

Item No. 2

**Application Reference Number** P/18/0827/2

<b>Application Type:</b>	Full	<b>Date Valid:</b>	18/04/2018
<b>Applicant:</b>	Mr & Mrs R Merchant		
<b>Proposal:</b>	Demolition of existing garage and outbuildings and erection of detached dwelling and garage		
<b>Location:</b>	85 Castledine Street Loughborough Leicestershire LE11 2DX		
<b>Parish:</b>	Loughborough	<b>Ward:</b>	Loughborough Southfields
<b>Case Officer:</b>	Helene Baker	<b>Tel No:</b>	01509 634741

---

This application is presented to the Plans Committee at the request of Councillor Mercer on the grounds of its damaging impact on the Conservation Area and the residential amenity of the neighbouring property in terms of loss of privacy.

**Description of the Application Site**

The application site is on the north-eastern side of Castledine Street, diagonally opposite its junction with Stanley Street. It is located within the Victoria Street Conservation Area, south-west of and within walking distance of the town centre. Castledine Street is a quiet, private and unadopted road, characterised by properties of mixed styles, types, sizes, ages and materials sited on varying plot sizes and some with landscaped frontages and trees. There is no uniform building line along the road and spaces between dwellings vary with some closely related and/or abutting the front boundary and others set back and/or on generous sited plots. Moreover, not all properties face the street. This eclectic mix of architectural styles and orientations is identified in the Victoria Street Conservation Area Character Appraisal. The majority of properties provide a distinct front boundary to the street and are built in a common palette of materials.

The application site comprises part of the substantial curtilage of No 85 Castledine Street, a large house located to the rear of its mature garden, adjacent to the north-eastern boundary with the Loughborough Schools Foundation. This dwelling is white rendered, with a double bay frontage and a hipped roof, dating from around the 1930s. There is a slightly more recent flat roofed two storey extension on the eastern side of the dwelling. No 85 currently has two vehicular access points from Castledine Street, and is enclosed by a brick wall and gates to the front (the south west) and a brick boundary wall to the rear (the north east). A high wall abuts the north-western boundary with No 93, an imposing and attractive 2.5 storey semi-detached dwelling which has a number of windows and its front door on the side elevation facing the application site.

The site of the proposed dwelling forms the relatively level side garden of No 85. There is a detached garage towards the front of this part of the application site and a flat roof outbuilding in the north-western corner. One of the two accesses currently serving No 85

– the gated access to the garage – would provide independent access to the site. There are a number of mature trees on the site, mainly on its frontage which restrict views into the site. Five trees on the application site are protected by a Tree Preservation Order; these are towards the front of the plot for the proposed dwelling.

The application is accompanied by a Design and Access, Planning and Heritage Statement, a Bat Building Assessment and Protected Species Scoping and an Arboricultural Survey.

### **Description of the Application**

The proposal relates to the erection of 2.5 storey 5 bed dwelling, set back on the plot behind the centre line, with a detached hipped roof garage to the front adjacent to the north-western boundary. The proposed dwelling is set in from the common boundaries with Nos 85 and 93 by 8m (min) and 4-5m respectively. It has two 2.5m high front gables, containing first floor Juliette balconies, these are linked by a higher 2.5 storey element. There is a 2.5 storey wing to the rear as well as a flat roof single storey element. There are front and rear facing windows, as well as on the side elevations of the proposed dwelling at ground and first floor level. There are rooflights on all of the roof planes. The proposed external materials include brick/render, plain roof tiles and upvc doors and windows.

Access to the application site is via the existing gated access which is not proposed to be altered. On-site parking and turning is proposed. No.85 would continue to use an existing access, parking, turning and double garage.

### **Development Plan Policies**

#### Charnwood Local Plan Core Strategy (adopted 9th November 2015)

The following policies are relevant to this application:

Policy CS1 – Development Strategy sets out the development strategy for the Borough for the period from 2011 to 2028. Loughborough and Shepshed are identified as key locations for new housing growth, with at least 5,000 new homes to be provided, including a sustainable urban extension to the west of Loughborough delivering 2,440 homes and 1,200 homes within and adjoining Shepshed during the plan period. The policy states that the remaining development needs shall be met through sustainable development which supports the Council's strategic vision, makes effective use of land and complies with the Core Strategy policies.

