



PLANS COMMITTEE

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To: Councillors Bentley (Vice-Chair), Campsall, Capleton, Charles, Forrest, Fryer (Chair), Gerrard, A. Gray, Grimley, Hamilton, Lowe, Ranson and Savage
(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, 18th August 2022 at 5.00 pm for the following business.

Chief Executive

Southfields
Loughborough

10th August 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 21st July 2022.

3. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

4. DISCLOSURES OF PECUNIARY INTERESTS, AND OTHER REGISTRABLE AND NON-REGISTRABLE INTERESTS

5. PLANNING APPLICATIONS AND ENFORCEMENT CASE

6 - 91

The list of planning applications and an enforcement case to be considered at the meeting is appended.

6. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

92 - 124

A list of applications determined under powers delegated to officers for the period from 14th June 2022 to 8th August 2022 is attached.

WHERE TO FIND WOODGATE CHAMBERS

Woodgate Chambers
70 Woodgate
Loughborough
Leicestershire
LE11 2TZ

PLANS COMMITTEE 21ST JULY 2022

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

Principal Solicitor - Planning, Property and
Contracts
Group Leader – Development Management
Principal Planning Officer
Planning Officer
Democratic Services Officer (EB)

APOLOGIES: Councillors Gerrard and Hamilton

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.

11. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 23rd June 2022 were confirmed as a correct record and signed.

12. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

13. DISCLOSURES OF PECUNIARY INTERESTS, AND OTHER REGISTRABLE AND NON-REGISTRABLE INTERESTS

The following disclosures were made:

- (i) by Councillor Ranson – in respect of Application P/22/0136/2 – She was a personal friend of the family of the applicant – She would leave the room during the consideration of this item.
- (ii) by Councillor A. Gray – in respect of Application P/22/0653/2 – She would be speaking on the application in her capacity as Ward Councillor - She would not take part in the discussion or voting on the application and would leave the room following speaking for the duration of the item.

14. PLANNING APPLICATIONS

Reports of the Head of Planning and Regeneration, setting out applications for planning permission, were submitted (items 1 to 3 in the appendix to the agenda filed

with these minutes). An Additional Item report in respect of application P/22/0653/2 was also submitted (also filed with these minutes).

The Committee was advised that there had been a late representation in respect of application P/22/0653/2 by Tracey Cooper. The Committee was asked if they were happy to let Ms Cooper speak on behalf of the item and there were no objections to allowing Ms Cooper 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 Ben Stephens (applicant) in respect of application P/22/0136/2;
- (ii) Ms Tracey Cooper (objector) and Mr Peter Oliver (applicant) in respect of application P/22/0653/2;

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

- (i) Councillor Anne Gray in respect of application P/22/0653/2;

The Chair also read out a statement from Councillor Shepherd in relation to application P/22/0136/2 as he was unable to attend the meeting.

RESOLVED

1. that, in respect of application P/22/0136/2 (Stephens, 32 High Street, Quorn, Leicestershire), planning permission be granted unconditionally and subject to the reasons and advice notes set out in the report of the Head of Planning and Regeneration;
2. that, in respect of application P/22/0653/2 (Charnwood Borough Council, 20 Lilac Close, Loughborough), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration;
3. that, in respect of application P/22/0655/2 (Mr Rob Mitchell, 6 Elms Drive, Quorn, Leicestershire), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration.

NOTES:

1. No reference may be made to these minutes at the next meeting of Full Council 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 – 18 August 2022

Index of Committee Items

Item	Application No	Applicant and Location, Description	Recommendation	Page
1	P/21/1105/2	<p>Jelson Homes Ltd Loughborough Road Burton On The Wolds Leicestershire</p> <p>Outline application for residential development of 56 dwellings, public open space and associated works (all matters reserved except for access).</p>	Grant Conditionally	7
2	E/21/0262	<p>Mr and Mrs J Sugden Former Ulverscroft Grange Nursery Priory Lane Ulverscroft Leicestershire LE67 9PB</p> <p>Material change of use from plant nursery to residential use (Class C3).</p>	Authorise Enforcement Action	51
3	P/20/1952/2	<p>Fort Estates Land at Oakley Road & Hallamford Road Oakley Road Shepshed Leicestershire LE12 9AU</p> <p>Full planning application for the development of 25 dwellings (Partial redesign of layout approved under reserved matters application P/17/0246, with addition of 4 plots (37 total))</p>	Grant Conditionally	69

Item No. 1

Application Reference Number P/21/1105/2

Application Type:	Outline	Date Valid:	02/06/21
Applicant:	Jelson Homes Ltd		
Proposal:	Outline application for residential development of 56 dwellings, public open space and associated works (all matters reserved except for access).		
Location:	Loughborough Road Burton On The Wolds Leicestershire		
Parish:	Burton on the Wolds, Prestwold	Ward:	The Wolds
Case Officer:	Linda Walker	Tel No:	07534 224519

Background

This application is referred to the Development Control Committee in accordance with the scheme of delegation, as the development is a major application set outside the settlement limits for Burton on the Wolds, and therefore represents a departure from the development plan and the Officer recommendation is one of approval. All matters are reserved apart from access. The application has also been called in at the request of ward Councillor Jenny Boker.

