



PLANS COMMITTEE

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

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

To: Councillors Bentley (Vice-Chair), Campsall, Capleton, Charles, Forrest, Fryer (Chair), Gerrard, Grimley, Hamilton, Lowe, Ranson, Savage and Tillotson
(For attention)

All other members of the Council
(For information)

You are requested to attend the meeting of the Plans Committee to be held in the Preston Room, Woodgate Chambers, Woodgate, Loughborough on Thursday, 21st April 2022 at 5.00 pm for the following business.

Chief Executive

Southfields
Loughborough

11th April 2022

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 24th March 2022.

3. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

4. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

5. PLANNING APPLICATIONS

6 - 127

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

6. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

128 - 143

A list of applications determined under powers delegated to officers for the period from 12th March 2022 to 7th April 2022 is attached.

WHERE TO FIND WOODGATE CHAMBERS

Woodgate Chambers
70 Woodgate
Loughborough
Leicestershire
LE11 2TZ

PLANS COMMITTEE 24TH MARCH 2022

PRESENT: The Chair (Councillor Fryer)
The Vice Chair (Councillor Bentley)
Councillors Campsall, Capleton, Charles, Forrest,
Grimley, Hamilton, Lowe, Ranson, Savage,
Tillotson and Murphy

Principal Solicitor - Planning, Property and
Contracts
Strategic Development Team Leader
Principal Planning Officer
Democratic Services Officer (EB)

APOLOGIES: Councillor Gerrard

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.

56. MINUTES OF PREVIOUS MEETING

Councillor Lowe referred to the length of the previous meeting due to a large number of applications being considered. He queried why when the current Committee was considering a single application, the applications could not have been spread more evenly across meetings of the Committee.

The Chair noted this and requested that the Head of Planning and Regeneration write to the members of planning committee to address this before the next Plans Committee meeting.

Vice-Chair Councillor Bentley, having Chaired the previous Committee, asked the Committee if they would confirm the minutes of the previous meeting as a correct record.

The minutes of the meeting held on 24th February 2022 were confirmed as a correct record by those Councillors present at the meeting and signed.

57. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

58. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosures were made:

- (i) by Councillor Fryer - in relation to application P/20/1437/2 – She was the County Councillor for Quorn and Barrow, she had not discussed the application with anybody and approached it with an open mind.
- (ii) by Councillor Bentley - in relation to application P/20/1437/2 – he knew one of the neighbours to the site, but he approached the application with an open mind.
- (iii) by Councillor Lowe - in relation to application P/20/1437/2 – he rented property from Sandy Kay Ltd. but he approached the application with an open mind.

59. PLANNING APPLICATIONS

Reports of the Head of Planning and Regeneration, setting out applications for planning permission, were submitted (item 1 in the appendix to the agenda filed with these minutes). Additional Items reports in respect of application P/20/1437/2 were also submitted (also filed with these minutes). During the presentation of the item the officer made an oral recommendation for members to consider amending Recommendation A set out in the report, to also allow for a Unilateral Undertaking securing the recommended contributions to be accepted.

Mr Paul Harris (agent) had been omitted from the list of speakers due to an administrative error. The Chair allowed him to speak.

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 Steven Lloyd (objector) and Mr Paul Harris (agent) in respect of application P/20/1437/2;

RESOLVED that, in respect of application P/20/1437/2 (Sandy Kay Ltd. Land to the West of Flanders Close, Quorn) planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration and the prior completion of a section 106 agreement or unilateral undertaking securing the contributions set out in Recommendation A;

60. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

A list of applications determined under powers delegated to officers for the period from 15th February 2022 to 11th March 2022 was submitted (item 6 on the agenda filed with these minutes).

NOTES:

1. No reference may be made to these minutes at the next available Ordinary Council meeting 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 – Thursday 21 April 2022

Index of Committee Items

Item	Application No	Applicant and Location, Description	Recommendation	Page
1	P/19/1898/2	Callington Construction Ltd Anstey Lane Thurcaston Leicestershire Retrospective application for change of use to builders yard with plant hire (Sui Generis) and erection of associated buildings & earth bunding.	Grant Conditionally	7
2	P/21/2186/2	Williams Builders 45 Beveridge Street Barrow Upon Soar LE12 8PL Erection of 7 dwellings with carports and garage, landscaping and associated works following demolition of existing buildings.	Grant conditionally	33
3	P/20/2393/2	Clarendon Land and Development Land off Humble Lane Cossington Leicestershire Development of up to 130 dwellings, provision of land for school expansion, open space and children's play area. Outline application with all matters reserved except access.	Grant Conditionally	59
4.	P/22/0169/2	Cllr Jonathan Morgan Manor Farm House 21 Stanford Lane Cotes LE12 5TW Internal alterations to swap Playroom and Kitchen, creation of new draft lobby from new external rear door.	Grant Conditionally	121

Item No. 1

Application Reference Number P/19/1898/2

Application Type:	Full	Date Valid:	07/05/2020
Applicant:	Callington Construction Ltd.		
Proposal:	Retrospective application for change of use to builders yard with plant hire (Sui Generis) and erection of associated buildings & earth bunding.		
Location:	Callington Construction Ltd. Anstey Lane Thurcaston Leicestershire		
Parish:	Thurcaston Cropston Anstey	Ward:	Anstey
Case Officer:	Deborah Liggins	Tel No:	07864 603401

The application is reported to Plans Committee at the request of Councillor Taylor who is concerned about HGV vehicle journeys generated from the site and travelling through villages. Concern is also raised about the accuracy of the submitted information which accompanies the application.

Description of Application site

The site is approximately 1.6km to the south of Thurcaston and is located to the north of Anstey Lane. It is part of the former sewage works which closed in the 1990's and now known as Woodside Business Park. Since its closure, it is apparent that the site has been used by a variety of companies – mainly B2 employment uses as set out in the planning history section below. According to the submitted Design and Access Statement, the site is licensed as an operational base for HGV's and thus the applicant believed planning permission existed for the HGV activities, which have been the subject of complaint to the local planning authority. This retrospective application seeks to regularise activities at the site.

The access to the site is approximately 120m in length and varies in width between 7m and 9m. The site was regraded in 2018/2019 to provide a level surface and the bunds to the north and west were formed at the same time and these are starting to naturalise. Four small buildings are located on the southern boundary and these are used as a workshop, office and 2 storage containers.

To the south-east of the site is an adjoining company which supplies fencing and who received planning permission under reference P/13/0224/2 for the change in the use of the land from sewage works to a wood yard (B2 use) (this includes the southern portion of the current application site) – further development of the wood yard site to the east was granted under reference P/16/0773/2 for the erection of a portal framed building on the site to provide additional storage/manufacturing space and an ancillary office.

The application site lies in an area of Green Wedge between the settlements of Cropston and Thurcaston and lies in Flood Zones 1 and 2 as defined on the Environment Agency Flood Map for Planning and is part of a former sewage works.

Description of the Proposal

The existing use of the site is described by the applicant as 'B2 light industrial use' on the application form, but B2 is still classed as a General Industrial Use as per the Town and Country Planning (Use Classes Order) 1987 (as amended) and updated on the 1 September 2020. The proposal is in fact a retrospective application for change of use to builder's yard with plant hire (a Sui Generis use) and erection of associated buildings & earth bunding. This includes the on-site maintenance of plant used in connection with the business.

In addition to the proposed builder's yard and plant hire use of the site, the application includes a number of new buildings:

- A workshop (existing) measuring 12m x 12.15m x 5.36m high located to the southern boundary of the site.
- Five adjacent container storage units (proposed) these are adjacent to the workshop with two of these being stacked to double height and two placed in tandem. Single containers have footprints of 6m x 2.4m with a double length unit being located to the western side of the workshop building. Single units are 2.4m high with the double stacked units being 4.8m high to the east of the workshop building.
- Office building (existing) – this is a single storey building measuring 8.3m x 4.5m x 2.65m high and positioned along the southern boundary of the site.
- Office building (proposed) to be positioned to the north-east of the site – this would measure 8.58m x 5.72m x 2.9m high
- 2 x caravans (existing) measuring 10.25m x 3.23m x 3.2m high – the agent confirmed by email dated 1st September 2021 that these are used for staff welfare facilities and lunch breaks.
- Workshop building (proposed) to be positioned to the north of the site – this would measure 12.15m x 12m x 5.36m high.
- An office (Building 1 - existing) measuring 9m x 7.2m x 3.45m high located to the north-east of the site.
- An office (Building 2 - existing) measuring 9m x 9m x 3.15m high positioned approximately central to the site
- An office (Building 3 - existing) measuring 12m x 6m x 3.2m high positioned along the southern boundary of the site.
- The use of the land for ancillary outside storage of materials and associated equipment

In addition, the proposal includes the retention of the earth bunds which have been created to the northern and western site boundaries which added material to achieve additional graduated bunds of between 24cm and 40cm on top of previous ground levels at these perimeters of the site.

A revised site layout plan received on 25th June 2020 shows the provision of a bank of 25 car parking spaces and a formally laid out HGV turning area.

The applicant holds a licence to operate 5 HGV's and 5 trailers from the site with other vehicles and trailers operated from another location. According to the submitted Transport Assessment, it is understood the business hours of the site are typically 07:00-18:00 hours Mon-Fri and 07:30-12:30 hours on Saturdays.

The initial application forms completed in 2019 indicated that the site provided 10 full time jobs although information received in connection with the Transport Assessment indicate that by January 2021, this had increased to 20 full time members of staff.

The application is supported by the following documents:

- Design and Access Statement
- Transport Statement
- Flood Risk Assessment
- Biodiversity Impact Assessment

Development Plan Policies

The Development Plan for Charnwood currently consists of the Charnwood Local Plan Core Strategy 2011-2028, 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). The Thurgarton and Cropston Neighbourhood Plan (made 2016) also forms part of the development plan although the application site falls outside of that Plan area.

Development Plan policies relevant to the determination of this planning application are set out below.

Charnwood Local Plan Core Strategy (adopted 9 November 2015)

Policy CS1 – Development Strategy – sets out a growth hierarchy for the Borough that sequentially guides development towards the most sustainable settlements. Anstey is identified as a 'Service Centre' and a settlement that has access to a good range of services or facilities compared to other settlements and where small scale development within and adjacent to settlement limits may be appropriate.

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 CS6 – Employment and Economic Development – sets out how the economic needs of the community might be met, including the provision of opportunities for manufacturing businesses to develop, re-locate and expand and the provision of small-scale, high-quality business units and offices.

Policy CS10 – Rural Economic Development – sets out how the Borough Council will seek to maximise the potential of the rural economy. This involves the provision of new employment land and supporting the sustainable growth and expansion of businesses in rural areas both through the conversion of existing buildings and well-designed new

buildings and where the proposal is small scale and would not cause harm to the character and appearance of the countryside.

Policy CS11 – 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. The Policy advises that it is intended to protect the predominantly open and undeveloped character of Areas of Local Separation unless new development clearly maintains the separation between the built-up areas of these settlements.

Policy CS12 – Green Infrastructure – sets out how the Council will seek to protect and enhance green infrastructure assets for their community, economic and environmental values and sets out how the National Forest Strategy and the Charnwood Forest Regional Park can be protected and enhanced. Proposals that enhance leisure and tourism opportunities within the River Soar and Grand Union Canal Corridor will also be supported.

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 – 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 CS18 – The Local and Strategic Road Network - seeks to maximise the efficiency of the local and strategic road network by network by delivering sustainable travel.

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 - Saved Policies

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

Policy ST/2 Limits to Development – this policy sets out limits to development for settlements within Charnwood.

Policy CT/1 – General Principles for Areas of Countryside, Green Wedge and Local Separation – This policy defines which types of development are acceptable in principle

within areas of countryside and seeks to prevent significant adverse environmental impact.

Policy CT/2 – Development in the Countryside – Sets out how development that is within the countryside will be assessed to ensure there is no harm to the rural character of the area.

Policy CT/3 sets out that in Green Wedge Area, development acceptable in principle will be permitted where it would:

- i. Protect the predominantly open and undeveloped character of the area and;
- ii. Be consistent with safeguarding the area's function to provide strategically important separation between settlements; and
- iii. Maintain or enhance public access for walkers, cyclists and horse-riders compatible with land use activities; and
- iv. Secure landscape improvements usually in the form of tree groups and woodland.

Material considerations

The Charnwood Local Plan Pre-Submission Draft (July 2021)

The Pre-Submission Draft Charnwood Local Plan (July 2021) was consulted upon from 12th July 2021 to 23rd August 2021 and submitted to the Secretary of State on the 3rd December 2021. The Plan will now proceed to an examination hearing in summer 2022 with forecast adoption in very early 2023. Accordingly, at this stage in its production, the emerging Local Plan can only be afforded limited weight in decision making as hearing sessions have not yet commenced and it is not clear if there is any unresolved dispute in relation to its policies or if they require modification by the Inspector to make the plan sound.

National Planning Policy Framework (2021)

The NPPF sets out the government's view of what sustainable development means. 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 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 policies of particular relevance to this proposal include:

Section 2: Achieving Sustainable Development – This sets out that the purpose of the planning system is to contribute to the achievement of sustainable development which has 3 key elements:

- 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.

Section 3: Plan Making - This section of the NPPF also sets 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. It also clarifies that development plans should set out the contributions expected from development and 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.

Section 4: This sets out 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. The section also describes how planning conditions and planning obligations should be used. Paragraphs 84 and 85 set out how planning policies and decisions should support a prosperous rural economy and that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances, it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable. The use of previously developed land, and sites that are physically well-related to existing settlements should be encouraged where suitable opportunities exist.

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 113). Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable modes maximised (paragraph 105). 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 106). 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 111).

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).

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 153). It should also take account of layout, landform, building orientation, massing and

landscaping to minimise energy consumption (paragraph 157) and renewable and low carbon energy development should be maximised (paragraph 158).

Section 15: Conserving and enhancing the natural environment – this states that planning policies and decisions should contribute to and enhance the natural and local environment and sets out how this might be achieved including the distinguishing of a hierarchy of important landscape designations when assessing impacts. Development proposals should minimise impacts on and provide net gains for biodiversity.

National Planning Practice Guidance (PPG)

This national document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework. The guidance sets out relevant guidance on aspects of flooding, air quality, noise, design, the setting and significance of heritage assets, landscape, contaminated land, Community Infrastructure Levy, transport assessments and travels plans, supporting the policy framework as set out in the NPPF.

National Design Guide (2019)

This document sets out the Government's design guidance to support the NPPF and seeks to inspire higher standards of design quality in all new development.

The Community Infrastructure Levy Regulations 2010 (CIL) (as amended)

The Regulations set out the process and procedure relating to infrastructure requirements. Regulation 122 states that it must relate in scale and kind to the development. The Community Infrastructure Levy (CIL) places the Government's policy tests on the use of planning obligations into law. It is unlawful for a planning obligation to be a reason for granting planning permission when determining a planning application for a development, or part of a development, that is capable of being charged CIL, whether or not there is a local CIL in operation, if the obligation does not meet all of the following tests: 1. necessary to make the development acceptable in planning terms; 2. directly related to the development; and 3. fairly and reasonably related in scale and kind to the development

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. As this application is for a site of less than 5 hectares it does not stand to be screened for an Environmental Impact Assessment.

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.

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.

The Leicestershire Highways Design Guide (2018)

The Leicestershire Highways Design Guide deals with highways and transportation infrastructure for new developments. It replaces the former 6C's Guidance. 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; as well as to 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 Leicester and Leicestershire Strategic Growth Plan 2018

This document is a non-statutory plan but has been prepared and adopted by 10 partner organisations in Leicester and Leicestershire to provide a vision to address the challenges of the region until 2050. It identifies broad locations where development should take place and the infrastructure needed to deliver it which is envisaged to be delivered through local plans.

Landscape Character Assessment (2012)

The Borough of Charnwood Landscape Character Assessment was prepared in July 2012. The purpose of the report was to assess the baseline study of the landscape character, at a sub-regional level that gives a further understanding of the landscape resource. The document 'provides a structured evaluation of the landscape of the borough including a landscape strategy with guidelines for the protection, conservation and enhancement of the character of the landscape, which will inform development management decisions and development of plans for the future of the Borough.

The application site is located within the Charnwood Forest Landscape and Settlement Character Area. 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.

Green Wedges, Urban Fringe Green Infrastructure Enhancement Zones and Areas of Local Separation ARUP (Main report March 2016 and Addendum May 2019)

The report was commissioned by Charnwood Borough Council to review the locations and boundaries of Green Wedges and Areas of Local Separation in the borough. The report reviewed Green Wedge 1 (in which the application site is located) as covering land between Leicester (Beaumont Leys), Birstall, Cropston, Thurstaston, Anstey, Glenfrith and Groby (GW-1) noted that its designation derived from the 2004 Borough of Charnwood Local Plan. The assessment of the Green Wedge concluded that it still performed all 4 green wedge functions but to varying extents but performed moderately with respect to preventing the merging between settlements and as a 'green lung'. The Green Wedge directly abuts and Area of Local Separation to the north and thus shares a functional and visual relationship with the primary role of maintaining the narrow physical gap between Cropston and Thurstaston.

The Charnwood Strategic Flood Risk Assessment (2014)

This was the update report following the publishing of the original document in 2008. The 2014 update reports on the work that was included in the original SFRA and states that since that document there have been a number of changes to the planning system, including the Localism Act (2011) and the 2012 NPPF with the accompanying Planning Practice Guidance (March 2014). In addition, the provisions of the Flood and Water Management Act (2010) have been substantially commenced under a programme that was initiated by Defra in April 2010 and the Flood Risk Regulations came into force in December 2009 (these regulations transposed the EU „Floods Directive“ into UK law).

The purpose of this SFRA update is to:

- provide information on the changes to planning, policy and guidance since the previous SFRA;
- provide a detailed assessment of the flood hazard within the Flood Zones;
- provide information on existing defences and flood risk management measures;
- allow a sequential approach to site allocation to be undertaken within a flood zone; and
- allow development of the policies and practices required to ensure that development in Flood Zones 2 and 3 satisfies the requirements of the Exception Test.

Supplementary Planning Document - Charnwood Design (January 2020)

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. The document is a material consideration in the determination of planning applications.

Relevant Planning History

Ref.	Description	Decision	Date
P/00/2476/2	Change of use from sewerage works to material recycling plant	Refused	13/03/2001
P/01/1989/2	Existing use of workshop and adjacent land for B2 industrial purposes	Withdrawn	03/10/2001

	(Certificate of Lawfulness)		
P/01/2754/2	Change of use of existing workshop to Class B2 (General Industrial)	Allowed on Appeal	30/08/2002
P/04/0760/2	Removal of Condition 2 to allow outside storage in service yard north of industrial unit (Appeal decision P/01/2754/2 refers)	Withdrawn	30/04/2004
P/04/1509/2	Change of use of enclosed yard area to south and east of industrial unit for the storage of finished timber products manufactured at the premises (Retrospective application)	Granted conditionally	20/07/2004
P/04/1510/2	Change of use of land for outside storage	Appeal Dismissed	09/05/2005
P/12/2374/2	(Unit 2) Change of use of land from sewage works (Sui Generis) to wood yard (B2)	Refused	16/01/2013
P/13/0224/2	(Unit 2) Change of use of land from sewage works (Sui Generis) to wood yard (B2) (Revised scheme P/12/2374/2 refers)	Granted conditionally	28/03/2013
P/14/2067/2	(Unit 1) Erection of a steel portal framed building with ancillary office accommodation	Refused	28/09/2015
P/14/2094/2	Change of use from sewage treatment works to surfacing and planning contractors yard	Refused Appeal dismissed	27/07/2015 21/03/2016
P/16/0773/2	(Unit 1) – Erection of a steel portal framed building with ancillary office (Revised scheme P/14/2067/2 refers)	Granted conditionally	02/09/2016
P/17/2266/2	Proposed single storey shower block (Certificate of Lawful proposed use or development)	Refused	20/12/2017

Consultation Responses

The table below sets out the responses that have been received from consultees with regard to the application. Please note that these can be read in full on the Council's website.

Consultee	Responses
The Environment Agency	The Environment Agency initially objected to the proposal on the basis that the originally submitted Flood Risk Assessment did not meet the usual requirements for site-specific assessments as there it took no account of the existence of the ordinary watercourse to the north of the site in terms of flooding risk. This was particularly concerning to the Environment Agency as bund earth works are proposed along this boundary. However, the Environment Agency reviewed a revised Flood Risk Assessment on 24 th September 2021 and concluded that floodplain compensation was not required for the development falling within Flood Zone 2 and it now has no objection to the proposal.
Thurcaston and Cropston Parish Council	Objects to the proposal and is concerned about heavy goods vehicles accessing the site through Thurcaston and Cropston to avoid the heavily congested Anstey. Anstey Lane has only a narrow footway and passing people whilst also socially distancing would entail walking in the road which would be dangerous. Local village roads are totally unsuitable for heavy goods vehicles. The Parish Council contends that HGV traffic endanger pedestrians using the footway and school children making their way to the Richard Hill School in Anstey Lane and also cyclists.
Anstey Parish Council	Objects to the application stating the proposal increases traffic along country roads and through the villages of Anstey, Thurcaston and Cropston, contrary to weight limitations. The Parish Council considers that the proposal would affect air quality in Anstey and there are concerns that on-site staff welfare facilities may become residential accommodation. The Parish Council considers the site has grown substantially and queries whether porta-cabins which were brought to the site had planning permission. The footway between Anstey and Thurcaston was constructed as a safe walking route to schools and this has become damaged from HGV activity. The Parish Council also consider that the submitted transport information relating to accident data cannot be relied upon.
Charnwood Borough Council Environmental Health Service	Comments that the Environmental Protection Team has received no complaints/notifications or service requests in relation to the site or the businesses operating from it. It considers there are no adverse Environmental Health representations to the proposal and no objections are raised.

Leicestershire County Council Highways	Comments that in its 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, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021), subject to the imposition of conditions relating to the vehicular access, car parking and turning facilities.
The Lead Local Flood Authority	Notes that the site is located largely within Flood Zone 1 being at low risk of fluvial flooding. Smaller areas, along the north-eastern boundary are within Flood Zone 2 (medium risk of fluvial flooding) and Flood Zone 3 (high risk of fluvial flooding). The site is at low risk of surface water flooding. Since the combined roof area of the buildings is 260 sq.m. and the site has mostly a gravel surface, no positive surface water drainage is proposed and the site will utilise existing soakaways and infiltration to drain the site. In summary, the LLFA concludes the proposal would not have any impact on surface water drainage and refers the local planning authority to its standing advice.
Charnwood Borough Council – Ecology	The applicant has worked with the Council's Senior Ecologist and although the initial BIA indicated a net loss of -4.38 habitat units, some modification was required given the evidence around the condition of the site prior to the occupation of the applicant. Accordingly, a revised baseline was agreed and this showed the development to result in a net loss of -3.56 units, requiring an off-site contribution of £138,223 to off-set this impact. This would be secured through a developer contribution in the form of a unilateral undertaking and would be spent on habitat creation on land between Thurcaston and Anstey or on a scheme for biodiversity enhancement within the Rothley Brook corridor.

Other Comments Received

15 Objections have been received from the interested third party residents in Anstey, Thurcaston, Cropston and Birstall and 5 objections received that provided no address. Please note that resident's comments can be read in full on the Council's website. The residents raise the following areas of concern with regard to the application:

- Cropston Road Anstey has a 7.5-ton weight restriction on it and HGV's are using it
- Large housing developments have caused gridlock at The Nook which is unsuitable for use by HGV's.
- Local roads are unsuitable for large low loader and HGV traffic
- The development proposed is a 'fait accompli' as development already commenced
- HGV's exceed the speed limit
- The verge opposite the site entrance is being damaged by HGV's.

- The site access is inadequate
- The development is contrary to the Neighbourhood Plan.
- Wildlife would be damaged & loss of green spaces
- Cropston Road residents suffer noise, dust and fumes from HGV's
- The site should be returned to open fields
- Multiple businesses appear to be operating from the site.
- Planning application P/04/1510/2 for the use of the land for outside storage was refused and dismissed on appeal as it was contrary to countryside policies
- The fencing around the site is unsightly
- Caravans on the site being used for overnight accommodation
- The buildings are an eyesore
- Contempt for planning laws & development by stealth

Ward Councillor Taylor has concerns about the operation of the site and the length of time it has taken to submit an application whilst the site continues to operate. In that time, Councillor Taylor has been contacted by several residents with concerns about the large numbers of HGV vehicles using the site which is in a rural location with many of these vehicles travelling through local villages. Councillor Taylor mentions The Nook junction in Anstey has been reformed which makes it difficult for large vehicles to negotiate the roundabout. Councillor Taylor also believes that the supporting information submitted is inaccurate or is out of date due to changes in the local highway network and nearby housing development which have been more recently completed. There have also been complaints about bonfires in the area.

Consideration of the Planning Issues

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

- The Principle of the Development
- Design/Visual impact/Street Scene/Character of the Countryside
- Highway Considerations
- Residential Amenity
- Ecology
- Flooding and Drainage
- Developer Contribution
- Other matters

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 most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Charnwood Local Plan 2011-2028 Core Strategy (2015), those "saved" policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy. It is acknowledged that the Core Strategy and the saved Local Plan are over 5 years old; therefore, it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. The relevant policies listed above are considered to be up to date and compliant with national advice. Accordingly, there is no reason to reduce the weight given to them.

The Principle of the Development

The application site is located outside the Development Limits to the settlements of Anstey and Thurcaston, as established under “saved” Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026. For land outside these Development Limits policies CT/1 and CT/2 apply which seek to control development in the countryside outside of a relatively narrow set of criteria.

The site is located in open countryside within an area designated as a Green Wedge as designated by “saved” local plan policies CT/1 and CT/3 and indicated within Policy CS12 of the Core Strategy. Both policies CS12 and CT/3 seek to protect and enhance green infrastructure but lend support to development in Green Wedges that meet the following criteria:

- Retains/protects the open and undeveloped character of the Green Wedge;
- Retains and creates green networks between the countryside and open spaces within the urban areas; and
- Retains and enhances public access to the Green Wedge, especially for recreation.
- Safeguards the area’s function to provide strategically important separation between settlements
- Secures landscape improvements usually in the form of tree groups and woodland

Green Wedges therefore have a dual purpose of retaining separation between settlements and protecting the character and appearance of the landscape.

Saved policy CT/1 does allow for certain types of development within the countryside. The policy states that in all cases, it should be demonstrated that the proposed development could not reasonably be located within the or adjacent to an existing settlement.

Policy CS10 lends support to the proposal in that the sustainable growth and expansion of businesses both through the conversion of existing buildings and well-designed new buildings is supported provided the scale and character of the development is designed and operated so as to not cause detriment to the character and appearance of the countryside.

The site is contained within a compound set back from Anstey Lane and is accessed via the original sewage works access which is believed to have been improved as a consequence of a subsequent planning permission allowed on appeal (under reference P/01/2754/2) and the land lies between the settlements of Cropston and Thurcaston in an area outside any development limits for the settlement.

The application proposes the the use of the land as a builder’s yard with plant hire (Sui Generis) and erection/retention of associated buildings and earth bunds to the perimeter and does not extend beyond the boundaries of the original sewage works site. It is acknowledged the proposed use would see a higher intensification of activity and additional structures on the site compared to its previous use as sewage treatment works. Policy CS12 supports development within Green Wedges that retain the open and undeveloped character of the Green Wedge. Theproposed bund and the level changes within the site and the limited height of the proposed structures would limit the visibility of the site and use within the wider landscape, this is discussed further below. Additional landscaping secured by condition would further limit the visibility of buildings and the use

of the site, therefore limit the impact upon the open and undeveloped character of the area from public vantage points.

Due to this it is considered that the separation between settlements is preserved and the function of the Green Wedge is maintained.

Therefore, it is considered that the proposal is contrary to policy CT/1 as it does not meet any of the 4 stated types of development acceptable in the countryside. However, it is considered that the proposal would satisfy policy CT/3 and CS12 as the function and undeveloped character of the Green Wedge will be maintained. The proposal is supported by policy CS10, provided that no detriment is caused to the character and appearance of the countryside.

The NPPF is a material consideration. The advice within the NPPF is that proposed development within the countryside should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognise the intrinsic character and beauty of the countryside, particularly where landscape importance is recognised by special designations such as National Parks, AONBs (paragraph 174). The NPPF supports the sustainable growth and expansion of all types of business in rural areas, and supports the use of previously developed land. The NPPF recognises that some rural businesses need to be located outside of settlements and states that such developments should not have an unacceptable impact on local roads and be sensitive to its surroundings (paragraphs 84-85).

The planning history of the site is a material consideration. There is a history of planning refusals and permissions at the site.

An appeal was lodged against the refusal of planning permission (under reference P/04/1510/2) relating to a proposed use of the land for outside storage. The Inspector considered the main issues of the appeal were the impact of the proposal on the countryside and to highway safety. The Inspector concluded the use would likely result in an untidy appearance which would be harmful to the character and appearance of the countryside and which would also harm the openness of the Green Wedge. The Inspector considered whether the development could be made acceptable with a condition to restrict the height of stored items, but concluded that it would not, particularly given the views of the site from the elevated position on Thurcaston Lane. The Inspector also concluded that, in the absence of evidence to the contrary, the proposal would create significant danger to highway safety in relation to the junction of Anstey Lane with Cropston Road and at the crossroads in Thurcaston village. In this case, it is considered the proposal, with additional landscaping required by condition, would not be harmful to the character and appearance of the countryside and would not reduce the functional separation provided by the Green Wedge designation. It is also material to note that the local highway authority does not object to the current proposal and would not support a reason for refusal on highway or traffic impact grounds.

