



PLANS COMMITTEE

This meeting will be recorded and the sound recording subsequently made available via the Council's website: charnwood.gov.uk/pages/committees

Please also note that under the Openness of Local Government Bodies Regulations 2014 that other people may film, record, tweet or blog from this meeting. The use of any images or sound recordings is not under the Council's control.

To: Councillors Bailey, Bentley (Vice-Chair), Campsall, Forrest, Fryer (Chair), Grimley, Hamilton, Lowe, Ranson, Savage, Snartt, Tassell and Tillotson
(For attention)

All other members of the Council
(For information)

You are requested to attend the meeting of the Plans Committee to be held in the Preston Room, Woodgate Chambers, Woodgate Loughborough on Tuesday, 17th March 2020 at 5.00 pm for the following business.

Chief Executive

Southfields
Loughborough

9th March 2020

AGENDA

1. APOLOGIES
2. MINUTES OF PREVIOUS MEETING 3 - 6

The Committee is asked to confirm as a correct record the minutes of the meeting held on 27th February 2020.

3. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

4. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

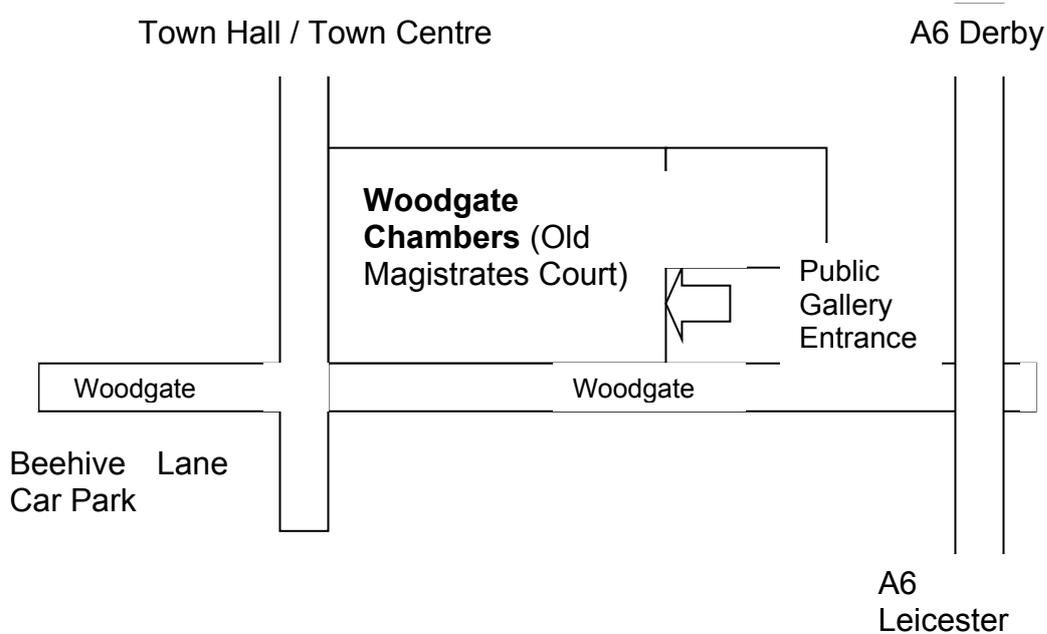
5. PLANNING APPLICATIONS

7 - 127

The list of planning applications to be considered at the meeting is appended.

WHERE TO FIND WOODGATE CHAMBERS

Woodgate Chambers
70 Woodgate
Loughborough
Leicestershire
LE11 2TZ



PLANS COMMITTEE 27TH FEBRUARY 2020

PRESENT: The Chair (Councillor Fryer)
The Vice Chair (Councillor Bentley)
Councillors Bailey, Campsall, Forrest, Hamilton,
Lowe, Ranson, Savage, Snartt, Tassell, Tillotson
and Gerrard

Group Leader Development Management (JJ)
Principal Solicitor (KH)
Senior Planning Officer (DL)
Principal Planning Officer (LM)
Democratic Services Officer (NA)

APOLOGIES: Councillor Grimley

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. She also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

46. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 30th January 2020 were confirmed as a correct record, with some minor amendments and signed.

47. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

48. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosures were made:

- (i) By Councillor Bentley – a personal interest was disclosed in relation to applications P/19/2559/2 and P/19/2558/2 and he advised the Committee he would not be taking part in the decision.
- (ii) By Councillor Bailey – a personal interest was disclosed in relation to application P/19/2075/2 as he did receive correspondence from his local resident's group regarding applications but had not received any correspondence in relation to this application and came to the meeting with an open mind.
- (iii) By Councillor Gerrard – a personal interest was disclosed in application P/19/2616/2 as she was a Member of the Rotary Club that used the application site. However, she advised the Committee that she came to the application with an open mind.

- (iv) By Councillor Snartt – a personal interest was disclosed in applications P/19/2559/2 and P/19/2558/2 as he knew the objector and had received correspondence in relation to the applications but had shared the information with the Head of Service and came to the meeting with an open mind.

49. PLANNING APPLICATIONS

Reports of the Head of Planning and Regeneration, setting out applications for planning permission, were submitted (items 1 to 7 in the appendix to the agenda filed with these minutes). An Additional Items report in respect of application P/19/2616/2 was also submitted (also filed with these minutes).

The Committee was advised that application P/19/2587/2 (22 Mill Road, Thurcaston) would be brought forward to allow Councillor Bentley to withdraw from the meeting before the last two applications were considered, which he had declared an interest in.

In accordance with the procedure for public speaking at meetings, the following objector, applicants or their representatives and representative of a parish council attended the meeting and expressed their views:

- (i) Mr Crinnion (objector) and Mr Price (on behalf of Quorn Parish Council) in respect of application P/19/2603/2;
- (ii) Mrs Jenkins (objector) and Mr Palfreyman and Ms Freer (applicants) in respect of application P/19/2616/2;

In accordance with the procedure for Borough Councillors speaking at Plans Committee meetings, the following Councillors attended the meeting and expressed their views:

- (i) Councillor Shepherd in respect of application P/19/2603/2;
- (ii) Councillor Grimley in respect of application P/19/2616/2;
- (iii) Councillor Parsons in respect of application P/19/2075/2.

Councillor Parton had called in application P/19/2066/2 (117 William Street, Loughborough) but was unable to attend and had submitted a statement regarding his concerns. Having read the statement prior to the meeting the Chair advised the Committee that she was satisfied that Councillor Parton's concerns had been addressed in the report.

Having made a disclosure under the Planning Guide of Good Practise, Councillor Bentley withdrew from the Committee table during the consideration of applications P/19/2559/2 and P/19/2558/2 (The Stables, School Lane, Woodhouse).

RESOLVED

1. that, in respect of application P/19/2603/2 (adj to 102 Warwick Avenue, Quorn), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration;

2. that, in respect of application P/19/2616/2 (Syston Rugby Football Club, Barkby Road, Queniborough), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration;

3. that, in respect of application P/19/2075/2 (43 Ashleigh Drive, Loughborough), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration and:

(a) a further condition be added to state:

“No construction work on the development shall be carried out other than between the hours of 8am to 6pm Monday to Friday, 8am until 1pm on Saturday and there shall be no working on Sundays or Bank Holidays.”

REASON: to ensure minimal disruption to the residents during the course of construction.

(b) a further condition be added to ensure a dropped kerb is added to the property.

REASON: to ensure there is sufficient car parking available at the property.

4. that, in respect of application P/19/2066/2 (117 William Street, Loughborough), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration;

5. that, in respect of application P/19/2587/2 (22 Mill Road, Thurcaston), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration;

6. that, in respect of application P/19/2559/2 (the Stables, School Lane, Woodhouse) planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration and:

(a) Delegated authority be given to officers to amend condition 2 to include that no commercial use be allowed on the site.

REASON: To define the permission and limit the potential for vehicles usage at the site and intensification of the use, in the interests of residential amenity and highway safety.”

7. that, in respect of application P/19/2558/2 (The Stables, School Lane, Woodhouse) planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration and:

(a) “Delegated authority be given to officers to amend condition 2 to include that no commercial use be allowed on the site.

REASON: To define the permission and limit the potential for vehicles usage at the site and intensification of the use, in the interests of residential amenity and highway safety.”

50. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

A list of applications determined under powers delegated to officers for the period from 22nd January 2020 to 14th February 2020 was submitted (item 6 on the agenda filed with these minutes).

NOTES:

1. No reference may be made to these minutes at the Council meeting on 27th April 2020 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Plans Committee.

Charnwood Borough Council

Plans Committee – 17 March 2020

Index of Committee Items

Item	Application No	Applicant and Location, Description	Recommendation	Page
1	P/16/1660/2	<p>Palmer-Tomkinson Trust, Cooper Family, Barwood Homes and Davidsons Homes</p> <p>Land North of Birstall, Birstall</p> <p>Hybrid planning application comprising: Outline application (with all matters reserved on those areas not subject to the detailed proposals) for erection of 1,950 residential dwellings (Use Class C3), 15 hectares of employment land (Use Class B1(a), B1(c), B2 & B8), erection of a primary school (Use Class D1), a local centre comprising of shops, supermarket (Use Class A1), financial & professional services (Use Class A2), restaurants/cafes (Use Class A3), drinking establishments (Use Class A4), hot food takeaway (Use Class A5), business (use Class B1a), erection of an assisted living retirement village of up to 175 units & 70 bed care home (Use Class C2), non - residential institutions (Use Class D1) and assembly and leisure (Use Class D2), erection of a community resource centre providing a mix of uses, provision of 4 plots for travelling show people, green infrastructure, outdoor sport provision, public open space/parkland, allotments, arboretum, extended rights of way, and associated landscaping and infrastructure; and detailed planning application relating to the erection of 193 dwellings (Use Class C3), erection of two separate lodge/gate houses (Use Class C3), a countryside park with sports pitches, sports pavilion, structural landscaping, biodiversity parkland, details of drainage and internal access roads, and the provision of the primary access including the details of the signalised roundabout to the A6 Dual Carriageway, site access works and the provision of a two way local link to Loughborough Road, Rothley.</p>	Grant Conditionally subject to a S106 Agreement	08

Application Reference Number P/16/1660/2

Application Type: Hybrid **Date Valid:** 01/08/2016
Applicant: Palmer-Tomkinson Trust, Cooper Family, Barwood Homes and Davidsons Homes
Proposal: Hybrid planning application comprising:
Outline application (with all matters reserved on those areas not subject to the detailed proposals) for erection of 1,950 residential dwellings (Use Class C3), 15 hectares of employment land (Use Class B1(a), B1(c), B2 & B8), erection of a primary school (Use Class D1), a local centre comprising of shops, supermarket (Use Class A1), financial & professional services (Use Class A2), restaurants/cafes (Use Class A3), drinking establishments (Use Class A4), hot food takeaway (Use Class A5), business (use Class B1a), erection of an assisted living retirement village of up to 175 units & 70 bed care home (Use Class C2), non - residential institutions (Use Class D1) and assembly and leisure (Use Class D2), erection of a community resource centre providing a mix of uses, provision of 4 plots for travelling show people, green infrastructure, outdoor sport provision, public open space/parkland, allotments, arboretum, extended rights of way, and associated landscaping and infrastructure; and detailed planning application relating to the erection of 193 dwellings (Use Class C3), erection of two separate lodge/gate houses (Use Class C3), a countryside park with sports pitches, sports pavilion, structural landscaping, biodiversity parkland, details of drainage and internal access roads, and the provision of the primary access including the details of the signalised roundabout to the A6 Dual Carriageway, site access works and the provision of a two way local link to Loughborough Road, Rothley.
Location: Land North of Birstall, Leicestershire
Parish: Birstall, Cropston, **Ward:** Birstall Wanlip, Rothley, Thurcaston, Wanlip
Case Officer: Nigel Gould **Tel No:** 01509 634735

The planning application has been brought to Plans Committee as it relates to a major strategic proposal which is of significant public interest.

INTRODUCTION

This planning application proposes the development of a garden suburb on land within the North of Birstall Direction of Growth, which is identified in Policy CS20 of the Core Strategy as delivering a 'garden suburb' of approximately 1,500 homes.

Within Policy CS20, the garden suburb is additionally identified as delivering up to 15 hectares of employment land, community facilities (including provision of a primary

school to meet local need, contribution towards secondary provision and a local centre), well-connected streets, transport improvements, new walking and cycling routes, new roundabout on the A6 and other highway improvements and a range of environmental improvements.

Within the supporting text of Policy CS20, the Garden Suburb principles are identified as including:

- strong vision, leadership and community engagement;
- land value capture for the benefit of the community;
- community ownership of land and long-term stewardship of assets;
- high quality, imaginative design including homes with gardens;
- mixed tenure homes which are affordable for ordinary people;
- a strong local jobs offer with a variety of employment opportunities well related to homes;
- generous green space linked to the wider countryside, well managed and high quality gardens, tree lined streets and open spaces with opportunities for residents to grow their own food;
- access to strong local, cultural, recreational and shopping facilities in walkable neighbourhoods; and
- Integrated and accessible transport systems.

The applicant entered into a Planning Performance Agreement to manage the application both during the pre-application stage and the determination of the application. A vision statement for the site was agreed early in this process following joint working with the promoter, Leicestershire County Council, Leicester City Council and other stakeholders in 2015. It states:

“In 2028 the North Birstall Sustainable Urban Extension will be known for its reputation as a Garden Suburb. It will combine the benefits of excellent access to the City for work and leisure with the benefits of the countryside such as green open spaces, fresh air, tranquillity and beautiful character.

It will have been comprehensively planned to offer an excellent quality of life for its community. The range of homes, jobs, community facilities and shops will meet the day to day needs of the people who live there. Community uses will provide a focus of civic pride.”

A series of members briefings have been undertaken during the determination period as follows:

- 18th May 2018 - An update on officer concerns with the application at that time, the key concern being highway safety implications.
- 13th December 2018 - An update on the viability assessment relating to the original application of 1,650 no. dwellings and the proposed increase to 1,950 no. dwellings.
- 8th October 2019 - An update on the application which was updated in January 2019 to 1,950 no. dwellings, the updated access and the comments from the Local Highways Authority.

- 19th February 2020 - An update on the application, the viability assessment scenarios, the S106 planning obligations package and the affordable housing provision.

This is an hybrid (part outline, part detailed or 'full') planning application that aims to bring forward the above development in accordance with the agreed vision and Policy CS20.

SITE DESCRIPTION

The application site includes approximately 204 hectares of land located in open countryside adjacent to, and immediately north of, the A46 between Birstall and Rothley. It predominantly consists of intensively farmed arable land with tree belts, spinneys, copses and hedges forming distinctive field patterns.

The Great Central Railway forms the western boundary of the site, the A46 forms the boundary to the south, and to the east the site extends beyond the A6 towards the Wanlip Water Treatment Works. The site is to the south and west of Broadnook Spinney and to the south of Rothley Park Golf Club. The A6 runs to the east of the site. The application site also includes the A6/A46 junction and approach roads, as well as a stretch of the Wanlip Lane to the south of the A46 which lies to the south east of the site.

The site slopes down to the south with the A46 set at a lower level to the site immediately beyond the southern boundary. The site lies within Flood Zone 1. Public footpath J54 runs along the southern boundary of the application site from the A6/A46 junction. Public Footpath J55 begins at the northern tip of the application from Broadnook Spinney and into Rothley and Public Bridleway J100 runs along the eastern boundary

There are several Tree Preservation Orders protecting tree groups within the development site including Bridle Road Spinney and the Broadnook Spinney to the north of the site.

DESCRIPTION OF APPLICATION PROPOSALS

The application is for a hybrid planning permission and proposes **Outline Planning Permission** for:

- a. Up to 1950 residential units (Use Class C3)
- b. Up to 15 hectares of employment land for use Classes:
 - B1(a) office – up to 7,500m²
 - B1(c) light industry – up to 17,500m²
 - B2 general industry – up to 10,000m²
 - B8 storage and distribution – up to 15,000m²
- c. A 3 Form Entry Primary School (up to 630 pupil capacity) on a site of 3 hectares
- d. A Local Centre (the “Broadnook Centre”) for a combination of Use Classes:

- A1 “Shops” including a supermarket of up to 1600m2 nett and unit shops
 - A2 “Financial and Professional Services”
 - A3 “Restaurant(s) and Cafeteria(s)”
 - A4 “Drinking Establishment(s)”
 - A5 “Hot Food Takeaway(s)”
 - B1 “Business”
 - C2 “Residential Institutions” including an assisted-living retirement village providing up to 175 units of accommodation with support facilities and a 70 bed care-home
 - C3 “Dwelling Houses”
 - D1 “Non-Residential Institutions”
 - D2 “Assembly and Leisure” (A2 – D2 Uses comprising up to 2,200m2 of additional floorspace nett of Use Classes C2 and C3)
- e. A Community Resource Centre incorporating social, community and health care facilities and the offices of the Broadnook Garden Suburb Trust
- f. A site of 4 plots for show people
- g. Green Infrastructure including:
- Woodland
 - natural and semi-natural greenspace
 - amenity open spaces
 - play facilities
 - outdoor sports provision including playing pitches, tennis courts, bowling green and changing facilities
 - parkland
 - allotments
 - arboretum
 - extended public rights-of-way
- h. Associated infrastructure works, access, parking, engineering, groundworks, landscaping, drainage works and demolition of selected existing buildings
- i. Site preparation works

Full Planning Permission for:

- j. Primary access proposals including signalised roundabout to A6 dual carriageway, site access works and two-way link to Loughborough Road via a second roundabout;
- k. Internal access roads including northern boulevard to serve Broadnook Centre area, first phase housing and employment areas, gatehouses and Countryside Park;
- l. Two areas of housing comprising a total of 193 dwellings;
- m. Two gatehouses (north and south lodges)
- n. Countryside Park including ground modelling, parkland, sports pitches, pavilion, parking, footpaths/cycleways, hard and soft landscaping, allotments and maintenance/recycling compound
- o. Structural woodland planting and ecology parkland;

- p. Sustainable drainage proposals;
- q. Comprehensive landscaping proposals

As a part of the planning application a Development Framework Plan has been submitted, which identifies the overall development strategy across the whole site, including the key elements such as housing, local centre and community facilities. Members will note that a substantial area of green space has been included within the scheme, including a Country Park. The primary access into the site would be taken from the A6 through the formation of a new signalised roundabout junction which in turn would serve a smaller roundabout set within the site.

The site as proposed has three distinct areas. To the north, an extensive green area runs across the site, with integrated green infrastructure and a variety of sports and recreational facilities. A middle band runs from west to east and comprises of phase 2 – 650 dwellings; phase 1 – 650 dwellings and the Broadnook Centre; and the Broadnook Enterprise Area. A lower or southern band forms phase 3 – a further 650 dwellings. The hybrid application includes full details of the first 193 residential dwellings in phase 1, the green infrastructure to the north and the key highway infrastructure, with all other aspects to be considered at a later reserved matters application(s) stage.

Directly to the west of the A6 would be the proposed employment area, further west would be an area of housing, followed by the Local Centre. Further housing is then proposed from the Local Centre towards the western boundary with the Great Central Railway. A large expanse of green infrastructure is located to the north of the site and would include formal sports pitches with changing facilities, informal open space, ecological enhancement and part of the site's drainage strategy.

The detailed proposals under the application for 'full' planning permission for 193 dwellings are to be located immediately to the west of the Local Centre. The proposed dwellings would be mainly 2 storeys high. However, there would also be an element of 2.5 storey properties with dormer windows. They would be of traditional design, with red brick, render and tile being the dominant materials proposed.

There are two developers involved in delivering the 193 houses subject of the application for full planning permission. The proposals offer no affordable housing as part of this element of the Garden Suburb. It should be noted that affordable housing will form part of the remaining residential development at 16% of the overall site provision, the exact tenure and split to be agreed via the s106 legal agreement.

Sustainable Urban Drainage Scheme

The applicant has prepared an outline surface water management scheme based on the principles of sustainable urban drainage systems (SUDs). The application site has been divided into several drainage areas based on natural drainage pathways. The ground condition investigations confirm that the disposal of surface water by infiltration will not be feasible and therefore the illustrative surface water drainage scheme is proposed to manage run-off through the provision of attenuation storage.

The surface water drainage strategy includes the following sustainable drainage features:

- Wet ponds or attenuation/retention ponds which provided for storm water attenuation and run-off treatment
- Swales which are shallow vegetated channels which convey and/or retain surface water run off along their length.
- Permeable paving will be incorporated (where applicable)

These form part of the sites green infrastructure framework and will achieve both drainage and ecological benefits.

Green Infrastructure and landscape

The applicant has sought to evolve the green infrastructure and landscaping by using existing field patterns and hedgerows, topography and existing landscape features such as the Broadnook Spinney located to the north of the site.

The applicant has identified two green infrastructure/movement routes: a Charnwood Forest to Watermead link (spanning across the site west to east) and a Great Central Railway to River Soar link (spanning diagonally across the site south west to north east).

Green infrastructure is proposed to be enhanced as part of the pedestrian/cycle movements across the site through strategic green corridors, the central walk and local green corridors. It is proposed that the road layout would incorporate green lanes serving residential areas from the secondary streets that run from the main tree lined boulevard loop through the site.

Long term stewardship and maintenance of the site

One of the key garden suburb principles is the community ownership of land and long-term stewardship of assets. The applicant proposes within the submitted Design and Access statement that the long-term maintenance and stewardship of the development site would be secured within the Section 106 legal agreement and implemented through a Garden Suburb Trust.

Prior to the establishment of the Trust, a “Broadnook Foundation” is proposed which would provide a co-ordinating role to oversee the delivery of the overall development and to ensure that it fulfils the vision of a ‘garden suburb’. The foundation would include representation from the landowners, developers, Parish, County and Borough Council and other agencies and organisations as required (such as the Wildlife Trust, Environment Agency, Natural England and utility companies)

Supporting Plans and Documents Submitted with the Application

The planning application is accompanied by the following documents:

- Planning Statement and Summary (June 2016) & Planning Statement and Planning Summary addendum (January 2019);

- Design and Access Statement 1 (June 2016), Design and Access Statement 2 (June 2016) and Design and Access Statement Addendum (January 2019);
- Green Infrastructure Strategy (June 2016) & Green Infrastructure Addendum – Allotments, Outdoor Sports and Play (January 2019);
- Statement of Community Involvement (June 2016);
- Sustainability Statement (May 2016);
- Retail Sequential Site Note (February 2016);
- Retail Centre Health Check (February 2016);
- Employment Uses and Economic Development: Town Centre Uses Statement (June 2016);
- Employment proposals and mix 2 (June 2018)
- Lighting Assessment (July 2016);
- Arboricultural Statement (March 2016);
- Framework Construction Environmental Management Plan (June 2016)
- Site Waste Management Plan (July 2016)
- Utilities and Services Statement (June 2016);
- Landscape & Biodiversity Management Plans Version 3 (January 2019);
- Landscape Schedule of Materials Version 3. Plan Revision 0638.45 Rev H (January 2019);
- Environmental Statement (June 2016);
- Broadnook Centre Planning Brief (January 2019);
- Health Benefits Assessment (January 2019);
- Delivery Statement (January 2019);
- Environmental Statement Addendum – additional information/update following technical assessments:
 - landscape and character and visual effects;
 - ecology and biodiversity;
 - traffic and transport;
 - archaeology and heritage;
 - drainage and flood risk;
 - community, economic and social effects;
 - air quality;
 - noise and vibration.

Additional information/update of the following Technical Reports and Appendices:

- Landscape and Biodiversity Management Plan;
- Landscape Types Document;
- Ecology Surveys and Biodiversity Offsetting Exercise;
- Transport Assessment;
- Framework Travel Plan;
- Archaeological Evaluation – Trial Trenching;
- Flood Risk Assessment

The planning application is accompanied by a suite of drawings a full list of which is appended to this report.

The Environmental Statement (June 2016) and Addendum (January 2019)

Given the scale of development and likely cumulative impacts, and in accordance

with the Environmental Impact Assessment Regulations, this application was supported by an Environmental Statement which assessed the significance of the environmental impact and potential effects of the proposed development. The Environmental Statement accounts for development proposals identified in the Charnwood Local Plan Core Strategy and housing development being completed at Birstall and Rothley. The Environmental Statement is comprised of three volumes:

- Volume 1 - Non-technical summary
- Volume 2 – Technical Assessments via subject area
- Volume 3 – Technical Reports and Appendices

Set out below is a summary of the conclusions as presented within the non-technical summary:

- Landscape Character and Visual Effects – the Environmental Statement concludes that the landscape effects of the proposed development would be slight adverse at the outset of development, but would become beneficial in the short term given the extent of new planting, and in the longer term more notable benefits will accrue as the landscape proposals mature;
- Ecology and Biodiversity – the Environmental Statement concludes that there are no sites on, or adjoining, the application site with a national or local designation for nature conservation value and that in view of the current intensive farming regime it has low nature conservation value. The relatively high bird interest on the site is attributed to active game management. Broadnook Spinney is identified as the key landscape feature on site and 3 corridors are identified as wildlife priorities – the Spinney, a second important hedgerow aligned south east to northwest and the Great Central Railway. The field pattern and more important hedgerows east of Broadnook Spinney are identified as being of poor ecological value with a limited species mix. It is concluded that there is significant potential for the creation of habitats of value;
- Transport and access – the document concludes that providing the mitigation measures, including a Travel Plan, for the site are implemented, the potential environmental effects are predicted to be negligible or minor beneficial;
- Ground Conditions and Minerals – The Environmental Statement identifies no contamination risks and concludes that ground conditions support the proposed disposition of land uses. The Statement concludes that there is no significant impact or constraint on the development proposals resulting from existing ground conditions;
- Archaeology and Heritage – The Environmental Statement concludes that there are no designated heritage assets (scheduled monuments, Conservation Areas, Listed Buildings) within the boundaries or close to the application site. Distance, topography, mature vegetation and lack of inter-visibility combine to ensure that there will be no impact on the heritage assets of Rothley, Rothley Ridgeway and Thurstaston Conservation Areas or their setting. Therefore, the residual impact is predicted to be negligible and there will be no impact on designated heritage assets;
- Drainage and Flood risk – The site lies within Flood Zone 1, an area of lowest probability of flooding. The Environmental Statement concludes that the proposed drainage will result in betterment for the surface water drainage

regime associated with the Rothley Brook Corridor and a positive effect on water quality will also be achieved;

- Community, Economic and Social Effects – The Statement concludes that the development would create significant positive effects on the surrounding area through a mix of homes to meet the needs of a new community and an appropriate mix of business and employment uses;
- Air Quality – The Environmental Statement concludes that air quality is not a constraint to development in accordance with established planning policy;
- Noise and Vibration – the Environmental Statement states that the site will be impacted by noise associated with construction activity, machinery and vehicles. It is considered that the southern and eastern boundaries of the garden suburb would be susceptible to adverse noise generation. Acoustic mounding and fencing and a reduction in the speed limit along the A6 to 50mph is considered to mitigate the noise levels. The Environmental Statement concludes therefore that this mitigation will mean that the existing road traffic noise will not be a constraint to the proposed development; and
- Agriculture and soils – The Environmental Statement identifies that the site is predominantly lower quality agricultural land and therefore the potential effects on agricultural land use and resources are not considered to be significant.

The Environmental Statement concludes that no significant adverse cumulative effects have been identified.

