



PLANS COMMITTEE

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To: Councillors S. Forrest (Chair), Lennie (Vice-Chair), Charles, Cory-Lowsley, Fryer, Lawrence, Lowe, Monk, Northage, O'Neill, Palmer, Snartt and Worrall
(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 Preston Room, Woodgate Chambers, Woodgate, Loughborough on Thursday, 18th April 2024 at 5.00 pm for the following business.

Chief Executive

Southfields
Loughborough

17th April 2024

EXTRAS REPORT

3. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

3 - 5

To deal with the following question on notice, submitted under Question on Notice Procedure 12.8.

Estate Plan for the Garendon Park SUE and associated matters

Question submitted by Max Hunt.

5. PLANNING APPLICATION

6 - 11

PLANS COMMITTEE – 18TH APRIL 2024

ITEM 3 - QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

Max Hunt - Estate Plan for the Garendon Park SUE and associated matters

1. What delegated authority was given to the Garendon Estate Plan published in 2019?
2. Why are no councillors or residents being consulted or invited to comment on the Garendon Estate Plan prior to any delegated decision?
3. Will the owners of Garendon Park be obliged to consult Historic England prior to any future alteration to the landscape of the Listed Park and Gardens?
4. On approving an Estate Plan based on current figures does the Council believe that sufficient Estate Service Charge income is available for the Management Company to pay for the cost of services required and has a risk analysis been done or any due diligence on the financial estimates?
5. The FHP Appraisal of Property Management Proposal for the West of Loughborough Sustainable Urban Extension (page10) dated 19th December 2014 makes the observation that:

*As the Garendon Parkland is intended for use as a public amenity for the wider area of Loughborough and Shepshed, I believe it is not equitable for the development's property owners to be funding the vast majority of contributions towards its upkeep without either some form of differential being introduced, or additional 3rd party contributions to its upkeep. If additional funding is not likely, then an alternative could be to **allow the use of all facilities on the Parkland to owners on the development for free or reduced cost, with a different charging structure applied to any users outside the development.***

Can the Council confirm that users living outside the development, such as those in Loughborough and Shepshed, will not be charged of use of, or entry to, the Garendon Country Park?

6. Are there any rights of access, including accessways and open spaces, within the Garendon Country Park (otherwise known as Garendon Heritage Park) to which the general public don't have but residents of the development (ie resident members of the management company) do, and if so could you specify what they are?
7. What procedure surrounds any update of the Estate Plan or will the Director (s)/Board have the power to change or update it at will?

8. When Persimmon Homes resigns from the Directorship of the Management Company who will replace them and under what procedure?
9. What role does the Stonebow Village Parish have in overseeing the Estate or intervening in its management and what thought has been given to its role with respect to any Residents Steering Committee?
10. Who would represent the specific interests of users of Garendon Country Park in the Estate Plan, and how if, at all, could it be exercised?
11. Does the Council agree that the Service Charge on residents should be proportionate the Council Tax Bands set by the Valuation Office rather than a flat rate and if so, would it be possible for a local planning Authority to apply this to other management agreements?
12. Will the Garendon Estate Plan include a Sustainability Plan before it is approved by the Council and could it become mandatory through the Local Planning Process for such management company proposals to require a Sustainability Plan?

The Chair, or her nominee, will respond:

1. None. The 2019 version of the Estate Plan was a draft where comments were provided and subsequent revisions made and commented upon, leading to the agreed version in 2024.
2. There is no requirement to consult on the discharge of Section 106 obligations. This is a complex matter where expert advice has been secured and, as an obligation with a trigger point for resolution being prior to the first occupation, those residents which would be affected by the Plan would not have been living on the site to allow for them to be consulted. Due to ongoing time pressures, resolution of the final version was expedited.
3. The Garendon Park Estate is a registered park and garden. There are no known proposals to alter the landscape. The relevant procedure for consideration of any proposals and associated consultation, such as with Historic England, will be dependent on the detail of the proposals and associated requirements.
4. External property consultants have advised that the Estate Service Charge is reasonable. Financial performance of the management company is to be monitored and reflected upon as part of ongoing reviews of the Estate Plan.
5. There are no proposals that would exclude the general public from accessing the Garendon Park Estate.
6. There is no differentiation in terms of access to the Garendon Park Estate for Garendon Park SUE residents and non-residents.