Description of the site and application

Burton on the Wolds is situated to the north of Leicestershire, close to the Nottinghamshire border and is centrally placed between the main highways A46 and the A6, both providing highway connectivity to the north and the south. The village lays approximately 3.5 miles from Loughborough Market Town and hosts a primary school, shop, garage, one public house, a village hall, gym, and other employment uses exist in the centre of the village, along with an industrial area situated on the south and north eastern edge of the village.

The application site is situated on the north western edge of Burton on the Wolds and to the north of Loughborough Road. It is located in the countryside comprising of open arable agricultural fields which forms a raised mound with hedgerows and trees on three boundaries, which includes significant mature foliage along the main road frontage. The village settlement limits abuts the site to the east and south where the area is, in the main, characterised predominantly by modern residential properties of mixed design and age, directly adjacent to the site, the dwellings are set back from the highway (Loughborough Road) with a mature planting scheme abutting the highways.

An existing bridleway runs along the south and eastern boundary of the site, linking Loughborough with a public footpath following Burton Brook and the northern boundary of the site, and open countryside lays to the north of the site.

Prestwold Hall is situated to the north west of the site and is Grade I listed, the Hall and St Andrews Church (Grade II listed) both sit in the grounds of Prestwold Park which is a Grade II Historic registered Parkland and garden. Field House (32-34 Seymour Road) is situated adjacent and to the north eastern corner of the site area and is also grade II listed.

Description of the Proposal

This outline planning application seeks permission for the erection of 56 houses with access taken from Loughborough Road. The site is dimensioned at approximately 6.54 Ha. The application seeks consent for access only and the illustrative (only) layout plan is submitted and indicates 56 dwellings, parking or garaging accommodating 112 vehicles. The plan shows the retention of the existing hedgerow treatments abutting Loughborough Road other than the proposed new access road.

A large open landscaped area is indicated to the west and north of the site, with connecting pathways within the site, also providing connectivity to the existing housing development to the east. A play area is shown within the landscaped area along with sustainable attenuation pond and a planted woodland area abutting the Grade II Historic Prestwold Park is also indicated.

This Outline Planning Application has been well considered prior to submission and is accompanied by:

- Design and Access Statement
- Planning Statement
- Heritage Appraisal
- A Visual Landscape Appraisal
- Flood Risk Assessment
- Transport Statement
- Arboricultural Assessment
- Illustrative master plan

A speed survey has been submitted during the application process as requested by LCC Highways Authority. Further re-consultation has been carried with the LCC Highways Authority and no objections are raised from a highway safety perspective.

In accordance the Town and Country Planning (Development Management Procedure) (England) Order 2015 under Article 14 – Certificate B notice has been served 21 days prior to the application being submitted, as the applicant is not the site

owner – no objections/comments have been received from the owner of the site at the time of preparing the committee report.

Development Plan Policies

Section 38 (6) of the **Planning and Compulsory Purchase Act 2004 (PCPA 2004)** provides: 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The Wolds village Neighbourhood Plan (adopted on 10th June 2021)

Policy WV1 – Landscape Character and Locally Important views – In the countryside new development should conserve or enhance the character of the local landscape.

Policy WV2 – Green Infrastructure – Development proposal should seek to conserve and enhance the local green infrastructure network and its biodiversity.

Policy WV3 – Trees – Planning applications should consider the health and longevity of any affected trees and hedgerows as well as their role in the local ecosystem.

Policy WV5 – Water Management – New development should take full account of flood risk and groundwater and overland flow.

Policy WV7 – Local Heritage Assets - Development proposal that affects the following local heritage assets and their setting must balance the need for the public benefit of the proposal against the significance of the asset and scale of any harm or loss.

Policy WV8 – Seeks to retain and improve community facilities.

Policy WV10 – Infrastructure – New housing will be supported by the provision of new or improved infrastructure together with the financial contributions.

Policy WV11 – Housing Provision - Sets out allocated sites for housing.

Policy WV14 – Housing mix – All housing developments should demonstrate the requirements for housing mix.

Policy WV15 – Affordable Housing – seeks to ensure planning obligations are sought to ensure affordable housing meets the need of local people.

Policy WV16 – Design – Development proposals must have regard to the design guide.

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 Burton on the Wolds as an “other” settlement, 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 saved policies 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.

The Draft Charnwood Local Plan 2021 – 37

This document was submitted for examination in December 2021. It sets out the Councils strategic and detailed policies for the plan period 2019-37. A number of hearing sessions have been held on some matters in June 2022. An adjournment of hearing sessions is underway to address the specific matter of Leicester’s unmet need. Following the further consideration of this issue by the Council and the Planning Inspectorate it is expected that hearing sessions will resume later this year. At this stage the emerging Local Plan is given limited weight.

Other material considerations

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 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.

Burton on the Wolds Village Design Statement

This Supplementary Planning Document provides a guide for individuals, developers and planners to reach the best decisions about changes to the structure and fabric of the village. It identifies the key issues and provides guidance to ensure changes enhance the existing environment.

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'.

Technical Housing Space Standards (2015)

Seeks to encourage minimum space standards for housing. This document has not been adopted for the purposes of Development Management at Charnwood Borough Council; it is however a material consideration.

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.