The appeal lodged under application P/01/2754/2 which related to a refusal of planning permission for the re-use of a workshop and amenity block for class B2/B8 use considered the main issue to be the effect of the proposed use on highway safety. The subsequent decision to allow the development found the access, (with improvements to be secured by planning condition) to be acceptable. The Inspector also considered the landscape impact of the proposals and amenity impacts and concluded that the proposal would not materially detract from highway safety or the character and appearance of the area or lead to significant pollution.

More recently in 2013, (under application reference P/13/0224/2) planning permission was granted for the change in the use of part of the application site to a wood yard (Use Class B2). This planning permission was subject to conditions which limited the type of items which could be stored within the open areas of the site and the area to which storage should be limited. It is therefore material to note that outside storage has been acceptable in principle on around a third of the current application site.

In 2014 (under application reference P/14/2067/2) planning permission was refused for the erection of a portal framed building with ancillary office amid concerns about the negative impact the proposal would have on the rural landscape. The reason for refusal included reference to the applicant not demonstrating the proposal could not be reasonably accommodated within an existing settlement and that the type of development being applied for did not meet policies which sought to promote sustainable development and which also protects the character and appearance of the countryside. It is clear that the operational requirements of the current proposal cannot be reasonably operated within a nearby settlement, due to the size of vehicles being used and the land necessary for this, and it is considered that the design and small scale of the proposed buildings on the site are acceptable.

In 2015, an appeal was dismissed (under application reference P/14/2094/2) in respect of the proposed use of part of the former sewage treatment works to a surfacing and planning contractors yard. The principal issue considered under the appeal was the effect of the development on highway safety with the Inspector finding the site was sustainably located but that the proposal would result in severe highway safety concerns. To concur with the findings of the Inspector, it is considered that the site is still within reasonable walking distance of Anstey and Thurstaston, and whilst there would be an increased reliance on the private car, this would be no less the case in its previous use as a sewage treatment works. However, the appeal decision contrasts with the current proposal in that the local highway authority does not object and considers the traffic and highway impacts of the proposed development to be acceptable.

In conclusion, policy CT/1 does not support this type of development in the countryside. However, whilst the development does not strictly comprise a scheme achieving rural diversification (supported by policy CT/1), it is acknowledged that the site is 'brownfield' land having previously been used for B2 employment uses (involving HGV tankers) and that the operations and vehicle movements associated with the use could not be reasonably accommodated within a settlement without more severe amenity impacts. The proposal is considered to accord with policy CS12 and CT/3 and maintain the function and undeveloped character of the Green Wedge. The proposal is also supported by policy CS10 provided that no detriment is caused to the character and appearance of the countryside. The NPPF also supports rural economic development, where it is sensitive to its surroundings and does unacceptably impact local roads. It is therefore considered, on balance, that the proposed development is acceptable in principle subject to the proposal causing no detriment to the character and appearance of the countryside and local roads and subject to the consideration of other relevant development Plan policies and material considerations.

Design/Visual impact/Street Scene/Character of the Countryside

Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved Policy EV/1 supports development that is of a design,

scale, layout and mass compatible with the locality and uses materials appropriate to the locality. These policies generally accord with the National Planning Policy Framework and do not directly prevent the supply of housing. As a result, it is considered that there is no need to reduce the weight that should be given to the policies in this regard.

Policy CS11 seeks to protect the character of the Borough's landscape and countryside by requiring new development to protect landscape character and to reinforce sense of place and local distinctiveness by taking account of local Landscape Character Assessment. This policy is consistent with national planning policy and is considered to attract significant weight.

The application is supported by a Design and Access Statement prepared by HSSP. This sets out that the applicant's purchased the site in 2018 and have been operating as a builder's contractors yard with plant hire. Two porta-cabins and a steel frame workshop have been brought to site and earth bunds have been formed to the northern and eastern boundaries. In addition to hiring out plant, the document explains that the applicant undertakes groundworks for the construction industry and the site is a storage yard for associated plant and machinery including rollers, dumpers, mini, midi and large excavators etc. which are available to both trade and public use.

The proposal involves the retention of the siting of a number of buildings on the site used for purposes ancillary to the business use as a builder's yard and plant hire business. These buildings are generally low level and are mostly sited around the perimeter of the site to the southern and eastern boundaries with 2 buildings, including a workshop towards the middle of the site. Workshop buildings are of galvanised steel and are utilitarian in design, having the appearance of small arched hangar buildings. Other single storey buildings are varied in appearance but all have flat roofs with varied finishes including off-white render and timber cladding.

The new earth bund works which have been carried out around the site and which are now naturalising, have the effect of visually containing the development within the landscape. Evidence shows that some bund works previously existed to the northern boundary and this appears to be partially removed to maximise available land, with new earth works being situated inside the western boundary of the site. Filtered views of the site are noticeable from the elevated Anstey Lane approach from Thurstaston where the site is largely screened by trees along the Rothley Brook. Views from the west, along Cropston Road Anstey are also reduced by the bund works and it is anticipated that additional landscaping along this boundary to reinforce gaps and to provide a continuous natural and appropriate screen to the site and would further reduce visual impact. A planning condition is therefore recommended to secure additional landscaping, particularly along this boundary.

In summary, the proposal would maintain the separation between settlements as required by policy CS11 but would be noticeable in the landscape setting of the settlement and this is a minor harm of the proposal to be considered in the overall planning balance. Mitigation in the form of a landscaping scheme, particularly requiring reinforcement of the western site boundary could be secured by planning condition. Although the structures on the site represent an eclectic mix of small buildings, their scale, position and material finishes are considered to be acceptable and would be largely screened from wider public views.

Highway Considerations

Saved Policy TR/18 of the Borough of Charnwood Local Plan sets out parking standards in respect of development proposals. Paragraph 111 of the National Planning Policy Framework 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.

Anstey Lane is a Class classified road, subject to the National Speed Limit (60mph) and is weight restricted to 7.5t.

The application is supported by a Transport Statement prepared by M-E-C. This provides a description of existing transport conditions in the immediate vicinity of the site and a summary of the site's accessibility. It includes information on accident data and an assessment of the existing access and its junction with Anstey Lane. There is a 1m wide footway on the southern side of the carriageway, providing pedestrian connection between the villages of Anstey and Thurcaston. The document explains that the site is in operation between 0600 and 1800 hours Mondays – Saturdays. The report concludes that approximately 1 vehicle movement per hour is generated at the site over a 12 hour operating day. Movements account for staff, visitors and the delivery or collection of plant hire equipment. A survey carried out in February 2019 showed that HGV vehicle movements on Anstey Lane were low (average of 17 east bound and 10 westbound each day). It is therefore concluded in the report that, on this basis, vehicle movements associated with the proposed development do not result in detriment to the safety of Anstey Lane. A revised Transport Statement was received on 12th January 2021 and this provides additional information as requested by the local highway authority in its initial response to the application consultation.

In terms of the site access, the local highway authority is aware that the builder's yard and plant hire uses are currently operating without the benefit of planning permission and shares the existing access on Anstey Lane with E.L. Fencing. The access comprises a kerbed bell-mouth access with a bound surface, measuring approximately 7.0m in width at its junction with Anstey Lane, allowing for two-way vehicle movements. In consideration of Drawing No. 23948_08_020_01 embodied within Appendix D of the revised Transport Statement, the local highway authority is satisfied that appropriate visibility splays of 2.4m x 120m can be provided under land within the ownership of the applicant or under the control of the local highway authority.

In terms of highway safety, the local highway authority has assessed Personal Injury Collision data for the surrounding highway network over the most recent 5 year period (01/01/2015-25/10/2020) and considers that the proposed development would not exacerbate the existing situation.

In terms of trip generation, the revised Transport Statement also considers the previous use of the site when it was operated by Severn Trent Water Authority when up to 10 staff reported to the site at any one time and tankers frequently calling at the site. Submitted information to support the application sets out that on an average week day 8 HGV vehicles (16 two way movements), 5 van deliveries (10 two way movements) and 20 full time members of staff (40 two way movements) would frequent the site. On the basis that 14 two-way vehicle movements would be made to the site during the morning and evening peak periods, the local highway authority considers that the trips associated with the

proposed development would have a negligible impact on the public highway network. It also considers that there is no requirement for further assessment of traffic impact.

In terms of the internal layout of the site, the local highway authority is content that the updated site plan and additional drawings plan No. 7725-03-02 Rev B (received 27 May 21) shows an acceptable arrangement for car parking and vehicle turning within the site. Subject to the imposition of recommended conditions, the local highway authority has no objection to the application.

In order to limit the repair of vehicles and machinery at the site as an ancillary activity to the business operations of the applicant, and in order to permit a future reassessment by the local planning authority of any proposal to widen this to general repairs, it is recommended that a planning condition be imposed to limit these activities to the applicant only in order to limit large vehicle journeys to and from the site.

It is therefore concluded that the application proposals are acceptable and in accordance with Paragraphs 110 and 111 of the National Planning Policy Framework and policy TR/18 subject to planning conditions as recommended by the highway authority.

Residential Amenity

Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved Policy EV/1 supports development that is of a design, scale, layout and mass compatible with the locality and uses materials appropriate to the locality. These policies also require proposed developments to protect the amenities of neighbouring occupiers. These policies generally accord with the National Planning Policy Framework and do not directly prevent the supply of housing. As a result, it is considered that there is no need to reduce the weight that should be given to the policies in this regard.

The site is remote from the nearest residential dwellings within Anstey or Thurcaston villages and proposed buildings would not therefore have an amenity impact in terms of losses of light or privacy. Several residents have commented in relation to the amenity impacts of the use of local roads by heavy goods vehicles in terms of noise, dust and odour but these matters are outside the remit of this planning application to consider. The Environmental Health Officer advises that no complaints have been received regarding pollution in relation to the operation of the site. The site was previously used by HGV's in association with the sewage works and the site is already licenced to operate HGV's. The applicant has confirmed that the caravans on the site are not for residential occupation but are only used to provide welfare facilities for staff and there are therefore no amenity issues to consider in respect of their residential occupation. This can be secured by condition. In these ways, it is considered that the proposal accords with Policies CS2 and EV/1.

Ecology

Policy CS13 seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. The policy supports development that protects biodiversity and geodiversity and those that enhance, restore or re-create biodiversity. The loss of features of biodiversity and geodiversity will only be supported in exceptional circumstances where the benefit of the development clearly outweighs the impact. Where

there are impacts, the policy requires mitigation or compensation of equal or greater value, likely to result in a net gain in biodiversity.

The application is supported by a Biodiversity Impact Assessment prepared by Middlemarch Environmental. The report seeks to assess the condition of the site prior to the development in comparison to its existing state. An estimation of the habitats previously present on site was determined through aerial photography and the current habitats were mapped as part of a survey of the site in November 2020. An assessment was therefore made of biodiversity impact using the Warwickshire County Council BIA calculator. A revised Biodiversity Impact Assessment dated August 2021 was submitted exploring biodiversity off-setting at other land within Charnwood also within the applicant's control but this was not considered to be robust approach, given the distance from the application site.

The site lies to the west of the Rothley Brook which is a designated local wildlife site, with an ordinary watercourse running approximately east-west and parallel to the northern boundary. The site is currently dominated by hardstanding and contains several buildings, structures and areas of stacked materials. Earth bunds are present on the northern and western site boundaries and the bunds are becoming vegetated with a mixture of grass species, ruderal vegetation and scattered trees and shrub. Following the disuse of the sewage treatment plant, by 2002 records indicate that the area around the former filter beds had been levelled, and surfaced with stone and areas where former buildings had stood had become grassed over. The land to the north of the site was described as a 'bunded and wooded' area which formed a significant screen to the watercourse to the north.

The submitted Biodiversity Impact Assessment describes the present condition of the land and assesses whether the proposal would result in gains or losses of habitat against a variety of types and features. The report concludes that the proposal would result in a 4.38 unit loss in habitat value and this carries a monetary value of £189,389. However, this calculation was based on assumptions of the original condition of the land drawn from aerial photographs rather than detailed site surveys. The Council's Senior Ecologist has visited the site and, taking account of the pre-existing gravel beds and the fact the original calculation did not consider that part of the site which had been granted planning permission for use as a wood yard, the loss has been re-calculated following a more balanced assessment by the Council's and the applicant's ecologist. The result shows a net loss of 3.56 habitat units. This equates to a compensatory payment of £138,223 which the applicant has agreed to pay, and which can be secured through a unilateral undertaking. It is anticipated that land between Anstey and Thurcaston would make a suitable receptor site or, alternatively, mitigation works with habitat creation and enhancement opportunities within the Rothley Brook catchment area.

An appropriate on-site landscaping scheme can be secured by planning condition. Provided appropriate off-site mitigation is also secured, it is considered that the proposal would accord with Policy CS13 and that the developer's financial contribution to off-site mitigation would be CIL compliant.

Flooding and Drainage

Policy CS16 of the Core Strategy seeks to ensure that new development is not at risk of flooding and that it does not cause flood risk elsewhere. This policy generally accords

with the NPPF. It is considered there is no need to reduce the weight afforded to this policy.

The application is supported by a Flood Risk Assessment prepared by AAH Planning Consultants. This explains that the site covers an area of 1.5ha, the majority of which is in Flood Zone 1 but that there are small areas within Flood Zones 2 and 3 to the east of the site, away from the existing buildings which may be susceptible to flooding from the Rothley Brook which passes to the north-east of the site and this is classed as a 'main river' by the Environment Agency. The report includes reference to the Council's Strategic Flood Risk Assessment which concurs with the Environment Agency mapping data with land to the east of the Rothley Brook forming Flood Zone 3b which is active washland. The north-eastern corner of the site lies within Flood Zone 2 with an ordinary watercourse forming the northern boundary of the site. The report concludes that the proposed development is of 'less vulnerable' classification and compatible with Flood Zone 1 and that existing surface water disposal measures are effective in ensuring adjacent property or the Rothley Brook are unaffected in flood risk or surface water disposal terms.

The site lies adjacent to 2 watercourses and the Environment Agency was consulted on the revised Flood Risk Assessment received by the local planning authority on 24th September 2021. The Environment Agency notes that whilst the site falls partially within Flood Zones 2 & 3, the buildings and earth bunds fall mostly within Flood zone 1 and it therefore has no objection to the proposal. The Lead Local Flood Authority raise no objections to the proposal.

It is concluded therefore that the proposed development can be accommodated on the site without causing or exacerbating flooding to other properties and the proposal is therefore considered to be compliant with Policy CS16 and the National Planning Policy Framework.

Developer Contribution

Regulation 122 of the CIL Regulations introduced on 6 April 2010 prescribes the limitations on the use of planning obligations. Accordingly, it is unlawful for a planning obligation to be taken into account when determining a planning application for a development that does not meet all of the following tests:

1. It is necessary to make the development acceptable in planning terms;
2. It is directly related to the development; and
3. It is fairly and reasonably related in scale and kind to the development.

Policies CS3, CS13, CS15, CS17 and CS24 of the Core Strategy requires the delivery of appropriate infrastructure to meet the aspirations of sustainable development either on site or through appropriate contribution towards infrastructure off-site relating to a range of services or impacts. This would be in accordance with the Framework and Community Infrastructure Levy (CIL) Regulations to mitigate the impact of the proposals. At the time of determination, the following contribution has been requested:

Organisation requesting	Amount	Location of Spend	CIL Assessment
Charnwood Borough Council - Ecology	£138,223	Within the vicinity of the site	This would provide mitigation for loss of biodiversity value units Recommendation: CIL compliant

Other matters

Several respondents to the application mention the existing weight restriction on Cropston Road being exceeded and this results in pedestrian endangerment in addition to amenity concerns for residents and users of the facilities within Anstey village centre in particular. The use of weight restricted roads by heavier than permitted vehicles is not a matter for the local planning authority and is not an issue which can be considered in the determination of the application. Rather, this is a matter for which separate controls exist with powers granted to Leicestershire Police on behalf of Leicestershire County Council.

There are 2 types of constraint on the movement of HGV's. These are:

- Weight limits – a prohibition meaning that it is an offence for ANY vehicle over the weight displayed on the sign to pass. This type of constraint is usually used for a structural weight limit, for example, a weak bridge or other constraint where an overweight vehicle may cause damage and
- Weight restrictions – this is a prohibition for vehicles over a certain weight but carries exceptions. Sometimes known as an environmental weight restriction, these prohibitions are usually in the form of a zone, and are designed to prevent the regular passage of HGV's not requiring access for collection from or delivery to premises within the zone. Further enquiries about this can be made to the Leicestershire County Council Traffic Management Team.

Conclusion

This application seeks to retain an employment use and associated buildings and infrastructure on a rural brownfield site and proposes the erection of further buildings.

The adopted Core Strategy and saved Policies of the Local Plan are the starting point for the consideration of this proposal. The proposal does conflict with policy CT/1 due to its countryside location, however, the proposal will accord with policies CS12 and CT/3 as the proposal will maintain the function and undeveloped character of the Green Wedge. The proposal is also supported by policy CS10 and policy CS13 as, subject to planning conditions to secure landscaping details, the proposal is considered to cause no harm to the character and appearance of the countryside. The supporting information and consultation responses have established that there are no technical reasons in relation to highways, flooding and biodiversity that indicate planning permission should be refused. A unilateral undertaking or agreement under Section

106 of the Planning Act would have the effect of mitigating impact on biodiversity in accordance with Policies CS16 and CS24 of the Core Strategy.

In addition, the NPPF is a material consideration in favour of the proposal as it supports rural economic development, particularly on brownfield, where it is sensitive to its surroundings and does unacceptably impact local roads.

The benefits of the scheme are that the uses on the site would become regularised and the site could continue in active employment use, at a time when post-pandemic economic recovery continues and this could bring small-scale local economic benefits to the Borough.

Accordingly, it is recommended that planning permission be granted conditionally and subject to a unilateral undertaking or agreement under section 106 of the Planning Act as set out in recommendations A and B below.

RECOMMENDATION A:

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

Organisation requesting	Amount
Ecology	£138,223 off-site contribution to mitigate for loss of biodiversity units within the vicinity of the site.

RECOMMENDATION B:

That subject to the completion of the agreement in A above, planning permission be granted subject to the following planning conditions and notes:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
7725A-01 - Location Plan - Plan received 10/09/2019
7725A-02 Rev A - Existing site plan - Plan received 30/09/2020
7725-03-01 - Proposed Workshop and office - Plan received 14/10/2019
7725-03-02 Rev B - Updates site plan and additional buildings - Plan received 27/05/21
7725-03-03 - Caravan plans and elevations - Plan received 07/11/2019
7725-03-05 - Office plans and elevations - Plan received 25/06/2020
7725-03-06 - Workshop plans and elevations - Plan received 25/06/2020
7725-03-07 - Office Plans and elevations - Building 1 - Plan received 27/05/21
7725-03-08 - Office Plans and elevations - Building 2 - Plan received 27/05/21
7725-03-09 - Office Plans and Elevations - Building 3 - Plan received 27/05/21
23948_08_020_01 - Access arrangements plan embodied within the revised Transport Assessment received 12/01/21

REASON: To define the terms of the planning permission.

2. Within 2 months of the date of this permission, the access arrangements shown on Drawing 23948_08_020_01 shall be completed in full. Visibility splays once provided shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network in the interests of general highway safety and in accordance with the National Planning Policy Framework (2019).

3. Within 2 months of the date of this permission, the parking and turning facilities as shown on Plan No. 7725-03-02 Rev B received 27th May 2021. shall be fully provided and made available for use. 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 (2021).

4. Notwithstanding the submitted details, within two months of the commencement of development, a landscaping scheme, to include those details specified below, shall be submitted in writing to the local planning authority for approval:
 - i. the treatment proposed for all ground surfaces, including hard areas;
 - ii. full details of tree planting and planting particularly to the western boundary of the site
 - iii. planting schedules, noting the species, sizes, numbers and densities of plants;
 - iv. finished levels or contours;
 - v. any structures to be erected or constructed;
 - vi. functional services above and below ground; and
 - vii. all existing trees, hedges and other landscape features, indicating clearly those to be removed.

The Landscaping Scheme shall include a programme and timetable of implementation.

REASON: To make sure that a satisfactory landscaping scheme for the development is agreed in accordance with policies EV/1, CS2 and CS11.

5. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the condition 4, in accordance with the programme and timetable previously agreed in writing by the local planning authority under condition 4. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the

following planting season by trees or plants of a size and species similar to those originally required to be planted.

REASON: To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings in accordance with Policies EV/1, CS2 and CS11.

6. The ancillary maintenance and repair activities carried out at the site shall be limited to plant, vehicles and equipment associated with the use hereby approved only and shall not extend to include the general maintenance and repair of such by others.

REASON: To ensure that the use remains compatible with the surrounding area and to ensure vehicle movements to and from the site are reduced as far as is possible in accordance with Policies EV/1, CS2 and CS1.

7. Only those materials specified in the application shall be used in carrying out the development hereby permitted.

REASON: To ensure the satisfactory appearance of the completed development and in order to accord with Policies CS2 and EV/1.

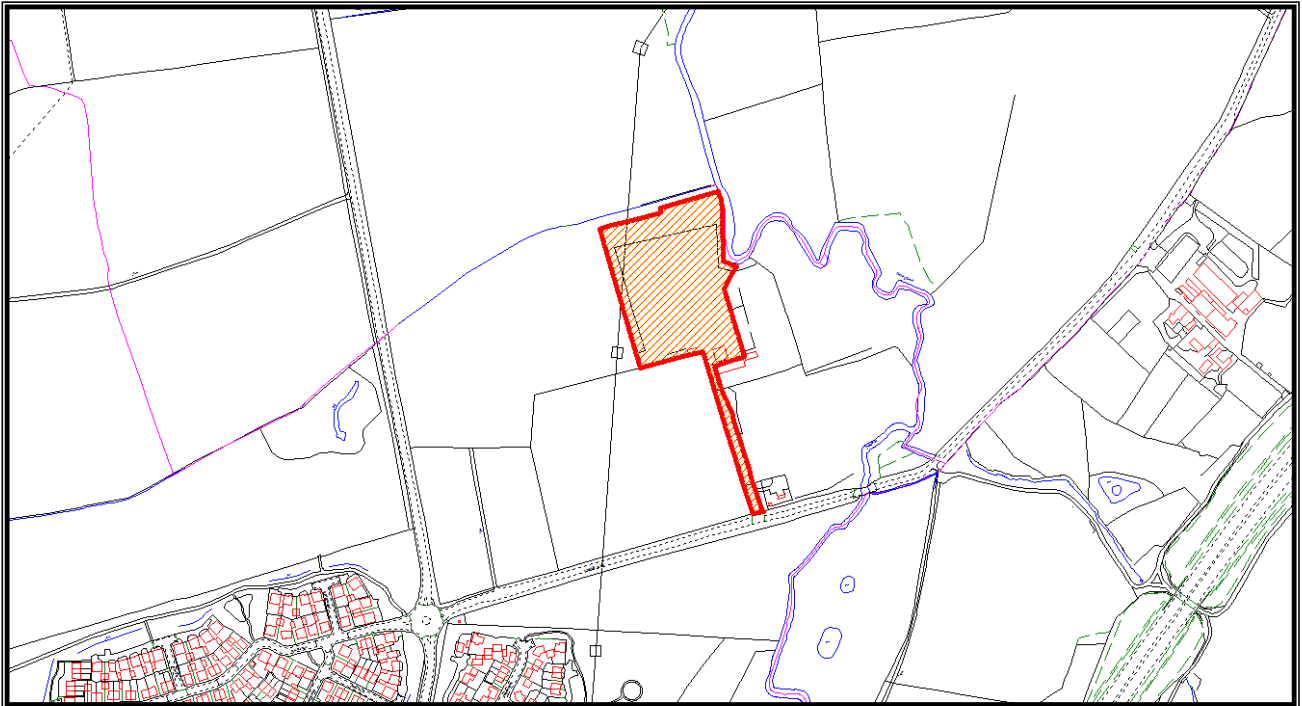
8. The 2 caravans situated to the south of the site as shown on drawing No. 7725-03-02 Rev B received on 27th May 2021 shall not be occupied overnight and shall only be used for staff welfare facilities.

REASON: To ensure the caravans permitted are used only for staff welfare purposes and to clarify no residential use of these caravans is permitted in accordance with Policy CS1 and CS25 of the Core Strategy.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS6, CS10, CS11, CS12, CS13, CS16, CS17, CS18, CS24 and CS25 of the Charnwood Local Plan (2011-2028) Core Strategy and saved policies ST/2, CT/1, CT/2, and CT/3 of the Borough of Charnwood Local Plan have been taken into account in the determination of this application. The proposed development complies with the requirements of these policies.
- 2 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policies and, otherwise, no harm would arise such as to warrant the refusal of planning permission.
- 3 The Local Planning Authority acted pro-actively through positive engagement with the applicant during the determination process. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National

Planning Policy Framework (paragraph 38) and in accordance with
The Town and Country Planning (Development Management
Procedure) (England) Order 2015.



Item 2

Application Reference Number P/21/2186/2

Application Type:	Full	Date Valid:	11/10/2021
Applicant:	Williams Builders		
Proposal:	Erection of 7 dwellings with carports and garage, landscaping and associated works following demolition of existing buildings.		
Location:	45 Beveridge Street Barrow Upon Soar LE12 8PL		
Parish:	Barrow upon Soar	Ward:	Barrow & Sileby West
Case Officer:	Deborah Liggins	Tel No:	07864 603401

This application is brought to Plans Committee at the request of Councillors Fryer and Ranson who have concerns about the impact of the proposal on the Conservation Area. Concerns are also expressed that the scheme is an over-development of the site and includes inadequate car parking.

Description of Application site

The application site is located on the northern side of Beveridge Street and is within the designated Conservation Area with several listed buildings adjacent to, opposite and within the vicinity of the site. No. 47 adjacent is a Grade 2 Listed 17th century brick and slate house and No. 22 opposite the access point is a late 16th century stone and slate dwelling, reputedly the birthplace and home of Bishop Beveridge. The character of this narrow historic street is of an assortment of domestic scale buildings utilising render, brick and stone, and set close to the highway boundary, giving the street an intimate residential character.

To the north of the site is Hall Orchard Primary School which is currently shielded from view by a 1.5-1.8m high stone wall and 3m+ high hedge. Immediately beyond this boundary wall is the access road to the school, leading from Melton Road and a small bank of parking spaces. To the north of these parking spaces is a small enclosed play area, with the principal play area for the school being located 65m to the east of this.

The existing dwelling on the site is a rather uncharacteristic 1960's 3-bedroom bungalow with a double garage to the side which is an adaptation of an earlier agricultural barn associated with what appeared to be a farm or small-holding on the site previously. The plot for this single dwelling is large and the application site extends to approximately 0.18 hectare. It is believed that the stone wall fronting the site is original and that a new vehicular access serving the existing dwelling was punched through this wall with the provision of brick piers to either side. Along the north-western boundary of the site is a single storey brick and slate (now disused) shop with a workshop to its rear and a gable to the highway boundary. Within the site and running adjacent to the front boundary wall is a rather dilapidated timber building (use or origin unknown). The site is also within an area of Archaeological Alert. A small historic round building occupies a position in the

north-east corner adjacent to the site and its origin and use is unknown but is associated with No. 47 Beveridge Street.

According to Environment Agency mapping, the whole of the site lies within Flood Zone 1 and is therefore land with a low probability of flooding.

Description of the Proposal

The proposal is for the erection of seven dwellings with associated garaging and carports, landscaping and associated works following the demolition of all existing buildings on the site. Vehicular access would be achieved using the existing access but with the provision of 1m x 1m visibility splays to either side and an increase in width to 4.3m.

The development would comprise the erection of six dwellings forming a continuous symmetrical terrace set towards the rear of the site all with private rear gardens ranging in depth between 8.43m to 12.96m. The central two dwellings would have a ridge height of 9.17m and a shared, forward-projecting gable; with all other dwellings having ridge heights of 8.58m and the dwellings either end of the row having half-hip rooves. These dwellings would front onto the private driveway with small landscaped front gardens with the aim of creating a courtyard setting framed with carports and open parking to either end of the driveway. A detached dwelling is also proposed toward the front of the site which will contribute to the street scene but will be set back from the retained historically important front boundary wall.

Accommodation would be provided as follows:

- Plot 1 - 4 bed 6 person detached house – 135sq.m. (standard is 97 sq.m.)
- Plot 2 - 2 bed 3-person end-terraced house – 74.31 sq.m. (standard is 70 sq.m.)
- Plot 3 - 3 bed 4-person mid-terraced house – 88 sq.m. (standard is 84 sq.m.)
- Plot 4 - 3 bed 3.5-person mid-terraced house – 102.2 sq.m. (standard is 84 sq.m.)
- Plot 5 - 3 bed 3.5-person mid-terraced house – 102.2 sq.m. (standard is 84 sq.m.)
- Plot 6 - 3 bed 4-person mid-terraced house – 88 sq.m. (standard is 84 sq.m.)
- Plot 7 - 2 bed 3-person end-terraced house – 74.31 sq.m. (standard is 70 sq.m.)

All of the dwellings would be of red brick construction with those to the rear of the site having tiled roofs, with the dwelling to be constructed on Plot 1 to have a natural slate roof. A full schedule of proposed materials for the dwellings and for areas of hard landscaping, doors and windows has been submitted for consideration now, rather than being required by planning condition. Details of proposed boundary treatments have also been submitted for consideration, including proposals for the amended front boundary wall at the site entrance.

