

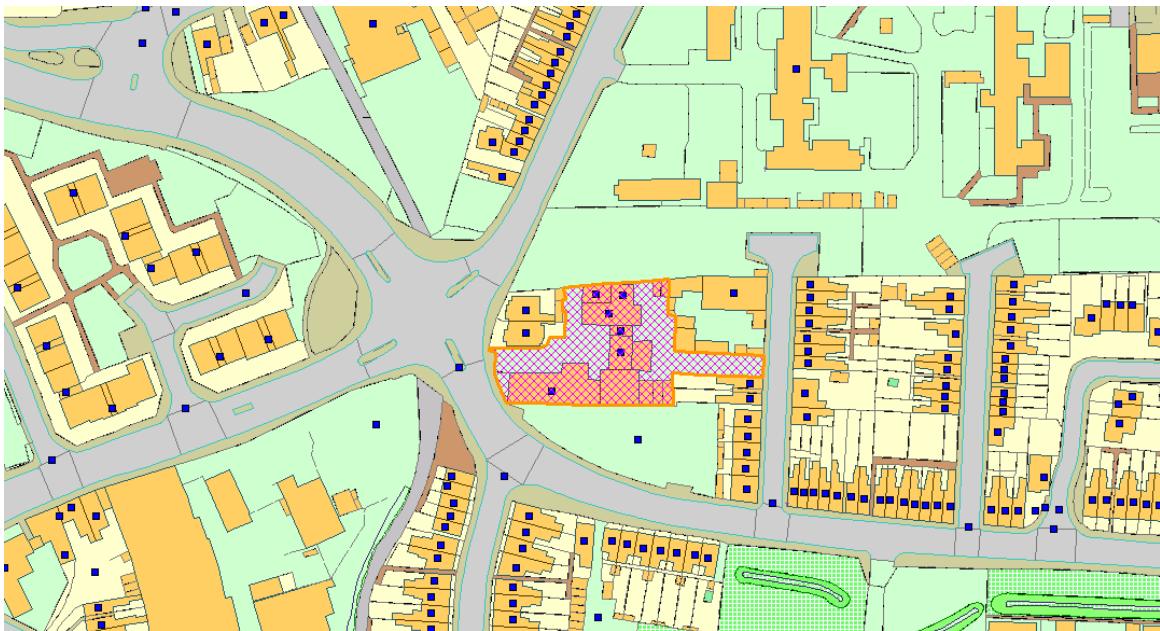
Reference: 15/00194/FUL

Date submitted: 9th March 2015

Applicant: Mr N Yool

Location: The Old Brewery, Thorpe End, Melton Mowbray

Proposal: Change of use of existing commercial premises to residential units and conversion of existing buildings, including partial demolition of some single storey structures to create 10 self contained dwellings plus associated car parking and landscaping.



Introduction:-

The application seeks full planning permission for the change of use of The Old Brewery site from commercial to 10 residential dwellings. The site is situated within Melton Mowbray, to the east of the town centre at the junction of Thorpe Road and Saxby Road. The site is bound by a small paddock to the north, Victorian terrace housing to the east, a public car park to the south and a pair of semi-detached dwellings to the west. On the site are a number of existing brick buildings, and the site currently operates as a base for local businesses with the businesses renting the premises from the land owner. The site is within the town envelope for Melton Mowbray, and in flood zone 2 as defined by the Environment Agency.

It is considered that the main issues relating to the application are:

- **Impact upon the local economy**
- **Impact upon highway safety**

The application is required to be considered by the Committee due to the level of representation received.

Relevant History:

Application reference 14/00349/FUL for the conversion of the buildings to 13 dwellings was withdrawn in March 2015.

Development Plan Policies:

Melton Local Plan (saved policies):

Policies OS1, BE1

OS1 states that planning permission will only be granted for development within the town envelope where:

- The form, character and appearance of the settlement is not adversely affected;
- The form, size, scale, mass, materials and architectural detailing of the development is in keeping with the character of the locality;
- The development would not have a significantly adverse effect upon the historic built environment or nature conservation features including trees;
- The development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity;
- Satisfactory access and parking can be made available.