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

Consultee	Response
Leicestershire Lead Local Flood Authority - LCC	Leicestershire County Council as Lead Local Flood Authority (LLFA) confirms that the site is located within Flood Zone 1 being at low risk of fluvial flooding and consider the proposal acceptable . A number of conditions are recommended to be attached to any grant of planning permission.

Housing Strategy & Support CBC	Seeks 40% (22 Homes) affordable housing on the site at an appropriate mix and with 77% for affordable rent and/or social rent (17 homes) and 23% shared ownership (5 homes).
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"> • Suitable access arrangement (access width and gradient) • Visibility splays • Traffic calming scheme on Loughborough Road along with a time table for implementation • Construction traffic management plan • A scheme for the treatment of the Public Footpath and Bridle Way. • To promote sustainable transport modes, contributions towards travel packs are requested alongside bus passes for the nearest bus service, the Centrebus 8 Service, which operates along Loughborough Road. (£52.85 per pack) alternatively a sample travel pack should be submitted for approval. <p>The following contributions are also sought:</p> <ul style="list-style-type: none"> • A Traffic Regulation Order (TRO) which will be subject to a consultation process. A contribution amount of £8985.00 would be required for the TRO.
Leicestershire County Council - Education	<ul style="list-style-type: none"> • Primary School Sector – It is confirmed that Burton on the Wolds Primary School has a net capacity of 189 – 234 and 234 pupils are projected on the roll should this development proceed; a deficit of 45 pupil places. <p>A total of 21 pupil places are being funded at this school from S106 agreements for other developments in this area which reduces the total deficit for this school to 24 pupil places, after taking into account the 21 pupils generated by this development.</p> <p>In order to provide the additional primary school places anticipated by the proposed development</p>

	<p>the County Council would request a contribution for the Primary School sector of £308,380.80. This is calculated the number of deficit places created by the development. A claim for an education contribution in this sector is therefore justified.</p> <ul style="list-style-type: none"> • Secondary School Sector - It is confirmed no contributions are required from Secondary School sector. • Post 16 Sector – It is confirmed that the nearest school to the site is Rawlins Academy. The Academy has a net capacity of 322 and 393 pupils are projected on roll should this development proceed; a deficit of 71 pupil places. A total of 13 pupil places are being funded at this school from S106 agreements for other developments in this area which reduces the total deficit for this school to 58 pupil places, after taking into account the 2 pupils generated by this development. There are no other post 16 schools within a three mile walking distance of the site. <p>In order to provide the additional post 16 school places anticipated by the proposed development, the County Council requests a contribution for the post 16 school sector of £35,716.30. This is calculated the number of deficit places created by the development.</p> <ul style="list-style-type: none"> • Special needs School Sector - It is confirmed that no contributions are required from the Special Needs sector.
Leicestershire County Council - Libraries	Seeks a £1,690 contribution towards the enhancement of Barrow Library.
Leicestershire County Council - Waste Management	The County Council's Waste Management Team considers that no obligation is required resulting from this development.
Environment Agency	Raises no objection as There are no environmental constraints associated with the application site which fall within the remit of the Environment Agency.

Loughborough & District Cycle Users' Campaign	<p>Advises that the cycle storage areas should not be located in accessible areas within the plots.</p> <p>Suggests the distance to employment uses from the site is reasonable, but only experienced cyclists would use the route to from the site.</p>
Leicestershire fire and rescue	<p>No Objection - The applicants are reminded of the need to comply with Building Regulations 2010 Approved Document B, Volume 1: Dwelling (2019 edition), Requirement B5: Access and facilities for the fire service.</p>
Historic England	<p>No objection to the application – refer comments to the LPA internal conservation specialists.</p>
Burton on the Wolds Parish Council	<p>Object to the application – open countryside, sustainability, highway safety – the highway authority has provided a response.</p>
Charnwood Biodiversity	<p>No objection, subject to conditions being imposed</p>
Charnwood Open Spaces	<p>No objection – subject to conditions – seeks contributions:</p> <ul style="list-style-type: none"> • Provision for young people - On site suitable and agreed young people's equipment/facilities (Equipment, layout and design to be approved by CBC prior to commencement of development). • A 30 metre minimum buffer between the equipped area and nearest dwelling is required. <p>Alternatively, an off-site contribution of £53,424 should be sought to meet the needs of the development through new or enhanced young people's provision within Burton on the Wolds.</p> <ul style="list-style-type: none"> • Outdoor sports Facilities - Recommend off-site contribution of £18,390 to be used to implement recommendations of the Charnwood PPS 2018. • Allotments - Recommend an off-site contribution of £6,324 for the creation of additional plots within Burton on the Wolds. • Indoor sports - The Sport England Facility Calculator estimates that the development

	generates demand for - 8 additional pool visits per week (this equates to an additional 1.35 sq m pool space at a cost of £25,359), 0.04 indoor courts (at a cost of £24,503) and 0.01 Indoor Bowls Rinks (at a cost of £3,618). It is recommended that off-site contributions in line with Sport England guidelines are sought in accordance with the Council's adopted Indoor Built Sport Facilities Strategy 2018 Priorities and Action Plan.
Campaign to protect rural England	Object – site in the countryside, contrary to adopted Core Strategy, transport links, play area location.
The Garden Trust	Raise concerns if the proposed tree coverage will provide a screen to prevent impacts on Prestwold Hall Park and Garden
Cllr Boker	Requested the application is called in to Committee
Jane Hunt MP	Expresses concern from residents – not an allocated site, biodiversity, sustainability, further dwellings, impact on green space.
Charnwood Biodiversity	No objection subject to a condition for biodiversity enhancement and mitigation.
Charnwood Urban Design/Conservation	No objections subject to a condition securing a woodland planting area close to Prestwold Garden boundary.
Senior Landscape Officer	Concludes the visual envelope of the site is limited in range and that effects are likely to be concentrated from land to immediate south extending north into the wider Wolds landscape. Localised views along the PROW and as one emerges from the Registered Park and Gardens in particulate may too be affected.