A total of 15 car parking spaces would be provided within the development and this equates to two per terraced dwelling and three being provided for use by the occupiers of the detached house to be built on Plot 1.

The application is accompanied by the following supporting documents which are available to view in full on the Council's website:

- Design and Access Statement – prepared by rg&p – this report describes the proposed development and appraises the site and its surrounding context. This document also sets out the planning history of the site and explains how the proposal would accord with relevant policies and plans.
- A Transport Technical Note – prepared by M-E-C Consulting Development Engineers – this assesses the visibility splay requirements of any proposed access, based on vehicle speeds and traffic flows in both directions on Beveridge Street.
- A tree Survey – prepared by RJ Tree Services Ltd – this assesses existing trees on the site in terms of ascribing them retention categories. An existing Pear (T1) and Apple (T2) tree located along the north-western boundary of the site are recommended to be removed as both have been previously topped and have no merit in the landscape. A group of leylandii conifers (G3) also on this boundary assessed as having a low amenity value is proposed to be removed. A Crab Apple tree located on the south-eastern boundary of the site assessed as having a fair-poor structural condition is also proposed to be removed. The existing 3m screening Laurel hedge along 2 boundaries of the site and assessed as having poor structural condition and low amenity value is also proposed to be removed. All other trees are proposed to be retained.
- A Bat Survey – prepared by RammSanderson – this reports the findings of an inspection of the existing buildings and garden space to determine the presence or absence of protected or notable species and, identifies the impact of the proposed development on such creatures. It was found that one of the buildings on the site contained evidence of scattered bat droppings indicating that it was likely to have been used by a solitary bat or a small number of bats and is a confirmed day roost of low conservation significance. However, a protected species license will be necessary in respect of that building and the report also contains suggested mitigation. This includes a bat box situated a minimum of 3m high in one of the existing trees with a south-facing aspect. It is also recommended that post-construction mitigation be provided on both the northern and southern facing gables of the new quadruple carport via integrated bat boxes. The report concludes that the site is limited in ecological value for other terrestrial flora and fauna.
- A Heritage Impact Assessment – prepared by LOCUS Consulting Ltd – this assessment considers the known and potential historic environment resources within the site and describes the impact of the proposed development. It concludes that the overall archaeological potential of the site is moderate with a localized minor degree of less than substantial harm to the prevailing character and appearance of the Barrow-upon-Soar Conservation Area and nearby listed buildings. Identified harms pertain to the loss of vestigial elements of traditional building fabric which is to be weighed against the enhancements the scheme could bring to identified heritage assets.

Additional information and amended plans were submitted on 28th January 2022 and subject to a further round of consultation.

Development Plan Policies

The Development Plan for Charnwood currently consists of the Charnwood Local Plan Core Strategy 2011-2028, 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). The Barrow-upon-Soar Neighbourhood Plan (made 2018) also forms part of the development Plan and is relevant to this application.

The Core Strategy was adopted on 9th November 2015 and set out the overarching aims and objectives for development in the Borough. This included provision for 13,940 dwellings over the plan period, equivalent to 820 dwellings per annum (dpa). As of 9th November 2020, the Core Strategy became more than 5 years old. As required by the National Planning Policy Framework paragraph 74, where Local Plans are more than 5 years old local housing need is to be assessed based on the standard methodology set out in national planning guidance. The standard methodology requires delivery of 1,111 dpa. On that basis and as of March 2021 the Council has a 3.34 years' housing land supply. The implications of the housing supply position on the planning balance to be applied to this planning decision along with the weight to be given to policies is set out under the consideration of the planning towards the end of this report.

Development Plan policies relevant to the determination of this planning application are set out below.

Charnwood Local Plan Core Strategy (adopted 9 November 2015)

Policy CS1 – Development Strategy – Sets out a growth hierarchy for the borough that sequentially guides development towards the most sustainable settlements. This identifies Sileby as a “Service Centre” a settlements that has access to a good range of services or facilities compared to other settlements and where small scale development within and adjacent to settlement limits may be appropriate.

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. For Sileby it is expected that 30% of Affordable Housing will be provided on site.

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 – 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 - supports sustainable design and construction techniques.

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 ST/2 Limits to Development – this policy sets out limits to development for settlements within Charnwood.

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 street car parking.

Barrow-upon-Soar Neighbourhood Plan (2016-2028)

It was declared on 2nd May 2018 that the Barrow-upon Soar Neighbourhood Plan was successfully approved by majority at referendum and 'made' and therefore now forms part of the development plan for Charnwood. The Policies considered to be of relevance to the proposal are:

Policy BuS1: Ecology and Diversity - Development should not harm the network of local ecological features and habitats listed below and shown on the Policies Maps, unless the need for and benefits of the development clearly outweigh the harm that would be done. New development will be expected to maintain and where possible enhance existing ecological corridors and landscape features (such as watercourses, hedgerows and tree-lines) for biodiversity thus demonstrating overall net gain.

Policy Bus3: Local Heritage Assets - The determination of planning applications which would affect the following heritage assets and features of historic interest will balance the need for or public benefit of the proposed development against the significance of the asset and the extent to which it will be harmed....(lists assets)

Policy BuS4: Design - New development will be required to reflect the guidance in the Barrow upon Soar Village Design Statement.

Policy BuS16: Housing Provision - The minimum housing provision, as it affects Barrow upon Soar, for the period 2011 to 2028 has been met. Permission for housing development within the Barrow upon Soar Limits to Development, as defined on the Policies Maps, will be only be supported if the development:

1. Is in keeping with the scale, form and character of its surroundings;
2. Does not significantly adversely affect the amenities of residents in the area, including daylight/sunlight, privacy, air quality, noise and light pollution; and
3. Has safe and suitable access to the site for all people.

Policy BuS17: Meeting the Housing Needs of Older People - New housing development shall provide for a mix of housing types that will be informed by the most up to date evidence of housing need. In particular, applicants will need to demonstrate how the housing needs of older households will be met.

Leicestershire Minerals and Waste Local Plan (Up to 2031)

This plan was adopted in 2019 and forms part of the Development Plan for Charnwood. The document includes the County Council's spatial vision, spatial strategy, strategic objectives, and core policies which set out the key principles to guide the future winning and working of minerals and the form of waste management development in the County of Leicestershire over the period to the end of 2031.

Other material considerations

The Charnwood Local Plan: Pre-submission Draft (July 2021)

The local planning authority is in the process of preparing a new local plan for the Borough for the period up to 2037. The new local plan will include strategic and detailed policies for the period 2019-37 and was approved by Council on 21 June 2021 for consultation and then submission to the Secretary of State for an Examination in Public. The Draft Charnwood Local Plan is at an early stage in its preparation and underwent a six-week pre-submission consultation period that ran from 12th July to 23rd August 2021. The Plan was submitted for Examination on 3 December 2021 although its policies carry limited weight at the current time.

The National Planning Policy Framework (NPPF 2021)

The NPPF sets out the government's view of what sustainable development means. 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 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 policies of particular relevance to this proposal include:

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 74). Where this is not achieved policies for the supply of housing are rendered out of date and for decision-taking this means granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, (paragraph 11d). Paragraph 14 sets out what the status of neighbourhood plans is where the presumption at paragraph 11d applies. 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 62).

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 113). Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable modes maximised (paragraph 105). 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 106). 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 111). 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).

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).

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 153). It should also take account of layout, landform, building orientation, massing and landscaping to minimise energy consumption (paragraph 157) and renewable and low carbon energy development should be maximised (paragraph 158).

Section 15: Conserving the natural environment - This section sets out how planning policies and decisions should contribute to and enhance the natural and local environment. Development plans should distinguish between the hierarchy of international, national, and locally designated sites. The NPPF sets out a hierarchical approach to the significance of landscape designations and their settings including heritage coastline. Development plan policies should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks and promote the

conservation, restoration and enhancement of priority habitats and secure measureable net gains for biodiversity.

Section 16 – Conserving and enhancing the historic environment. - This section sets out how heritage assets (conservation areas, listed buildings and archaeology) should be considered in the assessment of proposals for development affecting them. Great weight should be given to an asset's conservation and the more important the asset, the greater this weight should be. Harms to heritage assets should be weighed against the public benefits of the scheme. Opportunities should also be sought for development which enhances or better reveals the significance of heritage assets.

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. The guidance sets out relevant guidance on aspects of flooding, air quality, noise, design, the setting and significance of heritage assets, landscape, contaminated land, Community Infrastructure Levy, transport assessments and travels plans, supporting the policy framework as set out in the NPPF.

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

This consolidates previous legislation relating to special controls in respect of buildings and areas of special architectural or historic merit and sets out what alterations can be carried out to listed buildings and within Conservation Areas without the formal consent of the local planning authority. The Act also sets out the procedure for local authorities to consider compiling a list of properties considered to be of special architectural or historic interest and how applications affecting such assets are to be advertised. The legislation gives Local Planning Authorities a statutory duty to give special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

National Design Guide

This document sets out the Government's design guidance to support the NPPF and seeks to inspire higher standards of design quality in all new development.

Building for Life 12

This document provides a framework by which to consider the quality of housing proposals to enable a conclusion to be reached of their overall design quality.

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.

Design Supplementary Planning Document (January 2020)

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.

Leicestershire Highways Design Guide (2018)

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

Relevant Planning History

Reference	Description	Decision & Date
P/20/0713/2	Erection of 5 No. dwellings following the demolition of existing buildings	Refused 04/09/2020

Consultation responses

The table below sets out the responses that have been received from consultees with regard to the application. Please note that these can be read in full on the Council's website

Consultee	Responses
Charnwood Borough Council – Environmental Health	Has no objection to the proposal but recommends the applicant be advised to minimize the potential for nuisance arising from demolition and construction works.
Leicestershire County Council – Highway Authority	Advises that an access drive serving 6-25 dwellings should be a minimum of 4.8m wide and the proposed access does not meet this standard. It recommends that more of the historic wall is removed in order to provide an access which accords with LHDG standards. The applicant has also not provided raw data to the LHA relating to the speed surveys which justify the provided visibility splays. The LHA also notes that the proposed carports do not meet minimum dimensions for garages as set out in the LHDG. However, as the access would not be adopted by the LCC, the overhang of vehicles would occur away from the public highway and the local highway authority does not seek to resist the application on this basis.
Charnwood Borough Council – Senior Ecologist	Comments that there would not be significant increase in built footprint and consequently a BIA would not be required. One of the buildings on the site is a confirmed bat roost and a planning condition should be imposed to require the submission of a mitigation strategy to compensate this loss. The development should also be carried out in full accordance with the ecological assessment.
Council for the Protection of Rural England (CPRE)	Objects to the proposal stating the development would be out of character with the area. Parking within the scheme is also considered to be inadequate and there are no visitor spaces included. The development lacks chimneys to each property and does not accord with Policies CS2 or CS14. The provision of a 5 bedroom 9-person home is inconsistent with the need for smaller homes identified within the Neighbourhood Plan.
Barrow upon Soar Parish Council	Objects stating the proposal is over-development of the site and there are insufficient car parking spaces provided. Access into and out of the site is also a concern
Historic England	Points the local planning authority to its published guidance on how to consider this application and suggests the views of the Council's own conservation advisors is sought.

Other comments received

Objection letters have been received from the following interested third party residents:

- Beveridge Street – 3, 4, 10-12, 13, 17, 23, 22/24, 28, 47, 51
- High Street – 66
- The Banks - 43
- Head Teacher of Hall Orchard CE Primary School
- Lead Minister, Barrow Baptist Church.
- + two others (address not supplied)

Please note that resident's comments can be read in full on the Council's website. The residents raise the following areas of concern with regard to the application:

- Increases in traffic and associated pollution and lack of parking within Beveridge Street combined with school and church parking demands would be hazardous
- Construction traffic will need to be carefully managed
- Inadequate parking provided within the scheme
- Demolition works would cause disruption and should be properly managed
- 7 dwellings on the site is excessive
- The development is out of character with the area
- The architecture of the scheme should reflect the dominance of properties within the area dating from between the 16th and 19th centuries.
- Poor design should not be allowed to continue
- The wall to the front of the site is over 150 years old and should not be demolished
- The village sewage system is problematic – Severn Trent is aware
- The submitted documents contain errors and understates the significance of the original farmstead at the site
- Remnants of the original farm buildings should be integrated into the development
- The proposal fails to accord with the Neighbourhood Plan
- The proposal would harm the setting of Bishop Beveridge House
- There have been archaeological findings of historic items at the site in the past
- The dwelling on Plot 1 would be overbearing to properties opposite the site & cause loss of privacy and light
- The dwellings on plots 5, 6 and 7 would contain windows which would overlook the rear elevation of No. 47 Beveridge Street.
- Disturbance and disruption to neighbours throughout the construction period
- Loss of privacy to school grounds and safeguarding concern
- Noise and in particular more traffic noise would become a permanent feature
- The development of new housing in Barrow on Soar is unnecessary
- Loss of habitat, biodiversity and a large green garden space.
- The proposal does not contribute to the local community

Ward Councillors Ranson and Fryer are concerned about a lack of car parking within the scheme which is considered to be an over-development of the site within the Conservation Area.

Non-planning matters that have been raised:

- The developer is not local to Barrow so local character may not be so appreciated
- Bungalows are preferred for the site
- The Council should buy the site and create a resident car park with electric charging points for use by Beveridge Street and Warner Street residents.
- The site should be developed to cater for the needs of the elderly
- The site should be purchased by the Council and made into a wilderness for use by school pupils.
- Damage may occur to the boundary wall of No. 47 Beveridge Street during construction and the proposal may result in long-term maintenance difficulties for the wall.
- Beveridge and Warner Street should be made 'one-way' streets
- The closure of the former electrical shop detracts from the character of the conservation area.

Consideration of the Planning Issues

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 most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Charnwood Local Plan 2011-2028 Core Strategy (2015), those "saved" policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy and the Barrow-upon-Soar Neighbourhood Plan (2018). It is acknowledged that the Core Strategy and the Local Plan are over 5 years old; therefore, it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. With the exception of those policies which relate to the supply of housing, the relevant policies listed above are up to date and compliant with national advice. Accordingly, there is no reason to reduce the weight given to them.

As the Core strategy is now five years old the Authority must use the standard method to calculate a housing requirement. In light of this, the Authority cannot currently demonstrate a 5 year supply of housing land (3.34 years), and as a result, any policies which directly relate to the supply of housing are out of date and cannot be afforded full weight. The shortfall in the supply of deliverable housing sites also means that, in accordance with the presumption in favour of sustainable development (at paragraph 11(d) of the NPPF), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits, for planning permission to be refused. In situations where paragraph 11(d) of the presumption applies consideration should be given to paragraph 14 in relation to neighbourhood plans in the context of the authority having more than three years supply of deliverable housing sites and good housing delivery. The Barrow upon Soar Neighbourhood plan (SNP) was made in 2018 and is more than 2 years old from the date of the referendum and does not therefore meet the criteria of paragraph 14.

Part i) of paragraph 11d sets out that where there are NPPF policies that protect landscape areas or wildlife and heritage assets this can be a clear reason to refuse an application. In this case although this brownfield site is within the defined limits to development inside the designated Conservation Area and an Area of Archaeological Alert, it does not benefit from any designations to qualify as an area or asset of particular

importance as set out in the NPPF. For these reasons it is not considered that in this instance paragraph 11(d) (i) would apply. Therefore, 11(d) (ii) applies and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The main issues are considered to be:

- Principle of the Proposed development
- Design and Amenity
- Heritage
- Highway Impact
- Ecology and Biodiversity
- Flood Risk and Drainage
- Other matters

Principle of the proposed development

The application site is located within the Development Limits to the settlement of Barrow-upon-Soar, as established under “saved” Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026.

The proposal accords with Policy CS1 of the Core Strategy. This policy outlines the development strategy for the borough and the distribution of sustainable growth. Within the settlement hierarchy, Barrow-upon-Soar is defined as a Service Centre where there is a good range of services and facilities to meet the day to day needs of its residents and where new small scale development within and adjoining the settlement boundary is considered acceptable to maintain these things. It is the case that 4,460 homes have been committed in service centres since 2011 although it should be noted the policy requirement for 3,000 homes in service centres is not a maximum figure.

Policy BuS16 of the Barrow-upon Soar Neighbourhood Plan states that development inside the limits to development will only be supported if the development:

1. Is in keeping with the scale, form and character of its surroundings;
2. Does not significantly adversely affect the amenities of residents in the area in the area, including daylight/sunlight, privacy, air quality, noise and light pollution; and
3. Has safe and suitable access to the site for all people.

The policies identified in this section are those that are the most important for establishing whether development of the site is acceptable in principle. Given the current lack of a 5 year supply of housing land, the above housing supply policies must be considered out of date. In these circumstances, the presumption in favour of sustainable development requires an assessment to be made as to whether there are any adverse impacts of granting permission that would significantly or demonstrably outweigh the benefits of the proposal.

In this assessment it should be recognised the proposal would result in the provision of a net addition of 6 houses at a time then there is not a five-year supply and that these

dwellings would be sustainably located, close to the village centre. Given the 5-year supply position of the Borough Council and the age of policies CS1 and ST/2, the weight that can be ascribed to them and to BuS16 would be reduced. Nevertheless, the proposal is in accordance with Policy CS1 and ST/2, which directs growth towards the largest settlements in the borough and provides for small scale residential development within Service Centres, and the general locational principle of policy BuS16. It is therefore not considered that there are any strategic policy conflicts insofar as the principle of development is concerned. The criteria of Policy BuS16 will remain to be considered further below.

Whilst Policy Bus16 of the Neighbourhood Plan is less than 5 years old, Footnote 8 to paragraph 11 of the NPPS makes it clear that in situations where a local planning authority cannot demonstrate a 5 year supply of deliverable housing sites, the policies most relevant to the determination of the application will be regarded as 'out of date'. In conclusion, Barrow-upon-Soar is considered to be a sustainable location for new housing development and the housing figures expected to be delivered within and adjoining Service Centres are expressed as minimum figures. As such, it is not considered the impacts of the development adversely and significantly outweigh the benefits of this proposed housing development. Accordingly, the proposal is considered to be acceptable in principle and this is a positive of the scheme to be weighed in the planning balance

Design and Amenity

Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved Policy EV/1 supports development that is of a design, scale, layout and mass compatible with the locality and uses materials appropriate to the locality. Policy BuS4 Barrow-upon Soar Neighbourhood Plan requires new development to reflect the guidance of the Barrow-upon-Soar Village Design Statement, which identifies the principles of scale, design and materials alongside other matters which this development should reflect. These policies generally accord with the National Planning Policy Framework and do not directly prevent the supply of housing. As a result, it is considered that there is no need to reduce the weight that should be given to the policies in this regard. Policy BuS16 of the Neighbourhood Plan only supports housing development within the Limits to Development where it is in keeping with the scale, form and character of its surroundings and does not significantly adversely affect the amenities of residents in the area, including daylight/sunlight, privacy, air quality, noise and light pollution.

Section 12 of the National Planning Policy Framework states that the creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve and good design is a key aspect of sustainable development, creates better places in which to live and work. Paragraph 134 of the National Planning Policy Framework 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.

The proposed site layout shows a development served by a principal private drive which is not to be offered for adoption. It shows the provision of a principal detached dwelling to the site frontage and a terraced row of dwellings, resembling worker cottages to the

rear of the site. The dwellings would all be easily accessible on foot to facilities and services within the village centre and, notwithstanding the comments of local people preferring bungalow development, the design and layout of the proposed scheme represents a density of development which is comparable to the area. The dwellings are considered to be of good quality design and if carefully executed would have an acceptable and appropriate appearance within the Conservation Area where two storey dwellings prevail. The revised details of the proposed materials as received on 23rd March 2022 are considered appropriate and acceptable for use in the scheme.

Suggested separation distances for privacy and to avoid overbearing impact as set out in the adopted SPD on Design are met. For example, the separation between the rear elevation of No. 47 Beveridge Street and the opposing front elevation of the dwellings situated on Plots 5, 6 and 7 is 22.86m. Between the rear principal windows in No. 43 Beveridge Street and the opposite (slightly oblique) front elevation of the dwelling proposed for Plot 2 would be a separation of 20.67m which falls slightly short of the required 21m. However, there is a double carport proposed in the intervening space which will assist in screening direct views into the rear of No. 43.

Whilst a number of representations have been made concerning the impact to the amenities of individual properties, it is considered that the proposed scale and layout of the proposed development has due regard for the privacy and outlook of occupiers of the existing neighbouring dwellings and accords with Policies CS2, EV/1 and BuS16 in regard to the protection of existing residential amenities. Although Councillors Fryer and Ranson consider the proposal is an over-development of the site, it has been demonstrated that the layout of the proposal would meet adopted separation and space standards and would not harm the amenities of neighbouring occupiers. Whilst there have been representations from the adjacent school to the north of the site relating to overlooking of playground areas, and this creating a safeguarding concern, it is clear from the proposed layout plan that there would be no overlooking of these areas from principle living areas within the new dwellings because of existing boundary treatments and trees to be retained. However, there may be opportunities for overlooking to the school site from first floor bedroom windows, but this is a situation which exists in any residential rear garden setting adjacent to schools and is not unusual particularly in a village setting such as this.

In terms of the amenity of potential occupiers, the proposed dwellings meet and exceed the internal minimum standards set out in Technical Housing Standards.

The mix of house types proposed, as identified in the description of the proposal above, includes a mix of 2-4 bedroomed properties of differing scales and are considered to meet the needs and the character of the area in accordance with Policy CS2 of the Core Strategy.

In summary, the scale of the development, the mix of house types and use of materials, together with indicated landscaping are considered to provide generally good quality housing development that would accord with national and local design policies CS2, CS3, EV/2 and BuS4 and it is considered that the proposal also accords with the criteria of Policy BuS16 of the Neighbourhood Plan in that the proposal is in keeping with the scale, form and character of its surroundings, does not significantly affect the amenities of

residents in the area. Final details of proposed soft landscaping could be secured by planning condition.

Heritage

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Section 16 of the NPPF (2021) states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance with the aim of sustaining and enhancing the significance of all heritage assets. In determining planning applications, local planning authorities are required to take these into account and also recognise the positive contribution that the conservation of heritage assets can make to sustainable communities, including their economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness.

In considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given the asset's conservation and the more important the asset, the greater that weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm.

Policy CS14 sets out how we will conserve and enhance our historic assets for their own value and the community, environmental and economic contribution they require. The applicant has undertaken a desk top analysis of the historic significance of the site and this concludes that the degree of harm the proposal would cause to heritage assets would be less than substantial.

The heritage significance of the site is primarily set out in the Conservation Area Character Appraisal:

Church Street and Beveridge Street are much quieter with a greater variety of houses, many of them listed. The streets curve gently and they have a strong sense of enclosure. In general the buildings come right up to the edge of the pavement.

The WEA Guide (1985) refers to the large number of framework knitters' workshops in Beveridge Street (known as Industry Street until 1922) and a number of these workshops may still survive behind existing frontage properties throughout the village. For example there are two pantile-roofed sheds off Shooting Close Lane to the rear of nos. 8-10 Beveridge Street and small workshops alongside no. 45 Beveridge Street and to the rear of no. 35 Beveridge Street.

Charnwood stone has also been extensively used in the construction of boundary walls throughout the village and these make a significant and distinctive contribution to the local street scene and the Conservation Area generally. Some of the most notable are those around the churchyard and the Old Vicarage but there are extensive boundary walls along High Street, Beveridge Street and Shooting Close Lane.

The impact of the proposal on this significance is mitigated by the retention of the front boundary wall, the setting back of the dwelling proposed for Plot 1 to maintain the important characteristics of the street scene and by minimising the width of the access and the creating of a boundary wall where the shop building will be removed to retain the

sense of enclosure along the street. Access points along Beveridge Street are narrow and an access with a significant width is uncharacteristic of the street scene and would impact the sense of enclosure along the street. It is therefore important that the access width is minimised to ensure the harm to the Conservation Area would not result in significant. The proposed layout and design of the scheme considers local character by replacing the existing garage/workshop building to the south east of the site, with a similar built form at right angles to the street; introducing an overall form of development that has minimal impact on the character and appearance of the Conservation Area.

No. 47 Beveridge St is listed Grade II and was the former farmhouse associated with the outbuildings contained within the proposal site. The significance of any heritage connection to the outbuildings has almost entirely diminished due to the way in which land has been re-proportioned, together with the previous redevelopment of the proposal site and its associated uses. The heritage significance of No 47 Beveridge St is in its intrinsic architectural appearance and the contribution it makes to the character of the street scene. It is one of a number of listed buildings close to the site which collectively provide visual dominance that contribute to one another's setting. The development would not impact the listed buildings value to the street scene. Therefore, it is concluded that the impact of this proposal upon this listed building is neutral.

The significance of any archaeological remains forms part of the assessment of the planning proposals. Whilst there has been no invasive study as to the archaeology of the site, and a neighbour reports finding historical artefacts, the significance of these features is in their discovery and recording within the archives of the Leicestershire Museum Service. The site is previously developed land with a dwelling and a history of various commercial uses, and it is likely that any artefacts of higher significance would have already been discovered or destroyed. It is therefore considered that there is no need for a more detailed archaeological investigation of the site and that there are no archaeological reasons why the development of the site should be prevented.

Whilst it is acknowledged there is some harm arising from the loss of the evidential value of the workshops, which results to its use rather than historic fabric, and a small section of the front boundary wall to provide an improved site access, it is considered that this harm would equate to less than substantial harm, which is on the lower end of the scale, which is to be weighed in the overall planning balance. Whilst neighbours and Ward Councillors consider the proposal would be incompatible with the Conservation Area setting, it is demonstrated that this harm would be less than significant in heritage impact terms. It is considered that the proposal provides no direct heritage benefits, but, in accordance with Paragraph 202 of the NPPF, this harm is also to be weighed against the public benefits of the scheme. These benefits are set out in the conclusions section of this report.

It is also noted that the bungalow which is on site is uncharacteristic of the Conservation Area and does not provide a positive contribution. Notwithstanding the harm identified above the redevelopment of the site internally would result in an improvement of the sites contribution to the Conservation Area due to the design of the dwellings and the layout respecting the location of historic buildings which have been demolished many years ago. This would result in a benefit which should be considered in the planning balance.

In summary, it is considered that the development accords with Policy CS14 and the requirements of the National Planning Policy Framework.

Transport and Highway Impact

Policy TR/18 of the Borough of Charnwood Local Plan sets out parking standards in respect of development proposals. Paragraph 111 of the National Planning Policy Framework 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.

Policy BuS16 of the Neighbourhood Plan sets out that housing development within the limits to development will only be supported (inter alia) if it has safe and suitable access to the site for all people.

A large number of objection letters were received referencing highway safety and congestion as concerns and the historic Beveridge Street is not unique in experiencing difficulties coping with modern-day car usage.

In response to the proposal, the local highway authority commented that it considers the application as submitted does not fully assess the highway impact of the proposed development and made initial observations relating to the proposed access, however it has confirmed that the comments relate to the fact that the applicant has not demonstrated an access in accordance with the Leicestershire Highways Design Guide rather than information is outstanding. The local highway authority advises that for an access serving between 6 and 25 dwellings, the access width is required to be 4.8m for a minimum distance of 5m from the highway boundary. Where an access is bound at one side by a wall/hedge/fence or similar obstruction, an additional 0.5m should be added to the initial access width requirements and 1m added where the access is bound on both sides. Further discussions have been held with the Highway Authority it is acknowledged that there are parked cars on Beveridge Street which would reduce speeds, access pedestrian visibility splays are acceptable and there is an extant position with previous buildings and use on the site which would have generated trips using a sub-standard access. Notwithstanding this the LHA believe that a suitable access designed to the Leicestershire Highways Design Guide could be provided on site and a suitably worded condition to secure this. It is acknowledged that by the LHA that the weight of this argument will clearly be balanced against other planning matters for which the LHA couldn't determine.

From the submitted plans, the access width would be 4.29m at its narrowest point and this widens into the site itself. Whilst the access falls short of the usual standards in terms of its width it is important to also consider the context of the site within the Conservation Area and the impact on the historic wall fronting the site which is a significant feature within the street scene and intrinsic to the character and appearance of the Conservation Area. On this occasion, it is considered that the loss of historic fabric should be kept to a minimum and because of this, a narrower access point is provided. Additionally, whilst there is a loss of a frontage building which could result in the extension of the access, the building currently provides a significant frontage along Beveridge Street and therefore it's loss and replacement of a boundary wall would maintain the sense of enclosure. The access has been widened to a maximum which is considered acceptable limiting the impact a wider access point would have on this part of the Conservation Area. It is considered that the proposed access is an improvement

on the existing even narrower driveway and there is some visibility now proposed to both sides where there is currently no provision. Additionally, there are parked cars along Beveridge Lane which would limit the speeds in these areas and would limit the length of visibility splays needed for this access. As discussed pedestrian visibility is achieved with the design and therefore the access would not have any detrimental highway safety impacts to pedestrians.

A bin collection area is provided towards the front of the site for use on the householder waste and recycling collection days and a refuse vehicle will not therefore be required to enter the site.

The failure to comply with the Leicestershire Highways Design Guide and the comments from the LHA results in conflict with Policy BuS16 of the Neighbourhood Plan. However, given the likely traffic speeds along Beveridge Street where motorists already have to safely negotiate parked vehicles within the street, the acceptable pedestrian visibility splays and a betterment of the existing access, albeit additional trips will be experienced with the proposal, it is considered that the access and the proposed visibility splays would not result in severe residual impacts to highway safety as described in Paragraph 111 of the NPPF. This harm will be assessed in the overall planning balance.