During the application process, the following additional supporting information was provided by the applicant. These seek to address issues raised by consultees and respond to agreed documentation submission as per the Planning Performance Agreement. The submission is in relation to inter alia drainage, highways and development mix:

- Broadnook Garden Suburb Trust Governance Arrangement (March 2017)
- Travelling Showpeople Site Document (April 2017)
- Bioaerosol Risk Assessment (August 2017)
- Odour Assessment (August 2017)
- Odour Assessment Addendum (May 2018)
- Written Scheme of Investigation for Evaluation for an archaeological trial trench evaluation (September 2017)
- Development Appraisal Review (December 2017)
- Broadnook and the Great Central Railway (January 2018)
- Employment Proposals and Mix – Summary (February 2018)
- Response to Employment Proposal and Mix (May 2018)
- Archaeological Report (May 2018)
- Archaeology and Heritage (January 2019)
- Updated designs for plots on the Davidson scheme (2019)
- Landscape and Visual Impact Assessment (January 2019)
- Landscape and Biodiversity Management Plan and Landscape Types (January 2019)
- Ecology and Biodiversity (January 2019)
- Badger Survey v2, Breeding v2, Great Crested Newt v2, Bat Emergence v2 and Biodiversity Offsetting Matrix (January 2019)

- Transport Assessment and Framework Travel Plan (January 2019)
- Hydrology, Drainage and Flood Risk, including updated Flood Risk Assessment (January 2019)
- Community, Economic and Social Effects (January 2019)
- Air Quality (January 2019)
- Noise (January 2019)

Amended Plans and Addendum Environmental Statement (January 2019)

Following discussions in April 2018 regarding viability, infrastructure costs and subsequent changes to the development description an update planning application and Addendum to the Environmental Statement were received in January 2019 and a further full consultation undertaken on that basis. Amended Plans were submitted in April 2018. The changes to the development include the following:

- Up to 1,950 residential units
- Up to 15 hectares of employment land
- A primary school
- A Local Centre (to include 75 bed care home and assisted retirement village providing up to 170 units of accommodation)
- A Community Resource Centre
- 4 Plots for show people
- Green Infrastructure
- Associated infrastructure works

Local Planning Authorities have a broad discretion in law to accept changes to planning applications, subject to procedural safeguards such as re-consultation and compliance with EIA Regulations to ensure both fairness to the public and that the amended proposal assesses the maximum parameters of the proposal. The Local Planning Authority considered the request and all relevant matters, including the interests of the applicant.

On the 16th May 2017, new Environmental Impact Assessment Regulations came into force – the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Where, before 16th May 2017 an applicant has submitted an Environmental Statement or requested a scoping opinion, the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 will continue to apply (regulation 76(2) of the 2017 Regulations). As the original Environmental Statement was submitted prior to the 16th May 2017, both the Environmental Statement and Environmental Statement Addendum have been undertaken in accordance with the 2011 Regulations.

The amended planning application and Environmental Assessment have therefore addressed the issues raised in April 2018 by changes to the proposal which accord with the appropriate legislation following a further round of consultation in January 2019

DEVELOPMENT PLAN POLICIES

Charnwood Local Plan Core Strategy 2006- 2028 (Adopted 9th November 2015)

The following key Strategic Objectives are considered relevant:

Policy S01- Sustainability
Policy S02 - Accessible Facilities
Policy S03 - Health
Policy S05 - Crime Reduction
Policy S06 - Inclusive Communities
Policy S07 – Climate Change
Policy S08 – Traffic Impact
Policy S010 – Flood Risk
Policy S011 - Landscape
Policy S012 – Biodiversity
Policy S013 – Design

The following Core Strategy policies are considered relevant to the proposal:

Policy CS1 Development Strategy - This sets out the development strategy for the borough with the Leicester Principal Urban Area (of which Birstall forms a part) identified as the priority location for growth where provision will be made for at least 5,000 new homes and up to 46 hectares of employment between 2011 and 2028. Policy CS1 identifies a direction of growth for approximately 1,500 homes as part of a sustainable urban extension to the north of Birstall, delivering approximately 1,345 homes and up to 15 hectares of employment land by 2028 and the remaining homes beyond the plan period as part of a comprehensive development.

Policy CS2 High Quality Design - requires developments to make a positive contribution to Charnwood resulting in places where people would wish to live through high quality, inclusive design and, where appropriate, architectural excellence. Proposals should respond positively to their context and reinforce a sense of place. Development should respect and enhance the character of the area, having regard to scale, massing, height, landscape, layout, materials and access; protect the amenity of people who live or work nearby and those who will live in the new development, function well and add to the quality of an area, provide attractive well managed and safe public and private spaces; well defined and legible streets and spaces and reduce their impacts upon and be resilient to climate change.

Policy CS3 Strategic Housing Needs - supports an appropriate housing mix for the Borough and sets targets for affordable homes provision to meet our community's needs. 30% affordable housing is sought in the direction of growth for north of Birstall.

Policy CS 5 Gypsies, Travellers and Show people - supports sites for show people that are closely related to a town or village, appropriate in scale, well related to local infrastructure and services, including safe and convenient access to the road network, and do not cause significant detrimental impact to the existing community. At least 4 show people plots are required at the direction of growth north of Birstall in accordance with Policy CS20.

Policy CS 6 Employment and Economic Development - expect the delivery of up to 75 hectares of land between 2011 and 2028 for strategic employment purposes in accordance with CS1.

Policy CS 9 Town Centres and Shops - requires the sustainable urban extension to include local centres in accordance with Policy CS 20. Impact assessments are required for proposals for main town centre uses in out of centre location where the gross floor space proposed is over 200sqm (in other locations)

Policy CS 10 Rural Economic Development - seeks to maximise the rural economy and supports tourism and leisure facilities and particularly development that benefit the Great Central Railway

Policy CS 11 Landscape and Countryside - seeks to protect the character of the landscape and countryside. It requires new development to protect landscape character, reinforce sense of place and local distinctiveness, tranquillity and to maintain separate identities of settlements. CS11 supports rural economic development, or residential development which has a strong relationship with the operational requirements of agriculture, horticulture, forestry and other land based industries.

Policy CS 12 Green infrastructure - seeks to protect and enhance our Urban Fringe Green Infrastructure Enhancement Areas (in which this application sites forms a part) by enhancing our network of green infrastructure assets through our strategic developments and addressing the identified needs in open space provision.

Policy CS13 Biodiversity and Geodiversity - seeks to conserve and enhance the natural environment and expects development proposals to consider and take account of the impacts on biodiversity and geodiversity, particularly with regard to recognised features.

Policy CS14 Heritage - seeks to conserve and enhance our historic assets for their own value and the community, environmental and economic contribution they make. CS14 supports developments which, amongst other things, have been informed by Landscape Character Appraisals and incorporate Charnwood's distinctive local building materials and architectural details.

Policy CS15 Open Space, Sports and Recreation - deals with open space and requires all new development to meet the standards in the open space Strategy, requires masterplans for the sustainable urban extensions that deliver quality open spaces and long-term management and investment plans for new facilities.

Policy CS16 Sustainable Construction and Energy - supports sustainable design and construction techniques. It encourages developments to, where viable, exceed Building Regulations by prioritising measures that reduce the need for energy and secure residual need for energy through low carbon or renewable sources and requires Design and Access Statements for major developments to demonstrate how the need to reduce emissions has influenced the design, layout and energy source used. It also encourages the effective use of land by reusing land that has been previously developed, supports developments which take opportunities to reduce flood

risk elsewhere, requires developments to manage surface water run off with no net increase in the rate of surface water run off for Greenfield sites and supports development that protects environmental resources including local air quality and the most versatile agricultural land.

Policy CS17 Sustainable Transport - seeks a 6% shift from travel by private car to sustainable modes by requiring major developments to provide access to key facilities by safe and well-lit routes for walking and cycling that are integrated with the wider green infrastructure network and by securing new and enhanced bus services where new development is more than 400m walk from an existing bus stop. CS17 also requires the sustainable urban extensions to secure contributions towards improvements to public transport corridors in accordance with, in this case, CS20. The policy confirms that the impact of major developments will be assessed through Transport Assessments and Travel Plans.

Policy CS18 the Local and Strategic Highway Network – requires the strategic development of North of Birstall to deliver an appropriate and comprehensive package of transport improvements in accordance with Policy CS20 whilst promoting sustainable travel in accordance with Policy CS17.

Policy CS20 North of Birstall Direction of Growth - this policy identifies the strategic development opportunity for a sustainable urban extension to the North of Birstall, as a new garden suburb to reflect the pioneering work started during the early part of the twentieth century along the Great Central Railway. The policy, taking its lead from CS1, provides for a development of approximately 1,500 homes, new jobs and community facilities and provides an opportunity to respond to this unique and high quality context. Approximately 1,345 homes will be delivered by 2028.

The supporting text to Policy CS20 sets out a Vision for the North of Birstall Sustainable Urban Extension and says that the Garden Suburb:

“will combine the benefits of excellent access to the City for work and leisure with the benefits of the countryside such as green open space, fresh air, tranquillity and beautiful character.

It will have been comprehensively planned to offer an excellent quality of life for its community. The range of homes, jobs, community facilities and shops will meet the day to day needs of the people who live there. Community uses will provide a focus of civic pride.”

Garden Suburb principles include (paragraph 9.43 in the preamble to Policy CS20):

- strong vision, leadership and community engagement;
- land value capture for the benefit of the community;
- community ownership of land and long-term stewardship of assets;
- high quality, imaginative design including homes with gardens;
- mixed tenure homes which are affordable for ordinary people;
- a strong local jobs offer with a variety of employment opportunities well related to homes; generous green space linked to the wider countryside, well managed

- and high quality gardens, tree lined streets and open spaces with opportunities for residents to grow their own food;
- access to strong local, cultural, recreational and shopping facilities in walkable neighbourhoods; and
 - integrated and accessible transport systems.

Policy CS20 also sets out a specific series of items that are expected of the development. This will be considered in detail later in the report.

Policy CS 24 Delivering Infrastructure - aims to see significant progress towards the delivery of essential infrastructure and that the direct, local impacts of developments are managed and mitigated. CS24 seeks to ensure that development contributes to the reasonable costs of on site, and where appropriate off site, infrastructure, arising from the proposal through the use of Section 106 legal agreements. It expects all promoters of major developments to enter into open book viability appraisals and for the type, amount and timing of infrastructure to be related to the scale of development, viability and the impact it has on the site and surrounding area.

Policy CS25 Presumption in favour of sustainable development - echoes the sentiments of the National Planning Policy Framework in terms of sustainable development.

Borough of Charnwood Local Plan 1991-2006 (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 CT/1 General Principles for Areas of Countryside, Green Wedge and Local Separation - sets out the criteria against which to assess proposals for development within a Countryside location. This is limited to small scale developments and re-use and adaptation of rural buildings for uses suitable in scale and nature.

Policy CT/2 Development in the Countryside - seeks to ensure that development acceptable in principle should not harm the character and appearance of the countryside and safeguard its amenity interests.

Policy ST/2 Limits to Development - This policy seeks to restrict development to within the existing settlement limits to ensure that development needs can be met without harm to the countryside or other rural interests.

Policy EV/1 Design - This 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, layout, whilst using landforms and other natural features. Developments should meet the needs of all groups and create safe places for people.

Policy EV/31 Sewage Disposal Capacity - Where existing sewage disposal facilities are at capacity planning permission for new development will not be granted unless it

is phased to commence in accordance with a programme for the improvement or extension of those facilities

Policy TR/12 Safeguarding of the Great Central Railway Corridor - Safeguards land along the Great Central Railway Corridor where this would prejudice its operation as a railway, or its ability to provide additional transport routes and facilities in the future.

Policy TR/18 Parking in New Development - This seeks to set the maximum standards by which development should provide for off streetcar parking.

Policy TR/20 Public Car Parking Provision Serving District and Local Centres – Short term parking provision would be supported where it provides vitality and viability to local centres. The scale of provision will depend upon the accessibility of a centre in terms of bus, rail, cycling and walking.

Policy TR/21 Planning Criteria for the Design and Layout of New Car Parks – sets criteria for the creation of new car parks including the location being safe, the impact on traffic in the area, ensuring that pedestrian safety is not compromised and ensuring that screening and landscaping are provided to neighbouring uses, particularly residential.

Policy CA/10 – Sets out criteria for New Local Centres as part of large-scale housing and mixed use proposals.

Policy CA/12 Shop Front Design - will require that shop fronts are designed as an integral part of the overall frontage having in keeping with the style, materials and proportions of the building and to the overall character of the area.

Policy CF/8 – Fire Station Site A6/A46, Wanlip - Some 0.6ha of land within the employment allocation north of Birstall is reserved for the development of a new fire station.

Leicestershire Minerals and Waste Local Plan (September 2019)

The Leicestershire Minerals and Waste Local Plan replaces the Leicestershire Minerals Core Strategy and Development Control Policies Development Plan Document (DPD), the Leicestershire and Leicester Waste Core Strategy and Development Control Policies DPD (both of which were adopted in October 2009), together with remaining saved policies in the Leicestershire Minerals Local Plan (1995) and the Leicestershire, Leicester and Rutland Waste Local Plan (2005).

The document sets out policies and proposals for the development and use of land for waste management within the framework area which will guide decisions about planning applications for waste facilities and provide a 'spatial plan' or 'geographic blueprint' to help shape the future of the area in respect to waste.

Thurcaston and Cropston Parish Neighbourhood Plan (September 2016)

Policy T&C1: Presumption in Favour of Sustainable Development – confirms a positive approach to sustainable development and that the Neighbourhood Plan does not replace the policies contained in the Core Strategy or the NPPF.

Policy T&C3: Broadnook Development – For that part of the Broadnook Development within the Neighbourhood Area, the Plan requires:

- a) A landscaping area, including tree planting, of at least 25m depth should be provided between the railway line and new housing to provide a soft landscaped edge to the development and to preserve and enhance bio-diversity as well as acting as a wildlife corridor;
- b) Important ponds, trees and hedgerows should be retained;
- c) The density of the dwellings to the edge of the residential development adjacent to the open landscape should be reduced and no more than two storeys in height to create a gradual transition from built area to more open green space and should generally be designed to be sensitive to the existing and adjoining uses and minimise visual impact;
- d) A mix of housing types and sizes to meet the current and future needs of people in the Parish and the wider area be provided; and
- e) Vehicular access and movements should be via and along the A6.

Policy T&C5: Housing Mix - New housing development proposals should provide for a recognised housing need in the Parish. The provision of smaller homes, especially for young families and young people and for older people who wish to downsize, will be supported.

Policy T&C7: Design - Development proposals should respect local character, having regard to scale, density, massing, height, landscape, layout, materials and access, as appropriate. It should take into account the amenity of neighbouring occupiers. Where appropriate, development proposals should provide safe and attractive public and private spaces, and well defined and legible spaces that are easy to get around for all, including those with disabilities.

Policy T&C11: Biodiversity – development proposals that conserve or enhance biodiversity and incorporate biodiversity in and around them, will be encouraged and where a protected species is affected a suitable survey should be undertaken prior to development.

Policy T&C13: Important Trees and Hedgerows – Trees and hedgerows of good arboricultural, biodiversity and amenity value should be protected from loss or damage and, wherever possible, be integrated into the design of development.

Policy T&C14: Congestion, Parking and Traffic Management – requires travel plans for any new residential development in excess of 5 units.

MATERIAL CONSIDERATIONS

The National Planning Policy Framework (NPPF 2019)

The NPPF sets out the government's view of what sustainable development means in practice for the planning system. It is a material consideration in planning decisions and contains a presumption in favour of sustainable development (paragraph 11).

The NPPF states (paragraph 8) that there are 3 overarching objectives to achieving sustainable development:

- a) An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- b) A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 11 reaffirms the presumption in favour of sustainable development and for decision taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting 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 the policies in this Framework taken as a whole.

The NPPF in paragraph 15 states that the planning system should be genuinely planned. It further emphasises this in paragraph 16 stating that plans should:

- a) be prepared with the objective of contributing to the achievement of sustainable development;
- b) be prepared positively, in a way that is aspirational but deliverable;

- c) be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
- d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
- e) be accessible through the use of digital tools to assist public involvement and policy presentation; and
- f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

The NPPF policy guidance of relevance to this proposal includes:

Section 5: Delivering a sufficient supply of homes - The NPPF requires local planning authorities to significantly boost the supply of housing and provide five years' worth of housing against housing requirements (paragraph 59). Local planning authorities should plan for a mix of housing and identify the size, type, tenure and range of housing that is required and set policies for meeting the need for affordable housing on site (paragraph 61). The NPPF notes that the supply of new homes can sometimes be best achieved through planning for larger scale development such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities (paragraph 72c).

Section 6: Building a strong, competitive economy - The Framework highlights the Government commitment to securing economic growth (paragraph 80) and states that local planning authorities should plan proactively to meet the development needs of business. Paragraph 81d states that planning policies should be flexible enough to accommodate needs not anticipated in the plan and allow for new and flexible working spaces.

Section 7: Ensuring the vitality of town centres - The Framework seeks to support the role that town centres play at the heart of local communities (paragraph 85). Part (e) of the same paragraph states that where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre.

Section 8: Promoting healthy and safe communities - Planning policies and decisions should promote opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments (paragraph 91). They should also deliver the social, recreational and cultural facilities and services the community needs and ensure an integrated approach to considering the location of housing, economic uses and community facilities and services (paragraph 92).

Section 9: Promoting Sustainable Transport - All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and a Travel Plan (paragraph 111). Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable modes maximised (paragraph 103).

Developments should be designed to give priority to pedestrian and cycle movements and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians and within large scale developments, key facilities should be located within walking distance of most properties (paragraph 104). Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or where the residual cumulative impacts would be severe (paragraph 109).

Section 10: Supporting high quality communications infrastructure - The Framework states that high quality communications infrastructure is essential for sustainable economic growth and the provision of local community facilities and services (paragraph 117)

Section 12: Requiring well-designed places - The NPPF recognises that good design is a key aspect of sustainable development and that high quality and inclusive design should be planned for positively (paragraph 124). The role of design review arrangements that assess, support and ensure high standards of design are recognised (paragraph 129) and the NPPF notes that great weight should be given to innovative designs which help raise the standard of design (paragraph 131) and that poor design should be refused (paragraph 130).

Section 14: Meeting the challenge of climate change, flooding and coastal change - New development should be planned for in locations and ways which reduce greenhouse gas emissions and energy efficiency improvements in buildings should be actively supported (paragraph 149). It should also take account of layout, landform, building orientation, massing and landscaping to minimise energy consumption (paragraph 153) and renewable and low carbon energy development should be maximised (paragraph 154).

New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change (paragraph 155) and should not increase flood risk elsewhere and only be considered appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the sequential test, and if required the Exception Test, the most vulnerable development is located in areas of lowest flood risk and development is appropriately flood resilient and resistant and gives priority to the use of sustainable drainage (paragraph 163). Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate (paragraph 165).

Section 15: Conserving and enhancing the natural environment - Valued landscapes should be protected and enhanced and the impacts on biodiversity should be minimised and where possible net gains provided and both new and existing development not contribute to or be put at unacceptable risk, or be adversely affected by, unacceptable levels of soil, air, water or noise pollution (paragraph 170). Protection of wildlife sites and landscape areas should be commensurate with their status within the hierarchy of designation and appropriate weight given to their importance and the contribution they make to wider ecological networks (paragraph 174).

Impacts on biodiversity should be minimised and when determining planning applications biodiversity should be conserved and enhanced (paragraph 175).

Planning policies and decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigate and reduce to a minimum other adverse impacts and therefore businesses should avoid having unreasonable restrictions put on them because of changes in nearby land uses since they were established (paragraphs 180 & 181).

Section 16: Conserving and enhancing the historic environment - Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (paragraph 189). In determining planning applications, the desirability of sustaining and enhancing the significance of heritage assets should be taken into account (paragraph 191) and the more important the asset, the greater the weight to be given to the asset's conservation (paragraph 193).

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (paragraph 196). The effect of an application on the significance of a non-designated heritage asset should be taken into account through a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 197).

Supplementary Planning Documents, Guidance and Further Legislation

In addition to the above policies, there are also other material considerations in the form of Supplementary Planning Documents, Guidance and Legislation which should be taken into account along with the development plan policies. These are:

- National Planning Practice Guidance.
- Leading in Design Supplementary Planning Document (February 2006)
- Leicestershire Highways Design Guide
- Leicestershire County Council Local Transport Plan (LTP)
- Leicestershire County Council Planning Obligations Policy July 2019
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Rothley Conservation Area Appraisal
- Leicestershire Housing and Economic Development Needs Assessment 2017
- Housing Supplementary Planning Document (adopted May 2017 – updated December 2017)
- The Community Infrastructure Levy Regulations 2010 (CIL) (as amended)
- Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)
- Conservation of Habitat and Species Regulations 2010 (as amended)
- Protection of Badgers Act 1992
- Charnwood Landscape Character Assessment (2012)
- Natural England National Character Area Profiles
- S106 Developer Contributions (2007)

- Leicester and Leicestershire Strategic Growth Plan (December 2018)
- Rothley Parish Council emerging Neighbourhood Plan

CONSULTEE RESPONSES

Leicester City Council

Leicester City Council Planning Policy team responded further on 27th February 2019 to confirm that they had no objections.

Highways England

Highway England recommends that conditions should be attached to any planning permission that may be granted relating to the provision of the agreed improvement works to the A46/A6 junction and provision of drainage details.

Leicestershire County Council (Highways)

No objections subject to suggested planning conditions and obligations. The planning conditions are replicated in the concluding recommendation to this report but relate to the implementation and phasing of the highways works; a construction management plan; a site wide travel plan; compliance with the approved plans; removal of Permitted Development rights relating to access gates; site drainage details; and rights of way and access improvements.

Leicestershire County Council (Access Officer)

The Access Officer comments are incorporated into the Local Highway Comments of 9th September 2019. They raise no objections subject to the addition of a plan showing the upgrade and addition of public rights of way and obligations relating to off-site contributions for the same.

Leicestershire County Council (Mineral Planning Authority)

The Mineral Planning Authority has raised no objection to the proposed development in respect of mineral safeguarding in its response in August 2016.

Leicestershire County Council (Lead Local Flood Authority)

The site is located within Flood Zone 1 being at low risk of fluvial flooding. The LLFA has previously recommended conditions prior to a change in the proposed development.

Leicestershire County Council as Lead Local Flood Authority (LLFA) advises the Local Planning Authority (LPA) that the proposals are considered acceptable to the LLFA and we advise the addition of planning conditions if permission is granted. The conditions are replicated in the recommendation at the end of this report but relate to water quality, SUDS management and Surface Water maintenance.

Leicestershire County Council (Developer Contributions)

The following developer contributions have been sought:

Education: A total contribution of £16,420,842.53 is sought which includes the cost of building a new 630 place primary school on site, expanding the existing nearby secondary school and providing places for special educational needs and disabled pupils in the most appropriate setting. The breakdown for these is:

- £1,476,355.20 for early years.
- £8,361,216 for a new 3 form entry primary school
- £6,848,653.10 for further secondary provision at The Cedars Academy – based on a yield of 378 places.
- £1,038,303.53 for Special Education Needs.

Libraries: A contribution of £49,800 is sought to library provision in the area which is requested to be directed to Birstall and Syston Library. As the development is also close to Rothley Library, which is now a community managed library, part of the contribution may be requested by the community group.

Civic Amenity: Consider there would be an impact on the delivery of Civic Amenity waste facilities within the local area because of a development of this scale, type and size. As such a developer contribution is sought for £86,906.00 (to the nearest pound).

Leicester City Council - Pupil Place Planning and Strategy Manager

The City Council support the County Council position (in relation to education contributions). They concur with County's analysis in terms of calculation and how this is aligned to the recently published DfE guidance regarding taking account of pupil migration across planning areas and local authority boundaries. The planned development of 2 new secondary schools in the north of the city at Ashton Green and Kirkby is intended to make provision for increased demand arising from within the City Council local authority area.

West Leicestershire Clinical Commissioning Group (CCG)

The West Leicestershire Clinical Commissioning Group has requested £1,172,468.80 towards creating additional capacity to the 2 nearby medical practices that would be impacted by the development (Greengate Medical Centre and Birstall, Birstall Medical Centre).

Due to current capacity issues within local practices located in Birstall, they would expect the proposed development to have a major impact on local healthcare services. There are two surgeries located within Birstall area itself, however, from past experience of registration in the area they would expect the closest surgery (Greengate Surgery) to feel the highest impact.

A development of this proposed size cannot be accommodated without significant investment in local healthcare services. The NHS does not have capital funding to invest in new surgeries or extensions at this time of this development. They are currently undertaking a review of all GP premises across their area and the outcome

of this and planned growth within the local plans across our area will feed into the development of a CCG Premises Strategy. They would therefore seek S106 financial contributions towards extending the current healthcare provision in the locality to meet the needs of the identified population. They consider that the proposed on-site facility cannot be used so should be removed from the proposal and S106 health care contributions are requested to support extended facilities within in the local practices.

They note the comments made within the Health Benefits Proposal Report and note the claims that retirement living and extra care schemes reduces visits to general practice; they cannot comment on data provided by a private commercial organisation; however, they note that NHS prevalence data and general practice experience clearly shows that patients within the retirement age group have a much higher prevalence for long term conditions such as diabetes, COPD, heart failure etc and many go on to have 2, 3 or even 4 co-morbidity conditions over time. Due to the significant impact of care homes on general practices in the area, they would ask the local planning authority to consider carefully if an additional care facility is required in this area. The local surgeries already cover a number of care homes in the area and report that the most recent care home to open in the area is still only half-full.

West Leicestershire CCG recognises that a development of this size will be phased over a 9 to 10 year period and that the developers will therefore want to release the healthcare contribution at trigger intervals in line with the number of dwellings occupied. This slow release of contributions can impact significantly on the health care sector's ability to meet the growing needs of the population as they are unable to extend facilities until there are sufficient funds, yet they must continue to meet the growing needs of the population in the meantime.

Historic England

On the basis of the information received in January 2019 they do not offer any comments.

Environmental Health

Initial concerns with the Bioaerosol Risk Assessment submitted in August 2017, have been addressed by the Odour Assessment Addendum submitted in April 2018 to which Environmental Health Officer raises no concerns.

Environment Agency

The Environment Agency confirmed in February 2019 that the planning application could be approved with their recommended conditions relating to a preliminary risk assessment (contamination), a site investigation scheme, an options appraisal and remediation scheme.

The Environment Agency also confirms that the site lies within Flood Zone 1.

Charnwood Borough Council - Neighbourhoods & Community Wellbeing

The Borough Council's Planning Liaison Officer summarises the minimum requirements for open space, sport and recreation facilities required by the proposed development in relation to the Borough Council's Open Spaces Strategy (2013 – 2028), adopted Local Plan Core Strategy and the Open Spaces Strategy (2018 – 2036), Playing Pitch Strategy 2018 and Indoor Built Sports Facilities Strategy 2018. The key aspects are:

1. 18.4 hectares of open space will be provided as Parks and Amenity Green Space. We have requested that these areas (including sizes) are clearly identified on a plan of Green Infrastructure so that accessibility and functionality can be properly assessed.
2. The submission of detailed design, delivery, management and maintenance information is required to comply with the policy aspirations.
3. The development generates a requirement for 9.36 hectares of Natural and Semi-Natural Open Space. Proposals indicate provision well in excess of this at 35.2 hectares. The submission of a site wide Green Infrastructure Biodiversity Strategy and Green Infrastructure Biodiversity Management Plan for each phase of the proposed development will ensure that the appropriate quality and accessibility standards are met.
4. It is acknowledged that the applicant has taken account of their original comments/discussions and proposals now meet accessibility standards for children and young people. However, there is still a requirement to provide design, layout and management.
5. The Council's existing Core Strategy Policy requires the development to provide a total of 12.17 hectares of Outdoor Sports provision, of which 5.10 hectares should be community use pitches. Proposals do not meet these standards of provision. The Council's newly adopted Playing Pitch Strategy 2019, however, supports the use of the Sport England Playing Pitch Calculator.
6. Specific comment about the technical specification of changing rooms and sport provision have been addressed by the applicant. They support comments made by Sport England in their response to proposals (22nd Feb 2019), a contribution towards an AGP should be provided in line with the Sport England Facilities Calculator (£144,414).
7. The proposed development generates a requirement for 1.55 hectares of allotment provision. In principle, proposals for allotment provision meet policy standards, however, further clarification is required on the detail of design. Layout and management.
8. Development proposals do not address the impact of population growth on the capacity of existing burial provision within Birstall, Rothley and Wanlip.
9. In order to convert demand into facility requirements the Sports Facilities Calculator as referenced with the Core Strategy calculates a new population of 4,680 people would generate a need of 49.03 sqm of water space with an estimated cost of £874,304.
10. Prior to the commencement of development, a Community Facilities Strategy should be submitted and approved by the Council.
11. The Community Development Worker should be subject to further detail and triggers.
12. Charnwood Borough Council Policy supports the long-term management and maintenance of Green Infrastructure proposals through an alternative Management Body or Trust on condition that a detailed long-term Public Open

Spaces Strategy for the management and maintenance of the Green Infrastructure proposals is submitted and agreed prior to the commencement of development.