Other Comments Received

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

- Highway safety/parking
- Sustainable travel
- Archaeological potential
- Heritage assets
- Drainage/flooding
- Contrary to development plan
- Privacy
- Ecology

- Countryside landscape
- Lack of amenities/services
- Pressure on education and health services
- Lack of play areas
- Limited employment opportunities
- Unsuitable development on a greenfield site
- Loss of agricultural land
- Impact on rural character of the village
- Noise and pollution Lack of services and facilities in the village to accommodate the new residents
- Lack of employment opportunities for the new residents
- Over development/cramped
- Loss of trees

Relevant Planning History

P/13/2128/2 – FULL planning application for the erection of Erection of 60 dwellings and associated works.

This application was refused by the Local Planning Authority at committee dated 10th June 2015:

- The location has only limited local facilities and employment opportunities in close proximity therefore the proposal will rely on the private car.
- The proposal has poor public transport links and does not promote sustainable transport.
- The proposal will not provide a low carbon future.
- The development intrudes on the open rolling countryside landscape of the Wolds between the settlement of Burton on the Wolds and designated heritage assets. It is considered to have a negative impact on the setting of these heritage assets and therefore does not integrate the new development into the natural, built and historic environment as required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- The proposal has negative impacts on biodiversity which results in significant harm without adequate mitigation, compensation measures or net gains in biodiversity.
- The developer has not demonstrated that a safe form of access, particularly for vulnerable highway users such as pedestrians and cyclists will be provided to serve the site. Given the speed and volume of traffic on Loughborough Road,

the proposed uncontrolled pedestrian crossing is not considered appropriate or safe and therefore the proposal would create severe dangers for pedestrians and could deter residents from walking whereas sustainable methods of transport, such as walking and cycling should be positively encouraged.

P/17/2591/2 OUTLINE planning application for the erection of 56 dwellings with all matters reserved apart from access.

This application proposed the erection of 58 dwellings with all matters reserved except for access was due to be presented to Members on the 1st November 2018, as the Planning Agent acting on behalf of Jelson Ltd had submitted an appeal to the Secretary of State for non-determination, whereby a formal decision cannot be made by the LPA. Officers sought a resolution from Members to refuse the application. However, the appeal was later withdrawn.

The Application was recommended for refusal on the three grounds below:

- The application site lies outside the limits to development of Burton on the Wolds, which is identified by Policy CS1 as being in the 'Other Settlement' category of its settlement hierarchy. Policy CS1 makes provision to meet the local social and economic need for development in Other Settlements by responding positively to small scale opportunities within defined limits to development. The proposal is not small scale, outside the settlement boundary and no local housing need has been demonstrated and the Local Planning Authority has established that there is no shortfall in its 5 Year Housing Land Supply and it is a clear unsustainable form of development and conflicts with the Adopted Local Plan Core Strategy 2011-28 Policies CS1 and CS25 and saved Policies CT/1 and CT/2 of the Adopted Borough of Charnwood Local Plan 1991-2006 and the aims and objectives of the revised National Planning Policy Framework. No material considerations have been advanced by the appellant to warrant setting aside the provisions of the Development Plan and the identified harm from the development would outweigh any benefits arising from the proposal.
- The appellant has not demonstrated sufficiently that a safe and sustainable form of accessibility, particularly for vulnerable highway users, such as pedestrians and cyclists, would be provided to serve the site. Given the speed and volume of traffic witnessed on Loughborough Road, the proposed speed restriction signage is not considered appropriate or safe enough and therefore the proposal would create an unacceptable impact on highway safety for pedestrians and other vulnerable users and would deter future residents from

using sustainable methods of transport, such as walking and cycling, which should be positively encouraged. As such the proposal is considered to be contrary to the Adopted Local Plan Core Strategy 2011-28 Policies CS17 and CS25 and with the overall sustainable objectives set out within the revised National Planning Policy Framework.

- The proposal would cause substantive and significant harm to the form and character of the landscape and rural setting, result in the loss of a clear and defined boundary to the settlement and would result in less than substantial harm to the significance of the setting of the surrounding heritage assets which have a strong historic relationship to the site. The public benefits when taken as a whole do not outweigh the less than substantial harm which has been identified. As such, the proposal is considered to be contrary to the Adopted Local Plan Core Strategy 2011-28 Policies CS11 and CS14, the Burton on the Wolds Village Design Statement (SPD), and the aims and objectives of the revised National Planning Policy Framework. No material considerations have been advanced by the appellant to warrant setting aside the provisions of the Development Plan and the identified harm from the development would outweigh any benefits arising from the proposal

The previous reasons for refusal and how they have been addressed will be discussed in the relevant sections found in the main body of this report.