In terms of the proposed parking provision within the scheme, the number of parking spaces accords with standards which seek the provision of 2 car parking spaces for dwellings with 3 or less bedrooms and 3 car parking spaces for dwellings with more than 3 bedroom. Six of the dwellings are allocated 2 spaces each within the proposed layout and the dwelling on Plot 1 (being a larger house) is provided with 3 spaces. The local highway authority comments that the proposed car ports are less than the dimensions for a standard garage space and this is acknowledged. However, these structures are open sided and any overhang of vehicles would be away from the public highway. The local highway authority does not therefore object to the application on this basis.

It is therefore concluded that the application proposals are acceptable and in accordance with Paragraphs 110 and 111 of the National Planning Policy Framework and policy TR/18 subject to the imposition of planning conditions relating to the access and parking provision as shown on submitted drawing 101-480/(P)013J received on 15th February 2022.

Ecology and Biodiversity

Policy CS13 seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. Policy BuS1 of the Barrow-upon Soar Neighbourhood Plan requires development proposals to not harm identified features and habitats, unless the need for and benefits of the development clearly outweigh the harm that would be done. The site is not identified on the list of features but the policy goes on to state 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.

The application is supported by Ecological Assessment which has been evaluated by the Borough Council's Senior Ecologist. It is observed that there would be no significant net increase in the footprint of the built development and it is therefore considered that a Biodiversity Impact Assessment would not be required in this instance. It is acknowledged that one of the buildings on the site currently supports a day time bat roost and it is recommended that the development be carried out in full accordance with the mitigation set out in that report, with the details to be secured by planning condition. A derogation licence will also be required under the Conservation of Habitats and Species Regulations (2017) but this is a separate process to be undertaken by the applicant and is not itself determinative to the application.

In addition, an appropriate on-site landscaping scheme can be secured by condition. Provided appropriate off-site mitigation is also secured, it is considered that the proposal would accord with Policy CS16 and ENV6 and BuS1 of the Barrow-upon-Soar Neighbourhood Plan.

Flood Risk and Drainage

Policy CS16 of the Core Strategy seeks to ensure that new development is not at risk of flooding and that it does not cause flood risk elsewhere. This policy generally accords with the NPPF and does not frustrate the supply of housing. It is considered there is no need to reduce the weight afforded to this policy.

The site is wholly within Flood Zone 1 (low risk of fluvial flooding). The site is also at very low risk of surface water flooding and the proposed development is defined within the technical guide to the NPPF as being suitable development for the Flood Risk category. The site also falls below the threshold that requires consultation with the Lead Local Flood Authority.

Information submitted with the application indicates foul and surface water drainage would be disposed to the existing mains sewer which serves the existing dwelling on the site.

It is concluded therefore that the proposed development can be accommodated on the site without causing or exacerbating flooding to other properties and the proposal is therefore considered to be compliant with Policy CS16 and the National Planning Policy Framework.

Other Matters

A number of respondents to the application state a preference for the application site to cater for the needs of older people in accordance with Policy BuS17 of the Barrow-upon-Soar Neighbourhood Plan. The supporting text to this policy sets out that housing demand to meet the needs of older people is likely to increase substantially over coming years and that whilst meeting the needs of older people can include bungalows, suitable housing may also include retirement complexes, extra-care housing, and homes designed with features to appeal to older people, i.e. step free access, downstairs bathrooms and wider hallways and doorways.

The proposal includes no bungalows but represents a mix of 2, 3 and 4 bedroom dwellings with level thresholds and downstairs w.c's. It is therefore considered that the

proposed development would be suitable for older occupiers or could be readily adapted to meet specific occupier needs. The location of the development, close to facilities and services within the village centre may also appeal to an older generation.

In these ways, it is considered that the proposal has due regard to the needs of older people and accords with Policy BuS17 of the Neighbourhood Plan.

Conclusion and the Planning Balance

This application seeks to provide 7 new dwellings at a time when there is a demonstrable shortfall against borough wide need. The supporting information and consultation responses have established that there are no technical reasons in relation to flooding and biodiversity that indicate planning permission should be refused.

The adopted Core Strategy, saved Policies of the Local Plan and the Barrow-upon-Soar Neighbourhood Plan are the starting point for the consideration of these proposals. The site is located within the settlement limits of Barrow-upon-Soar and Policy CS1 provides for proposals for new homes in such locations. Policy BuS16 of the Barrow-upon-Soar Neighbourhood Plan supports new housing development within the village limits to development provided it meets design related criteria. However, the policies most important for determining the application are out of date and as such, the presumption in favour of sustainable development of NPPF paragraph 11(d)(ii) applies.

The provision of 7 dwellings (6 net) in an accessible location would make a useful contribution to housing needs and housing supply within the Borough and would support the Government's objective of significantly boosting the supply of homes. The proposal is considered to be small scale in the context of the overall scale of Barrow-upon-Soar. At a time where there is a Borough wide housing shortfall and the Council can demonstrate only 3.34 years supply, the benefits of this housing provision are afforded significant positive weight.

The proposal would provide some economic benefit in terms of construction, local spend, council tax and home bonus but these are standard for all development proposals and are afforded only limited weight.

Although the proposed access does not fully accord with the geometrical standards set out in the Leicestershire Highway Design Guide and this is a harm of the development. Whilst there is harm identified this is limited due to the consideration of existing parking arrangements on street reducing speeds and acceptable pedestrian visibility splays. The reduction of the width of the highway access is considered necessary to reduce the detrimental impact upon the Conservation Area due to loss of historic fabric and also loss of the strong characteristics of enclosure along Beveridge Street. In this case, it is considered that this minor harm of the scheme is outweighed by the desire to conserve the fabric of the historic wall and in terms of minimizing the impact of the development on the appearance of the street scene and the significance of the Conservation Area.

For the reasons set out above, it is concluded that the proposal would result in less than substantial harm, towards the lower end of the scale, to the identified heritage assets due to the loss of historic fabric at the front of the site and impact upon the character of Beveridge Street. In accordance with Paragraph 202 of the NPPF requires this harm to

be weighed against the public benefits of the scheme. It is identified that there is a heritage benefit to the scheme such as the removal of a bungalow which is not in keeping with the character of the area and is a negative asset. Whilst views of this are only at certain points it is still a negative aspect of the Conservation Area. The redevelopment of the site with buildings that reflect the character of the Conservation in a more sympathetic way, following historic development lines of previously demolished buildings would be a benefit of the scheme. Additional homes at a time when they are most needed and the short term and long-term but small scale economic benefits arising from the construction phase and upon occupation of the dwellings would also be a benefit. The proposal would also result in a more efficient use of land in accordance with NPPF paragraph 124. These benefits would outweigh the acknowledged less than substantial harm to the Conservation Area.

The application site is not considered to have any significant ecological value although there is an active bat roost within one of the buildings to be demolished. There is, however, an opportunity to ensure no net biodiversity loss and some gains, through the imposition of a planning condition requiring a mitigation scheme to be submitted and implemented. All development proposals are required to provide biodiversity benefits and therefore only moderate weight can be given to this as it is required to mitigate the effects of the development.

The test from the Framework is whether the detrimental impacts of the proposal described above would significantly and demonstrably outweigh the benefits of making a significant contribution to the supply of housing at a time when it is most needed. For the reasons set out above, it is considered that the identified harms when taken together, would not significantly or demonstrably outweigh the benefits of the additional housing. Accordingly, it is recommended that planning permission be granted conditionally, subject to the conditions set out below

RECOMMENDATION:

Grant Conditionally

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

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

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

101-480/(P)003D - Proposed Floor Plans - Plots 2-7

101-480/(P)004F - Proposed elevations Plots 2-7 - revised plan received 28th January 2022

101-480/(P)005A - Existing Plans and Elevations

101-480/(P)006B - Site location plan - revised plan received 28th January 2022

101-480/(P)011C - Proposed floor plans - Plot 1 - revised plan received 28th January 2022
101-480/(P)012C - Proposed elevations - Plot 1 - revised plan received 28th January 2022
101-480/(P)013J - Proposed site layout - revised plan received 15th February 2022
101-480/(P)018B - Proposed single garage plans and elevations - revised plan received 28th January 2022
101-480/(P)019D - Proposed double car port plans and elevations - revised plan received 5th April 2022
101-480/(P)020D - Proposed Quad Car port plans and elevations - revised plan received 5th April 2022
101-480/(P)022 - Proposed boundary treatments and hard-surfacing details - plan received 22nd February 2022
01 - Tree Survey and Constraints Plan (RJ Tree Services)
Proposed materials schedule - received 23rd March 2022

REASON: To define the terms of the planning permission.

- 3 Only those materials specified in the application shall be used in carrying out the development hereby permitted.

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

- 4 No use or occupation of the dwellings hereby permitted shall take place until the scheme for boundary treatments shown on approved drawing number 101-480/(P)022 received on 22nd February 2022 has been fully completed.

REASON: To ensure the satisfactory, overall appearance of the completed development.

- 5 Notwithstanding the submitted details, within two months of the commencement of development, a landscaping scheme, to include those details specified below, shall be submitted in writing to the local planning authority for approval:

i) full details of tree planting;
ii) planting schedules, noting the species, sizes, numbers and densities of plants;
iii) functional services above and below ground; and
iv) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

REASON: To make sure that a satisfactory landscaping scheme for the development is agreed.

- 6 The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting and seeding seasons following the first occupation of any part of the development or in accordance with a programme previously agreed in writing by the local planning authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the

following planting season by trees or plants of a size and species similar to those originally required to be planted.

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

- 7 No demolition shall take place on the site until such time as a detailed ecological mitigation strategy has been submitted to, and approved by the local planning authority. The development shall then be carried out in full accordance with the mitigation strategy as may be approved.

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

- 8 No dwelling hereby permitted shall be occupied until the access visibility splays as shown on drawing number 101-480/(P)013J received 15th February 2022 have been provided on the highway boundary on both sides of the access. The splays as provided in accordance with that plan shall therefore be retained, with nothing placed or allowed to grow within the splay areas exceeding 0.6m in height.

REASON: To make sure that drivers leaving the access have adequate visibility of vehicles already on the highway.

- 9 None of the dwellings hereby permitted shall be occupied until such time as the access drive, parking and turning facilities shown on the approved plan have been completed in accordance with the submitted details. Thereafter, the parking and turning facilities shall not be obstructed in any way that would prevent such use.

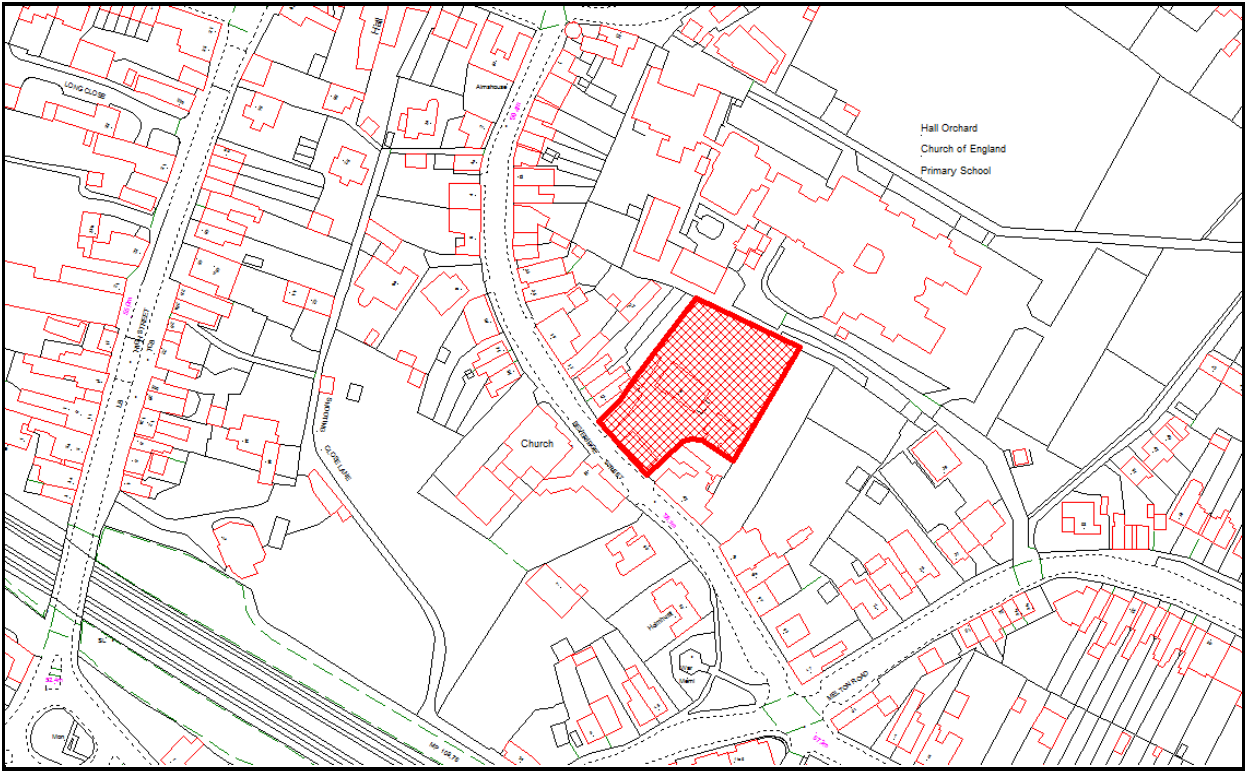
REASON: To make sure vehicles can enter and leave the site in a forward direction and to provide off-street parking, in the interests of road safety.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS3, CS13, CS14, of the Charnwood Local Plan (2011-2028) Core Strategy and saved Policies ST/2, EV/1 and TR/18 of the Borough of Charnwood Local Plan and Policies BuS1, BuS3, BuS4, BuS16 and BuS17 of the Barrow-upon-Soar Neighbourhood Plan have been taken into account in the determination of this application. The proposed development complies with the requirements of these policies.
- 2 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policies and the Council's adopted Supplementary Planning Document 'Design' (adopted 2020).and, therefore, no harm would arise such as to warrant refusal of

planning permission.

- 3 In addition, as the proposed development is located within a conservation area, the Council has considered whether it would enhance or preserve its character and appearance. Planning permission has been granted on the basis of the Council's opinion that the development would, at least, preserve that character.
- 4 The Local Planning Authority acted pro-actively through positive engagement with the applicant during the determination process. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 5 In order to arrange for the delivery of the necessary equipment for participation in the refuse and recycling service and to ensure that the properties receive a collection service as appropriate, please contact Environmental Services on 01509 634538 or recycle@charnwood.gov.uk, before the first property is completed.
- 6 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 Batline can be contacted on 01509 672772.
- 7 The applicant should take all relevant precautions to minimise the potential for disturbance to the occupiers of neighbouring properties in terms of noise and dust during the demolition and construction phases of the development. This should include not working outside regular daytime hours, the use of water suppression for any stone or brick cutting. No burning of waste should take place on site and the applicant is advised to notify neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information, please contact the environmental health service.



Item No 3

Application Reference Number P/20/2393/2

Application Type:	Outline	Date Valid:	22/12/2020
Applicant:	Clarendon Land and Development		
Proposal:	Development of up to 130 dwellings, provision of land for school expansion, open space and children's play area. Outline application with all matters reserved except access.		
Location:	Land off Humble Lane, Cossington, Leicestershire		
Parish:	Cossington	Ward:	Sileby/Wreake Villages
Case Officer:	Louise Winson	Tel No:	07864 603398

Background

This application was brought to plans committee on 1st December 2021 as it relates to a major housing development, outside current limits to development, is considered a departure from the Development Plan and was recommended for approval. The application was also called in by Ward Cllr Poland under the Council's call in procedure. The officer committee report and additional items presented to that meeting are attached at Appendix A.

At the Plans Committee, it was resolved that planning permission be granted subject to recommendation A and B (S106 obligation and planning conditions). The S106 obligation has not yet been finalised and the planning permission has not been issued.

On 7th March 2022 the Council received a letter from the agent for the application highlighting a typographical error in the committee report pack relating to the amount of land proposed to be set aside for the extension of Cossington Primary School. This report sets out the error and proposes an amendment to recommendation A (the S106 obligation). Amendments to a number of planning conditions to include implementation clauses are also proposed. This report also addresses this issue.

Consideration of the Planning Issues:

1. The wording of the committee report pack

The agent for the application wrote to the Council on 7th March to highlight that the original committee report for the application set out that, as part of the S106 agreement contribution towards education provision, 1.2ha of land was to be set aside for an extension to Cossington Primary School. The letter received from the agent clarified that the submitted application made provision for 0.6ha of land to be set aside for the school extension.

The case officer has reviewed the documents submitted in support of the application and the original committee report pack and it is confirmed that the reference to 1.2ha of land was incorrect. The amount of land to be set aside as part of the education contribution is 0.6ha. This is shown on the submitted illustrative masterplan. For the

avoidance of doubt, the provision of 0.6ha of land meets with the identified need generated by the proposal for primary education provision. The Leicestershire Education Authority has confirmed that the requirement for 0.6ha of land to be provided is correct. The infrastructure contributions set out in the committee report pack and extras report otherwise remain unaltered. To rectify this error it is considered that an amendment to recommendation A should be made to make provision for the correct amount of land (0.6ha) to be provided towards the extension of Cossington primary school.

2. The wording of the approved planning conditions

Following a review of the approved planning conditions, it has been noted that the wording of some of the planning conditions only required submission and approval of details, and not the implementation of those details.

The case officer has reviewed the planning conditions and it is considered that the conditions should be amended as set out in the recommendation below. Amendments are proposed to condition 27, 28 & 29. It is considered that with the suggested amendments, the conditions will be robust and accord with the guidance on conditions set out in the NPPF. Paragraph 55 of the NPPF sets out that conditions should meet the following tests:

1. Necessary,
2. Relevant to planning,
3. Relevant to the development to be permitted,
4. Enforceable,
5. Precise, and
6. Reasonable in all other respects.

3. Material Considerations update

All material considerations remain as per the previous report (see Appendix A) with the exception of the emerging Local Plan, as set out below.

The Draft Charnwood Local Plan 2019-37

The Pre-Submission Draft Charnwood Local Plan (July 2021) was consulted upon from 12th July 2021 to 23rd August 2021 and submitted to the Secretary of State on the 3rd December 2021. The Plan will now proceed to an examination hearing during 2022 with forecast adoption in very early 2023.

The Plan sets out strategic and detailed policies for the period 2019-37 and will replace the adopted Charnwood Local Plan Core Strategy (2015) and the saved policies of the Borough of Charnwood Local Plan 2004 when it is adopted. In accordance with NPPF paragraph 48, the relevant emerging policies in the plan may be given weight in determining applications, according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight it may be given),
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given),
- c) the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The following emerging policies are considered relevant in the determination of this application:

- DS1 Development Strategy
- DS5 High Design Quality
- C1 Countryside
- H1 Housing Mix
- H2 Housing for Older People and People with Disabilities
- H3 Internal Space Standards
- H4 Affordable Housing
- T3 Car Parking Standards
- CC1 Flood Risk Management
- CC2 Sustainable Drainage Systems
- CC4 Sustainable Construction
- CC5 Sustainable Transport
- CC6 Electric Vehicle Charging Points
- EV1 Landscape
- EV4 Charnwood Forest and the National Forest
- EV6 Conserving and Enhancing Biodiversity and Geodiversity
- EV7 Tree Planting
- EV8 Heritage
- EV9 Open Spaces, Sport and Recreation
- EV10 Indoor Sports Facilities
- EV11 Air Quality
- INF1 Infrastructure and Developer Contributions
- INF2 Local and Strategic Road Network

The proposed development, given its status as an allocated site, is considered acceptable in principle under the emerging Local Plan .

Since the 1 December 2021 Plans Committee meeting, the local plan has been submitted to the Secretary of State, which is a material change in circumstances. Accordingly, at this stage in its production, the emerging Local Plan can only be afforded limited weight in decision making as hearing sessions have not yet commenced and it is not clear if there is any unresolved dispute in relation to its policies or if they require modification by the Inspector to make the plan sound.

4. Cossington Road Sileby P/21/0491/2

Members will be aware that a Public Inquiry is currently underway where the Council is defending its decision to refuse the outline planning application for up

to 170 dwellings at Cossington Road Sileby. The Inquiry has sat for 4 days, with a further 3 days scheduled 27-29th April.

During the cross examination of the Council's landscape witness the Humble Lane, Cossington application, which this report relates, was discussed. The Council are of the opinion that the Cossington Road, Sileby appeal site is within a valued landscape. It was put to the Council's landscape witness by the appellant's advocate that the valued landscape extends towards the Humble Lane, Cossington application site. It was agreed the northern part of the Humble Lane, Cossington application site is within the same valued landscape. It was suggested to the Council's witness by the appellant's advocate that Humble Lane planning application will need to be taken back to Plans Committee for reconsideration of the landscape impact as the report to plans committee did not reference the valued landscape.

The northern part of this application site, which is within a valued landscape, is identified within the framework plan as open space and no residential development is proposed in this area. This is a different situation to the appeal site as built development is proposed upon valued landscape within the appeal site. Notwithstanding the discussion at the Cossington Road, Sileby public inquiry sessions, officers are satisfied with the original landscape assessment of the proposal and do not consider that any re-assessment or further consideration of the landscape impact from that discussed within the original Plans Committee report is needed.

Conclusion

The proposed amended planning conditions are considered to be appropriate for the development and will secure compliance with the policies of the adopted Development Plan. The principle of development is acceptable in the emerging local plan, however the proposal conflict with the adopted Development Plan, in that the site is outside of defined limits to development and within countryside. Despite now having been submitted to the Secretary of State, the emerging Local Plan can only be afforded limited weight, as stated in the officer committee report of 1 December 2021 (see Appendix A).

Therefore, the conclusion set out in the officer committee report and extras report of 1 December 2021 remains unchanged. The application is recommended for approval subject to a S106 legal agreement to secure planning obligations (to include the amendments to Recommendation A set out above and within the extras report) and the planning conditions set out below (the amendments to recommendation A and B is highlighted in *underlined italics* for clarity).

RECOMMENDATION

That the application continues to be recommended for approval and that the following resolution of the Plans Committee be amended to allow for amended planning conditions and an amendment to the terms of the Section 106 agreement to those previously agreed and therefore for planning permission to be granted on the terms as set out in the updated Recommendations A and B below:

Application Reference	Address	Date of resolution to granted/Minute number
P/20/2393/2	Land off Humble Lane, Cossington	1 st December 2021 [38(2.) refers]

RECOMMENDATION A:

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

Education	<ul style="list-style-type: none"> • £928,571.42 towards the extension of Cossington Primary School and provision of <u>0.6 hectare</u> of land to meet the needs of the development. • £18,726.90 to fund the expansion of Humphrey Perkins School to partially meet needs of the development. • £36,300.78 to fund the additional Special school places generated by the large scale of this development. • A £98,422.35 contribution towards early years provision in the locality
Libraries	<ul style="list-style-type: none"> • £3,920.00 towards the improvement of facilities at Sibley Library.
Open Space	<ul style="list-style-type: none"> • An on-site multi-function green space (minimum 0.10ha) • An on-site natural and semi open space (minimum 0.62ha) • An on-site amenity green space (minimum 0.14ha) • An on-site LEAP facility • On-site provision for young people • 0.81ha on-site provision or a £42,817.00 contribution towards off-site outdoor sports facilities • 0.10ha on-site provision or a £14,680.00 contribution towards off-site provision or enhancement of allotment facilities in Cossington
Affordable Housing	<ul style="list-style-type: none"> • 40% of the dwellings to be affordable housing with 77% for affordable rent and/or social rent and 23% shared ownership.

NHS	<ul style="list-style-type: none"> £95,739.07 to increase and improve facilities at The Banks and Highgate Medical Centre surgeries in Sileby.
Highways	<ul style="list-style-type: none"> Raised kerb provision at the two nearest bus stops at a cost of £4,000 each A Travel Plan monitoring fee of £6,000 The appointment of a Travel Plan Coordinator Travel pack for the first occupation of each new dwelling Six month bus passes (two per dwelling) for the first occupation of each new dwelling
Civic Amenity	<ul style="list-style-type: none"> £6,717.00 towards the increase and improvement of the facilities at Mountsorrel Waste and Recycling facility.
Biodiversity mitigation	<ul style="list-style-type: none"> The submission of a Biodiversity Mitigation Strategy which includes a new BIA assessment with agreed baseline for site, at reserved matters stage. Mitigation will be provided in order of the following preference to achieve no net biodiversity loss. Mitigation on site Offsite contribution using cost model ECCv19.1 for a project within the vicinity of the development (to be agreed by all parties if required in the unlikely event that on-site mitigation cannot be provided.)
Community Facilities	<ul style="list-style-type: none"> A £200,000.00. contribution towards the provision of and enhancement of community meeting facilities in the locality.

RECOMMENDATION B:

That subject to the completion of the agreement in recommendation A above, planning permission be granted subject to the following conditions and notes:

1.	<p>Application for approval of reserved matters shall be made within three years of the date of this permission and the development shall be begun not later than two years from the final approval of the last of the reserved matters.</p> <p>REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>No development shall commence until details of the appearance, landscaping, layout and scale, (“the reserved matters”), have been</p>

	<p>approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.</p> <p>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.</p>
3.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <ul style="list-style-type: none"> • 9300-L-03-F Indicative Layout (12 July 2021) • 9300-L-02-H Framework Plan (14 Dec 2020) • ADC2089-RP-C-v4 - Flood Risk Assessment • ADC2089-RP-G – Drainage Technical Note • ADC2089-DR-002-P3 Proposed Main Street Access Junction Layout • ADC2089-DR-004-P3 Proposed Humble Lane Emergency Access Junction Layout • ADC2089-DR-051-P1 Swept Path Analysis of the Proposed Main Street Access Junction – refuse lorry • ADC2089-DR-052-P2 Swept Path Analysis of the Proposed Main Street Access Junction – coach • ADC2089-DR-053-P2 Swept Path Analysis of the Proposed Humble Lane Emergency Access – large car • ADC2089-DR-054-P2 Swept Path Analysis of the Proposed Humble Lane Emergency Access – tractor and trailer • ADC2089-DR-055-P1 Swept Path Analysis of the Proposed Humble Lane Emergency Access – refuse lorry • ADC2089-DR-056-P1 Swept Path Analysis of the Proposed Humble Lane Emergency Access – coach • ADC2089-DR-057-P1 Swept Path Analysis of the Proposed Humble Lane Emergency Access – hay wagon • ADC2089-DR-051-P3 Proposed Surface and Foul Water Drainage Strategy • 9300-L-01 C Site Location Plan • BWB Phase 1 Geo-Environmental Assessment • JBA Consulting Hydraulic Modelling Report Nov 2020 • fpcr Bat Report Oct 2020 • fpcr Ecological Appraisal 2020 • Design and Access Statement Dec 2020 <p>REASON: To provide certainty and define the terms of the permission</p>
4.	<p>The reserved matters shall comprise a mix of market and affordable homes that has regard to both identified housing need for the borough and the character of the area and includes an appropriate level of smaller 2/3 bedroom units and single storey units.</p> <p>REASON: To ensure that an appropriate mix of homes is provided that meets the Council’s identified need profile in order to ensure that the proposal complies with Development Plan policies CS3, and the advice</p>

	within the NPPF.
5.	<p>The landscaping details submitted pursuant to condition 2 above shall include:</p> <ul style="list-style-type: none"> i) the treatment proposed for all ground surfaces, including hard surfaced areas; ii) planting schedules across the site, noting the species, sizes, numbers and densities of plants and trees; including tree planting within the planting belt to the east of the site; iii) finished levels or contours within any landscaped areas; iv) any structures to be erected or constructed within any landscaped areas including play equipment, street furniture and means of enclosure. v) functional services above and below ground within landscaped areas; and vi) all existing trees, hedges and other landscape features, indicating clearly any to be removed. <p>REASON: To make sure that a satisfactory landscaping scheme for the development is provided so that it integrates into the landscape and surrounding area and complies with policies CS2 and CS11 of the Development Plan.</p>
6.	<p>The details submitted pursuant to condition 2 above shall include full details of existing and proposed ground levels and finished floor levels of all buildings relative to the proposed ground levels.</p> <p>REASON: To make sure that the development is carried out in a way which is in character with its surroundings and ensure compliance with policies CS2 and of the Development Plan and associated national and local guidance.</p>
7.	<p>The details of layout, appearance and scale submitted pursuant to condition 2 above shall meet with, but not be limited to, the following principles set out within the Design and Access Statement and shown on the Illustrative Masterplan:</p> <ul style="list-style-type: none"> i. The provision of a descending hierarchy of streets throughout the site ii. Built form which sensitively integrates the school extension and drop-off facilities into the layout by using buildings to 'wrap' around the school land iii. Providing good connectivity to the school land from the streets and pedestrian routes iv. The provision of keynote buildings and feature green spaces with trees within the development parcels to include incidental planting along with trees and verges which are distinctive to Cossington v. The provision of green infrastructure along the eastern and western boundaries and structural landscaping adjacent to the built form along the northern edge of the site vi. The provision of links through to the village to facilitate the link existing and proposed new development.