BE1 states that planning permission will not be granted for new buildings unless among other things, they are designed to harmonise with their surroundings, they would not adversely affect the amenity of neighbours and there is adequate access and parking provision.

The National Planning Policy Framework was published 27th March 2012 and replaced the previous collection of PPS. It introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that 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 this Framework taken as a whole; *or*
 - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that **whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.**

It establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made to respond positively to wide opportunities for growth.
- Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.
- Always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings
- Conserve heritage assets in a manner appropriate to their significance
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

On Specific issues relevant to this application it advises:

Delivering a wide choice of high quality homes

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and relevant policies for the supply of housing should not

be considered up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. At paragraph 50 it states that local planning authorities should deliver a wide choice of high quality homes, widen opportunity for home ownership and create sustainable, inclusive and mixed communities. Local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. In addition they should identify the size, type, tenure and range of housing that is required in particular locations reflecting local demand.

Requiring good design

The Government attach great importance to the design of the built environment; good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. At paragraph 64 the NPPF goes on to state that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Conserving and enhancing the historic environment

Paragraph 131 states that in determining planning applications, local planning authorities should take account of:

- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness

At paragraph 132 the NPPF states that 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF paragraph 12).

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority: No Objections</p> <p>Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment.</p> <p>The Highways Officer advises that the residual cumulative impacts of the development can be mitigated and are not considered severe in accordance with Paragraph 32 of the NPPF. As such, the proposal is considered to be acceptable; subject to the imposition of conditions should the application be approved. Conditions will require a one-way system to be enforced within the development, the removal of gates at the junction of Thorpe End/Saxby Road, the size of car parking spaces, appropriate drainage, surfacing, pedestrian footway and visibility splays.</p>	<p>Noted.</p> <p>The proposal seeks to retain the existing points of access to the site, with the principal entrance from the junction with Thorpe End and the rear access from George Street. The proposed arrangement for vehicles to manoeuvre through the site will however be changed, and a one way system will be implemented.</p> <p>Entrance to the site will be from the Thorpe End entrance, vehicles will proceed through the site through the undercroft and then exit onto George Street. This would prevent vehicles emerging out onto the junction at Thorpe End / Saxby Road, and all vehicles leaving the site would be directed onto George Street and back onto Saxby Road via a much safer junction. This approach has been accepted by the Highways Officer as it represents an improvement upon the current arrangement where vehicles can leave the site at the junction of Thorpe</p>

	<p>End / Saxby Road.</p> <p>Refuse collection points have been located at the entrance to the site at Thorpe End and the exit at George Street to prevent lorries from having to enter the site to collect household waste.</p> <p>There is dedicated onsite parking provision proposed for each of the units, with a total of 18 parking spaces for the 10 units. As the proposal is situated close to the town centre this level of parking provision is considered to be acceptable, and should not lead to on street parking problems in the area.</p> <p>As such, the proposal is considered, subject to the imposition of conditions, to meet the objectives of policies OS1 and BE1 in regards to highways safety and parking requirements.</p>
<p>Environment Agency: No Objections</p> <p>The Environment Agency advise that the proposal will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the Flood Risk Assessment as submitted in support of the planning application are implemented and secured by way of a planning condition on any planning permission.</p> <p>The consultation response gives the wording of the condition required, and states that the measures would need to be fully implemented prior to occupation of any of the dwellings.</p>	<p>Noted.</p> <p>The site is located in flood zone 2, and it is considered that the conditions as required by the Environment Agency can mitigate the flood risk posed by the redevelopment of the site.</p>
<p>Severn Trent Water: No Objections</p> <p>Severn Trent Water have submitted details of conditions that they would require imposing on any planning permission granted to ensure that the scheme is acceptable in terms of sewerage.</p>	<p>Noted.</p>
<p>Melton Mowbray & District Civic Society: Object</p> <p>The group of buildings that this application proposes to convert to dwellings is very important in the history of Melton Mowbray. Although it is stated in the applicants Design and Access Statement the intention is to retain the majority of the existing buildings as they are aesthetically pleasing, it is disappointing that there is no awareness of the historical importance of the group of buildings. The developers should photographically record the building before development commences, and they should be lodged with the Melton Museum or library. In addition, they could have an information board by the site giving a resume of the history of the buildings.</p>	<p>Noted.</p> <p>The group of buildings known as The Old Brewery are outside of the conservation area and are not listed. As such, they are offered little protection as they are not designated as heritage assets, and the buildings are not considered to have any particular significance.</p> <p>Nevertheless, the proposal does not require wholesale demolition at the site, and a good portion of the existing buildings are proposed to be retained and converted, maintaining to a good extent the existing fabric of the buildings and therefore the historical context of the site.</p> <p>It is not considered necessary to require the developer to make photographic recordings of the building, nor to have an information board on display at the site, however if the developers decide to undertake this work there would be no objection</p>