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.

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 Local Green Space and areas of archaeological interest demonstrably equivalent to ancient monuments can be included. In this case although the greenfield site is outside of the defined limits to development and within the open countryside it 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
- 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 Burton on the Wolds, as established under "saved" Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026 and latterly updated under Policy WV11 of the Wolds Neighbourhood Plan. 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, Burton on the Wolds 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.

The Wolds Neighbourhood Plan has identified a housing requirement for the village of 36 new units based on a percentage share of the "other" settlements housing target

deriving from the draft local plan. It takes the stance that the housing requirement in the current Core Strategy has already been met with regard to “other” settlements and does not seek to increase housing targets to cater for this. The Neighbourhood Plan anticipates that this housing requirement will be met within the limits to development that it sets out. In the event that there remains a need once the Local Plan is adopted it identifies the adjacent poultry farm site as being a suitable location for at least 36 dwellings.

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

The application under planning reference P/17/2591/2 Outline recommended the application was refused as Charnwood Borough Council could at the time of considering the application demonstrate a five year land supply. Whilst the proposed development subject to this application is at odds with these housing supply policies as it comprises a large-scale development that is outside the limits to development, 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, that 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.

Whilst it is acknowledged that the site is not within the most sustainable location, it should be recognised the proposal would result in the provision of 56 new houses, with 40% affordable homes, 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, there is some harm resulting from conflict with the development approach set out in policies CS1, CT/1, CT/2, and ST/2, which seeks to direct growth away from smaller settlements. This weighs against the proposal,

Housing Mix

Policy CS3 of the Core Strategy and Policies WV14 and WV15 of the Wolds Neighbourhood Plan assist in defining the housing mix for this site. 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 56, (22), units should be affordable. The Housing Supplementary Planning Document provides further guidance in support of this relating to how these units should be detailed. Policy WV14 requires new housing development to have regard to recent assessments of housing need within the Wolds with particular focus on older households and smaller homes.

Policy WV15 seeks to ensure that affordable units are used to meet local need. These policies generally accord with the National Planning Policy Framework and do not conflict with 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 and includes an undertaking to provide 22 affordable homes (40%). The tenure mix proposed is 77% for affordable rent and/or social rent and 23% shared ownership as required by the Supplementary Planning Document. The size, type, 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 required at outline stage and it is suggested that the s106 legal agreement could be used to do this. 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:

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%

Locally identified need and the character of the area could be achieved although care would need to be taken, to ensure the character of this edge of village location was not harmed by the required housing mix. It is considered that a proposal which complies with CS3, WV14 and WV15 could be achieved.

With regards to housing mix, it is considered the proposal complies with policy CS3 as the housing mix could be achieved. The provision of 22 affordable units is also a significant benefit of the scheme which should be given weight within the planning balance.

Landscape and Visual Impact

Landscape and Visual impact Policies CS2, CS11 and WV1 are concerned with protecting the landscape and ensuring new development does not result in visual harm. These policies generally accord with the National Planning Policy Framework and do not directly impact on 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.

Landscape

The information contained in the LVA confirms the proposals retain as many of the existing landscape features as possible. Where removal is required, for example for the creation of the new access off Loughborough Road, there will be new tree and/or hedgerow planting to compensate the loss of the existing features. The development also includes the creation of multifunctional areas of green and blue infrastructure that will function as both attenuation and habitat creation areas.

It is confirmed in the LVA that during the construction stages of the development there will undoubtedly be an impact upon the wider landscape, however, the impacts are considered to be negligible over a period of time, due to the significant open space that can be provided to the north and west of the site. The Landscape appraisal (LVA) finds with regard to the landscape effects on the site and immediate context, it is considered that development of the site as proposed would give rise to moderate landscape effects at the outset. Whilst there would be some degree of change to the landscape of the site, the nature and extent of any changes would not give rise to any unacceptable adverse landscape effects. It is considered that any adverse effects would reduce with the maturing of the landscape proposals.

Burton on the Wolds landscape is also reviewed in the Landscape Sensitivity Assessment of SHLAA sites – March 2019. The review confirms Burton on the Wolds lies within the Wolds Landscape Character Area (LCA). The key characteristics of landscape are noted as large scale rolling landform containing a pattern of nucleated villages, limited woodland cover and mixed farming. The review findings are that the north western extent of the review area runs parallel with the boundary of Prestwold Hall and registered gardens and this setting forms part of this landscape. It goes on to say that the woodlands forming the northern, western and southern boundaries of the settlement, form a visual enclosure, with outward views contained towards arable land use. The review concludes the land is of medium sensitivity.

The Charnwood Landscape Character Assessment (CLCA) provides guidelines which can contribute to maintenance and enhancement of the character of The Wolds. The impact is limited due to the comparatively small scale of the site in comparison with the character area and the relatively low value of the landscape character overall.

There is, however, loss of hedgerow coverage to the site frontage which runs counter to the guidelines for protection of the Wolds landscape. There would also be a loss of tranquility albeit on a relatively small scale. Within the site itself, there would be an impact on this localised landscape as agricultural land would be replaced with built form. Whilst this impact would be limited due to the surrounding topography and vegetation, due to the areas of landscape harm that arise from the development the proposal does conflict with elements of policies CS2, CS11 and WV1.