Sport England

Sport England note that the proposals involve a contribution to the Artificial Grass Pitch proposed at Cedars Academy. They support the submission of the proposed Health benefits report. Sport England supports in principle the Green Infrastructure Addendum – Allotments, Outdoor Sports and Play.

There are a number of technical details relating to specification of changing rooms and sport provision that have been addressed by the applicant.

A significant amount of work has been undertaken to assess the proposals against the Playing Pitch Strategy and the Council's Open Space Strategy. However, the proposals appear to be silent with regard to offsite contributions for indoor sports. The Charnwood Indoor Sports Facilities Strategy has been completed but it is not clear if the strategy been used to assess the requirements for any off-site contributions or if on site school facilities and the potential contribution to the Cedars Academy site meets any identified demand.

Sports England confirms that the Sports Facilities Calculator indicates that a population of 3,960 in this local authority area will generate a demand for a swimming pool which equates to a financial value of £701,992.250; a contribution to artificial grass pitches of £105,000; and a contribution to indoor Bowls of £89,903.

Sport England suggests a series of planning conditions to attach to any decision and supports the principle of this application. They require further clarification on indoor built facilities provision.

Severn Trent Water Ltd

Severn Trent Water Ltd responded to the initial consultation in November 2016. No objections were raised subject to planning conditions and information notes being applied to any positive decision relating to the drainage foul sewage for the site.

Birstall Parish Council

Birstall Parish Council commented on the application in September 2016 and expressed concerns over the lack of clarity on the plans regarding vehicular access from the A46 to Fillingate sports area, and exactly where the car park will be sited.

In March 2019 Birstall Parish Council raised objections to the application for the following reasons:

- The applicant has ignored previous concerns expressed, in particular the concern expressed about the A6 through Birstall down to Redhill Island.
- The congestion on the A6 already hugely affects the residents of Birstall as it bisects the village. The development will make the traffic problems worse.
- The application is ambitious in setting out ideas for services to be provided but they question if they will actually be built. If not, there will be further pressure for Doctors, Schools and police services.

- Houses that are built without adequate infrastructure and services should not be allowed.
- Other Parishes have requested S106 monies. There has not been a public declaration of which Parish this development will be assigned to. As Birstall is the closest Parish Council it should be consulted on this.

Rothley Parish Council

The Rothley Parish Council objected to this application in September 2016 on the following grounds:

- The application is unsustainable because of the serious traffic implications;
- There are concerns regarding the impact of the development on Rothley village and assurances are needed regarding the adequacy of the proposed community facilities;
- There are concerns regarding the erosion of separation between settlements and assurances are needed regarding the future protection of remaining green spaces; and
- The impact of the development on Rothley will be considerable and Section 106 money should be provided to mitigate adverse effects.

Rothley Parish Council has provided a list of projects to consider in terms of the S106 contributions sought. These are reported in the “The Effect on Community Infrastructure and Services” section below.

Thurcaston & Cropston Parish Council.

At the Parish Council meeting on the 21st February 2019, the Parish Council resolved to submit the following funding requests to be secured under a S106 legal agreement:

- A contribution towards the upkeep and further development of Cropston cemetery.
- Surface improvements to footpath and bridleways to provide all weather surfaces.
- There is no footway on Anstey Lane which needs improvement.
- Provision of a bus service from Thurcaston to Leicester or Loughborough.

Wanlip Parish Meeting.

Wanlip Parish Meeting is supportive of the Broadnook Garden Suburb. Villagers do have major concerns about the impact on Wanlip and Birstall from traffic arising from 1,950 homes and all the other development in the surrounding area.

They have no objections to the development but would like clarification on the location of the Travellers site and how one site access will work at peak traffic flow.

Raise the following concerns:

- Impact on existing medical services and traffic.

- Any buildings to serve as public amenities should be delivered by professionals required to deliver these services when the buildings are ready for use.
- Noise from the A46 is an issue for the village, as is the volume of traffic through the village. They ask for traffic calming to be considered.
- The A46 road slips are too short and suggest these are reviewed as part of the application.

Natural England.

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites Buddon Wood Site of Special Scientific Interest & Swithland Reservoir Site of Special Scientific Interest and has no objections.

Leicestershire Police – Architectural Liaison Officer.

No formal objections and make observations to the applicant in relation to Secure by Design.

Third Party Representations

Former Ward Councillor - Renata Jones

Requested that improvements to the slip road to the A46 at Wanlip are considered due to the increase in users as its length is currently shorter than recommended.

Support for the Parish Council is also requested in relation to this application in relation to infrastructure, management and long term governance.

Campaign to Protect Rural England Charnwood (CPRE)

CPRE commented on the application in November 2016 with their latest comments from April 2019. CPRE objected to the inclusion of this site for development when responding to the Core Strategy. However, since the location has been adopted CPRE welcome the 'Garden Suburb' strategy and the proposals architectural and landscape treatment described within the Design and Access Statement. Nevertheless, CPRE have remaining concerns as follows:

- Isolation from Birstall, Hallam Fields and Cedars Academy.
- There are concerns with the safety of the pedestrian link to the Cedars Academy across the A46. Additional pedestrian footbridges should be provided.
- Support the building of the Primary School within the first phase. Early building of the Primary School must be a clear and enforceable condition.
- It is considered unlikely that public transport will adequately address access to employment, shops and secondary school. The development will add to existing peak hour traffic.
- CPRE are broadly happy with design brief. The proposed mix of larger and smaller homes to avoid creating 'them and us' ghettos is supported.
- We are unclear regarding the provision of affordable housing.

- The landscaping and generous planting proposal both within and around the development are welcomed.
- Sewage Works - Concerned that the odour from the sewage works seriously threatens the success of the project.

Leicestershire & Rutland Wildlife Trust

Leicestershire and Rutland Wildlife Trust welcome the amendments following their comments in September 2016. Further suggestions are made in relation to site management, Toads, SuDS, enhancements in the development, farmland bird area, badgers and the Landscape and Biodiversity Management Plan.

Leicestershire Footpath Association

Leicestershire Footpath Association has made the following comments in its response sent in September 2016:

- The intention to relocate footpath J54 from its current unsatisfactory route within the boundary of the A46 trunk road is welcomed. It also appears that the current dangerous crossing of the A46 between BW J100/FP J53 and footpath J55 may be at least ameliorated by the presence of the new roundabout;
- There is good provision for off-road pedestrian routes within the development. These should be surfaced and protected in perpetuity;
- The development should be linked into the existing public right of way network to encourage residents to walk to nearby locations for both recreational and utilitarian purposes;
- The submitted map of walking isochrones (figure 4 in the Travel Statement) has some inaccuracies and some paths have been omitted;
- The proposed footpath under the A6 may be considered unattractive particularly as two subways would have to be used if this route was used. An alternative route would be to provide a footbridge over the A46 towards the Hallam Field development; and
- The current route to Castle Hill is convoluted and could be made much more direct parallel to the A46 from Thurcaston Lane.

Leicestershire Local Access Forum

The Leicestershire Local Access Forum has made the following comments in its response to the application in March 2019:

- Support the comprehensive and sustainable solution to housing requirements.
- consider the scheme to be very well-thought out with a lot to commend it. and an improvement on the initial scheme from 2016. Access into and through the area is much improved but request:
 - Cost is a major consideration, but they would have liked to see a bridge over the A46 at the narrow point to the west of the roundabout.
 - Improvements to Bridleway J100.
- they are encouraged by the developer's plans to provide a generous framework of open spaces, parkland and woodland, all assisting biodiversity but it is essential these are linked to each other and to the wider countryside by green

corridors along which wildlife can migrate and this 'garden village' concept provides.

- they want to see adequate public transport provision.

Great Central Railway PLC

Great Central Railway has made the following comments in its response to the planning in August 2016:

- Section 14 of the Railway Regulations Act 1842 allows access for Great Central Railway PLC over the application site in order to carry out repairs or to prevent an accident;
- Suitable boundary fencing must be erected during construction;
- No trees should be planted within 3 metres of the base of an embankment or on top of a cutting and such planted trees must be of such variety that their roots do not in future cause lack of land bank stability;
- Drainage from the site must not impact on the track;
- No building materials, domestic, commercial or garden water is to be deposited on any part of the railway;
- The proposed residents need to be aware that the Railway operates 24 hours daily, but the train operation is usually at pre-determined advertised times. However, there are times when there is need to use the railway for either on-going maintenance of the tracks and lineside, or pre-booked media/corporate events and rail vehicle or rail plant testing including high speed running. In addition, the railway starts early in the morning (4a.m.or 5a.m.), its dining train finishes late at night (normally midnight) and its New Year Eve train finishes in the early hours of New Year's Day; and
- The proposed residents need to be aware that due to the normal operating of the railway, the engines produce smoke and diesel emissions. There is a level of regular noise most of which is from the steam and diesel engines and the acoustic effect of trains on the tracks when passing. Safety whistles and horns are also used to notify any person on or near a line that a train is approaching/passing.

Greengate Medical Centre

Object to the planning application on the following grounds:

- Limited space in GP surgeries. The practice is almost at capacity and there is limited room to expand.
- In the past they have not been able to access any monies secured under S106 legal agreements. Should this development go ahead, it would like contributions to enable existing GP practices in the area to expand to cope with the increasing list sizes. This money must be allocated at an early stage in development process and not left until the 1,950 houses have been built;
- 175 unit assisted living facility and 70 bed care home will bring extra workload pressures and the home visits take longer.
- The proposal for a Local GP service on site is based on old data. New NHS contracts reference the increasing use of on-line consultations and as such

there is less need for a GP practice on site rather a group of practices working together on Primary Care Networks.

Public Comments

31 letters of representation have been received from nearby residents, some of which have sent multiple letters, which raise the following concerns:

Highways

- The A6 roundabout over the A46 already experiences traffic jams at peak times.
- The development will make the rat run through Birstall and Wanlip worse.
- Has the proposal taken account of the substantial number of houses being built in Rothley and Sileby?
- The proposed cycle ways and footpath links are acceptable, but they should not split the field it passes through into unworkable sections.
- The new roads would increase traffic flow along Loughborough Road, passing Elderberry Drive and Saxon Drive. The increased traffic flow would be an increased danger. This health and safety risk needs to be reviewed.
- Currently any accident on the A46 roundabout causes traffic to build up on the A6 up to the crossroads near the coop in Rothley. The development will increase this risk.
- The development would remove our legal right of access onto the A6.
- The development would create an unsafe access to our existing dwelling.
- An unacceptable increase in traffic from the development.
- How will all lanes of the A6 be kept open during construction of the new access? Any night working would lead to a loss of amenity for nearby residents.
- Saturday is the only day when there are not delays on the road network. There are often accidents and breakdowns that block traffic on the A46 slip road causing congestion. The provision of a hard shoulder would resolve this.
- An increase in pollution associated with the increase in traffic.
- The whole site will have only one point of access, this is flawed.
- Will construction traffic be allowed to travel through the nearby villages?
- Traffic calming is required in Wanlip village.
- The footpath appears very wide from Rothley to Wanlip past the Severn Trent site. We do not want this to revert back to a road. The same footpath should not have lighting and should not transect a field.
- Why is the Wanlip bypass being resurrected again? This will cause havoc.
- Object to the reappearance of the Wanlip Bypass. This was previously rejected. This will create a rat run and lead to traffic problems on the back lanes.

Environmental

- Change of character to the environment from rural/agricultural to urban/commercial/industrial.

- Concern about the potential loss of The Parcel House an 18th/19th century building sited close to existing dwellings.
- Concerns about the excavation of a known landfill area on the development site.
- Dust, noise, loss of privacy, light pollution, poor access vermin and safety.
- Demolition of a barn containing asbestos.
- The wildlife and countryside will suffer.
- A loss of biodiversity.
- The conservation value of Thurcaston as a village will be reduced.
- Concern about surface water runoff.
- Concern about noise pollution for night time construction of the new access.
- Are any tree barriers proposed to screen the site from the adjacent villages?
- Traffic trying to avoid the new development could look for different routes into Leicester, increasing traffic through the villages. Will traffic calming in the villages be required?
- Will the new cycle/footpath go from the new development to Wanlip? Who will maintain the new footpaths?
- Any lighting on the footpaths should not be visible to those living in the area.

Ecology

- An increase in pollutants running off the site. This may impact on endangered species.
- The development will reduce the current number of existing species and prevent the future establishment of species in the area including those on the UK Biodiversity Action Plan (UK BAP) government priority list.
- The development will create a barrier for pollinators, animals, mammals and reptiles. This will impact on existing wildlife networks.
- The County is the poorest in the country for reaching wildlife targets; this development will hinder any progress towards creating sustainable habitats in the County.

Amenity

- Noise and disturbance from construction and development leading to a loss of amenity.
- Loss of privacy from the erection of commercial and industrial buildings in the immediate vicinity of our home.
- Loss of views would change the character of our home and farmyard.
- Our dwelling will be an island surrounded by this development.

Infrastructure

- There are no adequate surgeries, schools, libraries or sufficient telecommunications to cope with the extra demand created by this development.
- The lack of amenities would result in extra pressure on surrounding villages including Thurcaston.
- Prior to building a new or updated sewage works needs to be built.

- How will the stench from Wanlip sewage works be dealt with? The development will increase this air pollution.

Planning Policy

- The development cannot be described as sustainable when the majority of inhabitants will own and travel by car.
- What happened to just developing brownfield sites and maintaining a strategic separation between villages?
- A smaller development would be preferable.
- The phasing promotes residents walking to work with the suburb, this is disingenuous. The houses are planned for phase 1 and 2, with the employment sector planned for phase 3. The houses will therefore be occupied by people who work away.
- The development itself appears to be well thought out but details of construction and construction traffic will need to be agreed.

Other

- Inaccurate boundary lines drawn on different plans.
- The proximity of the development near to Thurcaston will change its character and it will lose its status as village as it eventually gets swallowed up.
- The development will have massive impact on the village of Rothley.
- There is no plan with an overview of the surrounding areas.
- Object to the 4 separate plots of land allocated for travelling show people.
- What is the difference between show people and travellers? How will this be policed?
- The council is blinkered by artificial targets and financial considerations rather than the quality of life for its citizens.
- How large will the complex be and what other planning applications are in the pipeline?
- This will affect house prices in the area.
- Our home was not on the boards at the public consultation.
- Is the intention to extend the development out at a later date? There is fear that the villages will be consumed if that is the case.
- The application details and drawings are difficult to access on the web.
- Object if the land next to the Severn Trent site is to be developed.
- Object to this development due to the lack of research and consideration of the impacts on the surrounding villages and rural area.
- The developers should be made to develop existing empty buildings and brown field sites before developing green field sites.

CONSIDERATION OF PLANNING ISSUES

The main considerations to take into account in the determination of this planning application are:

1. Principle of Development;
2. Highways and transport;

3. Quality and Design of the development (inc. Vision, Phasing. Layout and masterplan);
4. The provision of housing to meet local need;
5. The provision of employment;
6. Impact on the residential amenity of neighbouring properties;
7. Broadnook Trust - leadership and community assets;
8. Landscape character of the site and surrounding area;
9. Ecology, Green Infrastructure and Open Space;
10. Long term Management of Green Infrastructure and Open Space;
11. Flood risk and Drainage;
12. The effect on the loss of agricultural resources including Best and Most Versatile Land;
13. Impact of the proposal on heritage assets;
14. Impact of the proposed local centre on town centres;
15. Impact on geological and mineral resources;
16. Planning Obligations.
17. Viability Assessment
18. Travelling show people;
19. Other Matters (inc. Relationship to Wanlip Sewage Works)

Principle of Development

The starting point for decision making on all planning applications is that they must be made in accordance with the development plan unless material considerations indicate otherwise. Policies in the adopted Core Strategy, the saved policies in the Borough of Charnwood Local Plan, the minerals and waste local plan and the Neighbourhood plan are therefore the starting point for consideration.

Policy CS1 defines the settlement hierarchy and the criteria for considering proposals within individual tiers of settlements. The Development Strategy set out in the Policy seeks to guide development to locations that are well connected to jobs, services and infrastructure in order to provide a sustainable pattern of development. Policy CS1 guides development to the Leicester Principal Urban Area, as priority location for growth; with the majority of the remaining growth being directed to Loughborough and Shepshed. As part of this development strategy Policy CS1 makes provision for a direction of growth of approximately 1,500 homes a part of a sustainable urban extension to the north of Birstall, delivering 1,345 homes and up to 15 hectares of employment land by 2028 and the remaining homes beyond the plan period as part of a comprehensive development.

Policy CS20 has a set of criteria under the headings of Housing, Employment, Community Facilities, Transport and Environment. The Policy sets out a direction of growth for a Sustainable Urban Extension (SUE) but unlike other SUEs in the Core Strategy, this policy is deliberately less prescriptive in terms of the site layout and requirements. A fundamental aim of the policy is the delivery of a Garden suburb. Garden Suburbs are a development of the Garden City movement which sought to combine all the advantages of the town by way of accessibility and all the advantages the country by way of the environment without any disadvantage of either. Paragraph 9.43 of the pre-ambule to Policy CS20 in the Core Strategy includes the nine principles for a Garden Suburb. The preamble to CS20 at paragraph 9.45 states the vision for

the North of Birstall Sustainable Urban Extension and states: *“It will combine the benefits of excellent access to the City for work and leisure with the benefits of the countryside such as green open space, fresh air, tranquillity and beautiful character. It will be comprehensively planned to offer an excellent quality of life for its community. The range of homes, jobs, community facilities and shops will meet the day to day needs of the people who live there. Community uses will provide a focus of civic pride.”*

The proposal is an hybrid application with elements seeking approval in outline and also in detail. It is therefore important that the structure for achieving the stated aims of the policy is set within planning conditions and S106 obligations for those aspects that are in outline as well as those that in detail. Matters of heritage and archaeology; landscape; green infrastructure; high quality design; carbon emissions; SuDs and flood alleviation; transport; and economic development will be considered in detail in the sub-headings that follow.

It is considered that the layout, development plots and green infrastructure as indicated on the full details and illustrative masterplan submitted with the hybrid planning application accord with the principles of policy CS20 and can be controlled by planning conditions for future reserved matters applications and by planning obligations secured in a S106 legal agreement. After lengthy negotiations and an amended application and Environmental Statement in January 2019, that sought to resolve the highways objections, the local highways authority and Highways England raise no objections subject to planning conditions and obligations. As such it is considered that the application is acceptable in principle and accords with the fundamental aims of Policies CS1 and CS20 of the core strategy and saved local plan Policy ST2. The remainder of the report therefore addresses the other planning considerations against which the application proposal should be measured.

Highways and transport

The Garden Suburb principles include walkable neighbourhoods, with integrated and accessible transport systems. These principles are reflected in Policy CS17 of the Charnwood Local Plan Core Strategy which seeks to provide a genuine choice for the community to walk, cycle or take longer trips on public transport.

Policy CS 18 seeks to maximise the efficiency of the local and strategic road network and Policy CS 20 seeks to ensure that the allocated direction of growth provides new and improved cycling and walking routes, bus service enhancements, appropriate access arrangements including connections to the A6 and Rothley, and appropriate capacity improvements and A46 interchange.

Paragraph 103 of the National Planning Policy Framework States: *“The planning system should actively manage patterns of growth in support of these objectives (set in paragraph 102 of the same Framework). Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in both plan-making and decision-making.”* The Garden Suburb principles and policy background therefore seek to

deliver transport choice and movement, with sustainable travel at the heart of the design approach to infrastructure and highway considerations. The aim is that this would help realise a step change in behaviour, and a design approach to streets, which should form part of the exemplar approach to the Garden Suburb.

The application site is well-located close to existing sustainable transport infrastructure. It lies adjacent to the A6 and A46 dual carriage way, and a regular bus service passes the site along the A6 (126/127 Leicester/Loughborough/Coalville route). The Sustrans National Cycle Route 6 also runs along the A6, which the application also seeks to utilise and enhance.

The planning application is accompanied by a Transport Assessment and Framework Travel Plan as an appendix to the Environmental Statement.

The Local Highway Authority and Highways England raise no objections subject to planning conditions and obligations. It falls within the Local Highway Authority remit to review the proposed access onto the A6, the proposed internal layout, cycle and footpath connections and the overall impact of the development in the wider highway network. Whereas Highways England have considered the impact of the development on the A46 trunk road and wider strategic road network.

The Local Highway Authority originally raised significant concerns with the application as originally submitted citing the following reasons:

- (i) The opportunities for sustainable modes have not been taken;
- (ii) Safe and suitable access to the site cannot be achieved for all people; and
- (iii) Improvements cannot be undertaken within the transport network that cost effectively limit the significant impacts of the development / Improvements have not been offered within the transport network that cost effectively limit the significant impacts of the development.

Since June 2018 the Local Highway Authority, the Applicant Team and the Borough Council, have engaged in a structured and formal collaborative approach to bring the development proposals forward to address areas of concern, including highway matters.

On the 15th November 2018 the Borough Council confirmed the acceptability of amendments to the description of development, overcoming several significant planning concerns including highways matters. In support of this amended planning application, the Applicant has submitted anew Transport Assessment. This document forms the highway chapter of the Environmental Impact Assessment and the principal document of technical evidence. The Transport Assessment itself is supported by several supplementary documents and dialogue between the Applicant, the County Council and Borough Council setting out in explicit detail matters of access, traffic modelling, walking and cycling, and public transport.

The Transport Assessment sets out all highway matters afresh in relation to the revised description of development. The key highway differences between the original proposal and the amended scheme now being considered are detailed below:

The applicant has confirmed that both roundabouts can be provided to the appropriate national design standards. This access and the associated works can be secured via a planning condition and delivered via Section 278 agreements (S278) and Section 38 agreements (S38) of the Highway Act 1980.

The imposition of a new roundabout access on the A6, an arterial regional distributor road carrying a volume of commuter trips between Loughborough and the City needs to be considered in the context of highway safety, capacity and the consequences of additional delays for drivers. Capacity assessments have been undertaken and the access is anticipated to operate within capacity. The applicant will be obligated to pay for the cost of all associated Traffic Regulation Orders secured via a Section 106 legal agreement.

Road Safety

Leicestershire Constabulary have been actively involved in discussions regarding the suitability of the access for emergency vehicles and the provision of a single point of access considering the scale of development proposed. The Constabulary have raised no objection to the proposals but would be concerned with any additional development being served from the access beyond that which is applied for.

The Local Highway Authority previously raised highway safety concerns with the applicants' earlier proposal to build a temporary construction compound comprising of a 4th arm from the A6 access roundabout to land to the east. This would mean that materials would have to be transported across the A6 to the development site. The Local Highway Authority maintained that this was a counterintuitive approach to the movement of materials and could lead to safety implications. Simply, this approach was considered an unnecessary risk. An alternative solution for an internal construction compound on the south side of the main internal site access is proposed as part of the amended proposal and is detailed on the plan extract above. A planning condition to ensure the temporary construction compound is within the development site should be attached to any approval of planning permission. The Local Highway Authority have advised that the roundabout access, and associated works, are considered by them to be safe and suitable in accordance with paragraph 108 of the National Planning Policy Framework.

Public Transport.

Policy CS20 sets out the clear requirement for the site to be served by public transport: *"Bus service enhancements connecting the new community with local employment opportunities and Birstall, Leicester City Centre and Loughborough, as identified through a Transport Assessment."*

The wider policy context set out in the National Planning Policy Framework, promotes the use of sustainable transport, including bus passenger transport. Paragraph 108 states:

"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;”

The third Local Transport Plan sets out the County Council’s vision for transport to 2026. It explains how we will ensure that transport continues to play an important part in Leicestershire's success. Local Transport Plan 3 focuses on the key theme of making the best use of our existing transport system by improving its efficiency and attempting to change the travel behaviour of transport users away from the private car and onto more sustainable modes of transport, such as walking, cycling and public transport.

The applicant has engaged in dialogue with bus operators. The applicant proposes to divert existing bus services into the site via the proposed roundabout accesses, allowing passengers to board/alight and then the bus to exit the site in a safe and controlled manner. The proposed existing services would loop around the road infrastructure delivered as part of the Phase 1 development, ensuring that all residential and employment parcels are within 400m of bus stops and the service.

The precise location of bus stops and associated infrastructure would be agreed as part of the detailed design of the internal roads. The service provision agreed in principle would meet the following criteria and secured via the associated S106 legal agreement:

- 30 minute services;
- Operating 07:00hrs to 19:00hrs Monday to Saturday; and
- Between Birstall and Leicester City.

Following discussion with bus operators led by the Applicant, the Local Highway Authority advises the Borough Council that a workable Public Transport Strategy is a realistic and viable prospect and could be secured via a S106 legal agreement.

Pedestrian and Cycle Accessibility

Policy CS20 sets out the requirement for well-connected street patterns and walkable neighbourhoods that provide high quality, safe and direct walking, cycling and public transport routes (in accordance with Policy CS17). Moreover, the sentiment to encourage *health and wellbeing* as a core policy objective of the Garden Village concept remains a requirement. In terms of the functional highway, the proposals for walking and cycling need to be suitable, reasonable and safe.

The balancing of these matters has to be done with care to achieve the promotion of healthy lifestyles with the provision of viable and practical connections to maximise pedestrian permeability and overall attractiveness of routes. The safety of all highway users remains critical throughout all such considerations. This challenge becomes further compounded by the proximity of the A6 and A46.

To support pedestrian movements adjacent to the proposed A6 roundabout access, the application proposes signal-controlled crossings. This would tie into a new proposed 3m footway/cycleway which would connect into the existing public right of way J100. The application also proposes to improve the existing connections north of

the A6 to Rothley by providing a segregated 3m footway/cycleway, upgrading the existing provision. Along the frontage of the site the application proposes to improve the existing footway and upgrade this to a 3m footway/cycleway south towards the A46/A6 Birstall Interchange. As part of the proposals to improve this junction, all existing signal-controlled crossings and connecting footways will be upgraded.

The supporting pedestrian infrastructure and connections are proposed can be secured by planning condition.

The application proposes a comprehensive foot/cycleway strategy which will provide connections across the site separate from the internal road network. These will tie-in with the proposed adopted pedestrian infrastructure, however, will be entirely maintained by the proposed Trust and will not be adopted by the County Council as Local Highway Authority.

Walking to school

The development proposals include the provision of a 3 form entry primary school, and as detailed above, the Local Highway Authority is satisfied that the supporting infrastructure within the highway boundary provides a continuous connection. It is understood that the Cedars Academy School, by virtue of its geography, will provide the majority for secondary school place provision for the anticipated secondary school aged pupils associated with the Broadnook development.

The Local Highway Authority have considered the development proposal scenario of the 1,950 dwellings and whether these routes remain suitable and critically available or additional routes need to be developed as part of the planning application and associated infrastructure; such as the proposed underpass. The Local Highway Authority considers that following the delivery of 1,950 dwellings, the existing routes remain available based on the existing infrastructure, the anticipated numbers of school children and the identified likely changes to the network brought about by the access and upgrade to the A46 Birstall interchange as part of the planning application.

Additional routes are not essential to make the site acceptable in planning terms as the existing routes, considered available, will be retained and upgraded.