Policy CS2 – High Quality Design requires new developments to make a positive contribution to Charnwood resulting in places where people would wish to live through high quality, inclusive design which responds positively to its context. New developments should respect and enhance the character of the area, having regard to scale, density, massing, height, landscape, layout, materials and access arrangements. The policy also requires new developments to protect the amenity of people who live and work nearby and those who will live in the new development.

Policy CS3 – Strategic Housing Needs states that the Council will manage the delivery of at least 13,940 new homes between 2011 and 2028, seeking an appropriate mix of types, tenures and sizes of homes, having regard to identified housing needs and the character of the area.

Policy CS13 – Biodiversity and Geodiversity seeks to conserve and enhance the natural environment for its own value and the contribution it makes to the community and economy.

Policy CS14 – Heritage seeks to conserve and enhance historic assets. It supports proposals which protect heritage assets and their setting and supports developments which reflect Conservation Area Character Appraisals.

Policy CS25 – Presumption in favour of sustainable development echoes the sentiments of the National Planning Policy NPPF in terms of sustainable development.

#### Borough of Charnwood Local Plan (adopted 12th January 2004) (saved policies)

Where they have not been superseded by Core Strategy policies previous Local Plan policies remain part of the development plan. In relation to this proposal the relevant ones are:

Policy ST/2 – Limits to Development.

Policy EV/1 – Design seeks to ensure a high standard of design and developments which respect the character of the area, nearby occupiers, and which are compatible in mass, scale, and layout.

Policy TR/18 - Parking Provision in New Development notes that planning permission will not be granted for development, unless off-street parking for vehicles included, to secure highway safety and minimise harm to visual and local amenities.

#### **Material considerations**

##### The National Planning Policy Framework (July 2018)

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. This is achieved through (inter alia) the application of the policies in the NPPF. It requires that decisions should apply a presumption in favour of sustainable development and therefore planning applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The NPPF requires development to achieve high quality design that respects local distinctiveness and poor design should be refused. However planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.

The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. The Framework requires that planning decisions should, inter alia, ensure that developments are visually attractive as a result of good architecture and layout, are sympathetic to local character and history and maintain a strong sense of place through use of materials, and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity of existing and future users.

In respect of proposals affecting heritage assets, the Framework recognises the desirability of new development to making a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of harm to its significance.

The Framework requires the planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value (in a manner commensurate with their identified quality in the development plan) and recognising the intrinsic character and beauty of the countryside.

In considering development proposals, that safe and suitable access to the site can be achieved for all users. Development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

#### National Planning Policy Guidance (PPG)

This was launched as a web based resource, and replaces a list of previous practice guidance documents and notes, as planning guidance for England and consolidates this guidance on various topics into one location and condenses previous guidance on various planning related issues. The guidance also sets out relevant guidance on aspects of design, the setting and significance of heritage assets, landscape, supporting the policy framework as set out in the NPPF.

#### Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

This gives Local Planning Authorities a statutory duty to give special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

#### The adopted Loughborough Victoria Street Conservation Area Character Appraisal (December 2006)

This examines the historic development of the Conservation Area and describes its present appearance in order to assess its special architectural and historic interest. It informs and guides planning decisions relating to development which may affect the Conservation Area.

### Leading in Design Supplementary Planning Document February 2006

This document seeks to encourage and provides guidance on achieving high quality design in new development.

Appendix 4 sets out spacing standards for new housing developments to ensure that overlooking and over dominance do not occur and that a good quality design is achieved.

### Housing Supplementary Planning Document May 2017

Provides guidance on housing mix.

### Five Year Housing Land Supply

The assessment of five year supply has been updated following the publication of the revised National Planning Policy Framework on 24th July 2018 and provides an initial interpretation of the approach to be taken to the calculation ahead of the publication of detailed guidance in the Planning Practice Guidance.

It identifies 5.93 years supply of housing land and is based on a 5% buffer and also reflects changes to the methodology for counting communal accommodation set out in the Housing Delivery Test Measurement Rule Book. This being the case the relevant policies for the supply of housing are considered up-to-date in relation to paragraph 11 of the NPPF.