	from the local planning authority.
<p>Ecology: Further Information Required</p> <p>The initial survey submitted with the planning application indicated that the buildings on the site had potential to support roosting bats. No access to the buildings was obtained and therefore an additional bat survey was recommended to be completed, in accordance with the ecology Bat Protocol. This would require the internal and external inspection of the buildings by a licensed bat worker in order to classify the buildings as having low, medium or high bat roosting potential.</p>	<p>Noted.</p> <p>A further bat survey was submitted to the local planning authority in early June 2015, and this has been forwarded to the ecology department for comment. At the time of writing, ecology had not responded to the further consultation on the submitted report.</p>
<p>Housing Policy: No Objections</p> <p>The Leicester and Leicestershire Strategic Housing Market Assessment (Bline Housing, 2009) supports the findings of the Housing Market Analysis and states that controls need to be established to protect the Melton Borough (particularly its rural settlements) from the over development of large executive housing, and to encourage a balanced supply of suitable family housing (for middle and lower incomes), as well as housing for smaller households (both starter homes and for downsizing). It continues to state that the undersupply of suitable smaller sized dwellings needs to be addressed to take account of shrinking household size which if not addressed will exacerbate under-occupation and lead to polarised, unmixed communities due to middle and lower income households being unable to access housing in the most expensive and the sparsely populated rural areas.</p>	<p>Noted.</p> <p>This application proposes the redevelopment of the site to provide a mix of 10 dwellings that would be sold on the open housing market. Proposed are a mix of cluster houses, townhouses and apartments, with eight 2 bedroom dwellings, and two 3 bedroom dwellings.</p> <p>The Melton Borough Housing Stock Analysis (2006) showed that there is a significant shortfall of smaller dwellings in the town. There is a significant surplus of larger executive housing, with a need for smaller homes for those seeking to buy a first home or to downsize.</p> <p>The NPPF introduces the presumption in favour of sustainable development. Melton Mowbray is considered to be a sustainable location for new housing as it has a high level of facilities available locally that reduce residents' reliance upon the private car.</p> <p>The proposal is considered to contribute towards the housing needs of the Borough, and to meet the objectives of the Housing Market Analysis to encourage a balanced supply of suitable family housing. The proposal is also considered to be located within a sustainable location.</p>
<p>LCC Developer Contributions</p> <p>Leicestershire County Council have advised that developer contributions should be sought for this scheme, for the following services:</p> <p>Library: £300 Based on a formula for library facilities contributions as £30.18 per 2+ bedroom house / apartment</p> <p>Waste: £827 Based on a formula of £82.66 per dwelling / unit which is the current rate for the Melton Mowbray Civic Amenity Site</p>	<p>Noted.</p> <p>The National Planning Policy Guidance (NPPG) advises that developer contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm. It advises that in designated rural areas local planning authorities may choose to apply a lower threshold of 5 units or less, however Melton Borough is not a designated rural area.</p> <p>Therefore, as the development proposes 10 units with a maximum floor space of less than 1000sqm</p>

	<p>it is not considered that the request for developer contributions from Leicestershire County Council can be required on this scheme.</p>
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Representations:

The application was advertised in the press, a site notice was posted and neighbouring properties were notified. As a result **nineteen letters of representation** were received in response to the consultation.