The development proposes a series of internal footpaths that cross the development site, and that run along the south and eastern edges. In particular, a footpath link is proposed on the eastern edge that runs parallel to the A6 but set away from the A6 and separated by the existing pavement and field hedge – to be retained. This footpath link will connect directly to the existing footpath crossings at the A6/A46 roundabout. The A6/A46 roundabout is in an elevated position above the A46 with the slip roads running up to and down from the A6. There are existing traffic lights and crossings on all the junctions of the roundabout; however, it is only the crossings on the west side that have push button controlled pedestrian crossings. As part of the S106 obligations package the existing lights and pedestrian crossings on the east side would be upgraded to the same as those on the west side. The existing pavements on the south side of the roundabout link into the network that serves The Cedars Academy and the surrounding area.

It is considered that the proposal will provide a well-connected development with integrated footpaths and cycle ways which link into the existing infrastructure which in turn will see upgrades and improvements. In combination the proposal is considered acceptable in this regard.

The Local Highway Authority advises the Borough Council that improvements to the existing infrastructure can be provided fulfilling policy CS20 and the requirements of the National Planning Policy Framework.

Internal Road Layout

As a hybrid planning application, the detailed application seeks consent for the layout of two housing areas, west of the Broadnook Centre. As part of the design evolution, significant changes have been made following advice from the Local Highway Authority. Central to these discussions has been highway safety, pedestrian accessibility, street typology and road adoption.

The internal layouts, submitted in detail at this stage, are now considered acceptable to the Local Highway Authority and, subject to detailed design and the s38 legal agreement process are likely to be suitable for adoption where appropriate.

Highway Impact Analysis.

The highway and transportation implication of large development sites are tested using a Strategic traffic model due to the complex and interrelated transport issues.

Following strategic analysis, more refined detailed analysis can be undertaken to understand the specific impacts of development on the network. The applicant has undertaken thorough traffic modelling and impact assessment. The modelling approach is summarised below:

- Strategic Modelling: undertaken using the Leicester & Leicestershire Integrated Transport Model (LLITM); this is particularly important given how local roads and junctions can be sensitive to variation in traffic flow; and
- Local Junction Testing: This analysis has been undertaken using industry standard software.

Mitigation will be required to deal with the predicted severe strategic impacts of development traffic. The mitigation package required is significant but proportionate to the scale of the proposed development. The necessary mitigation is summarised below:

- Measures to ensure the A6 site access junction operates efficiently, minimising additional delay;
- improving the capacity of the A46/A6 junction;
- improving the capacity of the A6 corridor south of the A46; and
- improving the capacity of the Rothley Crossroads.

Due to the complex interactions of traffic as described earlier in this report, the testing of the proposed mitigation has been undertaken using LLITM particularly.

The key findings are summarised below:

- There is an anticipated total reduction of traffic routing through Sileby and Anstey compared to the situation in 2031 even without the development traffic. This is due to the A46 capacity improvements. This is predicted to be a significant benefit to the local area;
- The capacity improvements to the Rothley crossroads provide improved capacity in 2031;
- The southbound A6 continues to struggle (it should be noted that the improvements to the signals have not been tested using LLITM but in detailed modelling described below).

Junction Testing

The applicant has also undertaken analysis of 21 local junctions undertaking LLITM node analysis (junction analysis) and individual junction modelling. The following junctions have been considered:

- A6 Site Access Roundabout
- Loughborough Road Site Access Roundabout
- A46/A6 Birstall Interchange
- A6 Loughborough Road Interchange
- A6 Sileby Road Interchange
- A6/Granite Way Roundabout
- A6/ Barrow Road Roundabout
- A6/A6004 Roundabout
- Rothley Crossroads (Hallfields Lane/Cossington Lane)
- A607/Melton Road Roundabout
- A50/A563 Roundabout
- A6/A563 Redhill Interchange
- A563/A607 Melton Road Crossroads
- A563/Krefeld Way Roundabout
- Loughborough Road/Checketts Road Crossroads
- A6/Birstall Meadow Rd/P&R
- A6/Hallam Fields Rd
- A6/Greengate Lane
- A46/A607 Syston Interchange
- A46/A5630 Anstey Lane roundabout
- A46/A607 Hobby Horse roundabout

The residual cumulative impacts of development traffic on the road network is severe but can be cost effectively mitigated to an acceptable degree in accordance with the National Planning Policy Framework. The mitigation proposals are summarised below:

- A46/ A6 highway improvements as show in Drawing ADC1684-DR-002 revision P3 triggered at occupation of the 301st dwelling;
- Improvements to the Rothley Crossroads as shown in Drawing ADC1684-DR-001 prior to first occupation of the development;

- Contribution towards improvements at the following junctions prior to the occupation of the 100th dwelling;
 - A6/ Birstall Park and Ride Signalised junction (Hallam Fields North).
 - A6/ Hallam Fields Rd Signalised Junction
 - A6/ Greengate Lane Signalised Junction
 - A6/ Bentley Road Signalised Junction
 - A607/Melton Road Signalised Junction by the installation of UTC
- Contribution to the cost of the Traffic Regulation Orders associated with the access works on the A6 to enable the site access;
- Implementation of a Site Wide Travel Plan;
- Appointment of a Site Wide Travel Plan Coordinator;
- The provision of public transport strategy in accordance with minimum specification of;
 - 30-minute services;
 - Operating 07:00 and 19:00 Monday to Saturday; and
 - Between Birstall and Leicester City.
- Contributions towards public transport incentives
 - Packs
 - Passes
- Contributions/Obligations towards Public Right Of Way improvements.

The residual cumulative impacts of development traffic on the road network are severe but can be effectively mitigated to an acceptable degree in accordance with the National Planning Policy Framework. The Broadnook development is a core policy objective and will contribute towards the Borough Council's housing supply. There are several transport challenges given the nature of the geography, the highway network and the anticipated levels of congestion which need to be taken into consideration. The Local Highway Authority has advised the local planning authority that the development is acceptable and would be in accordance with the advice contained within the National Planning Policy Framework following the introduction of the measures outlined in this report above, which can be secured by way of planning conditions and obligations within a s106 Legal Agreement.

Impacts on the Strategic Highway Network

Highways England is the highway authority, traffic authority and street authority for the Strategic Road Network. The A46 is a Trunk Road and forms part of the Strategic Road Network. The A46 is a critical national asset and as Highways England work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Initially concerns were raised by Highways England regarding the Traffic Impact Assessment; scheme design; and drainage (on the Strategic Road Network). These matters have now been resolved and Highways England has confirmed that they raise no objections to the proposal subject the inclusion of planning conditions on any approval of planning permission.

Transport Conclusions

In conclusion it is considered, for the reasons given above, the residual cumulative impacts of development traffic on the road network are likely to be severe but can be effectively mitigated to an acceptable degree in accordance with the National Planning Policy Framework. This proposed development is a core policy objective within the Development Plan and is allocated in Charnwood Borough Council's Local Plan Core Strategy. It is recognised that the proposal does pose transport challenges. However, the Highway Authority and Highways England advise the local planning authority that, subject to planning conditions and obligations highlighted above, the development proposals are acceptable. For the reasons set out above it is therefore considered the development would accord with Policies CS17, CS18 and CS23 Charnwood Core Strategy, Policy T&C14 of The Thurstaston and Cropston Parish Neighbourhood Plan and the advice contained within paragraphs 108, 109 and 111 of the National Planning Policy Framework.

Quality and Design of the development (inc. Vision, Phasing, Layout and masterplan)

The proposed strategic development to the north of Birstall is distinguished from other Sustainable Urban Extensions within the Core Strategy (North East of Leicester and West of Loughborough) by its ambition and aims to be an exemplar development based on the Garden Suburb principles.

The Core Strategy therefore sets out a clear vision for the North of Birstall direction of growth noting that by 2028 it will be known for its reputation as a Garden Suburb. The supporting text for Policy CS20 (at paragraph 9.43) sets out key Garden Suburb principles in the context of both the Vision and Policy CS20.

Core Strategy Policy CS20 identifies a series of evidence and supporting documents that are required to ensure delivery of the Garden Suburb in support of its vision. These include the need for:

- a Development Framework, including delivery and phasing arrangements and a masterplan informed by an independent Design Review Panel and community consultation;
- a Green Infrastructure Strategy to inform the development of detailed proposals and long term management; and
- a Sustainability Assessment that identifies the development's response to carbon emissions reduction and climate change resilience.

Policy CS20 also states that before outline planning permission is granted, a development brief, design code or equivalent will be required to inform detailed planning applications or reserved matters applications. Key paragraphs of the National Planning Policy Framework in this respect are Paragraphs 2, 17, 47, 58, 62 and 70 which relate to planned delivery of housing and infrastructure in a co-ordinated environment that can bring forward a sustainable community in its own right.

The Development Framework Plan submitted as part of this application identifies the following and gives context to the location of the separate elements of the proposal:

- employment to the immediate west of the A6 with higher density residential development to the west of this area;
- Continuing westwards is the local centre and retirement village residential development running to the Great Central Railway Corridor.
- The southern areas of the Development Framework Plan, towards the A46 are primarily residential
- the open space and larger areas of semi-natural open space are located primarily towards the northern areas of the Development Framework Plan. There are also green infrastructure connections through the site, SuDS to the south, and a further area of semi natural open space to the east of the A46; The site for showpeople is located within the employment area on the A6 frontage.
- The Development Framework Plan dominated by major and significant road infrastructure, primarily in the form of a new 4 arm roundabout that serves the development from the A6 and a distributor road that flows through the application site to serve the development areas established by the Development Framework Plan.

Independent Design Review (Design for Homes) 2017 and Final Observations (Design for Homes) August 2019

Given the importance of design to the overall concept of a ‘Garden Suburb’, and given the scale of the proposal, Policies CS2 and CS20 of the Core Strategy require that an Independent Design Review is undertaken to inform the Development Framework Plan and determine the design quality. Such an approach is also supported by Paragraph 62 of the National Planning Policy Framework.

Accordingly, an independent design review was undertaken by Design for Homes in March 2017 and an observation of the amended scheme undertaken in August 2019, prior to the revised submission in January 2019, and a further full design review in August 2019. The conclusion of the 2017 design review was that both the vision and detail did not meet the policy aspirations of a Garden Suburb and fundamental improvements were recommended.

The 2017 design review raised concerns about the following: vision; incorporation of more modern design approaches; the remit of Broadnook Trust; the proposal should actively promote and encourage walking and cycling; a more innovative and effective approach to water sensitive design and habitat creation; well defined streets and spaces; the site could be more legible by considering the distribution of building densities and heights; the need for garden streets; more substantial green infrastructure; how bio-retention features would be delivered and managed; street quality; and a stronger energy strategy.

Design for Homes reviewed the updated documents and the local planning authority’s response to the pre-application submission by the applicant for the Broadnook Centre and raised no objections. The final paragraph of page 1 of their letter of 20 August 2019 indicates their strong support and how the applicant has responded to the questions raised on their previous design review in 2017. They state the following:

“The Council’s positive response to the Planning Brief (“The Planning Brief is considered to follow the key principles of Policy C20”) is noted and supported. The Planning Brief has taken full account of the priorities that emerged from the earlier Design Review. We also note the references to the importance of phasing and timely provision of facilities in developing a new community. We are very much aligned with the Council’s analysis, observations and recommendations. We are pleased that the applicant is, in consequence, now advancing a number of prospective reserved matters applications in order to bring forward fully detailed schemes. This is very encouraging as we believe the development has strong potential to become an exemplar for not only Charnwood but the wider region. It should be noted that the region is short on exemplars - at a time where the pressure to build new homes and improve design quality is increasing.”

The 2019 response from Design for Homes recognises the work undertaken by the applicant to address their concerns of their design review in 2017.

It is considered the wide tree-lined boulevards, public open spaces, large interconnected sports and recreation areas proposed wholly follow the key design principles of the garden suburb principles. The detail, materials, layout, mix of house types and mix of house sizes of the detailed housing plots reflect the design quality sought by policy. The indicative masterplan and pre-application for the Broadnook Centre indicate that these important design requirements can be followed through for the remaining plots.

On the basis of the amended plans and documents detailed that the applicant has responded positively to the detailed comments from the design review in 2017. More importantly, it is considered that the proposal now conforms with the aims and objectives of saved policy EV/1 of the Local Plan and Policies CS2 and CS23 of the Core Strategy. The template is therefore in place to ensure that the development conforms to the specific requirements of a Garden Suburb and that the development as a whole becomes exemplar.

To this end, it is considered that subject to conditions, the design and overall appearance of the property would be more than acceptable.

The provision of housing to meet local need

Policy CS 3 – Strategic Housing Needs – seeks to deliver nearly 14,000 by 2028 to balance the housing stock and meet the community’s housing needs. The policy states that this will be done by:

“Seeking the following targets for affordable within housing developments having regard to market conditions, economic viability and other infrastructure requirements:

- *30% affordable housing within the sustainable urban extensions north east of Leicester and west of Loughborough and the direction of growth north of Birstall.”*

The policy also seeks to deliver an appropriate mix of house types, tenures and sizes of homes, having regard to the need and character of the area; to seek all new housing

to be built to 'Lifetime Homes' where feasible; to secure on site affordable housing that is integrated; and to monitor the delivery of affordable homes.

It is considered that there are two key aspects to the provision of housing, affordable housing and the overall housing mix, which will be dealt with in turn.

Affordable Housing

Policy CS20 seeks the provision of 30% affordable homes to meet local needs along with a range of tenures, types and sizes, and extra care housing, where it meets the needs of our ageing population, in accordance with Policy CS3. It also seeks a site of a least 4 show people in accordance with Policy CS5. It should be noted that site for show people is discussed in full in section 17 of this report.

Paragraph 62 of the National Planning Policy Framework states: *“Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site unless:*

- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and*
- b) the agreed approach contributes to the objective of creating mixed and balanced communities.”*

Annexe 2 of the National Planning Policy Framework then defines affordable housing as: *“housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the definitions in the National Planning Policy Framework”.*

The Housing Supplementary Planning Document provides further expression and guidance to Policy CS3 and details the tenures (namely social rent), affordable rent and intermediate housing types. Policy HSPD2 of the Supplementary Planning Document indicates the preferred tenure mix and splits the tenures into two groups – Social of Affordable Rent and Intermediate (Shared Ownership). Policy HSPD2 seeks a preferred tenure mix of 77% Social/Affordable Rent and 23% Intermediate housing. The level of affordable housing has been led by a desire to maximise the provision of social/affordable rent. The affordable housing proposal achieves a split of 50:50 (Social/Affordable Rent: Intermediate).

To mitigate against the impact of the development a detailed S106 legal agreement would be required, the heads of terms of which sit within Recommendation A of this report. All elements of the S106 package have been assessed against the tests in the National Planning Policy Framework and the Community Infrastructure Levy legislation.

It should be noted that the affordable housing provision does not achieve the higher threshold of 30% sought by Policy CS3 and CS20, however it is considered that there are economic viability and infrastructure requirements that give rise to the 16% provided by this proposal. The table below shows the two final affordable housing scenarios that have been run through the independent viability appraisal. In relation

to these scenarios the Charnwood Borough Council’s Housing Manager has advised that scenario 16D is the closest fit to the tenure mix suggested and gives regard to the new National Planning Policy Framework and this is the option recommended. In accordance with the Core Strategy and the National Planning Policy Framework the application is supported by a viability assessment.

	Total no. of affordable housing	Affordable Rent	Shared Ownership	Discounted Sales	Housing SPD. Social Rent : Intermediate
Scenario 16D	319 (16.36%)	160 (50%)	80 (25%)	79 (25%)	50 : 50
Scenario 12D	410 (21%)	136 (33.3%)	136 (33.3%)	138 (33.3%)	33 : 67

Table1

The comments from the Housing Manager are noted and the reasons for selecting scenario 16D are considered justified in policy terms. The agreed provision is above the minimum provision for development of this type as set in the National Planning Policy Framework, but below the higher percentage sought by Policies CS3 and CS20. The proposed development is for a new community that encompasses the aims of the Garden City Suburbs. The resultant proposal has a higher level of design, greater infrastructure, significant green infrastructure, community space and buildings, an integrated district centre and the provision of a large swathe of employment land. The delivery of a genuine sustainable urban extension will inevitably have competing economic, social and environmental constraints on the overall sustainable aims of the development. The balance of these site wide aims is considered to be acceptable as presented to committee. The CIL compliance of the suite of planning obligations has been robustly tested as has the viability. As such, whilst the affordable housing provision is below that which is sought by Policy CS20, it is considered that the overall development satisfies the aims of Policy CS20. The development has undergone a detailed cost engineering exercise which has resulted in the final list of planning obligations presented which in turn have fed into the viability assessment undertaken by the applicant. Given the comprehensive review of the planning obligations ‘basket’ and planning proposals it is not considered that it is possible to make further reductions to the overall planning obligations, as to do so would render the development unsustainable. The Council commissioned independent review of the submitted viability assessment and this concurs with the results. As such the affordable housing provision is considered to accords with the aims and tests as detailed in the National Planning Policy Framework, Housing SPD and Policies CS3 and CS20 of the Core Strategy.

Housing mix

	Total Units	1 bed		2 bed		3 bed		4+ bed	
		No.	%	No.	%	No.	%	No.	%

Barwood	225 (102)*	-	-	40 (18)*	18	65 (30)*	29	120 (54)*	53
Davidsons	175 (91)*	-	-	22 (6)*	13	65 (36)*	37	88 (49)*	50
Rest of Phase One (C3)	250	20	8	113	45	102	41	15	6
Assisted Living Village (C2)	175	55	32	120	68				
Care Home (C2)	70	60	86	10	14				
Total Composite Phase One	895	135	15	305	34	232	26	223	25

* bracketed figures dictate the numbers for the detailed part of the hybrid application

Table 2

The table above details the split of the housing types, the split of the dwellings that form the full detailed part of the hybrid, the care home provision and the assisted living provision. It should be noted that there is no provision of affordable housing within the 193 dwellings that form part of the hybrid application but that the remainder would take the full amount detailed in table 2 above.

An assessment of the optimum mix of property sizes to meet housing needs over the next 25 years is provided in the Leicester and Leicestershire Housing and Employment Development Needs Assessment (HEDNA) (2017). This evidence provides the starting point for assessing whether an appropriate mix of sizes of homes has been proposed on an individual site as sought by Policies CS3 and CS20. The tenure and overall percentage of the affordable housing provision is discussed above and any reserved matters application that related to this provision would need to be assessed on its own merits. Similarly the mix of 1 to 4 bed of the associated affordable housing provision would need to be assessed against the spread indicated in the HEDNA 2017 report. For these reasons it is considered that the affordable housing has the necessary triggers to ensure compliance with any future applications.

In terms of the split of market housing, care home and assisted living the split is detailed in table 2 above and the percentages in relation to the HEDNA 2017 survey detailed below in table 3.

Size	Market % (HEDNA Recommended Mix)	Proposed by application	
		No.	%
1 bed	0-10%	135	15
2 bed	25-35%	305	34
3 bed	45-55%	232	26

4 bed +	10-20%	223	25
---------	--------	-----	----

Table 3

Table 3 above indicates that provision of 1 bed dwellings is just above the suggested thresholds, the 2 bed provision is just below the suggested upper threshold, with the 3 bed provision lower than the suggested threshold and the 4 bed provision just above. It is also noted that there are no 1 bed dwellings proposed in the 193 dwellings that form part of the detailed part of this hybrid.

It is considered that the development as a whole conforms with the higher standards set by Policy in relation to the Garden Suburb principles. The layout and design have been revised to a level that conforms to these aims. There is also a large amount of infrastructure to be installed from the start of the development. As such the reasoning for not including any affordable housing and 1 bed accommodation in the first 103 dwellings is understood. It is important to highlight that the overall provision of affordable housing and 1 bed accommodation across the remainder of the site would accord with the policy aims.

The layout of the 193 detailed dwellings has a mix of dwelling sizes integrated into a wider housing network that accords with policy and would set the benchmark for future housing development in terms of design and layout. The wider green infrastructure, wide tree lined boulevards and bespoke design of the initial dwellings is also considered acceptable. Table ## indicates the housing types and room numbers for the remainder of phase 1. The control of the amount, tenure and mix of the affordable housing site within the S106 legal agreement as drafted. The control of the remainder of the housing mix site within conditions relating to each phase or sub-phase. Whilst the provision of 3 bed dwellings is below that indicated by the HEDNA report of 2017, the remainder of the room numbers accord with the suggested thresholds in the same report and reflects the mix expectation to meet needs as set out in in Policy CS 3 and CS 20.

It is considered that the development would meet the housing needs of the Borough in terms of housing mix. The detail submitted is acceptable having regard to the Principles of CS20 in particular and Policies CS2 and CS3 of the Core Strategy.

The provision of employment land

Policy CS20 states that up to 15 hectares of employment land will be provided. The preamble to this policy outlines the Garden Suburb principles the sixth bullet point of which seeks: “a strong jobs offer with a mix of employment opportunities well related to homes.

The hybrid application includes 15ha of employment land on the east of the site running in a band from the point of access, south, down to the boundary with the A46, with the A6 bordering the eastern boundary. There are two clusters of residential properties that do not form part of the application that sit within the wider confines of this application site on the south eastern edge. The site for travelling show people is also indicated in this location. It should be noted that the employment land on the eastern edge of the application is in outline form only and does not include the ancillary business uses within the Broadnook Centre – which are also in outline form.

The hybrid application includes up to 15 hectares of employment land for use
Classes as follows:

- B1(a) office – up to 7,500m²
- B1(c) light industry – up to 17,500m²
- B2 general industry – up to 10,000m²
- B8 storage and distribution – up to 15,000m²

The location of the business element on the lower land abutting the dual carriageway, with the backdrop of the community buildings in the Broadnook centre is considered appropriate. The interconnecting footpaths on the residential part of the application are replicated and linked with that on the employment site. It would be entirely feasible for residents to live, shop and work in the new garden suburb without relying on use of a motor car.

As well as fulfilling a strategic need, the employment land is an essential part of this new garden suburb. With the limits on the floor area for the different uses listed and with the parameters set within the planning conditions it is considered that a successful development can be delivered that matches the employment needs whilst achieving good quality design. The comments from nearby residents in relation to the proximity of the employment uses are noted and with the planning conditions and strategies suggested in Recommendation B it is considered that this relationship can be mitigated.

Overall it is considered that issues of concern by neighbours raised on this aspect of the proposals could be designed out at the reserved matters stage and that the proposals would accord with saved Policies CS1, CS6 and CS20 of the Core Strategy.

Impact on the residential amenity of neighbouring properties

Policy CS 2 of the Charnwood Local Plan Core Strategy requires new development to protect the amenity of people who live or work nearby and those who will live in the new development.

Policy EV/1 of the Borough of Charnwood Local Plan 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, layout, whilst using landforms and other natural features.

The detailed comments of nearby residents are noted and have been carefully considered. As outlined above, the Direction for Growth is allocated within the Core Strategy and as such the Development Plan identifies the level of development proposed within it. The proposed development would involve changes in the surrounding area and there would be disturbance as a result of the development which would be for a significant period of time, particularly in the initial establishment of infrastructure. The allocation of this site in the Core Strategy recognises this but attaches policy constraints that the development needs to adhere to, to ensure a bespoke garden suburb that also protects the amenity of neighbouring residents.

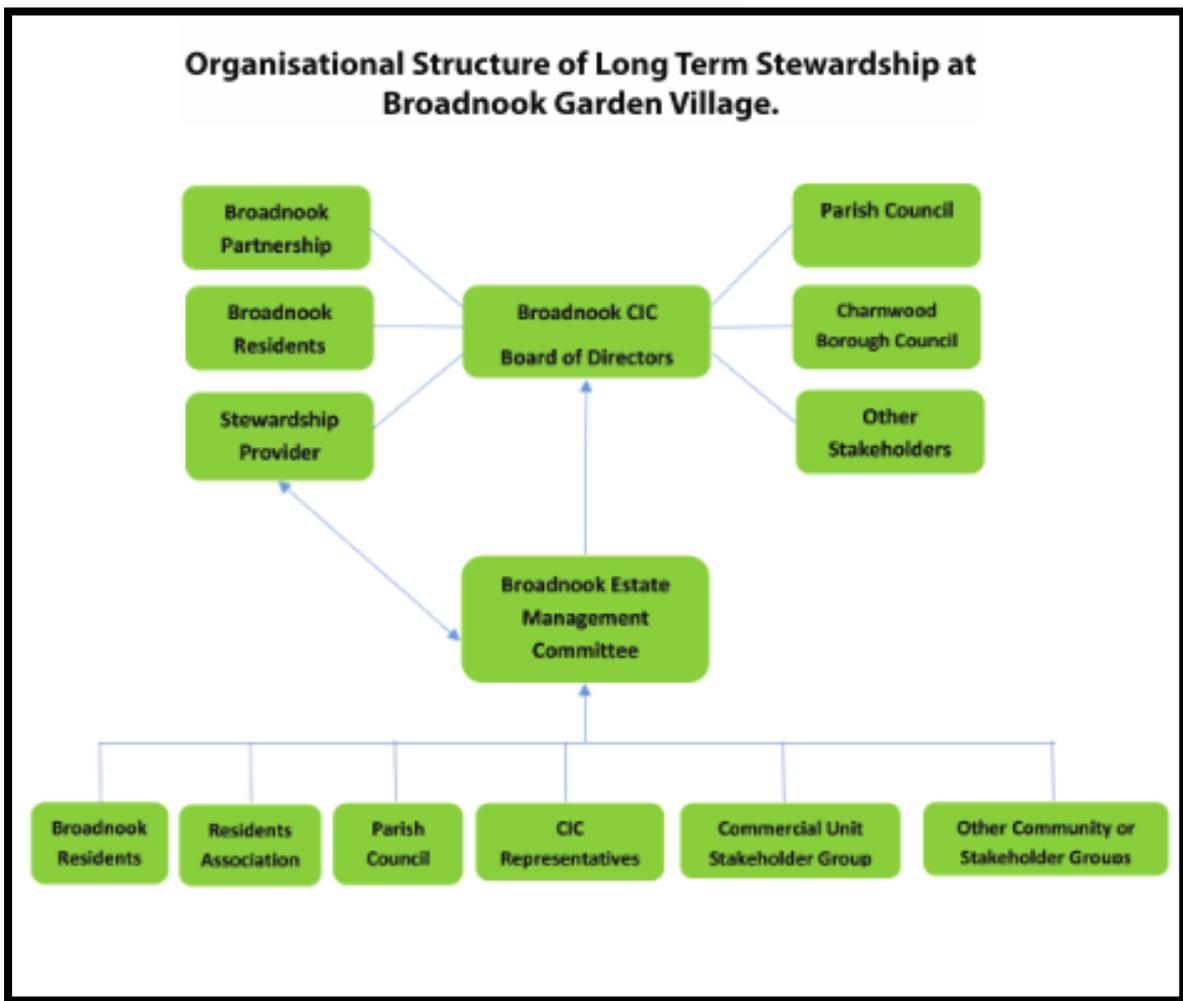
Depending on the phase of development there would be greater and lessening impact on neighbouring residents as the distance between construction activity changes. The first phase of development would be the installation of the new access to the site off the A6. The first phase of these works being an extension of Loughborough Road south from Rothley to provide access to the site and to allow parallel development of the northern boulevard, and the 193 dwellings that are subject to the full detailed submission.

There are 2 existing properties located adjacent to the A6 which are located outside of the application site boundary. Two main concerns expressed with regards to the impact of the development on the residential amenity of these properties. These concerns include the loss of their direct vehicular access onto the A6 and the proximity of the proposed commercial development. Taking these in order the development would close off the slip road from the houses (and garden centre) onto the A6 but an alternative access is proposed to be provided north onto the inner site roundabout and then in turn the main A6 roundabout. From a planning and highways aspect this is considered acceptable. The provision of an employment area is a fundamental aspect of the proposed sustainable urban extension. The masterplan proposes the commercial elements of the proposal on the lower land adjacent to the A6/A46 and this position is considered to be appropriate and acceptable. It is considered the impact on residential amenity by reason of loss of light, privacy, overbearing impact, noise and disturbance etc. can be mitigated at the detailed design stage. The employment area is in outline form and as such any future reserved matters application would need to consider the impact on the adjacent existing dwellings and ensure the design mitigates any significant and unacceptable impacts on the residential amenity of the existing properties and those to be built as part of the proposed development. It is considered that a planning condition could be imposed which would enable development to be brought forward in an acceptable way which would appropriately mitigate the amenity concerns expressed.