### **Relevant Planning History**

P/81/1209/2: Site for residential development (one house). Planning permission granted June 1981

P/93/1908/2: Conversion and extension of stables to form two bed bungalow. Planning permission granted November 1993

P/94/0076/2: Site for the erection of a detached dwelling. Planning permission granted June 1994

P/94/2068/2: Change of use of dwelling to 50 place nursery with living accommodation above. Planning permission refused September 1994

P/98/1834/2: Conversion and extension of stables to form 2 bed bungalow (renewal of pp P/93/1908/2). Planning granted December 1998.

P/16/0213/2: Felling of 1 Horse Chestnut tree. Withdrawn

P/16/0249/2: Felling of 1 Juniper, 1 Blackthorn, 1 Cherry, 1 Yellow Cypress, 1 Cedar and 1 Fruit tree (Conservation Area). TPO is not considered to be appropriate

P/17/0953/2: (Advice) Proposed erection of up to 5 dwellings following demolition of existing dwelling and outbuildings.

## **Responses of Statutory Consultees**

### Severn Trent Water

No objection – advises that the applicant is required to make a formal application to STW for connection to public sewerage system. It notes that there is a public sewer within the application site and advises that the applicant contact STW to discuss the proposal.

## **Other Comments Received**

Councillor Mercer objects to the proposal on the grounds that it will weaken and erode the character of the Conservation Area due to the demolition of the garage, an architecturally important building, its harm to the setting of the adjacent significant building and to the rhythm and pattern of development in the area. He is also concerned that the proposed dwelling would reduce the privacy of the neighbouring property.

There have been objections received from the residents of 5 properties on Castledine Street who raise the following concerns:

- Inappropriate and insensitive 'garden-grabbing' development
- Creates a terracing effect
- Infills a green, landscaped and undeveloped gap which contributes to the character of the street scene and the Conservation Area
- Scale, massing, layout and design does not respect the character of the area
- Upsets the pattern and rhythm of development along Castledine Street
- Results in the demolition of an architecturally important building
- Does not preserve/enhance the character and area of the Conservation Area
- Harms the setting of the adjacent architecturally important building
- Garage unnecessarily high and over dominant in relation to No 93
- Overlooking of No 93 particularly from first floor gym, rooflights and Juliette balcony
- Loss of light to No 93
- Exacerbate drainage problems in the street.

## **Consideration of the Planning Issues**

The main issues for consideration are:

- Principle of Development
- Impact on the heritage assets
- Design/Impact on Visual Amenity
- Impact on residential amenity
- Impact on trees
- Impact on biodiversity
- Highway Impact / Safety / Parking

- Other issues raised.

### The Principle of Development

This proposal is a small-scale development, in a primarily residential area within the built up limits of Loughborough.

Loughborough is identified in the Core Strategy as a key location for new housing growth. The site is considered to be in a sustainable location being within walking distance of the town centre.

The proposal relates to a large 5 bed dwelling. Policy CS3 and the Housing SPD identify a demand for medium-sized properties (2 and 3 bed dwellings) in the Borough as a whole however in the absence of an identified local need for a particular type of housing type/size/tenure, it is not considered that there are grounds for refusing the application for not providing a smaller house with less bedrooms.

Having regard to the site's attributes and the contribution that it would make to the housing land supply (currently over 5 yrs), it is considered that the proposal would represent a sustainable form of development and be acceptable in principle, subject to considerations relating to its impacts on the issues considered below.

In principle terms the proposal accords with Policy CS1 of the Core Strategy and saved Policy ST/2 of the Local Plan and the NPPF.

### Impact on the heritage assets

The application site is located within the Victoria Street Conservation Area, the designated heritage asset, and is adjacent to Nos 93-95, a pair of semi-detached 2.5 storey properties which are considered to be a non-designated heritage asset.

This is one of the few remaining undeveloped parcels of land fronting Castledine Street. The distinctive red brick wall across most of its frontage and the mature trees behind it are all proposed to be retained (whilst providing access to the proposed dwelling) and thus would still contribute positively to the character and appearance of the Conservation Area and the setting of Nos 93-95. The garage proposed to be demolished, whilst not unattractive, is not of notable historic or architectural interest and, being single storey, is not prominent in the street scene. Its loss would not lead to harm to the significance of the designated or non-designated heritage assets.

