



**PLANS COMMITTEE**

This meeting will be recorded and the sound recording subsequently made available via the Council's website: [charnwood.gov.uk/pages/committees](http://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 Preston Room - Woodgate Chambers on Thursday, 30th January 2020 at 5.00 pm for the following business.

Chief Executive

Southfields  
Loughborough

22nd January 2020

**AGENDA**

1. APOLOGIES
2. MINUTES OF PREVIOUS MEETING 3 - 5

The Committee is asked to confirm as a correct record the minutes of the meeting held on 19th December 2019.

3. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

4. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

5. PLANNING APPLICATIONS

6 - 163

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

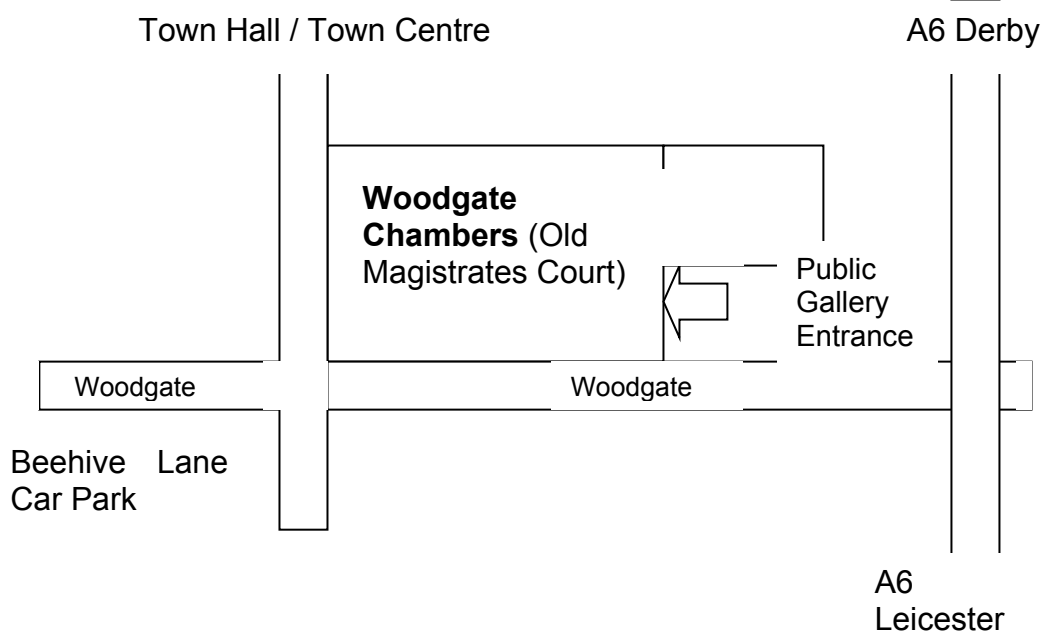
6. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

164 - 181

A list of applications determined under powers delegated to officers for the period from 9th December 2019 to 17th January 2020 is attached at page 164.

**WHERE TO FIND WOODGATE CHAMBERS**

Woodgate Chambers  
70 Woodgate  
Loughborough  
Leicestershire  
LE11 2TZ



## PLANS COMMITTEE 19TH DECEMBER 2019

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

Head of Planning and Regeneration  
Team Leader Development Management  
Principal Planning Officer (KB)  
Principal Solicitor  
Principal Planning Officer  
Team Leader Strategic Development  
Democratic Services Officer (NA)

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.

### 36. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 21st November 2019 were confirmed as a correct record and signed.

### 37. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

### 38. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosures were made:

- (i) by Councillor Grimley – a personal interest in application P/19/0524/2 was disclosed as he had worked with the developer (Wilson Bowden Developments Limited) in a professional capacity but he assured the Committee they had not discussed the application and he came to it with an open mind. Councillor Grimley also disclosed a personal interest in application P/19/1218/2 as he had worked with the agent previously but assured the Committee that they had not discussed the application and he retained an open mind.
- (ii) By Councillor Snartt – a personal interest in application P/19/0524/2 was disclosed as a family member worked for the development company. However, he assured the Committee that he came to the application with an open mind.

Clarification was also given to the Committee regarding how they should approach application P/19/0524/2 as it had been deferred at the last meeting to allow further information to be sought.

### 39. PLANNING APPLICATIONS

Reports of the Head of Planning and Regeneration, setting out applications for planning permission, were submitted (items 1 to 3 in the appendix to the agenda filed with these minutes). An Additional Items report in respect of application P/19/0876/2 was also submitted (also filed with these minutes).

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 Wade (objector) and Mr Ward (applicant) in respect of application P/19/0524/2;
- (ii) Mr Bradwell and Ms Johnson (applicants) in respect of application P/19/0876/2;
- (iii) Mr Wiggins (on behalf of the applicant) in respect of application P/19/1218/2.

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 Smidowicz in respect of application P/19/0524/2;
- (ii) Councillor Parton in respect of application P/19/0876/2.

The Chair also read out a statement from Councillor Poland in relation to application P/19/1218/2 as he was unable to attend the meeting.

A named recorded vote was taken in regard to application P/19/0524/2 with the following results:

For the application – Councillors Bailey, Bentley, Fryer, Grimley, Hamilton, Ranson, Savage, Snartt.

Against the application – Councillors Campsall, Lowe and Tassell.

Abstaining from the vote – Councillors Forrest and Tillotson.

### **RESOLVED**

1. that, in respect of application P/19/0524/2 (Land West of Snells Nook Lane, 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 subject to;

- (a) an additional condition to Recommendation A that states “an appropriate trigger/ mechanism for the provision of public transport infrastructure”.
2. that, in respect of application P/19/0876/2 (190 Ashby Road, Loughborough):
  - (a) planning permission be granted (against officer recommendations) as the Committee felt the public benefit of the intended use of the development outweighed the loss of the heritage property and the change to the street scene.
  - (b) that delegated authority be given to the officers to devise the wording for the conditions of the application.
3. that, in respect of application P/19/1218/2 (30 Main Street, Cossington), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration.

40. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

A list of applications determined under powers delegated to officers for the period from 11th November 2019 to 6th December 2019 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 24th February 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 – 30 January 2020

#### Index of Committee Items

Item	Application No	Applicant and Location, Description	Recommendation	Page
1	P/19/1281/2	<p>Charnwood Borough Council The Outwoods Country Park, Woodhouse Lane Woodhouse Eaves</p> <p>Change of use from dwelling (Class C3) to cafe &amp; visitor centre (Mixed Use Class A3/D2) and single storey extensions to building.</p>	Grant Conditionally	08
2	P/19/1369/2	<p>Commercial Estates Projects Ltd &amp; Mr AJP Pochin &amp; The Trustees of the Pochin 1997 Accumulation &amp; Maintenance Settlement. Land to the North East of Leicester</p> <p>Reserved Matters (access, appearance, landscaping and layout), for sustainable drainage, utilities, green infrastructure open spaces and roads and access elements of Phase 1 of Outline permission reference: P/13/2498/2 (excludes housing, primary school and local centre). Supported by the Environmental Statement submitted with Outline permission reference P/13/2498/2. (RMA1)</p>	Grant Conditionally	22
3	P/19/1457/2	<p>David Wilson Homes East Midlands Land to the North East of Leicester</p> <p>Reserved Matters (Access, appearance, landscaping, layout and scale), for residential development of 225 dwellings within phase 1 of Outline permission reference: P/13/2498/2. Supported by the Environmental Statement submitted with Outline permission reference P/13/2498/2. (RMA2)</p>	Grant Conditionally	56

4	P/19/1374/2	William Davis Ltd Land to the North East of Leicester	Grant Conditionally	82
		Reserved Matters, (access, appearance, landscaping, layout and scale), for residential development of 133 dwellings within Phase 1 of Outline permission reference: P/13/2498/2. Supported by the Environmental Statement submitted with Outline permission reference P/13/2498/2. (RMA3)		
5	P/19/1479/2	Davidsons Developments Land to the North East of Leicester	Grant Conditionally	106
		Reserved Matters (access, appearance, landscaping, layout and scale), for residential development of 246 dwellings within Phase 1 of Outline permission reference P/13/2498/2. Supported by the Environmental Statement submitted with Outline permission reference P/13/2498/2. (RMA4)		
6	P/19/2111/2	Mrs G Pepper Tithe Farm 160 Nottingham Road Barrow Upon Soar	Grant Conditionally	131
		Change of use of agricultural barn to residential dwelling (Use Class C3) and associated external alterations.		
7	P/19/2340/2	Mrs S Pole The Stables School Lane Woodhouse	Refuse	149
		Conversion of stables building to a dwelling.		

Item No. 1

**Application Reference Number** P/19/1281/2

<b>Application Type:</b>	Full	<b>Date Valid:</b>	18th June 2019
<b>Applicant:</b>	Charnwood Borough Council		
<b>Proposal:</b>	Change of use from dwelling (Class C3) to café & visitor centre (Mixed Use Class A3/D2) and single storey extensions to building.		
<b>Location:</b>	The Outwoods Country Park, Woodhouse Lane, Woodhouse Eaves, Leicestershire, LE11 3YG		
<b>Parish:</b>	Loughborough	<b>Ward:</b>	Loughborough Outwoods

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<b>Case Officer:</b>	Louise Winson	<b>Tel No:</b>	01509 634742
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This application has been referred to the Plans Committee by the Head of Planning and Regeneration Services under the terms of the Council's Constitution which requires development proposals submitted by or on behalf of the Council to be referred to the Plans Committee where objections have been received.

**Description of the Site**

The circa 0.6h site forms part of the Borough Council's Outwoods Country Park, a 110 acre ancient woodland to the south of Loughborough. The park forms part of the Charnwood Forest Regional Park and the National Forest and consists of a number of different routes and walks for the general public to enjoy. The application site is situated at the eastern edge of the Park and forms the primary vehicular access and car parking for the Park.

The Park is an identified Site of Special Scientific Interest (SSSi) due to its biological and geological features along with breeding bird habitat. The current application site is however not within the SSSi area.

Loughborough is the nearest settlement, with its built edge approximately 1 mile away to the north east.

The built form on the site currently consists of a number of buildings and structures. These include the cottage building, toilet blocks and open sided timber building use for recreation purposes by visitors to the park. There is also an area of play equipment. These structures are situated on the north western edge of the site. The single storey cottage has a C3, (residential), use and was historically occupied by the Park Ranger. The cottage has however been unoccupied for a number of years. The remainder of the site is given over to car parking. Light refreshments, for visitors to the site, have been provided on the site via a double decker bus for approximately 2 years.

Vehicular access to the site would be achieved via the existing access to the Park which is off Woodhouse Lane.



## **Description of the Application**

This application seeks full permission for a change of use of the cottage to a mixed use café and visitor centre (Class A3/D2). Along with internal alterations a pitched roofed extension to the south-eastern side of the building to provide increased floor space to serve as a seating/recreation area is proposed. The extension would be 5.1metres long x 6.9metres wide with a ridge height of 5metres. A further open sided pitched roof extension to the south eastern side of the building is proposed to serve as a covered outdoor seating area. This element would be 4.6metres long x 5.6metres wide with a ridge height of 4.5metres. The extensions would be constructed from materials to match the existing building.

The application also makes provision for improvements to the vehicular access into the site and for improvements to the car park area.

The application is supported by the following documents:

- Plans and Elevations
- Bat Emergence Survey
- Highways Impact Statement

## **Development Plan Policies and other material considerations**

### Charnwood Local Plan Core Strategy 2011- 2028 (Adopted November 2015)

Policy CS1 – Development Strategy sets out the development strategy and directions of growth for the Borough.

Policy CS2 - High Quality Design requires developments to make a positive contribution to Charnwood, reinforcing 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 provide attractive well managed public and private spaces.

Policy CS10 – Rural Economic Development seeks to maximise the potential of the rural economy by supporting tourism and leisure facilities.

Policy CS11 – Landscape and Countryside requires new development to protect landscape character and to reinforce a sense of place and local distinctiveness.

Policy CS12 - Green Infrastructure seeks to protect the Borough's green infrastructure assets for their community, economic and environmental values.

Policy CS13 – Biodiversity and Geodiversity requires development proposals to consider and mitigate any impacts on biodiversity and geodiversity to conserve and enhance the natural environment.

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 (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 policies are:

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.

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

Policy CT/2 – Development in the Countryside permits development in principle where it would not harm the character and appearance of the countryside.

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

National Planning Policy Framework (NPPF)

The NPPF is a material consideration in planning decisions. The Framework contains a presumption in favour of sustainable development and defines 3 roles a development must fulfil in order to be sustainable:

- An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support growth and innovation
- A social role – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built development with accessible local services
- An environmental role – contributing to protecting and enhancing our natural, built and historic environment

The Framework also seeks to promote the provision of healthy, active and inclusive places. Paragraphs 91 and 92 specifically support the provision of social and recreational opportunities such as green infrastructure developments that encourage walking and cycling.

Paragraph 170 of the Framework makes provisions for planning decisions to contribute and enhance the natural environment by protecting and enhancing valued landscapes through recognising the intrinsic character and beauty of the countryside.

#### Planning Practice Guidance

This web-based resource provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework.

#### National Design Guide

This guide illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice.

#### Leading in Design Supplementary Planning Document February (2006)

This encourages and provides guidance on achieving high quality design in new development. It indicates that the Council will approach its judgments on the design of new development against the following main principles:

Places for People – Successful developments contribute to the creation of distinctive places that provide a choice of housing and complementary facilities and activities nearby. Good design promotes diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs.

Sustainable Places – Successful developments are able to adapt to improve their long-term viability and are built to cause the least possible harm to the environment. It also incorporates resource efficiency and renewable energy measures to take into account the long-term impact of a development.

Distinctive Places – Successful developments respond to their context.

Charnwood Landscape and Settlement Character Assessment - sets out a number of guidelines for the careful management of new developments within the Charnwood Forest to ensure compatibility with the unique and special character of the landscape.

Draft Supplementary Planning Document on Design (January 2020) - Cabinet has approved the Design Supplementary Planning Document, but at the time of writing this report the document is within the call in period. This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life. In its draft form, the document carries some but not full weight. Members will be updated with regards to the document's status and weight in the Extras Report.

#### **Relevant Planning History**

None relevant to this proposal.

### **Responses of Statutory Consultees**

The table below sets out a summary of the responses received from the Consultees and local organisations.

<b>Response From</b>	<b>Comments</b>
Leicestershire Highway Authority	The Local Highway Authority advises that the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe.
Woodhouse Parish Council	No objections raised in principle although concern is expressed regarding parking and the over commercialisation of the site.
The Woodland Trust	No objection.

### **Other Responses Received**

The Woodhouse Parish Council Tree Officer Objects due to the impact on the adjacent mature tree potential impact on the SSSI.

Two letters of objection have been received from Borough residents. Objections raised are as follows:

- Highway Safety
- There is not the need for a food outlet in this location
- Impact on the SSSI
- Lighting and the impact on biodiversity

Full copies of the correspondence received are available on the Planning File and can be viewed online via planning explorer.

### **Consideration of the Planning Issues**

The main planning considerations in the assessment of the proposal are as follows:

- Principle of the Development
- Design and the impact on the character of the open countryside
- Highway safety
- Ecology
- Impact on Trees

#### Principle of the Development

The starting point for decision making on planning applications is that they must be made in accordance with the development plan unless material considerations indicate otherwise. Policies in the adopted Charnwood Local Plan 2011-2028 Core Strategy and the saved policies of the Borough of Charnwood Local Plan (2004) provide the development plan context.

Policy CS10 is a significant consideration in the assessment of the proposal. This policy supports tourism and leisure facilities in the Borough particularly those which benefit the Charnwood Forest, amongst other locations. Provision is made for the development of rural tourism based on the enjoyment of the countryside, which could be supported by the provision of facilities such as cafés and restaurants. Policy CS11 seeks to support rural economic development in accordance with the provisions of policy CS10. Policies CS12 and CS15 are also of some relevance as they undertake to respond positively to new development which contributes to open space and recreation provision along with supporting the woodland economy.

Saved Policy CT/1 of the Local Plan provides further support for the proposal. This policy allows for small-scale new built development or the adaptation of existing buildings in the open countryside to provide improved recreation or leisure uses, provided there would be no adverse environmental impact.

The National Planning Policy Framework contains a presumption in favour of sustainable development. In order for a proposal to be sustainable it must perform an economic, social and environmental role. In this context it is considered that the proposal would provide employment at the site throughout the construction process and then during the operation of the use. This will contribute to the rural economy, thereby providing an economic role. The provision of a development which supports an existing recreation facility in the Borough is considered to provide a social role. The re-use of a redundant rural building for recreation purposes is considered to provide an environmental role. Specifically, relevant to this proposal, paragraphs 83 and 84 of the Framework makes provision for planning decisions to enable the development of sustainable rural tourism and leisure facilities which respect the character of the countryside.

Overall, the development will result in the re-use of a redundant rural building to improve leisure and recreation facilities at an existing Country Park. The development will replace the double decker bus on the site which has been providing refreshments at the site with a permanent facility where design, environmental and highway issues can be assessed. Policies CS1, CS10, CS11 and CS15 of the Strategy, saved policy CT/1 of the Local Plan along with the provisions of the Framework set out support for this countryside proposal. The proposal will make a positive contribution to the rural economy and contribute to the long term success of the Country Park. The development would also respond to the provisions of the Charnwood Forest Landscape and Settlement Character Assessment which seeks to promote sustainable leisure and tourism. Given this context is thereby considered that the development is acceptable in principle.

Design and the Impact on the Character of the Open Countryside

The site is situated in the open countryside and within the designated Charnwood Forest, part of the National Forest.

Policy CS2 of the Core Strategy requires new development to make a positive contribution to the environment, having regard, amongst other considerations, to scale, landscape, layout and materials, in order to respect and enhance the individual character of an area. With regard to the open countryside, Policies CS10, CS11 and CS12 seek to ensure that new development protects the individual landscape character of the area. Saved policies CT/1 and CT/2 allows for small-scale new built development in association with recreation or leisure uses, provided there would be no adverse environmental impact or harm to the character and appearance of the countryside. The Framework provides support for rural tourism development which respects the character of the countryside. Further design guidance can be found in the Borough Council's adopted Leading in Design SPD and the National Design Guide. Further to this, the Charnwood Forest Landscape Character Assessment sets out a number of guidelines for the careful management of new developments to ensure compatibility with the unique and special character of the landscape.

The proposal will involve the redundant building being renovated and brought back into use. This is considered to be an improvement to the visual amenity of the locality, as the alternative is the building remaining empty and potentially deteriorating over time. The proposed extensions to the building are in keeping with the existing linear form and are considered to be sympathetic to the rural character of the area. The fenestration details and rooflines reflect those of the existing building, with the use of matching materials also proposed. Samples of these materials can be secured via the recommended condition to ensure the development remains in keeping with the existing building and locality. The site also benefits from screening from existing mature trees to the northern, western and southern sides which will provide mitigation for the visual impact of the development.

Overall, in terms of design and the impact on the surrounding countryside landscape, it is considered that the proposal generally complies with policies CS2, CS10, CS11 and CS12 of the Core Strategy, saved policies EV/1, CT/1 and CT/2 of the Local Plan and the Framework. The development is also considered to respond to the quality aspirations set out in the Leading in Design SPD and the National Design Guide along with the provisions set out to protect the individual landscape in the Character Assessment

### Highways

The Leicestershire County Highway Authority has reviewed the submitted plans and information and does not object to the principle of the development. It considers that the residual cumulative impacts of the development are not severe in accordance with Paragraph 109 of the NPPF. Its response covers the following areas:

Site Access: - The improvements to the access arrangements to the site are considered to be acceptable. Whilst the vehicular visibility splay to the north does not strictly comply with the Highways Design Guide given as this is an existing access

currently in use and that there have been no personal injury collisions recorded in the last 5 years the visibility for the access is acceptable.

Internal Layout: The scheme makes provision for some improvements to the existing informal parking area including the setting out of additional disabled parking spaces. These measures are considered to be acceptable given the proposal will continue an existing use, and, it is not anticipated that the demand for on-site parking will increase a significant amount.

Given the above position it is considered that the proposal would not result in harm in terms of highway safety and that an accessible development can be achieved by attaching suitable conditions. The proposal therefore complies with policy TR/18, the NPPF and the Leicestershire County Highway Authority Standing Advice.

### Ecology

Policy CS13 of the Core Strategy along with the provisions of the National Planning Policy Framework requires new development proposals to consider and mitigate any impacts on biodiversity.

The application is supported a bat emergence survey. No bats were recorded entering or leaving the building during the period of the survey. However, bat mitigation measures are proposed as part of the construction of the development to encourage future bat activity in the area. Careful consideration over the lighting of the site should however be given to ensure the potential for artificial light to disturb bats or other wildlife is minimised. A condition securing the details of the lighting is therefore recommended. The Borough Council's Senior Ecologist has commented on the application and is satisfied that the nearby SSSI would not be impacted by the development. Whilst concern has been expressed regarding this issue, there is no evidence to suggest that the use, which is a continuation of an existing facility at the site, would cause harm to the SSSI.

It is overall considered that the development would have no unacceptable impact on biodiversity in the locality. In this regard the proposal complies with policy CS13 of the Core Strategy and the Framework.

### Impact on Trees

There are a number of mature trees in and around the site. The proposed extension will fall within the root protection area of a mature oak tree on the south-eastern corner. The Borough Council's Senior Landscape Officer and the Woodhouse Parish Council Tree Warden have expressed concern regarding the impact of the proposed development on this tree.

However, the tree is not protected and could be pruned or removed at any time without needing any formal consent. The information submitted with the application confirms the construction of the development would be in accordance with the British Standard BS 5837:2012: Trees in Relation to Design, Demolition and Construction – Recommendations. The details regarding the design of the foundations can also be

secured via the recommended planning condition. This would ensure any impact of the tree can be mitigated to an acceptable level.

Overall, whilst the concern regarding the tree is noted within the planning balance, it is not considered that this concern alone could justify a reason to resist the proposal. It is considered that the public benefits of this proposal and contribution it would make to the rural economy and long term success of the Country Park would outweigh any harm to the unprotected tree. Additionally, given the woodland setting, any residual impact on this single tree would not have an impact on the wider landscape context.

## **Conclusion**

There are no objections to the loss of the dwelling at the site. The provisions of the Development Plan provide support in principle for the change of use. The use would contribute to the continued success of the Country Park and surrounding rural economy, which, in turn would support the aspirations of the Charnwood Forest Landscape and Settlement Character Assessment.

Whilst the concern regarding the impact on the tree is noted, it is not considered in this case that the application could be resisted on these grounds. The identified benefits to the scheme are considered to outweigh any concerns regarding the tree in this case. There are no biodiversity grounds to oppose the proposal, nor is the scheme considered likely to result in a severe impact on the safe operation of the highway network.

The local concern expressed regarding the potential commercialisation of the site is noted. However, the development would provide for the continuation of an existing use at the Park. It is therefore not anticipated that the visitor numbers or activities at the park would significantly increase as a result of the development.

On balance, it is therefore considered there are no sustainable reasons for refusal, and, as such, planning permission should be granted.

## **RECOMMENDATION:**

Grant Conditionally

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

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development shall be carried out only in accordance with the details and specifications included in the submitted application, and shown on the following drawings:  
5548/1 - Existing Plans, Site Plan and Site Location Plan  
5548/2 – Proposed Ground Floor Plan and Elevations  
5548/3 – Drainage Plan



1:1250 at A2 – Visibility Splay Plan  
Highway Impact Statement RT081175-149-01

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

- 3 No part of the development hereby permitted shall be occupied or brought into use until such time as vehicular visibility splays of 2.4 metres by 140 metres to the north and 2.4 metres by 240 metres to the south have been provided at the site access. These 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 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, and in accordance with the National Planning Policy Framework (2019).

- 4 Prior to the development reaching D.P.C level or above, details of the design for off-street highway as shown generally on drawing number 001 Access Design and Visibility Drawing shall be submitted into the local planning authority for approval. The proposed cafe/visitor centre shall not be operational until that scheme has been constructed in accordance with the approved details.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2019).

- 5 Prior to the development reaching D.P.C level or above, samples of the facing bricks and any other materials to be used on the external walls and of the roofing slates, tiles and any other materials shall be 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 make sure that the appearance of the completed development is satisfactory.

- 6 Notwithstanding the submitted drawings, the development hereby permitted shall not be occupied or first used until such a time as the indicative parking layout submitted on drawing Indicative Parking Arrangement Drawing 002 by WYG Group Ltd has demonstrating 48 standard parking spaces and 3 disabled with associated turning has been provided. Thereafter the onsite parking and turning provision shall be so maintained 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 (2019).

- 7 Notwithstanding the submitted details, no outdoor lighting shall be installed on the building without the previous written agreement of the local planning authority.

REASON: In the interest of biodiversity and the conservation of a protected species.

- 8 No development shall be carried out on the site unless it is fully in accordance with the bat mitigation strategies specified in the submitted Bat Roost Assessment and shown on the approved drawing no. 5548/2 approved as part of this application.

REASON: To ensure that important features of ecological interest are protected.

- 9 The development hereby permitted shall not be occupied or brought into use until such time as cycle parking is provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the cycle parking shall be maintained and kept available for use.

REASON: To promote travel by sustainable modes in accordance with the National Planning Policy Framework.

10. Within two months of the commencement of development, a scheme showing full design details of the bin storage facilities for the development shall be submitted to the local planning authority for approval. No occupation or use of the development shall take place until the bin storage facilities have been provided in accordance with the agreed details. The bin storage areas shall thereafter be maintained and retained at all times.

REASON: To ensure adequate refuse facilities are provided in the interests of maintaining the visual amenity of the open countryside.

11. No development, including site works, shall begin until the existing oak tree shown to be retained on the approved plan has been protected, in a manner which shall have first been submitted to and agreed in writing by the local planning authority. The tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

REASON: The tree is an important feature in the area and this condition is imposed to make sure that it is properly protected while building works take place on the site. This condition requires discharge prior to development commencing as it requires measures to be installed before construction starts.

12. Notwithstanding the submitted details, no development, including site works, shall commence until such time as full details of the proposed foundations for the development have been submitted to and agreed in writing by the local planning authority. The submitted scheme shall be fully in accordance with the British Standard BS 5837:2012: Trees in Relation to Design, Demolition and Construction – Recommendations The agreed details shall be completed as part of the works hereby permitted.

REASON: To ensure the oak tree referred to in condition 11 above is properly protected while building works take place on the site. This condition requires discharge prior to development commencing as it may require measures to be taken before construction starts.

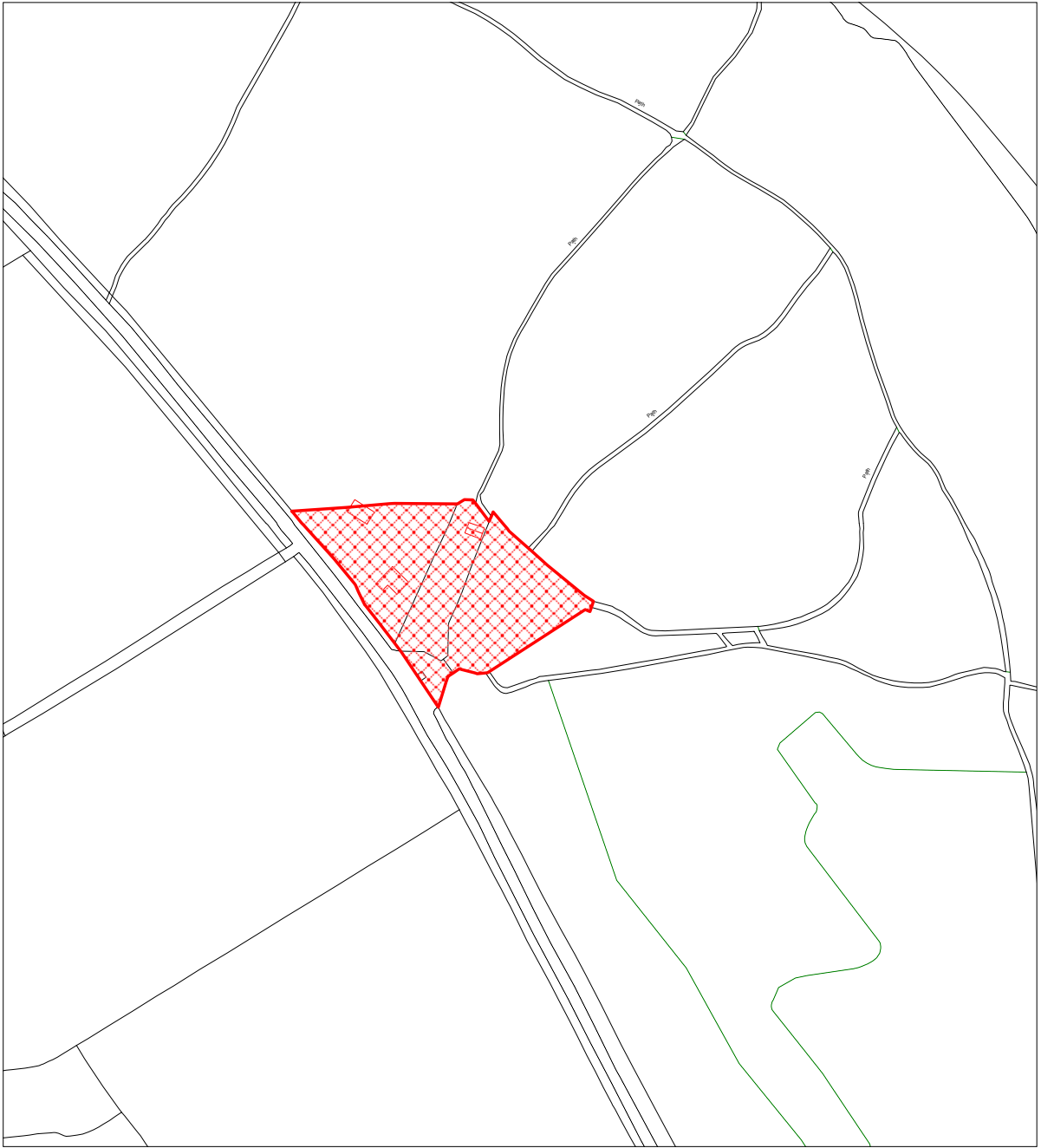
13. The building shall be used only for a cafe and visitor centre and for no other purpose, including any other purpose in Class A3 or D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, without the prior consent of the Borough Council.

REASON: To ensure that the use remains compatible with the surrounding area.

The following advice notes will be attached to a decision

- 1 The Local Planning Authority acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 2 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS2, CS10, CS11, CS12, CS13, CS15 and CS25 of the adopted Charnwood Local Plan 2011-2028 Core Strategy, saved policies EV/1, CT/1 and CT/2 of the Borough of Charnwood Local Plan (adopted 12th January 2004) and the provisions of the National Planning Policy Framework have been taken into account in the determination of this application.

- 3 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal and it does not fully accord with the terms of the above- mentioned policies and the Council's adopted Supplementary Planning Document 'Leading in Design', the degree of harm that might be caused to one or more of the issues arising under the policies is insufficient to warrant the refusal of planning permission.
  
- 4 Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>



Item No. 2

Application Reference Number P/19/1369/2

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<b>Application Type:</b>	Reserved Matters	<b>Date Valid:</b>	26/06/2019
<b>Applicant:</b>	Commercial Estates Projects Ltd, Mr AJP Pochin & The Trustees of the Pochin 1997 Accumulation and Maintenance Settlement		
<b>Proposal:</b>	Reserved Matters, (access, appearance, landscaping and layout), for sustainable drainage, utilities, green infrastructure open spaces and roads and access elements of Phase 1 of Outline permission reference: P/13/2498/2, (excludes housing, primary school and local centre). Supported by the Environmental Statement submitted with Outline permission reference P/13/2498/2. (RMA1)		
<b>Location:</b>	Land to the North East of Leicester		
<b>Parish:</b>	Barkby Thorpe	<b>Ward:</b>	Queniborough
<b>Case Officer:</b>	Karen Brightman	<b>Tel No:</b>	01509 632520

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This item is brought to Plans Committee as it relates to a strategic housing site allocated in the Core Strategy and it is of significant public interest, as it comprises the first set of reserved matters for that site.

This report should be read in conjunction with associated reports relating to applications P/19/1457/2, P/19/1374/2 and P/19/1479/2 for the reasons set out in the overarching North East Leicester Phase 1 context note, which introduces these four items on the agenda.

### **Description of the Application site**

The site falls within a much larger area with hybrid permission for development of a Sustainable Urban Extension. This larger site comprises approximately 360 hectares of predominantly agricultural land located to the north and east of Leicester. The northern edge of the wider site abuts Barkby Lane between Syston and Barkby. The eastern edge is a mix of field boundaries near to Barkby and Barkby Thorpe. The southern boundary of the site adjoins the residential area of Hamilton and the Hamilton business park both within Leicester City Council's administrative area.

This current application, along with the three associated applications also on this agenda, comprise the majority of the first phase of the North East Leicester Sustainable Urban Extension.

The phase 1 area lies between Barkbythorpe Road and Hamilton Lane/King Street to the west and east respectively. The southern boundary is defined by Melton Brook and the northern boundary in part by a small planting belt that lies perpendicular to Hamilton Lane. It comprises approximately eight, (in whole or in part), agricultural fields divided by established field hedges. There are currently a number of field accesses onto both Hamilton Lane and Barkbythorpe Road, including a track/bridleway that joins Barkbythorpe Road in the south west corner of the site.

Existing vegetation within the site is largely limited to single mature trees within existing field hedges and a belt of mature trees alongside Melton Brook. The Hamilton Lane planting belt to the north is relatively recently established and comprises a mix of evergreen species and native rural planting. Directly to the west of the site is an established copse of trees that are highly visible from the surrounding landscape. Levels generally rise gently up from Melton Brook towards Barkby and Barkby Thorpe.

## **Description of the Proposal**

This application deals with some of the elements within phase 1 that support the housing development. These are:

- Green infrastructure including playing fields, play areas, natural green space and amenity open space
- Tree planting and landscaping to shared green areas
- Facilities to support sports uses within the phase
- Common boundary treatments and street furniture across the phase
- Drainage systems that comprise attenuation and retention basins, a remodelled drainage ditch, a swale that runs north/south along with traditional foul and surface water drainage systems.
- The Main Street that runs east west through the phase and that will eventually connect to the new Southern Access Road and to the A607 between Thurmaston and Syston
- Re-modelling of levels across the phase
- Storage of excess fill from the ground remodelling

The current phase 1 applications exclude the Primary School and Local Centre, and these will be subject to separate reserved matters applications once these details have been finalised. These elements of the development nevertheless remain subject to the trigger mechanisms set out the section 106 legal agreement, via the outline/hybrid planning conditions and within the approved site wide phasing plan.

The application includes the following supporting documents & plans:

- Application form
- Site location Plan – red line
- Secondary Site location Plan – areas to be implemented by applicant
- Existing Topography (6 plans)
- Supporting statement June 2019
- Landscape Design Statement rev P02
- Transport Statement November 2019
- Technical Note Phase 1 Accesses November 2019
- SuDs Technical Notes, (v1.0 and v1.6) & additional information (Nov 19)
- Specification for Engineered Fill
- Arboricultural Report

It includes the following **illustrative** plans:

- Illustrative Landscape Masterplan rev P07
- Indicative Composite Plan rev V
- Vehicle Tracking (3 plans) rev A

It seeks approval for the following plans:

- Soft Landscape strategy Plans (8 plans) rev P03
- Soft Landscape Strategy Plan for Main Street rev P05
- Public/private Boundary Treatment rev P04
- Site Sections A-D rev P02
- Site Sections E-F rev P01
- Site sections N-S A-A rev P02
- Site Sections N-S B-B rev P01
- Site Sections E-W A-A rev P01
- Site Sections E-W B-B rev P01
- Site Sections Plan rev P01
- Estate fencing and gate for drainage ditch Rev P03
- Hard Landscape Surface Treatment Strategy rev P05
- Phase 1 access Barkbythorpe Road South Rev G
- Phase 1 access Barkbythorpe Road North Rev G
- Phase 1 access Hamilton Lane North rev C
- Phase 1 access Hamilton Lane South rev F
- Drainage and levels Appraisal (3 plans) rev D, E, D
- Drainage Layout (3 plans) rev A
- Drainage Construction Details (3 plans)
- Cut and Fill Appraisal Plan rev C
- East Field Spoil Capacity Layout Plan rev A
- Highway Construction Details (2 plans)
- Kerbing and Surfacing finishes (3 plans)

## **Development Plan Policies**

The Development Plan for Charnwood currently consists of the Charnwood Local Plan Core Strategy 2006-2028, Saved Policies of the Borough of Charnwood Local Plan (2004), the Leicestershire Minerals Core Strategy and Development Control Policies Document (2009), and the Leicestershire Waste Core Strategy and Development Control Policies document (2009). Several neighbourhood plans relate to specific areas of the Borough also.

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

*Policy CS2 – High Quality Design* – requires developments to make a positive contribution to Charnwood, reinforcing 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, and protect the amenity of people who live or work nearby.

*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.

*Policy CS 12 Green infrastructure* - seeks to protect and enhance Urban Fringe Green Infrastructure Enhancement Areas (of which this application site forms a part) by enhancing a network of green infrastructure assets. Strategic developments, such as this, are recognised as important in achieving this.

*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. This could include archaeological assets.

*Policy CS15 – Open Space, Sport and Recreation* –states that proposals should meet space standards set out within the Council's Open Space Strategy. For Sustainable Urban Extensions a Masterplan that delivers high quality spaces is required. The policy also states that development should contribute to open space sport and recreation provision and that long-term management and investment plans for open space should be secured.

*Policy CS16 Sustainable Construction and Energy* - supports sustainable design and construction techniques. It also 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.

*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, CS19. 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 strategic development North east of Leicester to deliver an appropriate and comprehensive package of transport improvements in accordance with Policy CS19 whilst promoting sustainable travel in accordance with Policy CS17.

*Policy CS 19 North East of Leicester Sustainable Urban extension* – establishes the principle of the urban extension. It in effects allocates it for the development permitted by the outline/hybrid application.

With regard to community facilities it supports primary schools as focal points within the community and seeks delivery of other community facilities within an early phase of the wider development.

For transport the policy requires well connected street patterns and walkable neighbourhoods with safe and direct walking, cycling and public transport routes. Cycling and walking routes should relate to the green infrastructure and connect to employment and transport. The policy establishes the principle of a new main road passing through the whole development.

Environmental aims of the policy include responding to the landscape and surrounding areas to create a locally distinctive environment, protecting, enhancing and creating wildlife corridors, reducing carbon emissions, designing spaces and buildings that are resilient to climate change, providing sustainable drainage, reducing flood risk and enhancing water quality. An extension to the Leicester Hamilton green wedge is sought along with appropriate provision of green space to serve the development and comply with CS15.

*Policy CS 24 Delivering Infrastructure* – is concerned with ensuring development is served by essential infrastructure. As part of this it seeks to relate the type, amount and timing of infrastructure to the scale of development, viability and impact on the 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 (adopted 12 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 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/4 Road and Highway Improvements* – This seeks to ensure that appropriate improvements are provided in association with new development.

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

## Other 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. For planning decisions this means approving proposals that comply with an up to date development plan without delay. If the Development Plan is silent or policies most relevant to determining the application are out of date permission should be granted unless protective policies within the NPPF give a clear reason for refusal or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

The NPPF policy guidance of **particular relevance** to this proposal includes:

*Section 8: Promoting healthy and safe communities.* This section seeks inclusive and safe places that enable healthy lifestyles. Access to a network of high-quality open spaces and opportunities for sport and physical activity are key to this.