Consideration	Assessment of Head of Regulatory Services
<p>Impact Upon Local Businesses / Economy</p> <p>The redevelopment of the site would force the Bodyworx Gym to close and would affect the business in a devastating way</p> <p>The Government seeks to support small local businesses</p> <p>There is a lack of industrial space in Melton Mowbray making moving the business very difficult</p> <p>The Old Brewery is home to the best community gym in Melton Mowbray</p> <p>The existing location of the gym is close to the town centre, within easy walking distance of the town and to other shops and cafes. If the gym were to relocate to a unit on Leicester Road Industrial Estate it would not be as easy to get to and would have an impact upon the town centre.</p> <p>Modern accommodation which the gym may be forced to relocate to would be expensive and threaten the economic viability of the gym.</p> <p>Bodyworx Gym is the only gym in Melton true to body building and is a key service in Melton.</p>	<p>Noted.</p> <p>The NPPF seeks to support sustainable development, which it defines as having three dimensions, which give rise to the planning system performing a number of roles. The three dimensions to sustainable development are economic, social and environmental. The economic role relates to contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.</p> <p>The proposal to convert the buildings to 10 dwellings will involve the loss of the space which is currently used as industrial, with what appears to be some currently used as storage and the Bodyworx Gym.</p> <p>Whilst the loss of the gym would be regrettable in terms of the impact on that business, the owners of that business and the users of the gym, the loss needs to be balanced against the benefit of the provision of 10 market dwellings on the site, and which use constitutes the most sustainable option, in the terms as advocated within the NPPF. As stated above, there is a need for smaller housing within the town, and the provision of 10 dwellings in this location would provide much needed housing on a brownfield site which is currently under-utilised.</p> <p>In terms of ‘sustainable development’ the occupiers of the new dwellings would be likely to support the local town by using the shops and other facilities that the town has to offer and would be less likely to rely on the private car as the site is close to good public transport infrastructure. In addition, the mix of dwellings provided should ensure a relatively mixed community which would meet the needs of present and future generations.</p>

<p>If the planning committee is minded to approve the application it should assist the gym financially and logistically to relocate to suitable accommodation close to the town centre. Profit from the redevelopment should be used to help Bodyworx Gym.</p>	<p>The Council's Economic Development Officer has been in contact with the owners of the Bodyworx Gym and is engaged in helping the gym to find suitable facilities to relocate to as the proposal puts the business at risk. There is no tool available to the local planning authority to require the developer to provide financial assistance to existing businesses to relocate.</p> <p>If the proposal does not gain approval, as the business rents the space from the landlord it could face termination of the lease in future at any point.</p>
<p>Impact Upon Community</p> <p>The Government objectives are to help people improve their fitness; any facility that helps people to maintain a healthy lifestyle should be encouraged</p> <p>The gym at the site allows people to socialise and relax after a stressful day</p> <p>The gym helps the community to keep fit and healthy</p> <p>Other gyms are too expensive</p> <p>The gym keeps young people off the street</p> <p>The gym supports a diverse range of local citizens</p> <p>The benefit of only 10 houses does not outweigh the provision of such a good gym facility to the town</p>	<p>Noted.</p> <p>The existing gym performs a social role within the community, and the NPPF seeks to ensure that the planning system promotes healthy and inclusive communities, delivering social, recreational and cultural facilities that the community needs.</p> <p>As stated above, the benefits of the proposed scheme in achieving sustainable development need to be weighed against the loss of the existing business at the site.</p> <p>It is regrettably considered in this case, that the provision of 10 dwellings that meet the housing needs of the Borough outweigh in planning terms the benefit of one (albeit) successful business on the site.</p>
<p>Highways Safety</p> <p>George Street is already too busy</p> <p>There are a number of children who live on George Street and the extra traffic will make George Street more dangerous</p> <p>There are better sites with better access for development</p> <p>There is already too much traffic in the town</p> <p>Saxby Road is very busy and vehicles exiting George Street already find it difficult turning onto Saxby Road. The development will make the situation worse.</p> <p>Having access to the site from George Street, coupled with parking difficulties and thriving plumbers merchants will cause highways safety dangers.</p> <p>Having another two dozen cars in George Street at all hours of the day will cause further problems.</p> <p>There are parking problems already in George Street which are already exacerbated by the gym, making parking for residents of George Street difficult.</p>	<p>Noted.</p> <p>As discussed above, the proposal is not considered to cause any further highways issues in the area, and by restricting the traffic flowing through the site to one-way will actually improve the safety of the junction at Saxby Road / Thorpe End.</p> <p>Only traffic entering the site will be able to use the junction at Saxby Road / Thorpe End, with all traffic leaving the site onto George Street.</p> <p>There is sufficient off-street parking provided within the site to ensure that the development will not lead to on-street parking problems in George Street, and as there will only be traffic leaving the site onto George Street it is not considered that the development would lead to an increase in highways dangers.</p> <p>As such, the proposal, subject to the imposition of conditions, is considered to meet the objectives of policies OS1 and BE1 in regards to parking provision and highways safety.</p>