The proposed dwelling is located on a relatively large plot and is set in from its side boundaries resulting in a relatively spacious pattern of development in the immediate vicinity of the application site which, whilst not uncommon, is less prevalent along other sections of Castledine Street. The siting of the proposed dwelling on the rear half of the plot with its detached garage on its frontage, provides a stepped link between the forward position of No 93 and the set-back siting of No 85, thus contributing to the varied building line which is characteristic of the Conservation Area. The siting, as described, and the retained front wall and trees which restrict views into the site would ensure that the proposal does not appear unduly prominent and help to assimilate it with its surroundings.

such that it would not lead to harm to the character and appearance of the Conservation Area.

The proposed 2.5 storey dwelling would reflect the height of the semi-detached properties immediately to the north west of the application site at No 93-95. The traditional design of the proposed dwelling would complement the form, scale and mass of surrounding dwellings in the Conservation Area and picks up some of the architectural features of dwellings in the nearby vicinity such as window heads, cills and eaves to inform its design. The building would be constructed in brick and render with a plain tile roof. Overall, the proposed dwelling is considered to be a high quality design which responds positively to its Conservation Area location and reinforces its sense of place.

It is recognised that the key to the success of the development will be in the details of the design as well as its execution on site and thus it is important that details of the design are agreed by condition. Good quality upvc windows which replicate the form and profile of timber windows would be required to be provided.

Taking account of the above, it is considered that the proposed development would at least preserve the character and significance of the designated heritage asset, the Conservation Area and the non-designated heritage asset at Nos 93-95. In this instance the requirements set out in Paragraphs 196 and 197 of the NPPF to weigh the harm to the designated heritage asset against the public benefits and to make a balanced judgement in respect of the non-designated asset will not therefore apply and the proposal is in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS14 of the Core Strategy and the Conservation Area Character Appraisal.

#### Design and impact on the visual amenity

The siting, design, form, scale, massing and detailing are described in the preceding section.

The proposed dwelling is located on a relatively large plot and is set in from its side boundaries resulting in a spacious pattern of development with neighbouring properties. This would not represent inappropriate garden grabbing or create a terracing effect as has been suggested in representations..

The proposed dwelling would not be prominent in the street scene, being sited well back on the plot, behind the front boundary wall and a belt on significant trees which are all to be retained. The trees help assimilate the proposal with its surroundings by respecting the green and sylvan character of the street. The traditional design, form, scale, massing and detailing of the proposed dwelling would result in a visually pleasing dwelling which would be compatible with the eclectic mix of dwelling on the street and thus contribute positively to the street scene.

For these reasons set out above, the proposal is considered to be in accordance with the NPPF, Policy CS2 of the Core Strategy, saved Policy EV/1 of the adopted Local Plan and the SPG in terms of design and visual amenity.



## Impact on Residential Amenity

Insofar as No 93 is concerned, the proposed dwelling would be sited on the south-eastern side of that property which has its front door and a number of windows on its side elevation facing the application site, including a second floor dormer window. There is a high brick wall on the boundary with the application site as well as some mature vegetation on both sides of that wall. The proposed dwelling would set back behind No 93 with its front façade just behind the front of No 93's detached garage which is adjacent to the common boundary. The proposed hipped roof garage would be located to front of the proposed dwelling, closer to the side of No 93.

In terms of the impact of the proposed dwelling on No 93, the only side facing first floor window serves a gym which could reasonably be required by condition to be fitted with obscure glazing with fixed/restricted openings. Ground floor windows would face the boundary wall. The roof lights would have cill heights of 2 metres and therefore views out of them would be skyward and not downward over the neighbouring properties. The front first floor bedroom full height window would have limited angled views towards No 93 with garages and the boundary wall further restricting views. This bedroom window and the side facing dormer bedroom window would be 16m apart. As their relationship is not back to back and neither are habitable room windows<sup>1</sup>, this distance is considered acceptable and does not breach space standards set out in the SPD. The proposal would not therefore result in a loss of privacy which would significantly detract from the living conditions of No 93. Dominance and loss of light/sunlight/aspect have also been considered in respect of No 93. Taking account of the off-set relationship of the existing and proposed properties, their distance apart and relative orientation and existing physical features, the proposal is not judged to have in a damaging impact on the existing property.