*Section 9: Promoting Sustainable Transport.* This section seeks to encourage walking, cycling and public transport use. Patterns of movement, streets, parking and other transport considerations are supported as a way of creating high quality spaces. With specific regard to decision making, it states it should be insured that appropriate opportunities are taken to promote sustainable transport, that there is safe and suitable access to the site and that any significant effects on the transport network are effectively mitigated.

*Section 12: Requiring well-designed places:* This section recognises the importance of creating high quality buildings and places. It supports design that functions for the lifetime of the development, is visually attractive, sympathetic to the character of the area, creates a sense of place, creates safe inclusive spaces and maximises a sites potential to accommodate a mix of uses including green spaces and transport networks.

*Section 14: Meeting the challenge of climate change:* This section supports new developments which reduce greenhouse gas emissions and improve energy efficiency. There is advice that new development should be resilient to climate change and should that it should not increase flood risk.

*Section 15: Conserving and enhancing the natural environment:* This section seeks to contribute to and enhance the natural and local environment. This includes recognising and protecting natural assets, protecting and enhancing biodiversity and considering environmental impacts.

### Planning Practice Guidance

This national document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework.

### Leading in Design Supplementary Planning Document (February 2006)

This document encourages and provides guidance on achieving high quality design in new development. Appendix 4 sets out spacing standards for new housing developments to ensure that overlooking and over dominance do not occur and that a good quality design is achieved.

### National Design Guide

This document sets out advice relating to the 10 characteristics that give a place its physical character, create community and influence climate. These characteristics are context, identity, built form, movement, nature, public spaces, uses, homes & buildings, resources and lifespan. For each characteristic advice is offered along with good practice examples and future suggestions.

### Leicestershire Highways Design Guide

The Leicestershire Highways Design Guide deals with highways and transportation infrastructure for new developments. It replaces the former 6C's Guidance.

### Leicestershire County Council Local Transport Plan (LTP)

This sets out Leicestershire County Council's strategy for delivering improvement to accessibility, connectivity and for promoting social inclusion and equality.

### Leicestershire Housing and Economic Development Needs Assessment (HEDNA) – 2017

HEDNA provides an up to date evidence base of local housing needs including an objectively assessed housing need figure to 2036 based on forecasts and an assessment of the recommended housing mix based on the expected demographic changes over the same period. The housing mix evidence can be accorded significant weight as it reflects known demographic changes.

### Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

The Environmental Impact Assessment Regulations set out the parameters, procedures and Regulatory detail associated with the screening, scoping and preparation of an Environmental Statement and consideration of significant environmental impacts of development. The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process.

Where an outline application has been submitted with an Environmental Statement any subsequent applications that are submitted, such as reserved matters, are considered to be supported by the original Environmental Statement. However, the

decision making authority has to satisfy itself that the Environmental Statement remains pertinent and can ask for further information or an addendum to it if the subsequent application raises new matters or if there has been a material change that affects it.

#### Conservation of Habitat and Species Regulations 2010 (as amended)

These Regulations contain certain prohibitions against activities affecting European Protected Species, such as bats.

The Council as local planning authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed by the development) then the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England.

#### Protection of Badgers Act 1992

Badgers are not European Protected Species but are subject to protection under the above Act. This Act includes various offences, including wilfully killing, injuring or taking a badger or deliberately damaging a badger sett. A license is required from Natural England where development proposals may interfere with badger setts.

#### Charnwood Landscape Character Assessment (2012)

The Charnwood Landscape Character Assessment identifies the distinct landscapes within Charnwood by describing their key characteristics and natural, historic and cultural features.

#### Design Supplementary Planning Document

Cabinet has approved the Design Supplementary Planning Document, but at the time of writing this report the document is within the call-in period. This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life. In its draft form, the document carries some but not full weight. Members will be updated with regards to the document's status and weight in the Extras Report.

### **Responses of Consultees**

The table below sets out the responses that have been received from statutory consultees with regard to the application. Please note that these can be read in full on the Council's website [www.charnwood.gov.uk](http://www.charnwood.gov.uk)

Consultee	Response
Sport England	Does not object to the principle of the facilities to be provided within these reserved matters. However, advice is offered with regard to the position of the pavilion and the final detailing of the proposals. Further detail in the form of a feasibility report is sought for the cricket pitch before the detailed design of this is assessed.
Environment Agency	Does not make formal comment providing the proposal complies with standing advice.
Leicestershire Police	No formal objection is made. General guidance for the development as a whole is offered. It is also advised, with regard to these reserved matters, that appropriate lighting of the walkways around the sports facilities and the associated parking facilities is provided. Alongside this provision for CCTV should be considered.
Lead Local Flood Authority	Do not object to the application on the basis of the additional information submitted during the course of the application. Standing advice is also issued.
Leicestershire County Council	Considers each of the four access points in detail and considers them in terms of both design and safety. It concludes that each of these access points is of adequate design and provides safe access and egress. Operational capacity assessments of the junctions are examined, and all are found to operate well within practical capacity along with the internal junction associated with access 2. updated strategic modelling was assessed during the application consideration period and LCCHA are content that this does not show a material change from the access strategy approved under the outline/hybrid application. The change in detailed strategy is not considered to alter the overall outcome. Future triggers for the bus service are noted. Conditions to secure pedestrian access to Hamilton and to ensure PRow's are dealt with are suggested.
Thurmaston Parish Council	Makes overall comment with regard to phase 1 – see context note
Natural England	Makes no observations on these reserved matters as the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.
Historic England	Offers no comment on the application
Network Rail	Makes no comment on the application
Barkby and Barkby Thorpe Parish Council	Makes overall comment with regard to phase 1 – see context note
Barkby and Barkby Thorpe Action Group, (BABTAG)	Makes overall comment with regard to phase 1 – see context note. Additional comments are also made on P/19/1369/2 following the submission of additional

	<p>transport information. There are concerns that the SAR will not be completed prior to 575 units and reference is made to the flexibility offered by the outline. There are also concerns that construction traffic will use surrounding lanes when it was previously assumed that Hilltop Road would be used. There are also concerns about the lack of detail regarding closure of Hamilton Lane, bus provision and the timing of traffic calming in the villages.</p>
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## Other Comments Received

### Local Residents

3 letters objecting or offering comment have been received from local residents. These concerns relate to phase 1 overall and are summarised within the context report. Please note that they can be read in full on the Council's website [www.charnwood.gov.uk](http://www.charnwood.gov.uk)

## Consideration of the Planning Issues

The reserved matters to be approved and the principle of developing the wider site for housing and associated infrastructure has been agreed at the outline/hybrid stage. In the case of this particular application what lies to be determined is whether the details of scale, layout, appearance and landscape submitted, with regard to drainage, utilities, green infrastructure open spaces and roads within Phase 1 are acceptable.

The main considerations are considered to be:

- Whether these reserved matters are within the terms of the outline/hybrid permission, (acceptability in principle)
- Do the reserved matters achieve a high quality of Design
- The impact of the reserved matters on landscape
- The contribution the Reserved Matters make to Strategic Green Infrastructure
- The quality, quantity and location of open space
- Biodiversity
- Traffic and Highways
- Drainage

Whether these reserved matters are within the terms of the outline/hybrid consent, (acceptability in principle)

There are plans and documents approved at outline/hybrid stage that this application for reserved matters must conform with to remain within the terms of the outline/hybrid permission. These are:

- The approved parameter plans
- The concepts outlined within the Design and Access Statement

- Relevant conditions of the outline consent

Planning permission was granted subject to the reserved matters applications complying with 6 parameters plans. The table below lists them and provides a brief assessment of whether the current application complies with them:

<b>Parameter Plan</b>	<b>Compliance</b>	<b>Verdict</b>
Development extent	These reserved matters do not contain built development, with the exception of facilities to serve recreational uses. Although these are generally within the maximum built extent there is provision for such facilities outside this area noted on the parameter plan.	Yes
Density	Not applicable to this application	N/a
Building Heights	The height of the ancillary buildings that would fall within the area of these reserved matters is not known but these types of buildings are generally single storey and extremely unlikely to exceed 11m above existing ground level. In any event this could be controlled by way future applications containing the detailed scale and design of them.	Yes
Access	The reserved matters show a section of the main road that is within the "main route corridor" identified within the parameter plan. There is a link through to the southern access depicted that corresponds with point A. A Pedestrian link is shown close to point 16 which constitutes one of the two links that have to be provided between this point and the eastern edge of Hamilton. Two public rights of way are within the area for this application for reserved matters. One runs north south and will need to be subject to diversion and alteration as it passes through the site. The second which runs east to west will again be subject to some alteration/diversion as it follows the green corridor along the brook.	Yes
Land Use	These reserved matters reflect the strategic landscape infrastructure shown on the land use parameter plan. They support the associated residential uses which also comply with the land use parameter plan. Landscape infrastructure along a corridor north of the brook is reflected within the submission as is the strategic green corridor which surrounds the cricket pitch.	Yes
Landscape Infrastructure	The reserved matters include parkland and a green corridor along the north of the brook. Green corridor 7 (M – N) is included as is the relevant part of green corridor 6 (K – L). The future cricket pitch area corresponds to the parks	Yes



Parameter Plan	Compliance	Verdict
	and outdoor sports allocation on the parameter plan. The edge of semi natural space to the north is recognised within the reserved matters. The width of green corridor 7 complies with the dimensions set out in the parameter plan note and the dimensions of the part of green corridor 6 that is included would not preclude the corridor complying in totality once the further details are established.	

The Design and Access Statement set out 7 design objectives which were used to inform the concept and masterplan for the Sustainable Urban Extension as a whole. From the Masterplan certain parameters were fixed, (see above), character areas were defined for place making purposes, and the principle a hierarchy of streets was set out. Additionally, Sustainability objectives were set out. Areas of the Design and Access Statement that are particularly relevant to these reserved matters are set out in the table below along with a simple assessment:

D & A Concept	Assessment
<b>Street Hierarchy</b>	
Main Street – Within hierarchy (6m- 8.5m wide, 1.5m off road cycle path, 2m footpath, landscaping, tree planting, landscaped verges, on street parking, bus stops and traffic calming.	This complies with the parameters set out within the design and access statement with regard to width, foot and cycle provision, hard and soft landscaping, parking, bus stop provision and traffic calming.
Road Types A and B – (A= 5,25m-6m wide, 1.8m-2m wide footway, hard verges, tree and shrub planting & direct Plot access. B= similar dimensions but with more variation in street width, soft verges and more frequent planting)	The Design and Access Statement defines these as similar street types with type B being more organic and having greater levels of tree planting. It says type B roads should be located within the north and south east of the masterplan area. There are no type A or type B roads within this reserved matters area as they fall within the housing areas.
Lanes/shared Surface areas	There forms the finest grain in the street hierarchy. There are none within this reserved matters area as they fall within the housing areas.
Cycleways/pedestrians	The Design and Access Statement sets out a suggested network of dedicated and safe cycle routes based on the illustrative masterplan. These reserved matters define a series of linear corridors that could contain cycleways but do not provide precise detail relating to this. A condition requiring these details would need to be attached but there

	<p>is nothing within the submitted information that would preclude appropriate provision.</p> <p>The Design and Access Statement suggests existing rights of way are integrated into a new network of leisure routes and paths alongside roads. The reserved matters show how this would be achieved and include routes along the main recreational corridors, existing public rights of way, diverted sections of existing routes and footpaths along the Main Street.</p>
<b>Character Areas</b>	
Village Housing	There are distinct character parcels of housing, (defined by different developers), which are connected by the linear open space. This application deals with that linear open space. As required, this is undulating and linear in nature. It includes recreational opportunities and foot and cycle links.
Southern Green	This is a crescent shaped that will act as an entrance feature once the southern access road has been completed. The area shown with this reserved matters application conforms to the design and access statement in terms of size, shape and location.
Southern Access	Only a small spur of this is included within this set of reserved matters applications as the majority of it falls within Leicester City and has full planning permission (by way of the hybrid application). That which is shown is within a green corridor with views northwards across open space as per the Design and Access statement.
<b>Sustainability</b>	
Sustainable transport	The development is based around a series of green corridors which provide transport choice. The Section 106 legal agreement also requires provision of a bus service which will link the development to nearby Leicester and other settlements in the area. As the wider SUE is developed facilities which are easily accessible to residents will be created within the immediate area that can be accessed by foot or cycle.
Healthy Communities	This reserved matters application provides outdoor sport and recreation linked by green routes. This encourages healthy transport choice and allows for integration of the wider community.
Climate Change	The individual buildings will be designed to meet increasingly stringent building regulations. There are opportunities, (beyond the scope of this application), to enhance the sustainability

	credentials of public buildings and this application does not impede that. These reserved matters include sustainable urban drainage for the whole of phase 1 which has been designed to meet climate change objectives.
Natural environment	There is ecological connectivity through the site by way of the green corridors and drainage infrastructure. Predominantly native planting is proposed throughout the reserved matters area with enhancement and retention of ecological features favoured.

There are several planning conditions attached to the outline/hybrid permission that the reserved matters must comply with. Some of these relate to the phasing of the development and the programme for submitting further information and are dealt with later in this report. Others seek to guide the details of the development and include conditions ensuring compliance with approved plans and documents, meeting with highway guidance and ensuring appropriate finished floor levels. This set of reserved matters does not conflict with the provisions of these conditions.

To conclude the reserved matters are compliant with the broader parameters set out within the outline consent and as such are acceptable in principle.

Do the Reserved matters achieve a high quality of Design?

Policy CS2 seeks high quality design for all new development and sets out general design principles that should be used to achieve this. Policy CS19 builds upon this in the context of North east Leicester and envisages a locally distinctive development that responds to landscape context. With particular regard to these reserved matters this involves protecting and enhancing wildlife corridors, delivering climate resilient multi-functional green spaces and securing sustainable drainage systems.

Part 12 of the NPPF attaches great importance to achieving good design and seeks to promote development, which is appropriate in terms of overall scale, massing, height, landscaping, layout, materials and access in relation to neighbouring buildings and the local area more generally.

The National design guide sets out important design characteristics which are integral to any development. Whilst this proposal must sit within the framework of the approved Design and Access statement which predates this document it is useful to briefly look at the proposal in terms of the 10 characteristics. The table below provides a short summary:

Characteristic	Assessment
Context	The proposal relates to its immediate rural context by virtue of the open green network of spaces that it creates. Those green spaces which are closest to surrounding countryside and parks have a less formal feel and are often semi natural.

Identity	The development achieves an identity which comes from the interaction of the elements within it. The green corridors and open space that comprise this application are a key element of this identity. They have been designed as a hierarchy of spaces with their character determined by their function. Street furniture and boundary treatments that are coordinated across the open space network provide local identity and character.
Built Form	There is limited built form within this reserved matters area. These reserved matters provide walkable development with a system of footways/cycleways and public transport. They form the “backbone” to the built form.
Movement	The development has a clearly defined hierarchy for movement. There are distinct road types and transport choice is offered. Undulating linear spaces which include play facilities, foot and cycle ways and allow for biodiversity provide for transport choice.
Nature	Within the reserved matters there are high quality greenspaces which perform a number of functions, including play. There is an undertaking to enhance biodiversity and provide net gain. Sustainable urban drainage systems within the green infrastructure also offer the potential for biodiversity gain.
Public Spaces	This set of reserved matters provides the public spaces which serve phase 1. The spaces have been designed to support a variety of activities and to be inclusive. There is planting to provide shading, improve air quality and help mitigate climate change.
Uses	As this relates to a small area of the SUE it does not contain a wide variety of uses. It acts as a support system for surrounding uses.
Homes and Buildings	This application contains a system of shared spaces that are conveniently located and function well. They have been designed to be fit for purpose and incorporate appropriate planting. Buildings within adjacent reserved matters face onto the spaces to provide surveillance and active frontage where this is appropriate.
Resources	The spaces within this reserved matters application will make the development more resilient to climate change. They will help reduce heat by increasing shading, improve air quality and provide social wellbeing. Sustainable drainage systems are integral to the application and will improve flood resilience.
Lifespan	The areas subject to this reserved matters application are shared spaces that will be managed by a management company. This will ensure longevity of the uses.

The outline/hybrid application was approved on the basis that the design principles set out within the Design and Access Statement were adhered to as they achieved the aims of the then emerging policy CS2 and its forerunner, policy EV/1. The main reserved matters features set out above, all reflect the principles set out within the approved Design and Access Statement and accordingly are of an appropriate and high-quality design which accords with the development plan. New national guidance, that has emerged since the original Design and Access Statement was approved, does not introduce any new material considerations that would override these policies.

#### The impact of the reserved matters on landscape

Policy CS11 is concerned with protecting the character of the landscape and countryside. In order to comply with this new development must take into account landscape context and mitigate impacts where appropriate.

Landscape is a key component of this particular reserved matters application. The green landscape infrastructure that surrounds the housing parcels is designed not only to have a place making function but also to soften and mitigate the impact of the development on surrounding open land.

The western and eastern boundaries of the phase will ultimately adjoin further development and any impact on the existing rural landscape will be a relatively temporary one. During phase 1 it is proposed that hedgerow to the east, (fronting Hamilton Lane), will largely be retained with the exception of sections that are removed to incorporate the new access points. Later phases (east of Hamilton Lane), will involve road widening but it is noted that the access drawings show this to largely take place to the west of the hedge. This will ensure impacts during this initial phase are minimised. To the west the proposed amenity area will soften impacts on Barky Thorpe Road, although once again, there will be some transitional impact on this rural area as a result of the two new access points. This impact will rapidly diminish as development progresses westwards and the character of the area changes.

The area to the south will ultimately merge with enhanced green infrastructure surrounding the Southern Access Road. This area, within phase 1, comprises natural open space and drainage features. Existing trees along Melton Brook are also proposed for retention and will be supplemented by appropriate wetland planting. This soft edge to the development will allow for integration with the surrounding landscape context.

The northern boundary of the phase is the most sensitive one particularly as it brings areas of housing close to open land even over the longer term. During phase 1 this interface is direct with open countryside but during phase 2 parks and woodland will replace the open land. The reserved matters propose an area of transitional planting at this northern boundary to supplement an existing planting belt.

Cut and fill operations are associated with the development in order to achieve relatively level parcels for development and to accommodate transport infrastructure. The cut and fill plan shows that there is band of significant cut through the centre of

the site with areas of fill to the north of this. The southern part of the site contains areas of cut to construct the drainage systems and areas of fill around the sports pitches. Overall there will be a surplus of material with temporary storage proposed within a field to the east of the football pitches. It is proposed that this is seeded with a wildflower mix in the short term.

A series of sections through the open space areas show how the interface between different levels will work across the site. These allow for more gradual level changes whilst incorporating interesting topographical features. The proposed changes in levels are not considered to give rise to landscape harm to the surrounding area and will add interest and character to the development itself.

The outline/hybrid application was approved on the basis that any landscape or visual harm to the surrounding area could be mitigated to an acceptable level that ensured compliance with the development plan. A key part of this mitigation was the inclusion of a strong green infrastructure with planting acting as a transition to surrounding countryside. These reserved matters follow the principles & mitigation measures set out within the outline/hybrid and the details within them do not give rise to landscape harm. As a result, the proposals are considered to accord with development plan policy CS11 and other material considerations.

#### The contribution the Reserved Matters make to Strategic Green Infrastructure

Policy CS12 defines structural green space on a borough wide basis. This includes an urban fringe, (where connecting green infrastructure is to be enhanced), around Leicester City, a green wedge at Hamilton and green infrastructure corridors within the development. Policy CS 19 builds upon this seeking enhanced parkland at Hamilton and a network of multi-functional green spaces.

The outline/hybrid permission reflected this policy in the approved parameter plans relating to land use and landscape infrastructure. It also set out a landscape framework for the development which was included within the approved Landscape Framework Plan.

This particular application for reserved matters deals with strategic green elements for phase one. They include:

- Multi-functional green space corridors that criss-cross the phase
- Semi natural green space along Melton Brook
- Sports pitches and Cricket green open space at the edges of the phase
- A transitional planting area to the north of the phase

The location and nature of these spaces complies with the framework set out by the outline/hybrid permission which was designed to reflect the principles in Core strategy policies CS12 and CS19. Namely that there is an interlinked network of strategic space to connect new and existing residents and link the countryside with the city.

#### The quantity, location and quality of open space

Policy CS15 seeks to provide appropriate levels of open space and opportunities for sport and recreation within new development. Policy CS19 specifically sets out how this to be achieved for the North East Leicester development as a whole. To do this the policy lists minimum areas by typology. Open and recreational space will not be located in a uniform way across the development. There are clearly larger concentrations around the future district centre and in locations as suggested by the masterplan. As a result, it is not possible to simply assign an appropriate proportion of the overall figure to a phase. As a result the outline/hybrid permission is subject to a section 106 planning agreement which secures levels of provision prior to certain levels of development and to planning conditions that require the approval of strategies for the delivery of open space and recreational facilities, (across the site and per phase), before any of the houses are occupied.

There is nevertheless the need to ensure that while the development progresses appropriate open space is provided to meet resident’s needs in the shorter term. These reserved matters include the following:

- Linear parks/corridors
- Semi natural open space around Melton Brook
- An amenity space that will be converted to a cricket pitch as the development progresses.
- 3 sports pitches (1 full size, 2 training)
- A locally Equipped children’s play area, (LEAP)
- A Neighbourhood Equipped Children’s play area, (NEAP)
- Other incidental amenity space

The quantity and location of this space is as shown on the approved parameter plan for the development as a whole.

Turning to quality, the reserved matters documents set out a strategy and planting palette relating to each open space typology. In summary the main principles are:

<b>Area</b>	<b>Principles</b>
Green Corridors	<ul style="list-style-type: none"> <li>• Heavily planted with a wide range of planting</li> <li>• Ground modelling at intersections to create interest</li> <li>• Frequent breaks in planting to allow views between housing areas across corridors</li> <li>• 3m wide compacted gravel paths</li> <li>• Trim trail equipment</li> <li>• Markers/play bollards</li> </ul>
Melton Brook	<ul style="list-style-type: none"> <li>• Ecological focus</li> <li>• Water bodies at the western end to retain water and act as gateway feature</li> <li>• Slopes on water bodies to be 1:3 or 1:4 gradients</li> <li>• Trees and hedgerow along the brook to be protected &amp; retained</li> </ul>

	<ul style="list-style-type: none"> <li>• Range of planting including water loving species</li> <li>• 3m wide compacted gravel paths</li> </ul>
Cricket/amenity area	<ul style="list-style-type: none"> <li>• Wildflower edges</li> <li>• Oak or lime trees framing the space</li> <li>• Clear views to the cricket area and trees</li> <li>• Cricket area has interim function as amenity space in phase 1</li> <li>• Appropriate turf mixes</li> </ul>
Sports pitches	<ul style="list-style-type: none"> <li>• set within a framework of native planting</li> <li>• Clear perimeter area</li> <li>• Appropriate turf mixes</li> </ul>
LEAP	<ul style="list-style-type: none"> <li>• Naturalistic setting with six play items</li> <li>• Seating</li> <li>• Sensory planting</li> <li>• Boundary planting and low fencing</li> <li>• Opportunities for sustainable play</li> </ul>
NEAP	<ul style="list-style-type: none"> <li>• Naturalistic setting surrounded by native planting</li> <li>• Area for play with at least 9 pieces of equipment and space for running around</li> <li>• Soft landscaped zone with a play trail</li> <li>• Seating</li> <li>• Zone for young people</li> <li>• Railings to enclose playable space</li> </ul>
Northern planting belt	<ul style="list-style-type: none"> <li>• Transient function linking with countryside in phase 1 and then with parkland</li> <li>• Retained swale/ditch</li> <li>• Informal access</li> <li>• Thinning of cover around swale to increase light and improve biodiversity</li> </ul>
Planting along the road network	<ul style="list-style-type: none"> <li>• Formal tree planting within 3m wide verge between footway and road for Main street</li> <li>• Main street palette includes lime, chestnut, cedar, maidenhair, pine and oak</li> <li>• Occasional informal street trees within A and B street types that respond to gaps in built form, provide focal points and define open spaces</li> <li>• Smaller trees within A and B street types other than where larger feature trees can be used</li> <li>• Countryside edge and Lane street types to include large native trees within adjacent space</li> <li>• Specimen trees at end of lane viewpoints to be used</li> </ul>

These principles suggest a hierarchy of quality spaces that are in general accordance with the approved details and accordingly with the development plan. The reserved matters do not, however, define the precise amounts and locations of planting and are



based upon an illustrative plan and an overarching planting palette. It will be necessary to secure detailed planting plans for the areas by way of a condition attached to this application. Where there are key principles on the illustrative plan that need to be secured these should also be clarified by way of a condition.

### Biodiversity

Policy CS13 requires new development to conserve and enhance the natural environment and to mitigate for any loss of biodiversity, if this loss is unavoidable. Policy CS19 makes specific reference to development at North East Leicester enhancing existing wildlife corridors and where appropriate providing new corridors to create a coherent biodiversity network.

The ecological value of the whole site was assessed as part of the Environmental Statement submitted to support the outline/hybrid permission and which continues to support this subsequent application. The ecological survey information, which informed the Environmental Statement, continues to be updated on a rolling programme in line with ecological best practice. The latest updates to this, relating to this phase, have been provided to support the current reserved matters applications. These updates show limited habitat of value within the area that would be affected by the development. The exceptions to this are semi-improved grassland which would be lost (but mitigated for by better management of retained grassland) and an area of species rich hedgerow at the south west boundary for the site, which would be impacted by the Southern Access Road and Barkbythorpe Road Southern junction. Woodland and water habitats would both be retained and improved as part of the phase 1 proposals.

Badger and bats use the site for foraging and commuting. Although the updated survey work does not show new evidence of badger setts within the phase 1 area it recognises the potential for bat roosts within oak tree T12 and suggests this tree is retained. The study confirms that the site is currently used by birds in a way that is typical for lowland farmland but does not find any other evidence of protected species within the phase 1 area.

With appropriate mitigation (i.e. creation of new habitat, retention of appropriate features), the updated phase 1 survey does not suggest any new impacts that were not foreseen within the existing ES and ecological assessments for the outline/hybrid application. In this respect providing the mitigation measures outlined within the Environmental Statement and the more recent phase 1 document are secured it is considered there would be no harm to biodiversity resulting from these reserved matters and the proposal would comply with CS13, CS19 and relevant material considerations.

### Traffic and Highways

Policy CS17 seeks to secure sustainable transport patterns and policy CS18 aims to secure efficient use of the road network by way of delivering sustainable travel and transport improvements. Policy CS19 sets out specific ways in which the North East Leicester development (as a whole) should achieve the aims of the two earlier policies. Many of these are strategic objectives which relate to the overall development

although there are overall themes, such as walkable neighbourhoods, which all parts of the developments need to provide. A key strategic principle of the policy is the provision of a new road linking Barkbythorpe Road in the north with the Leicester outer ring road at Sandhills Avenue. The spur linking the development to the Leicester ring road is known as the Southern Access Road, (SAR), and its delivery is governed by condition 19 of the outline/hybrid consent. This condition seeks its completion before 575 dwellings are occupied unless a different trigger is agreed following a review of junction capacity assessments.

The outline/hybrid application was accompanied by a Transport Assessment which was updated during the determination of the application to reflect revised traffic modelling methodology. This concluded that, providing a suitable package of mitigation measures is secured, residual adverse impacts on the surrounding road network would be negligible. The original Transport Assessment was based on an assumption of how the development might proceed at that time. This derived from an indicative phasing plan within the Design and Access Statement which suggested the first phase would straddle Barkbythorpe Road with connections to Hamilton Lane achieved in later phases, once the Southern Access Road was open.

The current reserved matters application includes the delivery of the first phase of the strategic road network for the development. This includes a section of Main street between Barkbythorpe Road and Hamilton Lane and four access points which initially serve the phase but evolve as the wider development takes place. These access points are:

- Barkbythorpe Road South, (BRS), a temporary ghost island T junction which will ultimately form part of the main strategic route through the development.
- Barkbythorpe Road North, (BRN), a temporary T junction which will ultimately form part of the internal road network.
- Hamilton Lane South, (HLS), a T junction which only requires minor amendment as the development progresses.
- Hamilton Lane North, (HLN), a T junction which only requires minor amendment as the development progresses

In addition to these new access points changes to signage and speed limits are proposed within the vicinity of the accesses. This is to ensure appropriate visibility, (without landscape harm), can be achieved and that the access points are safe. The reserved matters differ from the original outline/hybrid in that phase 1 is located entirely to the east of Barkbythorpe Road and is served by the four access points listed above rather than by the two originally envisaged (1 off Barkbythorpe Road and one via either Hilltop Road or the new Southern Access Road). As a result, an assessment of the specific impact of phase 1 based on current phasing and scope has been made. Additional to the revised location and access strategy the new assessment also includes 29 additional dwellings located around the primary school which have been included within phase 1 for design reasons. It is important to note that these additional dwellings do not alter the provisions of condition 19. The occupation trigger of 575 units stands unless there is an agreed review and, in the absence of this, Southern Access Road delivery simply moves into phase 1.

The phase 1 assessment looks at the interim impact on both Barkbythorpe Road and Hamilton Lane and concludes that, with the introduction of programmed traffic calming in Barkby and Barkby Thorpe, there would be no significant additional traffic impacts that require further mitigation. This is largely because traffic flows remain similar to those forecast within the Transport Assessment and because the predicted pattern of trips generated is predominantly to the north with the greatest impacts at a point where Barkbythorpe Road and Hamilton Lane have already converged. Additionally, now that the likely build programme is known, it has become apparent that only a single housebuilder (William Davis) will gain access from Hamilton Lane during the very earliest part of the phase. As the three housebuilders will build out concurrently the 575-unit trigger for condition 19 is likely to be reached before there is widespread connectivity across the phase. The primary school itself would also necessitate access to Hamilton lane but again this trigger, (approx. 500 units for form 1), is close to the Southern Access Road trigger. It is also important to note that the outline/hybrid suggested a primary school accessed off Hamilton Lane with an agreed trigger lower than that for the Southern Access Road.

Accordingly, it is not considered that the revisions to anticipated phasing would have a strategic impact on the highway network (as mitigated). Levels of anticipated traffic remain similar and there is no identified harm to the road network arising from the changes to the way this traffic is distributed. As the road network included within this phase 1 reserved matters application are considered to comply with the provisions of the outline/hybrid consent.

The development plan policies also require the proposal to be walkable, well connected and to offer transport choice. For this phase there is a network of linear

green space and footpaths across the site which make the phase walkable. Connectivity to surrounding areas is relatively limited due to the location of the phase – it does not adjoin existing development. However, as set out above there is a pedestrian access point to the south through to Hamilton Country Park which is what is required by way of the approved parameter plan.

Public transport provision is by way of a bus loop through the site. Initially this will take the form of a shorter loop gradually expanding out to incorporate Hamilton lane as the phase grows. It is planned that this will start as an “on demand” service until the trigger point set out within the Section 106 legal agreement of 175 dwellings is reached. From this point onwards the service must be provided on a half hourly frequency, rising to four buses per hour by the time 575 dwellings are occupied.

Leicestershire County Council Highway Authority have considered the application and have looked at the implications of the changed access strategy and whether this conflicts with assumptions the outline/hybrid permission was based on. It concludes:

- There is no material strategic impact on the Leicestershire highway network as a result of the changes and that no further strategic modelling is require.
- That the four junctions are safe and of a design that would cope with the vehicles which would use them on the proviso that the changes set out on the road signage plans and relating to speed limit changes are carried out.
- That the junctions would operate within capacity
- That bus access will be in accordance with the terms of the existing s106 legal agreement
- That footpath provision needs to be subject to a planning condition to ensure a sustainable development

The City Council raises concerns regarding its own highway network, and these are noted. However, the concerns relate to a scenario where the Southern Access Road is not delivered as per condition 19. It is not considered that this is a reason to refuse this application (or those associated with it) as the trigger within condition 19 can only be varied with full agreement of the City Council. Should that review mechanism be triggered, appropriate mitigation measures could be agreed at that point should they be required.

It is considered that this application for reserved matters is in compliance with the hybrid/outline permission in terms of Transport provision, and by extension, with the Development Plan.

### Drainage

Policy CS16 requires appropriate management of surface water run off within new development and policy CS19 reiterates this. Condition 8 of the outline/hybrid permission requires the submission and approval of a surface water drainage scheme for each phase of the development before any development takes place. This application does not seek to discharge that condition although it contains details of surface water drainage which must be considered. These measures are based on discharging at mean annual greenfield rate (QBAR) into Melton Brook. They include:

- A series of attenuation and detention basins in the area north of the brook, with the two westernmost ones permanently holding water.
- Diversion of a drainage ditch to run north/south through the phase discharging via one of the permanent basins into the brook.

The basins themselves provide for a volume of surface water in excess of that required for the development as a whole. This is to address the possibility that later phases exceed current surface water discharge estimates as the design of them becomes finalised. In this respect the current phase is considered to provide adequate surface water drainage in accordance with the outline/hybrid consent and the development plan.

### Conclusion

This application for reserved matters is considered to be in compliance with the terms of the approved parameter plans and Design and Access Statement set out within outline/hybrid permission. This means that they are acceptable in principle and that they comply with the Development Plan in this regard.

With regard to layout, scale, appearance and landscape the application achieves a high-quality design and does not give rise to material landscape harm. Contributions to strategic green infrastructure are made and there is no residual significant harm in terms of biodiversity, traffic or other environmental impacts that falls outside that recognised within the outline/hybrid consent. The development supports the delivery of housing in accordance with Charnwood’s core strategy policies and would bring economic and social benefits. On balance it is considered to be a sustainable development that accords with the development plan and it is recommended that these reserved matters be granted subject to planning conditions.

### **Recommendation:**

This permission is granted subject to the following planning conditions and Reasons:

1.	The development, hereby permitted, shall be begun not later than <b>18 months</b> from the date of this permission.  REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2.	The development hereby permitted shall be carried out in accordance with the approved plans listed in <b>schedule1</b> .  REASON: To provide certainty and define the terms of the permission
3.	No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees and hedges, detailed in the Arboricultural Survey and Plans and listed within the amended landscape design statement, has been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees and hedges shall accord with British Standard BS 5837. The agreed protection measures shall be carried out prior to any site clearance,

	<p>preparatory work or development commencing within the protection area for that tree or hedge so defined within the agreed protection scheme.</p> <p>REASON: To ensure that those trees and hedges indicated for retention are protected during construction. This is to ensure compliance with the objectives set out within the Design and Access statement, to protect biodiversity assets and to ensure compliance with policies CS2, CS11, CS13 and CS19 of the Development Plan. The condition has to be discharged pre commencement as it relates to measures that must be implemented before construction or site clearance start.</p>
4.	<p>Notwithstanding condition 2. no development across the phase, (as covered by this application and associated applications P/19/1457/2, P/19/1374/2 and P/19/1479/2), until a scheme for the treatment of the Public Rights of Way has been submitted to and approved in writing by the local Planning Authority. Such a scheme shall include provision for their management during construction, surfacing, width, structures, signing and landscaping. It shall also include a timescale and a mechanism for the stopping up, diversion and reclassification of any Rights of Way affected by the development. The development shall be carried out in accordance with the approved scheme and thereafter so retained.</p> <p>REASON: To protect existing Rights of Way and ensure permeability through the site in accordance with the approved parameter plans, policies CS2 and CS19 of the Development Plan and paragraph 98 of the National Planning Policy Framework. The condition has to be discharged pre commencement as it relates to measures that must be implemented before construction starts.</p>
5.	<p>Notwithstanding condition 2. No more than 25 dwellings shall be occupied across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until details of the layout, equipment, planting, surfacing and street furniture within the <b>LEAP and NEAP</b> play areas have been submitted to and approved in writing by the local planning authority. No more than 244 dwellings across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2) shall be occupied until the development is carried out in accordance with these approved details. The play areas as per the details so approved shall thereafter be so retained.</p> <p>REASON: To ensure that play areas of sufficient quality to meet with development plan policies CS2, CS15 and CS19 are provided and that these are supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
6.	<p>Notwithstanding condition 2. no dwelling shall be occupied; across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until details of the two <b>outdoor sports pitches and supporting facilities</b> have been submitted to and approved in writing by the local planning authority. These details should include:</p> <ul style="list-style-type: none"> <li>• means of enclosure</li> </ul>

	<ul style="list-style-type: none"> <li>• car parking amount, layout and surfacing</li> <li>• changing/storage/social facilities (scale, appearance and layout)</li> <li>• any external lighting,</li> </ul> <p>No more than 604 dwellings; across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2) shall be occupied until the playing pitch and supporting facilities have been provided in accordance with these approved details. The facilities and pitches shall thereafter be so retained.</p> <p>REASON: To ensure that playing pitch facilities of sufficient quality to meet development plan policies CS2, CS15 and CS19 are provided and that these are visually acceptable and safely accessible. Furthermore, the condition seeks to ensure that they are supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
7.	<p>Notwithstanding condition 2. no dwellings shall be occupied across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until details of the precise routings, (including links through to any adjacent paths or rights of way); widths; surface treatments, and any external lighting of the <b>off road footways and cycleways</b> have been submitted to and approved in writing by the local planning authority.</p> <p>No more than 244 dwellings shall be occupied, across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until the footways and cycleways within phasing parcels 1.1 and 1.8, ( as defined on the site wide phasing plan), have been provided in accordance with the approved details.</p> <p>No more than 604 dwellings; across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2) shall be occupied until the footways and cycleways within phasing parcel 1.2, ( as defined on the site wide phasing plan), have been provided in accordance with the approved details.</p> <p>The approved footways and cycleways shall thereafter be so retained.</p> <p>REASON: To ensure that a useable network of off-road cycle and walkways is provided throughout the development to meet sustainability and design objectives of the Design and Access Statement and development plan policies CS2, CS17 and CS19. Furthermore, the condition seeks to ensure these are supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
8.	<p>Notwithstanding condition 2, no dwellings shall be occupied across the phase, (as covered by this application and associated applications P/19/1457/2, P/19/1374/2 and P/19/1479/2) until details of the type, quantity and location of street furniture, trim trail equipment, signage and lighting within the <b>green corridors</b> has been submitted to and approved in writing by the local planning authority. No more than 244 dwellings across the</p>

	<p>phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2) shall be occupied until the development is carried out in accordance with these approved details. The details of facilities within the green corridors as approved shall thereafter be so retained.</p> <p>REASON: To ensure that good quality multi-functional green corridors are provided to meet with the sustainability aims of the Design and Access statement and development plan policies CS2, CS15 and CS19. Furthermore, the condition seeks to ensure these are supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
9.	<p>Notwithstanding condition 2, no dwellings shall be occupied across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until detailed <b>planting plans for the whole site</b>, (for the avoidance of doubt to include the boulevard planting and greens within P/1479/2 and P/1457/2), have been submitted to and approved in writing by the local planning authority. These details shall build on the Landscape Strategy Plans by showing the precise location, type and amount of planting proposed and setting out a programme for its implementation. The planting shall be provided in accordance with the agreed programme of implementation and shall thereafter be so retained.</p> <p>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.</p> <p>REASON: The reserved matters contain a planting palette but do show the detail of how this will be provided. This condition is to ensure that an appropriate quality and quantity of planting is provided within the green spaces in accordance with the strategy and that this is planted in a timely manner to ensure residents of the development have access to quality green space. It is also to ensure the provisions of policies CS2, CS11 and CS19 of the Development Plan are met.</p>
10.	<p>Notwithstanding condition 2, no dwellings shall be occupied across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until details of the interim amenity use on the <b>cricket green</b> have been submitted to and approved in writing by the local planning authority. These details shall include; a planting plan, (pursuant to condition 9), any means of enclosure, surfacing, street furniture and any outdoor lighting. No more than 244 dwellings across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2) shall be occupied until the development is carried out in accordance with these approved details. The details as approved shall be retained until the area is converted to a cricket green during phase 2 of the wider development as set out in the site wide phasing plan or as subsequently agreed.</p>



	<p>REASON: To ensure that good quality amenity space is provided in order to meet the design objectives within the Design and Access Statement and the provisions of Development Plan policies CS2, CS15 and CS19. Furthermore, the condition seeks to ensure these are supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
11.	<p>Notwithstanding condition 2, no dwellings shall be occupied across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until details of position, type, angle and illumination levels of <b>external lighting</b> across the site have been submitted to and approved in writing by the local planning authority. No dwelling; across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2) shall be occupied until the agreed outdoor lighting serving the vehicular access route to it has been provided. The agreed external lighting across the site shall thereafter be so retained.</p> <p>REASON: To ensure that the site is adequately lit in order to ensure highway safety and reduce opportunities for crime but to ensure that lighting levels are such that there is no harm to the surrounding landscape or biodiversity. This is to ensure compliance with development plan policies CS2, CS11, CS13 and CS19.</p>
12.	<p>The detailed planting plan for the Main Street, (required as part of condition 9), shall include <b>boulevard trees</b> of a species in accordance with the landscape strategy planting palette. The trees shall be located within the verge on both sides of the Main Street and planted at regular intervals. The standard interval for planting should be 10m or less and in general accordance with the principles shown on the illustrative landscape masterplan. There should be no individual instance where spacing is greater than 20m.</p> <p>The trees shall be planted in accordance with the timetable so approved under condition 9 and thereafter so retained.</p> <p>REASON: To ensure that the status of this main transport route is reflected and that the corridor also functions as a green link in accordance with the design objectives set out in the Design and Access Statement and policies CS2 and CS19 of the Development Plan.</p>
13.	<p>Notwithstanding condition 2, no dwellings shall be occupied across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until details of the <b>planting pits</b> for the boulevard trees pursuant to conditions 9 and 12 have been submitted to and approved in writing by the Local Planning Authority. The trees shall be planted in full accordance with these approved details.</p> <p>REASON: To ensure that the status of this main transport route is reflected and that the corridor also functions as a green link in accordance with the design objectives set out in the Design and Access Statement and policies CS2 and CS19 of the Development Plan.</p>
14.	<p>No dwellings shall be occupied within the area covered by associated application P/19/1457/2 until the <b>access arrangements</b> shown on</p>

	<p>Brookbanks drawing 10214HL-11 rev G have been provided and made available for use. The proposed access shall be retained in this form until such time as it is varied by way of approval in writing by the Local Planning Authority associated with later phases of the development overall.</p> <p>REASON: To ensure that there is safe access and egress of the development parcel for future occupiers in the interests of highway safety and to ensure compliance with policies CS2, CS18 and CS19.</p>
15.	<p>No dwellings shall be occupied within the area covered by associated application P/19/1479/2 until the <b>access arrangements</b> shown on Brookbanks drawing 10214HL-10 rev G or on Brookbanks drawing 10214HL-13 rev F have been provided and made available for use. No more than 150 dwellings within this area shall be occupied until such time as both the above sets of access arrangements have been provided and made available for use. The proposed access shall be retained in this form until such time as it is varied by way of approval in writing by the Local Planning Authority associated with later phases of the development overall.</p> <p>REASON: To ensure that there is safe access and egress of the development parcel for future occupiers in the interests of highway safety and to ensure compliance with policies CS2, CS18 and CS19.</p>
16.	<p>No dwellings shall be occupied within the area covered by associated application P/19/1374/2 until the <b>access arrangements</b> shown on Brookbanks drawing 10214HL-12 rev C have been provided and made available for use. The proposed access shall be retained in this form until such time as it is varied by way of approval in writing by the Local Planning Authority associated with later phases of the development overall.</p> <p>REASON: To ensure that there is safe access and egress of the development parcel for future occupiers in the interests of highway safety and to ensure compliance with policies CS2, CS18 and CS19.</p>
17.	<p>No dwellings shall be occupied within the area covered by associated applications P/19/1457/2 and P/19/1479/2 until the <b>offsite highway works</b> shown on Brookbanks drawings 10214-1200-01 Rev D and 10214-1200-02 rev F have been provided and made available for use.</p> <p>REASON: To mitigate the impact of the development on the surrounding area in the interests of highway safety and to ensure compliance with policies CS18 and CS19 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>
18.	<p>No dwellings shall be occupied within the areas covered by associated applications P/19/1374/2 and P/19/1479/2 until the <b>offsite highway works</b> shown on Brookbanks drawings 10214-1200-03 Rev F and 10214-1200-04 rev D have been provided and made available for use.</p> <p>REASON: To mitigate the impact of the development on the surrounding area in the interests of highway safety and to ensure compliance with policies CS18 and CS19 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>
19.	<p>Within 1 month of any of the new vehicle accesses permitted by conditions</p>

14, 15 and 16 being first brought into use any **currently existing access(es)** onto that same highway that become redundant as a result of this proposal shall be closed and reinstated in accordance with details submitted to and approved in writing by the Local Planning Authority. The redundant accesses shall thereafter be so retained.