The comments from objectors and nearby residents in relation to impact from the additional traffic are also noted, however it is considered the use of planning conditions, as suggested by the local highway authority relating to a site wide travel plan and Construction Management Plan, would sufficiently protect the amenity of nearby residents in this respect.

Overall it is considered that issues of concern raised on this aspect of the proposals could be designed out at the reserved matters stage. For the reasons given above it is considered the proposal would not therefore have a significant detrimental impact on the residential amenity of either existing or future occupiers of nearby dwellings and accordingly the proposals would accord with saved Policy EV/1 of the Local Plan and Policy CS20 of the Core Strategy.

Broadnook Trust - leadership and community assets



Garden Suburbs are founded on a series of principles, as set out at paragraph 9.43 of the Core Strategy, which aim to deliver civic, societal and community advantages. When development genuinely responds to these principles it results in development that is different from other large scale development. These principles include:

- strong vision, leadership and community engagement;
- land value capture for the benefit of the community; and
- community ownership of land and long term stewardship of assets.

The application is supported by a document entitled Broadnook Garden Suburb Trust Governance Arrangement (March 2017), which provides information on how the Estate and Green Infrastructure will be managed and funded through service charges. This approach is similar to management arrangements for open space for the other Sustainable Urban Extension within Charnwood. The detailed arrangements will be secured by obligations in the section 106 legal agreement and is discussed in full in the assessment on “Ecology, Green Infrastructure and Open Space” considered late in this report.

The Design Review of 2017 highlighted that the Trust document did not include proposals for wider governance, community ownership of land, land value capture and long term stewardship of assets together with the delivery of the Garden Suburb. In response to this the applicant has submitted a Long Term Stewardship document dated March 2019. The organisational structure of the overall site stewardship from the March 2019 document is copied above. The key points of the overall site stewardship are as follows:

- The Broadnook Community Interest Company (CIC) would be set up as an independent management company to ensure that the estate and green infrastructure assets are maintained and managed in perpetuity and to the best standards of Garden Suburb principles. The company would also manage, promote and staff the community facilities.
- The Broadnook CIC would have overarching responsibility for the roles and responsibilities of the CIC. It would be run by a board of directors and would be constituted to include landowner and life trustees with key stakeholders.
- The Broadnook Estate Management Committee would have responsibility for the everyday operation of the CIC, with an overall manager/CEO. The management committee would be based in Broadnook Hall and would have a maintenance depot at the Foxfield Park facilities.
- The management committee would manage:
 - Broadnook Estate;
 - Foxfield Pavilion and Park facilities;
 - The Broadnook wear and tear fund;
 - Building and development covenants to safeguard the high quality environment;
 - Property alteration design guidance and administration; and
 - Promotion of community cohesion.

The Broadnook Partnership is made up of representatives from the landowners, developers, the three parish councils and Charnwood Borough Council. It does not interact with stewardship directly which is the domain of the proposed Trust.

The Broadnook Foundation would be established as soon as appropriate post hybrid planning application consent being issued if it is granted approval, to ensure transitional/interim liaison and engagement prior to the establishment of the CIC. Given that the Broadnook site is in three parishes the Foundation will include representatives of all three of the Parish Councils, with Charnwood Borough Council and the landowners and developers represented too.

Whilst the application site falls within three different parish council areas, it is not considered the proposal naturally sits easily within any of these due to the geography of the area. Charnwood Borough Council Community Governance Review in 2017 and 2018 supported the establishment of a new Parish Council at Broadnook with no objection from the three existing Parish Councils being made. However the Charnwood Borough Council Community Governance Review deferred a final decision and formal process until there is planning permission in place and there is an agreed programme for delivery. If approved the overall sequence will involve the establishment of a new Broadnook Parish with firstly a Parish Meeting status evolving into a Parish Council as the population grows to the relevant level. The procedure for the establishment of a new parish council falls outside the remit of planning legislation but the framework for delivery could sit within the S106 legal agreement on the basis of the in principle agreement from the two Community Governance Reviews.

The arrangements for community ownership and stewardship of assets as well as well as commercial interests have been carefully considered and it is the officers views that a meaningful long term management body could be established in the context of Garden Suburb principles.

It is therefore considered that the application has demonstrated that the proposals have sufficient regard to the principles of CS20 (informed by paragraph 9.43) in particular and policies CS2, CS3, CS5, CS6, CS12, CS13, CS16 and CS17 as informed by Paragraphs 14, 17, 47, 52, 58, 69, 70, and 109 of the National Planning Policy Framework.

Landscape character of the site and surrounding area

Policy CS20 of the Core Strategy, supported by Policy CS 11, sets out to ensure that the development proposals should respond to, and mitigate, the landscape impact of the development proposals, with appropriate landscaping throughout the development. Policy CS20 specifically states that the separate identity of Wanlip, Rothley and Rothley Conservation Area should be protected, and that development should respond to the local landscape and surrounding areas in order to create a locally distinctive development.

Natural England has divided England into distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity, history and cultural and economic activity. The application site falls within two National Character Areas. The majority of the site is within the Charnwood National Character Area and a portion of

the eastern part of the site is within the Trent Valley Washlands National Character Area.

Charnwood Borough Council published the 'Borough of Charnwood Landscape Character Assessment' as evidence to the adopted Core Strategy. This document provides a framework for the formulation and assessment of planning proposals and identifies 6 character areas within the Borough. The application site falls mainly within the Charnwood Forest Local Landscape Character Area but part of the Eastern Boundary falls within the Soar Valley Local Landscape Character Area.

Charnwood Forest Local Landscape Area is characterised by the upland nature of the Charnwood Forest, due to the underlying ancient rock.

The site comprises of a rolling network of arable fields with mature hedgerows. Broadnook Spinney runs from the northeast corner of the application site to approximately a central point. The Spinney is a mature copse of trees that is covered by a Tree Protections Order. The application proposes to enhance this by the addition of further planting on the southwest edge of the Spinney.

Although the site falls within a direction of growth allocated within the adopted Core Strategy there is no question that the development would change the landscape in the area. The supporting information shows that a large amount of existing natural infrastructure is to be retained and significant areas to be enhanced. The layout plan and plot shapes have evolved largely from the retention of the existing hedgerows.

The submitted Landscape Character Assessment concludes that the landscape character of the site and its setting are assessed as having medium susceptibility to change in terms of accommodating the development because of the elevated position of parts of the site. The Landscape Character Assessment considers the site and setting as having a character of medium value because it is not subject to any specific landscape designation and does not have any unique or defining features.

The Landscape and Character Assessment identifies a number of Tree Preservation Orders protecting tree groups within the application site and others in close proximity. These are listed below:

- W10 Bridle Road Spinney - "mixed hard and soft woodlands"
- W11 "mixed hardwoods mainly ash and elm"
- W13 Broadnook Spinney "mainly poplars with other mixed hardwoods"

The assessment considered that the Tree Preservation Orders within the site would be subject to low susceptibility to change in terms of accommodating the development as they would be retained and would continue to contribute to the surrounding landscape character.

In terms of the impact on Rothley, a key aspect would be to maintain the open aspect and silhouette of the village when seen from the south, and views of the Parish Church and its tower. The submitted documentation suggests that the proposals would be capable of managing these requirements longer term, subject to final detailing during the preparation of reserved matters applications.

In terms of settlement character, the proposals would maintain the separate identity of Rothley to the north with open space and ecological areas maintaining a green area of separation, although comments received from consultees relating to access and management of links between the village and the proposed development are noted both in terms of the access and ecology assessment. Management of these areas are important to Leicestershire & Rutland Wildlife Trust, Sport England, the Parish Council and other consultees and is an important part of the success of the development. The development would also physically maintain adequate separation from Wanlip and therefore there is no significant concern in terms of the impact upon the character and identity of Wanlip. Future long term management arrangements could be secured pursuant to a section 106 legal agreement.

In response to concerns expressed about the management of the site the Environmental Statement addendum submitted in January 2019 includes an update to chapter 7 including updated landscape plans, a comprehensive landscape and biodiversity management plan and a detailed planting schedule. This is discussed in detail in the relevant section below, but it is considered that the combined landscape documents included the necessary detail to ensure a well detailed and managed post development landscaped area can be secured.

It is therefore concluded that any harm caused to the landscape of the site and the surrounding area can successfully mitigated and this mitigation can be secured by the use of both planning obligations and conditions. It is considered that the long term management of the landscape areas complies with the tests of policies CS2, CS12, and CS20 as informed by Paragraph 9.43 of the Core Strategy and the objectives of high quality design set out at Paragraphs 124 - 132 of the National Planning Policy Framework.

Ecology, Green Infrastructure and Open Space

Policy CS 13 of Charnwood Local Plan Core Strategy states that development will be supported where biodiversity and geodiversity is protected, enhanced, restored or recreated. Where there are impacts on biodiversity it is expected that this will be mitigated or as a last resort, compensated for.

The Ecology chapter of the Environmental Statement is supported by a variety of survey reports covering habitats and a range of protected species. These reports were updated in the Environmental Statement addendum submitted in January 2019. These are considered to be adequate in their scope and depth and provide an adequate description of the ecological interest of the site. In summary the findings of the survey work are as follows:

- Habitats: The application site is mainly dominated by arable land with some areas of semi improved grassland and small woodland blocks. Field compartments are separated by native hedgerows in varying conditions and the site supports a number of small water bodies. Notable plants include early purple orchid and native bluebell
- Amphibians and reptiles: Presence/ absence studies found no Great Crested Newts to be present but there is an on-site amphibian assemblage including

common frog, common toad and smooth newt. Specific reptile surveys have not been carried out and have not been required although there is suitable habitat for grass snake present

- Birds: 58 species were recorded during breeding bird surveys of which 43 species were considered to be breeding on site. Notable species included Grasshopper warbler, barn owl, cuckoo lapwing and skylark. 53 species were recorded during winter bird surveys with notable species including linnet, tree sparrow, woodcock, yellowhammer, fieldfare and redwing. The richness of the bird assemblage (when considering the habitats present on site) has been attributed to active game management.
- Badger surveys recorded 2 main setts and 3 outlier/annex setts
- Bat activity surveys recorded 11 species on site and the site was assessed as being of county level importance for bats

The applicant has had detailed discussions and on-site meetings prior to the Environmental Statement addendum being submitted. The addendum details the works completed since submission of the original application and Environmental Statement but it is noted that there is no change to or required for the baseline data. The following work has been provided as part of the Environmental Statement addendum:

1. An updated badger survey (confidential).
2. Updated breeding bird surveys.
3. Updated great crested newt surveys.
4. Bat emergence and return surveys of trees within the application boundary.

A biodiversity Offsetting Exercise was undertaken to quantify what effect the proposed changes to the habitat would have on the existing habitat. The calculations are based on a number of assumptions but both the biodiversity score and the linear impact assessment that site within these calculations show a net gain in biodiversity would be realised.

A Biodiversity Impact Assessment calculation exercise was conducted by WYG in 2017 in response to Policy CS13. This purported to show a net gain (for habitats) of just below 4%. This was carefully scrutinised and challenged by the Council to the extent that a revised calculation showed a net loss equivalent to around 4.5%. On this basis, and in order to address concerns expressed by both the council and Leicestershire & Rutland Wildlife Trust, it was agreed that the area to the east of the A46 could be managed as semi natural open space to provide habitat for ground nesting birds. This is reflected in the proposal as amended and represents a significant enhancement relative to the previous proposals. No further calculation was undertaken or considered necessary, as this measure was considered sufficient to address the issues that had been identified. An updated Biodiversity Impact Assessment was submitted with the amended scheme in January 2019 but limited weight has been given to this due to concerns around the calculations. The latest Biodiversity Impact Assessment does not alter the fall back of the conclusion to the previous Biodiversity Impact Assessment or the solution in relation to land east of the A6 and as such no further comment is made.

A landscape and biodiversity management plan is included in the January 2019 update and is listed in the recommended conditions at the end of this report to ensure compliance with adopted Policy CS13.

The updated ecological surveys do not show any change to the outcome of the Ecological Impact Assessment as originally submitted and updated in January 2019. The exact mitigation detail will be subject to future survey updates which will be completed in phased ahead of each Reserved Matters application. Overall and for the reasons given the ecological impact has been fully assessed and with the mitigation and planning conditions it is considered that the proposal satisfies the requirements of Policy CS13.

Green Infrastructure

Policy CS 12 states we will protect our green infrastructure assets for their community, economic and environmental values. The policy then goes on to states that we will protect and enhance our Urban Fringe Green Infrastructure Areas by, amongst other things, enhancing our network of green infrastructure assets through strategic developments in accordance with Policies CS19, CS20 , CS21, CS22 and CS23.

Policy CS20 has a set of specific environmental aims which include the following:

- Responding to the landscape and surrounding areas to create a locally distinctive development in accordance with Policies CS2 (High quality design) and CS11 Landscape and countryside).
- Protecting and enhancing existing wildlife corridors, and where appropriate, provide new corridors to create a coherent biodiversity network in accordance with Policy CS13 (Biodiversity and geodiversity).
- Provide an accessible, comprehensive and high quality network of multi-functional green spaces in accordance with our open space standards in accordance with Polices CS15 (Open space, sport and recreation) and CS12 (Green infrastructure) and garden suburb principles.

The development plots are essentially led by the existing field patterns with the existing hedgerows retained where possible. The detailed part of the application includes an extensive strip of landscaping and sports provision along the northern edge of the site. Plan extract 2 shows the development plots and northern green strip. The plan also shows the enhancements to Broadnook Spinney and its extension from its southern corner across the site to the central park. The whole site is laid with interconnected footpaths, play areas, allotments and biodiversity corridors. A detailed suite of landscaping drawings were submitted with the update submission in January 2019 and provide the necessary detail and can be secured by condition.

With the green infrastructure parameter plan and associated landscaping plans the proposal is considered to conform with Polices CS12, CS13 and CS20 in this regard.



Plan Extract 2

Public Open Space

Policy CS15 Open Space, Sports and Recreation states *we will work with our partners to meet the strategic open space needs of our community by 2028.*

The preamble to Policy CS15 (Paragraph 7.49) makes reference to the Open Space Strategy 2013 – 2028 and the standards for open space, sport and recreation, which are set out in figure 2. Table 4 below is a copy of this table with the addition of the last two columns which relate to the specifics of this application.

The provision of open space, sport and recreation is therefore a key policy requirement of CS15, which is expanded in Policy CS20, and one of the key garden suburb principles.

CS15 Compliance.	Quantity Standard Hectares per 1,000 household	Minimum Site Size (Hectares)	Required Hectares[Est Popn = 4,680]	Proposed [Hectares]
Parks	0.32	0.4	1.472	8.6
Natural Open Space	2	0.05	9.2	54.7
Amenity Green Space	0.46	0.1	2.116	9.8

Facilities for Children	Within 480m of each home	0.04	Yes	Yes
Facilities for Young People	Within 480m of each home	0.04	Yes	Yes
Outdoor Sports Facilities	2.6	0.28	1.288	5.2
Allotments	0.33	0.05	0.23	1.54
Indoor Sport	To be calculated using the Sport England Facility Calculator			

Table 4

For clarity the Open Space Strategy 2013 and the sports standards set in table 2 of CS15 are the evidence that support Policy CS15 and the mean to assess the provision of sports and recreation for this application. It is worth noting, the proposal exceeds the standards set by Open Space Strategy 2018 but an analysis of the public open space and its compliance with Policy CS15 and Open Space Strategy 2013 is as follows:

- Parks. The provision exceeds the policy requirement.
- Natural Open Space. The provision exceeds the policy requirement.
- Amenity Green Space. The provision exceeds the policy requirement.
- Facilities for Children and Facilities for Young People. 5no. Local Equipped Area for Play (LEAP) and 1no. Neighbourhood Equipped Area for Play (NEAP). The NEAP is located centrally adjacent to the sports pavilion and pitches with the LEAPS scattered around the remainder of the site. The LEAP is an area of open space specifically designated and laid out with features including equipment for children who are beginning to go out and play independently close to where they live, usually within 5 minutes walking time. The NEAP is an area of open space specifically designated, laid out and equipped mainly for older children but with play opportunities for younger children as well and located within 15 minutes' walk from home.
- Outdoor Sports Facilities. The development proposes 12no. grass football pitches for varying age group and pitch sizes. A senior cricket pitch is proposed, although it share this with two football pitches. Further to this a football pitch, MUGA and two tennis courts are proposed on the primary school site and a bowling green at the care home site which would all be made available for public use under a Community Use Agreement. The provision exceeds the policy requirement.
- Allotments. The provision exceeds the policy requirement. The location on the north side of the Broadnook Spinney and backing onto fields is considered appropriate as is the layout and provision.
- Indoor Sport Provision. The request for a contribution towards a new swimming pool is not considered CIL compliant and is not included in the overall provision – this is discussed further in the Obligations chapter. Whilst there is no evidence of demand for a sports hall a Indoor Sports Provision a multi-purpose Community Hall is proposed, enabling a sports programme to be accommodated alongside social and arts pursuits. The main hall's dimensions are 18m x 10m x 6.4m

The walking times for the LEAPs and NEAP are such that the site is adequately served by the NEAP but a small area to the north of the phase 1 dwellings is not within the stated walking time for a LEAP. There is some variation on exactly what these distances and times are with agencies that said the site as a whole is linked by integrated footpaths, green corridors and a high level of parks and amenity space.

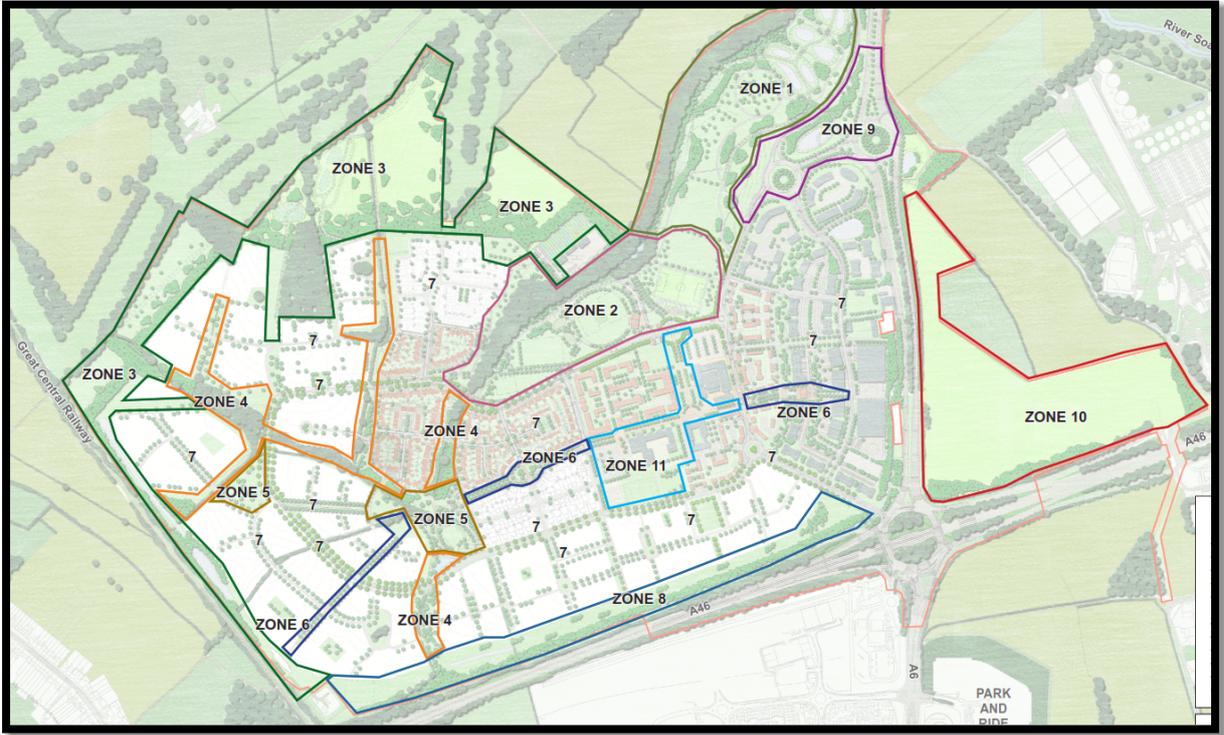
It is considered that the proposal provides an accessible, comprehensive and high quality network of multi-functional green spaces. These spaces have been designed to accommodate the recreational and outdoor sports provision of the new community spread evenly over the site and served by an interconnected series of footpaths and cycle ways. Further the landscape and ecology impact has been mitigated and incorporated in the green infrastructure.

The comments and request for a contribution towards a swimming pool extension at a local pool are noted. Policy CS20 is specific to the application site and has a list of requirements. The policy relates to a direction of growth rather than an Sustainable Urban Extension and does not include any specific requirements for a swimming pool in either the policy or appendix 2 of the core strategy. As such the policy framework and supporting information do not justify and is neither directly related to the development or fairly and reasonably related in scale and kind to the development. For these reasons this particular request is not considered to satisfy the requirements of paragraph 56 of the National Planning Policy Framework and does not form part of the S106 Obligations drafted in recommendation A.

Overall in the assessment of Ecology, Green Infrastructure and Open Space, for the reasons given above are considered acceptable and in accordance with Core Strategy Policies CS12, CS13, CS15.

Long term Management of Green Infrastructure and Open Space

The proposal is supported by a Landscape and Biodiversity Management Plan. The plan details the landscape and maintenance operations for the new residential development and is divided into 11 zones which are detailed below in the plan.



Plan Extract 3

- Zone 1: Foxfield Countryside Park
- Zone 2: Sports Park
- Zone 3: The Northern and Western Woods
- Zone 4: The Greenways
- Zone 5: Three Parishes Park and Railway and Railway Heights Park
- Zone 6: Central Walk
- Zone 7: The Boulevards and Streets
- Zone 8: Southern Linear Park
- Zone 9: Parkway
- Zone 10: Fillingate Fields
- Zone 11: Central Spaces

The Landscape and Biodiversity Management Plan provides details of the management of Public Open Spaces and cross references to submitted detailed drawings. If members are minded to support the application they may wish to consider that the following proposed planning conditions are relevant:

- A condition requiring details for each phase or sub phase of development, including green infrastructure, open space, play space, informal and formal sports, recreation facilities and allotments.
- A condition seeking further details on top of those in the Landscape and Biodiversity Management Plan.
- A condition seeking a Green Infrastructure Biodiversity Management Plan for each phase or sub phase.
- Conditions seeking details and implementation of children’s play areas.
- A condition seeking the further involvement of Sport England in agreeing details and a programme of implementation of the sports pitches.

The provision of sports, recreations, landscape, green infrastructure and biodiversity is a key aim of the Garden Suburb and is essential in providing a well-connected, well designed and well landscaped site. It is considered that the proposal achieves this and sets both the framework for further applications to follow and for management of these matters. It is expected that the overall management plan would be updated as the subsequent reserved matters applications come forward.

Overall it is considered that there would be no sustainable reason, subject to appropriate planning conditions and obligations, why the development as proposed could not be delivered in an acceptable manner and that the development subject to the outline planning permission could not be brought forward at the reserved matters stage that could accord with the requirements of Policy CS12, CS13, CS15 and CS20 of the Core Strategy and the aims and objectives of the NPPF.

Flood risk and Drainage

Policy CS16 of the Core Strategy encourages sustainable design and construction and seeks to direct development to locations within the Borough at the lowest risk of flooding. It also supports developments which reduce flood risk elsewhere and requires new developments to manage surface water run off with no net increase in the rate of surface water runoff for Greenfield sites. Policy CS 20 relating to this direction of growth, expects the designs of buildings and spaces within the proposed development to be adaptable to future climatic conditions including extremes of temperature, drought and flooding. In addition, it requires development that provides appropriate Sustainable Drainage Systems and flood alleviation measures and, where possible, to reduce flood risk associated with Rothley Brook. Core Strategy Strategic Objective SO10 seeks to reduce the risk to people and properties through flooding in vulnerable locations in Loughborough and the Soar and Wreake valley villages. Paragraph 163 of the National Planning Policy Framework requires local planning authorities to ensure that, when determining planning applications, flood risk is not increased elsewhere and to only consider development in areas of flood risk where, informed by a site-specific flood risk assessment, will not put the users of the development at risk.

The Flood Map for the north of Birstall confirms that the application site lies entirely within Flood Zone 1, (Low Probability), land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%). The Borough Council commissioned a Strategic Flood Risk Assessment in 2014 to inform the 2015 Core Strategy. The Strategic Flood Risk Assessment requirements are to:

- protect flood plains from inappropriate development;
- ensure no increase in flood risk;
- where possible provide flood risk betterment;
- ensure development is safe;
- ensure the natural watercourse system which provides drainage of land is not adversely affected;
- provide a minimum 8m width access strip to watercourses for maintenance and introduce appropriate landscape for open space and biodiversity benefits;

- deliver surface water drainage by site-relevant sustainable drainage techniques.

The site includes relatively higher ground and covers the northern half a localised plateau including part of the western, northern and eastern slopes. The topography falls in three directions towards the Great Central Railway to the west, towards Rothley Brook to the north and to the River Soar to the north-east (which is generally at the relatively lower level range of 57m-53m AOD). The topography has been assessed in the hydrology, drainage and flood risk assessments.

The applicant's January 2019 submission includes an addendum to the original hydrology drainage and flood risk assessment taking into account the increase in housing numbers. It should be noted that the red line application boundary includes land both sides of the A6 but that the built development is confined to the west within the north-west quadrant formed by the A6 and A46 primary roads. The Broadnook Framework Plan and Parameter Plans define the disposition of land uses and primary infrastructure. The application site and parameter plans confirm that very significant areas (some 43% of the overall Framework Plan Area) are given over to multi-purpose green infrastructure, a key element of the proposed garden suburb character.

The Lead Local Flood Authority has reviewed the updated submission and confirms that the application is acceptable in their view subject to the inclusion of planning conditions. Severn Trent responded to the original consultation and raised no objections subject to the addition of conditions. The comments of the Lead Local Flood Authority, Environment Agency and Severn Trent are noted. It is considered that the application has satisfactorily demonstrated how the surface water within the development would be adequately managed and that there would be no net increase in the rate of surface water run off for Greenfield sites. Furthermore, it is considered that the foul sewage appropriately and can be secured by planning conditions.

Overall it is considered that there would be no sustainable reason, subject to appropriate planning conditions, why the element of the proposal subject to the full planning permission could not be delivered in an acceptable manner and that the elements of the proposal subject to the outline planning permission could be brought forward at the reserved matters stage in a way which would accord with the requirements of Policy CS16, CS20 and SO10 of the Core Strategy and the aims and objectives of the National Planning Policy Framework.

The effect on the loss of agricultural resources including Best and Most Versatile Land

Policy CS16 – Sustainable Construction and Energy seeks that development is encouraged to use previously developed land and that new development protects our most versatile agricultural land. National Planning Policy Framework paragraph 170 seeks to enhance the natural and local environment by a number of factors including: *“recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and loss of trees and woodland.”* Footnote 53 of the NPPF notes that *“where significant development of*

agricultural land is demonstrated to be necessary, areas of poorer quality should be preferred to those of higher quality.”

The application site comprises of 204 hectares mainly used for arable crops, with a network of mature hedgerows and a linear copse of trees that run from the north of the site at an angle to the centre of the site. The survey submitted with the application confirms that there is no grade 1 land with approximately 10% of the application site being classed as grade 2 land, 5% of grade 3a and 85% of grade 3b land. The remaining land is woodland and hard standings.

The site is predominantly covered by heavy clay soil which is graded as 3b with only 15% of the land denoted as best and most versatile. The loss of these agricultural fields is therefore in terms of Environmental Impact Assessment considered ‘less than significant’. The development of these fields was a consideration in the allocation of the site for the North of Birstall Direction of Growth in the Core Strategy which in turn assessed the site under the overarching Sustainability Assessment.