The proposed garage would be immediately adjacent to the common boundary with No 93, along which there is a high brick wall. Whilst the garage would be seen above the wall from No 93, there is a driveway width from the side of the dwelling, the garage has a hipped roof sloping away from the common boundary and it would not breach either the 45 degree or 20 degree rule.

In terms of No 85 to the east of the proposed dwelling, the juxtaposition of the two properties and distance apart ensure that the amenities of No 85 are not adversely affected in terms of loss of privacy, light, sunlight, aspect or dominance. The remaining garden in front of No.85 would provide an adequate private garden space for that property, screened from the road by the boundary wall and mature trees.

The living conditions of the future occupiers of the proposed property also need to be considered. The adjacent dwellings would not have an adverse impact on the new dwelling in terms of dominance, light penetration or aspect. Adequate levels of privacy could be achieved subject to the first floor bay window at No 85 facing the application site being obscure glazed and fixed. This could be secured by planning condition.

---

<sup>1</sup> Main habitable rooms are rooms that are primarily occupied during the day (ie lounges, dining rooms and kitchens) – Supplementary Planning Document Leading in Design.

Noise and disturbance have also been considered but as the proposed dwelling is located within a residential area, it is not considered that levels would be significantly high as to be harmful to residential amenity.

Having regard to the above, it is considered that the proposal would accord with the NPPF, Policy CS2 of the Core Strategy, saved Policy EV/1 of the adopted Local Plan and the Leading in Design SPD with regard to residential amenity.

### Impact on Trees

A number of the substantial and prominent trees on the site make an important contribution to the street scene and the Conservation Area. The five protected trees towards the front of the site are all shown to be retained and will be conditioned to be protected during construction works. Surfacing within the Root Protection Areas of these trees will need to be of a no-dig type, which can be conditioned to be agreed. Other trees not covered by the TPO within the application site have been assessed to have limited amenity value and/or are poor specimens. Their removal is considered to be acceptable in terms of the impact on visual amenity and the character and appearance of the Conservation Area.

Taking account of the above, the proposal will not conflict with Policies CS2 and CS14 of the Core Strategy and saved Policy EV/1 of the Local Plan in terms of the impact of the development on trees on the site.

### Impact on Biodiversity

The Bat Building Assessment and Protected Species Scoping Report submitted with the application concludes that the buildings on the site to be demolished have negligible roosting potential for bats and that there is negligible potential of foraging and commuting bats on the site as a whole. There is one (protected) tree on the site which has low potential for roosting bats and this tree is shown to be retained. No evidence of other protected species was found during the site survey.

Notwithstanding these findings, it is considered that the site forms part of a network of gardens and represents the most significant component of green infrastructure locally, given the urban context. The loss of green space would be significant at the scale of the site and mitigation is therefore required to be provided which is proportionate to the scale of loss to accord with Policy CS13 of the Core Strategy and the NPPF.

It is considered that a permanent area of enhanced habitat forming part of the site's surface water drainage system (details to be agreed) would provide adequate mitigation for the loss of green space.

### Highway Impact/Safety/Parking

The proposed dwelling would be served by an existing gated access which meets highway standards in terms of its width. Whilst there are no pedestrian visibility splays, there is no pavement across the site frontage (just a grass verge) and there is good vehicle visibility as Castledine Street is straight and there are clear views of traffic using Stanley Street.

On-site turning is also proposed to be provided. Taking account of the above and the low volume of traffic using this relatively wide residential cu-de-sac, it is considered that the access arrangements are acceptable in highway safety terms. The road is unadopted and, consequently, the highway authority has not commented on the proposal.

To refuse a planning application on highway safety grounds it must be demonstrated that there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Taking account of the above, the proposal would not result in such harm. The proposal therefore accords with the NPPF.

There is a double garage and parking within the site which meets the Highway Authority standard for a 4+ bedroom dwelling. The proposal therefore accords with saved Policy TR/18 of the adopted Local Plan in terms of on-site parking provision.