REASON: In the interests of Highway and to ensure compliance with policies CS18 and CS19 of the development plan and paragraph 109 of the National Planning Policy Framework.

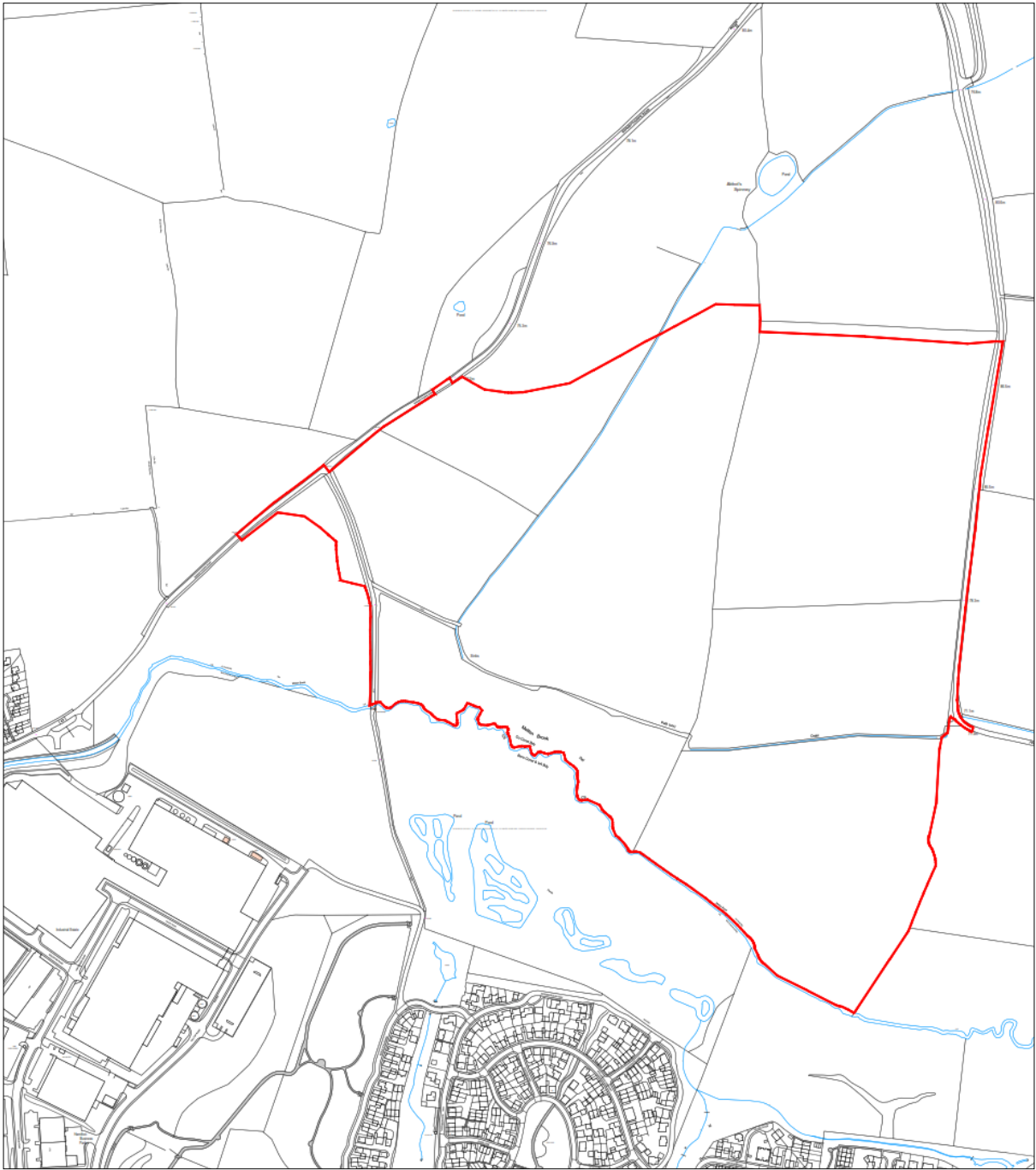
## Schedule 1

Drawing	Reference	Revision	Author
Site Location Plan 1	A512152 04 007	C	Lichfields
Site Location Plan 2	CS087253-I-106	P02	Capita
Public/Private Boundary Treatment	087253-L-102	P04	Capita
Hard landscape Surface Treatment Strategy	087253-L-103	P03	Capita
Soft Landscape strategy – Linear Park	087253-L-200	P03	Capita
Soft Landscape strategy – Melton Brook	087253-L-201	P03	Capita
Soft Landscape strategy – Outdoor Sports	087253-L-202	P03	Capita
Soft Landscape strategy – Cricket Green	087253-L-203	P03	Capita
Soft Landscape strategy – Forest Garden	087253-L-204	P03	Capita
Soft Landscape strategy – Residential	087253-L-205	P03	Capita
Soft Landscape strategy – Main Street	087253-L-206	P05	Capita
Soft Landscape strategy – Street Types A/B	087253-L-207	P03	Capita
Soft Landscape strategy – Street Type B	087253-L-200	P03	Capita
Site Sections A-D	087253-L-300	P02	Capita
Site Sections E-F	087253-L-301	P01	Capita
Site Sections N-S A-A	087253-L-302	P02	Capita
Site Sections N-S B-B	087253-L-303	P01	Capita
Site Sections E-W A-A	087253-L-304	P01	Capita
Site Sections E-W B-B	087253-L-305	P01	Capita
Site Sections Location Plan	087253-L-310	P01	Capita
Estate Fencing & Gate to ditch	SK191031	P03	Capita
Cut & Fill Appraisal Plan	HXXXX-002-01	C	DDS
East Field Soil Capacity Layout	HXXXX-005-01	A	DDS
General Arrangement (infrastructure)	HXXXX100-01	-	DDS
General Arrangement (infrastructure)	HXXXX100-02	-	DDS
General Arrangement (infrastructure)	HXXXX100-03	-	DDS
Drainage & Levels Appraisal 1	HXXXX-001-01	D	DDS
Drainage & Levels Appraisal 2	HXXXX-001-02	E	DDS
Drainage & Levels Appraisal 3	HXXXX-001-03	D	DDS
Drainage Layout 1	HXXXX-101-01	A	DDS
Drainage Layout 2	HXXXX-102-01	A	DDS
Drainage Layout 3	HXXXX-103-01	A	DDS
Surface Finishes Layout 1	HXXXX-102-01	-	DDS
Surface Finishes Layout 2	HXXXX-102-02	-	DDS
Surface Finishes Layout 3	HXXXX-102-01	-	DDS
Drainage Construction Details 1	HXXXX-300-01	-	DDS
Drainage Construction Details 2	HXXXX-400-02	-	DDS
Drainage Construction Details 3	HXXXX-400-03	-	DDS
Highway Construction Details 1	HXXXX-400-01	-	DDS
Highway Construction Details 2	HXXXX-400-02	-	DDS
Phase 1 Access 1 Barkbythorpe Rd North	10214-HL-11	G	Brookbanks
Phase 1 Access 2 Barkbythorpe Rd South	10214-HL-10	G	Brookbanks

Phase 1 Access 3 Hamilton Lane South	10214-HL-13	F	Brookbanks
Phase 1 Access 4 Hamilton Lane North	10214-HL-12	C	Brookbanks
Road sign strategy 1	10214-1200-01	D	Brookbanks
Road sign strategy 2	10214-1200-02	F	Brookbanks
Road sign strategy 3	10214-1200-03	F	Brookbanks
Road sign strategy 4	10214-1200-04	D	Brookbanks

## Information notes

1.	The Local Planning Authority has acted pro-actively through early engagement with the applicant at the pre-application stage. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
2.	Planning permission has been granted for this development because the Council has determined that it is generally in accord with the terms of the following development plan policies: CS2, CS3, CS11, CS12, CS13, Cs15, CS16, CS17, CS18, CS19, CS25, EV/1, TR/18 There are no other material considerations which would indicate that planning permission should be refused.
3.	This planning application forms part of consent P/13/2498/2 and it should be noted that it does not override the need to comply with conditions or legal obligations attached to that consent.
4.	Drainage must be provided within the site so that surface water does not drain into the public highway from any private driveways or other hard surfaces, in the interests of highway safety.
5.	All roads, footpaths and verges together with all drainage works must be constructed in accordance with the Leicestershire County Council current guidance for adoption purposes. This is to ensure that the roads to be constructed are to adoptable standards and appropriate for a Section 38 Agreement between the developer and the highway authority.
6.	Please note the minimum visibility splay size for the proposed site accesses is 2.4m by 43m. These shall be kept clear of any obstruction which exceeds 0.6m above the level of the adjacent footway/verge/highway.



Item No. 3

Application Reference Number P/19/1457/2

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<b>Application Type:</b>	Reserved Matters	<b>Date Valid:</b>	10/07/2019
<b>Applicant:</b>	David Wilson Homes		
<b>Proposal:</b>	Reserved Matters, (Access, appearance, landscaping, layout and scale), for residential development of 225 dwellings within phase 1 of Outline permission reference: P/13/2498/2. Supported by the Environmental Statement submitted with Outline permission reference P/13/2498/2. (RMA2)		
<b>Location:</b>	Land to the North East of Leicester		
<b>Parish:</b>	Barkby Thorpe	<b>Ward:</b>	Queniborough
<b>Case Officer:</b>	Karen Brightman	<b>Tel No:</b>	01509 632520

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This item is brought to Plans Committee as it relates to a strategic housing site allocated in the Core Strategy and it is of significant public interest, as it comprises the first set of reserved matters for that site.

This report should be read in conjunction with associated reports relating to applications P/19/1369/2, P/19/1374/ and P/19/1479/2 for the reasons set out in the North East Leicester Phase 1 context note attached to this agenda.

### **Description of the Application site**

The site falls within a much larger area with outline consent for development of a Sustainable Urban Extension. This larger site comprises approximately 360 hectares of mainly agricultural land located to the north- east of Leicester. The northern edge of the site abuts Barkby Lane between Syston and Barkby. The eastern edge is a mix of field boundaries near to Barkby and Barkby Thorpe. The southern boundary of the site adjoins the residential area of Hamilton and the Hamilton business park within Leicester City Council's administrative area.

This current application, along with the three associated applications, which are also in this plans committee agenda, and comprises the majority of the first phase of the Urban extension.

The phase 1 area lies between Barkbythorpe Road and Hamilton Lane/King Street. The southern boundary is defined by Melton Brook and the northern boundary in part by a small planting belt that lies perpendicular to Hamilton Lane. It comprises approximately eight (in whole or in part), agricultural fields divided by established field hedges. There are currently a number of field accesses onto both Hamilton Lane and Barkby Thorpe Road, including a track/bridleway that joins Barkby Thorpe Road in the south west corner of the site. Existing vegetation within the site is largely limited to single mature trees within existing field hedges and a belt of mature trees alongside Melton Brook. The Hamilton Lane planting belt to the north is relatively recently established and comprises a mix of evergreen species and native rural planting. Directly to the west of the site is an established copse of trees that are highly visible



from the surrounding landscape. Levels generally rise gently up from Melton Brook towards Barkby and Barkby Thorpe.

## Description of the Proposal

This application relates to parcel 1.3 of the phasing plan and comprises a housing development of 225 homes by David Wilson Homes. The housing is located to the north of a green corridor that runs east west across phase 1. To the east lies land subject to a planning application by William Davis and to the north is an area that is currently open countryside, but which will ultimately be developed as orchard and parkland as part of the wider development.

The development would initially be accessed via a T junction with Barkbythorpe Road although as the site and surrounding developments progress there would also be indirect access to Hamilton lane to the east. Beyond this phase of the Sustainable Urban extension the access to this parcel would be subsumed into a system of residential roads as residential development continues to the west of Barkbythorpe Road.

A road of the secondary type within the Design and Access Statement hierarchy, (5.25m – 6m wide Type A), runs east west through the development serving a series of cul de sacs and lanes around which the housing is grouped. This typically takes the form of outward facing blocks. Focal points along the A/B road have been created using landscaping and building orientation in several locations.

The application includes the following supporting documents & plans:

- Application form
- Site location Plan – red line
- Existing Topography (6 plans)
- Supporting statement June 2019
- Transport Statement November 2019
- Technical Note Phase 1 Accesses November 2019
- SuDs Technical Note
- Specification for Engineered Fill
- Arboricultural Report

It includes the following **illustrative** plans:

- Indicative Composite Plan rev V
- Proposed Street scenes (Various)

It seeks approval for the following plans common to all the phase 1 applications:

- Drainage and levels Appraisal (3 plans) rev D, E, D
- Drainage Layout (3 plans) rev A
- Drainage Construction Details (3 plans)

- Cut and Fill Appraisal Plan rev C
- East Field Spoil Capacity Layout Plan rev A
- Highway Construction Details (2 plans)
- Vehicle Tracking (3 plans) rev A
- Kerbing and Surfacing finishes (3 plans)
- Phase 1 access Barkbythorpe Road South Rev G
- Phase 1 access Barkbythorpe Road North Rev G
- Phase 1 access Hamilton Lane North rev C
- Phase 1 access Hamilton Lane South rev F

It seeks approval for the following plans specific to this application:

- Planning Layout Rev P
- Materials Layout Rev A
- Boundary Treatments layout Rev A
- Surface Treatment layout Rev A
- Chimney & Eaves layout Rev A
- *Bin storage & refuse plan Rev A*
- Street Hierarchy Plan Rev A
- *Execution strategy Rev A*
- House Type & garage Plans, (as per table at condition 2)
- Soft Landscape plans (sheets 1-3) Rev C
- Boundary Treatment details, (as per table at condition 2)

It is considered that the bin storage and refuse plan should be excluded from approval under these reserved matters, as it is important to consider this matter across the phase as a whole (even if this is by way of separate parcel plans considered side by side), pursuant to condition 18 of P/13/2498/2.

It is not considered appropriate to treat the Execution Strategy plan, (which sets out the building programme for this parcel) as a reserved matter as this lies outside the scope of layout, appearance, scale and landscaping and is controlled by both the Site wide Phasing Plan and within the Construction Management Plan to be approved under condition 7 of the outline.

Accordingly, both these plans have been excluded from the plans list at schedule 1.

### **Development Plan Policies**

The Development Plan for Charnwood currently consists of the Charnwood Local Plan Core Strategy 2006-2028, Saved Policies of the Borough of Charnwood Local Plan (2004), the Leicestershire Minerals Core Strategy and Development Control Policies Document (2009), and the Leicestershire Waste Core Strategy and Development Control Policies document (2009). Several neighbourhood plans also apply in specific areas of the Borough.

Charnwood Local Plan Core Strategy (adopted 9 November 2015)

*Policy CS2 – High Quality Design* – requires developments to make a positive contribution to Charnwood, reinforcing 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, and protect the amenity of people who live or work nearby.

*Policy CS3 Strategic Housing Needs* - supports an appropriate housing mix for the Borough and sets targets for affordable homes provision to meet need.

*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.

*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 CS16 Sustainable Construction and Energy* - supports sustainable design and construction techniques.

*Policy CS 19 North East of Leicester Sustainable Urban extension* – establishes the principle of the urban extension. It in effects allocates it for the development permitted by the outline/hybrid application.

For housing the policy seeks a wide range of housing type and tenure including affordable housing and extra care housing.

With regard to community facilities it supports primary schools as focal points within the community and seeks delivery of other community facilities within an early phase of the wider development.

For transport the policy requires well connected street patterns and walkable neighbourhoods with safe and direct walking, cycling and public transport routes. Cycling and walking routes should relate to the green infrastructure and connect to employment and transport.

Environmental aims of the policy include responding to the landscape and surrounding areas to create a locally distinctive environment, protecting, enhancing and creating wildlife corridors, reducing carbon emissions, designing spaces and buildings that are resilient to climate change, providing sustainable drainage, reducing flood risk and enhancing water quality.

*Policy CS 24 Delivering Infrastructure* – is concerned with ensuring development is served by essential infrastructure. As part of this it seeks to relate the type, amount and timing of infrastructure to the scale of development, viability and impact on the 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 (adopted 12 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 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 TR/18 Parking in New Development* - This seeks to set the maximum standards by which development should provide for off streetcar parking.

**Other 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. For planning decisions this means approving proposals that comply with an up to date development plan without delay. If the Development Plan is silent or policies most relevant to determining the application are out of date permission should be granted unless protective policies within the NPPF give a clear reason for refusal or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

The NPPF policy guidance of **particular 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

*Section 8: Promoting healthy and safe communities*

Planning decisions should promote a sense of community and deliver the social, recreational and cultural facilities and services that such a community needs.

### *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 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).

Paragraph 127 states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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 help 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).

### Planning Practice Guidance

This national document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework.

### Leading in Design Supplementary Planning Document (February 2006)

This document encourages and provides guidance on achieving high quality design in new development. Appendix 4 sets out spacing standards for new housing developments to ensure that overlooking and over dominance do not occur and that a good quality design is achieved.

### Leicestershire Highways Design Guide

The Leicestershire Highways Design Guide deals with highways and transportation infrastructure for new developments. It replaces the former 6C's Guidance.

### Leicestershire County Council Local Transport Plan (LTP)

This sets out Leicestershire County Council's strategy for delivering improvement to accessibility, connectivity and for promoting social inclusion and equality.

### Leicestershire Housing and Economic Development Needs Assessment (HEDNA) – 2017

HEDNA provides an up to date evidence base of local housing needs including an objectively assessed housing need figure to 2036 based on forecasts and an assessment of the recommended housing mix based on the expected demographic changes over the same period. The housing mix evidence can be accorded significant weight as it reflects known demographic changes.

### Housing Supplementary Planning Document (adopted May 2017 – updated December 2017)

The SPD provides guidance on affordable housing to support Core Strategy Policy CS3.

### Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

The Environmental Impact Assessment Regulations set out the parameters, procedures and Regulatory detail associated with the screening, scoping and preparation of an Environmental Statement and consideration of significant environmental impacts of development. The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process.

Where an outline application has been submitted with an Environmental Statement any subsequent applications that are submitted, such as reserved matters, are considered to be supported by the original Environmental Statement. However, the decision making authority has to satisfy itself that the Environmental Statement remains pertinent and can ask for further information or an addendum to it if the subsequent application raises new matters or if there has been a material change that affects it.

Conservation of Habitat and Species Regulations 2010 (as amended)

These Regulations contain certain prohibitions against activities affecting European Protected Species, such as bats.

The Council as local planning authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed by the development) then the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England.

Protection of Badgers Act 1992

Badgers are not European Protected Species but are subject to protection under the above Act. This Act includes various offences, including wilfully killing, injuring or taking a badger or deliberately damaging a badger sett. A license is required from Natural England where development proposals may interfere with badger setts.

Design Supplementary Planning Document

Cabinet has approved the Design Supplementary Planning Document, but at the time of writing this report the document is within the call-in period. This document sets out the Borough Council’s expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people’s quality of life. In its draft form, the document carries some but not full weight. Members will be updated with regards to the document’s status and weight in the Extras Report.

**Responses of Consultees**

The table below sets out the responses that have been received from statutory consultees with regard to the application. Please note that these can be read in full on the Council’s website [www.charnwood.gov.uk](http://www.charnwood.gov.uk)

Consultee	Response
Leicestershire Lead Local Flood Authority	Notes that drainage for the site is dealt with under P/19/1369/2. There are no objections to this following further detail relating to drainage being submitted.

Sport England	Makes no comment on the application but offers standing advice
Housing Strategy & Support	Seeks clarification on the layout of the tenure of the affordable units but comments that the house types, mix and layout are compliant with the Section 106 legal agreement.
Environment Agency	No formal comment made
Leicestershire Police	No formal objection is made. General guidance for the development as a whole is offered. It is also advised, with regard to these reserved matters, that hammer heads reduce permeability, appropriate lighting is used, and CCTV is considered.
Environmental Health	Raise no environmental protection concerns
Leicestershire County Council - Highways	Comment that the site access is safe and suitable and that it will operate within capacity. Internal design to adoptable standards is recommended and could be achieved. Parking provision is considered to be acceptable. It is noted that in excess of 150 dwellings are served of a single access and that this is not standard practice. However, in this instance there are no specific capacity, safety or emergency considerations and that this coupled with the longer-term links within the phase makes this acceptable for a period of time.

### **Other Comments Received**

None received which are specific to this application although there are comments generic to all four reserved matters applications which are reported within the context note.

### **Consideration of the Planning Issues**

These are reserved matters but the principle of developing the wider site for housing and associated infrastructure has been agreed as part of the Outline/hybrid planning permission. In the case of this application what lies to be determined is whether the detail submitted, with regard to the housing development in parcel 1.3 of the phasing plan, is acceptable in terms of scale, layout, appearance and landscape.

The main considerations are considered to be:

- Whether these reserved matters are within the terms of the outline/hybrid consent (the principle of the development)
- Whether these reserved matters are of a high-quality design
- Living conditions for future occupiers
- On plot landscape and street scene
- Housing mix
- Parking and access

Whether these reserved matters are within the terms of the outline/hybrid consent



There are approved plans and documents that this reserved matters application must meet to remain within the terms of the outline/hybrid consent. These are:

- The approved parameter plans
- The concepts outlined within the Design and Access Statement
- Relevant planning conditions of the outline permission

Planning permission was granted subject to the reserved matters applications complying with 6 parameters plans. The table below lists them and provides a brief assessment of whether the current application complies with them:

Parameter Plan	Compliance	Verdict
Development extent	The development proposed falls within the defined area	Yes
Density	The development reflects an average density that would broadly fall within the “up to 30 dwellings per hectare” band.  Although there is not complete replication of the banding this was not the intention with variance introduced by way of a 10% tolerance (other than for sensitive edges). There is a decrease in density towards the sensitive northern border.	Yes
Building Heights	These are set as a height above existing ground level and for the majority of the site this is 11m. However, there are boundary zones where this height is reduced to 8.5m such as along the northern boundary. Within this application the majority of the buildings fall beneath the defined 8.5 parameter for height and the lower band edge has been used to restrict building heights to 2 storeys.	Yes
Access	The area shown for the Main streets outside this application area. There is a Public Right of Way that runs through the westernmost part of the site for which an alternative route needs to be identified. It is suggested a condition securing details of this is attached to associated application P/19/1369/2.	Yes
Land Use	The proposal is for residential use which is what the parameters plan sets out.	Yes
Landscape Infrastructure	The site is enclosed by green infrastructure corridors which fall within defined parameters – these are covered by application P/19/1369/2	Yes

The Design and Access Statement set out 7 design objectives which were used to inform the concept and masterplan for the Sustainable Urban Extension as a whole. From the Masterplan certain parameters were fixed, (see above), character areas were defined for place making purposes, and the principle a hierarchy of streets was

set out. Additionally, Sustainability objectives were set out. Areas of the Design and Access Statement that are particularly relevant to these reserved matters are set out in the table below along with a simple assessment:

D & A Concept	Assessment
<b>Street Hierarchy</b>	
<p>Road Types A and B – (A= 5,25m-6m wide, 1.8m-2m wide footway, hard verges, tree and shrub planting &amp; direct Plot access. B= similar dimensions but with more variation in street width, soft verges and more frequent planting)</p>	<p>The Design and Access Statement defines these as similar street types with type B being more organic and having greater levels of tree planting. It says type B roads should be located within the north and south east of the masterplan area. Although the Design and Access Statement uses the distinction between A and B roads across the wider site both have been used within this development parcel to define hierarchy (there are both type A and type B roads which relate to use and status of the road). The road types themselves are in broad compliance with the principles set out within the Design and Access Statement. It is not considered that this slight variance with the overarching Design and Access Statement principle is harmful to the design of the scheme particularly as it has been used across the phase.</p>
<p>Lanes/shared Surface areas</p>	<p>These form the finest grain in the street hierarchy. There are both “lanes” and shared drive areas within this layout which are in broad compliance with the principles set out within the Design and Access Statement.</p>
<p>Cycleways/pedestrians</p>	<p>The Design and Access Statement sets out a suggested network of dedicated and safe cycle routes based on the illustrative masterplan. The cycleways fall outside this reserved matters application although there is connectivity to this network and a network of connected footways.</p>
<b>Character Areas</b>	
<p>Village Housing</p>	<p>There are distinct character parcels of housing, (defined by different developers), which are connected by the linear open space which enhance the setting of the parcels. The Design and Access Statement suggests a loose structure to the area with lower density housing and an informal feel. A varying building line and lower densities towards the edge of the scheme are suggested. The proposal comprises low density housing that complies with this broad advice. There are limited variations in building line although there are some examples of this.</p>
<b>Sustainability</b>	

This reserved matters application provides homes which will comply with part L of the Building Regulations “conservation of fuel and power”. This section of the regulations is currently undergoing amendment (anticipated 2020) and the new homes subject to this application will be subject to the regulations as amended. The amendments will see a significant change in that energy efficiency will need to be designed into the fabric of the building rather than achieved by way of additions to the finished product. This coupled with the overall sustainability credentials offered by P/19/1369/2 ensure the development complies with sustainable construction requirements

There are a number of planning conditions attached to the outline/hybrid permission that the reserved matters must comply with. Some of these relate to the phasing of the development and the programme for submitting further information and are dealt with later in this report. Others seek to guide the details of the development and include conditions ensuring compliance with approved plans and documents, meeting with highway guidance and ensuring appropriate finished floor levels. This set of reserved matters does not conflict with the provisions of these conditions.

To conclude the reserved matters are compliant with the broader parameters set out within the outline/hybrid planning permission and as such it is considered they are acceptable in principle.

Whether these reserved matters are of a high-quality design

Policy CS2 seeks high quality design for all new development and sets out general design principles that should be used to achieve this. Policy CS19 builds upon this in the context of North East Leicester and envisages a locally distinctive development that responds to landscape context. With particular regard to these reserved matters a pleasant low-density residential character has been created which reflects the character area criteria within the Design and Access Statement. It is important to remember that this area forms only a relatively small part of the edge of the SUE and that it is an area where a soft blend with surrounding countryside is sought. Areas more central to the SUE are envisaged for higher density development and potentially less traditional building designs.

The National Design Guide sets out important design characteristics which are integral to any development. Whilst this proposal must sit within the framework of the approved Design and Access statement which predates this document it is useful to briefly look at the proposal in terms of the 10 characteristics. The table below provides a short summary:

Characteristic	Assessment
Context	The proposal has little immediate local context to relate to and that which exists will be subject to rapid change as the wider SUE is developed. It does, however, contain a soft edge to existing countryside/future parkland to the north and accommodate an improved drainage feature. As it has been designed alongside other parcels of

	housing it will share a joint context with the remainder of phase 1.
Identity	The development achieves an identity which comes from the interaction of the elements within it. It is clearly contained by the green corridors and has been designed so that there are small character areas within it. There are vistas towards adjoining green areas and landmark buildings, (including brick detailing on several buildings) have been used.
Built Form	The development uses an outward facing block structure with buildings that have a stronger identity at nodes (chimneys or different materials) whilst the surrounding rural context requires a lower density of development it is walkable with a system of footways/cycleways and public transport. As the wider SUE is developed the permeability and walkability of the proposal will improve due to new development, with a wider mix of uses, taking place in adjacent phases
Movement	The development has a clearly defined hierarchy for movement. There are distinct road types and transport choice is offered.
Nature	Within the development and the surrounding infrastructure there are high quality greenspaces which perform a number of functions, including play. Within the reserved matters area itself this is more limited as it is purely confined to small scale landscaping opportunities being reliant, as it is, on the adjacent reserved matters.
Public Spaces	Small scale open spaces have been used around prominent junctions within the development to provide visual enjoyment. However, the development is reliant on separate reserved matters to bring forward larger scale open spaces which are multi-functional. The hierarchy of streets itself lends interest to public areas and the block structure ensures active frontage.
Uses	As this relates to a small area of the SUE it does not contain a variety of uses. The wider SUE will perform this function well.
Homes and Buildings	These are traditional family homes and as such do not contain any unique design features. The house types proposed meet with national guidance relating to internal space and provide outdoor areas and opportunities for storage.
Resources	Whilst the details of construction are beyond the scope of this reserved matters the housing will be constructed to meet with Building Regulations part L. This emphasises efficient use of energy and uses a fabric first approach. The site will be drained via

	sustainable drainage systems both within the site and in adjacent reserved matters areas.
Lifespan	The proposal is designed to be robust with traditional brick-built units and management proposals in place for communal areas.

The outline/hybrid application was approved on the basis that the design principles set out within the Design and Access Statement were adhered to as they achieved the aims of the then emerging policy CS2 and its forerunner, policy EV/1. The main reserved matters features reflect the principles set out within the approved Design and Access Statement and accordingly are of an appropriate and high-quality design which accords with the development plan. As the analysis above shows, new national guidance, that has emerged since the original Design and Access Statement was approved, does not introduce any new material considerations that would override these policies.

#### Living conditions for future occupiers

Policy CS2 seeks to ensure that appropriate standards of amenity are achieved for future and existing residents. The development is not close enough to existing residential areas to have a direct impact on the amenity of existing residents.

Within the reserved matters area itself plots are orientated and spaced in a way that ensures there is adequate privacy, light and that principle elevations and garages have a reasonable outlook. Guidelines set out within the SPD which supports the Development Plan are all met in this regard. There are some relationships within the blocks where side elevations are close to adjacent gardens but in these instances appropriate selection of house types has been used to ensure any potentially overlooking first floor windows only serve bathrooms or landings. A planning condition could be attached to withdraw permitted development rights on these plots to ensure additional first floor windows are not added without due consideration.

There are some plots where the distances between buildings and adjacent gardens or the distances between opposing elevations is very close to the guideline. It is suggested a condition is attached to ensure that extensions or alterations which would be harmful to amenity cannot be built using permitted development rights without due consideration as to whether there would be harm to amenity.

It is considered that the proposal meets with the provisions of development plan policy CS2 in terms of residential amenity.

#### On plot landscape and street scene

Policy CS2 seeks to ensure that development is of high quality and that it includes attractive public spaces. Policy CS19 requires the SUE to create locally distinctive development. The reserved matters application includes details of on plot and street landscape within the public realm. For this set of reserved matters this includes:

- A public open space with 5 good sized street trees to the front of plots 151-154

- Street trees to reflect the street hierarchy set out in the Design and Access Statement
- Groupings of trees/shrubs and open space around key junctions
- Smaller trees and shrubs within lanes and shared surface areas
- Planting to break up parking areas
- Open vistas of the green corridors and planting surrounding the housing parcels

These features soften the more engineered features of the development and help create place and identity. It is considered that gives the area character and identity in accordance with the provisions of the development plan.

### Housing mix

Policy CS3 requires an appropriate level of affordable homes and a mix of type, tenure and size of home having regard to need and character of the area. CS19 seeks 30% affordable homes across the SUE and also a mix of type, tenure and size of home.

### *Affordable Housing*

This reserved matters application operates within the overall parameter set by the section 106 legal agreement and varied by the Site Wide Affordable Housing Delivery Plan, (SWAHDP), in terms of the amount of affordable housing. The section 106 agreement sets a figure of 25% across the site for affordable housing, which is the basis that the outline/hybrid was approved on. The Site Wide Affordable Housing Delivery Plan sets the percentage at 20% for phase 1. This is because this is a low relatively low-density area of the development and one which is located away from the core facilities offered by the new district centre. The Site Wide Affordable Housing Delivery Plan shows how later phases of the development will make up for this deficit ultimately delivering the 25% that is required.

In terms of dwelling size, the affordable housing mix compares with the Site Wide Affordable Housing Delivery Plan as per the table below:

<b>Affordable – 20%</b>			
<b>Size</b>	<b>No</b>	<b>%</b>	<b>SWAHDP %</b>
1 Bed	12	26%	13%
2 Bed	22	49%	50%
3 Bed	9	20%	33%
4+ bed	2	4%	4%

This shows the proportion of 1-bedroom units to be significantly higher than the site wide figure with a deficit in larger units. This is in response to a need to secure a viable mix thus allowing delivery of this critical first phase of the SUE giving financial security and momentum to the wider scheme. This must again be viewed in the context of the wider site. The section 106 agreement sets out that 116, (10%) of the affordable units should be one bedroom across the whole development and this is increased within the Site Wide Affordable Housing Delivery Plan to 13% to reflect mix changes sought by CBC housing officers. Whilst the mix for these reserved matters does not match that

within the Site Wide Affordable Housing Delivery Plan, any imbalance within this profile will need to be addressed within later phases to ensure compliance with the Site Wide Affordable Housing Delivery Plan.

The Council’s SPD sets out guidance for the design and layout of affordable housing within policy HSPD8. This requires affordable housing to be “tenure blind”, to be distributed in clusters of less than 10 units, (the s106 Agreement which predates this does, however, only restrict affordable housing clusters to 20), and to avoid unnecessary communal areas. Gardens and on plot parking are noted as preferable. The house types are not immediately distinguishable with some variance, they are set out in clusters of 10 or less and most have private gardens. They are however generally set out around communal parking areas with only a limited number that have on plot parking. It needs to be remembered that this is a guideline only and that there is no requirement for a proposal to meet each and every of the guidelines in order to be acceptable. On balance, the affordable housing layout is considered to meet with the tenet of HSPD8.

*Market Housing*

A similar exercise can be carried out for market housing. There is no site wide target for this although The Housing and Economic Needs Assessment for Leicestershire, (HEDNA), provides an indication of borough wide need.

<b>Market – 80%</b>			
<b>Size</b>	<b>No</b>	<b>%</b>	<b>HEDNA%</b>
1 Bed	0	0%	0-10%
2 Bed	5	3%	25-35%
3 Bed	47	26%	45-55%
4+ bed	128	71%	10-20%

This shows that this reserved matters application does not reflect the needs set out within HEDNA in terms of housing size due to the disproportionate number of larger homes. However, policy CS3 states that an appropriate mix should be the product of both need AND character of the area. This parcel is located on the edge of the SUE adjacent to open countryside/future parkland in an area the D&A envisages to be low density and loose knit. In addition, the approved parameter plan suggests lower density development, (20 and 30 dph), at this sensitive northern border for similar reasons. This does not lend itself to a mix of smaller units, particularly when the need to use this phase to “kick start” the wider delivery is taken into account. Small units would either have to be built at a density which would be harmful to the character of the area or would impact on the viability of the scheme. For this reason, it is considered that the proposal remains in compliance with policy CS3 (when read as a whole).