	<p>REASON: To ensure that a high quality design is delivered that reflects its edge of village location and does not create harm to adjacent occupiers. This condition is to provide certainty that this can be achieved and ensure compliance with policies CS2 of the Development Plan and associated national and local guidance.</p>
8.	<p>The details submitted pursuant to condition 2 above shall include a façade noise map to determine noise levels at each dwelling and provide a detailed glazing and ventilation schedule to control noise within dwellings, and a schedule of external boundary treatments to limit external noise levels within private gardens.</p> <p>REASON: to ensure that appropriate external and internal noise criteria is achieved having regard for the amenity of those that will live in the development in accordance with Policy CS2 of the Core Strategy.</p>
9.	<p>The details submitted pursuant to condition 2 above shall include the following minimum amounts and typologies of open space:</p> <ul style="list-style-type: none"> i. An on-site multi-function green space (minimum 0.10ha) ii. An on-site natural and semi open space (minimum 0.62ha) iii. An on-site amenity green space (minimum 0.14ha) iv. An on-site LEAP facility v. On-site provision for young people <p>REASON: To ensure that the open space needs of future residents are met at a level that complies with Development Plan policies CS15</p>
10.	<p>No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.</p> <p>REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.</p>
11.	<p>The ADC Travel Plan dated 21 June 2021 (Version 4) shall be implemented fully in accordance with its content unless an alternative Travel Plan is submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2021).</p>
12.	<p>No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on ADC drawing</p>

	<p>number ADC2089-DR-002 Revision P3 have been implemented in full.</p> <p>REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).</p>
13.	<p>No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 42.8 and 2.4m by 44.3 metres have been provided to the southwest and northwest respectively at the site access junction. 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.</p> <p>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 (2021).</p>
14.	<p>No development shall take place until a scheme and timetable for delivery for the treatment of Public Right of Way I62 adjacent to the site has been submitted and approved in writing by the Local Planning Authority. Such a scheme shall include provision for the management during construction (including any arrangements for a temporary diversion) fencing, surfacing, width, structures, signing and landscaping in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers. Thereafter the development shall be carried out in accordance with the approved scheme and timetable.</p> <p>REASON: To protect and enhance Public Rights of Way and access in accordance with Paragraph 98 of the National Planning Policy Framework 2021.</p>
15.	<p>Notwithstanding the details submitted, within two months of commencement of any development on site, including site works, details of the management, enforcement, and maintenance of the proposed emergency access to the site from Humble Lane have been submitted to and agreed in writing with the Local Planning Authority. The approved emergency access shall be provided prior to the first occupation of any dwelling on the site in accordance with the approved details and shall thereafter maintained at all times.</p> <p>REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).</p>
16.	<p>No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres x 120 metres have been provided at the emergency access junction. These shall thereafter</p>

	<p>be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.</p> <p>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 (2021).</p>
17.	<p>Within four weeks of the emergency access onto Humble Lane being brought into use, any existing accesses on Humble Lane shall be closed permanently and the land within the highway reinstated, in accordance with details which shall have first been submitted to and agreed in writing by the local planning authority.</p> <p>REASON: In the interests of highway and pedestrian safety in accordance with the National Planning Policy Framework (2021).</p>
18.	<p>The development shall be carried out in accordance with the submitted flood risk assessment report reference: DC2089-RP-C-v4 produced by ADC Infrastructure on the 16th December 2020 and the following mitigation measures it details:</p> <ul style="list-style-type: none"> • Finished floor levels shall be set a minimum of 300mm above surrounding ground levels. <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>REASON: To reduce the risk of flooding to the proposed development and future occupants.</p>
19.	<p>The development hereby permitted must not be commenced until such time as a scheme to provide adequate floodplain compensation has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.</p> <p>REASON: To ensure that there are no detrimental impacts to flood storage or flood flow routes.</p>
20.	<p>Prior to the commencement of development a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:</p> <p>(i) A preliminary risk assessment which has identified: all previous uses;</p>

	<p>potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; potentially unacceptable risks arising from contamination at the site; (ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site; (iii) The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; (iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.</p> <p>Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.</p> <p>REASON: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with the National Planning Policy Framework.</p>
21.	<p>Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.</p> <p>REASON: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with of the National Planning Policy Framework.</p>
22.	<p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.</p> <p>REASON: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with the National Planning Policy Framework.</p>

23.	<p>Prior to the occupation of any dwelling a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all public open spaces, ecological mitigation areas and surface water drainage system, shall be submitted to and approved in writing by the local planning authority. The approved landscape management plan shall then be fully implemented.</p> <p>REASON: To ensure that public open spaces are maintained so that they are of good quality and that drainage systems retain full function. This is to make sure the development remains in compliance with Development Plan policies CS2, CS11, CS15 and CS16.</p>
24.	<p>The existing hedges and trees located within the application site boundaries, other than at the point of the new access and internal roads shall be retained and maintained at all times. Any part of the hedges removed, dying, being severely damaged or becoming seriously diseased shall be replaced, with hedge plants and trees of such size and species as previously agreed in writing by the local planning authority, within one year of the date of any such loss.</p> <p>REASON: The hedges and trees are an important feature in the area and its retention is necessary to help screen the new development</p>
25.	<p>No development, including site works, shall begin until the hedges and trees located within the application site boundaries that are to be retained, have been protected, in a manner previously agreed in writing by the local planning authority. The hedges shall be protected in the agreed manner for the duration of building operations on the application site.</p> <p>REASON: The hedges and trees are 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.</p>
26.	<p>No development shall take place until a programme of archaeological work which includes a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:</p> <ul style="list-style-type: none"> • The programme and methodology of site investigation and method • The programme for post investigation assessment • Provision to be made for analysis of the site investigation and recording • Provision to be made for the publication and dissemination of the analysis and records of the site investigation • Provision to be made for archive deposition of the analysis and records of the site investigation • Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

	<p>All works including site clearance shall be carried out in accordance with the Written Scheme of Investigation.</p> <p>REASON: To make sure that any heritage assets are appropriately recorded and/or protected to allow compliance with policies CS14 of the Development Plan and the advice within the NPPF.</p>
27.	<p>No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority. <u>The development shall only be carried out fully in accordance with the approved scheme and be retained as such at all times thereafter.</u></p> <p>REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.</p>
28.	<p>No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority. <u>The construction of the development shall only be carried out fully in accordance with the approved scheme.</u></p> <p>REASON: To prevent flooding by ensuring the satisfactory management of surface water at the site.</p>
29.	<p>No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. <u>The development shall only be carried out fully in accordance with the approved detail which shall be retained as such at all times thereafter.</u></p> <p>REASON: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.</p>
30.	<p>No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy</p>
31.	<p>No development approved by this planning permission shall commence until an Ecological Mitigation Strategy for the site is submitted in writing for approval.</p> <p>The development shall be carried out and retained thereafter in</p>

	<p>accordance with the approved details.</p> <p>REASON: To ensure the design and construction of the development does not result in the loss of any biodiversity features, habitats or protected species in accordance with Policy CS13 and the NPPF.</p>
32.	<p>Notwithstanding the submitted details, no development shall commence on site until a Phase II ground investigation has been undertaken to identify the extent, scale and type of any contamination at the site. If contamination is identified a detailed remediation scheme to bring the site to a condition suitable for the intended use along with a timetable for implementation shall be submitted in writing to the local planning authority for approval. Upon completion of the approved remedial measures a site verification report shall be provided to the satisfaction of this department including conclusive evidence that the remedial measures have been implemented and the site is suitable for its intended use.</p> <p>REASON: To ensure that the occupiers of the development are not put at unacceptable risk from land contamination.</p>
33.	<p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until an amendment to the remediation strategy detailing how this unexpected contamination shall be dealt with has been submitted in writing and approved by the local planning authority.</p> <p>REASON: To ensure that the occupiers of the development are not put at unacceptable risk from land contamination.</p>
34.	<p>The details submitted pursuant to condition 2 above shall include an appropriate air quality assessment to determine Air Quality impacts associated with the traffic generated by the development. The assessment shall include receptors adjacent to all roads where a significant change in traffic is predicated, and, where necessary set out a mitigation strategy, including a timetable for implementation, for any necessary remedial measures.</p> <p>REASON: To ensure that the occupiers of the development are not put at unacceptable risk from air contamination.</p>

Informative Note(s):

1. Planning Permission has been granted for this development because the Council has determined that it is generally in accordance with the terms of Development Plan policies CS1, CS2, CS3, CS11, CS13, CS14, CS16, CS24, CS25, ST/2, CT/1, CT/2, EV/1, TR/18, because the benefits of the proposal are not significantly and demonstrably

outweighed by the harm identified. There are no other issues arising that would indicate that planning permission should be refused.

2. The Local Planning Authority has acted pro-actively through early engagement with the Applicant at the pre-application stage and throughout the consideration of this planning application. This has led to improvements with regards the development scheme in order to secure a sustainable form of development in line with the requirements of Paragraph 38 of the National Planning Policy Framework (2019), and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
3. Care should be taken during site works to make sure that hours of operation, methods of work, dust and disposal of waste do not unduly disturb nearby residents.
4. This permission has been granted following the conclusion of an agreement under Section 106 of the Town & Country Planning Act 1990 relating to the provision of infrastructure contributions necessary to make the development acceptable in planning terms.
5. 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>
6. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
7. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
8. Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works. Public Rights of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980. If there are

any Public Rights of Way which the applicant considers impracticable to retain on their existing lines, a separate application for diversion is required. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.

9. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required. Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
10. No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.
11. All work shall follow recognised good practice such as those detailed in BS 5228 "Noise control on construction and open sites", the BRE report "Control of Dust from Construction and Demolition Activities".
12. There shall be no burning of waste on the site.
13. There shall be no audible demolition/construction noise beyond the site boundary before 07.30 or after 18.00 hours Monday to Friday or between 0800 and 1300 hours on Saturdays, with no working on Sundays or Bank Holidays.
14. The surface water drainage scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.
15. Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change storm events.

16. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
 17. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual householder ownership.
 18. The results of infiltration testing should conform to BRE Digest 365 Soakaway Design. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an alternative approach.
 19. Where there are any works proposed as part of an application which are likely to affect flows in an ordinary watercourse or ditch, the applicant will require consent under Section 23 of the Land Drainage Act 1991. This is in addition to any planning permission that may be granted. Guidance on this process and a sample application form can be found via the following website: <http://www.leicestershire.gov.uk/flood-risk-management>
 20. Applicants are advised to refer to Leicestershire County Council's culverting policy contained within the Local Flood Risk Management Strategy Appendix document, available at the above link. No development should take place within 5 metres of any watercourse or ditch without first contacting the County Council for advice.
 21. Overland flow routes as shown on the update map for surface water should be considered such that buildings are not placed directly at risk of surface water flooding. Such flow routes should be utilised for roads and green infrastructure.
 22. Where a drainage ditch adjoins or flows through a development, provision should be made such that the ditch can be made throughout the life of the development. The ownership and responsibility for maintenance of the ditch should also be clearly identified and conveyed to the relevant parties.
-

Item No. 2

Application Reference Number P/20/2393/2

Application Type:	Outline	Date Valid:	22/12/2020
Applicant:	Clarendon Land and Development		
Proposal:	Development of up to 130 dwellings, provision of land for school expansion, open space and children's play area. Outline application with all matters reserved except access.		
Location:	Land off Humble Lane, Cossington, Leicestershire		
Parish:	Cossington	Ward:	Sileby/Wreake Villages
Case Officer:	Louise Winson	Tel No:	07864 603398

Background

This application has been brought to plans committee as it relates to a major housing development, outside current limits to development and is considered a departure from the Development Plan as it is recommended for approval. The application has also been called in by Ward Cllr Poland for the following reasons:

- The scale of development relative to the size of the village
- The effect the development could have on flooding in the village
- Sustainable of the development given the lack of services in Cossington
- The effect on the local highway network, especially during times of floods

Description of the Application Site

The site is situated on the eastern edge of Cossington, and is approximately 9.7 ha in size. The site is currently used for agricultural purposes. The site is largely in Flood Zone 1 with the northern most part within Flood Zone 2.

The land levels are relatively flat within the site having an open aspect and bounded by trees and hedgerows along the northern eastern and southern boundaries. The character of the adjacent surrounding area can be set out as follows:

Boundary	Description
North	Derry's Garden Centre, Brook Farm and an arable field. A small watercourse runs along this entire boundary within the application site.
East	Agricultural land which extends towards the midland mainline railway.
South	Humble Lane runs along this entire boundary with agricultural land beyond.
West	Forms the existing edge of the village consisting of a combination of tree lined hedgerows, the rear boundaries of existing properties and land belonging to the Cossington C of E Primary School. The locally

	known 'Polly Pegg's' public footpath runs along part of the length of this boundary within the application site.
--	--

The site is adjacent to an area of local separation between Cossington and Sibleby. There are no other specific landscape designations for the site. The site is located within the Soar Valley Landscape Character Area.

Description of the Proposal

This outline planning application seeks permission for the erection of up to 130 dwellings, provision of land for school expansion, open space and children's play area with all matters reserved except access. The main access into the site would be off Main Street with a secondary emergency access proposed onto Humble Lane.

The proposed density of the residential areas would be an average of 14 dwellings per hectare, with 40% affordable housing proposed. The submitted indicative plan shows how a road layout could provide a primary spine road through the site, with areas for housing open space, structural landscaping and drainage infrastructure. The plan also makes provision for an area of land to the west to be set aside for an extension to the school and the 'Polly Pegg's' footpath PROW 167 to be retained.

The submitted plans show the retention of the existing boundary treatments and hedgerows within the site other than where the access road would break through the existing hedgerows. The illustrative masterplan (which is not for approval at this stage) indicates there might be parcels of housing situated off spurs along a central spine road. There is also a large area of natural open space would be concentrated to the northern edge of the site to provide a green edge to the site whilst incorporating drainage measures and through the central section of the site.

Development Plan Policies

Charnwood Local Plan Core Strategy (adopted 9 November 2015)

Policy CS1 – Development Strategy – Sets out a growth hierarchy for the borough that sequentially guides development towards the most sustainable settlements. This identifies East Goscote as an “other” settlement, (4th in a hierarchy of 5) where small scale development within limits to development is supported.

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 CS11 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 CS14 - Heritage - sets out to conserve and enhance our historic assets for their own value and the community, environmental and economic contribution they make.

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

Policy CS17 Sustainable Travel – Seeks to increase sustainable travel patterns and ensure major development is aligned with this.

Policy CS 18 – The Local and Strategic Road Network – Seeks to maximise the efficiency of the road network by delivering sustainable travel.

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 ST/2 Limits to Development – this policy sets out limits to development for settlements within Charnwood.

Policy CT/1 General Principles for areas of countryside - This policy defines which types of development are acceptable in principle within areas of countryside.

Policy CT/2 – Development in the Countryside – Sets out how development that is within the countryside will be assessed to ensure there is no harm to the rural character of the area.

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 street car parking.

Other material considerations

The National Planning Policy Framework (NPPF 2021)

The National Planning Policy Framework sets out the Government's view of what sustainable development means. 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 75). Where this is not achieved policies for the supply of housing are rendered out of date and for decision-taking this means granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, (paragraph 11d). Paragraph 14 sets out what the status of neighbourhood plans is where the presumption at paragraph 11d applies. 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 62).

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 113). Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable modes maximised (paragraph 105). 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 106). 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 111).

Section 12: Requiring well-designed places.

The NPPF recognises that good design is a key aspect of sustainable development and that high quality, beautiful, sustainable and inclusive design should be planned for positively (paragraph 126).

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 153). It should also take account of layout, landform, building orientation, massing and landscaping to minimise energy consumption (paragraph 157) and renewable and low carbon energy development should be maximised (paragraph 158).

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. The guidance sets out relevant guidance on aspects of flooding, air quality, noise, design, the setting and significance of heritage assets, landscape, contaminated land, Community Infrastructure Levy, transport assessments and travels plans, supporting the policy framework as set out in the NPPF.

National Design Guide

This is a document created by government which seeks to inspire higher standards of design quality in all new development.

The Planning (Listed Buildings and Conservation Areas) Act 1990.

This Act provides special controls over developments to or effecting Listed Buildings or Conservation Areas.

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.

Design Supplementary Planning Document (January 2020)

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.

Leicestershire Highways Design Guide

This is a guide for use by developers and published by Leicestershire County Council, the local highway authority, and provides information to developers and local planning authorities to assist in the design of road layouts in new development. 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; as well as to 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.

Landscape Character Appraisal

The Borough of Charnwood Landscape Character Assessment was prepared in July 2012. The purpose of the report was to assess the baseline study of the landscape character, at a sub-regional level that gives a further understanding of the landscape resource. The document 'provides a structured evaluation of the landscape of the borough including a landscape strategy with guidelines for the protection, conservation and enhancement of the character of the landscape, which will inform development management decisions and development of plans for the future of the Borough'.

Conservation of Habitat and Species Regulations 2010 (as amended)

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.

Equality Act 2010

Section 149 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality.

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

As the application proposals are for urban development on a site of more than 0.5 hectares, the proposals fall under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017. Such projects only require an EIA if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. Given the nature of the application proposals, it is not considered that the application would constitute EIA development.

The Draft Charnwood Local Plan 2021-37

The Draft Charnwood Local Plan is at an early stage in its preparation and underwent a six-week pre-submission consultation period that ran from Monday July 12 until Monday August 23, 2021. This document carries only very limited weight at this time, however, the site has been proposed as a residential allocation of 124 homes under policy DS3 (HA59).

Cossington Conservation Area Character Appraisal (2014) – This document examines the historic development of the Conservation Area and describes its present appearance in order to assess the special architectural and historic interest of the area.

Cossington Neighbourhood Plan – Cossington was designated as a Neighbourhood Plan Area on 17th March 2020 and is currently at the evidence gathering stage. As a result, little weight can be assigned to the Plan at this stage.

Consultation Responses

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

Leicestershire Lead Local Flood Authority - LCC	Leicestershire County Council as Lead Local Flood Authority (LLFA) advises the Local Planning Authority (LPA) that the proposals are considered acceptable. A number of conditions are recommended to be attached to any grant of planning permission.
Housing Strategy & Support CBC	Seeks 40% (52 Homes) affordable housing on the site at an appropriate mix and with 77% for affordable rent and/or social rent and 23% shared ownership.

Leicestershire County Council – Highways	<p>Does not object to the proposal in principle subject to a number of conditions to provide the following:</p> <ul style="list-style-type: none"> • Provision of the access arrangements • A construction traffic management plan • Provision and maintenance of pedestrian and vehicular visibility splays • Implementation of the submitted Travel Plan • Provision of Public Right of Way 162 • Provision and maintenance of the emergency access onto Humble Lane <p>The following contributions are also sought:</p> <ul style="list-style-type: none"> • Raised kerb provision at two local bus stops at a cost of £4,000 • A Travel Plan monitoring fee of £6,000 • Travel pack for the first occupation of each new dwelling • Appointment of a Travel Plan co-ordinator • Six month bus passes (two per dwelling) for the first occupation of each new dwelling
Leicestershire County Council - Education	<ul style="list-style-type: none"> • Confirms that Cossington Primary School has a net capacity of 105 and 140 pupils are projected on the roll should this development proceed; a deficit of 39 pupil places. The overall deficit including all schools within a two mile walking distance of the development is 123 pupil places. The 39 pupil places generated by this development cannot therefore be accommodated at nearby schools and a claim for an education contribution of 39 pupil places (£928,571.42) in the primary sector is justified. The provision of 1.2 hectare of land to provide an extension to Cossington Primary is also required to mitigate the impact of the proposal and other developments in the locality coming forward. • Seeks a contribution of £18,726.90 towards secondary school provision at Humphrey Perkins School. This is based on the development for 228 dwellings proposed at Land off Barnards Drive, Sileby being granted planning permission. • Seeks a contribution of £36,300.78 towards special school provision at Loughborough Ashmount School. This is based on the development for 228 dwellings proposed at Land off Barnards Drive, Sileby being granted planning permission.
Leicestershire County Council - Libraries	Seeks a £3,920.00 contribution towards the enhancement of Sileby Library.

Leicestershire County Council - Waste Management	The County Council's Waste Management Team considers the proposed development is of a scale, type and size which would not be able to be accommodated at the existing waste facility in Mountsorrel. As such a developer contribution of £6717.00 is required.
Environment Agency	Raises no objection subject to conditions. Confirms that the main access into the site is located in Flood Zone 3. Advises that the LPA should be satisfied that the arrangements for the secondary access are acceptable.
CBC Environmental Health	Raises no objection subject to conditions that require further contaminated land survey work be undertaken and if necessary, remediation and verification. Conditions are recommended to investigate and where necessary deal with landfill gas.
Cossington Parish Council	<p>Strongly oppose the application and makes the following comments:</p> <ul style="list-style-type: none"> • The proposal would be out of scale with the existing village • The proposal would have an unacceptable impact on Heritage Assets • Highway Safety with regards to the proposed access point and traffic flow through the village • Lack of infrastructure capacity and additional pressure on local services • Flooding at the access point and in the village • Access to the site should restricted for HGVs <p>Developer contributions to provide the following are requested:</p> <ul style="list-style-type: none"> • Traffic calming • Bypass around village to Charnwood Edge roundabout • Flood Alleviation • New School • Boundary Fencing • Community Centre • Doctors Surgery • Post Office and store • Dentist • Police Station • Train Station • Nursery facilities

Sileby Parish Council	Reported that it was waiting further highway information to be submitted before commenting. This has been submitted but no further comment received.
Edward Argar MP	Highlights the concerns raised by constituents on the following grounds: <ul style="list-style-type: none"> • Scale and the impact on the character of Cossington • Transport considerations • Impact on local services • Flooding
Campaign for the Protection of Rural England	Objects to the proposal on the grounds that it is unsustainable development in the countryside. The development would lead to increased car use due to its location and access to facilities/services/public transport. The development does not meet local housing needs. And the loss of agricultural land
Charnwood Open Spaces	Seeks the following contributions: <ul style="list-style-type: none"> • An on-site multi-function green space (minimum 0.10ha) • An on-site natural and semi open space (minimum 0.62ha) • An on-site amenity green space (minimum 0.14ha) • An on-site LEAP facility • On-site provision for young people • 0.81ha on-site provision or a £42,817.00 contribution towards off-site outdoor sports facilities • 0.10ha on-site provision or a £14,680.00 contribution towards off-site provision or enhancement of allotment facilities in Cossington • An indoor sports contribution to consist of £59,044.00 towards swimming pool facilities, £57,051.00 towards indoor court facilities and £8,424.00 towards indoor bowls rink facilities
NHS CCG	Seeks a contribution of £95, 739.07 towards the provision and enhancement of facilities at The Banks and High Gate Medical Centre surgeries.
Leicestershire Police	Raises no objection. Makes design suggestions to limit opportunities for crime.
Cllr Poland as County Councillor	Objects to the application in capacity as a County Councillor for the following reasons;

	<ul style="list-style-type: none"> • Scale of development too large and out of character with the village • Harm and loss to area of local separation • Unsustainable development due to lack of services and facilities within the village • Additional pressure of local services
Cossington Parochial Church Council	Seeks a contribution of £437,500.00 towards enhancement and provision of community meeting facilities in the village.

Other Comments Received

189 letters of objection have been received from local residents. Objections raised are summarised as follows:

- The development is in an unsustainable location
- The adverse landscape impact
- Highway safety
- Traffic congestion
- Pressure on existing infrastructure and services
- Scale and design
- Loss of a greenfield site/agricultural land
- Impact on ecology
- Loss of trees
- There is no need for extra housing in the village
- Impact on the countryside
- Flooding/drainage
- Loss of privacy
- Lack of services and facilities in the village to accommodate the new residents
- Lack of employment opportunities for the new residents
- There is no proven need for affordable housing
- Contaminated land and risk to public health/safety
- Underground pipeline danger to public safety

Relevant Planning History

There have been no planning applications on the site which are specifically relevant to the current application.

Consideration of the Planning Issues

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 most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Charnwood Local Plan 2011-2028 Core Strategy (2015), those “saved” policies within the Borough of Charnwood Local Plan 1991-

2026 (2004) which have not been superseded by the Core Strategy. It is acknowledged that several of these plans are over 5 years old; therefore, it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. With the exception of those policies which relate to the supply of housing, the relevant policies listed above are up to date and compliant with national advice. Accordingly, there is no reason to reduce the weight given to them in this regard.

As the Core strategy is now five years old the Authority must use the standard method to calculate a housing requirement. In light of this, the Authority cannot currently demonstrate a 5 year supply of housing land (3.34 years), and as a result, any policies which directly relate to the supply of housing are out of date and cannot be afforded full weight.

The shortfall in the supply of deliverable housing sites also means that, in accordance with the presumption in favour of sustainable development (at paragraph 11d), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits, for planning permission to be refused.

Part i) of paragraph 11d sets out that where there are NPPF policies that protect areas or assets this can be a clear reason to refuse an application. These are set out in footnote 6 and are generally nationally designated areas such as SSSI's, although designated heritage assets can be included. In this case although the site is situated adjacent to a village with a Conservation Area, it is approximately 100 away from the boundary with the designated heritage asset at its closet point and provides no direct views of the Conservation Area. It is therefore considered that the site does not benefit from any designations to qualify as an area or asset of particular importance as set out in footnote 6. For these reasons it is not considered by officers that in this instance paragraph 11d i) would apply.

The main issues are considered to be:

- The Principle of Development
- Housing Mix
- Landscape and Visual Impact
- Design and Layout
- Heritage
- Open Space
- Impact on residential amenity
- Highway Matters
- Flooding and drainage
- Ecology and Biodiversity
- S106 Contributions

The Principle of the Development

The application site is located outside but adjacent to, the Development Limits to the settlement of Cossington, as established under "saved" Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026. For land outside these Development Limits policies CT/1 and CT/2 apply which seek to control development outside of a relatively narrow set of criteria. Policy CS1 of the Core Strategy outlines a development strategy for the

Borough, including a settlement hierarchy. Within the settlement hierarchy, Cossington is identified as an “other” settlement where a limited level of housing growth which is predominantly small scale and within limits to development is acceptable. Its place in the hierarchy is due to the relatively low level of services and facilities within the village and because of limited public transport access to higher order settlements and employment.

These policies are those that are the most important for establishing whether development of the site for housing is acceptable in principle.

The development is at odds with these housing supply policies as it comprises a large-scale development that is outside the limits to development. However, given the current lack of a 5 year supply of housing land, these policies must be considered to be out of date and the presumption in favour of sustainable development requires an assessment to be made as to whether there are any adverse impacts of granting permission that would significantly or demonstrably outweigh the benefits of the proposal.

Within this assessment, it should be recognised the proposal would result in the provision of up to 130 new houses at a time when the Local Planning Authority cannot demonstrate a five-year supply of housing land. Weighed against this benefit would be the conflict with the above policies which can be considered as an adverse impact. However, given the 5-year supply position of the Borough Council and the age of policies CS1, CT/1, CT/2 and ST/2, the weight that can be ascribed to them would be reduced. Accordingly, although there is some harm resulting from conflict with the development plan’s spatial strategy set out in policies CS1, CT/1, CT/2, and ST/2, which seeks to direct growth away from smaller settlements it is not considered this would significantly and demonstrably outweigh the benefits, insofar as the principle of development is concerned. Accordingly, the proposal is considered to be acceptable in principle. The conflict with the Development Plan can however be considered within the overall planning balance for the proposal.

The Draft Charnwood Local Plan is at an early stage in its preparation and underwent a six-week pre-submission consultation period that ran from Monday July 12 until Monday August 23, 2021. This document carries only very limited weight at this time, however, it is worth noting, the site has been proposed as a residential allocation of 124 homes under policy DS3 (HA59). Whilst not a decisive factor, it is a material consideration in the determination of the planning application, that the Council has considered the site as a suitable location for housing growth.

Housing Mix

Policy CS3 outlines a requirement to secure an appropriate housing mix having regard to the identified housing needs and the character of the area and suggests 40% of the 130 units should be affordable. The Housing Supplementary Planning Document provides further guidance in support of this relating to how these units should be provided.

These policies generally accord with the National Planning Policy Framework and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.

The proposal is in outline form and includes an undertaking to provide 52 affordable homes (40%). The size, type, tenure and design of these are not currently known although it is anticipated that much of this detail would be established by later reserved matters. It would, however, be important to set down parameters relating to, for example, the size of units, and it is suggested that this could be controlled and secured by a condition for both Market and Affordable housing. The tenure for affordable housing can be secured through the s.106 agreement.

The Leicestershire Housing and Economic Development Needs Assessment (HEDNA) 2017 outlines a recommended housing mix for the Borough in respect of both market and affordable housing. This includes the following housing mix:

Affordable	
1 bed	40-45%
2 bed	20-25%
3 bed	25-30%
4+ bed	5-10%
Market	
1 bed	0-10%
2 bed	25-35%
3 bed	45-55%
4+ bed	10-20%

It is suggested that a size, mix and profile to reflect this could be accommodated on site. Locally identified need and the character of the area could be achieved although care would need to be taken, (as per Policy CS3), to ensure the character of this edge of village location was not harmed by this.

With regards to housing mix, it is considered that a proposal which complies with policy CS3 could be achieved. The provision of 52 affordable units is also a significant benefit of the scheme which should be given weight within the planning balance.

Landscape and Visual Impact

Policies CS2 and EV/1 seeks to require high quality design where people would wish to live through design that responds positively to its context. Policies CS11 and CT/2 seek to protect landscape character and countryside. These policies generally accord with the NPPF and do not directly frustrate the delivery of housing. As a result, it is not considered that there is a need to reduce the weight given to these policies.