7. Any update is subject to agreement of parties, including CBC.
8. Non-adoptable assets will be owned by the Garendon Park Residents Management Company Ltd. All residents, schools, retail and commercial units will have voting roles on the Management Company. Persimmon Homes will retain sole voting rights until completion of the development. At that point, voting rights will be made available to be exercised by those residents, schools, retail and commercial units with a current membership of the management company for them to elect new directors to the Management Company.
9. Stonebow Village Parish Meeting is a separate democratic entity from the Management Company and has no formal role in its operation. The potential for liaison between the Parish Meeting and Management Company has been considered but, at this stage, the Parish Meeting has not been quorate and has no elected representatives so cannot be relied upon for involvement in the Management Company at this stage. Potential to engage with the Parish Meeting will be kept under review.
10. The Estate Plan makes provision for a representative of Charnwood Borough Council to attend Resident's Steering Meetings and for the Management Company representatives to actively engage with various representatives of the local community. A Community Development Worker is also to be appointed to act as a liaison on community interests and can also engage with the Management Company.
11. Advice provided to CBC found that a flat rate for residential properties is the most equitable charge in these particular circumstances. Commercial properties are to be subject to a charge calculated on the floor space of the unit. Agricultural tenancies are also to be subject to an annual charge.
12. There is no requirement as part of the S106 obligation for the management plan to include a Sustainability Plan.

Plans Committee Extras Report

18 April 2024

Item No. 5a

Planning Application Number: P/22/2309/2

Site Address: Land East of Cossington Road, Sileby

Updates

Issue 1: Final consultee comments received:

Housing officer (12/4/24)	No objection. 30% affordable housing (67% social/affordable rent and 33% intermediate/shared ownership), house types, clustering of affordable housing and layout are acceptable.
Landscape comments (9/4/24)	No objection subject to condition to revise the soft landscaping plans to clarify the extent of hedgerow removal along Cossington Road, detailed planting plans for the site entrance and any areas of over 20 species and revision to the tree species along the railway as requested by Network Rail. The hedgerow along the southern road boundary should be moved to maximise the openness of the ALS. Landscape and Biodiversity Management Plan will be required for outline condition 17.
Open space officer (9/4/24)	No objection to the layout, fencing, access and surfacing. If the hedgerow along the southern road boundary to be moved, the Open Space Typology and Areas Plan will need to be updated to reflect this, and demonstrate it meets the required standards.

Issue 2: Revised plans have been received from the applicant on 9 April 2024, to ensure all submitted plans accord with the Site Layout Rev N. The revised plans are:

- Open Space Typology and Areas Plan Rev A
- Materials Layout Rev G
- Street Scenes Rev H
- Boundary Treatment Rev G
- Surface Treatment Plan Rev G
- Chimney and Eaves Plan Rev G
- Bin storage and refuse collection Rev A
- Dwelling Separation Distance Plan Rev F
- EV Charging Plan Rev B
- Construction Management Plan Rev F
- Road and Sewer Layout General Arrangement Rev C
- Road Layout Visibility Splays Rev C
- Refuse Vehicle Tracking Rev E
- Soft Landscaping 01 to 06 Rev K
- Landscape Management Plan issue 5

Issue 3: Cossington Parish Council comments have been received on 10 April 24. The comments support the comments made by Sileby Parish Council and the residents of 235 and 122 Cossington Road regarding the sub-station and drainage.

Issue 4: The Local Highways Authority has recommended 3 conditions in their latest response dated 28/3/24 and these are not included in Recommendation A.

Officer Response

Issue 1: Final comments noted. Condition 2 is to be updated to be clear what matters need to be included in the revisions to the Soft Landscaping Plans.

Issue 2: The submitted revised plans reflect the amendment to the road layout requested by the Highways Authority only. No further consultation is considered to be necessary. Conditions are to be updated to reflect the revised plans (as follows).