### Other Matters

Satisfactory drainage in relation to residential development is a matter is dealt with under the Building Regulations. Moreover, Severn Trent Water owns and controls drainage systems which serve more than one property, as is the case in Castledine Street. It is, therefore, the authority responsible for ensuring that the existing system is maintained and functioning properly. A note to applicant advising the applicant to contact STW to discuss site drainage can be attached to the decision notice if planning permission is granted.

### **Conclusion**

The framework makes it clear that there is a presumption in favour of sustainable development. All proposals are required to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the reasons set out in the assessment section of the report, the proposal has been assessed to be acceptable in principle and would not result in harm (subject to appropriate conditions) to residential amenity, visual amenity, the heritage assets, trees, biodiversity, or highway safety. The proposal would therefore comply with Policies CS1, CS2, CS13, CS14 and CS25 of the Core Strategy, saved Policies ST/2, EV/1 and TR/18 of the Local Plan, the National Planning Policy Framework, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Conservation Area Character Appraisal and The Leading in Design Supplementary Planning Document. There are not considered to be any material considerations which indicate that this proposal should not be determined in accordance with the development plan.

It is therefore recommended that planning permission should be granted

### **RECOMMENDATION**

Grant Conditionally

1. The development, hereby permitted, shall be begun not later than 3 years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and

Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 Location Plan, 17024-17-01, 17.3449.08, 09A, 10, 11A and 12.

REASON: To define the terms of the planning permission.

3. No materials shall be placed on the site until the following details regarding the design and appearance of the proposed dwelling have been submitted for the agreement of the local planning authority:

- a) Samples of the facing bricks, render and roof tiles to be used on the external surfaces of the dwelling and garage
- b) Full details of the design and materials of the windows, doors and rooflights, including large-scale horizontal and vertical sections
- c) Full details and materials of lintels and sills
- d) Full details of rainwater goods
- e) Full details of the design and colour of the front door and
- f) Full details of the verge and eaves.

Only materials agreed in writing by the local planning authority shall be used in carrying out the development.

REASON: To make sure that the appearance of the completed development is satisfactory and preserves and enhances the significance of the Heritage Asset.

4. The first floor window in the north-western elevation of the dwelling, hereby permitted, shall be glazed with obscure glass to Pilkington privacy level 4 or above (or equivalent) and either fixed or fitted with restrictive openings and thereafter be retained at all times. Details of the restrictive opening specifications shall first be submitted for the approval in writing of the local planning authority. No changes shall be made to this window nor shall any additional windows be inserted in this elevation thereafter.

REASON: To minimise the effect of the development on the privacy and amenities of nearby residents.

5. No materials shall be placed on the site until a scheme for the treatment of the south-eastern application site boundary has been submitted to and agreed in writing by the local planning authority.

REASON: To ensure the satisfactory, overall appearance of the completed development and to provide a satisfactory level of privacy for the occupiers of the new and existing dwellings.

6. The dwelling hereby permitted shall not be occupied until the scheme for boundary treatment, agreed under the terms of the above condition, has been fully completed.

REASON: To ensure the satisfactory, overall appearance of the completed development and to provide a satisfactory level of privacy for the occupiers of the new and existing dwellings.

7. No development, including site works, shall begin until each tree shown to be retained on the approved site plan 17.3449.08 has been protected, in

accordance with the details contained in the Arboricultural Survey dated 17 November 2017. Each tree shall be protected in the stated manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

REASON: The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

8. The dwelling hereby permitted shall not be occupied until such time as the on-site car and turning area shown on the approved Site Plan has been provided in accordance with construction and surfacing details which shall first have been submitted to and approved in writing by the local planning authority. Once provided, the area shall be retained at all times thereafter.