The siting of the access, the indicative layout and green infrastructure show that the existing field boundaries have where possible been retained. With the further requirements of Policy CS20 and with the suggested conditions, it is considered that the proposal accords with the aims of Policies CS11, CS12, CS13, CS16 and CS20.

Impact of the proposal on heritage assets

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building local planning authorities have to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an authority's planning function, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

The National Planning Policy Framework at paragraphs 189, 190, 193 and 196 requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset. Paragraph 187(b) of the National Planning Policy Framework requires that local planning authorities have access to up-to-date evidence about the historic environment in their area and use this to: *“Predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.”* Further to this Annex 2 to the National Planning Policy Framework states that there will be an archaeological in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation as some point.

Policy CS14 requires development proposals to protect heritage assets and their setting; supporting developments which have been informed by and reflect Conservation Area Character Appraisals, Landscape Character Appraisals and Village Design Statements; and supporting developments which incorporate Charnwood's distinctive local building materials and architectural detail.

In terms of built heritage, there are no listed buildings or conservation areas within or adjacent to the application and as such there are no direct impacts on any built designated heritage assets. The potential impact on built heritage assets is considered in terms of potential for indirect impact on their settings in the Environmental Statement. Rothley Park and the Rothley and Rothley Ridgeway Conservation Areas are situated to the north of the application site. There are also Conservation Areas at Birstall and Thurcaston. The respective Conservation Areas include a concentration of listed buildings and further listed buildings are situated outside the Conservation Area boundaries. The Borough Council has also identified “locally listed” buildings. Two scheduled monuments are noted – a Saxon Cross at Rothley Parish Church and the site of a Roman Villa adjacent the junction of Swithland Lane Rothley with The Ridgeway.

The conclusions from the heritage assessment are as follows:

- Nearby Conservation Areas and other designated heritage assets including Listed Buildings and Structures will experience no impacts from development.
- The masterplan will not impact on intervisibility between the Site and designated heritage assets, nor will there be an impact on intervisibility between heritage assets; The Significance of the physical presence of the identified heritage assets and their settings will not be affected.
- The proposals will have a negligible effect on the appreciation of architecture and the historic legibility of the respective Conservation Areas;
- The potential impact on designated heritage assets will be Negligible and no mitigation is therefore considered necessary.

As there are no heritage assets on site and with the distances between the application site and the nearest heritage assets combined with the physical geography of the land, it is considered that in this respect the assessment is correct.

In terms of archaeology, Extensive archaeological investigation has occurred over parts of the study area since 1976 related to several development proposals and infrastructure projects including A6 and A46 roads, pipeline proposals, Hallam Fields development and the Park and Ride. As part of the Environmental Statement submitted to accompany the planning application in 2016 a desk-based assessment was undertaken which recommended further evaluation, particularly with respect to those areas of the overall study area which had not been subject to earlier investigation. Field walking was subsequently undertaken, by Cotswold Archaeology, across those previously unexamined areas and a comprehensive geophysical survey completed over the whole area by Phase Site Investigations.

The 2016 archaeological assessment concluded the following: *“None of the known undesignated heritage assets is of greater than regional significance and there would be no requirement for physical preservation in situ. Proportionate and targeted trial trenching is proposed to be undertaken at the pre-or post-planning stage prior to any enabling works to confirm the geophysical and field walking results. The final method of investigation will be agreed in consultation with Charnwood Borough Council as part of the planning application process. The area of the hybrid planning application the subject of detailed proposals will incorporate a scheme of trial trenching prior to determination and/or implementation leading to preservation by record.”*

Following the 2016 assessment further proportionate and targeted trial trenching and further geophysical surveys of anomalies were undertaken in 2017. The addendum to the Environmental statement in 2019 covered both the 2016 and 2017 work and considered the potential impacts of the revised proposal on the archaeological assets on site. The 2019 addendum concluded: *“The interim conclusions in the Environmental Statement were confirmed by the programme of evaluation (Clapton 2017, 41). The overall strategy set out in the ES is not materially affected by the changes to the housing mix proposed for the SUE. In the first instance, a condition attached to a planning permission for Phase 1 development would secure the preparation and implementation of a Written Scheme of Investigation that details the scope of work for fieldwork, post-excavation assessment, analysis, reporting, archiving and publication as appropriate in advance of intrusive groundworks commencing. Additional investigation will be required during subsequent phases of development and can be secured through conditions on detailed planning applications. Further evaluation may also be required in advance of detailed planning permissions being granted for individual development phases.”*

Having reviewed the ES addendum and the 2016 and 2017 studies, it is considered the above comments and conclusion are a fair and reasonable analysis of the archaeological heritage of the site and surroundings.

Paragraph 189 of the NPPF states that: *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. When a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-base assessment and, where necessary, a field evaluation.”*

Paragraph 190 of the NPPF states: *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking into account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”*

It is noted that on the basis of the information submitted in January 2019 Historic England do not offer any comment. It is considered that the cultural heritage supporting evidence submitted in its entirety satisfies the requirements of paragraph 189 of the National Planning Policy Framework.

Paragraph 196 of the National Planning Policy Framework states: *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

One of the stated aims of Policy CS20 is that the development on this site must protect the historic and archaeological feature including the setting of Rothley Park and Rothley Conservation Area Park in accordance with Policy CS14. This planning application seeks hybrid permission for the same use and is the first application in the implementation of the development of this development site. The proposal would therefore assist the Borough Council in the delivery of a key development site and bring forward economic development in terms of business development and jobs. As the development proposal would lead to less than substantial harm it is considered that this harm is outweighed by the public benefits detailed above and as such accords with paragraph 196 of the National Planning Policy Framework.

In conclusion and in accordance with the Act, guidance contained within the National Planning Policy Framework. and Core Strategy Policy CS14, it is considered the proposed development would cause less than substantial harm to the significance of the designated archaeological and heritage assets and their setting. Given the public benefits weighed against this the proposal is considered appropriate given the aims and objectives of legislation, policies of the Development Plan and the National Planning Policy Framework.

Impact of the proposed local centre on town centres

Core Strategy Policy CS9: 'Town Centres and Retail' requires impact assessments for proposals for main town centre uses in edge of centre or out of centre locations where the gross floor space proposed is above 1,000 sqm in Loughborough. Core Strategy policy CS20: North of Birstall Direction of Growth requires community facilities that amongst others references: *"providing one accessible Local Centre as part of an early phase of development, including as a minimum, local shops and a small supermarket..."*

The National Planning Policy Framework. at paragraph 89 lists those factors that should be considered as part of an impact assessment for retail development:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

The National Planning Policy Framework, at para 90 states that: *"Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 89, it should be refused"*.

As part of the overall development proposal a local centre is proposed. In support of the application the Council has received a detailed retail statement that responds to the need for an assessment. It should be noted that the retail statement was submitted when the number of proposed dwellings was at 1,650. As stated the proposed dwellings have increased to 1,950 but the amount of retail provision and the indicative location have not changed and as such it is considered that the retail statement is robust in this accord. The retail statement is a supporting document to the planning

application that sits outside the Environmental Statement. Further the Local Centre and any retail element that forms part of it are in outline for this hybrid application and the detail would therefore fall to a subsequent reserved matters application.

For the purposes of this assessment the 'Local Centre' is expected to comprise a supermarket with supporting shops and services. This Local Centre is intended to serve a local catchment generated primarily by the residential population of the proposed development. A range of standard service uses are anticipated be provided, for example a hairdressers, café, take-away, pharmacy etc. to create a neighbourhood parade of retail services alongside the other complementary uses.

In accordance with Policy CS9, the retail assessment includes a sequential test and impact tests in relation to the proposed supermarket. Policy CS20 does include reference to a range of services that must be included within the Local Centre for the North of Birstall Direction of Growth one of which is a small supermarket.

The retail assessment concluded that the impacts are not significant and are further lessened when fully taking into account likely inflow of potential customers from surrounding areas outside the study area. The sequential test concludes that there are no suitable and available sites that have been identified and the proposal therefore passes the sequential test. It is considered the retail impact assessment has taken a rigorous test of the area, analysis of population and growth, existing shopping patterns, future shopping patterns with commitments, proposed store turnover and trade draw. The conclusion being that the breadth of retail centres studied in the area are in general healthy and that the impact of the retail centre on these other centres would be minimal. It is important to note that the assessments were based on the convenience stores only and not the small non-convenience uses.

Policy CS9 sets the threshold for town centre uses in out of centre locations as 500m². Policy CS20 seeks to provide a new integrated development which needs to include a selection of services at its centre, to serve the new development and ensure the proposal is both sustainable and satisfying the garden suburb principles. As the site is not previously developed and outside the town centre it is a nuance of the policy framework that a retail assessment and impact assessment needs to be undertaken. Both of these have been submitted with the application which concluded that the development would not impact economically on the surrounding area and that there are no sequentially better sites. However, as the town centre uses have not been fully addressed it is proposed that the town centre uses in the Broadnook Centre have a further assessment prior to submission of the reserved matters application.

The size of the retail provision is broadly in line with the policy aspiration for the North of Birstall Direction of Growth as it can be controlled through condition. Further to this with the S106 legal Agreement controlling the uses and the suggested obligations, overall the proposal is considered acceptable in this regard.

Impact on geological and mineral resources

Policies CS16 and CS20 of the Council's Core Strategy requires the assessment of geological and mineral resources. Policies M11 and M12 of the Leicestershire Minerals and Waste Local Plan (adopted 2019) sets out the policies and proposals for

the development and use of land for minerals. It sets the key principles to guide the future of winning and working minerals in the County and in this instance, the safeguarding of mineral resources.

The County Council, as Mineral Planning Authority, has reviewed the assessment submitted and raised no objection to the proposed development in respect of mineral safeguarding. Part of the application site lies within a Sand and Gravel Mineral Consultation Area, the purpose of which is to ensure that mineral resources are not needlessly sterilised by non-mineral development.

The Environmental Statement accompanying the planning application addresses the issue of mineral sterilisation, and a programme of intrusive investigation and associated testing has been undertaken to assess the potential mineral resource and any impact on sand and gravel deposits.

Overall in the assessment of geological and mineral resources the proposals are considered acceptable and in accordance with Core Strategy Policies CS16 and CS20, Policies M11 and M12 of the Leicestershire Minerals and Waste Local Plan and the aims of paragraph 203 of the National Planning Policy Framework.

Planning Obligations

Policies CS3, CS17, CS20 and CS24 of the Core Strategy requires the delivery of appropriate infrastructure to meet the aspirations of sustainable development either on site or through appropriate contribution towards infrastructure off-site relating to a range of services.

Paragraph 56 of the National Planning Policy Framework. states that: Planning obligations must only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Paragraph 56 of the National Planning Policy Framework. cross references Regulation 122 of the Community Infrastructure Levy Regulations 2010. The tests in Regulation 122 are the same as those in paragraph 56 of the National Planning Policy Framework. and as such the appropriate compliance tests are contained in the national policy framework and statutory legislation.

Appendix 1 lists the overall suite of draft planning obligations sought in response to this application, with a summary of the mechanism, CIL compliance, planning policies and draft thresholds for delivery. The suite of draft planning obligations has been thoroughly reviewed such that the basket of obligations as a whole is considered CIL compliant and acceptable. This is reflected in recommendation A, which sets out the heads of terms for the S106 legal agreement.

Work has commenced on the scope of a draft s106 Legal agreement and the applicant has been made aware of the contributions being requested. The s106 agreement has not been completed but Recommendation A seeks delegated powers to the head of

Strategic Support to pursue and complete the S106 legal agreement on the basis of the heads of terms listed. It is considered the heads of terms are CIL compliant as they satisfy the three tests in the legislation.

Viability Assessment

The application was originally submitted in August 2016 and included provision for 1,650 dwellings. Significant issues were raised concerning deliverability and other technical matters. A viability assessment was undertaken by the applicant in August 2018 and reviewed by an independent expert on behalf of the Borough Council in November 2018, which informed the member's technical briefing in December 2018. The updated planning submission in January 2019 followed the observations in 2018, namely an increase in housing numbers from 1,650 to 1,950 to address viability and the overall costs associated with the required infrastructure. The viability assessment and the subsequent updated scenarios to this review also assessed the rising education contributions over the period of the application.

A value engineering exercise was undertaken in 2018 to review all planning obligations and to drive down costs. The result is a package of planning obligations that are necessary and reasonable in scale and kind and are otherwise compliant with the CIL Regulations.

A further member technical briefing in October 2019 confirmed that the local highway authority has no objections to the revised application involving the increase in dwelling numbers subject to planning conditions and obligations. On the 16 October 2019 Highways England also confirmed it had no objections. However, the higher than normal infrastructure costs for the site is challenging and viability remains marginal. The resulting package of obligations leads to a level of affordable housing that is below the 30% aspiration of Policies CS3 and CS20 as previously described in this report. The applicant's detailed viability assessment, which accords with guidance in national policy and the supporting text to Policies CS3 and CS20, concludes the scheme is only viable with the provision of at best 21% affordable housing provision (although see below).

Throughout the process the applicant has updated scenarios for the local planning authority in relation to viability and in turn the planning authority has had these updates checked by the District Valuer. The District Valuer confirms the following: *"We have reviewed the assessment and various appraisals undertaken by Tustain Associates dated August 2018, October 2019 and February 2020. My assessment has been made by comparing the residual value of the proposed scheme with an appropriate Benchmark Land Value (BLV) figure having regard to the National Planning Policy Framework and the published RICS Guidance Note into Financial Viability in Planning.*

It is confirmed that the viability assessment has been carried out by a RICS Registered Valuer, acting in the capacity of an external valuer, who has the appropriate knowledge and skills and understanding necessary to undertake the valuation competently, and is in a position to provide an objective and unbiased assessment.

Overall assessment:

In our report dated 8 November 2018 we reported that a policy compliant scheme was not viable and sensitivity testing was recommended in order to determine the level of affordable housing and tenure mix that was achievable.

This has been undertaken by Tustain in both October 2019 and February 2020 and we are prepared to agree that the following are reasonable conclusions and show the viable amount of affordable housing at different tenure mixes:

- 1) 1,950 unit scheme with 319 affordable units (16.36%) on the basis of 50% rented, 25% shared ownership and 25% discounted.*
- 2) 1,950 unit scheme with 410 affordable units (21.03%) on the basis of 33% rented, 33% shared ownership and 34% discounted.*

In both cases the section 106 contributions total £30,506,998.”

The development as proposed is as the result extensive discussions with a wide number of agencies and the resultant officer recommendation is only possible on conclusion of these detailed discussions. The opportunities to refine the proposed development and the associated planning obligations have been fully explored by officers. The obligations as proposed mitigate for the development and accord with the tests in the National Planning Policy Framework and the Community Infrastructure Levy. The provision of affordable housing is an aspiration that has had to be measured in assessing the overall mitigation of development impacts. As such there is no scope to refine the obligations and the report is put to members on the basis of that detailed in the report and the decision in recommendations A and B.

Travelling show people

Policy CS5 of the Core Strategy – Gypsies, Travellers and Travelling Show people – states: “We will support sites for gypsies, travellers and travelling show people that are:

- closely related to a town or village;
- appropriate in scale;
- well-related to local infrastructure and services, including safe and convenient access to the road network; and
- do not cause significant detrimental impact to the existing community.”

Policy CS20 seeks a site for at least 4 show people in accordance with Policy CS5

The Planning Policy for Traveller sites lists the Government's key aims in relation to the siting of Traveller sites, including:

- that decision taking should protect Green Belt from inappropriate development;
- to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites;
- to increase the number of traveller sites in appropriate locations with planning permission,
- to address under provision and maintain an appropriate level of supply;
- to reduce tensions between settled and traveller communities in planning decisions;

- to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure; and
- to have due regard to the protection of local amenity and local environment (p1-2).

The applicant proposes a site of 0.4ha on the southeast corner of the application site which would serve 4 show people albeit this would be outline with the detail to follow. The specifics of a travelling show people site is that they need a larger area to store their machinery and rides. The location adjacent to the commercial area but in walking distance of the district centre is considered to be appropriate as the site area.

Overall it is considered that there would be no reason, subject to appropriate planning conditions, why a development could not be brought forward at the reserved matters stage that could accord with the requirements of Policy CS5 and CS20 of the Core Strategy and the aims and objectives of the National Planning Policy Framework.

Other Matters

Saved Policy EV/31 of the Local Plan seeks to ensure that the capacity of sewage works is maintained and that future capacity is not compromised. Policies CS2 and CS20 of the Core Strategy and EV/1 of the Local Plan which seek to deliver high quality design and an appropriate residential environment are also relevant in this regard.

The Environment agency initially raised concerns that the proposed development would fall within 250m of Severn Trent Water's Wanlip sewage treatment works and Anaerobic Digester Installation plant, and also Biffa Leicester Limited's Wanlip Anaerobic Digestion Installation plants. The Borough Council Environmental Health Officer and the Environment Agency raise no objections further to updated Bioaerosol Risk Assessment and Odour Assessment and therefore the proposal is considered acceptable in terms of Policies EV/31, EV/1, CS2 and CS20.

CONCLUSIONS

Environmental Statement

As set out in the Planning Practice Guidance, there are specific arrangements for considering and determining planning applications that have been subject to an Environmental Impact Assessment. It includes consideration of the adequacy of the information provided, consultation, publicity, and informing the public of the decision and the main reasons for it. A local planning authority should take into account the information in the Environmental Statement, the responses to consultation and any other relevant information when determining a planning application.

It is considered the proposals have adequately addressed likely significant and cumulative impacts of the development on the environment and the responses of Statutory Consultees and provided sufficient evidence to demonstrate that the significant environmental impacts have been mitigated, managed and assessed.

The Hybrid Planning Application

A Direction of Growth for a sustainable urban extension to the north of Birstall is identified in the Core Strategy under Policies CS1 and CS20 with the development expected to be a Garden Suburb. As a result, there is no objection in principle to a proposal for a Garden Suburb in this location. The application proposes 1,950 homes and 15 hectares of employment land. Policy CS20 seeks to meet the housing needs of the Borough by delivering approximately 1,345 homes by 2028. Due to the period of time since the application was submitted and the increased infrastructure costs the higher number proposed is considered to be acceptable as the proposal as a whole conforms with the key aims of the policy and in particular the garden suburb principles. The Thurstaston and Cropston Parish Neighbourhood Plan reflects the allocation in the Core Strategy.

Having carefully considered the application submission, all consultation responses and the views of neighbouring and nearby residents, it is considered that the proposals accord to planning policy having taken into account relevant policies of the Development Plan, including policies CS1, CS2, CS3, CS5, CS9, CS10, CS11, CS12, CS13, CS14, CS15, CS16, CS17, CS18, CS20, CS24 and CS25 of the Core Strategy and saved policies ST/2, CT/1, CT/2, CT/4, EV/1 and TR/18 of the Local Plan and the associated guidance and material considerations including and the aims and objectives of the National Planning Policy Framework and associated guidance and Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

RECOMMENDATION A:-

That authority is given to the head of Planning and Regeneration and the Head of Strategic Support to enter into an agreement under section 106 of the Town and Country Planning Act 1990 to secure improvements, on terms to be finalised by the parties, as set out below:

1. Education.

Early years.

- To provide a purpose built day nursery at Broadnook Centre for 166 places or a shared facility in combination with the Community Resource Centre.
- To confirm a backstop for the provision of a purpose built day nursery at either the Community Resource Centre or the Primary School.
- Overall Early Years Project to be subject to a maximum financial contribution of £1,476,335.20 to be safeguarded and index-linked.

Primary

- Reserve a site of 3 hectares for a 3FE – 630 place – Broadnook Primary School;
- Site to be made available fully prepared, serviced and accessed prior to the occupation of no more than 200 Class C3 dwellings;
- to commission and complete the build (or make funds available to LCC as an alternative delivery mechanism) of the Primary School Phase One to provide capacity for 420 places with infrastructure for a 630 place school

(which shall include the School Hall(s), kitchens, office space etc.) scheme, prior to the occupation of no more than 300 Class C3 dwellings;

- to commission and complete the build (or make funds available to LCC to procure) of the Primary School Phase Two scheme, to provide for 573 places overall prior to the occupation of no more than 1,200 Class C3 dwellings;
- Overall Primary School Project to be subject to a maximum combined financial contribution amounting to £8,361,216 to be safeguarded and index-linked;

Secondary

- Overall Secondary School Project to be subject to a maximum financial contribution amounting to £6,848,653.10, to be safeguarded and index-linked and provided in equal instalments prior to the occupation of no more than 500, 1000 and 1500 Class C3 dwellings;
- Delivery details to be approved through an Education Delivery Review process.

Special Needs.

1. An overall financial contribution of £1,038,303 to be safeguarded and index-linked and provided in equal instalments prior to the occupation of no more than 500, 1000 and 1500 Class C3 dwellings;
2. Community Contributions
 - to provide a Community Resource Centre (Broadnook Hall) of mixed uses based on the proposal defined by the Broadnook Centre Planning Brief and in accordance with CBC Planning Advice (P/19/0007/2);
3. Community Facilities
 - Broadnook Hall will provide for a combination of community facilities and healthcare facilities, the community facilities element of Broadnook Hall will be subject to a maximum financial contribution of £4,250,000;
 - a further financial contribution amounting to £58,850, index-linked, towards the provision of a community managed library at Broadnook Hall;
4. Healthcare facility
 - as part of Broadnook Hall the Healthcare Facility will include consulting, treatment, reception and waiting rooms and accommodation for a dentist;
 - a Healthcare Facility contribution of £1,172,468;
5. Broadnook Centre Public Realm
 - the sum of £700,000 to fully implement the external works associated with Broadnook Hall including Maypole Square and Gardens;
6. Broadnook Hall Implementation and Review
 - Broadnook Partnership to commence construction of Broadnook Hall in accordance with approved plans and within budget available prior to the occupation of no more than 400550 Class C3 dwellings and to complete construction of Broadnook hall prior to occupation of no more than 1000 Class C3 dwellings;

7. Bike Facilities

- the sum of £100,000, index-linked, to the Broadnook Partnership prior to the occupation of no more than 3500 Class C3 dwellings to include Broadnook e-bike facilities;

8. Broadnook Village Trust

- to ensure the establishment of the Broadnook Garden Village Trust prior to the occupation of any Class C3 dwellings;

9. Broadnook Community Development Worker

- to make available the sum of £809,942, index-linked, as an endowment to support the establishment and early years operation of the Broadnook Garden Village Trust until it becomes self-sustaining;
- Broadnook Garden Village Trust shall appoint an appropriate person to initiate activities and engagement with the new community

10. Broadnook Warden – accommodation

- to make and to keep available (i.e. first refusal) a 2-bed apartment administered by the registered provider (Broadnook Partnership) at Broadnook Hall for the occupation (if so desired) by a Warden/Caretaker employed by the Broadnook Garden Village Trust;

11. Broadnook Liaison Group – The Broadnook Foundation

- to establish the Broadnook Foundation - in order to facilitate local community liaison, engagement and consultation to cover the interim period prior to the full functioning of the Broadnook Garden Village Trust and/or Broadnook Parish Meeting/Parish Council

12. LCC Civic Amenities Contribution

- to make available a financial contribution of £100,756, index-linked, to increase capacity at the Mountsorrel Civic Amenity Site by extending the waste storage and recycling areas;

13. Site for Travelling Show People

- to submit to the Borough Council for approval a Scheme for a Site for Travelling Show people prior to the occupation of no more than 750 Class C3 dwellings;

14. Initial Provision of Social, Community, Management and Marketing Facilities
Foxfield Park Pavilion

- in order to provide initial facilities for social and community purposes, establishment of the Trust Management Body and joint Broadnook Marketing1 the Foxfield Park Pavilion (with associated access, landscaping and car parking2) shall be brought into use (incorporating a suitable interim internal layout and specification) prior to the occupation of any Class C3 dwellings;

15. Green Infrastructure, Public Realm and Open Space

- to make an overall financial contribution of £1,600,000, index-linked, to facilitate the phased provision and the ongoing management and maintenance of the Broadnook green infrastructure by the Broadnook Garden Village Trust until such time as the Trust becomes self-sustaining;

16. Sustainable Drainage Management and Maintenance

- to make a financial contribution of £487,864, index-linked, to enable the ongoing management and maintenance of sustainable surface water drainage measures by either the local authority, a management company or the Broadnook Garden Village Trust;

17. Artificial Grass Pitch (AGP) The Cedars

- to make available at a peppercorn rent and on suitable terms and conditions, 3.2 acres of land adjacent to Cedars Academy boundary as identified on Plan A, to enable the provision of a full size AGP;

18. Transportation Measures

- A sum of £500,000, A6 Corridor Traffic Signals Improvement Scheme, £200,000 will be made available prior to the occupation of no more than 100 Class C3 dwellings;
- to make available a sum of £38,600 Installation of Urban Traffic Controller (UTC) and CCTV at A607/Melton Road Signalised Junction
- MOVA Revalidation Works at A607/Melton Road Junction. to make available a sum of £1,500, index-linked, prior to the occupation of no more than 600 Class C3 dwellings to enable the revalidation of MOVA at the A607/Melton Road signalised junction; to make available the sum of £1,500, index-linked, prior to the occupation of no more than 1100 Class C3 dwellings to enable the further revalidation of MOVA at the A607/Melton Road signalised junction.
- a sum of £22,500 for A6 Traffic Regulation Orders
- Bus Service Contribution of £150,000 per year for a period of 5 years (i.e. up to a maximum sum of £750,000) shall be paid to the County Council to enable the service to be provided.
- Travel Packs. to provide travel packs to inform all new residents and employees – one per dwelling and per employee from first occupation – on the sustainable travel choices available in the surrounding area including

incentives to encourage sustainable travel modes – supplied by Leicestershire County Council at £52.85 per pack.

- Bus Passes. to provide 6 month bus passes at the rate of £360 per pass; two per dwelling and one per employee (2 application forms to be included in Travel Packs) in order to encourage new residents and employees to use bus services and to promote usage of sustainable travel modes.
- Travel Plan Costs
- Off-Site Public Rights-of-Way Network Enhancement

19. Affordable Housing.

- to provide 16% of the total number of Class C3 dwellings as affordable homes (i.e. 319 of 1,950) with a tenure mix of 50% (160) affordable rent; 25% (80) shared ownership; 25% (79) discounted market sales.

20. The Assisted-Living Retirement Village – Use Class C2

21. Broadnook Centre Land (other than Broadnook Primary School and Broadnook Hall) and Employment Land

22. Affordable housing fall back clause

- An overall requirement that if any of the identified allocations are not used within 5 years of the date of decision then any shortfall is redirected to provide a greater percentage of affordable housing up to a maximum of 30%.

23. Charnwood Borough Council Obligation monitoring fee. To be based on a pro-rata basis payable on a phased basis with details to be agreed.

RECOMMENDATION B:

That subject to the completion of the agreement in recommendation A above, planning permission be granted subject to the following conditions with authority given to the Head of Planning and Regeneration and the Head of Strategic Support to vary (including add or delete) the conditions and informative notes insofar as is necessary:

Time Limits

1. The development shall commence within three years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters, whichever is the later.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The first application for approval of reserved matters for the first phase or parcel of development in that part of the site hereby granted outline permission shall be submitted no later than three years from the date of this permission and all subsequent reserved matters applications shall be submitted by no later than fifteen years from the date of this permission.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. No development shall commence until details of the appearance, landscaping, layout, access to and scale (“the reserved matters”) of the relevant phase or parcel of development have been submitted to and approved in writing by the local planning authority. The reserved matters detailed shall be in accordance with the approved parameter plans listed in Condition 15. The development shall be implemented in accordance with the approved details.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Highways

4. No part of the development hereby permitted shall commence until improvement works at the A46/A6 Junction as shown in principle in ADC Drawing No. ADC1684-DR-002 Rev. P5 and LWL Drawings No. LWL-600-012 Rev. D8 and LWL-600-013 Rev. D8 (or as amended by a Road Safety Audit or Detailed Design) have been submitted to and approved in writing by the local planning authority in consultation with Highways England. The scheme shall comply with the design requirements and procedures of the Design Manual for Roads and Bridges, including those relating to road safety and non-motorised user audits, as required by Highways England. The approved scheme shall be implemented and completed in full, in accordance with the approved details, prior to the occupation of the 300th dwelling..