However, given the localised scale of this harm and the proposed development reflects guidelines found in the (CLCA), in that, it retains the majority of landscape features as well as providing opportunities for new tree and hedgerow planting, due to the significant amount of open space to be provided. The mitigation measures proposed, such as planting of new trees and hedgerows around the perimeters of the site will assist in integrating the site into the surrounding landscape. It is confirmed that all the landscape areas and public open space features will be managed and maintained, through the implementation of a comprehensive Landscape Management Plan (LMP), to ensure the successful establishment of the landscape proposals.

Whilst it is acknowledged, there would be some harm to the landscape character, on the whole the development accords with policies CS2, CS11 and WV1, and it is not considered to be significant or demonstrable to justify the refusal of planning permission solely on landscape grounds. Furthermore, if members are minded to approve the application a robust landscape condition could be imposed to ensure the implementation of a landscape and woodland planting scheme at the reserved matters stages of the planning process.

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 conflict with the delivery of housing. As a result, it is not considered that there is a need to reduce the weight given to these policies.

The Landscape appraisal addresses visual impacts from a number of key locations, including Seymour Road and Mundy Close, residential properties to the east, rights of way and the surrounding area.

It confirms the visual effects upon residential properties is limited to those that lay close to the site. The limited receptors include those immediately to the east of the site on Seymore Road and Brickwood Place. Four of those properties have rear views through partially open boundary, although these views are filtered by some existing trees and boundary treatments. The properties, 32 and 34 Seymour Close will also have filtered views of the site. It is acknowledged that the development would have an immediate

change in the character of the views, however the views would be filtered due to the boundary treatments to be retained along with additional planting. The development is proposed to be set back from the properties on Seymour Road with an area of open space and the views of the buildings will be also filtered by vegetation. It is considered that the visual impacts to these properties would be **moderate/minor** once the planting scheme is established along the eastern boundary, and most likely from 1st floor windows.

The views from Loughborough Road and some residents in Springfield Close would be partial through gaps in the hedges and the trees, the receptors in this location will recognise changes in the view, especially residents of properties located opposite to the proposed access point, the magnitude of the overall visual effect is assessed is assessed as **medium/low**, once the planting is established.

In relation to the number of public right of ways (PROW), **bridle way H106** runs along the north boundary of the site from the north corner off Seymour Road, the development will be visible from this point when approached from the north and would be viewed as an extension of the village. However, the proposed planting as it matures and the setback nature of the development will have a visual impact as **minor**.

The two routes public footpath **H98 and H98A** lead through open fields to the south west of the site. Views towards the edge of Burton on the Wolds are possible for users of the routes, although the site is screened by the existing mature trees. The built development is to be set back from the southern site boundary with additional tree planting within the area of open space which will filter views once established. The visual impacts from these PROW is considered to be **minor adverse/Negligible** due to the distance of views and the screening of the existing woodland trees, reducing to **Negligible/ None** at as the additional planting matures.

The visual assessment shows that from most of the identified viewpoints the visual impacts would be low after mitigation measures mature. Whilst it is acknowledged there would be some resultant visual harm from Seymore Road and Brickwood Place, the identified harm could be mitigated following careful consideration of design at the reserved matters stage if outline consent were to be granted

In relation to 'other visual receptors' Prestwold Park lies adjacent to the site to the west and it is considered views to the site are not possible from the majority of the park as a result of the extent of mature woodland on the eastern edge of the estate. It is however acknowledged that some glimpsed views will be possible from the public footpath H99A as this leads into the site, but views will be possible in close proximity to the site only. The assessment suggests that where visible, the new development would be seen within the context of the existing village edge visual effects for visitors to Prestwold Estate are assessed as Negligible/None. However, the specialist internal conservation team at Charnwood Borough Council has advised that a suitably worded

condition should be imposed to ensure further woodland planting to ensure the development is suitably screened throughout the winter months.

It is acknowledged by the urban design team the development site could be viewed from the from within in the registered Prestwold Gardens and Field House. Whilst these views are acknowledged as glimpse views, and from the designated foot path at the north of the site, While the woodland along the western boundary of the site is well established it is almost entirely formed by deciduous trees with a very sparse understorey and in wintertime is likely to afford further glimpses of the proposed development from within the park.

The current proposed alignment of buildings along the northern edge of the development parcels indicated on the submitted layout are setback to afford views of Field House from the public footpath. In addition, the listing description for the Historic Park & Garden identifies a remodelling of the Park around 1770. This remodelling is mention in Nichols' History and Antiquities of Leicester which records extensive planting to leave the Hall 'boosomed in calm serenity'. It is the view of the conservation team that the intension was to create a visually enclosed parkland.

It is therefore agreed that a suitably worded condition should be imposed to ensure further woodland planting to ensure the development is suitably screened throughout the winter months, and to form an improved visually enclosed parkland. A further landscape condition should also be imposed could also screen the development from the surrounding area.

The full assessment in relation to the Heritage Asset Prestwold Estate is found in the appropriate section below.