There are no specific landscape designations for the site. The site is located within The Soar Valley Landscape Character Area, an area noted for its flat wide river floodplain with rising valley sides. The river floodplain creates the recognisable character of the Soar Valley, a pastoral landscape of fields and wetlands with recreational facilities and wildlife areas. The valley slopes enclose it and add diversity with their variety of vegetation and land use or settlements and industry. The area to

the north, east and south of the site is rural in nature, with the addition of the main midland railway line to the east which breaks up the immediate landscape in this locality. The area has sparse woodland cover. The strength of the landscape character is of moderate quality, and the landscape condition is moderate. The guidelines are to generally conserve and enhance the pastoral landscape of the floodplain and maintain the current balance between the urban and rural character of the valley.

The site lies in open country outside of the settlement limits. Its characteristic as a flat open field is consistent with the character of the Soar Valley landscape area. The site is partially screened from the wider landscape area via the existing built form to the west and south. The site is more visible from the north and from the east, albeit views are broken with the presence of the railway line along with some mature trees and hedgerow cover.

It is necessary to consider whether the development would be harmful to the overall purpose, integrity or character of the Soar Valley Landscape Area.

The indicative development framework plan shows the proposed access road and green infrastructure towards the northern edge of the site. The housing development would be located in parcels through the site, around the land set aside for the school extension and around a central area of green infrastructure. An area of land would be retained for agricultural along the eastern boundary, between the application and the railway line. The existing green boundaries to the site will be retained and strengthened with additional hedge and tree planting. A new wildlife area would also be provided along the eastern boundary of the site. Given the location of the housing land away from the northern edge of the site, the existing appearance of the entrance to the village from Sileby to the north would not be completely lost. The appearance of the access can be somewhat mitigated through careful landscaping provision to the northern edge of the site. The location of the site to the east of the village would maintain the existing separation from the adjoining settlement of Sileby, with the overall width of the gap between the villages would not be reduced.

Whilst there would be some significant changes to the immediate appearance of the landscape through the construction of the access road which necessitates the removal of the existing hedgerow and trees at the access point, and, the development of housing on agricultural land, the effects overall would be relatively localised and of limited overall landscape impact. This could be mitigated with additional planting to be secured as part of the reserved matters application. Also, whilst only having minimal weight at the present time in the planning balance, the findings of the evidence base for the Draft Local Plan indicates that the development of the site could be accommodated without significant harm to the landscape.

It is therefore concluded that the overall long term impact on the landscape character of The Soar Valley would not be so significant as to change the overall character of the area or fail to comply with the guidelines of the landscape character appraisal. Whilst it should be acknowledged that there would be some limited landscape impacts at the site level, it is considered that the localised visual impact of the development could be mitigated following careful consideration of design at the reserved matters stage if outline consent were to be granted. It is therefore considered that a scheme could be designed which accords with policies CS2, EV/1 and CT/2 in this

regard.

Design and Layout

Policy CS2 seeks high quality design for new development. These policies generally accord with the National Planning Policy Framework and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.

As this proposal is in outline, approval of the design and layout is not currently sought. However, an indicative Development Framework Plan has been submitted which shows how the site could be developed and design principles are also set out within the Design and Access Statement. It is important that any key design parameters are identified and secured for inclusion within any reserved matters application by way of conditions if they are fundamental to the acceptability of the outline consent.

Given the need for landscape and visual mitigation and the need to protect amenity the following design parameters are suggested:

- The provision of a descending hierarchy of streets throughout the site
- Built form which sensitively integrates the school extension and drop-off facilities into the layout by using buildings to 'wrap' around the school land
- Providing good connectivity to the school land from the streets and pedestrian routes
- The provision of keynote buildings and feature green spaces with trees within the development parcels to include incidental planting along with trees and verges which are distinctive to Cossington
- The provision of green infrastructure along the eastern and western boundaries and structural landscaping adjacent to the built form along the northern edge of the site
- The provision of links through to the village to facilitate the link existing and proposed new development.
- Development to be predominantly single or two storey

If the application were to be considered acceptable, a planning condition securing specific securing these parameters could be attached to secure compliance with the design aspirations of the relevant policies and the NPPF (2021). Accordingly, it is considered a proposal that complied with Policies CS2 and EV/1 of the Development Plan and national guidance in terms of design could be achieved for the site.

Heritage

The boundary of the adopted Cossington Conservation Area is situated approximately 100m to the south west the site at its nearest point. Nos. 6-10 Main

Street on the northern side of Main Street and opposite to the proposed access point are Locally Listed Buildings.

When considering a development proposal within a conservation area or within the setting of a locally listed building, sections 68 and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the asset and Paragraphs 199-204 of the NPPF states that when considering the impact of a proposed development on the significance or setting of a designated or non-designated heritage asset, great weight should be given to the asset's conservation.

The significance of the Cossington Conservation Area can be described as follows:

- *The individuality of architectural styles and wealth of influences from different periods all found along a single street, from medieval remains and Tudor inspired details for the Gothic revival, Georgian terraces, Victorian villas and Arts & Crafts alterations;*
- *The interplay of chimneys with the tones and textures of traditional building materials which creates attractive distinctive roofscapes;*
- *The contribution of the mature trees throughout the street scene which is an uncommon feature of the Soar Valley villages;*
- *The consistency of the front boundary treatments which are often at low level and combined with open frontages ensure that buildings are relatively exposed allowing the architecture to define the streetscene;*
- *The easily discernible historic form and fabric which are not dominated or overwhelmed by infill developments;*

The boundary of the Conservation Area is located in the south west of the site approximately 100m away. The site does not form part of any key views to or from the Conservation Area including the approach from the north. The scheme given this context would be unlikely to result in any harm to the significance of the setting of the Conservation Area.

The significance of the locally listed buildings, nos. 6-10 Main Street opposite to the proposed access to the site can be described as follows:

- *Terrace of 3 Almshouses, constructed in 1872;*
- *Vernacular / Domestic Revival styling;*
- *Red/yellow local brick with stone dressings to openings;*
- *Pitched Swithland slate roof with 2 substantial ridge stacks embracing centre cottage;*
- *Pitched roof extends over single storey outrigger at rear of building, possibly a sympathetic later addition;*
- *3 & 4 light windows with stone mullions, each casement sub divided horizontally into 3 panes*

The proposed development would be visible from the locally listed buildings, but the view would be only a slight given the set back of the housing areas to avoid the flood zone. Landscaping adjacent to the access point into the site can also be secured to

soften the visual impact of the development. It is concluded that there would be no direct impact on the buildings or their setting as a result of the proposed development. The careful consideration of the design and layout of a reserved matters scheme if outline consent were to be granted could also ensure that the development would not harm the setting of the non-designated heritage assets.

Due to the location of the site within a Conservation Area and within the setting of the locally listed buildings, an assessment as to the potential impact on the designated and non-designated heritage assets must be made. With reference to paragraphs 199-204 of the NPPF, it is overall considered that the development would result in no harm to the significance to the designated heritage asset or its setting, that of the Cossington Conservation Area and the setting of the non-designated heritage asset, that of the locally listed buildings, Nos. 6-10 Main Street. The proposal therefore complies with the provisions of CS14 and the NPPF along with the Act in this regard.

Open Space

Policy CS15 seeks to ensure adequate open space is provided to serve the needs of new development. This policy generally accords with the NPPF and does not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to the policy.

The indicative plan and the Design and Access Statement suggest that within the site there will be areas green space incorporating amenity open space, play space and provision for older children. There is, however, no provision for older sports or allotments. Given the size of the site it is unlikely that these typologies could all be provided for within the site but a commuted sum to improve facilities elsewhere within the area could be secured.

Overall, it is considered that the development would provide good quality open space proportionate to its size and that shortfalls in open space provision could be mitigated against through appropriate contributions. Accordingly, the proposal is considered to comply with policy CS15 of the Development Plan.

Impact on Residential Amenity

Policy CS2 of the Core strategy and EV/1 of the Local Plan seeks to protect the amenity of existing and future residents. The Charnwood Design SPD (2020) also provides spacing standards and guidance to ensure an adequate level of amenity.

Objections have been received with concerns raised over the potential loss of privacy and amenity from the development.

The development would be visible from the existing housing occupiers to the west of the site along Main Street, Homefield Close, Fisher Close and Bennett's Lane. However, whilst these residents would see the proposed development there are no significant concerns identified at this time regarding the preservation of existing residential amenity. It will be necessary at a future reserved matters stage to ensure that the design, layout, scale and appearance of the development has regard for the

separation distances contained within the Design SPD (2020) to prevent over-dominance and a loss of light or privacy to existing dwellings. It will also be necessary to ensure the position of any LEAP or NEAP play areas are sufficiently distant from existing and proposed dwellings to prevent undue noise disturbance. The potential for noise and disturbance to the existing dwellings as a result of the new roads within the development is also a consideration. However it is considered that the site can be suitably designed at the reserved matters stage to ensure no such loss of existing amenity occurs.

The amenities of the future occupiers of the development would be a consideration in the assessment of a future reserved matters application for the development if outline permission was granted. Whilst only indicative plans are submitted at this stage, it is considered that a suitably designed scheme could be provided which complied with the provisions of the Development Plan in this regard. The Environmental Protection Officer has recommended planning conditions that require noise mitigation measures to be approved as part of the detailed design of the dwellings due to the sites proximity to the Midland Mainline.

The proposal could, therefore, following careful design, comply with the provisions of policies CS2 and EV/1 along with the guidance set out in the Design and Housing SPD's to protect residential amenity.

Highway Matters

Policies CS2 and CS18 of the Core Strategy and TR/18 of the Local Plan seeks to ensure safe access is provided to new development and policy CS17 is concerned with encouraging sustainable transport patterns. These policies generally accord with the National Planning Policy Framework and do not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them

Paragraph 111 of the NPPF seeks to ensure new development does not result in an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network. Paragraph 112 of the NPPF seeks to promote sustainable travel choices.

Local concern has been expressed regarding the impact of the development on highway safety.

The Highway Authority has reviewed the submitted Transport Assessment and proposed plans. Their views are set out below;

Site Access

The main access to the site will be provided via a simple priority junction from Main Street, Cossington, at the north-west corner of the site, with an emergency access proposed from Humble Lane along the southern boundary of the site.

Main Site Access

The main access from Cossington Road will be formed by a simple priority junction from the outside of the bend at the northern end of the village. The layout has been revised to 6m in width to allow satisfactory access by a coach so that it does not sweep over the footways. The LHA is content with the revised layout of the main site access.

Emergency Site Access

A revised layout of the proposed emergency access from Humble Lane at the southern end of the site is shown on the submit plans. The LHA would comment as follows on the revised design:

- The access is now shown with a 5.5m carriageway and 2m footway, which is satisfactory;
- Swept path analysis for a refuse vehicle has been shown. The LHA notes that this would slightly overrun the verge on Humble lane, however minor widening can be agreed as part of the future S.278 detailed design and technical approval process for the emergency access;
- Swept path analysis for a coach has been shown on the submitted plans. The LHA notes that this would slightly overrun the verge on Humble lane, however minor widening can be agreed as part of the future S.278 detailed design and technical approval process for the emergency access;
- Swept path analysis for a hay wagon accessing and egressing the replacement field access has been shown on the submitted plans. The LHA notes that whilst the proposed design cannot accommodate such a vehicle, the supporting information with the application sets out that a Hay Wagon could not use the existing field access. Accordingly, the LHA is content with respect to this matter.

The LHA notes that insufficient details have been provided over how the use of the emergency access will physically controlled, and, that no details have been provided by the Applicant over how it will be managed and enforced. Given that insufficient information has been provided, and also given that it is unlikely that the LHA would adopt the emergency access beyond the back of the field access, the LHA has advised an appropriate planning condition to enable these matters to the detailed and agreed.

With respect to consultation with the emergency services, the LHA notes that neither the Leicestershire Fire & Rescue Service nor the East Midlands Ambulance Service have any comments. Whilst the LHA understands that the Police service has not responded to the Applicant's enquiry, the LHA is content that further consultation can be undertaken with the Police as part of responding to the condition referred to above. For the avoidance of doubt, the LHA accepts the emergency access in this instance solely because it forms a flooding mitigation measure. Otherwise, the LHA would not support such a proposal.

Pedestrian and Cycle Access

Pedestrian and cycle access is proposed via both the main site access and the emergency access.

Highway Safety

The Applicant has reviewed Personal Injury Collision (PIC) data for the period between January 2015 and September 2020. The area of analysis extends to Rothley crossroads and Sileby.

Further to a review of the PIC analysis set out in the TA, the LHA considers that it is unlikely that the proposed development would exacerbate any existing road safety issues.

Trip Generation, Distribution and Assignment

Based on trip generation rates extracted from the TRICS database, the proposed development is predicted to generate 81 and 84 two way vehicle trips in the morning and evening peak hours respectively. The LHA has reviewed the TRICS outputs and trip calculations, and these are acceptable.

The predicted trips have been assigned to the local highway network based on a distribution extracted from 2011 Census Travel to Work data. The LHA has spot checked the proposed distribution and assignment and is content that the trips have been assigned satisfactorily. 37% of development traffic would route to and from the north, with 63% routing to and from the south.

Further to the above, in addition to the proposed site access junction, the TA has presented the results of detailed capacity analysis at only one off site junction, the Syston Road/Main Street T-junction. The LHA is content with this approach, as the Syston Road/ Main Street junction is the only off site junction which experiences a change in peak hour vehicle trips of more than 30.

The LHA has also checked the capacity assessments which have been undertaken of both the main site access and the off-site junction of Syston Road with Main Street. Both junctions are predicted to operate within capacity, and accordingly, the LHA does not consider that the development proposals would result in a severe traffic impact on the local highway network.

Internal Layout

As this application is outline with all matters reserved except for means of access, the internal layout will be subject to a reserved matters application, should the proposed development be permitted. If the Applicant would wish the internal roads to be adopted through the Section 38 process, then the development would need to be designed fully in accordance with LHDG.

Transport Sustainability

The development is located within a reasonable walk and cycle distance of Cossington and Sileby. The site is also well located to take advantage of local bus stops on Main Street which are served by the half-hourly Kinch Bus service number 2, between Loughborough and Leicester.

The LHA would require the two closest bus stops on Main Street to be improved by the addition of raised kerbs in connection with the planning application.

Travel Plan

A Travel Plan (TP) dated 16 December 2020 and prepared by ADC has been submitted with the application, which has been updated following initial comments from the LHA and is now acceptable.

Public Rights of Way (PROW)

Public Footpath I62 runs along the boundary of the proposed development, however it was initially uncertain from the submitted information whether the Applicant was planning on retaining the legal line of Footpath I62. In response, additional information was submitted which sets out the following:

'The masterplan is illustrative and the final layout will be subject to a reserved matters application. Therefore, it cannot be pre-judged as to how the public footpath will be treated. However, the illustrative masterplan allows for it to remain on its current alignment, whilst also showing an alternative route that could be delivered, in time, depending on the future arrangements for the school extension.'

'The applicant understands the protection that footpaths have, and that their alignment should change as little as possible. However, because of safe guarding concerns, the school may be reluctant to have a public footpath running through the middle of the school site. That is a matter for the future design of the school extension site, although the reserved land will, of course, also effect the housing layout. Therefore, as noted in the Design and Access Statement, subject to the necessary consultations and agreement with the rights of way officer at Leicestershire County Council, the alignment could be adjusted to skirt around the school if required to do so by the local education authority at a future point in time.'

The LHA notes the above and advises that the satisfactory treatment of the right of way should be secured via the recommended planning conditions. The LHA notes that this could be discharged alongside the subsequent reserved matters application. The route treatment would need to be in line with the LHA's guidance notes for developers.

In conclusion the proposal is considered to provide a safe and suitable access for the amount of development proposed. Although site layout details are currently unknown, it is considered it would be possible to provide internal roads and parking for the scheme to an acceptable design and safety. The proposal would not lead to severe residual cumulative impacts on the highway and would provide reasonable transport choices for its location. Accordingly the proposal is considered to comply with relevant development plan policies and national guidance, and not to give rise to transport related harm.

Flooding and Drainage

Policy CS16 of the Core Strategy seeks to ensure that new development is not at risk of flooding and that it does not cause flood risk elsewhere. This policy generally accords with the NPPF and does not frustrate the supply of housing. It is therefore not considered there is a need to reduce the weight afforded to this policy.

Local concern has been expressed regarding the potential impact on flooding in the locality.

In relation to this proposal, the main issue is whether development at this site would exacerbate any current flooding situation and cause additional concerns regarding the control of run-off water.

The majority of the site is not subject to fluvial flooding being located within zone 1 of the flood zone as identified by the Environment Agency flood maps. However, the northern part of the site is situated in flood zone 2 and the access to the site is located within Flood Zone 3. The site is mostly at a very low risk of surface water flooding with a small area in the north-western part of the site being at a moderate to high risk of surface water flooding.

The application is supported by a Flood Risk Assessment and drainage details which have been reviewed by the Environment Agency and Leicestershire Lead Local Flood Authority.

The submitted indicative Development Framework Plan shows the built for to be located within flood zone 1. Only the access point onto Main Street would be through Flood Zones 2 and 3. The land to the north of the site adjacent to the watercourse, which are the within Flood Zones 2 and 3 will be retained as open space and landscaping.

The fluvial flood risk to wider areas within Cossington village and further to the north west is from the River Soar. However, modelled flood data for the River Soar shows that flood extents from the river do not extend as far as the site.

A detailed hydraulic modelling study of the watercourse along the northern boundary of the site has been undertaken to clarify the flood risk in the north adjacent to Main Street. The detailed hydraulic modelling results for the show that the 1 in 100 year (+30%) maximum fluvial flood depth on Main Street is 260mm, which only occurs in small isolated areas, with flood depths more typically not exceeding 100mm. To overcome any issues with the access in times of a flood event, the application makes provision for an emergency access in the south to Humble Lane. This access would be within flood zone 1.

The new site access road from Main Street will be elevated above the 1 in 100 year plus climate change flood level, thereby minimising the flood risk to users entering and leaving the site. Only at the junction with Main Street are roads levels in isolated areas below the 1 in 100 year plus climate change flood level. To compensate for the removal of floodplain storage as a result of the implementation of the access road minor profiling of ground levels are proposed within landscape areas to the north of the site. Hydraulic modelling has been undertaken to show that no detrimental effect to off-site flood levels would occur as a result of the compensatory storage works. The compensatory floodplain storage excavations would provide an additional betterment to original floodplain storage capacity, which will in reduce the overall flood risk to the site's access road.

Northern areas of the site are shown to be susceptible to surface water flooding, however this is considered to principally be as a result of rainfall on the site and not via overland flow from off-site areas. The surface water proposals seek to discharge to an onsite attenuation basin before being discharged at a QBar discharge rate of 30.2 l/s to an existing watercourse.

Neither the Environment Agency or Lead Local Flood Authority has raised specific objections to the proposal. This is based on the conclusions of the Flood Risk Assessment and proposed mitigation measures, which includes the provision of the emergency access onto Humble Lane.

The Leicestershire Lead Local Flood Authority and the Environment Agency have assessed the submitted information and consider that the scheme in principle is acceptable at this outline stage, subject to the imposition of appropriate planning conditions to further define the components of the Sustainable Drainage Scheme at the Reserved Matters stage. It is concluded therefore that, in principle, the proposed development can be accommodated on the site without causing or exacerbating flooding to other properties subject to the imposition of appropriate conditions requiring further details.

The proposal is therefore concluded to be compliant with policy CS16 of the Core Strategy and the Framework.

Ecology and Biodiversity

Policy CS13 seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. The application is supported by an Ecological Appraisal.

The Borough Council's Senior Ecologist has confirmed that the proposal's effects on biodiversity could be satisfactorily addressed by detailed measures secured by approval of planning conditions and approved as part of the detailed reserved matters application. In the light of the submitted Ecological Appraisal which shows a potential net gain for biodiversity on the site, there is no objection to the application. It is recommended that a mechanism be included within the Section 106 agreement that requires the reserved matters scheme to be BIA tested using an appropriate metric which can secure an off-site mitigation contribution in the event that the scheme does not protect against a net loss of biodiversity.

Overall, it is considered that a carefully considered reserved matters application could result in a development which can ensure there is not a biodiversity net loss. Policy CS13 supports development which protects biodiversity or enhances, restores or creates biodiversity, and which does not harm ecological networks. It is concluded that the proposal could be made acceptable with regards to biodiversity at the reserved matters stage and secured via the S106 agreement, in compliance with policy CS13 of the Charnwood Local Plan 2006-2028 Core Strategy.

Contaminated Land and Public Safety

The application has been supported by the submission of a ground investigation

report. The Council's Environmental Protection Team have been consulted in connection with the proposal and has suggested planning conditions to require further survey work and mitigation/remediation measures as necessary.

Having regard for all of the above, it is not considered that there would be any risk to existing or future residents that cannot be adequately mitigated and therefore the application is considered to accord with Paragraph 174 of the NPPF.

Section 106 Contributions

Policies CS3, CS13, CS15, CS17 and CS24 of the Core Strategy requires the delivery of appropriate infrastructure to meet the aspirations of sustainable development either on site or through appropriate contribution towards infrastructure off-site relating to a range of services. As set out within related legislation such requests must be necessary to make the development acceptable in planning terms, directly related to the development and fairly related in scale and kind. Consultation regarding the application resulted in the following requests to meet infrastructure deficits created by the development:

Education	<ul style="list-style-type: none"> • £928,571.42 towards the extension of Cossington Primary School and provision of 1.2 hectare of land. • £18,726.90 to fund the expansion of Humphrey Perkins School to partially meet needs of the development. • £36,300.78 to fund the additional Special school places generated by the large scale of this development
Libraries	<ul style="list-style-type: none"> • £3,920.00 towards the improvement of facilities at Sileby Library.
Open Space	<ul style="list-style-type: none"> • An on-site multi-function green space (minimum 0.10ha) • An on-site natural and semi open space (minimum 0.62ha) • An on-site amenity green space (minimum 0.14ha) • An on-site LEAP facility • On-site provision for young people • 0.81ha on-site provision or a £42,817.00 contribution towards off-site outdoor sports facilities • 0.10ha on-site provision or a £14,680.00 contribution towards off-site provision or enhancement of allotment facilities in Cossington • An indoor sports contribution to consist of £59,044.00 towards swimming pool facilities, £57,051.00 towards indoor court facilities and £8,424.00 towards indoor bowls rink facilities
Affordable Housing	<ul style="list-style-type: none"> • 40% of the dwellings to be affordable housing

	with 77% for affordable rent and/or social rent and 23% shared ownership.
NHS	<ul style="list-style-type: none"> • £95,739.07 to increase and improve facilities at the Banks and Highgate Medical Centre surgeries in Sileby.
Highways	<ul style="list-style-type: none"> • Raised kerb provision at two local bus stops at a cost of £4,000 • A Travel Plan monitoring fee of £6,000 • Travel pack for the first occupation of each new dwelling • Appointment of a Travel Plan co-ordinator • Six month bus passes (two per dwelling) for the first occupation of each new dwelling
Civic Amenity	<ul style="list-style-type: none"> • £6717.00 towards the increase and improvement of the facilities at Mountsorrel Waste and Recycling facility.
Biodiversity mitigation	<ul style="list-style-type: none"> • The submission of a Biodiversity Mitigation Strategy which includes a new BIA assessment with agreed baseline for site, at reserved matters stage. Mitigation will be provided in order of the following preference to achieve no net biodiversity loss. • Mitigation on site • Offsite contribution using cost model ECCv19.1 for a project within the vicinity of the development (to be agreed by all parties if required in the unlikely event that on-site mitigation cannot be provided.)
Cossington Parochial Church	<ul style="list-style-type: none"> • Seeks a contribution of £437,500.00 towards the provision and enhancement of community facilities in Cossington.

These contributions (with the exception of indoor sport and the appointment of a travel plan coordinator) are considered to be CIL compliant and would allow the necessary infrastructure to meet policy CS24. There are concerns regarding the contributions requested towards indoor sports. This is because they are based on a national threshold that does not consider existing provision, local need and/or circumstances. There are concerns regarding the provision of a travel plan coordinator in that the scale of the development does not justify such provision. As a result, it has not been fully demonstrated that these contributions are necessary to make the development acceptable in planning terms in accordance with the requirements of CIL regulation 122.

With regards to the request from the Cossington Project Group on behalf of Cossington Parochial Church Council, whilst a statement of need has been provided, further information with regards to the costings have been sought and are expected shortly in order to fully assess its CIL compliancy. Members will be updated on this matter via the extras report.

Planning Balance and Conclusion

Overall, the proposal has been carefully assessed against the comments and consultation responses received and the policies of the Development Plan and the National Planning Policy Framework.

As there is currently an insufficient supply of deliverable housing sites (3.34 years), this application would have to be determined on the basis of para 11d of the presumption in favour of sustainable development in the NPPF. This means that there must be adverse impacts which would significantly and demonstrably outweigh the benefits for planning permission to be refused.

In this case the development would provide up to 130 new units of which 40% would be affordable homes, at a time when there is an acute need in the Borough. This is a significant benefit of the scheme. These would not be provided in the most sustainable type of settlement in the Borough but nevertheless in one where there are some local facilities and services and a regular bus service to higher order centres. It is also a material consideration of limited weight that the council has identified the site as a suitable location for housing growth of significant scale within the Draft Local Plan 2021-2037. The site offers the potential for high quality design and an acceptable mix of housing. There are no technical constraints relating to highways, or flooding that cannot be mitigated, no net loss of biodiversity and landscape compensation can be secured by way of detailed landscape design. There would be no harm to heritage assets. Impacts on infrastructure and public services can be offset within the site or via commuted payments to improve facilities in the area.

Weighed against this is the conflict with Development Plan policies which set out the spatial strategy for the Borough. There would be some limited harm to the landscape as set out above.