As with the affordable housing, although not a set requirement, there will be an expectation that later phases will respond to market needs at that time and redress any imbalance across the wider site.

Parking and access

Policy CS2 seeks well designed streets and spaces that are easy to navigate and safe public spaces. The Highway Authority has reviewed the internal layout of roads and looked at parking provision across this reserved matters area.

Given the quantum of development, the Highway Authority advocates that the design of the internal road layout is to adoptable standards. This enables the roads to be offered for adoption and future maintenance by the Highway Authority. With this in mind an assessment against the standards set out in the Leicestershire Highway Design Guide has been made and it has been concluded that with minor amendments (Repositioning of trees, revisions to traffic calming positions and confirmation of tracking).

Parking provision has also been assessed and the following conclusions met:

- The smallest parking spaces onsite measure 2.4m x 4.9m which are for Plots 54-56;
- All other parking spaces are a minimum of 2.4m x 5m;
- Double Garages are measuring 5.5m x 5.5m however the house types with these provide sufficient parking;
- The shared double garages are 6.5m x 6.5m;
- It is considered that in general, the dwellings have been given appropriate amounts of parking in relation to the number of bedrooms indicated.

Accordingly, the Highway considers that these reserved matters provide a safe and viable internal layout which can comply with its guidance and be adopted. Those changes which are suggested before adoption are minor in nature and would not compromise the overall design quality of the scheme. The proposal I considered to comply with policy CS2 with regard to this aspect of its design.

### Conclusion

This set of reserved matters is considered to be in compliance with the parameter plans and Design and Access Statement set out in the outline/hybrid permission. This means that they are acceptable in principle and that they comply with the Development Plan in this regard.

With regard to layout, scale, appearance and landscape, it is considered the application achieves a high-quality design which provides a good standard of amenity for future residents and does not give rise to material landscape harm. Appropriate landscaping is provided throughout the development to support design quality. There is no residual significant harm in terms of biodiversity, traffic or other environmental impacts that falls outside that recognised within the outline/hybrid planning permission. The development supports the delivery of housing in accordance with Charnwood's core strategy policy CS19. The mix of housing across the parcel has shortcomings in terms of meeting need but when balanced against character of the area this is considered to meet with policy CS3. The housing development would bring clear economic and social benefits. On balance it is considered to be a sustainable



development that accords with the development plan and it is recommended that these reserved matters be granted subject to conditions

**Recommendation:**

This permission is granted subject to the following Planning Conditions and Reasons:-

1.	<p>The development, hereby permitted, shall be begun not later than <b>18 months</b> from the date of this permission.</p> <p>REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>The development hereby permitted shall be carried out in accordance with the approved plans listed in <b>schedule1</b>.</p> <p>REASON: To provide certainty and define the terms of the permission</p>
3.	<p>No site clearance, preparatory work or development shall take place until a <b>scheme for the protection of the retained hedge</b> along the watercourse/ditch detailed in the Arboricultural Survey and Plans and listed within the amended landscape design statement, has been submitted to and approved in writing by the local planning authority. The agreed protection measures shall be carried out prior to any site clearance, preparatory work or development commencing within the protection area for the hedge so defined within the agreed protection scheme.</p> <p>REASON: To ensure that those trees and hedges indicated for retention are protected during construction. This is to ensure compliance with the objectives set out within the Design and Access statement, to protect biodiversity assets and to ensure compliance with policies CS2, CS11, CS13 and CS19 of the Development Plan. The condition has to be discharged pre commencement as it relates to measures that must be implemented before construction or site clearance start.</p>
4.	<p>Notwithstanding condition 2. no development shall take place until a scheme for the treatment of the <b>Public Right of Way</b> crossing the site has been submitted to and approved in writing by the local Planning Authority. Such a scheme shall include provision for their management during construction, surfacing, width, structures, signing and landscaping. It shall also include a timescale and a mechanism for any necessary stopping up, diversion and reclassification of the Right of Way affected by the development. The development shall be carried out in accordance with the approved scheme and thereafter so retained.</p> <p>REASON: To protect existing Rights of Way and ensure permeability through the site in accordance with the approved parameter plans, policies</p>

	CS2 and CS19 of the Development Plan and paragraph 98 of the National Planning Policy Framework. The condition has to be discharged pre commencement as it relates to measures that must be implemented before construction starts.
5.	<p>No more than 244 dwellings across the phase, (as covered by this application and associated applications; P/19/1369/2, P/19/1374/2 and P/19/1479/2), shall be occupied until the <b>green infrastructure</b> within phasing parcels 1.1, 1.3 and 1.8, (as defined on the site wide phasing plan) and the NEAP within parcel 1.2, have been completed and made available in accordance with the details approved under associated application P/19/1369/2.</p> <p>REASON: To ensure that green infrastructure of sufficient quality to meet development plan policies CS2, CS15 and CS19 is provided. Furthermore, the condition seeks to ensure that it is supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
6.	<p>No more than 604 dwellings across the phase, (as covered by this application and associated applications; P/19/1369/2, P/19/1374/2 and P/19/1479/2), shall be occupied until the <b>remaining green infrastructure</b> within phasing parcel 1.2, ( as defined on the site wide phasing plan), has been completed and made available in accordance with the details approved under associated application P/19/1369/2.</p> <p>REASON: To ensure that green infrastructure of sufficient quality to meet development plan policies CS2, CS15 and CS19 is provided. Furthermore, the condition seeks to ensure that it is supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
7.	<p>In the event that this planning application, (P/19/1457/2), is delivered in excess of <b>18 months</b> in advance of development commencing on associated applications for the phase, and in particular on application P/19/1369/2, no more than 180 dwellings shall be occupied until the following temporary or permanent facilities have been provided and made available for use of the occupants of the development, unless a variation to this is agreed in writing by the local planning authority:</p> <ul style="list-style-type: none"> <li>• 0.4 Ha of green amenity space within the cricket green area and surrounding linear parks</li> <li>• 1.17 Ha of Natural Open Space (to include the open space/forest garden to the north)</li> <li>• The LEAP immediately to the south and a NEAP within an area accessible to the development</li> <li>• 1.5Ha for outdoor sports</li> <li>• A pedestrian link to Hamilton, (using the existing right of way as necessary)</li> </ul> <p>REASON: It is possible that this development could be implemented</p>

	significantly in advance of surrounding parcels and for this reason it is important to ensure that there is green infrastructure in place to support residents of the scheme and ensure compliance with development plan policy CS15.
8.	<p>No dwelling shall be occupied until <b>surface water drainage</b> to serve that dwelling, which accords with the surface water drainage scheme for the phase, to be approved under condition 8 of P/13/2498/2, has been completed and made available.</p> <p>REASON: To ensure there is no risk of flooding within the development or surrounding areas as a result of approved drainage detail not being implemented in a timely manner and to ensure compliance with development plan policies CS16 and CS19.</p>
9.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional first floor windows, other than those expressly authorised by this permission, shall be constructed on those elevations listed at <b>schedule 2</b> below.</p> <p>REASON: To ensure that there is no overlooking of adjacent gardens in the interest of ensuring good standards of amenity for future occupiers in accordance with policy CS2 of the development plan.</p>
10.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or alterations shall be carried out to plots <b>43, 168, 200, 205 or 206</b>.</p> <p>REASON: These plots all contain dwellings which are close to the boundary with adjacent dwellings and where additional built form, windows or internal reconfiguration could give rise to loss of amenity to adjacent dwellings. The condition is to ensure that the development remains in accordance with policy CS2.</p>
11.	<p>Notwithstanding the plan submitted the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the first floor unit at <b>plot 74/75</b> shall be configured so that the kitchen and living room windows face southeast and no additional windows, (other than a single bedroom window as per the handed house type), shall be added to north west elevation.</p> <p>REASON: To ensure there is no overlooking of the garden area to plots 76 and 77 which would give rise to a loss of amenity and ensure the development remains in compliance with policy CS2 of the development plan.</p>
12.	No dwellings shall be occupied until the <b>access arrangements</b> shown on

	<p>Brookbanks drawing 10214HL-11 rev G have been provided and made available for use. The proposed access shall be retained in this form until such time as it is varied by way of approval in writing by the Local Planning Authority associated with later phases of the development overall.</p> <p>REASON: To ensure that there is safe access and egress of the development parcel for future occupiers in the interests of highway safety and to ensure compliance with policies CS2, CS18 and CS19.</p>
13.	<p>No dwellings shall be occupied until the <b>offsite highway works</b> shown on Brookbanks drawings 10214-1200-01 Rev D and 10214-1200-02 rev F have been provided and made available for use.</p> <p>REASON: To mitigate the impact of the development on the surrounding area in the interests of highway safety and to ensure compliance with policies CS18 and CS19 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>
14.	<p>Within 1 month of the new vehicle accesses permitted by condition 11 being first brought into use any <b>currently existing access(es)</b> onto Barkbythorpe Road that become redundant as a result of this proposal shall be closed and reinstated in accordance with details submitted to and approved in writing by the Local Planning Authority. The redundant accesses shall thereafter be so retained.</p> <p>REASON: In the interests of Highway and to ensure compliance with policies CS18 and CS19 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>
15.	<p>Notwithstanding condition 2. any <b>garage doors</b> shall be set back from the highway boundary a minimum of 5.5m for sliding or roller shutter doors, 6.1m for up and over doors and 6.5m for doors opening outwards and shall thereafter be so retained.</p> <p>REASON: To enable a vehicle to stand clear of the highway whilst doors are opened or closed and to ensure that adequate on street parking is provided in the interest of highway safety and to ensure compliance with policies CS2 and CS18 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>
16.	<p>No dwelling shall be occupied until the <b>parking and turning</b> facilities for that dwelling have been provided in accordance with the plans listed at schedule 1.</p> <p>REASON: ensure that adequate on street parking is provided in the interest of highway safety and to ensure compliance with policies CS2 and CS18 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>



## Schedule 1

Drawing	Reference	Revision	Author
Site Location Plan	H7941-013-01	A	
Planning Layout	H7941-001-01	T	DWH
Materials Layout	H7941-002-01	B	DWH
Boundary Treatment Layout	H7941-03-01	B	DWH
Surface Treatment Layout	H7941-04-01	B	DWH
Chimney & Eaves Layout	H7941-005-01	B	DWH
Street Hierarchy Plan	H7941-0025-01	B	DWH
Soft landscape 1	GL1124-01	D	Golby & Luck
Soft landscape 2	GL1124-02	D	Golby & Luck
Soft landscape 3	GL1124-03	D	Golby & Luck
1800mm personnel gate	RD-SD13-103	-	DWH
1200mm Ball Top Railing	RD-SD13-108	-	DWH
1000mm Four Bar Railing	RD-SD13-109	-	DWH
1800mm High Screen Wall	RD-SD13-111	-	DWH
450mm Timber Post	RD-SD13-114	-	DWH
1800mm Close Board Fence	RD-SD13-151	-	DWH
<b>House types</b>			
P204.EC7	P204.E-05-08	-	DWH
P230-7	P230.D.01-04	-	DWH
P231-VD7	P231.VD.05-08	-	DWH
P341-D7	P341.D.09-12	-	DWH
P341-WD7	P341. WD.09-12	-	DWH
P341-E-7	P341.E.05-08	-	DWH
P382-E-7	P382.E.05-08	-	DWH
P382-I-7	P382.I.05-08	-	DWH
T310-E-7	T310.E.01-04	-	DWH
T310-I-7	T310.I.01-04	-	DWH
H403-C7	H403.05-08	-	DWH
H417-7	H417.09-12	-	DWH
H421-7	H421.09-12	-	DWH
H436-X7	H436.09-12	-	DWH
H436-X7 Thorpebury Special	H436.20-21	-	DWH
H455-7	H455.09-12	-	DWH
H469-X7	H469.05-08	-	DWH
H486-7	H486.05-08	-	DWH
H497-7	H497.05-08	-	DWH
H533-7	H533.09-12	-	DWH
H533-7	H533.05-08	-	DWH
H588-7 Thorpebury Special	H588.20-21	-	DWH
H588-7	H588.09-12	-	DWH
H597-7	H597.05-08	-	DWH
SF11 GAN4_FAN4 Plots, 149/50, 155/6	SF11.05-08	ALT	DWH
SF11 GAN4_FAN4	SF11.05-08	-	DWH
SH50-E-7	SH50.E.05-08	-	DWH
SH50-I-7	SH50.I.05-08		
SH52-E-7	SH52.E.05-08		
SH52-I-7	SH50.I.05-08		
SH54-E-7	SH54.E.05-08		
SH55-E-7	SH55.E.05-08		
<b>Garages</b>			
LSG1H7	LSG1H7.01		
LSG2S7	LSG2S7.01		
SDG1H8	SDG1H8.01		
LDG2H7	LDG2H7.01		

LTG2H7	LTG2H7.01		
<b>Cross Phase Plans</b>			
Cut & Fill Appraisal Plan	HXXXX-002-01	C	DDS
East Field Soil Capacity Layout	HXXXX-005-01	A	DDS
General Arrangement (infrastructure)	HXXXX100-01	-	DDS
General Arrangement (infrastructure)	HXXXX100-02	-	DDS
General Arrangement (infrastructure)	HXXXX100-03	-	DDS
Drainage & Levels Appraisal 1	HXXXX-001-01	D	DDS
Drainage & Levels Appraisal 2	HXXXX-001-02	E	DDS
Drainage & Levels Appraisal 3	HXXXX-001-03	D	DDS
Drainage Layout 1	HXXXX-101-01	A	DDS
Drainage Layout 2	HXXXX-102-01	A	DDS
Drainage Layout 3	HXXXX-103-01	A	DDS
Surface Finishes Layout 1	HXXXX-102-01	-	DDS
Surface Finishes Layout 2	HXXXX-102-02	-	DDS
Surface Finishes Layout 3	HXXXX-102-01	-	DDS
Drainage Construction Details 1	HXXXX-300-01	-	DDS
Drainage Construction Details 2	HXXXX-400-02	-	DDS
Drainage Construction Details 3	HXXXX-400-03	-	DDS
Highway Construction Details 1	HXXXX-400-01	-	DDS
Highway Construction Details 2	HXXXX-400-02	-	DDS
Phase 1 Access 1 Barkbythorpe Rd North	10214-HL-11	G	Brookbanks
Phase 1 Access 2 Barkbythorpe Rd South	10214-HL-10	G	Brookbanks
Phase 1 Access 3 Hamilton Lane South	10214-HL-13	F	Brookbanks
Phase 1 Access 4 Hamilton Lane North	10214-HL-12	C	Brookbanks

## Schedule 2

<b>Plot</b>	<b>Elevation</b>
6	East
9	Northeast
16	Southwest
23	Southwest
31	Northeast
35	Northeast
40	Northeast
43	Northwest & Southeast
49	East
65	South
70	East
71	East
79	East
117	East
120	North
125	North
129	Southeast
132	West
137	North
142	North
143	South
146	West
157	Southeast
159	West
162	West
164	North
170	North
176	South
205	Southeast & Southwest
206	Southeast & Southwest
218	Northeast
222	Northwest



## Information Notes

1.	The Local Planning Authority has acted pro-actively through early engagement with the applicant at the pre-application stage. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
2.	Planning permission has been granted for this development because the Council has determined that it is generally in accord with the terms of the following development plan policies: CS2, CS3, CS11, CS12, CS13, Cs15, CS16, CS17, CS18, CS19, CS25, EV/1, TR/18 There are no other material considerations which would indicate that planning permission should be refused.
3.	This planning application forms part of consent P/13/2498/2 and it should be noted that it does not override the need to comply with conditions or legal obligations attached to that consent.
4.	Drainage must be provided within the site so that surface water does not drain into the public highway from any private driveways or other hard surfaces, in the interests of highway safety.
5.	All roads, footpaths and verges together with all drainage works must be constructed in accordance with the Leicestershire County Council current guidance for adoption purposes. This is to ensure that the roads to be constructed are to adoptable standards and appropriate for a Section 38 Agreement between the developer and the highway authority.
6.	Please note the minimum visibility splay size for the proposed site accesses is 2.4m by 43m. These shall be kept clear of any obstruction which exceeds 0.6m above the level of the adjacent footway/verge/highway.

For a map of this reserved matters area please see the Context Report.

Item No. 4

Application Reference Number P/19/1374/2

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<b>Application Type:</b>	Reserved Matters	<b>Date Valid:</b>	28/06/2019
<b>Applicant:</b>	William Davis Ltd		
<b>Proposal:</b>	Reserved Matters, (access, appearance, landscaping, layout and scale), for residential development of 133 dwellings within Phase 1 of Outline permission reference: P/13/2498/2. Supported by the Environmental Statement submitted with Outline permission reference P/13/2498/2. (RMA3)		
<b>Location:</b>	Land to the North East of Leicester		
<b>Parish:</b>	Barkby Thorpe	<b>Ward:</b>	Queniborough
<b>Case Officer:</b>	Karen Brightman	<b>Tel No:</b>	01509 632520

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This item is brought to Plans Committee as it relates to a strategic housing site allocated in the Core Strategy and it is of significant public interest, as it comprises the first set of reserved matters for that site.

This report should be read in conjunction with associated reports relating to applications P/19/1369/2, P/19/1374/ and P/19/1479/2 for the reasons set out in the North East Leicester Phase 1 context note attached to this agenda.

### **Description of the Application site**

The site falls within a much larger area with outline consent for development of a Sustainable Urban Extension. This larger site comprises approximately 360 hectares of mainly agricultural land located to the north- east of Leicester. The northern edge of the site abuts Barkby Lane between Syston and Barkby. The eastern edge is a mix of field boundaries near to Barkby and Barkby Thorpe. The southern boundary of the site adjoins the residential area of Hamilton and the Hamilton business park within Leicester City Council's administrative area.

This current application, along with the three associated applications, which are all before Plans Committee, comprises the majority of the first phase of the Urban extension.

The phase 1 area lies between Barkby Thorpe Road and Hamilton Lane/King Street. The southern boundary is defined by Melton Brook and the northern boundary in part by a small planting belt that lies perpendicular to Hamilton Lane. It comprises approximately eight, (in whole or in part), agricultural fields divided by established field hedges. There are currently a number of field accesses onto both Hamilton Lane and Barkby Thorpe Road, including a track/bridleway that joins Barkby Thorpe Road in the south west corner of the site. Existing vegetation within the site is largely limited to single mature trees within existing field hedges and a belt of mature trees alongside Melton Brook. The Hamilton Lane planting belt to the north is relatively recently established and comprises a mix of evergreen species and native rural planting. Directly to the west of the site is an established copse of trees that are highly visible

from the surrounding landscape. Levels generally rise gently up from Melton Brook towards Barkby and Barkby Thorpe.

## **Description of the Proposal**

This application relates to parcel 1.4, (of the phasing plan), and comprises a housing development of 133 homes by William Davis. The housing is located in an L shaped block to the north of a green corridor that runs east west across phase 1. It is bisected by a further green corridor which runs north south. To the west lies land subject to a planning application by David Wilson Homes and to the north is an area that is currently open countryside, but which will ultimately be developed as orchard and parkland as part of the wider development.

The development would initially be accessed via a T junction with Hamilton Lane. Beyond this phase of the Sustainable Urban extension the access to this parcel would be subsumed into a system of residential roads as the development gradually links to other adjacent housing areas stretching west to Barkbythorpe Road and eastward beyond Hamilton Lane.

A road of the secondary type within the Design and Access Statement hierarchy, (5.25m – 6m wide Type A), runs roughly east west through the development serving a series of cul de sacs, which in turn lead to private drives/lanes. The housing is grouped in outward facing blocks and courtyards around this road structure. The type A road forms the main focal point for the development.

The application includes the following supporting documents & plans:

- Application form
- Site location Plan – red line
- Existing Topography (6 plans)
- Supporting statement June 2019
- Transport Statement (supplemented December 2019)
- Technical Note Phase 1 Accesses
- SuDs Technical Note
- Specification for Engineered Fill
- Arboricultural Report

It includes the following **illustrative** plans:

- Indicative Composite Plan rev V
- Proposed Street scenes (Various)

It seeks approval for the following plans common to all applications:

- Drainage and levels Appraisal (3 plans) rev D, E, D
- Drainage Layout (3 plans) rev A
- Drainage Construction Details (3 plans)

- Cut and Fill Appraisal Plan rev C
- East Field Spoil Capacity Layout Plan rev A
- Highway Construction Details (2 plans)
- Vehicle Tracking (3 plans) rev A
- Kerbing and Surfacing finishes (3 plans)
- Access Plans & Signage details, (as per table at condition 2)

It seeks approval for the following plans specific to this application:

- Planning Layout Rev N
- Materials Layout Rev B
- Boundary Treatments layout Rev B
- House Type & garage Plans, (as per table at condition 2)
- Soft Landscape plans (sheets 1-2) Rev C
- Boundary Treatment details, (as per table at condition 2)

### **Development Plan Policies**

The Development Plan for Charnwood currently consists of the Charnwood Local Plan Core Strategy 2006-2028, Saved Policies of the Borough of Charnwood Local Plan (2004), the Leicestershire Minerals Core Strategy and Development Control Policies Document (2009), and the Leicestershire Waste Core Strategy and Development Control Policies document (2009). Several neighbourhood plans also apply in specific areas of the Borough.

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

*Policy CS2 – High Quality Design* – requires developments to make a positive contribution to Charnwood, reinforcing 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, and protect the amenity of people who live or work nearby.

*Policy CS3 Strategic Housing Needs* - supports an appropriate housing mix for the Borough and sets targets for affordable homes provision to meet need.

*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.

*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 CS16 Sustainable Construction and Energy* - supports sustainable design and construction techniques.

*Policy CS 19 North East of Leicester Sustainable Urban extension* – establishes the principle of the urban extension. It in effects allocates it for the development permitted by the outline/hybrid application.

For housing the policy seeks a wide range of housing type and tenure including affordable housing and extra care housing.

With regard to community facilities it supports primary schools as focal points within the community and seeks delivery of other community facilities within an early phase of the wider development.

For transport the policy requires well connected street patterns and walkable neighbourhoods with safe and direct walking, cycling and public transport routes. Cycling and walking routes should relate to the green infrastructure and connect to employment and transport.

Environmental aims of the policy include responding to the landscape and surrounding areas to create a locally distinctive environment, protecting, enhancing and creating wildlife corridors, reducing carbon emissions, designing spaces and buildings that are resilient to climate change, providing sustainable drainage, reducing flood risk and enhancing water quality.

*Policy CS 24 Delivering Infrastructure* – is concerned with ensuring development is served by essential infrastructure. As part of this it seeks to relate the type, amount and timing of infrastructure to the scale of development, viability and impact on the 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 (adopted 12 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 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 TR/18 Parking in New Development* - This seeks to set the maximum standards by which development should provide for off streetcar parking.

#### **Other 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. For planning decisions this means approving proposals that comply with an up to date development plan without delay. If the Development Plan is silent or policies most relevant to determining the application are out of date permission should be granted unless protective policies within the NPPF give a clear reason for refusal or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

The NPPF policy guidance of **particular 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.

#### *Section 8: Promoting healthy and safe communities*

Planning decisions should promote a sense of community and deliver the social, recreational and cultural facilities and services that such a community needs.

#### *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 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).

Paragraph 127 states that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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 help 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).

#### Planning Practice Guidance

This national document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework.

#### Leading in Design Supplementary Planning Document (February 2006)

This document encourages and provides guidance on achieving high quality design in new development. Appendix 4 sets out spacing standards for new housing developments to ensure that overlooking and over dominance do not occur and that a good quality design is achieved.

#### Leicestershire Highways Design Guide

The Leicestershire Highways Design Guide deals with highways and transportation infrastructure for new developments. It replaces the former 6C's Guidance.

#### Leicestershire County Council Local Transport Plan (LTP)

This sets out Leicestershire County Council's strategy for delivering improvement to accessibility, connectivity and for promoting social inclusion and equality.

#### Leicestershire Housing and Economic Development Needs Assessment (HEDNA) – 2017

HEDNA provides an up to date evidence base of local housing needs including an objectively assessed housing need figure to 2036 based on forecasts and an assessment of the recommended housing mix based on the expected demographic changes over the same period. The housing mix evidence can be accorded significant weight as it reflects known demographic changes.

Housing Supplementary Planning Document (adopted May 2017 – updated December 2017)

The SPD provides guidance on affordable housing to support Core Strategy Policy CS3.

Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

The Environmental Impact Assessment Regulations set out the parameters, procedures and Regulatory detail associated with the screening, scoping and preparation of an Environmental Statement and consideration of significant environmental impacts of development. The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process.

Where an outline application has been submitted with an Environmental Statement any subsequent applications that are submitted, such as reserved matters, are considered to be supported by the original Environmental Statement. However, the decision making authority has to satisfy itself that the Environmental Statement remains pertinent and can ask for further information or an addendum to it if the subsequent application raises new matters or if there has been a material change that affects it.

Conservation of Habitat and Species Regulations 2010 (as amended)

These Regulations contain certain prohibitions against activities affecting European Protected Species, such as bats.

The Council as local planning authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed by the development) then the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England.

Protection of Badgers Act 1992

Badgers are not European Protected Species but are subject to protection under the above Act. This Act includes various offences, including wilfully killing, injuring or taking a badger or deliberately damaging a badger sett. A license is required from Natural England where development proposals may interfere with badger setts.



## Design Supplementary Planning Document

Cabinet has approved the Design Supplementary Planning Document, but at the time of writing this report the document is within the call-in period. This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life. In its draft form, the document carries some but not full weight. Members will be updated with regards to the document's status and weight in the Extras Report.

## **Responses of Statutory Consultees**

The table below sets out the responses that have been received from statutory consultees with regard to the application. Please note that these can be read in full on the Council's website [www.charnwood.gov.uk](http://www.charnwood.gov.uk)

<b>Consultee</b>	<b>Response</b>
Leicestershire County Council - Highways	Comment that the site access is safe and suitable and that it will operate within capacity. Internal design to adoptable standards is recommended and could be achieved. Parking provision is considered to be acceptable.
Housing Strategy & Support	Seeks clarification on the layout of the tenure of the affordable units but comments that the house types, mix and layout are compliant with the Section 106 legal agreement. Revisions to the layout have reduced clustering of affordable housing so that it complies with the 106.
Environment Agency	No formal comment made
Sport England	Makes no comment on the application but offers standing advice
Environmental Health	Raise no environmental protection concerns
Leicestershire Police	No formal objection is made. General guidance for the development as a whole is offered. It is also advised, with regard to these reserved matters, that hammer heads reduce permeability, appropriate lighting is used, and CCTV is considered.

## **Other Comments Received**

None received which are specific to this application although there are comments generic to all four reserved matters applications which are reported within the context note.

## Consideration of the Planning Issues

These are reserved matters but the principle of developing the wider site for housing and associated infrastructure has been agreed as part of the Outline/hybrid planning permission. In the case of this application what lies to be determined is whether the detail submitted, with regard to the housing development in parcel 1.4 of the phasing plan is acceptable.

The main considerations are considered to be:

- Whether these reserved matters are within the terms of the outline/hybrid consent (the principle of the development)
- Whether these reserved matters are of a high-quality design
- Living conditions for future occupiers
- On plot landscape and street scene
- Housing mix
- Parking and access

### Whether these reserved matters are within the terms of the outline/hybrid consent

There are approved plans and documents that this reserved matters application must meet to remain within the terms of the outline/hybrid consent. These are:

- The approved parameter plans
- The concepts outlined within the Design and Access Statement
- Relevant planning conditions of the outline permission

Planning permission was granted subject to the reserved matters applications complying with 6 parameter plans. The table below lists them and provides a brief assessment of whether the current application complies with them:

Parameter Plan	Compliance	Verdict
Development extent	The development proposed falls within the defined area	Yes
Density	The development reflects an average density that would broadly fall within the “up to 30 dwellings per hectare” band.  Although there is not complete replication of the banding this was not the intention with variance introduced by way of a 10% tolerance (other than for sensitive edges). There is a decrease in density towards the sensitive northern border and higher densities, (35-40 dph), are located around the school and local centre.	Yes
Building Heights	These are set as a height above existing ground level and for the majority of the site this is 11m.	Yes

Parameter Plan	Compliance	Verdict
	However, there are boundary zones where this height is reduced to 8.5m such as along the northern boundary. Within this application the majority of the buildings fall beneath the defined 8.5 parameter for height and the lower band edge has been used to restrict building heights to 2 storeys.	
Access	The area shown for the Main street lies outside this application area. The parameter plan requires vehicular, pedestrian and cycle access along Hamilton Lane. This has been achieved within associated reserved matters and via the access to the development.	Yes
Land Use	The proposal is for residential use which is what the parameters plan sets out.	Yes
Landscape Infrastructure	The site is enclosed by green infrastructure corridors which fall within defined parameters – these are covered by application P/19/1369/2	Yes

The Design and Access Statement set out 7 design objectives which were used to inform the concept and masterplan for the Sustainable Urban Extension as a whole. From the Masterplan certain parameters were fixed, (see above), character areas were defined for place making purposes, and the principle a hierarchy of streets was set out. Additionally, Sustainability objectives were set out. Areas of the Design and Access statement that are particularly relevant to these reserved matters are set out in the table below along with a simple assessment:

D & A Concept	Assessment
<b>Street Hierarchy</b>	
Road Types A and B – (A= 5,25m-6m wide, 1.8m-2m wide footway, hard verges, tree and shrub planting & direct Plot access. B= similar dimensions but with more variation in street width, soft verges and more frequent planting)	The Design and access statement defines these as similar street types with type B being more organic and having greater levels of tree planting. It says type B roads should be located within the north and south east of the masterplan area. Although the Design and access statement uses the distinction between A and B roads across the wider site both have been used within this development parcel to define hierarchy, (there are both type A and type B roads which relate to use and status of the road). The road types themselves are in broad compliance with the principles set out within the Design and access statement. It is not considered that this slight variance with the overarching Design and access statement principle is harmful to the design of the scheme particularly as it has been used across the phase.
Lanes/shared Surface areas	These form the finest grain in the street hierarchy. There are both “lanes” and shared drive areas within this layout which are in broad compliance

	with the principles set out within the Design and access statement.
Cycleways/pedestrians	The Design and access statement sets out a suggested network of dedicated and safe cycle routes based on the illustrative masterplan. The cycleways fall outside this reserved matters application although there is connectivity to this network and a network of connected footways.
<b>Character Areas</b>	
Village Housing	There are distinct character parcels of housing, (defined by different developers), which are connected by the linear open space which enhance the setting of the parcels. The Design and access statement suggests a loose structure to the area with lower density housing and an informal feel. A varying building line and lower densities towards the edge of the scheme are suggested. The proposal comprises low density housing that complies with this broad advice. There are variations in building line particularly along the main type A road.
<b>Sustainability</b>	
This reserved matters application provides homes which will comply with part L of the Building Regulations “conservation of fuel and power”. This section of the regulations is currently undergoing amendment, (anticipated 2020), and the new homes subject to this application will be subject to the regulations as amended. The amendments will see a significant change in that energy efficiency will need to be designed into the fabric of the building rather than achieved by way of additions to the finished product. This coupled with the overall sustainability credentials offered by P/19/1369/2 ensure the development complies with sustainable construction requirements.	

There are a number of planning conditions attached to the outline/hybrid permission that the reserved matters must comply with. Some of these relate to the phasing of the development and the programme for submitting further information and are dealt with later in this report. Others seek to guide the details of the development and include conditions ensuring compliance with approved plans and documents, meeting with highway guidance and ensuring appropriate finished floor levels. This set of reserved matters does not conflict with the provisions of these conditions.

To conclude the reserved matters are compliant with the broader parameters set out within the outline/hybrid planning permission and as such it is considered they are acceptable in principle.

#### Whether these reserved matters are of a high-quality design

Policy CS2 seeks high quality design for all new development and sets out general design principles that should be used to achieve this. Policy CS19 builds upon this in the context of North East Leicester and envisages a locally distinctive development that responds to landscape context. With particular regard to these reserved matters a pleasant low-density residential character has been created which reflects the

character area criteria within the Design and access statement. It is important to remember that this area forms only a relatively small part of the edge of the SUE and that it is an area where a soft blend with surrounding countryside is sought. Areas more central to the SUE are envisaged for higher density development and potentially less traditional building designs.

The National design guide sets out important design characteristics which are integral to any development. Whilst this proposal must sit within the framework of the approved Design and Access statement which predates this document it is useful to briefly look at the proposal in terms of the 10 characteristics. The table below provides a short summary:

Characteristic	Assessment
Context	The proposal has little immediate local context to relate to and that which exists will be subject to rapid change as the wider SUE is developed. It does, however, contain a soft edge to existing countryside/future parkland to the north. As it has been designed alongside other parcels of housing it will share a joint context with the remainder of phase 1.
Identity	The development achieves an identity which comes from the interaction of the elements within it. It is clearly contained by the green corridors and has been designed so that the type A street forms a strong feature with continuous frontage, varied building line and visual interest. There are vistas outwards towards adjoining green areas and enhanced elevation and, corner turning buildings have been used in prominent locations.
Built Form	The development uses an outward facing block structure and courtyards with buildings that have a stronger identity at nodes, (taller house types or enhanced materials). Whilst the context requires a lower density the development is walkable with a system of footways/cycleways and public transport. As the wider SUE is developed the permeability and walkability of the proposal will improve due to new development, with a wider mix of uses, taking place in adjacent phases
Movement	The development has a clearly defined hierarchy for movement. There are distinct road types and transport choice is offered.
Nature	Within the development and the surrounding infrastructure there are high quality greenspaces which perform a number of functions, including play. Within the reserved matters area itself this is more limited as it is purely confined to small scale landscaping opportunities being reliant, as it is, on the adjacent reserved matters.

Public Spaces	Small scale open spaces have been used at some prominent junctions within the development to provide visual enjoyment. However, the development is reliant on separate reserved matters to bring forward larger scale open spaces which are multi-functional. The hierarchy of streets itself lends interest to public areas and the block structure ensures active frontage.
Uses	As this relates to a small area of the SUE it does not contain a variety of uses. The wider SUE will perform this function well.
Homes and Buildings	These are traditional family homes and as such do not contain any unique design features. The house types proposed meet with national guidance relating to internal space and provide outdoor areas and opportunities for storage.
Resources	Whilst the details of construction are beyond the scope of this reserved matters the housing will be constructed to meet with Building Regulations part L. This emphasises efficient use of energy and uses a fabric first approach. The site will be drained via sustainable drainage systems within adjacent reserved matters areas.
Lifespan	The proposal is designed to be robust with traditional brick-built units and management proposals in place for communal areas.

The outline/hybrid application was approved on the basis that the design principles set out within the Design and Access Statement were adhered to as they achieved the aims of the then emerging policy CS2 and its forerunner, policy EV/1. The main reserved matters features reflect the principles set out within the approved Design and Access Statement and accordingly are of an appropriate and high-quality design which accords with the development plan. As the analysis above shows, new national guidance, that has emerged since the original Design and Access Statement was approved, does not introduce any new material considerations that would override these policies.

#### Living conditions for future occupiers

Policy CS2 seeks to ensure that appropriate standards of amenity are achieved for future and existing residents. The development is not close enough to existing residential areas to have a direct impact on the amenity of existing residents.

Within the reserved matters area itself plots are orientated and spaced in a way that ensures there is adequate privacy, light and that private elevations and garages have a reasonable outlook. Guidelines set out within the SPD which supports the Development Plan are all met in this regard. There are some relationships within the blocks where side elevations are close to adjacent gardens but in these instances appropriate selection of house types has been used to ensure any potentially

overlooking first floor windows only serve bathrooms or landings. A planning condition could be attached to withdraw permitted development rights on these plots to ensure additional first floor windows are not added without due consideration.

There are some plots where the distances between buildings and adjacent gardens or the distances between opposing elevations is very close to the guideline. It is suggested a condition is attached to ensure that extensions or alterations which would be harmful to amenity cannot be built using permitted development rights without due consideration as to whether there would be harm to amenity.

It is considered that the proposal meets with the provisions of the development plan in terms of residential amenity.

On plot landscape and street scene

Policy CS2 seeks to ensure that development is of high quality and that it includes attractive public spaces. Policy CS19 requires the SUE to create locally distinctive development. The reserved matters application includes details of on plot and street landscape within the public realm. For this particular reserved matters application these drawings are not considered to contain the right quantity and quality of landscaping, particularly within and around the shared parking areas. For this reason, it is not recommended that the plot landscape plans are approved, and it is suggested that a condition is attached seeking revised detail. Such a condition will ensure that an appropriate landscaping scheme for the housing area can be secured which will mean that it complies with policies CS2 and CS19.

Housing mix

Policy CS3 requires an appropriate level of affordable homes and a mix of type, tenure and size of home having regard to need and character of the area. CS19 seeks 30% affordable homes across the SUE and also a mix of type, tenure and size of home.

*Affordable Housing*

This reserved matters application operates within the overall parameter set by the section 106 legal agreement and varied by the Site Wide Affordable Housing Delivery Plan, (SWAHDP), in terms of the amount of affordable housing. The section 106 agreement sets a figure of 25% across the site for affordable housing, which is the basis that the outline/hybrid was approved on. The Site Wide Affordable Housing Delivery Plan sets the percentage at 20% for phase 1. This is because this is a low relatively low-density area of the development and one which is located away from the core facilities offered by the new district centre. The Site Wide Affordable Housing Delivery Plan shows how later phases of the development will make up for this deficit ultimately delivering the 25% that is required.

In terms of dwelling size, the affordable housing mix compares with the Site Wide Affordable Housing Delivery Plan as per the table below:

<b>Affordable – 20%</b>			
<b>Size</b>	<b>No</b>	<b>%</b>	<b>SWAHDP %</b>

1 Bed	0	0%	13%
2 Bed	21	81%	50%
3 Bed	5	19%	33%
4+ bed	0	0%	4%

This shows the proportion of 2-bedroom units to be significantly higher than the site wide figure with a deficit both in larger units and bedroom properties. This is in response to a need to secure a viable mix thus allowing delivery of this critical first phase of the SUE giving financial security and momentum to the wider scheme. This must again be viewed in the context of the wider site. The section 106 agreement sets out that 604, (54%) of the affordable units should be two bedrooms across the whole development and this is broadly reflected within the Site Wide Affordable Housing Delivery Plan where 50% of the units are 2 bedrooms. Whilst the mix for these reserved matters does not match that within the Site Wide Affordable Housing Delivery Plan, any imbalance within this profile will need to be addressed within later phases to ensure compliance with the Site Wide Affordable Housing Delivery Plan.

The Council's SPD sets out guidance for the design and layout of affordable housing within policy HSPD8. This requires affordable housing to be "tenure blind", to be distributed in clusters of less than 10 units, (the s106 Agreement which predates this does, however, only restrict affordable housing clusters to 20), and to avoid unnecessary communal areas. Gardens and on plot parking are noted as preferable. The house types are not immediately distinguishable with some variance, they are set out in clusters of 20 or less and most have private gardens. They are however generally set out around communal parking areas and can be identified by way of layout. It needs to be remembered that this is a guideline only and that there is no requirement for a proposal to meet each and every point of the guidelines in order to be acceptable. On balance, the affordable housing layout is considered to meet with the tenet of HSPD8.

### *Market Housing*

A similar exercise can be carried out for market housing. There is no site wide target for the mix of market housing, although The Housing and Economic Needs Assessment for Leicestershire, (HEDNA), provides a borough wide expression of need.