- Open Space Typology and Areas Plan Rev A (revise condition 2)
- Materials Layout Rev G (revise condition 1)
- Street Scenes Rev H (revise condition 1)
- Boundary Treatment Rev G (revise condition 5)
- Surface Treatment Plan Rev G (revise condition 1)
- Chimney and Eaves Plan Rev G (revise condition 1)
- Bin storage and refuse collection Rev A (revise condition 1)
- Dwelling Separation Distance Plan Rev F (revise condition 1)
- EV Charging Plan Rev B (revise condition 1)
- Construction Management Plan Rev F (not conditioned as this forms part of the discharge of outline condition 4)
- Road and Sewer Layout General Arrangement Rev C (revise conditions 1 and 4)
- Road Layout Visibility Splays Rev C (revise conditions 1 and 4)
- Refuse Vehicle Tracking Rev E (revise condition 1)
- Soft Landscaping 01 to 06 Rev K (revise condition 2)
- Landscape Management Plan issue 5 (not conditioned as condition 17 of the outline condition requires the submission and approval of a Landscape and Biodiversity Management Plan)

Issue 3: The comments are noted.

Issue 4: Recommendation A be updated to include the 3 highways conditions.

Recommendation

Recommendation A in the Committee Report be updated: conditions 1, 2, 4 and 5 be updated as follows (amendments are shown in bold and underlined for clarity) and the 3 highways conditions are added to Recommendation A as conditions 7, 8 and 9:

1. Except where required by subsequent conditions, the development shall not be carried out otherwise than in complete accordance with the following approved plans:
 - Site Layout H8449-001-01Rev N (received 27/3/24)
 - Wilford brick Plot 11 P204XEH7.B.01 Rev A (received 6/3/24)
 - Wilford brick Plot 12 P204XEH7.B.02 Rev A (received 6/3/24)
 - Plot 107 brick SH55.XEG7.B.01 Rev A (received 6/3/24)
 - Plot 138 brick SH55.XEG7.B.02 Rev A (received 6/3/24)
 - Plots 54,55,60&61 floor plans brick P232/233XEG7.B.01 Rev A (received 6/3/24)
 - Plots 54,55,60&61 elevations brick P232/233XEG7.B.02 Rev A (received 6/3/24)
 - Plots 56&57 floor plans brick P232/233XEG7.B.03 Rev A (received 6/3/24)
 - Plots 56&57 elevations brick P232/233XEG7.B.04 Rev A (received 6/3/24)
 - Plots 62&53 floor plans brick P232/233XEG7.B.05 Rev A (received 6/3/24)
 - Plots 62&53 elevations brick P232/233XEG7.B.06 Rev A (received 6/3/24)
 - Shenton Render Plot 47 H331XH7.R.01 Rev A (received 4/3/24)
 - Shenton Render Plot 42 H331XH7.R.02 Rev A (received 4/3/24)
 - Shenton Plots 48,117,124 H331XH7.B.01 Rev A (received 4/3/24)
 - Ingleby brick plots 46,49,98,146 H303XF7.B.01 Rev A (received 29/2/24)
 - Ingleby Plots 8,10,17,106&155 H303XF7.B.02 Rev A (received 29/2/24)
 - Hertford render Plot 37 H370.PL37.01 Rev A (received 29/2/24)
 - Kirkdale brick plots 78,79,128,131 H442XH7.B.01 Rev A (received 29/2/24)
 - Kirkdale brick plots 101,102,105 H442XH7.B.02 Rev A (received 29/2/24)
 - Buckingham render plot 126 H597.PL126.01 Rev A and 02 Rev A (received 29/2/24)
 - Plot 4 brick P282XI.B.01 Rev A (received 29/2/24)
 - Plot 26 brick SH50XEG7.B.01 Rev A (received 29/2/24)
 - Plots 91,136 brick SH54XEH7.B.01 Rev A (received 29/2/24)
 - Plots 90,135 brick SH54XEH7.B.02 Rev A (received 29/2/24)
 - Plots 50-53 brick SH80D7.B.01 Rev A (received 29/2/24)
 - Plot 71 brick T310XI7.B.01 Rev A (received 29/2/24)
 - Hertford brick plot 41 H370XG7.B.01 Rev A (received 29/2/24)
 - Exeter render plot 163 H418XH7.R.01 Rev A (received 29/2/24)
 - Exeter render plots 170 H418XH7.R.02 Rev A (received 29/2/24)
 - Buckingham brick plots 39&40 H597XG7.B.01 Rev A and B.02 Rev A(received 29/2/24)
 - Buckingham brick plots 125,127,132 H597XG7.B.03 Rev A and B04 Rev A (received 29/2/24)
 - Plot 122 render P231XDH7.R.01 Rev A (received 29/2/24)
 - Plot 123 render P231XDH7.R.02 Rev A (received 29/2/24)
 - Plot 18&24 render P282.06SG.R.01 Rev A and R.02 Rev A (received 29/2/24)
 - Plot 19&25 render P282.06SG.R.03 Rev A and R.04 Rev A (received 29/2/24)
 - Hadley render plot 77 P341XDG7.R.01 Rev A (received 29/2/24)
 - Plots 66,68,83,89,108&142 brick SH52XEH7.B.01 Rev A (received 29/2/24)
 - Plots 67,69,82,88,137&141 brick SH52XEH7.B.02 Rev A (received 29/2/24)
 - Plots 33&167 render T310XE7.R.01 Rev A (received 29/2/24)
 - Plots 34&166 render T310XE7.R.02 Rev A (received 29/2/24)
 - Plots 129&162 brick H357XH7.B.01 Rev A and B.02 Rev A (received 29/2/24)
 - Plot 7 brick H357XH7.B.02 Rev A (received 29/2/24)
 - Exeter brick plot 152 H418XH7.B.01 Rev A and B.02 Rev A (received 29/2/24)
 - Exeter brick plot 158&159 H418XH7.B.02 Rev A (received 29/2/24)
 - Avondale render plot 161 H456.PL161.01 Rev A (received 29/2/24)