The application and supporting documents have been reviewed by the Council's Senior Landscape Officer who concludes the visual envelope of the site is limited in range and that effects are likely to be concentrated from land to immediate south extending north into the wider Wolds landscape. Localised views along the PROW and as one emerges from the Registered Park and Gardens in particulate may too be affected. Therefore the assessments provided with the application are considered to be accurate and the suggested conditions to mitigate the impacts of the registered park and garden overcome the concerns raised. It is therefore considered that that a scheme could be designed which accords with policies CS2, EV/1 and CT/2 in this regard.

Design and Layout

Policies CS2 and WV16 seek high quality design for new development. These policies generally accord with the National Planning Policy Framework and do not conflict with 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, with access only to be considered, the approval of the design and layout is not currently sought. However, an indicative layout (**only**) plan has been submitted that indicates the site can accommodate 56 dwellings with access, extensive open space, to protect the heritage assets, a play area and annuation pond.

Whilst it is demonstrated that housing can be facilitated on the site, the layout of the scheme could be improved and a better solution found, and the final layout can be agreed at the reserved at the matters stage of the planning process. 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 Assets

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The appellant has submitted a Heritage Appraisal which relates to guidance set out in the NPPF.

Planning policy CS14 – Heritage, expects development to conserve and enhance historic assets in the Borough for their own value and the community, environmental and economic contribution they make, developments are expected to not only protect the assets, but also their setting. Paragraph 200 of the NPPF expects development that will lead to substantial harm to be refused unless the public benefits outweigh the harm.

Prestwold Hall is grade I listed, and the registered Park is grade II listed and are located 1km to the north west of the site, St Andrews Church which is grade II listed sits within the grounds of park. The formal gardens to the south and east of the hall are enclosed by boundary walls and a ha-ha, with the majority of the southern part of the park used as pasture. Field House, (32-34) a grade II listed building is located to the east/north east of the site.

This application differs significantly from the application under planning ref: P/17/2591/2 Outline, whereby the indicative layout plan indicated a development further to the east and using the majority of the site to the north and was recommended for refusal on amongst other matters, heritage grounds.

The indicative plan submitted with this application indicates the development could be positioned in a southerly direction, providing for a large open space to the north ensuring the development is set away from the Grade II listed Field House, (32-34) a grade II listed building is located to the east/north east of the site. The indicative plan also indicates a large open space to the west, with the open space bounding

Prestwold Gardens (grade II listed) and extending to west, adjacent to the Prestwold Park boundary.

Historic England have not objected to the application and have referred comments to the LPA internal conservation officers to consider the application. The parks trust has raised concerns that the existing woodland to the west forming the boundary of the site with the historic gardens would not form sufficient screen to protect the setting of the grade I listed gardens.

Paragraph 195 of the NPPF makes it clear that applications affecting heritage assets should describe the significance of the assets, including any contribution made by their setting. The Heritage statement submitted with the application makes the relevant reference to the significance of the assets and it is confirmed as documented research and site visits has assisted in this assessment. This assessment is agreed by the conservation team.

Due to the distance and intervening vegetation, it is considered that the proposal would not harm the significance or setting of the Grade I listed Prestwold Hall

The indicative layout has been thoroughly considered by the conservation officers and based on the plan it is considered the proposal would cause less than substantial harm to the significance of the Grade II listed Field House and the registered park and gardens in the locality or their settings. This is also substantiated in the submitted LVA, which confirms the impact on the Prestwold gardens as Negligible/None and the conservation officer confirms, the current application, provided that the mitigation is forthcoming, addresses the issue of maintaining a robust landscape buffer. It is therefore considered appropriate to apply a condition to any planning consent that requires further planting close to the existing woodland that abuts the boundary with Prestwold Gardens to ensure the setting of the listed gardens protected and enhanced during the winter months when the trees are not in leaf.

In addition, given the indicative layout fully considers the impact on Grade II listed Field House, (32-34), by, in comparison to the previous application, removing the built form away from the said boundary with this property, providing open space with its boundary, it is considered that whilst some harm from development may occur in relation to longer distant views, the setting of this building, any harm will be less than substantial. The public benefits of providing housing, when the Council are unable to demonstrate a 5 year housing land supply, is outweighed in this instance. In addition, the further planting scheme (to be imposed by condition) will provide an enclosure to the registered gardens, as per the listing suggests. This is a positive benefit to the scheme as it supports the enclosure of the parkland as identified by Nichols' History and Antiquities of Leicester and therefore respects the setting of this designated heritage asset. It cannot be said that the development will be cause demonstrable harm to justify the refusal of planning permission of heritage assets grounds.

The application therefore accords with policy Planning policy CS14 of the adopted Core Strategy and the requirements contained in the NPPF which also seeks to protect the setting of historic assets.

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 of green space incorporating amenity open space and play space provision. It is considered by the Councils Open Space team that the open space indicated on the indicative layout plan should follow good design principles to create a space that is visually attractive and encourages active lifestyles. It is therefore suggested that an onsite LEAP should also be provided on site for older children and this should be provided with a 30-metre buffer from the nearest dwelling. The siting of the younger children play space is agreed, however, the final design and layout will need to be agreed at the reserved matters stages of the planning process. There is, however, no provision for 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. A condition can be imposed to any planning consent to ensure the play areas are secured at the reserved matters stages of the process. 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. Other matters of objection from the local residents have been addressed in the relevant section of this report.