<b>Market – 80%</b>			
<b>Size</b>	<b>No</b>	<b>%</b>	<b>HEDNA%</b>
1 Bed	0	0%	0-10%
2 Bed	12	11%	25-35%
3 Bed	44	41%	45-55%
4+ bed	51	48%	10-20%

This shows that this reserved matters application does not reflect the needs set out within HEDNA in terms of housing size due to the disproportionate number of larger homes. However, policy CS3 states that an appropriate mix should be the product of both need AND character of the area. This parcel is located on the edge of the SUE adjacent to open countryside/future parkland in an area the D&A envisages to be low density and loose knit. In addition, the approved parameter plan suggests lower



density development at this sensitive northern border, (20 and 30 dph), for similar reasons. This does not lend itself to a mix of smaller units, particularly when the need to use this phase to “kick start” the wider delivery is taken into account. Small units would either have to be built at a density which would be harmful to the character of the area or would impact on the viability of the scheme. For this reason, it is considered that the proposal remains in compliance with policy CS3, (when read as a whole).

### Parking and access

Policy CS2 seeks well designed streets and spaces that are easy to navigate and safe public spaces. The Highway Authority has reviewed the internal layout of roads and looked at parking provision across this reserved matters area.

Given the quantum of development, the Highway Authority advocates that the design of the internal road layout is to adoptable standards. This enables the roads to be offered for adoption and future maintenance by the Highway Authority. With this in mind an assessment against the standards set out in the Leicestershire Highway Design Guide has been made and it has been concluded that with minor amendments (primarily revisions to traffic calming positions and amounts).

Parking provision has also been assessed and the following conclusions met:

- Single garages are 3.5m x 6.5m
- Double garages measure 5.5m x 5.5m, however the house types with these provide sufficient parking;
- The shared double garages are 6.5m x 6.5m;
- It is considered that; the dwellings have been given appropriate amounts of parking in relation to the number of bedrooms.

Accordingly, the Highway considers that these reserved matters provide a safe and viable internal layout which can comply with its guidance and be adopted. Those changes which are suggested before adoption are minor in nature and would not compromise the overall design quality of the scheme. The proposal I considered to comply with policy CS2 with regard to this aspect of its design.

### Conclusion

This set of reserved matters is considered to be in compliance with the parameter plans and Design and Access Statement set out in the outline/hybrid permission. This means that they are acceptable in principle and that they comply with the Development Plan in this regard.

With regard to layout, scale, appearance and landscape, it is considered the application achieves a high-quality design which provides a good standard of amenity for future residents and does not give rise to material landscape harm. Appropriate landscaping is provided throughout the development to support design quality. There is no residual significant harm in terms of biodiversity, traffic or other environmental impacts that falls outside that recognised within the outline/hybrid planning permission. The development supports the delivery of housing in accordance with Charnwood’s

core strategy policy CS19. The mix of housing across the parcel has shortcomings in terms of meeting need but when balanced against character of the area this is considered to meet with policy CS3. The housing development would bring clear economic and social benefits. On balance it is considered to be a sustainable development that accords with the development plan and it is recommended that these reserved matters be granted subject to conditions.

**Recommendation:**

This permission is granted subject to the following planning conditions and reasons: -

1.	<p>The development, hereby permitted, shall be begun not later than 18 months from the date of this permission.</p> <p>REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule1.</p> <p>REASON: To provide certainty and define the terms of the permission</p>
3.	<p>No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained planting strip to the northern boundary of the development and listed within the amended landscape design statement, has been submitted to and approved in writing by the local planning authority. The agreed protection measures shall be carried out prior to any site clearance, preparatory work or development commencing within the protection area for the planting strip so defined within the agreed protection scheme.</p> <p>REASON: To ensure that those trees and hedges indicated for retention are protected during construction. This is to ensure compliance with the objectives set out within the Design and Access statement, to protect biodiversity assets and to ensure compliance with policies CS2, CS11, CS13 and CS19 of the Development Plan. The condition has to be discharged pre commencement as it relates to measures that must be implemented before construction or site clearance start.</p>
4.	<p>No more than 244 dwellings across the phase, (as covered by this application and associated applications; P/19/1369/2, P/19/1457/2 and P/19/1479/2), shall be occupied until the green infrastructure within phasing parcels 1.1 and 1.8, (as defined on the site wide phasing plan), has been completed and made available in accordance with the details approved under associated application P/19/1369/2.</p> <p>REASON: To ensure that green infrastructure of sufficient quality to meet development plan policies CS2, CS15 and CS19 is provided. Furthermore,</p>

	<p>the condition seeks to ensure that it is supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
5.	<p>No more than 604 dwellings across the phase, (as covered by this application and associated applications; P/19/1369/2, P/19/1457/2 and P/19/1479/2), shall be occupied until the green infrastructure within phasing parcel 1.2, (as defined on the site wide phasing plan), has been completed and made available in accordance with the details approved under associated application P/19/1369/2.</p> <p>REASON: To ensure that green infrastructure of sufficient quality to meet development plan policies CS2, CS15 and CS19 is provided. Furthermore, the condition seeks to ensure that it is supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
6.	<p>In the event that this planning application, (P/19/1374/2), is delivered in excess of 18 months in advance of development commencing on associated applications for the phase, and in particular on application P/19/1369/2, no more than 180 dwellings shall be occupied until the following temporary or permanent facilities have been provided and made available for use of the occupants of the development, unless a variation to this is agreed in writing by the local planning authority:</p> <ul style="list-style-type: none"> <li>• 0.25 Ha of green amenity space within the surrounding linear parks</li> <li>• 0.7 Ha of Natural Open Space</li> <li>• A LEAP and NEAP accessible from the site</li> <li>• 0.9 Ha for outdoor sports</li> <li>• A pedestrian link to Hamilton, (using the existing rights of way as necessary)</li> </ul> <p>REASON: It is possible that this development could be implemented significantly in advance of surrounding parcels and for this reason it is important to ensure that there is green infrastructure in place to support residents of the scheme and ensure compliance with development plan policy CS15.</p>
7.	<p>Notwithstanding the details submitted no dwelling shall be occupied until revised on plot landscaping details have been submitted to and approved in writing by the Local Planning Authority. These shall provide for an increased amount of street planting and in particular increased levels of landscaping within the parking courtyards. The development shall be landscaped in accordance with these agreed details and it shall thereafter be so retained.</p> <p>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</p> <p>REASON: To ensure that a high-quality design is achieved in accordance with the provisions of policy CS2 of the development plan.</p>

8.	<p>No dwelling shall be occupied until surface water drainage to serve that dwelling, which accords with the surface water drainage scheme for the phase, to be approved under condition 8 of P/13/2498/2, has been completed and made available.</p> <p>REASON: To ensure there is no risk of flooding within the development or surrounding areas as a result of approved drainage detail not being implemented in a timely manner and to ensure compliance with development plan policies CS16 and CS19.</p>
9.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional first floor windows, other than those expressly authorised by this permission, shall be constructed on those elevations listed at <b>schedule 2</b> below.</p> <p>REASON: To ensure that there is no overlooking of adjacent gardens in the interest of ensuring good standards of amenity for future occupiers in accordance with policy CS2 of the development plan.</p>
10.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or alterations shall be carried out to plots <b>330, 331, 337, 338, 339, 409, 415, 416, 417 and 419</b>.</p> <p>REASON: These plots all contain dwellings which are close to the boundary with adjacent dwellings and where additional built form, windows or internal reconfiguration could give rise to loss of amenity to adjacent dwellings. The condition is to ensure that the development remains in accordance with policy CS2.</p>
11.	<p>No dwellings shall be occupied until the <b>access arrangements</b> shown on Brookbanks drawing 10214HL-12 rev C have been provided and made available for use. The proposed access shall be retained in this form until such time as it is varied by way of approval in writing by the Local Planning Authority associated with later phases of the development overall.</p> <p>REASON: To ensure that there is safe access and egress of the development parcel for future occupiers in the interests of highway safety and to ensure compliance with policies CS2, CS18 and CS19.</p>
12.	<p>No dwellings shall be occupied until the <b>offsite highway works</b> shown on Brookbanks drawings 10214-1200-03 Rev F and 10214-1200-04 rev D have been provided and made available for use.</p> <p>REASON: To mitigate the impact of the development on the surrounding area in the interests of highway safety and to ensure compliance with policies CS18 and CS19 of the development plan and paragraph 109 of the</p>

	National Planning Policy
13.	<p>Within 1 month of the new vehicle accesses permitted by condition 11 being first brought into use any <b>currently existing access(es)</b> onto Hamilton Lane that become redundant as a result of this proposal shall be closed and reinstated in accordance with details submitted to and approved in writing by the Local Planning Authority. The redundant accesses shall thereafter be so retained.</p> <p>REASON: In the interests of Highway and to ensure compliance with policies CS18 and CS19 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>
14.	<p>Notwithstanding condition 2.any <b>garage doors</b> shall be set back from the highway boundary a minimum of 5.5m for sliding or roller shutter doors, 6.1m for up and over doors and 6.5m for doors opening outwards and shall thereafter be so retained.</p> <p>REASON: To enable a vehicle to stand clear of the highway whilst doors are opened or closed and to ensure that adequate on street parking is provided in the interest of highway safety and to ensure compliance with policies CS2 and CS18 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>
15.	<p>No dwelling shall be occupied until the <b>parking and turning</b> facilities for that dwelling have been provided in accordance with the plans listed at schedule 1.</p> <p>REASON: ensure that adequate on street parking is provided in the interest of highway safety and to ensure compliance with policies CS2 and CS18 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>

## Schedule 1

Drawing	Reference	Revision	Author
Site Location Plan	P01	B	SGP
Planning layout	P02	N	SGP
Materials Plan	P04	D	SGP
Hard Landscape	P05	D	SGP
Boundary Treatments	P06	D	SGP
Site Sections	P10	-	SGP
Tarmac Drive (paviour edged)	6235   10	C	SGP
Tarmac Drive (PCC flat edged)	6235   11	D	SGP
Block paviour drive	6235   12	C	SGP
Shared Tarmac drive (paviour edged)	6235   13	B	SGP
Shared Tarmac drive (PCC flat edged)	6235   14	C	SGP
Shared Block Paviour drive	6235   15	D	SGP
Fire access drive	6235   16	B	SGP
Metal railing	6235   02	B	SGP
1800 mm Timber fence	6235   44	D	SGP
1800 Waney edged fence	6235   62	B	SGP
Brick Screen wall	6235   65	B	SGP
Brick Screen wall detail	6235   89	-	SGP
<b>House types</b>			
Arun	18-091-AN-1	-	SGP
Beamish Special	18-091-BM-1 (Sp)	-	SGP
Beamish	18-091-BM-1	-	SGP
Beamish -render	18-091-BM-2	-	SGP
Blyth	18-091-BT-1	-	SGP
Blyth – render	18-091-BT-2	-	SGP
Dee- render	18-091-DD-2	-	SGP
Dove	18-091-DE-1	-	SGP
Dove- render gable	18-091-DE-9	-	SGP
Dove – gable	18-091-DE-7	-	SGP
Denwick	18-091-DK-1	-	SGP
Denwick – render	18-091-DK-2	-	SGP
Dalton- soldier course	18-091-DL-8	A	SGP
Douglas – chimney	18-091-DS(PC)-1	A	SGP
Douglas render & PC	18-091-DS(PC)-2	-	SGP
Douglas – render	18-091-DS-2	-	SGP
Medway – chimney	18-091-ME(PC)-1	-	SGP
Medway – render	18-091-ME-2	-	SGP
Medway – chimney & render	18-091-ME(PC)-2	-	SGP
Medway – chimney & render special	18-091-ME(PC)-2 (sp)	-	SGP
Nene	18-091-NN-1	-	SGP
Nene – render	18-091-NN-2	-	SGP
Rannoch	18-091-RA-1	A	SGP
Rannoch Special	18-091-RA-1 (sp)	A	SGP
Ripon	18-091-RP-8	-	SGP
Rother	18-091-RR-1	-	SGP
Solway	18-091-SL-1	-	SGP
Seaton	18-091-SN-1	-	SGP
Seaton – render	18-091-SN-2	-	SGP
Soar –projecting Chimney	18-091-SR(PC)-1	-	SGP

Soar	18-091-SR-1	-	SGP
Solent	18-091-ST-1	-	SGP
Solent – render	18-091-ST-2	-	SGP
Solent – projecting chimney	18-091-ST-2(PC)	-	SGP
Severn	18-091-SV-1	-	SGP
Severn - render	18-091-SV-2	-	SGP
Tweed	18-091-TD-1	-	SGP
Teme – projecting chimney	18-091-TM-1(PC)	-	SGP
Teme	18-091-TM-1	-	SGP
Teme- render	18-091-TM-2	-	SGP
Thirsk – soldier course	18-091-TS-8	-	SGP
<b>Cross Phase Plans</b>			
Cut & Fill Appraisal Plan	HXXXX-002-01	C	DDS
East Field Soil Capacity Layout	HXXXX-005-01	A	DDS
General Arrangement (infrastructure)	HXXXX100-01	-	DDS
General Arrangement (infrastructure)	HXXXX100-02	-	DDS
General Arrangement (infrastructure)	HXXXX100-03	-	DDS
Drainage & Levels Appraisal 1	HXXXX-001-01	D	DDS
Drainage & Levels Appraisal 2	HXXXX-001-02	E	DDS
Drainage & Levels Appraisal 3	HXXXX-001-03	D	DDS
Drainage Layout 1	HXXXX-101-01	A	DDS
Drainage Layout 2	HXXXX-102-01	A	DDS
Drainage Layout 3	HXXXX-103-01	A	DDS
Surface Finishes Layout 1	HXXXX-102-01	-	DDS
Surface Finishes Layout 2	HXXXX-102-02	-	DDS
Surface Finishes Layout 3	HXXXX-102-01	-	DDS
Drainage Construction Details 1	HXXXX-300-01	-	DDS
Drainage Construction Details 2	HXXXX-400-02	-	DDS
Drainage Construction Details 3	HXXXX-400-03	-	DDS
Highway Construction Details 1	HXXXX-400-01	-	DDS
Highway Construction Details 2	HXXXX-400-02	-	DDS
Phase 1 Access 1 Barkbythorpe Rd North	10214-HL-11	G	Brookbanks
Phase 1 Access 2 Barkbythorpe Rd South	10214-HL-10	G	Brookbanks
Phase 1 Access 3 Hamilton Lane South	10214-HL-13	F	Brookbanks
Phase 1 Access 4 Hamilton Lane North	10214-HL-12	C	Brookbanks

## Schedule 2

<b>Plot</b>	<b>Elevation</b>
308	North
311	East
314	South
317	North
318	North
321	South
327	South
331	Northwest
334	South
337	East
338	West
339	West
340	South
343	West
346	East
349	West
353	East
354	East
355	East
357	North
364	North
368	East
373	West
374	North
375	Southeast
379	Southeast
380	South
403	Southwest
404	Northwest
408	North
410	North
415	Southeast
417	Northwest
419	Northwest



### Information notes

1.	The Local Planning Authority has acted pro-actively through early engagement with the applicant at the pre-application stage. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
2.	<p>Planning permission has been granted for this development because the Council has determined that it is generally in accord with the terms of the following development plan policies:            CS2, CS3, CS11, CS12, CS13, Cs15, CS16, CS17, CS18, CS19, CS25, EV/1, TR/18</p> <p>There are no other material considerations which would indicate that planning permission should be refused.</p>
3.	This planning application forms part of consent P/13/2498/2 and it should be noted that it does not override the need to comply with conditions or legal obligations attached to that consent.
4.	Drainage must be provided within the site so that surface water does not drain into the public highway from any private driveways or other hard surfaces, in the interests of highway safety.
5.	All roads, footpaths and verges together with all drainage works must be constructed in accordance with the Leicestershire County Council current guidance for adoption purposes. This is to ensure that the roads to be constructed are to adoptable standards and appropriate for a Section 38 Agreement between the developer and the highway authority.
6.	Please note the minimum visibility splay size for the proposed site accesses is 2.4m by 43m. These shall be kept clear of any obstruction which exceeds 0.6m above the level of the adjacent footway/verge/highway.

Item No. 5

Application Reference Number P/19/1479/2

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<b>Application Type:</b>	Reserved Matters	<b>Date Valid:</b>	11/07/2019
<b>Applicant:</b>	Davidsons Development		
<b>Proposal:</b>	Reserved Matters, (access, appearance, landscaping, layout and scale), for residential development of 246 dwellings within Phase 1 of Outline permission reference P/13/2498/2. Supported by the Environmental Statement submitted with Outline permission reference P/13/2498/2. (RMA4)		
<b>Location:</b>	Land to the North East of Leicester		
<b>Parish:</b>	Barkby Thorpe	<b>Ward:</b>	Queniborough
<b>Case Officer:</b>	Karen Brightman	<b>Tel No:</b>	01509 632520

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This item is brought to Plans Committee as it relates to a strategic housing site allocated in the Core Strategy and it is of significant public interest, as it comprises the first set of reserved matters for that site.

This report should be read in conjunction with associated reports relating to applications P/19/1369/2, P/19/1374/ and P/19/1479/2 for the reasons set out in the North East Leicester Phase 1 context note attached to this agenda.

### **Description of the Application site**

The site falls within a much larger area with outline consent for development of a Sustainable Urban Extension. This larger site comprises approximately 360 hectares of mainly agricultural land located to the north- east of Leicester. The northern edge of the site abuts Barkby Lane between Syston and Barkby. The eastern edge is a mix of field boundaries near to Barkby and Barkby Thorpe. The southern boundary of the site adjoins the residential area of Hamilton and the Hamilton business park within Leicester City Council's administrative area.

This current application, along with the three associated applications, which are all before Plans Committee, comprises the majority of the first phase of the Urban extension.

The phase 1 area lies between Barkbythorpe Road and Hamilton Lane/King Street. The southern boundary is defined by Melton Brook and the northern boundary in part by a small planting belt that lies perpendicular to Hamilton Lane. It comprises approximately eight (in whole or in part), agricultural fields divided by established field hedges. There are currently a number of field accesses onto both Hamilton Lane and Barkby Thorpe Road, including a track/bridleway that joins Barkby Thorpe Road in the south west corner of the site. Existing vegetation within the site is largely limited to single mature trees within existing field hedges and a belt of mature trees alongside Melton Brook. The Hamilton Lane planting belt to the north is relatively recently established and comprises a mix of evergreen species and native rural planting. Directly to the west of the site is an established copse of trees that are highly visible

from the surrounding landscape. Levels generally rise gently up from Melton Brook towards Barkby and Barkby Thorpe.

## **Description of the Proposal**

This application relates to parcel 1.5 of the phasing plan and comprises a housing development of 246 homes by Davidsons Developments. The housing is located to the south of a green corridor that runs east west across phase 1. To the north lies land subject to planning applications by William Davis and David Wilson Homes and to the south is an area of open land along Melton Brook. Beyond this lies the relatively recent housing development at Hamilton on the edge of Leicester. The proposal sits between Barkbythorpe Road to the west and Hamilton Lane to the east. Both of these are currently single carriageway rural roads.

The development would initially be accessed via a T junction with Barkbythorpe Road although as the site and surrounding developments progress there would also be access to Hamilton lane to the east. Beyond this phase of the Sustainable Urban extension the access points to this parcel would be subsumed into a system of residential roads as residential development continues to the west of Barkbythorpe Road and the east of Hamilton Lane.

The Main street runs east/west through the development although that is being delivered under application P/19/1369/2 by separate parties. This provides access to a series of residential loops and culs de sac which serve the dwellings. The housing is generally arranged in outward facing blocks although there is a strong linear form in the area surrounding the future school. Two further linear green corridors which run north south punctuate the development and provide linkage to larger green areas. Smaller public spaces have been created around key junctions.

The application includes the following supporting documents & plans:

- Application form
- Site location Plan – red line
- Existing Topography (6 plans)
- Supporting statement June 2019
- Transport Statement (supplemented December 2019)
- Technical Note Phase 1 Accesses
- SuDs Technical Note
- Specification for Engineered Fill
- Arboricultural Report

It includes the following **illustrative** plans:

- Indicative Composite Plan rev V
- Proposed Street scenes (Various)

It seeks approval for the following plans common to all applications:

- Drainage and levels Appraisal (3 plans) rev D, E, D
- Drainage Layout (3 plans) rev A
- Drainage Construction Details (3 plans)
- Cut and Fill Appraisal Plan rev C
- East Field Spoil Capacity Layout Plan rev A
- Highway Construction Details (2 plans)
- Vehicle Tracking (3 plans) rev A
- Kerbing and Surfacing finishes (3 plans)
- Access Plans & Signage details, (as per table at condition 2)

It seeks approval for the following plans specific to this application:

- Planning Layout Rev P
- Materials Layout Rev A
- Boundary Treatments layout Rev A
- Surface Treatment layout Rev A
- Chimney & Eaves layout Rev A
- Bin storage & refuse plan Rev A
- Street Hierarchy Plan Rev A
- Execution strategy Rev A
- House Type & garage Plans, (as per table at condition 2)
- Soft Landscape plans (sheets 1-3) Rev C
- Boundary Treatment details, (as per table at condition 2)

## **Development Plan Policies**

The Development Plan for Charnwood currently consists of the Charnwood Local Plan Core Strategy 2006-2028, Saved Policies of the Borough of Charnwood Local Plan (2004), the Leicestershire Minerals Core Strategy and Development Control Policies Document (2009), and the Leicestershire Waste Core Strategy and Development Control Policies document (2009). Several neighbourhood plans also apply in specific areas of the Borough

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

Policy CS2 – High Quality Design – requires developments to make a positive contribution to Charnwood, reinforcing 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, and protect the amenity of people who live or work nearby.

*Policy CS3 Strategic Housing Needs* - supports an appropriate housing mix for the Borough and sets targets for affordable homes provision to meet need.

*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.

*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 CS16 Sustainable Construction and Energy* - supports sustainable design and construction techniques.

*Policy CS 19 North East of Leicester Sustainable Urban extension* – establishes the principle of the urban extension. It in effects allocates it for the development permitted by the outline/hybrid application.

For housing the policy seeks a wide range of housing type and tenure including affordable housing and extra care housing.

With regard to community facilities it supports primary schools as focal points within the community and seeks delivery of other community facilities within an early phase of the wider development.

For transport the policy requires well connected street patterns and walkable neighbourhoods with safe and direct walking, cycling and public transport routes. Cycling and walking routes should relate to the green infrastructure and connect to employment and transport.

Environmental aims of the policy include responding to the landscape and surrounding areas to create a locally distinctive environment, protecting, enhancing and creating wildlife corridors, reducing carbon emissions, designing spaces and buildings that are resilient to climate change, providing sustainable drainage, reducing flood risk and enhancing water quality.

*Policy CS 24 Delivering Infrastructure* – is concerned with ensuring development is served by essential infrastructure. As part of this it seeks to relate the type, amount and timing of infrastructure to the scale of development, viability and impact on the 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 (adopted 12 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 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 TR/18 Parking in New Development* - This seeks to set the maximum standards by which development should provide for off streetcar parking.

## **Other 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. For planning decisions this means approving proposals that comply with an up to date development plan without delay. If the Development Plan is silent or policies most relevant to determining the application are out of date permission should be granted unless protective policies within the NPPF give a clear reason for refusal or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

The NPPF policy guidance of **particular 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

#### *Section 8: Promoting healthy and safe communities*

Planning decisions should promote a sense of community and deliver the social, recreational and cultural facilities and services that such a community needs.

#### *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 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).

Paragraph 127 states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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 help 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).

### Planning Practice Guidance

This national document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework.

### Leading in Design Supplementary Planning Document (February 2006)

This document encourages and provides guidance on achieving high quality design in new development. Appendix 4 sets out spacing standards for new housing developments to ensure that overlooking and over dominance do not occur and that a good quality design is achieved.

### Leicestershire Highways Design Guide

The Leicestershire Highways Design Guide deals with highways and transportation infrastructure for new developments. It replaces the former 6C's Guidance.

Leicestershire County Council Local Transport Plan (LTP)

This sets out Leicestershire County council's strategy for delivering improvement to accessibility, connectivity and for promoting social inclusion and equality.

Leicestershire Housing and Economic Development Needs Assessment (HEDNA) – 2017

HEDNA provides an up to date evidence base of local housing needs including an objectively assessed housing need figure to 2036 based on forecasts and an assessment of the recommended housing mix based on the expected demographic changes over the same period. The housing mix evidence can be accorded significant weight as it reflects known demographic changes.

Housing Supplementary Planning Document (adopted May 2017 – updated December 2017)

The SPD provides guidance on affordable housing to support Core Strategy Policy CS3.

Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

The Environmental Impact Assessment Regulations set out the parameters, procedures and Regulatory detail associated with the screening, scoping and preparation of an Environmental Statement and consideration of significant environmental impacts of development. The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process.

Where an outline application has been submitted with an Environmental Statement any subsequent applications that are submitted, such as reserved matters, are considered to be supported by the original Environmental Statement. However, the decision making authority has to satisfy itself that the Environmental Statement remains pertinent and can ask for further information or an addendum to it if the subsequent application raises new matters or if there has been a material change that affects it.

Conservation of Habitat and Species Regulations 2010 (as amended)

These Regulations contain certain prohibitions against activities affecting European Protected Species, such as bats.

The Council as local planning authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed by the development) then the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England.



### Protection of Badgers Act 1992

Badgers are not European Protected Species but are subject to protection under the above Act. This Act includes various offences, including wilfully killing, injuring or taking a badger or deliberately damaging a badger sett. A license is required from Natural England where development proposals may interfere with badger setts.

### Design Supplementary Planning Document

Cabinet has approved the Design Supplementary Planning Document, but at the time of writing this report the document is within the call-in period. This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life. In its draft form, the document carries some but not full weight. Members will be updated with regards to the document's status and weight in the Extras Report.

### **Responses of Consultees**

The table below sets out the responses that have been received from statutory consultees with regard to the application. Please note that these can be read in full on the Council's website [www.charnwood.gov.uk](http://www.charnwood.gov.uk)

<b>Consultee</b>	<b>Response</b>
Housing Strategy & Support	Seeks clarification on the layout of the tenure of the affordable units but comments that the house types, mix and layout are compliant with the Section 106 legal agreement. Revisions to the layout have reduced clustering of affordable housing so that it complies with the 106.
Environment Agency	No formal comment made
Sport England	Makes no comment on the application but offers standing advice
Environmental Health	Raise no environmental protection concerns
Leicestershire Police	No formal objection is made. General guidance for the development as a whole is offered. It is also advised, with regard to these reserved matters, that hammer heads reduce permeability, appropriate lighting is used, and CCTV is considered.
Leicestershire County Council - Highways	Comment that the site access is safe and suitable and that it will operate within capacity. Internal design to adoptable standards is recommended and could be achieved. Parking provision is considered to be acceptable.

### **Other Comments Received**

None received which are specific to this application although there are comments generic to all four reserved matters applications which are reported within the context note.

### Consideration of the Planning Issues

These are reserved matters but the principle of developing the wider site for housing and associated infrastructure has been agreed as part of the Outline/hybrid permission. In the case of this application what lies to be determined is whether the detail submitted, with regard to the housing development in parcel 1.5 of the phasing plan is acceptable in terms of scale, layout, appearance and landscaping.

The main considerations are considered to be:

- Whether these reserved matters are within the terms of the outline/hybrid consent (the principle of the development)
- Whether these reserved matters are of a high-quality design
- Living conditions for future occupiers
- On plot landscape and street scene
- Housing mix
- Parking and access

#### Whether these reserved matters are within the terms of the outline/hybrid consent

There are approved plans and documents that this reserved matters application must meet to remain within the terms of the outline/hybrid consent. These are:

- The approved parameter plans
- The concepts outlined within the Design and Access Statement
- Relevant planning conditions of the outline permission

Planning permission was granted subject to the reserved matters applications complying with 6 parameter plans. The table below lists them and provides a brief assessment of whether the current application complies with them:

Parameter Plan	Compliance	Verdict
Development extent	The development proposed falls within the defined area	Yes
Density	The development reflects an average density that would broadly fall within the “up to 30 dwellings per hectare” band.  Although there is not complete replication of the banding this was not the intention with variance introduced by way of a 10% tolerance (other than for sensitive edges). There are recreational/open areas to the south and west that broadly accord	Yes

Parameter Plan	Compliance	Verdict
	with the reduced density areas here. There is less obvious demarcation along the southern boundary although linear open space in this area generally fulfils this function.	
Building Heights	<p>These are set as a height above existing ground level and for the majority of the site this is 11m and the buildings are within this parameter.</p> <p>However, there are boundary zones where this height is reduced to 8.5m such as along the southern boundary. Within this application the majority of the buildings fall beneath the defined 8.5 parameter for height and the lower band edge has been used to restrict building heights to 2 storeys.</p>	Yes
Access	<p>The area shown for the Main street bisects this application area. The main street is depicted within this corridor.</p> <p>There is a Public Right of Way that runs east west directly south of the site and one which lies directly west. These are covered by application P/19/1369/2 and would not be impacted by this development.</p>	Yes
Land Use	The proposal is for residential use which is what the parameters plan sets out.	Yes
Landscape Infrastructure	The site is enclosed by green infrastructure corridors which fall within defined parameters – these are covered by application P/19/1369/2	Yes

The Design and Access Statement set out 7 design objectives which were used to inform the concept and masterplan for the Sustainable Urban Extension as a whole. From the Masterplan certain parameters were fixed, (see above), character areas were defined for place making purposes, and the principle a hierarchy of streets was set out. Additionally, Sustainability objectives were set out. Areas of the Design and Access Statement that are particularly relevant to these reserved matters are set out in the table below along with a simple assessment:

D & A Concept	Assessment
<b>Street Hierarchy</b>	
Main Street – Within hierarchy (6m- 8.5m wide, 1.5m off road cycle path, 2m footpath, landscaping, tree planting, landscaped verges, on street parking, bus stops and traffic calming.	The Design and Access Statement earmarks this as the most important route within the SUE. It sets out characteristics and states that the character of it should change in response to area character. Verges, street trees and off-road cycle provision are all sought as part of this. The main street area falls within application P/19/1369/2 but this set of

	reserved matters does not prejudice its delivery in line with the Design and Access Statement
Road Types A and B – (A= 5,25m-6m wide, 1.8m-2m wide footway, hard verges, tree and shrub planting & direct Plot access. B= similar dimensions but with more variation in street width, soft verges and more frequent planting)	The Design and Access Statement defines these as similar street types with type B being more organic and having greater levels of tree planting. It says type B roads should be located within the north and south east of the masterplan area. Although the Design and Access Statement uses the distinction between A and B roads across the wider site both have been used within this development parcel to define hierarchy, (there are both type A and type B roads which relate to use and status of the road). The road types themselves are in broad compliance with the principles set out within the Design and Access Statement. It is not considered that this slight variance with the overarching D & A principle is harmful to the design of the scheme particularly as it has been used across the phase.
Lanes/shared Surface areas	These form the finest grain in the street hierarchy. There are both “lanes” and shared surface areas within this layout which are in broad compliance with the principles set out within the Design and Access Statement.
Cycleways/pedestrians	The Design and Access Statement sets out a suggested network of dedicated and safe cycle routes based on the illustrative masterplan. The cycleways fall outside this reserved matters application although there is connectivity to this network and a network of connected footways.
<b>Character Areas</b>	
Village Housing	There are distinct character parcels of housing, (defined by different developers), which are connected by the linear open space which enhance the setting of the parcels. The Design and Access Statement suggests a loose structure to the area with lower density housing and an informal feel. A varying building line small block size and lower densities towards the countryside edges of the scheme are suggested. The proposal comprises low density housing that complies with this broad advice. The block sizes are small, there are variations in building line through the proposal and the green corridor to the south provides a loose edge.
<b>Sustainability</b>	
This reserved matters application provides homes which will comply with part L of the Building Regulations “conservation of fuel and power”. This section of the regulations is currently undergoing amendment, (anticipated 2020), and the new homes subject to this application will be subject to the regulations as amended.	

The amendments will see a significant change in that energy efficiency will need to be designed into the fabric of the building rather than achieved by way of additions to the finished product. This coupled with the overall sustainability credentials offered by P/19/1369/2 ensure the development complies with sustainable construction requirements.

There are a number of planning conditions attached to the outline/hybrid permission that the reserved matters must comply with. Some of these relate to the phasing of the development and the programme for submitting further information and are dealt with later in this report. Others seek to guide the details of the development and include conditions ensuring compliance with approved plans and documents, meeting with highway guidance and ensuring appropriate finished floor levels. This set of reserved matters does not conflict with the provisions of these conditions.

To conclude the reserved matters are compliant with the broader parameters set out within the outline/hybrid permission and as such it is considered they are acceptable in principle.

Whether these reserved matters are of a high-quality design

Policy CS2 seeks high quality design for all new development and sets out general design principles that should be used to achieve this. Policy CS19 builds upon this in the context of North east Leicester and envisages a locally distinctive development that responds to landscape context. With particular regard to these reserved matters a pleasant low-density residential character has been created which reflects the character area criteria within the Design and Access Statement. It is important to remember that this area forms only a relatively small part of the edge of the SUE and that it is an area where a soft blend with surrounding countryside is sought. Areas more central to the SUE are envisaged for higher density development and potentially less traditional building designs.

The National Design Guide sets out important design characteristics which are integral to any development. Whilst this proposal must sit within the framework of the approved Design and Access statement which predates this document it is useful to briefly look at the proposal in terms of the 10 characteristics. The table below provides a short summary:

Characteristic	Assessment
Context	The proposal has little immediate local context to relate to and that which exists will be subject to rapid change as the wider SUE is developed. It does, however, contain a soft edge to existing future informal recreational space to the south and accommodate an improved drainage feature. As it has been designed alongside other parcels of housing it will share a joint context with the remainder of phase 1.
Identity	The development achieves an identity which comes from the interaction of the elements within it. It is clearly contained by the green corridors and has been designed so that there are small character

	areas, (greens), within it. There are vistas towards adjoining green areas and dual aspect and taller buildings have been used to help define place.
Built Form	The development uses an outward facing block structure with interesting building orientation and small landscape features used to define nodes. Whilst the surrounding context requires a lower density it is walkable with a system of footways/cycleways and public transport. As the wider SUE is developed the permeability and walkability of the proposal will improve due to new development, with a wider mix of uses, taking place in adjacent phases
Movement	The development has a clearly defined hierarchy for movement. There are distinct road types and transport choice is offered.
Nature	Within the development and the surrounding infrastructure there are high quality greenspaces which perform a number of functions, including play. Within the reserved matters area itself this is more limited as it is purely confined to small scale landscaping opportunities being reliant, as it is, on the adjacent reserved matters.
Public Spaces	Small scale open spaces have been used around prominent junctions within the development to provide visual enjoyment. However, the development is reliant on separate reserved matters to bring forward larger scale open spaces which are multi-functional. The hierarchy of streets itself lends interest to public areas and the block structure ensures active frontage.
Uses	As this relates to a small area of the SUE it does not contain a variety of uses. The wider SUE will perform this function well.
Homes and Buildings	These are traditional family homes and as such do not contain any unique design features. The house types proposed meet with national guidance relating to internal space and provide outdoor areas and opportunities for storage.
Resources	Whilst the details of construction are beyond the scope of this reserved matters the housing will be constructed to meet with Building Regulations part L. This emphasises efficient use of energy and uses a fabric first approach. The site will be drained via sustainable drainage systems both within the site and in adjacent reserved matters areas. Sustainable construction practices are set out within the planning statement.

Lifespan	The proposal is designed to be robust with traditional brick-built units and management proposals in place for communal areas.
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The outline/hybrid application was approved on the basis that the design principles set out within the Design and Access Statement were adhered to as they achieved the aims of the then emerging policy CS2 and its forerunner, policy EV/1. The main reserved matters features reflect the principles set out within the approved Design and Access Statement and accordingly are of an appropriate and high-quality design which accords with the development plan. As the analysis above shows, new national guidance, that has emerged since the original Design and Access Statement was approved, does not introduce any new material considerations that would override these policies.

#### Living conditions for future occupiers

Policy CS2 seeks to ensure that appropriate standards of amenity are achieved for future and existing residents. The development is not close enough to existing residential areas to have a direct impact on the amenity of existing residents.

Within the reserved matters area itself plots are orientated and spaced in a way that ensures there is adequate privacy, light and that private elevations and garages have a reasonable outlook. Guidelines set out within the SPD which supports the Development Plan are all met in this regard. There are some relationships within the blocks where side elevations are close to adjacent gardens but in these instances appropriate selection of house types has been used to ensure any potentially overlooking first floor windows only serve bathrooms or landings. A planning condition could be attached to withdraw permitted development rights on these plots to ensure additional first floor windows are not added without due consideration.

There are some plots where the distances between buildings and adjacent gardens or the distances between opposing elevations is very close to the guideline. It is suggested a condition is attached to ensure that extensions or alterations which would be harmful to amenity cannot be built using permitted development rights without due consideration as to whether there would be harm to amenity.

It is considered that the proposal meets with the provisions of the development plan in terms of residential amenity.

#### On plot landscape and street scene

Policy CS2 seeks to ensure that development is of high quality and that it includes attractive public spaces. Policy CS19 requires the SUE to create locally distinctive development. The reserved matters application includes details of on plot and street landscape within the public realm. For this set of reserved matters this includes:

- Small greens to add interest to the Main street
- A feature space with planting to interact with the green corridor within the community street

- Street trees to reflect the street hierarchy set out in the Design and Access Statement
- Groupings of trees/shrubs to soften and frame turning heads
- Smaller trees and shrubs within lanes and shared surface areas
- Planting to break up parking areas
- Open vistas of the green corridors and planting surrounding the housing parcels

These features soften the more engineered features of the development and help create place and identity. It is considered that gives the area character and identity in accordance with the provisions of the development plan.

### Housing mix

Policy CS3 requires an appropriate level of affordable homes and a mix of type, tenure and size of home having regard to need and character of the area. CS19 seeks 30% affordable homes across the SUE and also a mix of type, tenure and size of home.

### *Affordable Housing*

This reserved matters application operates within the overall parameter set by the section 106 legal agreement and varied by the Site Wide Affordable Housing Delivery Plan, (SWAHDP), in terms of the amount of affordable housing. The section 106 agreement sets a figure of 25% across the site for affordable housing, which is the basis that the outline/hybrid was approved on. The Site Wide Affordable Housing Delivery Plan sets the percentage at 20% for phase 1. This is because this is a low relatively low-density area of the development and one which is located away from the core facilities offered by the new district centre. The Site Wide Affordable Housing Delivery Plan shows how later phases of the development will make up for this deficit ultimately delivering the 25% that is required.

In terms of dwelling size, the affordable housing mix compares with the Site Wide Affordable Housing Delivery Plan as per the table below:

<b>Affordable – 20%</b>			
<b>Size</b>	<b>No</b>	<b>%</b>	<b>SWAHDP %</b>
1 Bed	14	29%	13%
2 Bed	20	41%	50%
3 Bed	15	31%	33%
4+ bed	0	0%	4%

This shows the proportion of 1-bedroom units to be significantly higher than the site wide figure with a deficit in larger units. This is in response to a need to secure a viable mix thus allowing delivery of this critical first phase of the SUE giving financial security and momentum to the wider scheme. This must again be viewed in the context of the wider site. The section 106 agreement sets out that 116, (10%) of the affordable units should be one bedroom across the whole development and this is increased within the Site Wide Affordable Housing Delivery Plan to 13% to reflect mix changes sought by CBC housing officers. Whilst the mix for these reserved matters does not match that within the Site Wide Affordable Housing Delivery Plan, any



imbalance within this profile will need to be addressed within later phases to ensure compliance with the Site Wide Affordable Housing Delivery Plan.