<p>18 parking spaces in the development is not enough, there should be a minimum of 20</p> <p>Access should be from Saxby Road</p> <p>A relief road should have been constructed between Saxby Road and A607 to the east of Thorpe Arnold to deal with traffic for the industrial estate, but this hasn't happened.</p> <p>A development at such a busy junction which is already a heavily criticized hot spot is preposterous</p>	
<p>Policy</p> <p>There are other brown field sites in the town that could be redeveloped for housing (King Edward VII School, land adjacent the Premier Inn, Dalby Airfield)</p> <p>This proposal will only provide a very small amount of houses compared to government targets</p> <p>There are already too many houses in the town</p>	<p>Noted.</p> <p>Each application should be determined on its own merits.</p> <p>The site at King Edward VII has been granted planning permission for housing, and the land adjacent to the Premier Inn has a pending planning application for a retail development.</p> <p>Melton Borough Council has to provide 245 new dwellings per year. Whilst this proposal only proposes 10 dwellings this goes some way to meeting the need for new housing, and meets the need for smaller homes.</p>
<p>Residential Privacy & Amenity</p> <p>There will be a loss of privacy for residents whose windows look out onto the site</p> <p>The additional traffic created by the development will affect privacy and amenity of local residents.</p>	<p>Noted</p> <p>The separation distances between the east elevation of the proposed development and the rear of the existing houses are satisfactory in terms of residential privacy and amenity.</p> <p>The separation distance between the west elevation of the proposal and the two existing semi-detached dwellings is only approximately 10 metres, and the bedroom windows proposed on this elevation would cause an issue with regards to the impact upon residential privacy and amenity. As such, if permitted, these windows should be obscure glazed to maintain the residential privacy and amenity of the existing dwellings and the proposed accommodation. These windows are shown to be obscure glazed on the plans.</p> <p>It is not considered that the traffic that the development would cause would have a significant impact upon the residential amenity of nearby residential properties.</p> <p>As such, the proposal, subject to the imposition of conditions, is considered to meet the objectives of policies OS1 and BE1 of the Melton Local Plan in regards to residential privacy and amenity.</p>

<p>Other Considerations:</p> <p>The building has not been properly maintained by the landlord, has rising damp and poor insulation.</p> <p>The Council should encourage the site to be developed to serve the needs of existing residents, retain the gym and create community space like The Edge. This end of town is overlooked and deprived for community facilities.</p>	<p>Noted.</p> <p>The building is in need of improvement, and the scheme proposes to convert the building and provide the necessary improvements. Past maintenance of the building cannot be considered in the determination of this planning application.</p> <p>All applications are determined on their individual merit and local planning authorities have a statutory duty to determine all planning applications. The site is within private ownership, and the Council cannot therefore provide community services within the site.</p>
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Other Material Considerations Not Raised In Consultations:

Consideration	Assessment of Head of Regulatory Services
<p>Design</p>	<p>The proposal seeks to retain most of the existing buildings on site and convert them into residential units. This is considered to have determined to a great extent the layout of the proposal.</p> <p>The existing buildings in the most part are relatively aesthetically pleasing and are generally of good, sound construction. There are elements on site that have been later additions to the main buildings which are predominantly single storey and appear to have been added in a more ad-hoc manner over the years. It is considered that these buildings detract from the overall appearance of the site, and the possible appearance of the site in future. These later additions do not have any particular architectural merit and these are proposed to be demolished as part of the proposal.</p> <p>The demolition of the structures also allows for the creation of amenity space and parking spaces in the site. Small private garden areas to some of the townhouse units will also be able to be created which will attract young families to the development, helping to create a mixed community at the site.</p> <p>The scale of the development will remain largely the same as already exists on the site, as the buildings remaining post demolition will be converted. The proposed development will range in size and scale between one and three storeys in height; no extensions are proposed, and there are no new build elements to the proposal.</p> <p>In terms of overall appearance, the proposal seeks to retain many of the existing external features of the building as the proposal seeks to convert rather than demolish and rebuild. Existing openings will be used for windows and doors, and some new will be created as can be seen on the plans.</p>

	<p>As the proposal seeks conversion, the existing red brick and slate tiled roofs will remain as the predominant materials. New windows and doors which will be required to ensure that the building meets the necessary building regulations can be conditioned so that the proposed materials can be agreed prior to development.</p> <p>As such, the proposal is considered to meet the objectives of policies OS1 and BE1 in regards to design, and will improve the overall appearance of the site in a fairly prominent location of the town.</p>
<p>Impact on Streetscene / Character of the Area</p>	<p>The existing buildings are in a relatively prominent position at a busy junction in the town centre, and whilst screened to a certain extent by the pair of semi detached dwellings facing the junction. It is apparent that the buildings are in need of maintenance. The character of the area currently is mixed, with a retail store to the front of the site, industrial uses within and to the east of the site, and residential uses surrounding the site.</p> <p>The proposal seeks to retain the majority of the existing buildings, regenerating the site to maintain the appearance of the more historic parts. The least aesthetically pleasing buildings will be demolished as part of the proposal, and further hard and soft landscaping will be provided.</p> <p>It is considered that the impact of the proposal on the character and appearance of the area would be positive, in terms of regenerating the site, and providing further residential accommodation in a well-established residential location.</p>
<p>Compliance with Policy</p>	<p>The proposal is located within the town envelope, and seeks to convert existing buildings to residential use to provide 10 self contained dwellings. As such the proposal complies with policies OS1 and BE1 of the Melton Local Plan.</p> <p>The NPPF states that there is a presumption in favour of sustainable development, which should be seen as a golden thread running through plan making and decision-taking. This means that proposals that accord with the development plan should be approved without delay.</p> <p>The proposal meets the objectives of the Melton Local Plan. In addition, the proposal is in a sustainable location where residents would have access to a high level of local services and facilities that would reduce reliance upon the private car. As such, the proposal is considered to meet the objectives of the Melton Local Plan and the NPPF.</p>

Conclusion

The application seeks full planning permission for the conversion of the site into 10 residential dwellings, with access to the site from the junction of Thorpe End / Saxby Road and exit from the site onto George Street. The site is within the town envelope for Melton Mowbray, which is considered to be a sustainable location for further development as it has a wide range of services and facilities to reduce dependence upon the private car. The application seeks to provide a one-way system through the site to improve the safety of the flow of traffic, with parking for 18 vehicles within the site and some amenity space in the way of private gardens to some of the townhouses proposed. It is considered that the proposed conversion of the buildings is supported by the NPPF, and policies OS1 and BE1 of the Melton Local Plan, and whilst the loss of a successful business at the site is regrettable, the provision of 10 new dwellings is considered to outweigh the loss of the business.