- Plot 80 brick P231XDH7.B.01 Rev A and B.02 Rev A (received 29/2/24)
- Plots 81&130 brick P231XDH7.B.02 Rev A (received 29/2/24)
- Plots 1,3,87,93,140,154&157 render P282.06FG.R.01 Rev A and R.02 Rev A (received 29/2/24)
- Plots 2,5,86,92,139,153,156 render P282.06FG.R.03 Rev A and R.04 Rev A (received 29/2/24)
- Hadley render plot 6 P341.PL6.01 Rev A (received 29/2/24)
- Plots 14,95,120 brick SH50X1.B.01 Rev A (received 29/2/24)
- Plot 16 render SH55.PL16.01 Rev A (received 29/2/24)
- Plot 97 render SH55.PL97.01 Rev A (received 29/2/24)
- Plots 31,35,113,115,150,165&169 brick T310XEG7.B.01 Rev A (received 29/2/24)
- Plots 32,36,112,114,149,164&168 brick T310XEG7.B.02 Rev A (received 29/2/24)
- Plots 20,22,64&70 T310XEG7.B.03 Rev A (received 29/2/24)
- Plots 21,23,65&72 T310XEG7.B.04 Rev A (received 29/2/24)
- Ingleby render plots 111&116 H303XF7.R.01 Rev A (received 29/2/24)
- Bradgate brick plots 38,103,104&160 H417XH7.B.01 Rev A and B.02 Rev A (received 29/2/24)
- Bradgate brick plots 100&133 H417XH7.B.02 Rev A (received 29/2/24)
- Avondale brick plots 134&147 H456X.G7.B.01 Rev A (received 29/2/24)
- Avondale brick plots 9,43&151 H456X.G7.B.02 Rev A (received 29/2/24)
- Plot 44 brick P282.06FG.B.01 Rev A and B.02 Rev A (received 29/2/24)
- Plot 45 brick P282.06FG.B.03 Rev A and B.04 Rev A (received 29/2/24)
- Hadley brick plots 99&145 P341XDG7.B.01 Rev A (received 29/2/24)
- Hadley brick plot 148 P341XDG7.B.02 Rev A (received 29/2/24)
- Plots 13,29,73,85,96,110,121&144 (brick) SH50XE7.B.01 Rev A and B.02 Rev A (received 29/2/24)
- Plots 15,30,84,109,119,143 (brick) SH50XE7.B.02 Rev A (received 29/2/24)
- Plot 118 brick SH55D7.B.01 Rev A (received 29/2/24)
- Plots 28,27,75&76 brick SH80E7.B.01 Rev A (received 29/2/24)
- Plots 58&59 bungalows brick X106D7.B.01 Rev A and B.02 Rev A (received 29/2/24)
- Double Garage SDG1H8.01 Rev A (received 29/2/24)
- Single Garage LSG1H8.01 Rev A (received 29/2/24)
- Attached Single Garages LDG2H8.01 Rev A (received 29/2/24)
- Shared Double Garage LDG2H-SG-01 (received 29/2/24)
- Sub-Station GTC-E-SS-0012_R2-2_1_of_1 (received 6/3/24)
- **Materials Layout H8449-002-01 Rev G (received 9/4/24)**
- Topographical Survey S2974/01 Rev C and S2974/02 Rev C (existing levels) (received 1/3/24)
- **Bin Storage and Refuse Collection Plan H8449-006-01 Rev A (received 9/4/24)**
- **Refuse Vehicle Tracking H8449-322-02 Rev E (received 9/4/24)**
- **Chimney and Eaves Plan H8449-005-01 Rev G (received 9/4/24)**
- **Electric Vehicle Charging Plan H8449-024-01 Rev B (received 9/4/24)**
- **Road Layout Visibility Splays (with Preliminary FFL) H8449-001-03 Rev C (received 9/4/24)**
- **Road and Sewer Layout General Arrangement (with Preliminary FFL) H8449-001-02 Rev C (received 9/4/24)**
- **Surface Treatment Plan H8449-004-01 Rev G (received 9/4/24)**
- **Dwelling Separation Distance Plan H8449-023-01 Rev F (received 9/4/24)**