The test from the Framework is whether the detrimental impacts of the proposal, described above would significantly and demonstrably outweigh the benefits of making a significant contribution to the supply of housing or whether specific policies within the Framework indicate that development should be restricted. With the Council's current position on housing land supply, it is not considered that these identified harms, (when taken together), would significantly and demonstrably outweigh the benefits of the additional housing. Accordingly, it is recommended planning permission should be granted conditionally subject to a S.106 agreement as set out below:

RECOMMENDATION A:

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

Education	<ul style="list-style-type: none">£928,571.42 towards the extension of Cossington Primary School and provision of 1.2 hectare of
-----------	--

	<p>land to meet the needs of the development.</p> <ul style="list-style-type: none"> • £18,726.90 to fund the expansion of Humphrey Perkins School to partially meet needs of the development. • £36,300.78 to fund the additional Special school places generated by the large scale of this development.
Libraries	<ul style="list-style-type: none"> • £3,920.00 towards the improvement of facilities at Sileby Library.
Open Space	<ul style="list-style-type: none"> • An on-site multi-function green space (minimum 0.10ha) • An on-site natural and semi open space (minimum 0.62ha) • An on-site amenity green space (minimum 0.14ha) • An on-site LEAP facility • On-site provision for young people • 0.81ha on-site provision or a £42,817.00 contribution towards off-site outdoor sports facilities • 0.10ha on-site provision or a £14,680.00 contribution towards off-site provision or enhancement of allotment facilities in Cossington
Affordable Housing	<ul style="list-style-type: none"> • 40% of the dwellings to be affordable housing with 77% for affordable rent and/or social rent and 23% shared ownership.
NHS	<ul style="list-style-type: none"> • £95,739.07 to increase and improve facilities at The Banks and Highgate Medical Centre surgeries in Sileby.
Highways	<ul style="list-style-type: none"> • Raised kerb provision at the two nearest bus stops at a cost of £4,000 each • A Travel Plan monitoring fee of £6,000 • Travel pack for the first occupation of each new dwelling • Six month bus passes (two per dwelling) for the first occupation of each new dwelling
Civic Amenity	<ul style="list-style-type: none"> • £6717.00 towards the increase and improvement of the facilities at Mountsorrel Waste and Recycling facility.
Biodiversity mitigation	<ul style="list-style-type: none"> • The submission of a Biodiversity Mitigation Strategy which includes a new BIA assessment with agreed baseline for site, at reserved matters stage. Mitigation will be provided in order of the following preference to achieve no net biodiversity loss. • Mitigation on site • Offsite contribution using cost model ECCv19.1

	for a project within the vicinity of the development (to be agreed by all parties if required in the unlikely event that on-site mitigation cannot be provided.)
--	--

RECOMMENDATION B:

That subject to the completion of the agreement in recommendation A above, planning permission be granted subject to the following conditions and notes:

1.	<p>Application for approval of reserved matters shall be made within three years of the date of this permission and the development shall be begun not later than two years from the final approval of the last of the reserved matters.</p> <p>REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>No development shall commence until details of the appearance, landscaping, layout and scale, (“the reserved matters”), have been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.</p> <p>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.</p>
3.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <ul style="list-style-type: none"> • 9300-L-03-F Indicative Layout (12 July 2021) • 9300-L-02-H Framework Plan (14 Dec 2020) • ADC2089-RP-C-v4 - Flood Risk Assessment • ADC2089-RP-G – Drainage Technical Note • ADC2089-DR-002-P3 Proposed Main Street Access Junction Layout • ADC2089-DR-004-P3 Proposed Humble Lane Emergency Access Junction Layout • ADC2089-DR-051-P1 Swept Path Analysis of the Proposed Main Street Access Junction – refuse lorry • ADC2089-DR-052-P2 Swept Path Analysis of the Proposed Main Street Access Junction – coach • ADC2089-DR-053-P2 Swept Path Analysis of the Proposed Humble Lane Emergency Access – large car • ADC2089-DR-054-P2 Swept Path Analysis of the Proposed Humble Lane Emergency Access – tractor and trailer • ADC2089-DR-055-P1 Swept Path Analysis of the Proposed Humble Lane Emergency Access – refuse lorry

	<ul style="list-style-type: none"> • ADC2089-DR-056-P1 Swept Path Analysis of the Proposed Humble Lane Emergency Access – coach • ADC2089-DR-057-P1 Swept Path Analysis of the Proposed Humble Lane Emergency Access – hay wagon • ADC2089-DR-051-P3 Proposed Surface and Foul Water Drainage Strategy • 9300-L-01 C Site Location Plan • BWB Phase 1 Geo-Environmental Assessment • JBA Consulting Hydraulic Modelling Report Nov 2020 • fpcr Bat Report Oct 2020 • fpcr Ecological Appraisal 2020 • Design and Access Statement Dec 2020 <p>REASON: To provide certainty and define the terms of the permission</p>
4.	<p>The reserved matters shall comprise a mix of market and affordable homes that has regard to both identified housing need for the borough and the character of the area and includes an appropriate level of smaller 2/3 bedroom units and single storey units.</p> <p>REASON: To ensure that an appropriate mix of homes is provided that meets the Council's identified need profile in order to ensure that the proposal complies with Development Plan policies CS3, and the advice within the NPPF.</p>
5.	<p>The landscaping details submitted pursuant to condition 2 above shall include:</p> <ul style="list-style-type: none"> vii) the treatment proposed for all ground surfaces, including hard surfaced areas; viii) planting schedules across the site, noting the species, sizes, numbers and densities of plants and trees; including tree planting within the planting belt to the east of the site; ix) finished levels or contours within any landscaped areas; x) any structures to be erected or constructed within any landscaped areas including play equipment, street furniture and means of enclosure. xi) functional services above and below ground within landscaped areas; and xii) all existing trees, hedges and other landscape features, indicating clearly any to be removed. <p>REASON: To make sure that a satisfactory landscaping scheme for the development is provided so that it integrates into the landscape and surrounding area and complies with policies CS2 and CS11 of the Development Plan.</p>
6.	<p>The details submitted pursuant to condition 2 above shall include full details of existing and proposed ground levels and finished floor levels of all buildings relative to the proposed ground levels.</p> <p>REASON: To make sure that the development is carried out in a way</p>

	<p>which is in character with its surroundings and ensure compliance with policies CS2 and of the Development Plan and associated national and local guidance.</p>
7.	<p>The details of layout, appearance and scale submitted pursuant to condition 2 above shall meet with, but not be limited to, the following principles set out within the Design and Access Statement and shown on the Illustrative Masterplan:</p> <ul style="list-style-type: none"> vii. The provision of a descending hierarchy of streets throughout the site viii. Built form which sensitively integrates the school extension and drop-off facilities into the layout by using buildings to 'wrap' around the school land ix. Providing good connectivity to the school land from the streets and pedestrian routes x. The provision of keynote buildings and feature green spaces with trees within the development parcels to include incidental planting along with trees and verges which are distinctive to Cossington xi. The provision of green infrastructure along the eastern and western boundaries and structural landscaping adjacent to the built form along the northern edge of the site xii. The provision of links through to the village to facilitate the link existing and proposed new development. <p>REASON: To ensure that a high quality design is delivered that reflects its edge of village location and does not create harm to adjacent occupiers. This condition is to provide certainty that this can be achieved and ensure compliance with policies CS2 of the Development Plan and associated national and local guidance.</p>
8.	<p>The details submitted pursuant to condition 2 above shall include a façade noise map to determine noise levels at each dwelling and provide a detailed glazing and ventilation schedule to control noise within dwellings, and a schedule of external boundary treatments to limit external noise levels within private gardens.</p> <p>REASON: to ensure that appropriate external and internal noise criteria is achieved having regard for the amenity of those that will live in the development in accordance with Policy CS2 of the Core Strategy.</p>
9.	<p>The details submitted pursuant to condition 2 above shall include the following minimum amounts and typologies of open space:</p> <ul style="list-style-type: none"> vi. An on-site multi-function green space (minimum 0.10ha) vii. An on-site natural and semi open space (minimum 0.62ha) viii. An on-site amenity green space (minimum 0.14ha) ix. An on-site LEAP facility x. On-site provision for young people <p>REASON: To ensure that the open space needs of future residents are met at a level that complies with Development Plan policies CS15</p>

10.	<p>No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.</p> <p>REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.</p>
10.	<p>The ADC Travel Plan dated 21 June 2021 (Version 4) shall be implemented fully in accordance with its content unless an alternative Travel Plan is submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2021).</p>
11.	<p>No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on ADC drawing number ADC2089-DR-002 Revision P3 have been implemented in full.</p> <p>REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).</p>
12.	<p>No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 42.8 and 2.4m by 44.3 metres have been provided to the southwest and northwest respectively at the site access junction. 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.</p> <p>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 (2021).</p>
13.	<p>No development shall take place until a scheme and timetable for delivery for the treatment of Public Right of Way I62 adjacent to the site has been submitted and approved in writing by the Local Planning Authority. Such a scheme shall include provision for the management during construction (including any arrangements for a temporary diversion) fencing, surfacing, width, structures, signing and landscaping in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers. Thereafter the development shall be carried out in accordance with the approved scheme and timetable.</p>

	<p>REASON: To protect and enhance Public Rights of Way and access in accordance with Paragraph 98 of the National Planning Policy Framework 2021.</p>
14.	<p>Notwithstanding the details submitted, within two months of commencement of any development on site, including site works, details of the management, enforcement, and maintenance of the proposed emergency access to the site from Humble Lane have been submitted to and agreed in writing with the Local Planning Authority. The approved emergency access shall be provided prior to the first occupation of any dwelling on the site in accordance with the approved details and shall thereafter maintained at all times.</p> <p>REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).</p>
15.	<p>No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres x 120 metres have been provided at the emergency access junction. 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.</p> <p>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 (2021).</p>
16.	<p>Within four weeks of the emergency access onto Humble Lane being brought into use, any existing accesses on Humble Lane shall be closed permanently and the land within the highway reinstated, in accordance with details which shall have first been submitted to and agreed in writing by the local planning authority.</p> <p>REASON: In the interests of highway and pedestrian safety in accordance with the National Planning Policy Framework (2021).</p>
17.	<p>The development shall be carried out in accordance with the submitted flood risk assessment report reference: DC2089-RP-C-v4 produced by ADC Infrastructure on the 16th December 2020 and the following mitigation measures it details:</p> <ul style="list-style-type: none"> • Finished floor levels shall be set a minimum of 300mm above surrounding ground levels. <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p>

	<p>REASON: To reduce the risk of flooding to the proposed development and future occupants.</p>
18.	<p>The development hereby permitted must not be commenced until such time as a scheme to provide adequate floodplain compensation has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.</p> <p>REASON: To ensure that there are no detrimental impacts to flood storage or flood flow routes.</p>
19.	<p>Prior to the commencement of development a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:</p> <ul style="list-style-type: none"> (i) A preliminary risk assessment which has identified: <ul style="list-style-type: none"> all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; potentially unacceptable risks arising from contamination at the site; (ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site; (iii) The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; (iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. <p>Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.</p> <p>REASON: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with the National Planning Policy Framework.</p>
20.	<p>Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning</p>

	<p>authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.</p> <p>REASON: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with of the National Planning Policy Framework.</p>
21.	<p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.</p> <p>REASON: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with the National Planning Policy Framework.</p>
22.	<p>Prior to the occupation of any dwelling a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all public open spaces, ecological mitigation areas and surface water drainage system, shall be submitted to and approved in writing by the local planning authority. The approved landscape management plan shall then be fully implemented.</p> <p>REASON: To ensure that public open spaces are maintained so that they are of good quality and that drainage systems retain full function. This is to make sure the development remains in compliance with Development Plan policies CS2, CS11, CS15 and CS16.</p>
23.	<p>The existing hedges and trees located within the application site boundaries, other than at the point of the new access and internal roads shall be retained and maintained at all times. Any part of the hedges removed, dying, being severely damaged or becoming seriously diseased shall be replaced, with hedge plants and trees of such size and species as previously agreed in writing by the local planning authority, within one year of the date of any such loss.</p> <p>REASON: The hedges and trees are an important feature in the area and its retention is necessary to help screen the new development</p>
24.	<p>No development, including site works, shall begin until the hedges and trees located within the application site boundaries that are to be retained, have been protected, in a manner previously agreed in writing by the local planning authority. The hedges shall be protected in the agreed manner for the duration of building operations on the application site.</p>

	<p>REASON: The hedges and trees are 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.</p>
25.	<p>No development shall take place until a programme of archaeological work which includes a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:</p> <ul style="list-style-type: none"> • The programme and methodology of site investigation and method • The programme for post investigation assessment • Provision to be made for analysis of the site investigation and recording • Provision to be made for the publication and dissemination of the analysis and records of the site investigation • Provision to be made for archive deposition of the analysis and records of the site investigation • Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. <p>All works including site clearance shall be carried out in accordance with the Written Scheme of Investigation.</p> <p>REASON: To make sure that any heritage assets are appropriately recorded and/or protected to allow compliance with policies CS14 of the Development Plan and the advice within the NPPF.</p>
26.	<p>No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority.</p> <p>REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.</p>
27.	<p>No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority.</p> <p>REASON: To prevent flooding by ensuring the satisfactory management of surface water at the site.</p>
28.	<p>No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system</p>

	(including sustainable drainage systems) within the proposed development.
29.	No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority. REASON: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy
30.	No development approved by this planning permission shall commence until an Ecological Mitigation Strategy for the site is submitted in writing for approval. The development shall be carried out and retained thereafter in accordance with the approved details. REASON: To ensure the design and construction of the development does not result in the loss of any biodiversity features, habitats or protected species in accordance with Policy CS13 and the NPPF.
31.	Notwithstanding the submitted details, no development shall commence on site until a Phase II ground investigation has been undertaken to identify the extent, scale and type of any contamination at the site. If contamination is identified a detailed remediation scheme to bring the site to a condition suitable for the intended use along with a timetable for implementation shall be submitted in writing to the local planning authority for approval. Upon completion of the approved remedial measures a site verification report shall be provided to the satisfaction of this department including conclusive evidence that the remedial measures have been implemented and the site is suitable for its intended use. REASON: To ensure that the occupiers of the development are not put at unacceptable risk from land contamination.
32.	If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until an amendment to the remediation strategy detailing how this unexpected contamination shall be dealt with has been submitted in writing and approved by the local planning authority. REASON: To ensure that the occupiers of the development are not put at unacceptable risk from land contamination.
33.	The details submitted pursuant to condition 2 above shall include an appropriate air quality assessment to determine Air Quality impacts associated with the traffic generated by the development. The assessment shall include receptors adjacent to all roads where a significant change in traffic is predicated, and, where necessary set out a mitigation strategy, including a timetable for implementation, for any necessary remedial measures. REASON: To ensure that the occupiers of the development are not put at unacceptable risk from air contamination.

--	--

Informative Note(s):

1. Planning Permission has been granted for this development because the Council has determined that it is generally in accordance with the terms of Development Plan policies CS1, CS2, CS3, CS11, CS13, CS14, CS16, CS24, CS25, ST/2, CT/1, CT/2, EV/1, TR/18, because the benefits of the proposal are not significantly and demonstrably outweighed by the harm identified. There are no other issues arising that would indicate that planning permission should be refused.
2. The Local Planning Authority has acted pro-actively through early engagement with the Applicant at the pre-application stage and throughout the consideration of this planning application. This has led to improvements with regards the development scheme in order to secure a sustainable form of development in line with the requirements of Paragraph 38 of the National Planning Policy Framework (2019), and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
3. Care should be taken during site works to make sure that hours of operation, methods of work, dust and disposal of waste do not unduly disturb nearby residents.
4. This permission has been granted following the conclusion of an agreement under Section 106 of the Town & Country Planning Act 1990 relating to the provision of infrastructure contributions necessary to make the development acceptable in planning terms.
5. 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>
6. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
7. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design

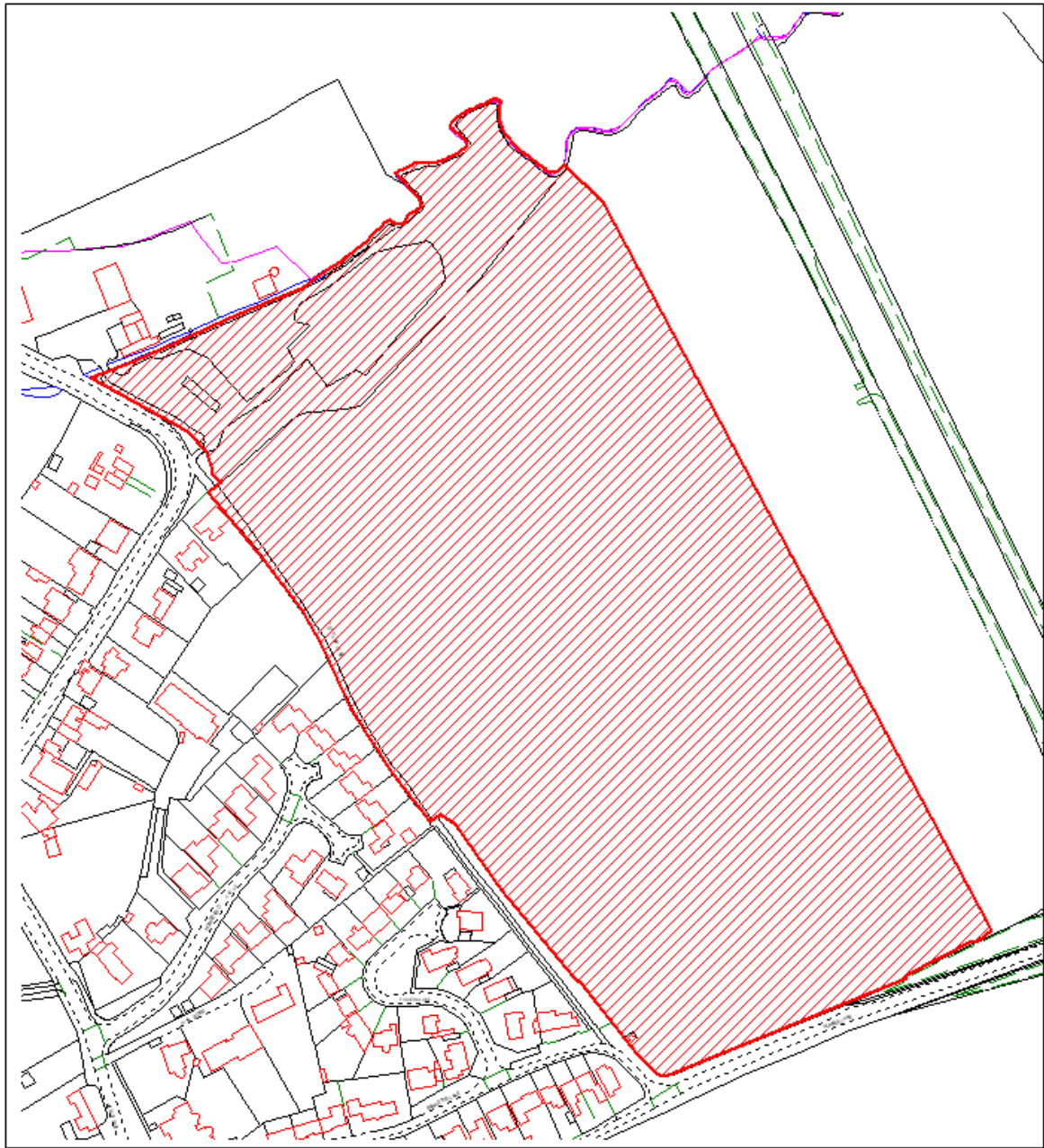
guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

8. Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works. Public Rights of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980. If there are any Public Rights of Way which the applicant considers impracticable to retain on their existing lines, a separate application for diversion is required. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.
9. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required. Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
10. No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.
11. All work shall follow recognised good practice such as those detailed in BS 5228 "Noise control on construction and open sites", the BRE report "Control of Dust from Construction and Demolition Activities".
12. There shall be no burning of waste on the site.
13. There shall be no audible demolition/construction noise beyond the site boundary before 07.30 or after 18.00 hours Monday to Friday or between 0800 and 1300 hours on Saturdays, with no working on Sundays or Bank Holidays.
14. The surface water drainage scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface

water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.

15. Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change storm events.
16. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
17. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual householder ownership.
18. The results of infiltration testing should conform to BRE Digest 365 Soakaway Design. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an alternative approach.
19. Where there are any works proposed as part of an application which are likely to affect flows in an ordinary watercourse or ditch, the applicant will require consent under Section 23 of the Land Drainage Act 1991. This is in addition to any planning permission that may be granted. Guidance on this process and a sample application form can be found via the following website: <http://www.leicestershire.gov.uk/flood-risk-management>
20. Applicants are advised to refer to Leicestershire County Council's culverting policy contained within the Local Flood Risk Management Strategy Appendix document, available at the above link. No development should take place within 5 metres of any watercourse or ditch without first contacting the County Council for advice.
21. Overland flow routes as shown on the update map for surface water should be considered such that buildings are not placed directly at risk of surface water flooding. Such flow routes should be utilised for roads and green infrastructure.
22. Where a drainage ditch adjoins or flows through a development, provision should be made such that the ditch can be made throughout the life of the

development. The ownership and responsibility for maintenance of the ditch should also be clearly identified and conveyed to the relevant parties.



For Plans Committee – 1st December 2021

Additional items received since the report was drafted

Site Address: Land off Humble Lane, Cossington

Item No.2.

P.A. No. P/20/2393/2

Since the publication of the committee report, correspondence has been received on behalf of Sileby Town Rugby Club. A financial contribution of £66,522.40 towards the improvements to the car parking facilities at the Platts Lane Recreation ground has been requested along with supporting evidence to demonstrate need.

Additionally, it has been noted that the early years education contribution request was not included in the recommendation set out in the main committee report. A contribution of £98,422.35 is requested by the County education authority to provide early years learning facilities for the demand generated by the development at the new primary school, or to improve, remodel or enhance existing facilities at existing early learning centres in the locality.

Further information has been received from the Leicestershire Highway Authority regarding the provision of a Travel Plan Coordinator to be secured in the S106 Agreement. This request has been previously considered in the main committee report and concluded not comply with the CIL regulations.

Also, further information has been received from the Cossington Parochial Church regarding the request for a contribution towards the provision and enhancement of community meeting facilities in Cossington.

Officer Response:

Sileby Town Rugby Club

A contribution of this nature would fall under the category of outdoor sports facilities, a contribution for which is already set out in the recommendation and forms part of the open space provision for the site. The outdoor sports contribution requested is in line with the Council's adopted Playing Pitch Strategy. An additional outdoors sports contribution cannot therefore be secured at this time as it would not comply with the CIL regulations. The procedure for the Rugby Club to access the outdoor sports contribution for their identified project would be to make a separate application to the Council's Open Spaces Department.

Early Years Education Provision

The contribution has been assessed and is considered to comply with the CIL regulations and would allow the necessary infrastructure to be provided to mitigate the impact of the development to comply with the provisions of policy CS24. The contribution should therefore be added to the recommendation A.

Travel Plan Coordinator

The additional information has been assessed and it is considered that the appointment of a Travel Plan Coordinator would comply with the CIL regulations to mitigate the impact of the development to comply with the provisions of policy CS24. The appointment of the Travel Plan Coordinator should therefore be added to the recommendation A.

Cossington Parochial Church

The additional information submitted by the Cossington Project Group on behalf of the Church has been assessed. The contribution requested has been amended to £200,000.00 which is a reduction from the initial request of £437,500.00. The additional information submitted has been assessed and the contribution requested is considered to comply with the CIL regulations to mitigate the impact of the development to comply with the provisions of policy CS24. The contribution should therefore be added to the recommendation A.

Recommendation:

No change to the officer's overall recommendation. However, it is recommended the following obligations are now included within Recommendation A;

Recommendation A:

The following additional contributions to be secured in accordance with Policies CS24:

- A £98,422.35 contribution towards early years provision in the locality
- The appointment of a Travel Plan Coordinator
- A £200,000.00. contribution towards the provision of and enhancement of community meeting facilities in the locality

Item No. 4

Application Reference Number P/22/0169/2

Application Type:	Listed Building Consent	Date Valid:	31/01/2022
Applicant:	Mr Jonathan Morgan		
Proposal:	Internal alterations to swap Playroom and Kitchen, creation of new draught lobby from new external rear door.		
Location:	Manor Farm House, 21 Stanford Lane, Cotes, Leicestershire LE12 5TW		
Parish:	Cotes	Ward:	The Wolds
Case Officer:	Martin Jones	Tel No:	01509 634971

This application is referred to Plans Committee in accordance with exceptions contained within the Council's scheme of sub-delegation to Heads of Service embedded within the Constitution.

Description of the Site

Manor Farm House is a large, attractive dwelling house dating from c1800 and constructed of brick with dentilled eaves courses and a distinctive Swithland slate roof. Originally the principal farmhouse, it sits in a prominent position on Stanford Lane with the associated outbuildings set further back behind Manor Farm House, although these outbuildings are now outside of the ownership of the farmhouse. The building was listed, Grade II, on 15 March 1984.

Description of the Proposals

This application for Listed Building Consent seeks approval for internal alterations to swap the locations of the existing Playroom and Kitchen, the relocation of an existing fireplace, the installation of a new folding door screen and single leaf door to replace existing patio windows and doors to the northwest elevation and the creation of a new draught lobby and entrance door to the rear entrance.

Development Plan Policies

Charnwood Local Plan 2011-2028 Core Strategy

The following policies are relevant to this application:

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

Policy CS14 – Heritage – Sets out to conserve and enhance our historic assets for their own value and the contribution they make to the community, the environment and the economy.

Other material considerations

National Planning Policy Framework (NPPF)

Whilst all proposals must be determined in accordance with the development plan, the National Planning Policy Framework, (The Framework), 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 the natural, built and historic environment

In addition, the Framework offers the following advice that is particularly relevant to the consideration of this proposal:

Paragraph 194 states that in determining applications, planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assessed using appropriate expertise where necessary.

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and 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.

Historic England's Historic Environment Good Practice Advice in Planning 2: *Managing Significance in Decision-Taking in the Historic Environment.*

This provides information to assist local authorities, planning and other consultants, owners, applicants and other interested parties in implementing historic environment policy.

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

Consolidates previous legislation relating to special controls in respect of buildings and areas of special architectural or historic merit and sets out what alterations can be carried out to listed buildings and within Conservation Areas without the formal consent of the local planning authority.

Section 66 of the Act requires that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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.

The Draft Charnwood Local Plan 2019-2037

The local planning authority is in the process of preparing a new local plan for the borough for the period up to 2037. Due to the stage this has reached in the plan making process, at this time, the Draft Local Plan carries only limited weight.

Relevant Planning History

P/15/1340/2	(Listed Building Consent) – Replacement windows	granted conditionally	02/09/2015
P/19/1786/2	(Listed Building Consent) – Replacement windows	granted conditionally	25/10/2019

Responses of Statutory Consultees

None.

Consideration of the Planning Issues

The NPPF states at paragraph 199 that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In addition, Policy CS 14 of the Core Strategy

to the Charnwood Local Plan requires development proposals to protect heritage assets and their setting.

The main issue to be considered in the determination of this application is the impact that the proposal would have on the heritage asset, (the grade II listed building). The details to be considered are the possible loss of historic fabric and the aesthetic impact of the new interventions.

The existing chimney stack to the southwest wall of the existing Playroom is an original feature, however, following an analysis of the construction details and the plan form of the building, it is considered that the 'Tudor arch' fireplace is not original but is itself a later intervention. The relocation of this fireplace and the opening up of the chimney breast, including the insertion of new air bricks, to facilitate the installation of a new stove is therefore not considered to have a detrimental impact on the listed building.

The existing patio doors and windows to the northwest elevation are also considered to be later interventions consisting of 20th century painted casement windows and glass-paneled doors. The removal of these windows, together with the removal of a small amount of brickwork below the sills to either side of the patio doors and the subsequent installation of a high quality, glazed hardwood folding door screen is not considered to be harmful to the character or appearance of the listed building. Similarly, the replacement of the existing single leaf door with a painted hardwood single leaf door within the original structural openings is also not considered to be harmful to the character or appearance of the listed building.

The renovation works to the main entrance door are considered to be like for like repairs for which listed building consent is not required.

The application also involves the installation of a single leaf door to the rear entrance lobby. This rear lobby was constructed in the late 20th century and consists of a flat-roofed extension with a Swithland slate mono-pitch roof. The later extension is to be slightly modified to facilitate the creation of a draught lobby, the infilling of 3 No. small openings, the relocation of the door to an existing WC and the installation of a new hardwood single leaf external door providing an additional entrance from the rear of the property. This work involves modifications to a 20th century extension and no detrimental loss of historic fabric. As such the work is not considered to adversely impact on the character or appearance of the listed building.

Conclusion

In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard has been given to the desirability of preserving the listed building affected by this application and the features of special architectural and historic interest which it possesses.

For the reasons set out above it is considered that the proposed works will not cause harm to the significance of the designated heritage asset.

The development therefore accords with Policies CS2 and CS14 of the core strategy of the Charnwood Borough Council Local Plan, the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraphs 199 to 202 of the NPPF.

RECOMMENDATION:

Grant subject to the following conditions:

1. The works to which this consent relates, shall be begun not later than 3 years from the date of this consent.

REASON: To comply with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.

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

MFH 2022/100 – Location Plan

MFH 2022/108 – Proposed Ground Floor (Playroom/Conservatory)

MFH 2022/109 – Proposed Ground Floor (Kitchen/Larder)

MFH 2022/110 – Existing and proposed additional rear entrance

MFH 2022/111 – Sections through proposed additional rear entrance

MFH 2022/112 – Illustration of existing and proposed additional rear entrance

MFH 2022/115 – Changes to chimney breast in existing Playroom

MFH 2022/116 – Renovation of external door panel to existing Playroom

MFH 2022/120 – Changes to entrance to Conservatory from existing Playroom

MFH 2022/121 – Changes to entrance door to Conservatory from Hallway

MFH 2022/122 – Sections to Conservatory doors from existing Playroom and Hallway

Received 31 January 2022

REASON To define the limits of the listed building consent

3. Any materials used to make good the existing building fabric shall be carried out using materials that match the existing building.

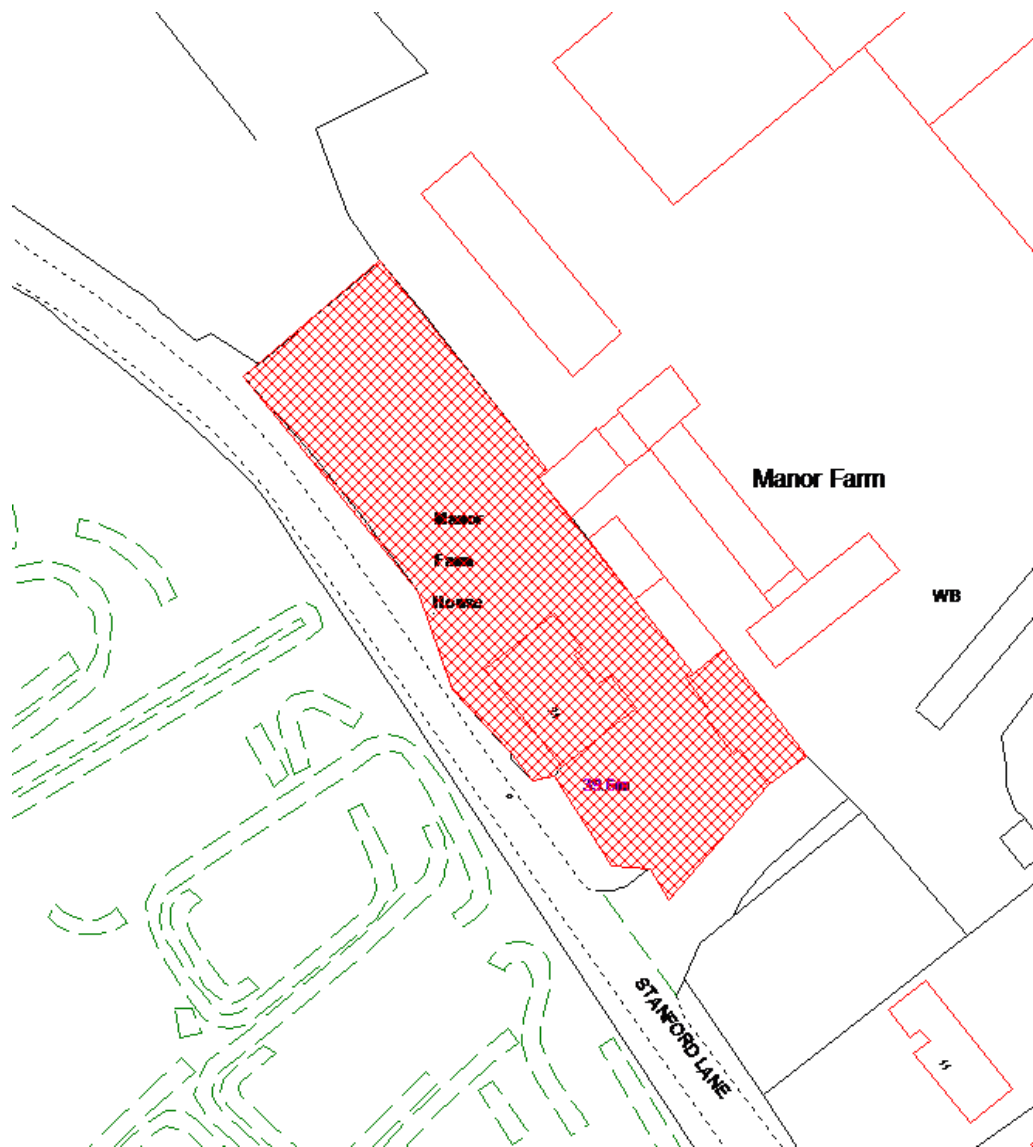
REASON: To ensure that the works are carried out in a way that respects the character and significance of the listed building in accordance with Policy CS2 and CS14 of the Core Strategy (2015).