Accordingly, the proposal is recommended to be delegated for approval, subject to a satisfactory response with regards to the additional ecology survey and any appropriate conditions.

RECOMMENDATION: Delegate to permit, subject to the following conditions

1. The development shall be begun before the expiration of three years from the date of this permission.
2. This decision relates to the approved plans received at these offices on 9th March 2015 numbered:

C162 001 A (Site Location Plan), C162 003 F (Site Plan - As Proposed), C162 004 D (Schematic Floor Plans), C1652 100 C (Proposed - Lower Ground Floor), C162 101 D (Proposed - Upper Ground Floor), C162 102 C (Proposed - First Floor), C162 103 C (Proposed - Second Floor), C162 104 C (Proposed - Elevations).
3. No development shall start on site until all materials to be used in the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority.
4. Details of proposed measures to ensure that the proposed one way system will be enforced, such as signing and lining, should be submitted to and approved by the local planning authority before development commences. The approved scheme shall then be implemented before first occupation of any dwelling and shall thereafter be permanently so maintained.
5. Before first use of the development hereby permitted, the existing gates to the vehicular access adjacent to the junction with Thorpe End and Saxby Road shall be removed. Any new vehicular access gates, barriers, bollards, chains or other such obstructions erected shall be set back a minimum distance of 10 metres behind the highway boundary and shall be hung so as not to open outwards.
6. Notwithstanding the details submitted, with the exception of the existing wall or buildings shown abutting any car parking space, minimum 0.5 metre clear margins shall be provided to the car parking spaces, in which no planting or new walls or fences shall be erected. These margins once provided shall thereafter be permanently so maintained.
7. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway including private access drives, and thereafter shall be so maintained.
8. The car parking and manoeuvring facilities shown within the site shall be provided, hard surfaced and made available for use before any dwelling is occupied and shall thereafter be permanently so maintained.
9. Before any dwelling hereby permitted is first occupied, the existing vehicular crossing serving the site from Saxby Road, just to the south of the remaining access shall have been reinstated as footway with full height kerbing to Highway Authority standards, entirely at the developers expense.
10. Before first use of the development hereby permitted, 1.0 metre by 1.0 metre pedestrian visibility splays shall be provided on the highway boundary on both sides of the access on to George Street, with nothing within those splays higher than 0.6 metres above the level of the adjacent footway, in accordance with the current standards of the Highway Authority and shall be so maintained in perpetuity.

11. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) report reference 13543/FRA/Rev B prepared by BSP Consulting in March 2014 and the following mitigation measures detailed within the FRA

1. The finished floor levels of plots 1_2 shall be set no lower than 74.05mAOD
2. The finished floor levels of plots 3, 5, 10 and part of Plot 9 shall be set no lower than 74.10mAOD.
3. The finished floor levels of plot 4 shall be set no lower than 74.25mAOD
4. The finished floor levels of plots 6, 7, 8 and part of plot 9 shall be set no lower than 74.24mAOD
5. The existing basements are not suitable for habitable use and therefore the basements must not be converted to habitable spaces now or at any time in the future.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

12. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority.

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

13. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
14. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.
15. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted
4. In the interests of highways safety.
5. To enable a vehicle to stand clear of the highway whilst the gates are opened / closed and protect the free and safe passage of traffic, including pedestrians, in the public highway.
6. To ensure that occupants of vehicles parked in all car parking spaces shown can get into and out of their vehicles.
7. To reduce the possibility of surface water from the site being deposited in the highway causing dangers to highway users.
8. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.
9. In the interests of pedestrian safety.
10. In the interests of pedestrian safety.
11. To reduce the risk of flooding to the proposed development and future occupants.
12. To ensure the protection of the underlying Secondary A aquifer. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).
13. To ensure the protection of the underlying Secondary A aquifer. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.
14. To ensure the protection of the underlying Secondary A aquifer. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution
15. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Officer to contact: **Mrs Sarah Legge**

Date: 12th June 2015