- **Street Scenes H8449-009-01 Rev H (received 9/4/24)**

REASON: To clarify the permission and for the avoidance of doubt.

2. Notwithstanding the submitted Soft Landscaping Proposals (GL1989-01,02,03,04,05 and 06 **Rev K received 09/04/24** and Open Space Typology and Areas Plan H8449-001-03 **Rev A received 09/04/24**), revised soft landscaping proposals for the site shall be submitted to and approved in writing prior to the development progressing above slab level, **to include the following:**

- **to clarify the extent of hedgerow removal along Cossington Road**
- **detailed planting plans for the site entrance and any areas of over 20 species**
- **revision to the tree species along the railway**
- **to position the hedgerow along the southern road boundary to abut the road to maximise the openness of the Area of Local Separation**

The Open Space Typology and Areas Plan shall be revised to reflect the revised Soft Landscaping Proposals and ensure compliance with the outline planning permission and shall be submitted to and approved in writing prior to the development progressing above slab level. The approved revised soft landscaping proposals **and approved revised Open Space Typology and Areas Plan** shall be implemented in accordance with the approved plans.

REASON: To ensure that a satisfactory landscape scheme is provided in the interest of landscape character, visual amenity and biodiversity and provide appropriate species on the railway line boundary **and to accord the outline planning permission** and with policies CS2, CS11, CS13 and CS15 of the Core Strategy (2015), policies EV/1 and CT/4 of the Local Plan (2014) and emerging policies DS5, EV1, EV3, EV6 and EV7 of the submitted Local Plan 2021-37 and the NPPF 2023.

4. Notwithstanding the levels details shown on Road Layout Visibility Splays (with Preliminary FFL) H8449-001-03 **Rev C** and Road and Sewer General Arrangement (with Preliminary FFL) H8449-001-02 **Rev C**, no development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed in accordance with the approved levels.

REASON: In order to safeguard the visual amenities and character of the area and the amenity of neighbouring dwellings in accordance with policies CS2 and CS11 of the Core Strategy (2015), policies EV/1 and CT/4 of the Local Plan (2014) and emerging policies DS5, EV1 and EV3 of the submitted Local Plan 2021-37 and the NPPF 2023. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme

5. Notwithstanding the boundary treatment details shown on Boundary Treatment Plan H8449-003-01 **Rev G**, and associated details (plans RD-SD13-153 Rev A, RD/SD13/114, RD-SD13-100, RD-SD13-141, DB-SD13-014, RD-SD13-139RevB, DB-SD13-006RevB and RD-SD13-136) full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of those works. Such approved means of enclosure, in respect of those dwellings which are intended to be screened,

shall be erected prior to the first occupation of those dwellings.

REASON: To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with policy CS2 of the Core Strategy (2015), policy EV/1 of the Local Plan (2014) and emerging policy DS5 of the submitted Local Plan 2021-37 and the NPPF 2023.

7. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on titled 'Road Layout Visibility Splays (Drawing number H8449-001-03 Rev C) have been implemented in full. Visibility splays shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network in the interests of general highway safety & pedestrian safety and in accordance with the National Planning Policy Framework (2023).

8. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with drawing titled 'Planning Layout' (drawing reference H8449-001-01 Rev N dated 27 March 2024). Thereafter the onsite parking and turning provision shall be kept available for such use(s) in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).

9. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

REASON: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (2023).