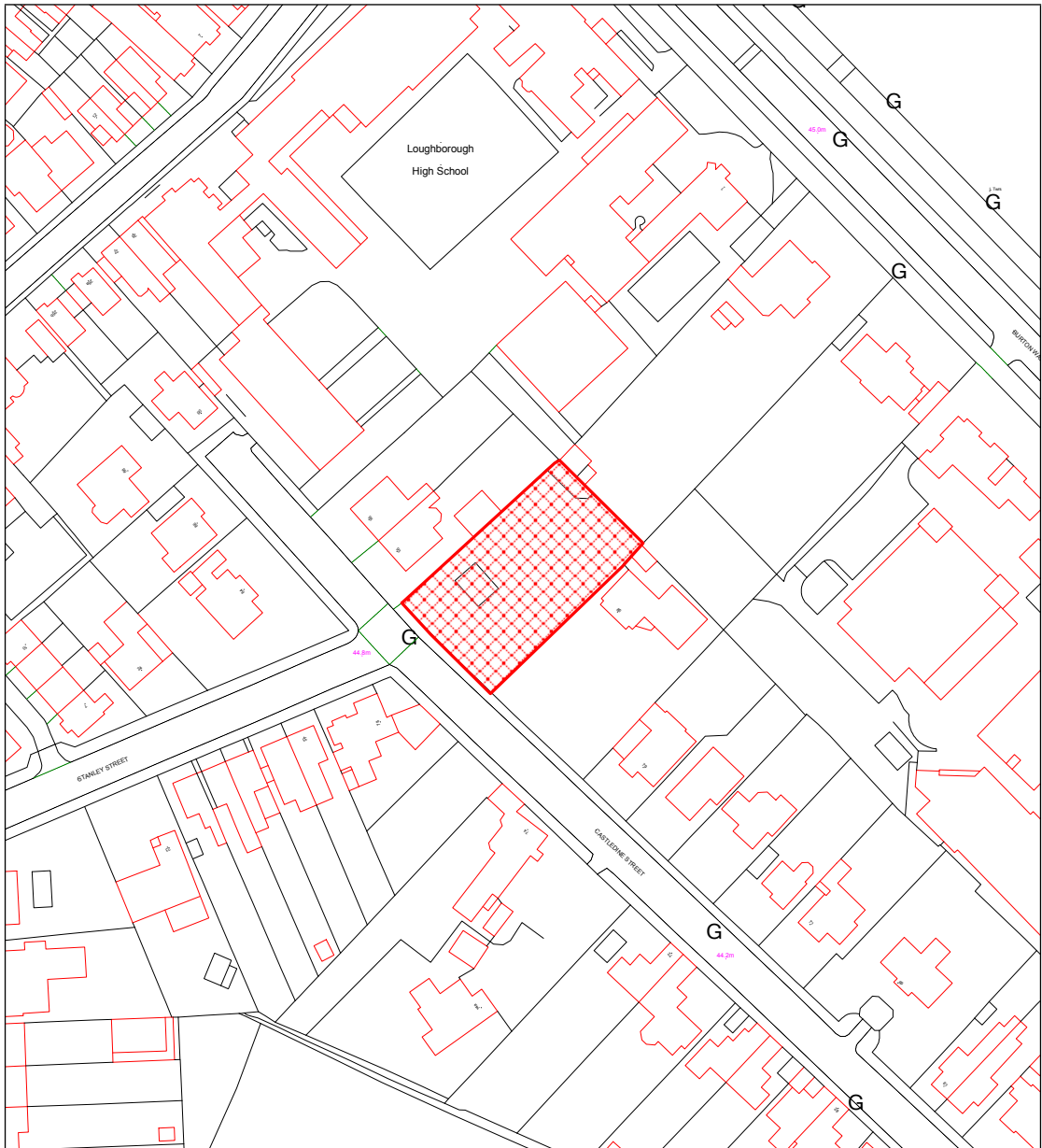
REASON: In the interests of visual amenity and to safeguard the well-being of the protected trees on the site.

9. The dwelling hereby permitted shall not be occupied until such time as the surface water drainage from the site, incorporating an area of enhanced biodiversity habitat, has been provided in accordance with details which shall have been submitted to and agreed in writing by the local planning authority. The agreed works shall be retained at all times thereafter.

REASON: To make sure that the site is drained in a satisfactory way and to provide adequate mitigation for the loss of green space on the site.

The following notes should be taken into account when carrying out the development

1. The Local Planning Authority acted pro-actively through positive engagement with the applicant during the determination process. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water (Tel: 024 7771 6843) to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.