The following advice notes will be attached to a decision

- 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 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS2 and CS14 of the Charnwood Local Plan 2011-2028 Core Strategy have been taken into account in the determination of this application. The development complies with the requirements of these policies and there are no other material considerations which are of significant weight in reaching a decision on this application.
- 3 Planning permission has been granted for this development because the Council has determined that it is generally in accord with the terms of the above-mentioned policies and, otherwise, no harm would arise such as to warrant the refusal of planning permission.



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.
Licence No: 100023558

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/21/2599/2	Householder	19 Princes Close Anstey Leicestershire LE7 7EG	Erection of two storey extension to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	25-Mar-2022	Anstey
P/21/2653/2	Full	The Martin High School Link Road Anstey Leicestershire LE7 7EB	Proposed two storey classroom building.	GTDCON, Permission be granted subject to the following conditions:	28-Mar-2022	Anstey
P/21/2635/2	Householder	76 Hazlehead Road Anstey Leicestershire LE7 7DX	Erection of single storey extension to side of dwelling	GTDCON, Permission be granted subject to the following conditions:	31-Mar-2022	Anstey
P/21/2459/2	Full	84 Bradgate Road Anstey Leicestershire LE7 7FB	Change of use of residential annexe to holiday accommodation.	GTDCON, Permission be granted subject to the following conditions:	05-Apr-2022	Anstey
P/21/2666/2	Householder	82 Beaumont Road Barrow Upon Soar Leicestershire LE12 8PJ	Erection of single storey extension to side of house	GTDCON, Permission be granted subject to the following conditions:	14-Mar-2022	Barrow & Sileby West
P/21/2466/2	Householder	19 The Banks Barrow Upon Soar Leicestershire LE12 8NL	Front and rear extensions to bungalow	GTDCON, Permission be granted subject to the following conditions:	15-Mar-2022	Barrow & Sileby West
P/21/2657/2	Householder	3 The Moorings Barrow Upon Soar Leicestershire LE12 8GY	Application of external timber cladding to dwelling.	GTDCON, Permission be granted subject to the following conditions:	25-Mar-2022	Barrow & Sileby West

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/21/2429/2	Full	80A Leicester Road Quorn Leicestershire LE12 8BB	Construction of a jetty, walkway and adjacent pontoon for the mooring of a narrowboat on River Soar to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	24-Mar-2022	Barrow & Sileby West Quorn & Mountsorrel Castle
P/21/2638/2	Householder	31 Elmfield Avenue Birstall Leicestershire LE4 3DH	Erection of single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	14-Mar-2022	Birstall Wanlip
P/22/0091/2	Householder	2 Hallam Avenue Birstall Leicestershire LE4 3DN	Proposed single storey side extension, insertion of windows for loft conversion, and porch to front of dwelling.	GTDCON, Permission be granted subject to the following conditions:	15-Mar-2022	Birstall Wanlip
P/22/0090/2	Householder	56 Woodgate Drive Birstall Leicestershire LE4 3JX	Proposed single storey extension to side, porch to front, erection of detached garage to side and extend dropped kerb to front of dwelling. (Revised scheme - refusal P/21/0351/2 refers).	GTDCON, Permission be granted subject to the following conditions:	15-Mar-2022	Birstall Wanlip
P/21/0075/2	Householder	10 Church Road Wanlip Leicestershire LE7 4PJ	Erection of two storey extension to side and rear, and single storey extension to rear of dwelling (Revised scheme - P/21/0794/2 refers).	GTDCON, Permission be granted subject to the following conditions:	21-Mar-2022	Birstall Wanlip
P/21/2156/2	Householder	13 Fieldgate Crescent Birstall LE4 3JE	Erection of single storey extension at rear of house	GTDCON, Permission be granted subject to the following conditions:	25-Mar-2022	Birstall Wanlip
P/22/0133/2	Householder	35 Queensgate Drive Birstall Leicestershire LE4 3JS	Proposed single storey extension to side and rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	28-Mar-2022	Birstall Wanlip

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0172/2	Householder	95 Harrowgate Drive Birstall Leicestershire LE4 3GR	First floor extension to side over existing garage of detached house and extension to front for porch.	GTDCON, Permission be granted subject to the following conditions:	01-Apr-2022	Birstall Wanlip
P/22/0205/2	Householder	23 Ambergate Drive Birstall Leicestershire LE4 3GD	Proposed relocation of existing detached garage towards the front of the property. Proposed single storey extension to rear of property.	GTDCON, Permission be granted subject to the following conditions:	05-Apr-2022	Birstall Wanlip
P/21/2118/2	Householder	19 Roman Road Birstall LE4 4BB	Proposed single storey extensions to side and rear of existing dwelling including insertion of rooflights in northern elevation. extension with adaptation of previous side extension.	GTDCON, Permission be granted subject to the following conditions:	18-Mar-2022	Birstall Watermead
P/21/2548/2	Householder	31 Bramley Road Birstall LE4 4FH	Proposed metal storage shed to front of garden.	REF, Permission be refused for the following reasons:	21-Mar-2022	Birstall Watermead
P/22/0140/2	Householder	30 Birstall Road Birstall Leicestershire LE4 4DD	Proposed two storey side and rear extension and single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	28-Mar-2022	Birstall Watermead
P/21/2562/2	Householder Prior Notification	729 Loughborough Road Birstall Leicestershire LE4 4NN	The erection of a single storey rear extension extending beyond the rear wall of the original house by 5.1m, with a maximum height of 3.4m, and height to the eaves of 2.7m.	PRINOT, Prior approval from the Council is not required	31-Mar-2022	Birstall Watermead
P/21/2228/2	Householder	70 Roman Road Birstall LE4 4BA	Erection of single storey extension to side and rear, alterations to roof to allow loft conversion including raising of ridge height, three dormer windows to front and hip to gable conversion to each side of house	GTDCON, Permission be granted subject to the following conditions:	06-Apr-2022	Birstall Watermead

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/21/1878/2	Householder	20 The Meadows East Goscote LE7 3QU	Installation of dropped kerb and vehicular access to front of dwelling.	GTDCON, Permission be granted subject to the following conditions:	24-Mar-2022	East Goscote Ward
P/22/0070/2	Householder	21 Hill Rise Woodhouse Eaves Leicestershire LE12 8QX	Proposed amendment to further extend single storey side and rear extension previously granted within P/21/2198/2- Proposed two storey side extension and single storey side and rear extension, with associated works.	GTDCON, Permission be granted subject to the following conditions:	15-Mar-2022	Forest Bradgate
P/21/1915/2	Householder	Nanhill Nanhill Drive Woodhouse Eaves LE12 8TL	Alterations to summer house to create flat roof canopy extension, alterations to window, outdoor fireplace, construction of retaining walls and landscaping.	GTDCON, Permission be granted subject to the following conditions:	18-Mar-2022	Forest Bradgate
P/21/2411/2	Full	Land r/o 6 Nanhill Drive Woodhouse Eaves Leicestershire LE12 8TL	One detached dwelling	GTDCON, Permission be granted subject to the following conditions:	25-Mar-2022	Forest Bradgate
P/22/0027/2	Householder	74 Roecliffe Road Newtown Linford Leicestershire LE12 8TN	Single storey front and rear extensions, and raised platform at rear	GTDCON, Permission be granted subject to the following conditions:	29-Mar-2022	Forest Bradgate
P/21/2430/2	Householder	The Homestead 46 School Lane Woodhouse Leicestershire LE12 8UJ	Proposed erection of Victorian style greenhouse to rear of existing dwelling to replace existing car port.	GTDCON, Permission be granted subject to the following conditions:	01-Apr-2022	Forest Bradgate

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0108/2	CL (Proposed)	West Beacon Farm Deans Lane Woodhouse Eaves Leicestershire LE12 8TE	Certificate of lawful (proposed) development for a new access to agricultural land off Deans Lane with associated works.	CLDPGRANT, Certificate of Lawful Proposed Development	07-Apr-2022	Forest Bradgate
P/21/2248/2	CL (existing)	231 Alan Moss Road Loughborough LE11 4LT	Certificate of Lawfulness (Existing) for use of property as a house of multiple occupation (Use Class C4 HMO).	GTD, Permission be granted unconditionally	14-Mar-2022	Loughborough Ashby
P/22/0023/2	Full	Whitworth Tower Elvyn Way Loughborough University Loughborough LE11 3UA	Erection of energy and data centre with associated landscaping and ancillary works.	GTDCON, Permission be granted subject to the following conditions:	18-Mar-2022	Loughborough Ashby
P/22/0086/2	Full	Purple Onion Elvyn Way University Campus Loughborough Leicestershire	Retention of porta-cabin for use as a shop (Use Class E(a)) and hot food takeaway (Use Class Sui Generis) until May 2025.	GTDCON, Permission be granted subject to the following conditions:	25-Mar-2022	Loughborough Ashby
P/22/0083/2	Householder	3 Sywell Avenue Loughborough Leicestershire LE11 4BU	Proposed single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	01-Apr-2022	Loughborough Garendon
P/22/0215/2	Householder	5 Cropston Avenue Loughborough Leicestershire LE11 4PR	Proposed part 2-storey and part single-storey extension to rear of existing dwelling.	GTDCON, Permission be granted subject to the following conditions:	04-Apr-2022	Loughborough Garendon
P/21/1187/2	Householder	83 Wharnccliffe Road Loughborough Leicestershire LE11 1SL	Retention of single storey extension to side and rear of house	GTDCON, Permission be granted subject to the following conditions:	16-Mar-2022	Loughborough Hastings

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0035/2	Householder	33 King George Road Loughborough Leicestershire LE11 2NX	Erection of a single storey extension to the rear of the terraced dwelling.	GTDCON, Permission be granted subject to the following conditions:	01-Apr-2022	Loughborough Hastings
P/21/2560/2	Full	170 Leicester Road Loughborough Leicestershire LE11 2AH	Proposed single storey side and rear extension	GTDCON, Permission be granted subject to the following conditions:	05-Apr-2022	Loughborough Hastings
P/22/0137/2	Full	23 Dovecote Street Hathern Leicestershire LE12 5HS	Clad the existing south gable above the tie beam with oak weather boarding	GTDCON, Permission be granted subject to the following conditions:	24-Mar-2022	Loughborough Hathern & Dishley
P/22/0251/2	Full	Garendon Park Phase 1 (Land West of Loughborough) Derby Road Loughborough, Leicestershire	Construction of temporary vehicular highway access from Derby Road to Garendon Park Phase 1.	GTDCON, Permission be granted subject to the following conditions:	28-Mar-2022	Loughborough Hathern & Dishley
P/20/1941/2	Householder	61 Limehurst Avenue Loughborough LE11 1PE	Retention of single storey extension to rear of house	GTDCON, Permission be granted subject to the following conditions:	14-Mar-2022	Loughborough Lemyngton
P/21/2648/2	Householder	11 Gladstone Avenue Loughborough Leicestershire LE11 1NP	Erection of single storey extensions to front and rear of dwelling with formation of hipped roofs to existing two storey rear extensions.	GTDCON, Permission be granted subject to the following conditions:	28-Mar-2022	Loughborough Lemyngton
P/21/0690/2	Full	Limehurst Academy Bridge Street Loughborough Leicestershire LE11 1NH	Construction of new Multi Use Games Area facility and associated works	GTDCON, Permission be granted subject to the following conditions:	04-Apr-2022	Loughborough Lemyngton

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/21/2295/2	Full	27 Market Place Loughborough Leicestershire LE11 3EB	Change of use from estate agent's office (Use Class E(c)(iii) to hot food takeaway (Sui Generis) with ancillary on-site consumption of food, internal alterations, new extraction flue to rear.	GTDCON, Permission be granted subject to the following conditions:	05-Apr-2022	Loughborough Lemyngton
P/22/0104/2	Householder	11 Pantain Road Loughborough Leicestershire LE11 3LZ	Erection of first floor rear extension, conversion of existing garage to habitable accommodation and new garage to side of dwelling. Erection of new boundary wall and gates to front of dwelling.	GTDCON, Permission be granted subject to the following conditions:	16-Mar-2022	Loughborough Outwoods
P/21/2675/2	Full	48 Woodlands Drive Loughborough Leicestershire LE11 2DD	Construction of replacement outbuilding for use as hairdressing/beauty business.	GTDCON, Permission be granted subject to the following conditions:	28-Mar-2022	Loughborough Outwoods
P/21/2556/2	Full	Footway of Ling Road Leicestershire Loughborough LE11 2HB	Removal of 15m monopole supporting 3 no. antennas, 1 no. equipment cabinet, 1 no. electric meter cabinet; erection of 20m monopole, supporting 6 no. antennas, 1 no. equipment cabinet, 3 no. remote radio units (RRUs) and 1 no. GPS module.	GTDCON, Permission be granted subject to the following conditions:	28-Mar-2022	Loughborough Shelthorpe
P/22/0139/2	Full	37 Radmoor Road Loughborough Leicestershire LE11 3BP	Proposed single storey extension to rear and insertion of dormer extension in rear elevation and conversion of large unmanaged residence for more than 6 people (large HiMO, Sui Generis) to form 2no multiple occupation flats (Use Class C4) (1no x 6 bed and 1no x 5 bed).	GTDCON, Permission be granted subject to the following conditions:	22-Mar-2022	Loughborough Southfields

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0068/2	Full	11A Wards End Loughborough Leicestershire LE11 3HA	Change of use of first and second floors from residential (Use Class C3) to tattoo studio (Sui Generis).	GTDCON, Permission be granted subject to the following conditions:	05-Apr-2022	Loughborough Southfields
P/21/2613/2	Householder	64 Knightthorpe Road Loughborough Leicestershire LE11 4JT	Erection of two storey extension to side and single storey extensions to front and rear of detached dwelling.	GTDCON, Permission be granted subject to the following conditions:	25-Mar-2022	Loughborough Storer
P/21/0785/2	Full	106 A Derby Road Loughborough LE11 5HL	Conversion of building to 8no flats (7no studio flats and 1no two bed flat) to ground, first and second floors, alterations to shopfront and fenestrations and provision of bin store to rear.	GTDCON, Permission be granted subject to the following conditions:	25-Mar-2022	Loughborough Storer
P/22/0080/2	Full	91 Station Street Loughborough Leicestershire LE11 5EF	Erection of single storey extension to rear of HMO (Class C4)	GTDCON, Permission be granted subject to the following conditions:	28-Mar-2022	Loughborough Storer
P/21/2494/2	Outline Planning Permission	Land rear of 113 Byron Street Loughborough Leicestershire LE11 5JN	Erection of a two-storey dwelling	GTDCON, Permission be granted subject to the following conditions:	29-Mar-2022	Loughborough Storer
P/21/2586/2	Householder	9 Oxford Street Loughborough Leicestershire LE11 5DP	Erection of single storey extensions to rear of House in Multiple Occupation (Class C4)	REF, Permission be refused for the following reasons:	05-Apr-2022	Loughborough Storer
P/21/2328/2	Householder	1 Marigold Lane Mountsorrel Leicestershire LE12 7FP	Proposed single storey side and rear extension, increased car parking provision and removal of one silver birch tree.	GTDCON, Permission be granted subject to the following conditions:	21-Mar-2022	Mountsorrel

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/21/2631/2	Householder	19 Carisbrooke Road Mountsorrel Leicestershire LE12 7BR	Erection of 1.8m high boundary fence and single storey rear extension to dwelling.	GTDCON, Permission be granted subject to the following conditions:	30-Mar-2022	Mountsorrel
P/21/0620/2	Full	62 Queniborough Road Queniborough Leicestershire LE7 3DG	Erection of first floor extension to create flat accommodation.	GTDCON, Permission be granted subject to the following conditions:	17-Mar-2022	Queniborough
P/22/0277/2	Equipment PD Notification	Hamilton Grounds Farm Hamilton Lane Barkby Thorpe Leicestershire LE7 9SF	Proposed installation and replacement of various telecoms equipment to existing mast.	MNAAU, The application be agreed without conditions.	17-Mar-2022	Queniborough
P/22/0180/2	Householder	15 Boonton Meadows Way Queniborough Leicestershire LE7 3GB	Proposed change to existing garage to convert rear section of garage into home office.	GTDCON, Permission be granted subject to the following conditions:	29-Mar-2022	Queniborough
P/19/0057/2	Full	Land off Millstone Lane, Queniborough, Leicestershire	Variation of condition 3 of planning permission P/14/0393/2 to amend the design and siting of cemetery building	WDT, Withdrawn	22-Mar-2022	Queniborough Syston East
P/21/2680/2	Householder	18 Kelcey Road Quorn Leicestershire LE12 8UU	Erection of first floor extension to side of house	GTDCON, Permission be granted subject to the following conditions:	15-Mar-2022	Quorn & Mountsorrel Castle
P/22/0115/2	Householder	23 Buddon Lane Quorn Leicestershire LE12 8AA	Proposed construction of single storey outbuilding in rear garden at r/o 23 Buddon Lane.	GTDCON, Permission be granted subject to the following conditions:	18-Mar-2022	Quorn & Mountsorrel Castle

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/21/2505/2	Full	46 High Street Quorn Leicestershire LE12 8DT	Proposed replacement 1.8m high close boarded fence.	GTDCON, Permission be granted subject to the following conditions:	22-Mar-2022	Quorn & Mountsorrel Castle
P/22/0132/2	Householder	9 Market Place Mountsorrel Leicestershire LE12 7BA	Replacement windows to 1st and 2nd floors Replace 10no. timber sliding-sash windows to the first and second floors of the South elevation with new heritage double glazed sliding-sash units to the same proportion and appearance.	GTDCON, Permission be granted subject to the following conditions:	22-Mar-2022	Quorn & Mountsorrel Castle
P/21/2124/2	Householder	3 The Homestead Mountsorrel LE12 7HS	Proposed single storey extension to front, convert garage to habitable room, roof lights to rear, and extend dropped kerb to front of dwelling.	GTDCON, Permission be granted subject to the following conditions:	23-Mar-2022	Quorn & Mountsorrel Castle
P/21/2412/2	Householder	32 The Pingle Quorn Leicestershire LE12 8FQ	Proposed erection of single storey extension to rear of existing dwelling.	GTDCON, Permission be granted subject to the following conditions:	24-Mar-2022	Quorn & Mountsorrel Castle
P/21/2348/2	Householder	33 Paddock Close Quorn Leicestershire LE12 8BJ	Proposed demolition of existing single storey entrance lobby/internal garage/carport and erection of two storey front extension and single storey front and side extension, with the re-roofing of the existing single storey side extension.	GTDCON, Permission be granted subject to the following conditions:	29-Mar-2022	Quorn & Mountsorrel Castle
P/21/2017/2	Householder	16 Kelcey Road Quorn LE12 8UU	Extend residential curtilage adjacent to existing footpath fronting Farley Way with a boundary fence of 1.75m high and 0.65m high trellis above to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	01-Apr-2022	Quorn & Mountsorrel Castle

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0047/2	Householder	5 Elms Drive Quorn Leicestershire LE12 8AF	Single storey rear extension	GTDCON, Permission be granted subject to the following conditions:	01-Apr-2022	Quorn & Mountsorrel Castle
P/22/0069/2	Householder	20 Station Road Quorn Leicestershire LE12 8BS	Replacement of 4 x existing timber windows with double glazed conservation/Heritage type windows.	GTDCON, Permission be granted subject to the following conditions:	06-Apr-2022	Quorn & Mountsorrel Castle
P/21/2309/2	Full	61 Leicester Road Mountsorrel Leicestershire LE12 7AJ	Change of use of first floor from staff flat to use as hair salon	GTDCON, Permission be granted subject to the following conditions:	06-Apr-2022	Quorn & Mountsorrel Castle
P/22/0033/2	Householder	3 Lanesborough Drive Thurcaston Leicestershire LE7 7JT	Erection of single storey extension to rear of house	GTDCON, Permission be granted subject to the following conditions:	16-Mar-2022	Rothley & Thurcaston
P/21/2561/2	Householder	42 Grangefields Drive Rothley Leicestershire LE7 7NB	Proposed single storey extension to front and first floor extension to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	17-Mar-2022	Rothley & Thurcaston
P/22/0130/2	Householder	34 Mountsorrel Lane Rothley Leicestershire LE7 7PR	Proposed porch to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	18-Mar-2022	Rothley & Thurcaston
P/21/2573/2	Advert Consent	Badgers Sett Reservoir Road Cropston Leicestershire LE7 7GQ	Installation of 2x fascia signs (1 illuminated, 1 non-illuminated), 1x illuminated hanging sign, 2x illuminated hoarding signs and 3x other signage to building. (Advertisement Consent)	GTDCON, Permission be granted subject to the following conditions:	21-Mar-2022	Rothley & Thurcaston

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0145/2	Householder	6 All Saints Road Thurcaston Leicestershire LE7 7JD	Proposed infill extension to front porch of dwelling.	GTDCON, Permission be granted subject to the following conditions:	23-Mar-2022	Rothley & Thurcaston
P/21/2630/2	Householder	26 Burrow Drive Rothley Leicestershire LE7 7RZ	Proposed single storey extension to side of dwelling..	GTDCON, Permission be granted subject to the following conditions:	24-Mar-2022	Rothley & Thurcaston
P/21/2529/2	Householder	242 Station Road Cropston Leicestershire LE7 7LD	Proposed single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	25-Mar-2022	Rothley & Thurcaston
P/21/2603/2	Householder	8 Waterfield Road Cropston Leicestershire LE7 7HN	Proposed 2-storey extension (including increase in size of ground floor and extension of canopy to front) to side of existing dwelling.	GTDCON, Permission be granted subject to the following conditions:	31-Mar-2022	Rothley & Thurcaston
P/21/2645/2	Householder	54 Swithland Lane Rothley Leicestershire LE7 7SE	Erection of single storey extension to rear of house	GTDCON, Permission be granted subject to the following conditions:	31-Mar-2022	Rothley & Thurcaston
P/21/2147/2	Householder	32 Station Road Cropston LE7 7HD	Proposed conversion of the existing double garage to residential annex, with front gable extension.	GTDCON, Permission be granted subject to the following conditions:	04-Apr-2022	Rothley & Thurcaston
P/21/2508/2	Householder	60 Leicester Road Shepshed Leicestershire LE12 9DQ	Extend existing dropped kerb to front of dwelling.	GTDCON, Permission be granted subject to the following conditions:	17-Mar-2022	Shepshed East

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0062/2	Full	5 Market Place Shepshed Leicestershire LE12 9RT	Change of use from dwelling to ground floor commercial use (Use Class E(a)) formation of first floor residential flat and installation of external staircase to rear of property and associated works.	GTDCON, Permission be granted subject to the following conditions:	22-Mar-2022	Shepshed East
P/21/2516/2	Full	Land to the rear of 103 Leicester Road Shepshed Leicestershire LE12 9DG	Proposed new bungalow on land to the rear of 103 Leicester Road, Shepshed.	GTDCON, Permission be granted subject to the following conditions:	04-Apr-2022	Shepshed East
P/22/0085/2	Full	42 Brook Street Shepshed Leicestershire LE12 9RG	Change of Use of ground floor only - from hairdressers (Use Class E) to hot food takeaway (Sui Generis) together with the installation of extraction flue to rear of premises. Removal or variation of condition 5 of P/20/1194/2 (relating to the hours of use) under Section 73 of the Town and Country Planning Act 1990	GTDCON, Permission be granted subject to the following conditions:	24-Mar-2022	Shepshed West
P/22/0141/2	Householder	63 Iveshead Road Shepshed Leicestershire LE12 9EP	Demolish existing garage and carport, erection of double garage to side of house	GTDCON, Permission be granted subject to the following conditions:	28-Mar-2022	Shepshed West
P/21/2658/2	Householder	19 Roy Brown Drive Sileby LE12 7WH	Erection of detached garage to side and rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	24-Mar-2022	Sileby
P/22/0266/2	Householder Prior Notification	4 Belgrave Close Sileby Leicestershire LE12 7XB	The erection of a single storey rear extension extending beyond the rear wall of the original house by 6m, with a maximum height of 3.54m, and height to the eaves of 2.25m.	PRINOT, Prior approval from the Council is not required	29-Mar-2022	Sileby

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/21/2596/2	Householder	62 Ratcliffe Road Sileby Leicestershire LE12 7PZ	Proposed two storey extension to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	04-Apr-2022	Sileby
P/21/2023/2	Householder	3 Trinity Close Syston LE7 2LA	Proposed single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	24-Mar-2022	Syston East
P/21/2579/2	Householder	37 Saxby Drive Syston Leicestershire LE7 2HH	Proposed single storey extension to rear and porch to front of dwelling.	GTDCON, Permission be granted subject to the following conditions:	28-Mar-2022	Syston East
P/21/2197/2	Householder	3 Brook Street Syston LE7 1GD	Removal of existing shed and erection of a new shed within the curtilage of a listed building.	GTDCON, Permission be granted subject to the following conditions:	25-Mar-2022	Syston West
P/22/0131/2	Householder	7 Swift Close Syston Leicestershire LE7 1YW	Proposed single storey extension to rear of dwelling. Infill extension between dwelling and garage, extensions to create 1 and half storey to garage, and dormer extensions to front of garage. (Revised scheme - P/21/1380/2 refers)	GTDCON, Permission be granted subject to the following conditions:	31-Mar-2022	Syston West
P/22/0041/2	Full	63 High Street Syston Leicestershire LE7 1GQ	Variation of condition 3 of P/94/0053/2 to amend composition of staff.	GTDCON, Permission be granted subject to the following conditions:	01-Apr-2022	Syston West
P/21/2216/2	Householder	14 Brook Street Wymeswold LE12 6TU	Erection of first floor extension to side, single storey extension to rear, render and timber cladding of house	GTDCON, Permission be granted subject to the following conditions:	14-Mar-2022	The Wolds

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/21/1254/2	Full	Brookfields Farm Bandalls Lane Barrow Upon Soar Leicestershire LE12 8JH	Change of Use from dwelling (Class C3) and associated ancillary equine use and holiday accommodation to Non-Residential Special Educational Needs College (F1 Use Class) with occasional ancillary overnight respite accommodation and associated access alterations including the formation of an access track.	REF, Permission be refused for the following reasons:	14-Mar-2022	The Wolds
P/22/0045/2	Householder	20 Springfield Close Burton On The Wolds Leicestershire LE12 5AN	Single storey extension to rear, alterations to existing single storey roof and festrations and alterations to external materials of existing dwelling,	GTDCON, Permission be granted subject to the following conditions:	16-Mar-2022	The Wolds
P/22/0150/2	Householder	9 Towles Fields Burton On The Wolds Leicestershire LE12 5TD	Conversion of integral garage into study and installation of window, construction of porch to side of house.	GTDCON, Permission be granted subject to the following conditions:	23-Mar-2022	The Wolds
P/20/0048/2	Full	Old Park Farm Melton Road Burton On The Wolds LE14 3PU	Demolition of existing farmhouse and associated outbuildings and erection of a replacement dwelling, with associated works including creation of lakes.	REF, Permission be refused for the following reasons:	30-Mar-2022	The Wolds
P/21/2296/2	Householder	15 - 17 Church Street Wymeswold Leicestershire LE12 6TX	Erection of single storey extension to rear of dwelling following demolition of part of existing extension.	GTDCON, Permission be granted subject to the following conditions:	31-Mar-2022	The Wolds
P/21/2418/2	Householder	42 Manor Road Thurmaston Leicestershire LE4 8AG	Proposed loft conversion including alterations and extension to roof, dormer extension to front of bungalow, and extend roof over front porch. (Revised scheme - refusal P/21/1050/2 refers).	GTDCON, Permission be granted subject to the following conditions:	25-Mar-2022	Thurmaston

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/21/2074/2	Full	3 Greenwood Close Thurmaston LE4 8JZ	Change of use of amenity land to residential curtilage to accommodate parking.	GTDCON, Permission be granted subject to the following conditions:	28-Mar-2022	Thurmaston
P/22/0179/2	Householder	38 Clayton Drive Thurmaston Leicestershire LE4 8LQ	Construction of single storey side and rear extension.	GTDCON, Permission be granted subject to the following conditions:	30-Mar-2022	Thurmaston
P/22/0164/2	Householder	39A Mill Road Rearsby Leicestershire LE7 4YN	Proposed single storey extension to rear and insertion of rooflights to rear elevation to enable loft conversion.	GTDCON, Permission be granted subject to the following conditions:	28-Mar-2022	Wreake Villages
P/21/2274/2	Householder	2 King Street Seagrave Leicestershire LE12 7LY	Proposed rear porch, and alterations to detached garage.	GTDCON, Permission be granted subject to the following conditions:	06-Apr-2022	Wreake Villages