REASON: To ensure that the A46 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the motorway resulting from traffic entering and emerging from the application site and in the interests of road safety.

5. No part of the development hereby permitted shall commence until details of all drainage matters relating to the works to upgrade the A46 Trunk Road, have been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England. The development shall be carried out in accordance with the approved scheme.

REASON: To ensure that the A46 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of

the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

6. Prior to the commencement of development, unless otherwise agreed in writing, the A6 access arrangements and highway works shown as on drawing number LWL/600/002 Rev D28 have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety, for construction traffic and in accordance with the National Planning Policy Framework (2019).

7. Prior to the occupation of the 300th dwelling, the A6/ A46 Birstall Interchange works as shown on ADC drawing number ADC1684-DR-002 Rev P3 shall be implemented in full.

REASON: To ensure mitigate the severe impacts of development traffic in accordance with the National Planning Policy Framework (2019).

8. Prior to the occupation of the 1st dwelling the Hallfields Lane/Cossington Lane works as shown on Drawing ADC1684 -DR-001 Rev P2 shall be implemented in full.

REASON: To ensure mitigate the severe impacts of development traffic in accordance with the National Planning Policy Framework (2019).

9. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum detail of the routing of construction traffic, wheel cleansing facilities, location of construction compounds, construction access, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

10. No part of the development hereby permitted shall be occupied until a Site Wide Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets including the appointment of a Travel Plan Coordinator has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2019).

11. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers,

bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary, nor shall any be erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2019).

12. No development shall be occupied until a scheme for the provision of Rights Of Way and Access Improvements has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority as generally indicated on drawing number BNA 1b dated September 2019. Such a scheme shall include provision for the treatment of the existing Public Rights of Way, their surfacing, width, structures, signing and landscaping and a timetable for their delivery. Also included should be details regarding proposed access improvements including permissive routes.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2019).

Approved Plans

13. The development hereby approved shall be carried out in accordance with the following plans and documents:
- Application Boundary Plan which also defines the Area Subject of Detailed Proposals.
 - Define Drawing Reference DE096.008 Rev D
 - Development Framework Parameter Plan. Define Drawing Reference DE096.001 Rev O
 - Green Infrastructure Parameter Plan. Define Drawing Reference DE096.003 Rev M
 - Land Use and Scale Parameter Plan. Define Drawing Reference DE096.004 Rev O
 - Movement Parameter Plan – Street Typologies. Define Drawing Reference DE096.002 Rev J
 - Movement Parameter Plan – Pedestrian/Cycle Strategy. Define Drawing Reference DE096.005 Rev E
 - Design and Access Statement 1 “A Framework for Broadnook Garden Suburb” dated June 2016.
 - Design and Access Statement 2 “Delivery of the Broadnook Garden Suburb” dated June 2016.
 - Design and Access Statement Addendum (including Street Typologies Revision I) dated January 2019.
 - Green Infrastructure Addendum – Allotments, Outdoor Sports and Play dated January 2019.
 - Broadnook Centre Planning Brief dated January 2019.

REASON: For the avoidance of doubt and to ensure the scheme follows the form of development agreed by the authority.

16. Floorspace for mixed employment uses to be provided within the area indicated as “Employment” on the approved Land Use and Scale Parameter Plan - Define Drawing Reference DE096.004 Rev O shall be limited within Use Classes as follows:

- B1(a) office – up to 7,500m²
- B1(c) light industry – up to 17,500m²
- B2 general industry – up to 10,000m²
- B8 storage and distribution – up to 15,000m²

REASON: To make sure the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development.

Phasing and Delivery

17. The phasing and delivery of development shall take place in accordance with the following plans unless otherwise agreed in writing by the local planning authority.

- Phasing Plan – Housing and Employment Define Drawing Reference DE096.006 Rev E
- Landscape Phasing Munro Whitten Drawing Reference 0638.040 Rev B
- Phase 1 Illustrative Masterplan Define Drawing Reference DE096.010 Rev E
- Comprehensive Phase 1 Landscape Masterplan Munro Whitten Drawing Reference 0638-055 Rev B
- Housing Numbers Per Development Parcels and By Phase WDA Planning Drawing Reference WDA-BGS 48
- Housing Densities Per Development Parcels WDA Planning Drawing Reference WDA-BGS 49

REASON: To assist determination of reserved matters and to ensure that necessary infrastructure provision and environmental mitigation is provided in time to address the impact and needs of the development.

18. Further to the requirements of condition 3, development on any phase, sub-phase or development parcel within the area hereby granted outline permission shall not commence until the following details relevant to that phase, sub phase or development parcel have been approved in writing by the local planning authority:

- (i) development area including range of residential unit numbers and/or floorspace of non-residential uses;
- (ii) site accesses, internal infrastructure including spine road, pedestrian and cycle crossings, footpaths, cycleways, bridleways;
- (iii) the housing mix including the range of housing type, tenure and size to be delivered across each phase or sub-phase of the development that includes parcels of housing;
- (iv) confirmation of the timescale for the implementation of any associated off-site highway infrastructure including highway improvements/traffic management measures;
- (v) green infrastructure including open space, play space, informal and/or formal sports and recreation facilities, allotments;

- (vi) Details of the integration of bat roosting and bird boxes for the residential units;
- (vii) updated badger and bat emergence surveys, including any required mitigation and any other protected species surveys as required;
- (viii) external lighting;
- (ix) public transport infrastructure;
- (x) links to existing rights-of-way;
- (xi) timing and sequencing of development;
- (xii) interface zones where development areas or parcels adjoin.

Where responsibility for an interface zone is to be shared, landscape (hard and/or soft) design principles of the whole zone shall be approved by the local planning authority prior to commencement of any adjoining development parcel. The development shall not be carried out other than in accordance with the approved details.

REASON: To make sure that the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development.

20. In conjunction with the submission of the first reserved matters application a Reserved Matters Programme setting out the strategy for the phase-by-phase submission of reserved matters applications across that part of the site hereby granted outline permission shall be submitted to and approved in writing by the local planning authority. The Reserved Matters Programme shall be in accordance with the Phasing Plans approved under Condition No. 17 above and reserved matters applications shall thereafter be made to the local planning authority in accordance with the approved Reserved Matters Programme unless otherwise agreed in writing by the local planning authority. The Reserved Matters Programme shall include a Plan that indicates the boundary of each reserved matters application and a boundary for a Transition Zone between each reserved matters site and the immediate adjacent reserved matter site.

REASON: To provide clarification on how the development will be delivered to assist determination of reserved matters and to ensure the development is delivered in an acceptable manner.

The Broadnook Centre

21. Reserved Matters applications for the Broadnook Centre area identified on the approved Land Use and Scale Parameter Plan - Define Drawing Reference DE096.004 Rev O shall be generally in accordance with the approved Broadnook Centre Planning Brief (January 2019). The Planning Brief presents a framework for the mix and disposition of uses, access and circulation, public realm, parking, layout, urban design principles, massing and scale.

REASON: For the avoidance of doubt and to ensure the scheme takes the form agreed by the local planning authority and thus results in a satisfactory form of development.

22. Within the Broadnook Centre the supermarket hereby permitted shall not exceed 3,000 (gross floor area) sq.m and 1,600 (nett floor area). No more than 480 square

metres of the nett floor space within this food store shall be used for the sale and display of comparison goods at any time.

REASON: To make sure the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development.

22. Within the Broadnook Centre, excluding the supermarket, there shall be no more than 2,200 sq.m. of other A1 retail, A2 financial and professional services, A3-A5 food and drink, B1 business, D1 non-residential institutions and D2 assembly and leisure uses (cumulative total) and a town centre impact assessment for all the stated uses above shall be submitted prior to the first reserved matters application at the Broadnook Centre.

REASON: To make sure the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development.

Design

23. Prior to the submission of the first reserved matters application for each of housing Phases 2 and 3 identified on the Phasing Plan – Housing and Employment – Define Drawing Reference DE 096.006 Rev E, a Development Framework Planning Brief shall be submitted to and approved in writing by the local planning authority. The Development Framework Planning Brief for each of residential Phases 2 and 3 will include the following details:

- housing and other land use disposition;
- the character, mix of uses and density established through the parameter plans hereby approved to include the block principles and the structure of public spaces;
- the definition and characteristics of transition zones;
- access(es)
- movement corridors (including strategic and principal primary, secondary roads, public transport corridors, pedestrian and cycle routes, greenways etc.);
- street hierarchy including street types and street materials, the principles of adopting highway infrastructure, typical street cross-sections and bus penetration;
- block principles to establish use, density and building typology. In addition, design principles including primary frontages, pedestrian access points, front and back and perimeter of building definition;
- key groupings and other key buildings including information about height, scale, form, level of enclosure, building materials and design features;
- relationship between proposed and existing landscaping and built form;
- hard and soft landscaping and the approach to the character and treatment of both structural planting and other landscaping within and around each reserved matters area;
- green and public open spaces;
- key infrastructure (including SuDs and significant utility provision);

- the conceptual design and approach to green open space and the public realm to include hard and soft landscaping, materials, lighting, street furniture, signage, boundary treatment and public art;
- details of waste and recycling provision for all building types;
- measures to demonstrate how opportunities to maximise resource efficiency and climate change adaption in the design of the development will be achieved through external passive means, such as landscaping, orientation, massing and external building features;
- details of the approach to vehicle parking and cycle parking across the sub-area/development parcel;
- urban design and architectural principles and palette of materials (including colour and texture of external materials and facing finishes for roofing and walls of buildings and structures).

Reserved Matters applications shall be submitted in accordance with the approved Phase 2 and Phase 3 Development Framework Planning Briefs.

REASON: To ensure consistency with the Design and Access Statements and Addendum and the Parameter and Phasing Plans; to ensure a satisfactory form of development and in the interest of the character and appearance of the area.

24. In conjunction with the submission of the first reserved matters application for the area identified as “Employment” on the Land Use and Scale Parameter Plan - Define Drawing Reference DE096.004 Rev O, a Planning and Design Brief for the overall employment area shall be submitted to and approved in writing by the local planning authority. The Brief shall be consistent with the Parameter Plans approved at Condition No. 15 above and include the mix and disposition of employment uses, access and circulation, public realm, layout, urban design and landscaping principles, massing and scale, materials and parking. Further reserved matters application(s) for this employment area shall be submitted in accordance with the approved Broadnook Employment Area Planning and Design Brief.

REASON: To ensure a satisfactory form of development and in the interests of the character and appearance of the area.

25. Further to the requirements of condition 3 all reserved matters applications for that part of the Broadnook application site hereby granted outline permission full regard will be given to the landscaping principles and details shown on the following Munro-Whitten drawings hereby approved:

- Landscape Framework Plan Ref: 0638.009 Rev C
- Landscape Phasing Plan – Existing Site Ref: 0638.036 Rev B
- Landscape Phasing Plan Phase 1 Ref: 0638.037 Rev B
- Landscape Phasing Plan Phase 2 Ref: 0638.038 Rev B
- Landscape Phasing Plan Phase 3 Ref: 0638.039 Rev B
- Landscape Phasing Ref: 0638.040 Rev B
- The Northern Landscape Ref: 0638.005 Rev E The Western Landscape Context Plan Ref: 0638.034

- Location of Illustrative Landscape Sections - Western Slopes Ref: 0638.027 Rev A
- The Western Landscape Ref: 0638.035 Rev B
- Illustrative Landscape Sections – Western Slopes Ref: 0638.026
- The Southern Landscape Context Plan Ref: 0638.034
- Acoustic Mounding Exercise to Southern Boundary Section A-A Ref: 0638.029 Rev C
- Acoustic Mounding Exercise to Southern Boundary Section B-B Ref: 0638.030 Rev E
- Acoustic Mounding Exercise to Southern Boundary Section C-C Ref: 0638.031 Rev C
- Acoustic Mounding Exercise to Southern Boundary Section Lines Ref: 0638.028

The full landscaping details, including transition zones, to be included within each reserved matters application in accordance with Condition No.3 shall accord with the agreed structural landscaping scheme defined by the drawings listed above. The approved site-wide structural landscaping scheme shall be implemented in accordance with the Phasing Plans approved under Condition No. 17.

REASON: To ensure a satisfactory form of development and in the interests of the character and appearance of the area.

Drainage

26. No phase or sub phase of development approved by this planning permission shall take place until such time as a surface water drainage scheme based on the principles contained within the approved Flood Risk Assessment Reference 10223-FRA Rev 7 dated 21.12.2018 compiled by Brookbanks Consulting Ltd and that includes details of prevention of surface water drainage on to the public highway, has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with these approved details before the development in that phase is first brought into use.

REASON: To make sure that the development is provided with a satisfactory means of drainage and to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

27. No phase of development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.

REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase.

28. No occupation of any phase or sub-phase of development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been

submitted to and approved in writing by the local planning authority. The maintenance scheme shall be implemented as approved.

REASON: To establish a suitable maintenance regime that may be monitored over time that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.

29. No phase or sub-phase of development approved by this planning permission shall take place until such time as drainage plans for the disposal of foul sewage have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON: To ensure that the development is provided with a satisfactory means of drainage and to minimise pollution.

30. No phase or sub-phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the local planning authority) shall take place until a scheme 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:

- i. 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.
- ii. A site investigation scheme based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- iii. The results of the site investigation and detailed risk assessment referred to in (ii) 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.
- iv. 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 (iii) 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.

REASON: To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Ecology

31. Notwithstanding the submitted Landscape and Biodiversity Management Plan dated January 2019 no development shall commence until a site-wide Landscape and Biodiversity Management Strategy has been submitted to and agreed in writing by the local planning authority. The submitted Strategy will include further details on:

- aims and objectives of management;
- the retention of existing features and habitats;
- the protection and enhancement of biodiversity including measures to mitigate against the impact of the development;
- the phased implementation of mitigation measures in accordance with the phasing proposals pursuant to Condition No. 9;
- the retention of agricultural land;
- additional protected species surveys if required;
- site preparation and earth modelling/re-grading;
- above ground structures including boundary treatment and outdoor lighting;
- management and maintenance of all aspects of Green Infrastructure;
- a programme of works and implementation;
- monitoring.

Development work will be carried out in full accordance with the approved Strategy unless previously agreed in writing with the local planning authority.

REASON: To ensure that the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development and to ensure the protection of biodiversity.

32. Prior to the commencement of each phase or sub-phase of the development hereby approved a Green Infrastructure Biodiversity Management Plan (GIBMP) for that phase which shall conform to the Strategy approved under Condition No.31 shall be submitted to and approved in writing by the local planning authority. The GIBMP shall include the following:

- description and evaluation of features to be managed;
- ecological trends and constraints on site that might influence management;
- appropriate management options for achieving aims and objectives;
- prescription for management actions;
- preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5 year period);
- bird strike assessment including a report of the findings, together with any mitigation measures deemed necessary;
- details of outdoor lighting of the Green Infrastructure for that phase, sub-phase or development parcel, designed to minimise impacts on biodiversity;
- details of the body or organisation responsible for implementation of the Plan;
- ongoing monitoring and remedial measures.

The approved GIBMP shall be implemented in accordance with the approved details in perpetuity unless agreed in writing with the local planning authority.

REASON: To ensure that the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development and to ensure the protection of biodiversity.

33. Prior to the commencement of each phase, sub-phase or development parcel of the development hereby approved, a Construction Environmental Management Plan (CEMP) for that phase, sub-phase or development parcel, which shall conform to the submitted Framework CEMP (June 2016) and the Landscape and Biodiversity Management Strategy approved under Condition No.31 shall be submitted to and approved in writing by the local planning authority. The CEMP shall include details on the following:

- risk assessment of potentially damaging development activities;
- practical measures to avoid or reduce impacts on biodiversity during site preparation and construction;
- identification and protection of biodiversity protection zones (as identified in the biodiversity management strategy for condition 31);
- timing of sensitive works;
- responsible persons and lines of communication;
- protective fencing, wildlife exclusion barriers and warning signs;
- bird strike risk assessment, including a report of its findings together with any mitigation measures deemed necessary.

The CEMP shall also include details of:

- the means of access and routeing for construction traffic;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- locations of contractor compound(s);
- wheel washing facilities;
- management of surface water run-off on site during construction including details of any temporary localised flooding management system and a scheme to treat and remove suspended solids from surface water run-off during construction;
- temporary highway works;
- hours of operation;
- screening and hoarding details;
- details of a soil handling strategy in accordance with mitigation measures proposed in the applicant's Environmental Statement and Framework CEMP submitted with the application;
- a contact line and communications strategy for local residents and interested parties.

Development work shall be carried out in full accordance with the approved CEMP unless previously agreed in writing with the local planning authority.

REASON: To ensure appropriate mitigation for the impact caused by the construction phases of the development; to prevent an increase in flood risk; to

maintain the existing surface water run-off quality; to prevent damage to the final surface water management systems through the entire development construction phase; to ensure the protection of biodiversity and to reflect the scale and nature of development assessed in the Environmental Statement.

34. Prior to the commencement of each phase or sub-phase of the development hereby approved an Arboricultural Method Statement, prepared in accordance with BS 5837 : 2012 Trees in Relation to Design, Demolition and Construction, shall be submitted to and approved in writing by the local planning authority. Works shall thereafter be carried out only in accordance with the approved details. The Arboricultural Method Statement shall include the specification, location and phasing for the installation of tree and hedge protection measures and a schedule of all proposed tree and hedge works including the reason for such works.

No trees or hedges on the application site shall be wilfully damaged, cut down, uprooted, pruned, felled or destroyed except for the trees and hedges to be removed to facilitate the development, without the prior written consent of the local planning authority.

REASON: In the interests of the health and amenity value of the trees and hedgerows and to ensure that any works to trees and hedgerows is in accordance with the approved development of the site.

Archaeology

35. No development shall take place or commence until a programme of archaeological work including, a Written Scheme of Investigation for the relevant phase, sub-phase or development parcel has been submitted to and approved by the local planning authority in writing. The Scheme shall include an assessment of the significance and research questions and:

- (i) the programme and methodology of site investigation and record;
- (ii) the programme for post investigation assessment;
- (iii) provision to be made for analysis of the site investigation and recording;
- (iv) provision to be made for publication and dissemination of the analysis and records of the site investigation;
- (v) provision to be made for archive deposition of the analysis and records of the site investigation;
- (vi) nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation;
- (vii) no demolition/development shall take place other than in accordance with the Written Scheme of Investigation.

The programme of archaeological work shall be carried out in accordance with the approved Written Scheme(s) of Investigation.

REASON: To ensure that any features of archaeological interest are protected and recorded.

Environmental Health/Protection/Ground Contamination

36. If, during development of any phase or sub-phase, contamination not previously identified is found to be present at the site then no further development within that phase or sub-phase (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, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that there are no risks to the long-term health of future occupiers of the site.

37. Demolition or construction works shall not take place outside 0700 hours to 1800 hours Monday to Friday and 0700 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays unless otherwise agreed in writing with the local planning authority.

REASON: To protect the amenity of the occupiers of nearby properties.

Children's Play Facilities

38. Prior to the first occupation of the first dwelling provided in each phase or sub-phase of the development details of the siting, design and programme for the provision of children's play areas defined by the Green Infrastructure Addendum (January 2019) approved under Condition No. 15 above shall be submitted to and approved in writing by the local planning authority. The children's play areas shall be laid out in accordance with the details and programme agreed under this condition.

REASON: To make sure that adequate play facilities are provided within the development in the interests of general amenity; are properly laid out and accord with the requirements of Policy CS15 of the Core Strategy.

Removal of Permitted Development Rights

39. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 or any Order revoking or re-enacting that Order with or without modifications the following development shall not be undertaken without express planning permission first being obtained from the local planning authority:

- extension to the dwelling;
- free-standing building within the curtilage of the dwelling;
- addition or alteration to the roof;
- erection of a porch;
- satellite antenna;
- fences, gates or walls;
- any windows or dormer windows.

REASON: To enable the local planning authority to control the development and so safeguard the character and visual amenities of the area and to ensure, where

necessary, that adequate private open space is retained within the curtilage of the building.

40. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 or any Order revoking or re-enacting that Order with or without modifications, no demolition of buildings or boundary walls, fences or other means of enclosure shall take place without the prior written consent of the local planning authority.

REASON: To enable the local planning authority to control the development and so safeguard the character and visual amenities of the development.

Earthworks and Site Levels

41. Prior to the commencement of each phase or sub-phase of the development full details of earthworks and site levels shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development.

Conditions relating to the area of the application site subject to Detailed Proposals

42. In so far as this decision grants full permission for the area edged blue on the Application Boundary Plan - Define Drawing Reference DE096.008 Rev D, the development shall be carried out only in accordance with the details and specifications included in the submitted application as amended by revised drawings received by the local planning authority on the 24th January 2019 unless otherwise agreed in writing by the local planning authority. The approved drawings are as follows:

Drawing Title		Drawing Reference
1. Junctions 1 and 2 A6 Site Access		LWL/600/002 Rev D28
2. On Site Access Drawings:		
(i)	General Arrangement Sheet 1	ADC-1684-DR-101 Rev P5
(ii)	General Arrangement Sheet 2	ADC-1684-DR-102 Rev P4
(iii)	General Arrangement Sheet 3	ADC-1684-DR-103 Rev P5
(iv)	General Arrangement Sheet 4	ADC-1684-DR-104 Rev P4
(v)	General Arrangement Sheet 5	ADC-1684-DR-105 Rev P5
(vi)	General Arrangement Sheet 6	ADC-1684-DR-106 Rev P5

3. Barwood Homes Detailed Proposals		
(i)	Proposed Site Layout	2930-01 Rev AE
(ii)	Parcel Information Drawing	2930-03 Rev K
(iii)	Phase 1 Housetypes Key Plan	2930-06 Rev E
(iv)	Phase 1 Materials Plan	2930-07 Rev A
(v)	Phase 1 Boundary Treatments Plan	2930-08 Rev A
(vi)	Phase 1 Hard Landscaping Plan	2930-09 Rev A
(vii)	Bournville Housetype	2930-101 Rev B
(viii)	Unwin Housetype	2930-102 Rev C
(ix)	Barnett Housetype	2930-104 Rev A
(x)	Earswick Housetype	2930-105 Rev C
(xi)	Earswick + Housetype	2930-106 Rev B
(xii)	Harbourne Housetype	2930-107 Rev B
(xiii)	Harbourne + Housetype	2930-108 Rev B
(xiv)	Brentham Housetype	2930-109 Rev B
(xv)	Hampstead Housetype	2930-110 Rev B
(xvi)	Hampstead + Housetype	2930-111 Rev B
(xvii)	Cadbury Housetype	2930-112 Rev B
(xviii)	Edwin Housetype	2930-113 Rev B
(xix)	Lutyens Housetype	2930-114 Rev B
(xx)	Howard Housetype	2930-115 Rev B
(xxi)	Rowntree Housetype	2930-116 Rev B
(xxii)	Letchworth Housetype	2930-117 Rev B
(xxiii)	Switchland Housetype	2930-118 Rev B
(xxiv)	Swithland + Housetype	2930-119 Rev B
(xxv)	Welwyn Housetype	2930-120 Rev B
(xxvi)	Welwyn + Housetype	2930-121 Rev B
(xxvii)	Rothley Housetype	2930-122 Rev B
(xxviii)	Kingston Housetype	2930-123 Rev B
(xxix)	Proposed Garages	2930-124
4. Davidsons Homes Detailed Proposals		
(i)	Planning Layout	1070-100 Rev P06
(ii)	Materials Plan	1070-200 Rev P04
(iii)	Boundary Treatment Plan	1070-800 Rev P04
(iv)	House Types	DH205 RE-2 (AS) DH205 RE-2 (OP) DH205 RI-2 (OP) DH302 RE-3 (AS) DH302 RE-3 (OP) DH313 RD-2 (AS) DH313 RD-2 (OP) DH314 RDB-3 (AS) DH314 RDB-2 (OP) DH330 V-3 (AS) DH343 B-2 <i>and</i> DH344 B-2 (AS and OP) DH343 B-3 <i>and</i>

		DH346 B-3 Rear Elevation and Floor Plan (AS and OP) Rev A DH343 B-3 <i>and</i> DH346 B-3 Front and Side Elevations (AS and OP) Rev A DH380 BN-3 <i>and</i> DH381 BN-3 <i>and</i> DH382 BN-3 (AS) Rev A DH380 BN-3 <i>and</i> DH381 BN-3 <i>and</i> DH382 BN-3 (OP) Rev A DH404 V-2 (OP) DH412 R-3 (AS) DH412 R-3 (OP) DH413 W-3 (AS) Rev A DH413 B-3 (AS) DH413 B-3 (OP) DH418 W-2 (OP) DH422 R-3 (AS) DH424 S-2 (AS) DH430 W-3 (AS) DH430 W-3 (OP) DH431 B-3 (AS) DH431 B-3 (OP) DH432 T-2 (AS) DH450 BN-3 (AS) DH450 BN-3 (OP) DH451 BR-3 (OP) DH451 BR-3 (AS) DH460 W-3 (AS) DH460 W-3 (OP) DH507 BN-2 (AS) DH509 V-3 (AS) DH509 V-3 (OP) DH522 S-2 (OP) DH531 W-2 (AS) DH531 W-2 (OP) DH532 V-3 (OP) Garages and Enclosures Sheets 1 (Rev A) and 2
5. Northern Boulevard Gatehouses		
(i)	Elevations Sheet 1	BMP-FEA-BI-XX-DE-A-3701
(ii)	Elevations Sheet 2	
(iii)	Gatehouse – Proposed Plans	BMP-FEA-BI-XX-DE-A-3702

(iv)	Gatehouse – Context Elevation	BMP-FEA-BI-XX-DP-A-2200 BMP-FEA-SI-XX-DE-A-3459
6. Foxfield Park Pavilion		
(ii)	Elevations	SHM-FEA-2469-SI-XX-DE-A-3700
(ii)	Floor Plans	SHM-FEA-2469-SI-ZZ-DP-A-2200
7. Green Infrastructure and Landscaping		
(i)	Landscape Infrastructure (1 of 5)	0638.010 Rev K
(ii)	Landscape Infrastructure (2 of 5)	0638.011 Rev Q
(iii)	Landscape Infrastructure (3 of 5)	0638.012 Rev J
(iv)	Landscape Infrastructure (4 of 5)	0638.013 Rev F
(v)	Landscape Infrastructure (5 of 5)	0638.014 Rev H
(vi)	Woodland Planting Matrix	0638.025
(vii)	Sections through SuDs	0638.043 Rev A
(viii)	Davidsons Housing Area: Plot Soft Landscaping (two drawings)	0638.015 a) and b) Rev L
(ix)	Barwood Housing Area: Plot Soft Landscaping (two drawings)	0638.017 Rev F and 0638.019 Rev E

REASON: To ensure that the scheme takes the form agreed by the local planning authority and thus results in a satisfactory form of development and in the interest of the character and appearance of the area.

43. The landscaping schemes approved under Condition No.42 shall be fully completed in accordance with the details agreed under that Condition in the first planting and seeding seasons following the first occupation of any part of the development or in accordance with a programme previously agreed in writing by the local planning authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

REASON: To ensure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

44. No construction above damp proof level shall be commenced until such time as details of the type, texture and colour of the materials including make and manufacturer to be used on the external surfaces of the proposed development have been submitted for the agreement of the local planning authority. Only materials agreed in writing by the local planning authority shall be used in carrying out the development.

REASON: To ensure that the appearance of the completed development is satisfactory.