The Council’s SPD sets out guidance for the design and layout of affordable housing within policy HSPD8. This requires affordable housing to be “tenure blind”, to be distributed in clusters of less than 10 units, (the s106 Agreement which predates this does, however, only restrict affordable housing clusters to 20), and to avoid unnecessary communal areas. Gardens and on plot parking are noted as preferable. Whilst the house types do not vary greatly, they are set out in clusters of 10 or less and most have private gardens and on plot parking. It needs to be remembered that this is a guideline only and that there is no requirement for a proposal to meet each and every one of the guidelines in order to be acceptable. On balance, the affordable housing layout is considered to meet with the tenet of HSPD8. Given this on balance the affordable housing is considered to meet with HSPD8.

### *Market Housing*

A similar exercise can be carried out for market housing. There is no site wide target for this although The Housing and Economic Needs Assessment for Leicestershire, (HEDNA), provides an indication of borough wide need.

<b>Market – 80%</b>			
<b>Size</b>	<b>No</b>	<b>%</b>	<b>HEDNA%</b>
1 Bed	0	0%	0-10%
2 Bed	15	8%	25-35%
3 Bed	98	50%	45-55%
4+ bed	84	43%	10-20%

This shows that this reserved matters application does not reflect the needs set out within HEDNA in terms of housing size due to the disproportionate number of larger homes. However, policy CS3 states that an appropriate mix should be the product of both need AND character of the area. This parcel is located on the edge of the SUE adjacent to open space in an area the D&A envisages to be low density and loose knit. In addition, the approved parameter plan suggests lower density development at this sensitive southern border, (20 and 30 dph), for similar reasons. This does not lend itself to a mix of smaller units, particularly when the need to use this phase to “kick start” the wider delivery is taken into account. Small units would either have to be built at a density which would be harmful to the character of the area or would impact on the viability of the scheme. For this reason, it is considered that the proposal remains in compliance with policy CS3, (when read as a whole).

As with the affordable housing, although not a set requirement, there will be an expectation that later phases will respond to market needs at that time and redress any imbalance across the wider site.

### Parking and access

Policy CS2 seeks well designed streets and spaces that are easy to navigate and safe public spaces. The Highway Authority has reviewed the internal layout of roads and looked at parking provision across this reserved matters area.

Given the quantum of development, the Highway Authority advocates that the design of the internal road layout is to adoptable standards. This enables the roads to be offered for adoption and future maintenance by the Highway Authority. With this in mind an assessment against the standards set out in the Leicestershire Highway Design Guide has been made and it has been concluded that with minor amendments (clarification over tree species, revisions to traffic calming positions and amounts).

Parking provision has also been assessed and the following conclusions met:

- Parking space sizes vary with the smallest being 2.4m x 5m
- Some double garages measure 5.5m x 5.5m, however the house types with most of these provide sufficient parking;
- The shared double garages are 6m x 6m;
- Triple garages measure 9m x 5.4m
- It is considered that in general, the dwellings have been given appropriate amounts of parking in relation to the number of bedrooms indicated but that minor changes to sizing may be required in order to gain S38 approval.

Accordingly, the Highway considers that these reserved matters provide a safe and viable internal layout which can comply with its guidance and be adopted. Those changes which are suggested before adoption are minor in nature and would not compromise the overall design quality of the scheme. The proposal is considered to comply with policy CS2 with regard to this aspect of its design.

### Conclusion

This set of reserved matters is considered to be in compliance with the parameter plans and Design and Access Statement set out in the outline/hybrid permission. This means that they are acceptable in principle and that they comply with the Development Plan in this regard.

With regard to layout, scale, appearance and landscape, it is considered the application achieves a high-quality design which provides a good standard of amenity for future residents and does not give rise to material landscape harm. Appropriate landscaping is provided throughout the development to support design quality. There is no residual significant harm in terms of biodiversity, traffic or other environmental impacts that falls outside that recognised within the outline/hybrid planning permission. The development supports the delivery of housing in accordance with Charnwood's core strategy policy CS19. The mix of housing across the parcel has shortcomings in terms of meeting need but when balanced against character of the area this is considered to meet with policy CS3. The housing development would bring clear economic and social benefits. On balance it is considered to be a sustainable development that accords with the development plan and it is recommended that these reserved matters be granted subject to conditions.

## Recommendation:

This permission is granted subject to the following Planning Conditions and Reasons:-

1.	<p>The development, hereby permitted, shall be begun not later than 18 months from the date of this permission.</p> <p>REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule 1.</p> <p>REASON: To provide certainty and define the terms of the permission</p>
3.	<p>Notwithstanding condition 2. no development shall take place until a scheme for the treatment of the <b>Public Right of Way</b> crossing the site has been submitted to and approved in writing by the local Planning Authority. Such a scheme shall include provision for their management during construction, surfacing, width, structures, signing and landscaping. It shall also include a timescale and a mechanism for any necessary stopping up, diversion and reclassification of the Right of Way affected by the development. The development shall be carried out in accordance with the approved scheme and thereafter so retained.</p> <p>REASON: To protect existing Rights of Way and ensure permeability through the site in accordance with the approved parameter plans, policies CS2 and CS19 of the Development Plan and paragraph 98 of the National Planning Policy Framework. The condition has to be discharged pre commencement as it relates to measures that must be implemented before construction starts.</p>
4.	<p>No more than 244 dwellings across the phase, (as covered by this application and associated applications; P/19/1369/2, P/19/1374/2 and P/19/1374/2), shall be occupied until the green infrastructure within phasing parcels 1.1, 1.5 and 1.8, (as defined on the site wide phasing plan), has been completed and made available in accordance with the details approved under associated application P/19/1369/2.</p> <p>REASON: To ensure that green infrastructure of sufficient quality to meet development plan policies CS2, CS15 and CS19 is provided. Furthermore, the condition seeks to ensure that it is supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
5.	<p>No more than 604 dwellings across the phase, (as covered by this application and associated applications; P/19/1369/2, P/19/1374/2 and P/19/1374/2), shall be occupied until the green infrastructure within phasing parcel 1.2, (as defined on the site wide phasing plan), has been completed and made available in accordance with the details approved under associated application P/19/1369/2.</p> <p>REASON: To ensure that green infrastructure of sufficient quality to meet development plan policies CS2, CS15 and CS19 is provided. Furthermore, the condition seeks to ensure that it is supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
6.	<p>In the event that this planning application, (P/19/1479/2), is delivered in</p>

	<p>excess of 18 months in advance of development commencing on associated applications for the phase, and in particular on application P/19/1369/2, no more than 180 dwellings shall be occupied until the following temporary or permanent facilities have been provided and made available for use of the occupants of the development, unless a variation to this is agreed in writing by the local planning authority:</p> <ul style="list-style-type: none"> <li>• 0.5 Ha of green amenity space within the cricket green area and surrounding linear parks</li> <li>• 1.28 Ha of Natural Open Space (within Melton Brook Park)</li> <li>• The LEAP immediately to the north</li> <li>• The NEAP immediately to the south</li> <li>• 1.7Ha for outdoor sports</li> <li>• A pedestrian link to Hamilton, (using the existing right of way as necessary)</li> </ul> <p>REASON: It is possible that this development could be implemented significantly in advance of surrounding parcels and for this reason it is important to ensure that there is green infrastructure in place to support residents of the scheme and ensure compliance with development plan policy CS15.</p>
7.	<p>No dwelling shall be occupied until surface water drainage to serve that dwelling, which accords with the surface water drainage scheme for the phase, to be approved under condition 8 of P/13/2498/2, has been completed and made available.</p> <p>REASON: To ensure there is no risk of flooding within the development or surrounding areas as a result of approved drainage detail not being implemented in a timely manner and to ensure compliance with development plan policies CS16 and CS19.</p>
8.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional first floor windows, other than those expressly authorised by this permission, shall be constructed on those elevations listed at schedule 2 below.</p> <p>REASON: To ensure that there is no overlooking of adjacent gardens in the interest of ensuring good standards of amenity for future occupiers in accordance with policy CS2 of the development plan.</p>
9.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or alterations shall be carried out to plots <b>623, 624, 625, 626, 627, 633, 634, 635, 656</b> or <b>637</b>.</p> <p>REASON: The relationship between these plots falls marginally short of suggested separation guidelines and there is the potential for additional built form or windows to give rise to loss of amenity to adjacent dwellings. The condition is to ensure that the development remains in accordance with policy CS2.</p>
10.	<p>No dwellings shall be occupied until the <b>access arrangements</b> shown on Brookbanks drawing 10214HL-10 rev G or on Brookbanks drawing 10214HL-13 rev F have been provided and made available for use. No</p>

	<p>more than 150 dwellings within this area shall be occupied until such time as both the above sets of access arrangements have been provided and made available for use. The proposed access shall be retained in this form until such time as it is varied by way of approval in writing by the Local Planning Authority associated with later phases of the development overall.</p> <p>REASON: To ensure that there is safe access and egress of the development parcel for future occupiers in the interests of highway safety and to ensure compliance with policies CS2, CS18 and CS19.</p>
11.	<p>No dwellings shall be occupied until the <b>offsite highway works</b> shown on Brookbanks drawings 10214-1200-01 Rev D and 10214-1200-02 rev F have been provided and made available for use. No more than 150 dwellings shall be occupied until the <b>offsite highway works</b> shown on Brookbanks drawings 10214-1200-03 Rev F and 10214-1200-04 rev D have been provided and made available for use.</p> <p>REASON: To mitigate the impact of the development on the surrounding area in the interests of highway safety and to ensure compliance with policies CS18 and CS19 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>
12.	<p>Within 1 month of any of the new vehicle accesses permitted by condition 10 being first brought into use any <b>currently existing access(es)</b> onto that same highway that become redundant as a result of this proposal shall be closed and reinstated in accordance with details submitted to and approved in writing by the Local Planning Authority. The redundant accesses shall thereafter be so retained.</p> <p>REASON: In the interests of Highway Safety and to ensure compliance with policies CS18 and CS19 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>
13.	<p>Notwithstanding condition 2.any <b>garage doors</b> shall be set back from the highway boundary a minimum of 5.5m for sliding or roller shutter doors, 6.1m for up and over doors and 6.5m for doors opening outwards and shall thereafter be so retained.</p> <p>REASON: To enable a vehicle to stand clear of the highway whilst doors are opened or closed and to ensure that adequate on street parking is provided in the interest of highway safety and to ensure compliance with policies CS2 and CS18 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>
14.	<p>No dwelling shall be occupied until the <b>parking and turning</b> facilities for that dwelling have been provided in accordance with the plans listed at schedule 1.</p> <p>REASON: ensure that adequate on street parking is provided in the interest of highway safety and to ensure compliance with policies CS2 and CS18 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>

### Schedule 1

Drawing	Reference	Revision	Author
Site Location Plan	TBURY-401	-	DD
Planning Layout	TBURY-100	P13	DD
Materials & Boundary Treatment	TBURY-200	P05	DD
Plot Landscape 1	GL1125 910	C	Golby & Luck
Plot Landscape 2	GL1125 911	C	Golby & Luck
Plot Landscape 3	GL1125 912	C	Golby & Luck
Plot Landscape 4	GL1125 913	C	Golby & Luck
Boundary Treatments	-	Oct18	DD
<b>Housetypes</b>			
Housetype Plan & Elevation	SH35BG-3(AS)	C01	DD
Housetype Plan & Elevation	SH34BRI-3 (OP)	C01	DD
Housetype Plan & Elevation	SH34BRI-3 (AS)	C01	DD
Housetype Plan & Elevation	SH34BRE-3 (OP)	C01	DD
Housetype Plan & Elevation	SH34BRE-3 (AS)	C01	DD
Housetype Plan & Elevation	SH33G-3 (OP)	C01	DD
Housetype Plan & Elevation	SH33G-3 (AS)	C01	DD
Housetype Plan & Elevation	SH24BRI-3(OP)	C01	DD
Housetype Plan & Elevation	SH24BRI-3(AS)	C01	DD
Housetype Plan & Elevation	SH16B-4(OP)	P00	DD
Housetype Plan & Elevation	SH16B-4(AS)	P00	DD
Housetype Plan & Elevation	SH14BR-3-(OP)	C00	DD
Housetype Plan & Elevation	SH14BR-3-(AS)	C00	DD
Housetype Plan & Elevation	DH552G-4(AS)	C00	DD
Housetype Plan & Elevation	DH532B-3(OP)	C01	DD
Housetype Plan & Elevation	DH532B-3(AS)	C01	DD
Housetype Plan & Elevation	DH532V-3(OP)	C04	DD
Housetype Plan & Elevation	DH532V-3(AS)	C04	DD
Housetype Plan & Elevation	DH501G-4(OP)	C00	DD
Housetype Plan & Elevation	DH501G-4(OP)	C00	DD
Housetype Plan & Elevation	DH460B-4(AS)	C00A	DD
Housetype Plan & Elevation	DH451B-4(OP)	C00A	DD
Housetype Plan & Elevation	DH434B-4(OP)	C00	DD
Housetype Plan & Elevation	DH434B-4(AS)	C00	DD
Housetype Plan & Elevation	DH430R-4(OP)	C00A	DD
Housetype Plan & Elevation	DH430R-4(AS)	C00A	DD
Housetype Plan & Elevation	DH430B-4(AS)	C00A	DD
Housetype Plan & Elevation	DH430B-4(OP)	C00A	DD
Housetype Plan & Elevation	DH427B-4(OP)	C00	DD
Housetype Plan & Elevation	DH427B-4(AS)	C00	DD
Housetype Plan & Elevation	DH425G-4 (OP)	C00A	DD
Housetype Plan & Elevation	DH425G-4 (AS)	C00A	DD
Housetype Plan & Elevation	DH421B-4(OP)	C00A	DD
Housetype Plan & Elevation	DH421B-4(AS)	C00A	DD
Housetype Plan & Elevation	DH421X-4(OP)	C00	DD
Housetype Plan & Elevation	DH421X-4(AS)	C00	DD
Housetype Plan & Elevation	DH418V-4(AS)	C00B	DD
Housetype Plan & Elevation	DH412G-4(OP)	C00	DD
Housetype Plan & Elevation	DH412G-4(AS)	C00	DD
Housetype Plan & Elevation	DH411X-4(OP)	C00A	DD
Housetype Plan & Elevation	DH411B-4(AS)	C00A	DD
Housetype Plan & Elevation	DH410G-2(OP)	10	DD
Housetype Plan & Elevation	DH410G-2(AS)	10	DD
Housetype Plan & Elevation	DH409GG-4(OP)	C00A	DD
Housetype Plan & Elevation	DH409GG-4(AS)	C00A	DD
Housetype Plan & Elevation	DH408BR-3(OP)	-	DD

Housetype Plan & Elevation	DH404GH-4(OP)	C00	DD
Housetype Plan & Elevation	DH404GH-4(AS)	C00	DD
Housetype Plan & Elevation	DH404G-4(OP)	C00B	DD
Housetype Plan & Elevation	DH404G-4(AS)	C00B	DD
Housetype Plan & Elevation	DH402R-4(OP)	C00	DD
Housetype Plan & Elevation	DH402R-4(AS)	C00	DD
Housetype Plan & Elevation	DH400B-4(OP)	C00	DD
Housetype Plan & Elevation	DH400B-4(AS)	C00	DD
Housetype Plan & Elevation	DH342G-4(OP)	C00A	DD
Housetype Plan & Elevation	DH342G-4(AS)	C00A	DD
Housetype Plan & Elevation	DH330V-4(OP)	C00A	DD
Housetype Plan & Elevation	DH330V-4(AS)	C00A	DD
Housetype Plan & Elevation	DH330G-4(AS)	C00A	DD
Housetype Plan & Elevation	DH328B-4(OP)	P00	DD
Housetype Plan & Elevation	DH320R-4(OP)	C00	DD
Housetype Plan & Elevation	DH320R-4(AS)	C00	DD
Housetype Plan & Elevation	DH318B-4(OP)	C00	DD
Housetype Plan & Elevation	DH318B-4(AS)	C00	DD
Housetype Plan & Elevation	DH318B-4(AS)	C00	DD
Housetype Plan & Elevation	DH314G-4(AS)	C00A	DD
Housetype Plan & Elevation	DH313R-4(AS)	C00	DD
Housetype Plan & Elevation	DH313B-4(AS)	C00A	DD
Housetype Plan & Elevation	DH313B-4(AS)	C00A	DD
Housetype Plan & Elevation	DH312GE-4(AS)	P00	DD
Housetype Plan & Elevation	DH312GE-4(OP)	P00	DD
Housetype Plan & Elevation	DH312GE-2(AS)	P00	DD
Housetype Plan & Elevation	DH312GE-2(OP)	P00	DD
Housetype Plan & Elevation	DH309BR-3(AS)	C01	DD
Housetype Plan & Elevation	DH308B-4(AS)	P00	DD
Housetype Plan & Elevation	DH302GI-4(AS)	C00	DD
Housetype Plan & Elevation	DH302GE-4(AS)	C00A	DD
Housetype Plan & Elevation	DH302GE-4(OP)	C00A	DD
Housetype Plan & Elevation	DH301G-4(OP)	C00	DD
Housetype Plan & Elevation	DH301G-4(AS)	C00	DD
Housetype Plan & Elevation	DH201B&202B (AS)	C00	DD
Housetype Plan & Elevation	DH201B&202B (OP)	C00	DD
Housetype Plan & Elevation	DH200GI-4(OP)	C00	DD
Housetype Plan & Elevation	DH200GI-4(AS)	C00	DD
Housetype Plan & Elevation	DH200GE-4(OP)	C00	DD
Housetype Plan & Elevation	DH200GE-4(AS)	C00	DD
<b>Garage Plans</b>			
Triple Garage	DG23	C03A	DD
Double Garage	DG2-3	C02	DD
Double Garage	DG17-3	C03	DD
Double Garage	DG14-3	C00	DD
Single garage	SG1-4	C02	DD
Double garage	SG10-4	C01	DD
Twin single garage	LG4-4	C01	DD
Single garage	LB3-4	C01	DD
Single garage	LG1-4	C01	DD
3.3m Car Port brick arch	-	Feb17	DD
6m Car Port brick arch	-	Oct18	DD
<b>Cross Phase Plans</b>			
Cut & Fill Appraisal Plan	HXXXX-002-01	C	DDS
East Field Soil Capacity Layout	HXXXX-005-01	A	DDS
General Arrangement (infrastructure)	HXXXX100-01	-	DDS
General Arrangement (infrastructure)	HXXXX100-02	-	DDS
General Arrangement (infrastructure)	HXXXX100-03	-	DDS

Drainage & Levels Appraisal 1	HXXXX-001-01	D	DDS
Drainage & Levels Appraisal 2	HXXXX-001-02	E	DDS
Drainage & Levels Appraisal 3	HXXXX-001-03	D	DDS
Drainage Layout 1	HXXXX-101-01	A	DDS
Drainage Layout 2	HXXXX-102-01	A	DDS
Drainage Layout 3	HXXXX-103-01	A	DDS
Surface Finishes Layout 1	HXXXX-102-01	-	DDS
Surface Finishes Layout 2	HXXXX-102-02	-	DDS
Surface Finishes Layout 3	HXXXX-102-01	-	DDS
Drainage Construction Details 1	HXXXX-300-01	-	DDS
Drainage Construction Details 2	HXXXX-400-02	-	DDS
Drainage Construction Details 3	HXXXX-400-03	-	DDS
Highway Construction Details 1	HXXXX-400-01	-	DDS
Highway Construction Details 2	HXXXX-400-02	-	DDS
Phase 1 Access 1 Barkbythorpe Rd North	10214-HL-11	G	Brookbanks
Phase 1 Access 2 Barkbythorpe Rd South	10214-HL-10	G	Brookbanks
Phase 1 Access 3 Hamilton Lane South	10214-HL-13	F	Brookbanks
Phase 1 Access 4 Hamilton Lane North	10214-HL-12	C	Brookbanks



## Schedule 2

<b>Plot</b>	<b>Elevation</b>
505	South and North
508	West
512	West
516	East
518	North
524	West
533	East
537	West
547	North
549	South
555	South
558	North
562	North
565	West
576	South & North
578	East
585	West
587	East
595	West
597	North
601	West
623	North
631	West
633	South
637	North
639	West
644	Southeast
646	North
651	Northwest
653	West
655	South
656	West
660	South
673	North
678	West
681	North
689	North
691	North
693	South
696	Northwest
698	South
701	North

### Information notes

1.	The Local Planning Authority has acted pro-actively through early engagement with the applicant at the pre-application stage. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
2.	<p>Planning permission has been granted for this development because the Council has determined that it is generally in accord with the terms of the following development plan policies: CS2, CS3, CS11, CS12, CS13, Cs15, CS16, CS17, CS18, CS19, CS25, EV/1, TR/18</p> <p>There are no other material considerations which would indicate that planning permission should be refused.</p>
3.	This planning application forms part of consent P/13/2498/2 and it should be noted that it does not override the need to comply with conditions or legal obligations attached to that consent.
4.	Drainage must be provided within the site so that surface water does not drain into the public highway from any private driveways or other hard surfaces, in the interests of highway safety.
5.	All roads, footpaths and verges together with all drainage works must be constructed in accordance with the Leicestershire County Council current guidance for adoption purposes. This is to ensure that the roads to be constructed are to adoptable standards and appropriate for a Section 38 Agreement between the developer and the highway authority.
6.	Please note the minimum visibility splay size for the proposed site accesses is 2.4m by 43m. These shall be kept clear of any obstruction which exceeds 0.6m above the level of the adjacent footway/verge/highway.

## Item No. 6

### Application Reference Number P/19/2111/2

<b>Application Type:</b>	Full Planning Permission	<b>Date Valid:</b>	10/10/2019
<b>Applicant:</b>	Mrs G Pepper		
<b>Proposal:</b>	Change of use of agricultural barn to residential dwelling (Use Class C3) and associated external alterations.		
<b>Location:</b>	Tithe Farm 160 Nottingham Road Barrow Upon Soar Leicestershire LE12 8JA		
<b>Parish:</b>	Barrow Upon Soar	<b>Ward:</b>	Barrow & Sileby West
<b>Case Officer:</b>	Jeremy Eaton	<b>Tel No:</b>	01509 634692

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This item is referred to Plans Committee given that it comprises a departure from the Development Plan.

### Description of the Application Site

The application site relates to land associated with Tithe Farm, No. 160 Nottingham Road, which is located outwith the Development Limits to the village of Barrow Upon Soar, Leicestershire, within the open countryside.

The site is situated to the eastern side of Nottingham Road, and includes an internal access road and land located adjacent to the farmhouse of Tithe Farm. The site is occupied by a single storey detached barn, which is understood to be vacant, and comprises a redundant agricultural building. It was previously used as a milking parlour.

The host building is of a single storey, constructed of a mixture of red brick and render to the walls with a mixture of slate tiles and metal corrugated sheeting to the roof. The fenestrations (windows) and doors comprise a mixture of timber and uPVC.

Adjoining all boundaries of the application site is land and agricultural buildings associated with Tithe Farm, which is understood to be largely occupied in connection with an established agricultural use.

Vehicular/pedestrian access to the site is directly achieved via an existing vehicular access off of Nottingham Road.

The application site is located within Flood Zone 1.

### Background Information

The Government published the revised National Planning Policy Framework (NPPF) in 2018, (more recently replaced by the 2019 NPPF), following the Housing White Paper

in 2017 and the document represented the most significant change to planning policy since the original NPPF was published in 2012. This was swiftly followed by the Ministry for Housing, Communities and Local Government (MHCLG) issuing a statement in March 2018 which advised communities should be given more options to convert agricultural buildings to homes in order to help meet rural housing needs.

The prior notification procedure was formally incorporated into planning legislation as Part 3 and Class Q to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 1992 (as amended) and was originally introduced in 2014. It allowed agricultural buildings to be converted to create up to 3 dwellings, where specific criteria were met.

Revised regulations came into effect on 6<sup>th</sup> April 2018 which allow the conversion of agricultural buildings to create up to 5 dwellings on a single agricultural unit provided specific criteria are met. The revised regulations also increased the footprint of the buildings which could benefit from the 'permitted development' from 450 sqm. to 465 sqm again, provided all the criteria are met.

In each application under the 'prior notification' procedure, upon confirming whether the proposal is in fact permitted development, the local planning authority is limited to what it can consider, These applications are simply to consider transport impacts, noise impacts, contamination risks, flooding risks, location of the building and design and external appearance, (the latter only if there are alterations).

Because of the nature and location of such rural sites, it is inevitable that they will lie in countryside locations, often remote from services and facilities and be in what would ordinarily be considered unsustainable locations. This means that the suitability of the location of the building is not typically a reason to refuse such a prior notification application.

However, Class Q does not allow for the extension of buildings as part of the conversion process and these proposals would need to be the subject of applications for planning permission.

In this case, a significant material consideration relates to Permitted Development Prior Notification application reference P/19/1995/2, which related to the proposed change of use of the existing building on-site from agricultural use (Sui Generis Use Class) to residential use (Use Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended)). This established that to change the use to a dwelling was permitted development and that there were no reasons to refuse prior permission under the limited grounds listed above.

Whilst the principle of the proposed change of use of the agricultural building to create a residential dwelling has been established under P/19/1995/2, this latest application proposes an extension together with other associated internal and external alterations and change of use. These works to extend the building mean that it cannot fall under class Q and that it is not permitted development. This means planning permission is required and leads us to this application which is now before the Plans Committee.

## **Application Proposals**

This application seeks Full Planning Permission for the proposed change of use of the host building, from agricultural use (Sui-Generis) to residential use (Use Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended), together with associated conversion works, including the extension of the host building and internal/external alterations, in order to create a dwelling.

With regard to the proposed extension, this will be located to the rear of the building and will have a built footprint of approximately 1.9m width x 15.3m length. This element will also incorporate alterations to the existing roof of part of the host building, to include the raising of the ridge height, from approximately 3.8m to 4.2m above ground level; however, the eaves height will remain as existing, approximately 2.53m above ground level. The roof is also proposed to be re-clad with new slate roof tiles to match that existing.

With regard to the proposed external alterations, these include the following: installation of new timber cladding to the gable end elevations; the infilling of existing window/door openings with materials to match that existing and the creation of new window/door openings, and the installation of solar panels on the westerly roof slope.

The resultant dwelling would comprise a modest 2-bedroom dwelling with all accommodation set at ground floor level. It would sit within a defined residential curtilage, incorporating a courtyard which would include private amenity space provision (approximately 87 sq.m. in extent) and area of hardstanding which would provide off-street vehicular parking and turning facilities.

The proposed dwelling would be occupied by the daughter of the applicant, who is registered as being disabled, and her carer. The proposed dwelling has been designed as a bespoke purpose-built dwelling for this purpose.

The application has been accompanied by the following planning drawings which provide further context:

- Drawing No. 7949-03-01 Rev – (Existing Site Location Plan & Site Plan);
- Drawing No. 7949-03-02 Rev – (Existing Plans and Elevations); and
- Drawing No. 7949-03-12 Rev – (Proposed Barn Conversion – Planning).

In addition, this application has been accompanied by the following supporting information:

- Application Form; and
- Planning Statement.

### **Development Plan Policies**

Charnwood Local Plan Core Strategy 20011-2028 (Adopted 9th November 2015)

The policies relevant to this proposal include:

Policy CS1 - Development Strategy - sets out the development strategy for the Borough, including a settlement hierarchy. Barrow Upon Soar is identified as Service Centre, along with a further six villages, whereby provision will be made within and adjoining such Service Centres for at least 3,000 new homes and sustainable development which contributes towards meeting the Council's remaining development needs, supports the Council's strategic vision and makes effective use of land.

Policy CS2 – High Quality Design requires developments to make a positive contribution to Charnwood, reinforcing 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, provide attractive well managed public and private spaces; well defined and legible streets and spaces and reduce their impact on climate change.

Policy CS11 – Landscape and Countryside – seeks to support and protect the character of the local landscape and countryside.

Policy CS13 – Biodiversity and Geodiversity - seeks to conserve and enhance the natural environment and to ensure development takes into account impact on recognised features.

Policy CS16 – Sustainable Construction and Energy - supports sustainable design and construction techniques. It also encourages the effective use of land by reusing land that has been previously developed.

Policy CS25 – Presumption in Favour of Sustainable Development – sets out a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Borough of Charnwood Local Plan 1991-2026 (adopted 12 January 2004) (saved policies)

The policies relevant to this proposal include:

Policy ST/2 – Limits to Development – Aims to confine development to land within the Limits to Development identified on the Proposals Map.

Policy EV/1- Design - Seeks to ensure a high standard of design for developments which respect the character of the area, nearby occupiers, and is compatible in mass, scale, layout, whilst using landforms and other natural features. It should meet the needs of all groups and create safe places for people.

Policy CT/1 - General Principles for Areas of Countryside, Green Wedge and Local Separation - states that development in these areas will be strictly controlled. Planning permission will be granted for the re-use and adaptation of rural buildings for uses suitable in scale and nature and small-scale built development where there would not be a significant adverse environmental impact and the proposal would (inter alia) be essential for the efficient long- term operation of agriculture, horticulture or forestry.

Policy CT/2 - Development in the Countryside - In the countryside, development which is acceptable in principle will be permitted where it would not harm the character and appearance of the countryside.

Policy TR/18- Parking in New Development – This seeks to set the maximum standards by which development should provide for off streetcar parking dependent on floorspace or dwelling numbers.

#### Barrow Upon Soar Neighbourhood Plan 2016-2028 (adopted 8<sup>th</sup> February 2017)

Policy BuS1 - Ecology and Biodiversity - seeks to conserve and enhance existing ecological corridors and landscape features for biodiversity.

Policy BuS4 – Design - Seeks to ensure a high standard of design for developments which reflect the design guidance contained within the Barrow Upon Soar Village Design Statement contained within the Neighbourhood Plan.

Policy BuS16 - Housing Provision - Aims to confine residential development to land within the Limits to Development identified on the Proposals Map. Development should be in keeping with the scale, form and character of its surrounding context, it should not result in any significant adverse effects on the residential amenities of neighbouring occupants and should ensure safe and suitable access.

Policy BuS17 - Meeting the Housing Needs of Older People – Seeks to provide a mix of housing types within residential development proposals based on up-to-date evidence of housing need.

#### **Other material considerations**

##### The National Planning Policy Framework 2019 (NPPF)

The NPPF is a material consideration in planning decisions. The NPPF seeks to achieve sustainable development that fulfils economic, social and environmental objectives.

Paragraph 11 states that where development accords with an up to date Development Plan it should be granted planning permission but that where relevant policies are absent or the policies which are most important for determining the application are out of date permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- policies in the NPPF that protect areas or assets of importance provide a clear reason for refusal.

Footnote 7 makes it clear that where applications for housing are being considered if a 5 year supply of housing land cannot be demonstrated or the housing delivery test indicates that the level of delivery of housing is less than 75% of the housing

requirement over the last 3 years that housing supply policies should be considered to be out of date.

Paragraph 12 adds further emphasis to the primacy of the development plan stating that where proposals don't accord with an up to date plan they should normally be refused unless material considerations indicate otherwise.

In terms of the remainder of the NPPF, sections relevant to the consideration of this application include the following:

Paragraph 59 makes it clear that the needs of groups with specific housing requirements should be addressed.

Paragraph 61 states that planning policies should consider the need for housing for different groups in the community, including those people with disabilities.

Paragraph 77 outlines that in rural areas, planning decisions should be responsive to local circumstances and support housing developments that reflect local needs.

Paragraph 78 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Paragraph 79 outlines that the development of isolated homes in the countryside should be avoided unless there is an essential need for a rural workers dwelling, the development would represent the optimal viable use of a heritage asset, the development would re-use a redundant or disused building and enhance its immediate setting, the development relates to the sub-division of an existing dwelling or the design is of exceptional quality.

Paragraph 108 outlines that development proposals would need to ensure safe and suitable access to the application site can be achieved for all users.

Paragraph 109 states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impact on the road network would be severe.

Paragraph 117 promotes an effective use of land in meeting the need for homes and other uses.

Paragraph 118 promotes the development of under-utilised land and buildings, especially where this would help to meet identified needs for housing.

Paragraph 127 seeks to foster high quality design.

Paragraph 130 outlines that planning permission should be refused for development of poor design that fails to take opportunities available to improve the character and quality of an area and the way it functions.

Paragraph 163 states that planning decisions should ensure that flood risk is not increased elsewhere.



Paragraph 170 outlines that planning decisions should contribute to and enhance the natural and local environment by, amongst other things, protecting and enhancing valued landscapes and minimising impacts on and providing net gains for biodiversity.

#### National Planning Practice Guidance (NPPG)

This was launched as a web-based resource and replaces a list of previous practice guidance documents and notes, as planning guidance for England and consolidates this guidance on various topics into one location and condenses previous guidance on various planning related issues.

#### National Design Guide (2019)

This document sets out the Central Government's design guidance which is intended to encourage, promote and inspire a higher standard of design in respect of development proposals.

#### Leading in Design Supplementary Planning Document (February 2006)

This document encourages and provides guidance on achieving high quality design in new development. Appendix 4 sets out spacing standards for new housing developments to ensure that overlooking and over dominance do not occur and that a good quality design is achieved.

#### Housing Supplementary Planning Document (2017)

Adopted in May 2017, the SPD provides guidance to support the Local Plan Core Strategy and the saved policies of the Borough of Charnwood Local Plan.

#### Leicestershire Highways Design Guide

This document sets out the Local Highways Authority's design guidance in respect of highway matters.

#### Charnwood Landscape Character Assessment (2012)

This document identifies the distinct landscapes within the Borough by describing their key characteristics and natural, historical and cultural features. It defines six distinct landscape character areas, of which the site is located within the Soar Valley Landscape Character Area.

#### Draft Supplementary Planning Document on Design (January 2020)

Cabinet has approved the Design Supplementary Planning Document, but at the time of writing this report the document is within the call-in period. This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life. In its draft form, the document

carries some but not full weight. Members will be updated with regards to the document's status and weight in the Extras Report.

### **Relevant Planning History**

The application site has been the subject of the following relevant planning history:

- P/19/1995/2 – Change of use from agricultural building to dwelling (Use Class C3) (Prior Notification) – Prior Approval Granted (10.12.2019).

### **Response of Statutory Consultees**

Charnwood Borough Council (Environmental Health)

No objection.

Leicestershire County Council (Local Highway Authority)

The Local Highway Authority advise that, in their view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, and subject to Planning Conditions being imposed upon any grant of planning permission (as per those outlined within their consultation response), the development therefore does not conflict with paragraph 109 of the National Planning Policy Framework.

Barrow Upon Soar Parish Council

No objection.

### **Third Party Representations**

None received.

### **Consideration of the Planning Issues**

This application is for full planning permission and the key material planning considerations are:

- The principle of the proposed development;
- Design and visual impact on the countryside;
- Impact on residential amenity;
- Impact on ecology;
- Flood risk/drainage; and
- Highway matters.

### **Principle of the proposed development**

The starting point for decision making on all planning applications is that they must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise. The Development Plan for Charnwood comprises the Charnwood Local Plan 2011-2028 Core Strategy (2015), those “saved” policies within the Local Plan which have not been superseded by the Core Strategy, and the Barrow Upon Soar Neighbourhood Plan 2016-2028.

Policy CS1 outlines the development strategy for the Borough which seeks to direct development to sustainable locations which are serviced by a good range of facilities and public transport. Policy ST/2 of the Borough of Charnwood Local Plan also seeks to limit development to within defined settlement boundaries and whilst this policy is more than 5 years old, it still carries some weight. The review into settlement Limits which forms part of the emerging replacement local plan would still place the application site within the countryside, and although this document carries no weight at present, the restrictive approach would carry weight as the local plan progresses through its adoption stages. In these ways, the proposal would fail to comply with Policies CS1 of the adopted Charnwood Local Plan Core Strategy, ST/2 of the Borough of Charnwood Local Plan and Policy BuS16 of the Barrow Upon Soar Neighbourhood Plan.

Policy CS11 of the Core Strategy and the relevant provisions of the National Planning Policy seek to resist isolated new homes in the countryside unless they have a strong relationship with the operational requirements of agriculture, horticulture, forestry or other land based industry and also contribute to a low carbon economy. The proposal would result in an open market dwelling which would not be required for agricultural purposes and in this way, the proposal would not therefore accord with this element of Policy CS11.

However, a significant material planning consideration is the fact a dwelling, (albeit without the extension), could be created in this location using the Prior Approval legislation under Part Q of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as explained above. Indeed, such a Prior Approval has already been secured and could be implemented without regard for adopted restrictive policies. It is considered that this is an example of where a material consideration indicates that development should be considered favourably, contrary to the provisions of the development plan. For this reason, it is considered, on balance that the principle of the proposed dwelling is acceptable. It must be made explicit however that allowing development in such specific circumstances does not undermine or set a precedent for the application of the usual development plan policies elsewhere in the Borough or in the future.

### **Design and visual impact on the countryside**

Policies CS2 of the Charnwood Local Plan 2011-2028 Core Strategy and “saved” Policy EV/1 of the Charnwood Local Plan seek to ensure high quality design and layout, which respect the character and appearance of the host dwelling and are compatible with the street scene and wider built context.

Policy CS11 of the Charnwood Local Plan 2011-2028 Core Strategy and “saved” Policy CT/2 of the Charnwood Local Plan seek to protect the character of the local landscape and the countryside.

Policy BuS4 of the Barrow Upon Soar Neighbourhood Plan 2016 – 2028 outlines that development proposals will be required to reflect the design guidance contained within the Barrow upon Soar Village Design Statement.

The application site is outside the identified Limits to Development for Barrow upon Soar, within the open countryside. The site falls within the Soar Valley Landscape Character Area.

The proposed extension, and many of the proposed external alterations, would be sited within an enclosed area of the application site, enclosed by virtue of either the walled-enclosure around the perimeter of the building or by the adjoining agricultural building to the north-east, or otherwise located in position whereby they would be screened by adjoining buildings located outside the application site within the immediate locality of Tithe Farm. In this case, it is considered that the only alterations which would be visible from outside the application site and the immediate area of Tithe Farm are those proposed to the western elevation. However, even then, by virtue of the minor nature of the proposed alterations to this elevation, which are in any case considered to be in keeping with the character and appearance of the host building and in light of the distance of the building from Nottingham Road, (+200m), it is considered that the proposed alterations would not be overly prominent from within the public realm, or within the immediate landscape context.

Accordingly, it is considered that the proposed development would not result in an incongruous form of development. The proposed development would sit well in terms of its existing rural context and would not result in any adverse harm to the character and appearance of the surrounding natural/built environment.

In view of the above, it is considered that the proposed development would be in accordance with the relevant provisions of Policies CS2 and CS11 of the Charnwood Local Plan (Core Strategy), “saved” Policies EV/1 and CT/2 of the Charnwood Local Plan and Policy BuS4 of the Barrow Upon Soar Neighbourhood Plan. Furthermore, it is considered that the proposed development would be in accordance with the relevant provisions of the NPPF, notably Paragraphs 127 and 130.

### **Residential amenity**

Policies CS2 of the Charnwood Local Plan 2011-2028 Core Strategy and saved Policies EV/1 and H/17 of the Charnwood Local Plan 2011-2028 Core Strategy seek to protect the amenities of nearby properties.

