance with 'Category 2: Accessible and adaptable dwellings M4 (2) Optional Requirement. On completion of the scheme and prior to the occupation of 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)
 12. 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 been submitted to the City Council Noise and Pollution Control Team. The methodology must be submitted at least 10 working days before such work commences and agreed, in writing, by the City Council Noise and Pollution Control Team.
The City Council Noise and Pollution Control Team shall be notified of any unforeseen emergency work 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 the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan).
 13. Before the occupation of any houses new side windows shall be fitted with sealed obscure glazing (with the exception of top opening light) and retained as such. (In the interests of the amenity of occupiers of adjacent occupiers and in accordance with policy PS10 of the City of Leicester Local Plan).
 14. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no extension to the rear of the properties or outbuildings within the curtilage of the properties 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 lead to an unacceptable loss of amenity to occupiers of the application properties or of neighbouring properties; and in accordance with saved City of Leicester Local Plan policy PS10.)

15. This consent shall relate solely to the submitted plans ref. no. A1432/05/06; A1432/05/07; A1432/05/03, A1432/05/04; A1432/05/05A; Habitat Survey; Arboricultural Impact Assessment and Method Statement (A1432) and; SUDS Assessment Report received by the City Council as local planning authority on 14/06/2019 and plan ref. no. A1432/05/2A received by the City Council as local planning authority on 27/06/2019, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. 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
2. It is unlikely that any construction or demolition work will be agreed outside of the hours detailed above unless the City Council Noise and Pollution Control Team is satisfied that
 - a) the work will not be detrimental to occupiers of neighbouring properties or
 - b) the developer is able to demonstrate that there is no practicable alternative to the proposed work taking place outside of these hours.
3. The effect of condition 14 of this planning permission is that all future alterations and extensions to the dwelling, and the construction of outbuildings within the curtilage of the dwelling, will require planning permission from the City Council as the local planning authority. (Permitted development rights for this dwelling have been restricted).
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.
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_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_BE22 Planning permission for development that consists of, or includes, external lighting will be permitted where the City Council is satisfied that it meets certain criteria.
- 2006_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
- 2006_UD06 New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.
- 2014_CS02 Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.
- 2014_CS03 The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.
- 2014_CS06 The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.
- 2014_CS08 Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.
- 2014_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.