45. No dwelling shall be occupied until such time as details of the way in which the children's play areas are to be laid out and landscaped including details of boundary treatment and any structures to be erected and a programme of implementation have been submitted to and agreed in writing by the local planning authority. The play areas shall be provided in accordance with the approved details and programme.

REASON: To ensure such areas are properly laid out and landscaped in the interests of general amenity.

46. Other than site enabling works, no development shall begin on site until such time as full details of the way in which foul sewage and surface water are to be disposed of from the site have been submitted to and agreed in writing by the local planning authority.

REASON: To ensure that the site can be drained in a satisfactory way.

47. No dwelling or building shall be occupied or used until such drainage works as are needed for that dwelling or building have been completed in accordance with the details agreed under Condition No. 46.

REASON: To ensure that the drainage works are completed in a satisfactory way.

48. The car parking and any turning facilities shown serving each dwelling including any associated visitor parking shall be provided, hard surfaced and made available for use before the dwelling is occupied and shall thereafter be permanently so maintained.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems.

49. Before first occupation of any dwelling, its access drive and any turning space shall be surfaced with a hard bound material (not loose aggregate) for a distance of a least 5 metres behind the highway boundary and shall be so maintained at all times.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.).

50. Prior to the occupation of any dwelling full details of the allotments and maintenance depot/recycling area shown on approved Drawing Reference 0638.011 Rev Q shall be submitted to and approved by the Local Planning Authority. The submitted scheme shall include details of:

- proposed buildings, storage areas and infrastructure;
- surfacing and boundary treatments;
- a programme for implementation;

The scheme shall be implemented in accordance with the approved details.

REASON: To ensure the development takes the form agreed by the local planning authority and thus result in a satisfactory form of development.

51. Prior to the occupation of the first dwelling the following details will be submitted to and approved in writing by the local planning authority following consultation with Sport England:

- (i) a detailed assessment of ground conditions (including drainage and topography) of the areas identified on approved Landscape Infrastructure Drawings References 0638.010 Rev K and 0638.011 Rev Q for playing pitches which identifies any constraints which could adversely affect playing field quality;
- (ii) a detailed Scheme for the establishment of the playing pitches which also addresses any constraints identified by the assessment carried out under (i) above. The scheme shall include a Written Specification of the proposed soil structure, proposed drainage, cultivation and other operations consistent with the standards and methodologies set out in the Technical Guidance Note "Natural Turf for Sport" (Sport England 2011) and the design guidance of the relevant National Governing Bodies for Sport;
- (iii) a phased programme of implementation;
- (iv) a Schedule of playing field maintenance allied to the programme of implementation and for a minimum period of five years in relation to each phase.

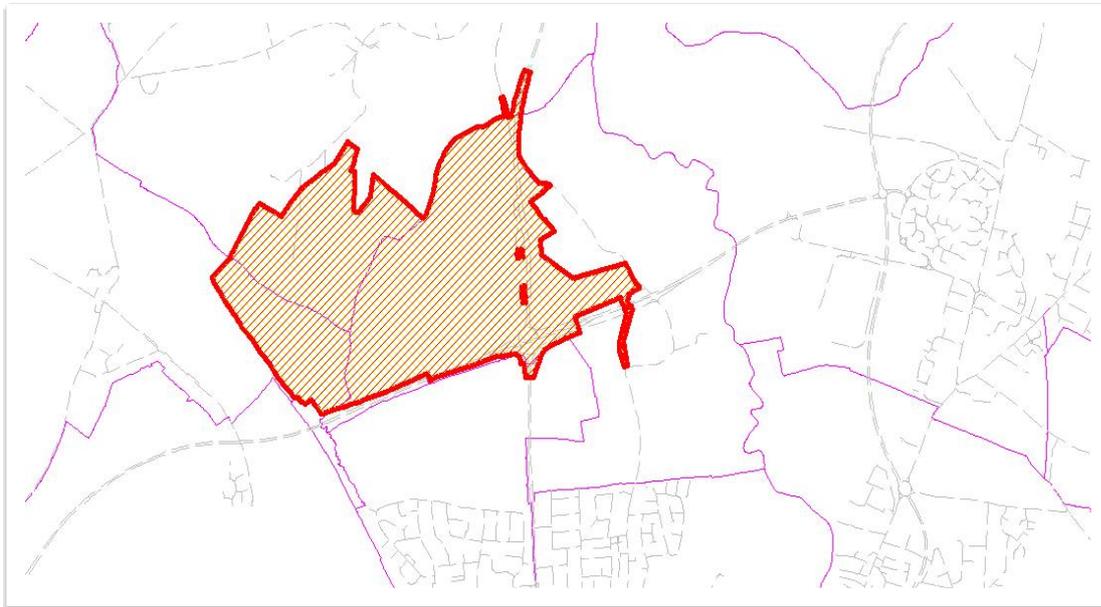
The approved Scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the approved Schedule and made available for playing field use in accordance with the approved Scheme.

REASON: To ensure that the playing fields are designed, established and maintained to the appropriate standard and are fit for purpose.

INFORMATION NOTES TO THE APPLICANT

- i. DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS3, CS9, CS11, CS12, CS13, CS14, CS15, CS16, CS17, CS18, CS23, CS24 and CS25 of the Charnwood Local Plan (2011-2028) Core Strategy and Policies ST/2, EV/1, CT/1, CT/2 and TR/18 of the Borough of Charnwood Local Plan and the relevant provisions of the Neighbourhood Plan have been taken into account in the determination of this application. The proposed development complies with the requirements of these policies and there are no other material considerations which are of significant weight in reaching a decision on this application.
- ii. Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policies and the Council's adopted Supplementary Planning Document 'Leading in Design' and, therefore, no harm would arise such as to warrant refusal of planning permission.
- iii. Discussion was undertaken with the applicant to seek an acceptable solution in making this decision. The Local Planning Authority has therefore acted proactively 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.
- iv. The highway mitigation works associated with this consent involves works within the public highway, which is land over which you have no control. Highways England therefore requires you to enter into a suitable legal Section 278 agreement to cover the design check, construction and supervision of the works. Contact should be made with the Highways England Section 278 Business Manager David Steventon to discuss these matters on david.steventon@highwaysengland.co.uk.
- v. The applicant should be made aware that any works undertaken to Highways England network are carried out under the Network Occupancy Management policy, in accordance with Highways England procedures, which currently requires notification/booking 3 months prior to the proposed start date. Exemptions to these bookings can be made, but only if valid reasons can be given to prove they will not affect journey time reliability and safety. The contact email for these matters is Area7networkoccupancy@highwaysengland.co.uk
- vi. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations. Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change storm events.

- vii. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
- viii. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual householder ownership.
- ix. The applicant is advised that the definition of development and enabling works sits within the associated S106 Agreement but the preparation of the site (other than engineering works) and the installation of security fences and signs would not be development.
- x. Transition zones relate to communal areas of landscaping, hedgerows, site footpath and cycle ways between the development plots.



Appendix 1 – DRAFT S106 Obligations.

Amount/detail of infrastructure request	Delivery	CIL justification. Yes or No?	Policy Basis
Requested by Leicestershire County Council	Obligation for Highways		
£193,000 for A6 Improvements. Birstall park and ride, Hallam Fields Rd junction, Greengate Lane junction, Bentley Rd junction.	[Key highways works to be completed] prior to occupation of the 100th dwelling.	Yes.	Core Strategy: Policy CS 17, CS 18, CS 20, CS 24,
£38,600 A607/Melton Road junction - UTC.	Prior to occupation of the 100 th dwelling.	The highways works are an essential part of this development proposal.	Borough of Local Plan Policy TR/4, TR/18, TR/20, TR/21
£1500 A607/Melton Road junction - MOVA revalidation.	Prior to occupation of the 600 th dwelling.	The highways works are necessary to make the development acceptable in planning terms; they are directly related to the development and are fairly and reasonably related in scale and kind to the development.	Thurcaston and Cropston Parish Neighbourhood Plan Policy T&C3e), Policy T&C14
£1500 A607/Melton Road junction - MOVA revalidation.	Prior to occupation of the 1100 th dwelling.		Leicestershire County Council Local Transport Plan (LTP) 2011-2026
£22,500 A6 and Loughborough Road - TRO.	Prior to occupation of the 100 th dwelling.	<i>Please note the highways contributions sit within Schedule 4 of the draft S106 Legal Agreement.</i>	NPPF
£11,337.50 for monitoring of Site Wide Travel Plan	Prior to occupation of the 100 th dwelling.		
£301,250 for upgrades to Red Hill Roundabout.	Prior to occupation of the 100 th dwelling.		

<p>£52.85 per pack, Travel Packs to inform all new residents and employees, one per dwelling and per employee,</p>	<p>From first occupation.</p>		
<p>£360 per pass, 6 month bus passes, two per dwelling and one per employee (2 application forms to be included in Travel Packs).</p>	<p>From first occupation.</p>		
<p>Provision of a bus service to serve the site at half-hourly intervals operating between the hours of 7.00 am and 7.00 pm Monday-Saturday between the Site and Leicester City.</p>	<p>Prior to occupation of 200 dwellings</p>		
<p>If the owner fails to deliver the bus service then they shall pay £150,000 per year for a period of 5 years to the County Council to enable the service.</p>	<p>Prior to occupation of 200 dwellings</p>		
<p>£512,101.28, Upgrade and addition of public rights of way and obligations relating to off-site contributions for the same.</p>	<p>As per the Rights of Way and Access plan to be discharged under condition</p>		
<p>E-bike infrastructure</p>	<p>To be provided in Broadnook Hall</p>		
<p>Requested by Leicestershire County Council</p>	<p>Civic Amenity</p>		

<p>£100,756 to mitigate the impacts arising from the increased use on the Civic Amenity Site at Mountsorrel by extending the storage and recycling capacity in accordance with a scheme to be agreed: for example, the acquisition of additional containers or installation of additional storage areas and waste infrastructure at the Civic Amenity Site or the securing of adjacent land to increase the site's capacity for handling and separating waste and the expansion of fencing and permitted area to increase waste storage area.</p>	<p>Contributions to be paid in five equal payments prior to the occupation of 300, 600, 900, 1200 and 1500 dwellings.</p>	<p>Yes. It is considered that the infrastructure request would be CIL compliant.</p> <p>The civic amenity works are necessary to make the development acceptable in planning terms; they are directly related to the development and are fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the civic amenity contributions sit within Schedule 3 of the draft S106 Legal Agreement.</i></p>	<p>Core Strategy Policy CS 20, CS 24</p> <p>The NPPF</p> <p>Leicestershire Minerals and Waste Local Plan adopted on 25th September 2019</p>
<p>Requested by Leicestershire County Council</p>	<p>Library Facilities</p>		

<p>£58,850 to fund that following:</p> <p>Option 1: Birstall Library - Book stock - £16,000; Internal reconfiguration - £10,000; ICT equipment – £10,000; and Fixtures and fittings - £9,800. Syston library - Book stock - £4,000.</p> <p>Option 2: Provision of a new library on site.</p>	<p>Option 2 chosen.</p> <p>Financial contribution towards provision of a community library at Broadnook Hall. To be made available prior to occupation of the 650th dwelling.</p>	<p>Yes.</p> <p>It is considered that the infrastructure request would be CIL compliant it would accommodate the impact that the development would have on local libraries. It (option 2) is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the libraries contributions sit within Schedule 3 of the draft S106 Legal Agreement.</i></p>	<p>Core Strategy Policy CS 20, CS 24,</p> <p>The NPPF</p>
<p>Requested by Leicestershire County Council</p>	<p>Education</p>		
<p>Early Years.</p> <p>Dec 2019: Yield of 166 places and obligation of £1,476,335.20.</p>	<p>To reserve a site for the provision of a purpose built nursery.</p> <p>To be provided at either the Community Resource Centre or Primary School</p>	<p>Yes.</p> <p>On the basis of the calculations and the flexibility of location in the S106 Agreement it is considered that the request would be CIL compliant.</p> <p>It would accommodate the impact that the development would have on early year's education. It is directly related to the development and is fairly</p>	<p>Core Strategy Policy CS1, CS3, CS20 & CS24.</p> <p>Paragraphs 67 & 73 of the NPPF.</p>

		<p>and reasonably related in scale and kind to the development.</p> <p><i>Please note the education contributions sit within Schedule 2 of the draft S106 Legal Agreement.</i></p>	
--	--	--	--

<p>Primary</p> <p>Jan 2020: Yield remodelled to deduct 1 bed properties. Therefore yield is 573 places and obligation is for £8,361,216 based on 2.73FE.</p>	<p>To reserve a site for a 3FE site.</p> <p>To deliver phase 1, a 1FE with associated facilities, prior to occupation of the 300th dwelling.</p> <p>To deliver phase 2, a further 1FE, prior to occupation of the 700th dwelling.</p> <p>To deliver phase 3, a further 0.73FE, prior to occupation of the 1400th dwelling.</p> <p>Developer to deliver the school, with a fallback of the stated sum to be paid to County Education for them to deliver the school should the Council Council agree to do so.</p>	<p>Yes.</p> <p>On the basis of the January 2020 calculations it is considered that the request would be CIL compliant.</p> <p>It would accommodate the impact that the development would have on primary education. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the education contributions sit within Schedule 2 of the draft S106 Legal Agreement.</i></p>	<p>Core Strategy Policy CS1, CS3, CS20 & CS24.</p> <p>Paragraphs 67 & 73 of the NPPF.</p>
---	--	---	---

<p>Secondary</p> <p>Jan 2020: Yield remodelled to deduct 1 bed properties. Therefore yield is 378 places and obligation of £6,848,653.10.</p>	<p>Based on the Feb 2020 yield and amount, equal instalments to be paid to County on the occupation of the 500th, 1000th and 1500th dwellings.</p> <p>As per the Garendon SUE an Education Liaison Group and Education Delivery Review Mechanism would sit within the S106. Further to this an extra layer of review is proposed prior to the second and third payments for the secondary contribution.</p>	<p>Yes.</p> <p>On the basis of the Feb 2020 calculations it is considered that the request would be CIL compliant.</p> <p>It would accommodate the impact that the development would have on secondary education. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the education contributions sit within Schedule 2 of the draft S106 Legal Agreement.</i></p>	<p>Core Strategy Policy CS1, CS3, CS20 & CS24.</p> <p>Paragraphs 67 & 73 of the NPPF.</p>
<p>Special Education Needs</p> <p>Dec 2019: Yield of 15 places and an obligation of £1,038,303.53.</p>	<p>Based on the Feb 2020 yield and amount, equal instalments to be paid to County on the occupation of the 500th, 1000th and 1500th dwellings.</p>	<p>Yes.</p> <p>On the basis of the Feb 2020 calculations it is considered that the request would be CIL compliant.</p> <p>It would accommodate the impact that the development</p>	<p>Core Strategy Policy CS1, CS3, CS20 & CS24.</p> <p>Paragraphs 67 & 73 of the NPPF.</p>

		<p>would have on SEN education. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the education contributions sit within Schedule 2 of the draft S106 Legal Agreement.</i></p>	
Requested by Leicestershire Clinical Commissioning Group (CCG)	Healthcare		
<p>£1,172,468.80 towards the delivery of healthcare facilities at:</p> <p>Greengate Medical Centre, Greengate Lane, Birstall – funds would be used extend the surgery to provide 3 additional multi-function rooms and extend and improve the reception waiting to improve patient experience and disabled access.</p> <p>Birstall Medical Centre, Whiles Lane, Birstall – fund would be used to refurbish an upstairs room to be more a further multi-functional consulting/treatment room to further expand access and the types of services available at the surgery.</p>	<p>To be delivered on site by the Broadnook Garden Village Trust prior to occupation of the 650th dwelling and market the same. If no interest from healthcare provider to lease the facility to provide the financial contribution to the CCG prior to occupation of the 1,000th dwelling (or such other trigger as may be agreed by the Council).</p>	<p>Yes.</p> <p>On the basis that the request would accommodate the impact of the development on the nearby GP surgeries. This obligation is justified following confirmation from those surgeries that there is currently no capacity to accommodate the impacts of this development.</p> <p>It is considered that the development is CIL compliant. It would accommodate the impact that the development would have on healthcare provision. It is directly related to</p>	<p>Core Strategy Policy CS1, CS3, CS20 & CS24.</p> <p>The NPPF.</p>

		<p>the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the health care provision contributions sit within Schedule 3 of the draft S106 Legal Agreement.</i></p>	
Request by Charnwood Borough Council	Obligation for Neighbourhoods and community wellbeing		
<ol style="list-style-type: none"> 1. Parks – provision should be within 15min walk (720m) of all residents 2. Amenity green space – should be within 10 minutes walk (480m) of all residents 3. Natural and Semi Natural Green spaces – 7.92 Ha is required 	<p>S106 Agreement to include default triggers for provision of key elements.</p> <p>1.Parks & 6. Allotment provision forms part of the full detailed part of this hybrid application and is detailed on the approved plans. Parks to be completed prior to occupation of more than</p>	<p>No, In relation to the requested swimming pool contribution.</p> <p>Yes, for the remaining items.</p> <p>It is considered that the development is CIL compliant. The provision of public open space and sport is essential for the delivery of this SUE. As amended it is directly related to the development and is fairly</p>	<p>Core Strategy polices CS15, CS20 and CS24.</p> <p>NPPF</p>

<p>4. Provision for Children and Young People – this should be within 10 minutes walk (480m)</p> <p>5. Outdoor Sports Facilities – 10.3 ha outdoor sports provision of which 4.32 ha should be formal community playing pitches</p> <p>6. 1.31 ha allotment provision</p> <p>7. £874,304 contribution towards a swimming pool</p>	<p>60% of dwellings in Phase 1.</p> <p>7. Not provided in full.</p> <p>Triggers for 2-7 still to be determined and included in the section 106.</p>	<p>and reasonably related in scale and kind to the development.</p> <p><i>Please note the community provision contributions sit within Schedule 3 of the draft S106 Legal Agreement.</i></p>	
<p>Request by Sport England</p>	<p>Obligation for Sports and Recreation</p>		
<p>£701,992.250 (<i>Sport England response relates to the Neighbourhood request but does not reflect the update Neighbourhood response</i>) contribution towards a swimming pool</p> <p>£609,596 contribution towards a sports hall.</p> <p>£105,000 towards an artificial grass pitch;</p>	<p>Not provided.</p> <p>Shared Community and Sports Hall to be provided at Broadnook Hall</p> <p>Land for new artificial grass pitch to be made available at The Cedars at a peppercorn rent.</p> <p>Not provided.</p>	<p>No. The request is not CIL compliant.</p> <p>Yes. The sum is incorporated in the Broadnook Hall obligation which is detailed later in this table.</p> <p>Yes. The obligation includes full compliance with the request and is detailed later in this table.</p>	<p>Core Strategy polices CS15, CS20 and CS24.</p> <p>NPPF</p>

£89,903 towards an indoor bowls pitch;		No. This was considered too specific and a more flexible sports and community space is detailed later in this table.	
Request by Charnwood Borough Council	Housing		
Affordable Housing - to provide 16% of the total number of Class C3 dwellings as affordable homes (i.e. 319 of 1,950) with a tenure mix of 50% (160) affordable rent; 25% (80) shared ownership; 25% (79) discounted market sales.	<p>The delivery mechanism is to be agreed. The level of AH for Phase 1 to be set out in the s106 and the remainder to be split evenly across the remaining phases of the development.</p> <p>Viability Reassessment to be carried out prior to commencing Phases 2 and 3 to determine whether % of AH can be increased.</p>	<p>Yes.</p> <p>It is considered that the development is CIL compliant. The provision of affordable housing is essential for the delivery of this SUE. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the community provision contributions sit within Schedule 7 of the draft S106 Legal Agreement.</i></p>	<p>Core Strategy Policies: CS 3, CS 20</p> <p>NPPF</p> <p>Leicestershire Housing and Economic Development Needs Assessment (HEDNA) – 2017</p> <p>Housing Supplementary Planning Document (May 2017)</p>
Proposed by Applicant	Community Facilities		
Broadnook Hall – Community Resource Centre. A main hall suitable for social, community and recreation uses with	To be built and made available before	Yes.	Core Strategy Policy CS 9, CS 20

<p>ancillary storage, showers, lockers and changing facilities.</p> <p>Uses include: Sport England compatible sports facilities; community and meeting room; a multi-faith room; an office for management of the affordable housing; gallery space; library facility; a police office; a Wi-Fi hub; community office space for hire; community hire; community shop and pharmacy; community gardens; and residential accommodation on the first and second floor.</p>	<p>occupation of the 650th dwelling.</p>	<p>It is considered that the development is CIL compliant. It would accommodate the demand that the development would have on community provision, as requested by CBC. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the community provision contributions sit within Schedule 3 of the draft S106 Legal Agreement.</i></p>	<p>Borough of Charnwood Local Plan CA/10, CA/12</p> <p>Core Strategy Policy CS 10, CS 20</p>
<p>Broadnook Centre Public Realm. £750,000 – to fully implement the external works associated with Broadnook Hall, Maypole Square, Maypole Gardens and Central Walk.</p>	<p>To be delivered and made available before occupation of the 650th dwelling.</p>	<p>Yes.</p> <p>It is considered that the development is CIL compliant. It would accommodate the demand that the development would have on public space provision, as requested by CBC. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the community provision contributions sit within</i></p>	<p>Core Strategy Policy CS 9, CS 20</p> <p>Borough of Charnwood Local Plan CA/10, CA/12</p> <p>Core Strategy Policy CS 10, CS 20</p>

		<i>Schedule 3 of the draft S106 Legal Agreement.</i>	
<p>Broadnook Primary School – Community Use Agreements (CUA). To include: Junior football pitch, MUGA including tennis courts, compact pavilion, car parking and landscaping. Sum of £975,000 to deliver Phase 1 of the Primary school including the external infrastructure and CUA.</p>	<p>Prior to occupation of the 300th dwelling.</p>	<p>Yes.</p> <p>It is considered that the development is CIL compliant. It would accommodate the demand that the development would have on outdoor sport/community provision, as requested by CBC. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the community provision contributions sit within Schedule 3 of the draft S106 Legal Agreement.</i></p>	<p>Core Strategy Policy CS 9, CS 10, CS 20 & CS24</p> <p>Borough of Charnwood Local Plan CA/10</p> <p>NPPF</p>
<p>Initial Community Hub and Offices – Foxfield Pavilion. To provide initial facilities for social and community uses, Trust offices, Management and Marketing facilities and associated parking and landscaping.</p>	<p>Prior to occupation of the first dwelling.</p> <p>Subsequent uses of the Foxfield Pavillion to be agreed and to be provided for use prior to occupation of the 650th dwelling.</p>	<p>Yes.</p> <p>A community hub and office are required from the earliest stage to provide the necessary support and administration for the development build out. The Pavilion is a suitable building, location and design.</p>	<p>Core Strategy Policy CS 10, CS 20 & CS24</p> <p>Borough of Charnwood Local Plan CA/10</p>

		<p>It is considered that the development is CIL compliant. It would accommodate the demand that the development would have on outdoor sport/community provision, as requested by CBC. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the community provision contributions sit within Schedule 3 of the draft S106 Legal Agreement.</i></p>	
<p>Care Village A dedicated assisted living/retirement village with a range of care provision.</p>	<p>To be sited between the phase 1 residential development and the Broadnook Centre.</p> <p>The S106 would include definitions and delivery times. For example to quality residents would need to be 65yrs old+.</p>	<p>Yes.</p> <p>It is considered that the development is CIL compliant. It would accommodate the demand that the development would have on elderly care provision. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the community provision contributions sit within</i></p>	<p>Core Strategy Policies: CS 3, CS 20</p> <p>Leicestershire Housing and Economic Development Needs Assessment (HEDNA) – 2017</p> <p>Housing Supplementary Planning Document (May 2017)</p>

		<i>Schedule 3 of the draft S106 Legal Agreement.</i>	
<p>Site for Travelling Show people. Provision of 0.4ha site for travelling show people in the southeast corner of the site.</p>	<p>To be provided on a leasehold basis and to be provided prior to the 750th dwelling</p>	<p>Yes.</p> <p>The provision of a site for travelling show people is a requirement of Policy CS20.</p> <p>It is considered that the development is CIL compliant. It would accommodate travelling show people on the application site. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the community provision contributions sit within Schedule 3 of the draft S106 Legal Agreement.</i></p>	<p>Core Strategy Polices CS5 and CS20.</p> <p>NPPF</p>
<p>Artificial Grass Pitch (AGP) To make available at a peppercorn rent, 3.2 hectares of land adjacent to The Cedars Academy to enable the provision of a full size AGP.</p>	<p>Within three years of the date of decision of the hybrid planning application.</p>	<p>Yes.</p> <p>It is considered that the development is CIL compliant. It would accommodate the request for the AGP from CBC. Although off-site the provision is in close proximity to the site and directly adjacent to the nearest</p>	<p>Core Strategy policies CS15, CS20 and CS24.</p> <p>NPPF</p>

		<p>secondary school. As such it is considered that it is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the community provision contributions sit within Schedule 3 of the draft S106 Legal Agreement.</i></p>	
Proposed by Applicant	Environmental Provision		
<p>Green Infrastructure Green Infrastructure elements to be provided by the owner as set out above and thereafter to be maintained in accordance with an approved scheme. Arrangements to be secured in the section 106 for the long term management and maintenance of green infrastructure and other communal facilities where relevant. Applicant proposes required £1,600,000 to facilitate the phased provision and on-going management and maintenance of the site green infrastructure by Broadnook Garden Village Trust.</p>	<p>Four equal instalments prior to commencement of development and prior to occupation of the 250th, 500th and the 750th dwelling.</p>	<p>Yes.</p> <p>The provision of a comprehensive green infrastructure and integrated public open space is a key requirement of Policy CS20.</p> <p>It is considered that the development is CIL compliant. It would accommodate, manage and maintain essential green infrastructure on the application site. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p>	<p>Core Strategy policies CS2, CS11, CS12, CS15 and CS20.</p> <p>NPPF</p>

		<i>Please note the community provision contributions sit within Schedule 5 of the draft S106 Legal Agreement.</i>	
<p>Sustainable Drainage SUDS to be provided and maintained by the owner in accordance with an approved scheme. Applicant proposes £487,864 to enable the ongoing management and maintenance of the site wide sustainable drainage.</p>	<p>Contribution based on a pro-rata basis on the transfer of the SUDs features to the local authority, management company or village trust.</p>	<p>Yes.</p> <p>The provision of a site wide sustainable urban drainage scheme is a key requirement of Policy CS20.</p> <p>It is considered that the development is CIL compliant. It would accommodate, manage and maintain essential sustainable drainage on the application site. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the community provision contributions sit within Schedule 5 of the draft S106 Legal Agreement.</i></p>	<p>Core Strategy policies S10, CS2, CS11, CS12, CS15 and CS20.</p> <p>NPPF</p>
Proposed by Applicant	Stewardship		

<p>Section 106 agreement to secure long term stewardship arrangements. Applicant proposes £809,942 required to support the establishment of the Broadnook Garden Village Trust.</p> <p>To include the appointment of a Broadnook community development worker.</p>	<p>50% of the sum to be paid prior to commencement of development with the balance to be paid prior to the occupation of the 300th dwelling.</p>	<p>Yes.</p> <p>The provision of an overarching control mechanism/stewardship function is a key component of this SUE. The Broadnook Village Trust would be set up to manage the site and fulfil the aims of the SUE community.</p> <p>It is considered that the development is CIL compliant. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p> <p><i>Please note the community provision contributions sit within Schedule 5 of the draft S106</i></p>	<p>Core Strategy SO4, CS15, CS20 and CS24.</p> <p>NPPF</p>
<p>Requested by Borough Council</p>	<p>Development Management</p>		
<p>Monitoring fee for S106 Obligations</p>	<p><u>To be based on a pro-rata basis payable on a phased basis with details to be agreed.</u></p>	<p>Yes.</p> <p>It is considered that the development is CIL compliant. It is directly related to the development and is fairly and reasonably related in scale and kind to the development.</p>	<p>Core Strategy policies CS20 and CS24</p> <p>NPPF</p>