In order to objectively assess the impact of the proposed development upon existing residential amenity, the Council has adopted Supplementary Planning Document/Guidance (SPD/G), which relate to matters of design and residential amenity.

The guidance outlines that there are three main ways in which development can impact upon residential amenity:

- Loss of light (overshadowing);
- Loss of privacy (overlooking); and
- The erection of an over dominant or overbearing structure (outlook).

The neighbouring residential property which would potentially be affected by the proposal includes the adjoining farmhouse to Tithe Farm (No. 160 Nottingham Road). This property has main habitable room windows which are in close proximity to the southern elevation of the barn. As there would be no increase in building height there would be no material loss of light or outlook. There is the potential for increased overlooking of 160. However, those windows within the proposed southern elevation are high level and do not serve main habitable rooms, where they are in direct alignment with 160. As a result, this property would not experience a material loss of privacy although it may be necessary to impose a condition preventing any alteration to these windows or additional windows. It is considered there would be no material loss of amenity by way of overbearing impact, loss light or loss of privacy.

There are no other adjoining or nearby residential properties which would experience a material impact on amenity.

It is not considered that the proposed development itself would be adversely affected by reason of noise and general disturbance associated with the established agricultural use of the adjoining farm. Charnwood Borough Council's Environmental Health officers do not raise any objection in this respect.

In addition, the property has an internal floor area in excess of the national space standard of 61 sqm for dwellings of this type including a twin room in excess of 11.5 sqm. It is also considered that a good-sized amenity space would be afforded for the proposed dwelling, which would be commensurate with the size of the property. This means that a good standard of amenity for future occupiers would be provided in accordance with policy CS2.

In view of the above, and subject to planning conditions, it is considered that the proposed development would not harm the residential amenities of the adjoining occupants, those of No. 160 Nottingham Road, or those of the proposed dwelling, in which case the proposed development would be in accordance with the relevant provisions of Policy CS2 of the Charnwood Local Plan (Core Strategy) and "saved" Policy EV/1 of the Charnwood Local Plan 2004. Furthermore, it is considered that the proposed development would be in accordance with the relevant provisions of Paragraph 127 of the NPPF.

### **Impact on Ecology**

Policy CS13 of the Charnwood Local Plan 2011-2028 Core Strategy seeks to ensure protected species are not harmed as a result of development proposals and wherever possible enhance the potential through landscaping and drainage solutions to provide development that promotes ecological benefit.

Policy BuS1 of the Barrow Upon Soar Neighbourhood Plan outlines that new development will be expected to maintain and where possible enhance existing ecological corridors and landscape features for biodiversity, thus demonstrating overall net-gain.

No ecological survey and accompanying report has been submitted in support of this application; however, it is not expected that the proposed development would give rise to any adverse harm in respect of biodiversity. Notwithstanding this, Informative Notes are suggested to remind the applicant that a precautionary approach should be taken in this regard (See Informative Notes 3 and 4, below).

In view of the above, it is considered that the proposed development would not give rise to any adverse harm in respect of biodiversity, in accordance with the relevant provisions of Policy CS/13 of the Charnwood Local Plan (Core Strategy) and Policy BuS1 of the Barrow Upon Soar Neighbourhood Plan. Furthermore, it is considered that the proposed development would be in accordance with the relevant provisions of the NPPF.

### **Flood risk/drainage**

Policy CS16 of the Charnwood Local Plan 2011-2028 Core Strategy encourages sustainable design and construction and seeks to direct development to locations within the Borough at the lowest risk of flooding, supporting developments which reduce flood risk elsewhere, and requiring new developments to manage surface water run off with no net increase in the rate of surface water runoff for Greenfield sites.

Policy CS2 of the Charnwood Local Plan 2011-2028 Core Strategy seeks to ensure that development proposals reduce their impacts upon and be resilient to the effects of climate change in this context in accordance with Policy CS16.

Paragraph 163 of the NPPF 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 and will not put the users of the development at risk.

The site is within flood zone 1 where residential development is generally acceptable. Additionally, Prior approval was granted for the change of use which included an assessment of flooding risks on the site. Accordingly, there is no risk of flooding within the site that would conflict with Policies CS2 and CS16 of the Charnwood Local Plan (Core Strategy), and the relevant provisions of the NPPF.

The applicant proposes that the site is drained by way of soak aways and the existing package treatment plant. This is considered to be acceptable, subject to relevant building regulations approvals.

In view of the above, it is considered that the proposed development would be in compliance with the relevant provisions of Policies CS2 and CS16 of the Charnwood Local Plan (Core Strategy), and the relevant provisions of the NPPF.

### **Highway matters**

“Saved” Policy TR/18 of the Charnwood Local Plan relates to requirement for development proposals to incorporate appropriate levels of off-street vehicular and cycle parking provision in line with those standards outlined within Appendix 1 of the Local Plan.

Paragraph 108 of the NPPF outlines that development proposals would need to ensure safe and suitable access to the application site can be achieved for all users.

Paragraph 109 of the NPPF outlines that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Leicestershire County Council (Highways) were consulted in connection with this planning application. The consultation response received outlines that the Local Highways Authority raise no objection in respect of the proposed development, although they have requested that a Planning Condition be imposed upon any grant of planning permission in connection with securing, and maintaining, the required level of off-street vehicular parking provision.

The proposed dwelling will comprise a 2-bedroom dwelling, although would have potential to be converted to a 3-bed dwelling if the office space were converted to a bedroom. In line with “saved” Policy TR/18 and the guidance contained within the ‘Leicestershire Highways Design Guide’, a minimum of 2 no. off-street vehicular parking spaces would be required to serve a two or three-bedroom dwelling, subject to them being designed in accordance with the design standards outlined within the Design Guide.

The ‘Leicestershire Highways Design Guide’ outlines that parking spaces should be 2.4m wide x 5.5m depth as a minimum. In addition, if the parking space is to be bounded by wall/fence/hedge/trees or similar obstruction on one side, the width of the parking space should be 2.9m as a minimum. In the case that the parking space is bounded on both sides the parking space should be 3.4m wide.

There is ample space within the site to achieve the required parking provision and to allow turning. To ensure this provision is secured it is suggested that an appropriate Planning Condition is imposed upon any grant of planning permission. Accordingly, the necessary vehicular parking provisions will be met.

The existing vehicular access off of Nottingham Road would be utilised to serve the proposed development without modification.

Whilst this access would not meet the design standards of the Leicestershire Highways Design Guide, by reason of access width and visibility splays, in consideration that this is an existing vehicular access and the proposal would result in only a minor intensification of this access, it is not considered that the proposed

development would result in any unacceptable highway impact. This is a viewpoint that the Local Highway Authority share. It should also be noted that previously prior approval was given for the conversion and that this concluded there was no reason for refusal based on transport and highways.

In view of the above, and subject to Planning Conditions, it is considered that the proposed development will not give rise to material harm in respect to matters of highway safety. Accordingly, it is considered that the proposed development would be in accordance with the relevant provisions of Paragraphs 108 and 109 of the NPPF, Policy CS2 of the Charnwood Local Plan (Core Strategy), and the guidance contained within the Leicestershire Highways Design Guide.

## **Conclusion**

With regard to the principle of the proposed development, whilst the proposed development would be contrary with the relevant provisions of “saved” Policies ST/2, CT/1 and CT/2 of the Charnwood Local Plan 2004, Policy CS1 of the Charnwood Local Plan (Core Strategy) and Policy BuS16 of the Barrow Upon Soar Neighbourhood Plan, there are material planning considerations that override this conclusion. In this case, the change of use of an agricultural building to a dwelling is permitted under Part 3 Class Q to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as confirmed by virtue of the Local Planning Authority’s decision taken in respect of Permitted Development Prior Notification application reference P/19/1995/2. This means that the change of use itself is acceptable in principle and that and the physical extensions to this are what stand to be considered.

The extensions would be acceptable on design, residential amenity, ecology, flood risk/drainage and highway grounds, in accordance with the relevant provisions of “saved” Policies CT/2, EV/1 and TR/18 of the Charnwood Local Plan 2004, Policies CS2, CS11, CS13, CS16 and CS25 of the Charnwood Local Plan (Core Strategy) and Policies BuS1, BuS4 and BuS17 of the Barrow Upon Soar Neighbourhood Plan. Furthermore, the proposed development would be in accordance with the relevant provisions of the NPPF, including Paragraphs 108, 109, 127, 130, 155 and 163.

In view of the above, it is recommended that Planning Permission be granted.

## **RECOMMENDATION**

Approval of Planning Permission subject to the following Planning Conditions and Informative Notes.

Planning Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.



2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No. 7949-03-01 Rev – (Existing Site Location Plan & Site Plan),  
Drawing No. 7949-03-02 Rev – (Existing Plans and Elevations), Drawing No.  
7949-03-12 Rev – (Proposed Barn Conversion – Planning)

REASON: For the avoidance of doubt.

3. The development hereby permitted shall be constructed entirely of the materials specified within Question 7. Materials on the Application Form, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of visual amenity and the character and appearance of the area and to accord with the Policies CS2 and CS11 of the Charnwood Local Plan (Core Strategy), “saved” Policy EV/1 of the Charnwood Local Plan and Policy BuS4 of the Barrow Upon Soar Neighbourhood Plan.

4. No external lighting shall be installed on the building, unless details of any proposed external lighting are first submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be implemented fully in accordance with the approved details and retained in perpetuity.

REASON: To prevent intrusive light pollution that is out of keeping with the character of the area and to accord with Policies CS2 and CS11 of the Charnwood Local Plan (Core Strategy), “saved” Policy EV/1 of the Charnwood Local Plan and Policy BuS4 of the Barrow Upon Soar Neighbourhood Plan.

5. Notwithstanding the drawings submitted in support of the application, the development hereby permitted shall not be occupied until such times as 2 no. vehicular (car) parking spaces and the associated turning facilities have been provided within the application site and made available for use. The parking and turning provision so provided shall not be obstructed, and shall, thereafter, be permanently so maintained.

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 to accord with the National Planning Policy Framework, Policy TR/18 of the Charnwood Local Plan and the Leicestershire Highways Design Guide.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, other than those expressly authorised by this permission, shall be added to the southern elevation and no alterations shall be made to those windows shown on the approved drawing. REASON: To ensure that there is no overlooking of

160 Nottingham Road in the interest of ensuring good standards of amenity in accordance with policy CS2 of the development plan.

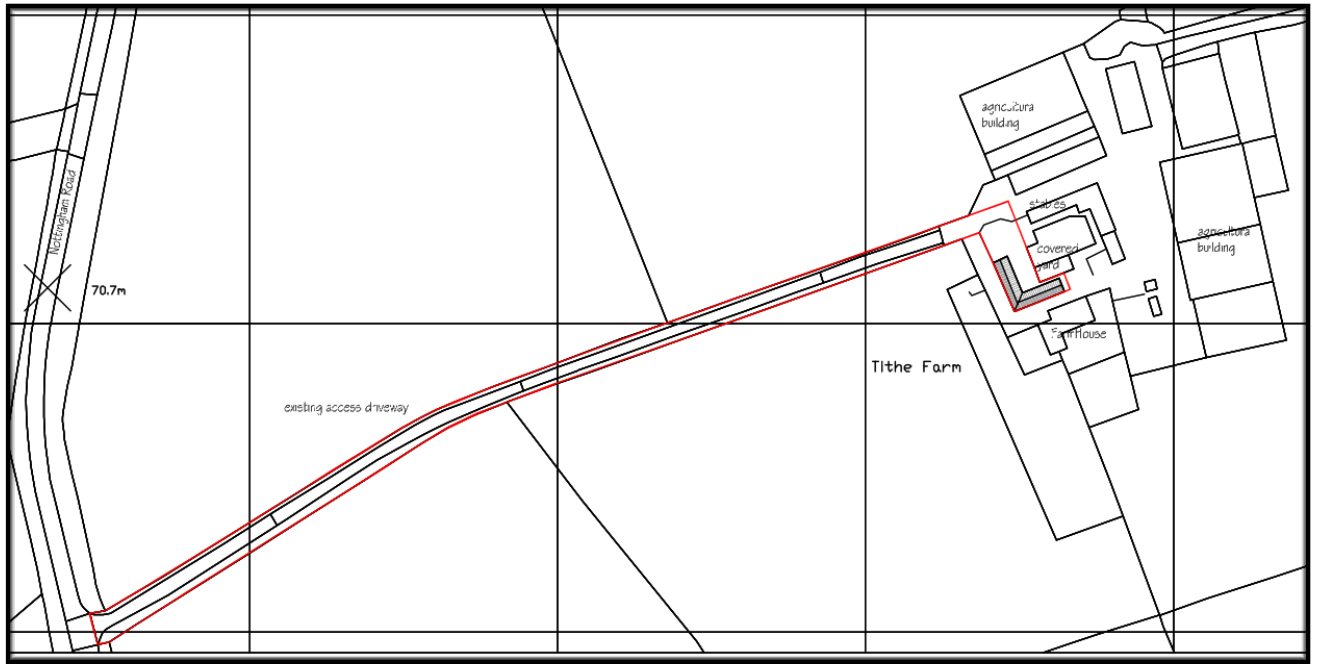
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Schedule 2 Part 1, Classes A-E and G shall take place on the new dwelling hereby permitted or within its curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements and to accord with Policies CS2 and CS11 of the Charnwood Local Plan (Core Strategy), "saved" Policy EV/1 of the Charnwood Local Plan and Policy BuS4 of the Barrow Upon Soar Neighbourhood Plan.

#### Informative Notes:

1. The Applicant is requested to note that this proposal may require separate consent under the Building Regulations and that no works should be undertaken until all necessary consents have been obtained. Advice on the requirements of the Building Regulations can be obtained from the Building Control Section, Charnwood Borough Council (Tel. 01509 634924 or 01509 634757). As such please be aware that complying with building regulations does not mean that the planning conditions attached to this permission have been discharged and vice versa.
2. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.
3. All bats species and their roosts are legally protected under the Conservation of Habitats and Species Regulations 2010 (as amended). Should bats be found during the course of development work, work should immediately stop and advice from Natural England should be obtained and fully implemented before work can resume. Natural England's Bat line can be contacted on 01509 672772.
4. Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended), therefore should nesting birds be present in the existing building subject to the consent, building work should be deferred until the young birds have fledged. The nesting bird period is considered to take place between March to August inclusive, but may start earlier and extend later. For advice, please contact Charnwood Borough Council's Senior Ecologist on 01509 634729.

5. Discussion with the applicant to seek an acceptable solution was not considered necessary in making this decision. The Local Planning Authority has therefore acted pro-actively 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.
  
6. Planning permission has been granted for this development despite the conflict with “saved” Policies ST/2, CT/1 and CT/2 of the Charnwood Local Plan, Policies CS1 and CS11 of the Charnwood Local Plan (Core Strategy) and Policy BuS16 of the Barrow Upon Soar Neighbourhood Plan as this conflict was outweighed by virtue of Prior Notification Approval reference P/19/1995/2 which formed a material consideration in the assessment of the principle of development. The development was acceptable in all other respects, in terms of design, residential amenity, ecology, flood risk/drainage and highway grounds, in accordance with the relevant provisions of “saved” Policies CT/2, EV/1 and TR/18 of the Charnwood Local Plan 2004, Policies CS2, CS11, CS13, CS16 and CS25 of the Charnwood Local Plan (Core Strategy) and Policies BuS1, BuS4 and BuS17 of the Barrow Upon Soar Neighbourhood Plan. Furthermore, the development was in accordance with the relevant provisions of the National Planning Policy Framework.



Item No. 7

**Application Reference Number P/19/2340/2**

**Application Type:** Full **Date Valid:** 14/11/2019  
**Applicant:** Mrs S Pole  
**Proposal:** Conversion of stables building to a dwelling.  
**Location:** The Stables  
School Lane  
Woodhouse  
Leicestershire  
**Parish:** Woodhouse **Ward:** Forest Bradgate  
**Case Officer:** Deborah Liggins **Tel No:** 01509 634733

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This item is referred to Plans Committee in accordance with the Council's scheme of delegation embedded within section 8.2 of the Constitution.

**Description of the Site**

The application site is located towards the end of School Lane and although the building is outside the conservation area, the boundary runs down its north-eastern wall so some of the site is within the designated Conservation Area with the remainder being adjacent. The building is a high-quality stable building constructed of stone to its rear elevation and render to its front with brick quoins and a tiled roof. The building has overhanging canopies to the front and rear elevations.

The property has a history of refusals in respect of the conversion of the stables building to a dwelling, as set out below. The site is also currently subject to a planning enforcement investigation as various new and unauthorised structures have been erected in the yard and the adjacent paddock. These, however, do not have a bearing on the application currently before the Council. In this regard, the applicant has more lately submitted a retrospective application to retain additional timber stables and a hay store adjacent to the current stables under application P/19/2558/2 and for the continuation of the use of land for the keeping and riding of horses under application reference P/19/2559/2. It is anticipated that that these proposals will come before members at a future Plans Committee meeting.

The surrounding land uses are as follows:

<b>Boundary</b>	<b>Adjacent land use</b>
To the west	Paddock land associated with the stables
To the north	Agricultural land
To the south	No 48 School Lane
To the east	The Homestead, 46 School Lane.

**Description of the Application**

The proposal is to convert the existing stables building (still in use) to a dwelling. This would involve minor external works to replace existing openings with glazed screens, windows or doors. Internally the walls would be dry lined and new partitions constructed to separate rooms. The application site red line would limit the curtilage of the residential dwelling to the immediate yard and parking area. The proposal would include an open plan kitchen/dining and lounge with 2 bedrooms and a shower room.

The application is accompanied by the following documents:

- Ecology report – prepared by Dr Stefan Bodnar – based on a survey conducted on 5<sup>th</sup> September 2019. The study concludes that the building has negligible access and negligible bat roost potential and it is considered that no further surveys are required. There was however evidence of breeding swallows within the stables with 4 nests noted and swallow cups are recommended to be provided to the exterior of the building to compensate.
- Planning, Heritage and Design and Access Statement – prepared by Stephen Bradwell and dated October 2019 – the report concludes that the proposal would not have an effect on existing listed buildings or their settings. The report acknowledges that the building lies outside but alongside the boundary of the Conservation Area and concludes that the proposal would not affect it. The submitted scheme includes some areas of new landscaping as set out on the submitted plans and there are no proposed alterations to the existing vehicular access which is partially shared by the owners of No. 46 School Lane (The Homestead).
- A response from Stephen Bradwell, representing the applicant, dated 3<sup>rd</sup> January, responding to the points raised by objectors to the proposal. This also clarifies that the existing stables are privately operated for the applicant and their family and are not operated as a commercial venture. Horses are regularly transported on and off the site to take part in competitions or events or to other facilities for riding practice.

## **Development Plan Policies**

### Charnwood Local Plan 2011-2028 Core Strategy (adopted 9 November 2015)

The following policies are relevant to this application:

Policy CS1 – Development Strategy – sets out the housing directions for growth over the plan period and establishes a settlement hierarchy of locations in terms of their sustainability. Woodhouse is identified as being a small village or hamlet within the Charnwood Local Plan (2011-2028) Core Strategy and is set within the countryside, where a restrictive approach is taken towards new development.

Policy CS2 – High Quality Design – requires new developments to respect and enhance the character of the area, protect the amenity of people who live and work nearby and function well and add to the quality of the area.

Policy CS11 – Landscape and Countryside - requires new development to protect landscape character and reinforce a sense of place. It supports rural residential

development where it has a strong relationship to the operational requirements of agriculture, horticulture or forestry.

Policy CS13 - Biodiversity and Geodiversity - seeks to conserve and enhance the natural environment and which protects, enhances or restores biodiversity.

Policy CS14 – Heritage – this requires development to conserve and enhance historic assets for their own value and the community, environmental and economic contribution they make. This will be achieved by requiring development to protect heritage assets and their setting; supporting development which prioritises the refurbishment and re-use of disused or under-used buildings of merit; supporting development that is informed by and reflects relevant Landscape and Conservation Area Character Appraisals and Village Design Statements; and development that incorporates Charnwood’s distinctive local building materials and architectural details.

Policy CS16 – Sustainable Construction and Energy – encourages sustainable design and construction and the provision of renewable energy including supporting developments that reduce waste, provide for the suitable storage of waste and allow convenient waste collections.

Policy CS17 – Sustainable Transport – sets out how the Council will seek to achieve a 6% shift from travel by private car, to walking, cycling and public transport.

Policy CS25 – Presumption in Favour of Sustainable Development – sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It pledges to work proactively with applicants to jointly find solutions to approve development wherever possible to secure improvements to the economic, social and environmental conditions in an area. Planning applications that accord with the policies in the Core Strategy will be approved without delay unless material considerations indicate otherwise.

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

The saved policies relevant to this proposal include:

Policy ST/2 – Limits to Development - States that built development will be confined to allocated sites and other land within the Limits to Development identified on the proposals map, subject to specific exceptions.

Policy EV/1 – Design - seeks to ensure a high standard of design for developments, which, inter alia, respects and enhances the local environment, is of a design, layout, scale and mass compatible with the locality and utilises materials appropriate to the locality.

CT/1 – General Principles for Areas of Countryside, Green Wedge and Local Separation – states that development in these areas will be strictly controlled. Planning permission will be granted for the re-use and adaptation of rural buildings for uses suitable in scale and nature and small-scale built development where there would not be a significant adverse environmental impact and the proposal would (inter alia) be essential for the efficient long-term operation of agriculture, horticulture or forestry.

CT/2 – Development in the Countryside – In the countryside, development which is acceptable in principle will be permitted where it would not harm the character and appearance of the countryside.

Policy TR/18 indicates that planning permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimize harm to visual and local amenities. The policy promotes standards that would require 3 parking spaces for a 4 or more-bedroom dwelling, although it states that this will be used as the starting point in assessing the level of provision and represent the maximum level. The quantity of parking allowed should reflect the proposed use and the location of development, the availability of public off-street parking; the current or potential accessibility by non-car modes and the scope for practical measures to significantly reduce the use of private car trips to and from a site.

### **Material considerations**

#### The National Planning Policy Framework (2019)

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. The NPPF contains a presumption in favour of sustainable development.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 8 explains that achieving sustainable development means that the planning system has 3 overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. The overarching aims are:

- An economic objective – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support growth and innovation
- A social objective – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high-quality built development with accessible local services;
- An environmental objective – contributing to protecting and enhancing our natural, built and historic environment.

Paragraph 10 states at the heart of the Framework is a presumption in favour of sustainable development.

Paragraphs 15-33 set out that the planning system should be genuinely plan-led and that succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities and a platform for local people to shape their surroundings. Paragraph 31 states that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence.



Paragraph 38 indicates that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers should seek to approve applications for sustainable development where possible.

Paragraph 47 of the NPPF states that planning law requires that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Chapter 12 of the NPPF concerns itself with achieving well-designed places and sets out that good design is a key aspect of sustainable development. The use of visual tools and design codes is encouraged as is the development of design policies alongside local communities and neighbourhood plans.

Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between the permission and completion, as a result of changes being made to the permitted scheme.

Paragraph 180 requires that decisions on planning applications should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, including mitigating noise.

Paragraph 184 states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 185 indicates that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 189 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.

Paragraph 190 states that local planning authorities should identify and assess the particular significance of any heritage asset affected by a proposal, including any development affecting its setting, taking account of the available evidence and any necessary expertise in order to minimize any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 193 sets out that in considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 196 provides that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 197 states that the effect of a proposal on the significance of non-designated heritage assets should also be considered in the determination of applications and that a balanced judgement would be required having regard to the scale of harm or loss and the significance of the heritage asset.

#### National Planning Practice Guidance

The National Planning Practice Guidance (PPG) reinforces and provides additional guidance on the policy requirements of the Framework and provides extensive guidance on design and other planning objectives that can be achieved through getting good design. These include the consideration of local character, landscaping setting, safe, connected and efficient streets, crime prevention, security measures, access and inclusion, efficient use of natural resources and cohesive and vibrant neighbourhoods.

#### National Design Guide (2019)

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This design guide, the National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

#### Landscape Character Assessment

The Borough of Charnwood Landscape Character Assessment 2012 explains that the Charnwood Forest Area of Landscape Character is the most complex of the landscape character areas in the Borough such that five sub-areas were identified within the Borough in the 2008

Charnwood Forest Landscape and Settlement Character Assessment. The highly distinctive upland character contrasts with the lower lying nature of the surrounding landscape character areas. It is a landscape of mosaic pasture, frequent woodland and exposed

hilltops of acidic grassland with rocky outcrops of ancient Precambrian volcanic and plutonic rocks with bracken and heath land. It is the most densely wooded area of the Borough with coniferous and deciduous woods and includes many wildlife areas and ancient semi-natural woodlands. Field boundaries of stone walls and large free growing hedges and there are strong rectilinear patterns of parliamentary enclosure fields and straight roads. Scattered settlements are often of local stone with steeply angled slate roofs.

#### Woodhouse Forest Road and School Lane Conservation Area Character Appraisal

The village of Woodhouse is split into two Conservation Areas due to the separation both geographically and in character of School Lane from the main body of the village along Forest Road. The purpose of the appraisal is to examine the historic development of these Conservation Areas and to describe their present appearance in order to assess their special architectural and historic interest. The School Lane Conservation Area was designated in 1993. School Lane is described within the document as a no through road in a secluded part of the village and this sense of seclusion is a key part of the character of the Conservation Area. The dwellings here have a pleasing similarity in terms of materials and scale which allow the buildings to sit harmoniously alongside one another. A vital contribution is also the front boundaries of the properties to the village scape. Low level rubble stone walls with hedging and established trees are typical and care should be taken to ensure that these are retained and not inappropriately replaced. In terms of street scape, the walls and prominent elevation of The Hermitage raised above street level encapsulates the charm and history of this Conservation Area. The character assessment also sets out vernacular materials as being granite and rubble stone, timber framing.

#### The Leicestershire Highways Design Guide (2018)

This is a guide for use by developers and published by Leicestershire County Council and provides information to developers and local planning authorities to assist in the design of road layouts. The purpose of the guidance is to help achieve development that provides for the safe and free movement of all road users, including cars, lorries, pedestrians, cyclists and public transport. Design elements are encouraged which provide road layouts which meet the needs of all users and restrain vehicle dominance, create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; and help create quality developments in which to live, work and play. The document also sets out the quantum of off-street car parking required to be provided in new housing development.

#### The Crime and Disorder Act 1998

This places a duty on the local planning authority to do all that it reasonably can to prevent crime and disorder in its area. The potential impact on community safety is therefore a material consideration in the determination of planning applications.

#### Planning (Listed Building and Conservation Areas) Act 1990 (as amended)

This requires local planning authorities to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Considerable importance and weight should be attached to any harm to these heritage assets or their

setting. The courts have held that this creates a negative presumption (capable of being rebutted) against the grant of planning permission where harm will be caused) and that the balancing exercise must begin with this negative weight/presumption even where the presumption in favour of sustainable development is engaged under the Framework. Section 72 of the Act requires that in considering whether to grant planning permission for development which affects a conservation area, the local planning authority shall have special regard to the desirability of preserving or enhancing the character and appearance of the area.

Department for Communities and Local Government – Technical Housing Standards – nationally described space standard (March 2015)

These standards deal with internal spaces within new dwellings and sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling heights. The standard sets out the minimum space requirements dependent on different combinations of single and double/twin bedrooms.

The standard sets out that minimum floor to ceiling heights should be 2.3m for at least 75% of the GIA (Gross Internal Area). For the application proposal, which is a 3-person, 2 bed single storey dwelling, the minimum gross internal area should be 61 sq.m. The proposal achieves just 48.3 sq.m.

Draft Supplementary Planning Document on Design (January 2020)

Cabinet has approved the Design Supplementary Planning Document, but at the time of writing this report the document is within the call-in period. This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life. In its draft form, the document carries some but not full weight. Members will be updated with regards to the document's status and weight in the Extras Report.

**Relevant Planning History**

<b>Ref.</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
P/80/3151/2	Site for the erection of one dwelling and garage	Refused	13.11.80
P/92/0045/2	Conversion of and extensions to stables to form 2 bed bungalow	Refused	19.3.92
P/92/2055/2	Conversion and front and rear extensions to stable block to form 2-bedroom bungalow and formation of new access	Refused Appeal Dismissed	15.10.92 9.7.93
P/19/2558/2	Retention of stables and hay store	Current Application	Decision pending
P/19/2559/2	Retention of use of land for the keeping and riding of horses	Current application	Decision pending

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### **Responses of Statutory Consultees**

The Environment Agency has responded that as the application site lies fully within flood zone 1 it has no comment to make with regard to fluvial flood risk from main rivers. The nearest main river is the Quorn Brook which lies over 2km to the east of the proposed development site. There is an ordinary watercourse which runs along the land to the south of the proposed development site however this watercourse falls within the remit of the Lead Local Flood Authority (LLFA). The Agency advises the applicant to contact the LLFA to determine flood risks associated with non-main river watercourses and that there are no other environmental constraints associated with the site.

Woodhouse Parish Council observes that The Stables are accessed from a very narrow and very old lane in the village, whose buildings can be dated to the 1600s. A large proportion of the site plan is located within the School Lane Conservation Area. The Stables are close to several Grade II Listed buildings, providing walkers with "a sense of seclusion" [Conservation Area Character Appraisal, 2013]. Additional traffic could impact this. The Parish Council also desires development to respect the spirit of the Village Design Statement and the existing street scene.

### **Other Comments Received**

The following representations have been received:

The Homestead, 46 School Lane claims ownership of the shared vehicular access to The Stables. The two properties were, historically, within single ownership but were later separated. The stable block and other structures on the site are used by multiple third parties who either keep or stud horses there. The result is a significant amount of traffic crossing the narrow driveway and the proposal would exacerbate this issue.

37 School Lane objects to the proposal with photographs of local flooding of the watercourse which runs along School Lane. New dwellings would increase flood risk and increase traffic to the narrow street and damage the banks of the brook. It is considered that if planning permission is granted, this would set a precedent for further development on School Lane that would further harm the character of the Conservation Area and the setting of listed buildings.

38 School Lane states there are 15 dwellings in this part of School Lane and there has been a significant increase in vehicle movements in the land with users often finding it difficult to turn around and larger vehicles have to reverse out of the cul-de-sac. The Lane lacks infrastructure to cope with increases in transportation and the footpath is well used by walkers and school children. The proposal, if permitted, would set a precedent that would lead to increased development and further congestion in the Lane.

43 School Lane believes there should be no further development on School Lane until the drainage problems are sorted out. These are thought to be caused by silted up streams, blocked pipes and excess water from surrounding fields. The development would cause additional volumes of traffic onto a single track lane.

### **Consideration of the Planning Issues**

The key issues in considering this application are considered to be:

- The principle of the development
- The impact on heritage assets
- The impact on residential amenities
- Highways and Car Parking
- Ecology

#### The Principle of the Development

Old Woodhouse is identified as a 'small village or hamlet; within the adopted Core Strategy. As such, it is considered to be an unsuitable location for new residential development, although Policy CS1 states the Council will respond positively to development that meets a specific local or economic need where that need is identified in a Neighbourhood Plan or other appropriate community-led strategy. There is currently no Neighbourhood Plan for the village and no evidence of need to fulfil the terms of the policy.

Policy CS11 of the Core Strategy states that we will support and protect the character of our landscape and countryside and supports residential development which has a strong relationship with the operational requirements of agriculture, horticulture, forestry or other land based industry and which contributes to a low-carbon economy in accordance with Policy CS10. The proposal is not to meet any identified such need and would therefore be unwarranted residential development in the countryside, contrary to Policy CS11.

In terms of the transport sustainability of the site, there are no facilities or services within the village or within easy walking or cycling distance and the settlement is ranked accordingly in the hierarchy published in the Core Strategy. The applicant contends that the use of the building as a dwelling would generate fewer vehicle movements to and from the site than the existing stable use, however, given the availability of the paddock land (and the range of unauthorised structures), it seems evident that some keeping/stabling of horses would subsist on the wider site to at least the equivalent of the current equestrian use and that the traffic movements associated with a residential dwelling would be additional to these. The development would therefore be likely to result in an increase in traffic with occupiers of the resultant dwelling having to rely on the private car for most journeys and this would be contrary to national policy which seeks to locate development in locations which are accessible by alternative modes of transport, and would undermine the Borough Council's aim in Policy CS17 of the Core Strategy in achieving a 6% modal shift by 2028.

The applicant considers that as the building is existing, the development would not encroach into open countryside any further than it already does and the external changes to the building would be almost imperceptible from outside the site and would accord with Policy CS2. The applicant also considers that the proposal accords with the NPPF in respect of rural housing in that the development is not isolated from other rural houses and does not detract from the intrinsic character and beauty of the countryside and which would also make more effective use of the land (Para 118 NPPF). The applicant considers that as there are no development plan policies which relate to the re-use of rural buildings, the development plan policies are not fully compliant with the NPPF.

However, Policy CT/1 sets out the types of rural development which would be acceptable in principle, including the re-use of buildings for uses suitable in scale and nature where

there would not be a significant adverse environmental impact and meets other criteria as set out in the policy. Residential development does not feature within the acceptable uses unless it is essential for the efficient long-term operation of agriculture, horticulture or forestry. It is also worth noting that the application concerns a rural building which is still in use and is not redundant. There is also a demonstrable need for the stables within the structure as additional stables have been erected with the land controlled by the applicant. The loss of the existing building may therefore increase a need for further additional stables development at this countryside location.

To conclude the proposal represents a new dwelling within a small village or hamlet which is contrary to policy CS1 of the development plan. The National Planning Policy Framework, which is a material consideration, sets out the limited circumstances where homes in the countryside are acceptable. For conversions the re-use of redundant or disused buildings which enhances their setting is one such circumstance. The proposal does not meet with these provisos as it is not redundant or disused building and the proposals do not enhance its setting. Additionally, there is conflict with saved policy CT/1 of the Local Plan. The proposal would therefore fail to comply with policies CS1, CS17 and CS25 of the Core Strategy and Policy CT/1 of the Borough of Charnwood Local Plan which seek to achieve development which is sustainably located in order to reduce the need to travel by the private car.

#### The impact on heritage assets

It is acknowledged that the building itself lies outside the designated Conservation Area, but part of the new residential curtilage and the existing access lies within it. There are also listed buildings which lie close to the site. The Woodhouse School Lane Conservation Area was designated in 1993 with the Conservation Area Character Appraisal being adopted by Cabinet in July 2013. This Conservation Area covers 2.3 hectares and is distinct in character from the Woodhouse Forest Road Conservation Area. The document is intended as a guide for people considering development which may affect it. The key characteristics of the area are set out above. The nearest listed building is Lane End Cottage at 45 School Lane, approximately 50m to the south of the application building. This is a granite and Swithland slate dwelling (originally a school). Just to its north is a Grade 2 17<sup>th</sup> century granite and Swithland slate barn which is also Grade II listed. It is considered that the proposal would not detract from the significance of the identified heritage assets and would not be harmful to their character, appearance or settings.

The existing building is a good quality and attractive stable range built partially of local stone and other appropriate materials. The proposal seeks to utilise the existing footprint and fenestration openings and block up other openings. The position of the building and its secluded setting at the end of the narrow lane, together with its screening gates mean that it makes little contribution to the existing character and appearance of the Conservation Area and it is considered that the proposal would cause no harm to the significance of the setting of the Conservation Area. The distance between the site and the nearest listed buildings is also such that their character, appearance and settings would also not be harmed by the proposal. As the proposal would conserve the significance of the identified assets it would accord with Policy CS14 and Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and should in itself be given weight in the planning balance.

#### The impact on residential amenities

<b>Property</b>	<b>Distance &amp; Relationship</b>	<b>Guide (if applicable)</b>	<b>Notes</b>
The Homestead, 46 School Lane	23m to the south east – a two storey dwelling with single storey elements	21m	Shares the vehicular access with The Stables with a single storey gable flanking the access and a study window within 0.5m of it.
48 School Lane	20m to the south – a single storey L-shaped dwelling	None	A garage and trees/landscaping in the intervening space.

The existing building is modestly scaled and discretely located with nearby dwellings occupying spacious and tranquil plots. The Inspector, in dismissing the previous appeal in 1993 also considered the impact of the proposal on the amenities of existing residential occupiers and found that the introduction of domestic activity on such a backland site would unacceptably intrude on the quiet setting of neighbouring occupiers. Today, whilst the proposal is to provide one dwelling off the same access, its surroundings have not significantly altered since the earlier dismissed appeal. In fact, the legal separation of The Stables and The Homestead has introduced further potential for amenity harms in terms of the use of the shared access, the introduction of internal and possibly external lighting, increased noise and disturbance and erosion of tranquility.

In terms of privacy, the site is bounded by a 1.8m high fence to the north-eastern side and the height and window arrangement to the rear elevation of the proposed dwelling are such that no significant losses of privacy or increased overlooking are likely to be experienced to either neighbour.

Although only a single dwelling is proposed, its vehicular activity would be in addition to large and small vehicle movements already associated with the stables activities and this would cause some further loss of amenity to dwellings either side of the access and indeed the occupiers of The Homestead who have a principle room flanking the access. The development could lead to possible additional noise, vibration, and headlight nuisances. Although The Homestead has recently been granted planning permission under P/19/1530/2 to undertake extensions and provide a new vehicular access off School Lane (which will reduce the need to use the existing shared access), there is no guarantee that this permission will be implemented and that the shared arrangements and the current configuration of accommodation at The Homestead could continue, with the principal room flanking the existing access remaining affected by vehicle movements on the shared driveway.

In addition, the amenities of future occupiers of the dwelling have also been considered. The minimum gross internal space standard for a 2-bedroom, 3-person single storey dwelling (as set out by the Department of Communities and Local Government) is not met. Achieving just 48.3 square metres (61 square metres recommended), the proposal would be a cramped dwelling with relatively poor access to internal natural light and a poor outlook over the main parking and turning area.



In these ways, it is considered that the proposal would provide a poor quality dwelling which would have a significant impact on existing residential occupiers and the proposal would fail to accord with Policies CS2 and EV/1 in particular.

### Highways and Car Parking

Whilst the Leicestershire County Highway Authority was not consulted on the application, the proposed development is of a type where its standing advice would usually apply in terms of access width and geometry, car parking requirements etc.

The proposal would utilise an existing access, with no modifications being proposed to it. The existing vehicular access gate is positioned approximately 15.5m from the highway boundary and is proposed to be retained. Whilst the existing garage at the site falls outside the application site boundary (and would not therefore be available to future occupiers of the dwelling), ample parking and turning is shown to be available within the existing graveled forecourt. Although the junction with School Lane is substandard in terms of width and forward visibility, its location, at the end of the cul-de-sac is such that the speed of passing traffic is likely to be low, with existing users being familiar with the hazards. It is considered that the addition of one dwelling on a site which currently is used by large vehicles, unrestricted in number or frequency, would not introduce significant highways harms to warrant a refusal of planning permission. The development would not therefore have a 'severe' cumulative impact and would generally accord with the provisions of Policy TR/18 and paragraph 109 of the NPPF.

### Ecology

The Council's Senior Ecological Officer generally concurs with the findings of the submitted Ecological Appraisal and agrees that no further survey work is required to prove or disprove the presence of bats in and around the building. However, it is recommended that in the event the development is otherwise acceptable, that a condition be imposed to secure the provision and retention of swallow cups to compensate for the loss of internal nesting opportunities. The proposal is considered to accord with Policy CS13 and the relevant provisions of the NPPF which seek to ensure development does not result in overall biodiversity loss.

### **Conclusion**

Decisions on applications need to be made in accordance with the adopted development plan policies and the material considerations that support them.

The proposal would be close to designated heritage assets but it would not cause harm to the significance of these. It would preserve the significance of them and this has some weight in the planning balance. There is no harm in terms of highway matters or ecological harm that could not be mitigated by way of conditions. The proposal would bring small scale economic benefits in terms of jobs during construction and the limited contribution it would make to the 5 year supply of housing land.

However, it is located within a small village in the countryside where the development of new housing is resisted on the grounds that it is not a sustainable location. This places the proposal at odds with policies CS1 and CT/1. Additionally, there would be harm to the

amenity of adjacent property and to future occupiers by way of the substandard accommodation provided which is in conflict with policy CS2. These matters mean that the development would fail to accord with the development plan and that it does not represent a sustainable form of development. Accordingly, it is recommended that the proposal be refused planning permission for the reasons set out below.

**RECOMMENDATION: -**

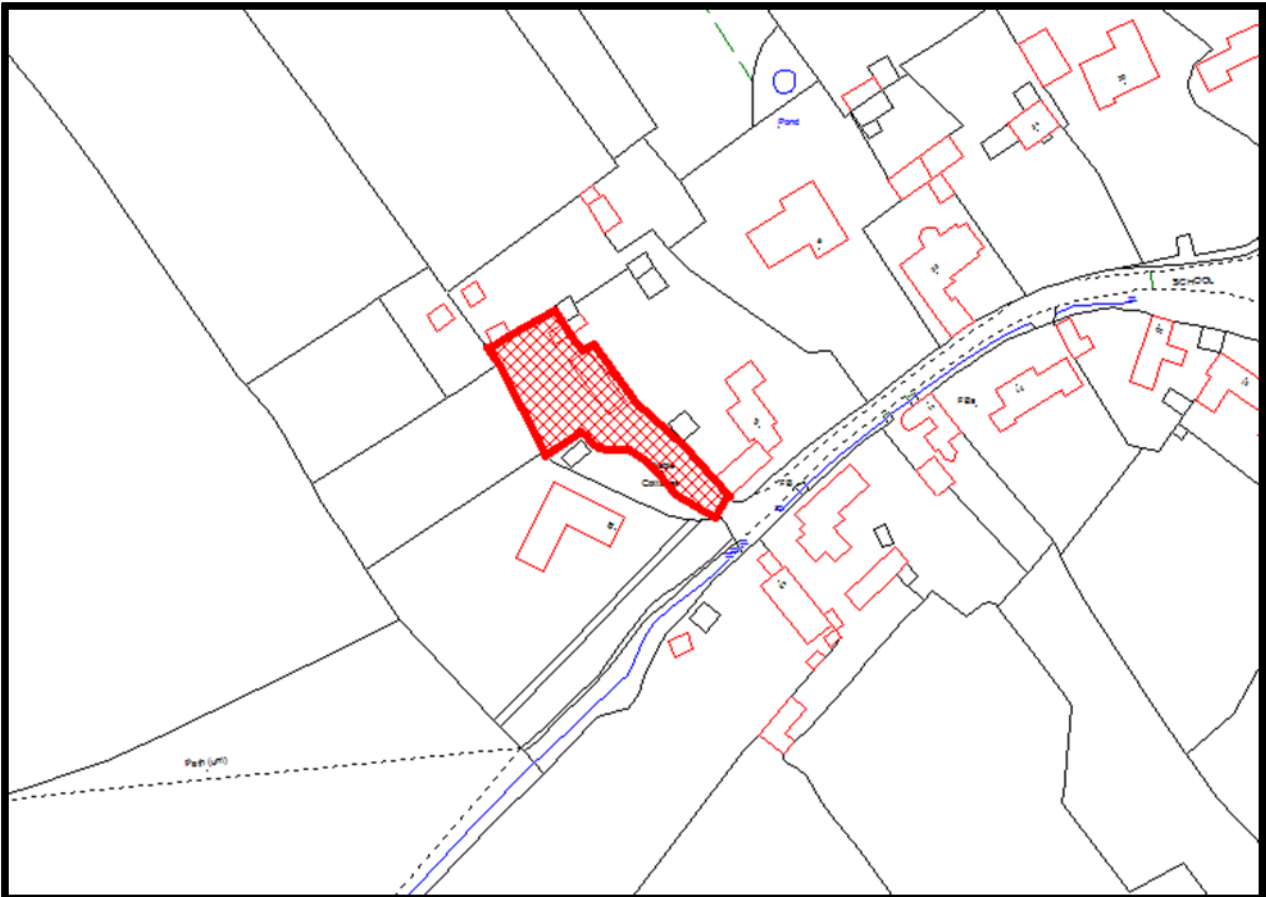
Refuse

- 1 The application site is situated in Woodhouse, defined as a Small Village and Hamlet in the hierarchy of settlements as set out in Policy CS1 of the Charnwood Local Plan 2011-2028 Core Strategy. This is considered to be a settlement where there are few or no services and residents rely upon larger settlements for day to day needs. Therefore, taking account of the location and accessibility of the site, the proposal would not be in a sustainable location for new housing development, nor would it enhance or maintain the vitality of rural communities. Whilst the proposal may be considered to be small scale, it is not considered that a local need for the development has been demonstrated by a Neighbourhood Plan or other community-led strategy. As such, it would conflict with Policies CS1, CS11 and CS25 of the Core Strategy, saved policy CT/1 of the Local Plan and the National Planning Policy Framework.
- 2 This part of Woodhouse is characterised by large irregular dwellings set in spacious plots which gives the street a distinctive character and pleasant appearance within the Conservation Area. The proposal would involve the development of a single storey building on a back-land site which would be at variance with this established character. Furthermore, the local planning authority is not satisfied that this development in depth would not give rise to additional domestic noise, disturbance and lighting nuisance, including that arising from the increased use of the shared driveway. The proposal is therefore likely to impact significantly on the amenities of existing neighbouring occupiers and the character of the area generally and would be contrary to Policies CS2 and CS25 of the Charnwood Local Plan Core Strategy, saved Policy EV/1 of the Borough of Charnwood Local Plan and the National Planning Policy Framework.
- 3 It is the opinion of the local planning authority that by reason of its design, layout and form the proposed development would result in a cramped and unsuitable form of residential accommodation for future occupiers. The development would provide an unacceptable and unsuitable level of residential amenity to future occupiers. Accordingly, it is considered the proposal fails to comply with policies CS2 of the Charnwood Local plan and Policy EV/1 of the Borough of Charnwood

Local Plan and the advice contained within the National Planning Policy Framework and the National Design Guide which all seek to secure high quality sustainable development.

The following advice notes will be attached to a decision

- 1 In the Local Planning Authority's view, the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. The requirements of the National Planning Policy Framework (paragraph 38) has therefore been met in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.



## Delegated planning decisions made by Charnwood Borough Council since the last Plans Committee report

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/19/2175/2	Householder	33 Edward Street Anstey LE7 7DQ	Erection of single storey extension to rear of dwelling.	Permission be granted subject to the conditions.	17-Dec-2019	Anstey
P/19/2208/2	Full	Potters Superstore Leicester Road Anstey LE7 7AT	Change of use of second floor from A1 to mixed use D2 and A3 cafe including installation of childrens soft play area.	Permission be granted subject to the conditions.	13-Jan-2020	Anstey
P/19/2023/2	Full	Target Pest Control & Hygiene Ltd 24 Albion Street Anstey Leicester LE7 7DD	Change of use to allow for the storage and transfer of clinical waste.	Permission be granted subject to the conditions.	16-Jan-2020	Anstey
P/19/1995/2	Change of Use Prior Notification	160 Nottingham Road Barrow Upon Soar Loughborough Leics LE12 8JA	Change of use from agricultural building to dwelling (Use Class C3) (Prior Notification)	The prior approval of the Council is granted.	10-Dec-2019	Barrow & Sileby West
P/19/0136/2	Full	28 High Street Barrow Upon Soar LE12 8PY	Installation of extraction flue, air-condition unit and erection of timber shed to rear of building.	Permission be granted subject to the conditions.	19-Dec-2019	Barrow & Sileby West
P/19/1792/2	Full	43 Beveridge Street Barrow Upon Soar LE12 8PL	Installation of dropped kerb.	Permission be granted subject to the conditions.	15-Jan-2020	Barrow & Sileby West
P/19/2356/2	Householder	46 Thirlmere Road Barrow Upon Soar LE12 8QQ	Single storey rear and side extension	Permission be granted subject to the conditions.	17-Jan-2020	Barrow & Sileby West

<b>Application number</b>	<b>Application type</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision date</b>	<b>Ward</b>
P/19/2423/2	Householder	54 Ribble Drive Barrow Upon Soar Leicestershire LE12 8LJ	Proposed 2-storey extension to side of existing dwelling	Permission be granted subject to the conditions.	17-Jan-2020	Barrow & Sileby West
P/19/2166/2	Full	9 Moorgate Avenue Birstall LE4 3HJ	Erection of two storey extension to side and single storey extension to rear of dwelling	Permission be granted subject to the conditions.	16-Dec-2019	Birstall Wanlip
P/19/2196/2	Householder	2 Fieldgate Crescent Birstall LE4 3JD	Proposed two storey extension to side of dwelling (Revised scheme - P/19/1731/2 refers).	Permission be granted subject to the conditions.	17-Dec-2019	Birstall Wanlip
P/19/2318/2	Householder Prior Notification	35 Queensgate Drive Birstall Leicestershire LE4 3JS	The erection of a single storey rear extension extending beyond the rear wall of the original house by 6m, with a maximum height of 3.2m, and height to the eaves of 2.7m.	The prior approval of the Council is granted.	20-Dec-2019	Birstall Wanlip
P/19/2498/2	Equipment PD Notification	Telecommunications site at A6/ Loughborough Road Birstall Leicestershire	Removal of 15m high street furniture style monopole with 3No. antennas, 2No. cabinets & all ancillary development and installation of 17.5m high street furniture style monopole with 6No. antennas, 1No. cabinet & all ancillary development.	The application be agreed without conditions.	23-Dec-2019	Birstall Wanlip
P/19/2411/2	Householder	67 Woodgate Drive Birstall LE4 3HW	Erection of single storey extension to side/rear of dwelling	Permission be granted subject to the conditions.	17-Jan-2020	Birstall Wanlip
P/19/1419/2	Full	711 Loughborough Road Birstall Leicestershire LE4 4NL	Erection of detached dwelling.	Permission be granted subject to the conditions.	12-Dec-2019	Birstall Watermead

<b>Application number</b>	<b>Application type</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision date</b>	<b>Ward</b>
P/19/2320/2	Householder Prior Notification	43 Stonehill Avenue Birstall Leicestershire LE4 4JE	The erection of a single storey rear extension extending beyond the rear wall of the original house by 6m, with a maximum height of 2.7m, and height to the eaves of 2.7m. (Prior Notification)	Prior approval from the Council is not required.	19-Dec-2019	Birstall Watermead
P/19/2218/2	Householder	5 Acacia Avenue Birstall LE4 4HB	Proposed single storey extension to rear of dwelling.	Permission be granted subject to the conditions.	20-Dec-2019	Birstall Watermead
P/19/2311/2	Full	661 Loughborough Road Birstall LE4 4NL	Installation of new shop front and roller shutter to commercial premises.	Permission be granted subject to the conditions.	10-Jan-2020	Birstall Watermead
P/19/2148/2	Householder	40 Maplewell Road Woodhouse Eaves LE12 8QZ	Insertion of windows to rear/side of dwelling.	Permission be granted subject to the conditions.	16-Dec-2019	Forest Bradgate
P/19/2147/2	Full	Longdale Cottage Brand Lane Woodhouse Eaves LE12 8TY	Conversion & alterations to domestic garage to form dwelling for holiday-let.	Permission be refused for the following reasons.	17-Dec-2019	Forest Bradgate
P/19/2077/2	Householder	44 Windmill Rise Woodhouse Eaves LE12 8SG	Proposed side dormer extensions to enable loft conversion	Permission be granted subject to the conditions.	18-Dec-2019	Forest Bradgate
P/19/2299/2	Householder	The Yews 57 Main Street Newtown Linford Leicestershire LE6 0AE	Erection of boundary fencing.	Permission be granted subject to the conditions.	19-Dec-2019	Forest Bradgate
P/19/1828/2	Householder	16 Meadow Road Woodhouse Eaves Leicestershire LE12 8SA	Proposed relocation of front door and erection of porch to front of dwelling.	Permission be granted subject to the conditions.	20-Dec-2019	Forest Bradgate

<b>Application number</b>	<b>Application type</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision date</b>	<b>Ward</b>
P/19/2543/2	Equipment PD Notification	Longhill Farm Breakback Road Woodhouse Eaves Leicestershire LE12 8TA	Installation of 1no. 10m and 1no. 9m wooden pole.	The application be agreed without conditions.	06-Jan-2020	Forest Bradgate
P/19/2357/2	Householder	1 Ashdown Close Loughborough LE11 4TQ	Proposed 2-storey extension to front, side and rear of existing dwelling and demolition of garage	Permission be granted subject to the conditions.	13-Jan-2020	Loughborough Garendon
P/19/0920/2	Full	land adjacent 6 Gisborough Way Loughborough Leicester LE11 4FU	Erection of 1 dwelling (Retrospective Application).	Permission be granted subject to the conditions.	17-Jan-2020	Loughborough Garendon
P/19/2201/2	Full	26 Salisbury Street Loughborough LE11 1HF	Erection of single and two storey extension to rear of dwelling.	Permission be granted subject to the conditions.	18-Dec-2019	Loughborough Hastings
P/19/2216/2	Householder	34 Wharncliffe Road Loughborough Leicestershire LE11 1SN	Single storey extension to rear of terraced dwelling.	Permission be granted subject to the conditions.	18-Dec-2019	Loughborough Hastings
P/18/2343/2	Full	1 Morley Street Loughborough Leicestershire LE11 1EP	Variation of condition 2 (approved drawings) of planning permission P/17/2604/2 to amend external scale, appearance, internal layout and distribution of 203 one and two bedroom apartments	Permission be granted subject to the conditions.	23-Dec-2019	Loughborough Hastings
P/19/2342/2	Full	The Hathern Band Pasture Lane Hathern Leicestershire LE12 5LJ	Proposed single storey extension to side of existing band room to accommodate practice room	Permission be granted subject to the conditions.	06-Jan-2020	Loughborough Hathern & Dishley

<b>Application number</b>	<b>Application type</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision date</b>	<b>Ward</b>
P/19/2105/2	Advert Consent	17a Market Place and 31/32 Swan Street Loughborough Leicestershire LE11 3EA	Installation of 4no externally illuminated fascia signs.	Permission be granted subject to the conditions.	11-Dec-2019	Loughborough Lemyngton
P/19/2129/2	Householder	103 Toothill Road Loughborough Leicestershire LE11 1PN	Erection of single storey extension to rear of dwelling.	Permission be granted subject to the conditions.	16-Dec-2019	Loughborough Lemyngton
P/19/2164/2	Advert Consent	29 Swan Street Loughborough LE11 5BY	Display of 3x illuminated signs (1x projecting, 1x fascia, 1x ATM shroud) and 1x non-illuminated internally hung sign. (Advertisement consent)	Permission be granted subject to the conditions.	17-Dec-2019	Loughborough Lemyngton
P/19/2163/2	Full	29 Swan Street Loughborough LE11 5BY	Installation of new shop front.	Permission be granted subject to the conditions.	17-Dec-2019	Loughborough Lemyngton
P/19/1417/2	Full	21 Market Place Loughborough Leicestershire LE11 2PZ	Installation of pair of gates.	Permission be granted subject to the conditions.	18-Dec-2019	Loughborough Lemyngton
P/19/2035/2	Advert Consent	19-21 Market Place Loughborough LE11 3EB	Installation of illuminated shop front signage	Permission be granted subject to the conditions.	19-Dec-2019	Loughborough Lemyngton
P/19/2026/2	Full	19-21 Market Place Loughborough LE11 3EB	Replacement shopfront, signage & installation of external extraction system	Permission be granted subject to the conditions.	20-Dec-2019	Loughborough Lemyngton
P/19/1971/2	Full	7 - 8 Baxter Gate Loughborough Leicestershire LE11 1TG	Installation of security roller shutters to front elevation	Permission be refused.	20-Dec-2019	Loughborough Lemyngton



<b>Application number</b>	<b>Application type</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision date</b>	<b>Ward</b>
P/19/2172/2	Full	58 Ratcliffe Road Loughborough LE11 1LQ	Roof extension to rear and single storey extension to rear and change of use from dwelling (Use Class C3) to a House in Multiple occupation (Use Class C4)	Permission be granted subject to the conditions.	20-Dec-2019	Loughborough Lemyngton
P/19/1710/2	Full	22 Meadow Avenue Loughborough LE11 1JT	Proposed single storey extension to rear of dwelling.	Permission be granted subject to the conditions.	02-Jan-2020	Loughborough Lemyngton
P/19/2289/2	Full	First Floor 18-20 Market Place Loughborough LE11 3EA	Change of use of former tanning shop to Restaurant/cafe (Use Class A3) and installation of external extraction flue.	Permission be granted subject to the conditions.	06-Jan-2020	Loughborough Lemyngton
P/19/2388/2	Full	Tanvic Tyre and Service Centre 37 Derby Road Loughborough Leicestershire LE11 5AD	Application of profiled cladding and render to elevations of building.	Permission be granted subject to the conditions.	14-Jan-2020	Loughborough Lemyngton
P/19/2389/2	Advert Consent	Tanvic Tyre and Service Centre 37 Derby Road Loughborough Leicestershire LE11 5AD	Display of 3 externally illuminated fascia signs and non-illuminated fascia and totem signs.	Permission be granted subject to the conditions.	14-Jan-2020	Loughborough Lemyngton
P/19/2230/2	Householder	33 Lisle Street Loughborough LE11 1AW	Erection of first floor and single storey extensions to rear of dwelling.	Permission be granted subject to the conditions.	17-Jan-2020	Loughborough Lemyngton
P/19/2180/2	Full	Land rear of 39 Ashleigh Drive Loughborough LE11 3HN	Erection of a detached bungalow	Permission be granted subject to the conditions.	18-Dec-2019	Loughborough Nanpantan

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P/19/2295/2	Full	42 Leconfield Road Loughborough LE11 3SQ	Roof extensions to rear to provide extended first floor bedrooms and insertion of roof lights (Revised scheme P/19/1770/2 refers)	Permission be granted subject to the conditions.	02-Jan-2020	Loughborough Nanpantan
P/19/2382/2	Householder	60 Holywell Drive Loughborough LE11 3JY	Erection of two storey extension to side and single storey extension to rear of dwelling.	Permission be granted subject to the conditions.	16-Jan-2020	Loughborough Nanpantan
P/19/1025/2	Full	21 Broadway Loughborough LE11 2JD	Erection of dwelling plus erection of single and two storey extensions to rear of No.21	Permission be granted subject to the conditions.	12-Dec-2019	Loughborough Shelthorpe
P/19/2271/2	Full	41 Maple Road North Loughborough LE11 2JL	Conversion of dwelling to form two flats.	Permission be granted subject to the conditions.	23-Dec-2019	Loughborough Shelthorpe
P/19/1143/2	Full	150 Ashby Road Loughborough Leicestershire LE11 3AG	Provision of 7 no air conditioning units to front, rear and side of building (retrospective application).	Permission be granted subject to the conditions.	16-Dec-2019	Loughborough Southfields
P/19/2058/2	Advert Consent	1-2 Swan Street Loughborough LE11 5BJ	Display of 1x internally illuminated fascia sign, 1x internally illuminated hanging sign and 1 awning to front elevation.	Permission be granted subject to the conditions.	16-Dec-2019	Loughborough Southfields
P/19/2255/2	Full	24 Chestnut Street Loughborough LE11 3BE	Single storey extension to rear of house in multiple occupation.	Permission be granted subject to the conditions.	18-Dec-2019	Loughborough Southfields
P/19/2185/2	Full	2 Caldwell Street Loughborough LE11 3BB	Single storey extension to rear of house in multiple occupation.	Permission be granted subject to the conditions.	18-Dec-2019	Loughborough Southfields
P/19/2254/2	Full	9 Chestnut Street Loughborough LE11 3BE	Single storey extension to rear of house in multiple occupation.	Permission be granted subject to the conditions.	18-Dec-2019	Loughborough Southfields

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P/19/2214/2	Full	62 Granville Street Loughborough LE11 3BN	Single storey extension to rear of house in multiple occupation	Permission be granted subject to the conditions.	18-Dec-2019	Loughborough Southfields
P/19/2245/2	Householder	39 Colgrove Road Loughborough LE11 3NL	Erection of single storey dwelling to rear of dwelling.	Permission be granted subject to the conditions.	20-Dec-2019	Loughborough Southfields
P/19/2302/2	Full	40 Adam Dale Loughborough LE11 3HD	Single storey extension to rear and garage conversion to provide additional accommodation to existing house in multiple occupation.	Permission be granted subject to the conditions.	02-Jan-2020	Loughborough Southfields
P/19/2350/2	Full	18 Radmoor Road Loughborough LE11 3BS	Single storey extension to rear of house in multiple occupation	Permission be granted subject to the conditions.	06-Jan-2020	Loughborough Southfields
P/19/2108/2	Full	20 Knightthorpe Road Loughborough Leicestershire LE11 4JT	Change of use from dwelling (Class C3) to House in Multiple Occupation (Class C4)	Permission be granted subject to the conditions.	11-Dec-2019	Loughborough Storer
P/19/1945/2	Full	Land at Station Avenue Loughborough LE11 5DZ	Retention of existing builders merchant, the change of use of an existing Use Class B2 business unit to a builders merchant, internal and external alterations to the existing buildings and associated landscaping works.	Permission be granted subject to the conditions.	17-Dec-2019	Loughborough Storer
P/19/2400/2	CL (existing)	25 Goods Yard Close Loughborough LE11 5EB	Proposed (exciting) certificate of lawfulness for an existing HMO use from C3 to C4 HMO	Permission be granted unconditionally.	09-Jan-2020	Loughborough Storer
P/19/2090/2	Householder	69 Boundary Road Mountsorrel Leicestershire LE12 7EP	Extension to dropped kerb.	Permission be granted subject to the conditions.	19-Dec-2019	Mountsorrel

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P/19/1844/2	Householder	255 Leicester Road Mountsorrel LE12 7DD	Proposed single storey extension to side and rear of dwelling.	Permission be granted subject to the conditions.	20-Dec-2019	Mountsorrel
P/19/2401/2	Full	5 Rochester Close Mountsorrel Leicestershire LE12 7UH	Two storey extension to side of semi-detached dwelling.	Permission be refused.	15-Jan-2020	Mountsorrel
P/19/1949/2	Householder	84 Barkby Lane Barkby LE7 2BB	Proposed 2-storey extensions to front and side and lean-to single-storey extension to side of existing dwelling including addition of balcony. Erection of two storey detached double garage to front. Render to property and replacement of windows.	Permission be granted subject to the conditions.	11-Dec-2019	Queniborough
P/19/1367/2	Full	Land rear of 67 Main Street Queniborough Leicestershire LE7 3DB	Erection of detached dwelling	Permission be refused.	17-Dec-2019	Queniborough
P/19/2004/2	Full	Little Mead 1 Peggs Lane Queniborough LE7 3DF	First floor extension to side and rear of detached dwelling.	Permission be granted subject to the conditions.	20-Dec-2019	Queniborough
P/19/0922/2	Full	Quorn Football Club Farley Way Quorn Leicestershire	Erection of 25 metre high lattice tower to support 4x telecom dishes and 6x antenna plus ancillary works.	Permission be granted subject to the conditions.	13-Dec-2019	Quorn & Mountsorrel Castle
P/19/2154/2	Householder	47 Leicester Road Mountsorrel Leicestershire LE12 7AJ	Erection of single storey extension to rear of dwelling.	Permission be granted subject to the conditions.	19-Dec-2019	Quorn & Mountsorrel Castle

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P/19/2300/2	Full	5 Elms Drive Quorn LE12 8AF	Single storey extensions to rear of semi-detached house.	Permission be granted subject to the conditions.	02-Jan-2020	Quorn & Mountsorrel Castle
P/19/2199/2	Full	Allen House Meeting Street Quorn LE12 8EU	Proposed single storey extension to rear of existing building to provide new rear entrance, disabled access and facilities	Permission be granted subject to the conditions.	07-Jan-2020	Quorn & Mountsorrel Castle
P/19/2317/2	Advert Consent	The Sports Ground 43 Woodhouse Road Quorn Leicestershire	Replacement of signage to front of site (non-illuminated)	Permission be granted subject to the conditions.	17-Jan-2020	Quorn & Mountsorrel Castle
P/19/2122/2	Full	2 Rectory Lane Thurcaston Leicestershire LE7 7JQ	Variation of Condition 2 (Approved Plans) of Planning Permission P/19/0259/2.	Permission be granted subject to the conditions.	12-Dec-2019	Rothley & Thurcaston
P/19/1984/2	Full	Victoria Mills, Unit 3 Fowke Street Rothley LE7 7PJ	Change of use to personal training studio (Class D2)	Permission be granted subject to the conditions.	13-Dec-2019	Rothley & Thurcaston
P/19/2102/2	Householder	3 Guild Close Cropston Leicestershire LE7 7HT	Single storey extension to rear of detached dwelling	Permission be granted subject to the conditions.	16-Dec-2019	Rothley & Thurcaston
P/19/2169/2	Full	49 Garland Rothley LE7 7RG	Two storey extension to side and rear of dwelling. (Revised Scheme P/19/0333/2 refers)	Permission be granted subject to the conditions.	17-Dec-2019	Rothley & Thurcaston
P/19/2238/2	Full	47 Anstey Lane Thurcaston LE7 7JB	Variation of condition 2 to application P/18/1816/2 - substitution of plans to revise the appearance of the proposed dormer and two storey extension.	Permission be granted subject to the conditions.	18-Dec-2019	Rothley & Thurcaston

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P/19/2146/2	Full	31 The Ridgeway Rothley LE7 7LE	Single storey and two storey extensions to detached dwelling to form additional accommodation including roof terrace and triple garage. Conversion and extension of stables buildings to rear to form annexe.	Permission be granted subject to the conditions.	18-Dec-2019	Rothley & Thurcaston
P/19/2074/2	Full	32 The Ridings Rothley LE7 7LP	Erection of single and two storey extension to rear of dwelling.	Permission be granted subject to the conditions.	19-Dec-2019	Rothley & Thurcaston
P/19/2190/2	Full	28 Swithland Lane Rothley LE7 7SE	Installation of dropped kerb and creation of access to parking area.	Permission be granted subject to the conditions.	02-Jan-2020	Rothley & Thurcaston
P/19/2339/2	Householder	20 Rectory Lane Thurcaston LE7 7JQ	Proposed single storey extensions to side and rear of existing dwelling	Permission be granted subject to the conditions.	06-Jan-2020	Rothley & Thurcaston
P/19/1730/2	Full	11 Vinehouse Close Thurcaston LE7 7JU	Erection of two storey side extension, single storey rear extension, outbuilding to rear and brick piers to driveway.	Permission be granted subject to the conditions.	06-Jan-2020	Rothley & Thurcaston
P/19/2246/2	Full	The Old Slate Barn 17 Cropston Road Cropston LE7 7GE	Extension to rear of detached dwelling to provide replacement conservatory	Permission be granted subject to the conditions.	17-Jan-2020	Rothley & Thurcaston
P/19/2158/2	Householder	17 Oxford Street Shepshed Leicestershire LE12 9HU	Proposed single storey extensions to front, side & rear of existing dwelling	Permission be granted subject to the conditions.	17-Dec-2019	Shepshed East
P/19/1733/2	Householder	27 Purbeck Avenue Shepshed LE12 9HD	Erection of single storey extension to side of dwelling.	Permission be granted subject to the conditions.	19-Dec-2019	Shepshed East

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P/19/1849/2	Full	58 Lacey Court Shepshed Leicestershire LE12 9QY	Formation of dropped kerb to Pharmacy	Permission be granted subject to the conditions.	19-Dec-2019	Shepshed East
P/19/2452/2	CL (Proposed)	252 Charnwood Road Shepshed LE12 9NW	Certificate of lawful development for a proposed loft conversion with dormer extension to rear roofslope, and addition of rooflight to the front roofslope.	Certificate of Lawful Proposed Development.	07-Jan-2020	Shepshed East
P/19/1846/2	Full	20 - 22 Hall Croft Shepshed Leicestershire LE12 9AN	Change of use of premises from retail (Use Class A1) to a micropub (Use Class A4), including retention of first floor manager's accommodation and creation of a beer garden, and external alterations to the front elevation of the building.	Permission be granted subject to the conditions.	18-Dec-2019	Shepshed West
P/19/1546/2	Full	Little Haw Lane Playing Fields Thorpe Road Shepshed Loughborough LE12 9PX	Erection of 2 fixed dugouts next to existing football pitch	Permission be granted subject to the conditions.	18-Dec-2019	Shepshed West
P/19/1955/2	Householder	4 Sandringham Rise Shepshed LE12 9ND	Proposed raised patio to the rear and single storey extension to side of dwelling.	Permission be granted subject to the conditions.	20-Dec-2019	Shepshed West
P/19/2221/2	Full	Land adj. 6 Glenmore Avenue Shepshed LE12 9LH	Erection of one dwelling house	Permission be refused.	23-Dec-2019	Shepshed West
P/19/2349/2	Householder	42 Orchard Close Shepshed LE12 9UB	Erection of two storey side extension and single storey rear extension. (Revised Scheme P/19/0439/2)	Permission be granted subject to the conditions.	07-Jan-2020	Shepshed West

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P/19/2329/2	CL (existing)	4 King Street Sileby LE12 7NA	Certificate of Lawfulness (Existing) for shop front.	Permission be refused.	11-Dec-2019	Sileby
P/19/2014/2	Full	17 Finsbury Avenue Sileby LE12 7PJ	Erection of two storey extension to side/rear of semi-detached dwelling.	Permission be granted subject to the conditions.	12-Dec-2019	Sileby
P/19/2209/2	Householder	14 Gray Lane Sileby LE12 7GS	Two storey extension to side of dwelling and single storey extension to rear.	Permission be granted subject to the conditions.	18-Dec-2019	Sileby
P/19/2028/2	Full	Land behind 56 and 58 Wellbrook Avenue	Erection of 2 bedroom bungalow (revised scheme P/19/0381/2 refers)	Permission be granted subject to the conditions.	20-Dec-2019	Sileby
P/19/2290/2	Householder	11 Quaker Road Sileby LE12 7SA	Single storey side extension	Permission be granted subject to the conditions.	06-Jan-2020	Sileby
P/19/1951/2	Full	95 Homefield Road Sileby LE12 7TG	Erection of detached single garage to rear of dwelling.	Permission be granted subject to the conditions.	10-Jan-2020	Sileby
P/19/2215/2	Householder	95 Barkby Road Syston LE7 2AH	Roof extensions to create two storey dwelling and single storey extension to rear.	Permission be granted subject to the conditions.	17-Dec-2019	Syston East
P/19/2202/2	Full	30 Belvoir Drive Syston LE7 2EA	Single storey extension to side/rear of semi-detached bungalow	Permission be granted subject to the conditions.	17-Dec-2019	Syston East
P/19/2268/2	Householder	10 Millstone Lane Syston LE7 2EW	Single storey extension to rear of semi-detached house.	Permission be granted subject to the conditions.	20-Dec-2019	Syston East



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P/19/2269/2	Householder	2 Cedar Drive Syston Leicestershire LE7 2PS	Erection of two storey extension to side of dwelling.	Permission be granted subject to the conditions.	20-Dec-2019	Syston East
P/19/2348/2	Householder	3 Oak Drive Syston LE7 2PX	Erection of two storey extension to side & rear, erection of front porch and extend dropped kerb. (Revised scheme P/19/1213/2 refers)	Permission be refused.	07-Jan-2020	Syston East
P/19/2399/2	Full	49 Brighton Avenue Syston LE7 2ED	Erection of 2 bedroom dwelling house following demolition of garage/workshop. Revised scheme - P/19/1684/2 refers).	Permission be refused.	15-Jan-2020	Syston East
P/19/2013/2	Full	8 Coplow Crescent Syston LE7 2JE	Single storey extension to rear of semi-detached dwelling	Permission be granted subject to the conditions.	16-Jan-2020	Syston East
P/19/1977/2	Full	7 Cedar Drive Syston LE7 2PS	Two storey extension to side & single storey extension to rear of semi-detached dwelling.	Permission be granted subject to the conditions.	17-Jan-2020	Syston East
P/19/2319/2	Full	21 Pine Drive Syston LE7 2PZ	Erection of two storey extension to side of dwelling.	Permission be granted subject to the conditions.	17-Jan-2020	Syston East
P/19/1099/2	Householder	2 Oliver Close Syston Leicestershire LE7 2NR	Conversion of existing garage into study and erection of car port to the side of dwelling.	Permission be granted subject to the conditions.	11-Dec-2019	Syston West
P/19/1740/2	Full	1092 Melton Road Syston LE7 2HA	Erection of first floor extension to provide 1 No. dwelling above shop with side extension to provide external staircase access.	Permission be granted subject to the conditions.	13-Dec-2019	Syston West

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P/19/2134/2	Change of Use Prior Notification	12 Town Square Syston Leicestershire LE7 1GZ	Change of use of first floor from office (class B1) to flat (class C3). (Prior Notification)	The prior approval of the Council is granted.	16-Dec-2019	Syston West
P/19/1686/2	Full	St Peter And St Paul Church Of England Primary School Upper Church Street Syston LE7 1HR	Single storey 3 classroom extension to school building and reconfiguration of playground to provide extended hard surfaced car park. Creation of pedestrian access ramp and new boundary fencing to front of school.	Permission be granted subject to the conditions.	17-Dec-2019	Syston West
P/19/2204/2	Householder	11 Simpson Close Syston Leicestershire LE7 2BJ	Proposed single storey extension to rear of existing dwelling	Permission be granted subject to the conditions.	20-Dec-2019	Syston West
P/19/2263/2	Full	44 Fosse Way Syston LE7 1NE	Single storey extension to rear of sem-detached house	Permission be granted subject to the conditions.	20-Dec-2019	Syston West
P/19/2316/2	Householder	28 Barry Drive Syston LE7 1LX	Erection of two storey side extension and single storey rear extension.	Permission be granted subject to the conditions.	24-Dec-2019	Syston West
P/19/2361/2	Full	1118A Melton Road Syston Leicestershire LE7 2HA	Variation of condition 5 of planning permission ref P/17/1389/2 for hot and cold food takeaway to enable opening 07:30 to 23:00 daily	Permission be granted subject to the conditions.	15-Jan-2020	Syston West
P/19/2006/2	Full	Rectory Place 37 Old Parsonage Lane Hoton LE12 5SG	Conversion of offices (Use Class B1a) into two dwellings (Use Class C3) and alterations to fenestration.	Permission be refused.	11-Dec-2019	The Wolds
P/19/2277/2	Full	Carriers Cottage 2 Far Street Wymeswold LE12 6TZ	Single storey extension to rear.	Permission be granted subject to the conditions.	19-Dec-2019	The Wolds

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P/19/0598/2	CL (existing)	Hillview 201 Melton Road Burton On The Wolds LE14 3PU	Proposed lawful development of existing use for use of land for the storage of HGVs	Permission be refused.	06-Jan-2020	The Wolds
P/19/2460/2	Agricultural for Prior Approval	Bandalls Farm, Farmhouse Cotes Road Burton On The Wolds LE12 5TF	Erection of steel framed agricultural building (Agricultural Prior Approval)	The submission of details are not required for consideration.	07-Jan-2020	The Wolds
P/19/2110/2	Full	Charnwood Lodge 437 Walton Lane Walton On The Wolds Leicestershire LE12 8JX	Demolition of existing house & outbuildings and erection of a replacement dwelling and portal frame stable building	Permission be granted subject to the conditions.	10-Jan-2020	The Wolds
P/19/2380/2	Householder	10 Woodlands Close Wymeswold LE12 6TF	Proposed insertion of front dormer and addition of pitched roof to conservatory at rear	Permission be granted subject to the conditions.	14-Jan-2020	The Wolds
P/19/2130/2	Householder	58 Ferndale Road Thurmaston Leicestershire LE4 8JD	Proposed porch to the front, single and two storey extensions to side and rear of dwelling. (Revised scheme - P/19/1173/2 refers)	Permission be granted subject to the conditions.	09-Dec-2019	Thurmaston
P/19/1822/2	Householder	40 Clayton Drive Thurmaston LE4 8LQ	Proposed single storey extension to rear of dwelling.	Permission be granted subject to the conditions.	10-Dec-2019	Thurmaston
P/19/2118/2	Householder	175 Colby Drive Thurmaston Leicester LE4 8LE	Increase in roof height to create 2-storey dwelling. Proposed 2-storey extension to rear and single storey extensions to side and rear of existing dwelling. (Revised description 14/11/2019).	Permission be granted subject to the conditions.	16-Dec-2019	Thurmaston
P/19/2161/2	Full	5 Everett Close Thurmaston LE4 8LX	Erection of single storey extensions to front and rear of dwelling.	Permission be granted subject to the conditions.	16-Dec-2019	Thurmaston

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P/19/2499/2	Equipment PD Notification	Telecommunications site at A607 Thurmaston Leicestershire LE4 4NT	Removal of existing 17.5m monopole, 6no. antennas and 1no. cabinet and installation of 17.5m monopole with 6no. antennas, 1no. cabinet and ancillary development.	The application be agreed without conditions.	20-Dec-2019	Thurmaston
P/19/2270/2	Full	132 Dovedale Road Thurmaston LE4 8ND	Erection of two storey extension to side and rear of dwelling.	Permission be refused.	03-Jan-2020	Thurmaston
P/19/2451/2	CL (Proposed)	19 Market Garden Close Thurmaston LE4 8NW	Certificate of Lawful Development (Proposed) for a rear dormer.	Certificate of Lawful Proposed Development.	06-Jan-2020	Thurmaston
P/19/2136/2	Householder	4 Hassall Mews Rearsby Leicestershire LE7 4XT	Proposed single storey extension to rear of existing dwelling	Permission be granted subject to the conditions.	09-Dec-2019	Wreake Villages
P/19/2174/2	CL (existing)	1872 Melton Road Rearsby LE7 4YS	Certificate of Lawful (existing) use for the continued use of land (to the north of the currently authorised area of lawful use) for the continued external storage of plant, machinery, materials and associated waste items in conjunction with an established agricultural contractors base.	Permission be granted unconditionally.	11-Dec-2019	Wreake Villages
P/19/2288/2	Householder	15 Gaddesby Lane Rearsby LE7 4YJ	Proposed single storey extensions to side and rear of dwelling including installation of front and rear dormers and extension to driveway.	Permission be granted subject to the conditions.	23-Dec-2019	Wreake Villages
P/19/2248/2	Full	Rearsby Business Park Gaddesby Lane Rearsby LE7 4YH	Erection of B2/B8 industrial unit.	Permission be granted subject to the conditions.	24-Dec-2019	Wreake Villages

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P/19/2369/2	Householder	7 Middlefield Road Cossington Leicestershire LE7 4UT	Proposed extension to side and rear of existing dwelling to provide swimming pool	Permission be granted subject to the conditions.	13-Jan-2020	Wreake Villages
P/19/2413/2	Full	3 Regent Street Thrussington LE7 4UB	Erection of single garage and store to front of dwelling.	Permission be granted subject to the conditions.	14-Jan-2020	Wreake Villages