The development would be visible from the existing housing occupiers to the east of the site. Loss of view is not a material planning consideration. It is concluded that whilst these residents would see the proposed development there are no specific concerns

that the development has to take account of these to protect residential amenity. It will however be necessary at reserved matters stage to ensure that there would be no significant overbearing impact or overlooking from the new dwellings to existing dwellings adjacent to the site. Any future developer of the site will need to design the layout, scale and appearance of the reserved matters having regard for the separation distances contained within the Design SPD (2020). It will also be necessary to ensure the position of any LEAP 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 because 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 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.

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 that indicates a potential of net gain for biodiversity on the site, there is no objection to the application. It is considered the necessary planting proposed and indicated on the indicative layout plan to aid the net gain to biodiversity can be achieved, given the space between the existing woodland and the proposed new urban edge.

In addition to the above, it will be important to impose a landscaping and landscape/habitat management plan condition to explicitly identify biodiversity as one of the reasons for requiring them. A number of other mitigation conditions relevant to biodiversity are also suggested, such as, boundary treatments, lighting and detailed design of the drainage scheme, and the reason for these conditions should be clear in mentioning biodiversity mitigation.

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 by means of imposing suitably conditions in compliance with policy CS13 of the Charnwood Local Plan 2006-2028 Core Strategy.

Arboriculture

Policies CS2 and CS11 of the Core strategy seek to ensure high quality design that reflects the character and context of the area, which in this location comprises low density development and agricultural land with mature trees and hedges. Policy WV3 of the Neighbourhood Plan seeks to retain and protect valuable trees and hedges in the area. These policies generally accord with the National Planning Policy Framework and do not conflict the supply of housing.

It is confirmed there will be no loss of trees or hedgerow apart from the site access. Whilst this loss in itself should not result in significant harm to the character of Loughborough Road. The LPA conservation officer has suggested a condition is imposed to increase the planting buffer close to the site entrance. The minor loss of soft planting to the site entrance would not be so significant that it would justify refusal of planning permission and it is considered that it complies with Development Plan policies CS2, CS11 and WV3.

Highway Matters

Polices 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 112 of the NPPF seeks to promote sustainable travel choices. 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.

A large number of the objection letters have been received with reference to highway safety and congestion as a concern.

The Highway Authority has assessed the Transport Assessment and proposed Access plan submitted in support of the application. The Highway Authority do not object to the scheme and the comments received are set out below:

Site Access

Access to the site will be via Loughborough Road, which is a classified B road, part of the B676 heading in an east-to-west direction between Loughborough and Six Hills (A46). The site frontage is located at the speed terminus point between 30mph and the national speed limit (60mph). The LHA note that an updated access drawing has been provided, Drawing PRJ01-TTE-00-ZZ -SR-S-004 Rev. E. The proposed site access is located within the 30mph section of Loughborough Road (B676). The carriageway changes to the national speed limit (60mph) approximately 20m east of the proposed site access. The LHA has now received speed survey data from the Applicant, for a 7-day survey undertaken in October 2021. The survey shows 7-day 85th percentile speeds of 49.6mph westbound and 50.1mph eastbound. Drawing PRJ01-TTE-00-ZZ -SR-S-004 Rev. E shows visibility splays of 2.4 x160.0m to the nearside kerb in either direction which would be appropriate for 85th percentile speeds of 45-53mph in accordance with Table DG4. Drawing PRJ01-TTE-00-ZZ -SR-S-004 Rev. E provides an access with a width measuring 5.5m in accordance with the design guidance for a 'Residential Access Road' of greater than 50 dwellings as contained within Table DG1 of the Leicestershire Highway Design Guide (LHDG). The LHA understand that a Stage 1 Road Safety Audit (RSA) was undertaken for the previous application. The LHA are satisfied that the site access is in the same location as the previous 2018 application and in accordance with GG119 of the Design Manual for Roads and Bridges (DMRB) states the RSA is valid for up to 5 years. The swept path analysis for a refuse vehicle shows minor encroachment by the vehicle to the opposing side of the carriageway. The LHA accepts the information by the transport consultant that 'Refuse vehicle movements are infrequent and happen like this on most residential streets in the UK.' The LHA note that the footway on the northern side of Loughborough Road narrows to widths of circa 1.3m which would not be suitable for walking in accordance with the LHDG. The eastern pedestrian-only link shows a proposed crossing feature to footway provision on the southern side.

The LHA welcome the provision of a crossing which facilitates access to the southern side of the carriageway where the local facilities are located and where footway widths are suitable in accordance with Table DG9 of the LHDG. The LHA note and welcome confirmation that Loughborough Road will be resurfaced as required which will form part of the Section 278 agreement at detailed design stage.

To summarise, the LHA are satisfied that the site access arrangements are acceptable to serve the proposed development and are designed in general accordance to local design standards.

Highway Safety

As set out in previous observations the LHA is satisfied that there is no cluster of collisions where a pattern/trend emerges suggesting that there is an ongoing highway

safety issue that will be exacerbated by the proposed development. **Policy IN5** Policy IN5 can be found within Part 1 of the Leicestershire Highway Design Guide (LHDG) at 'resources.leicestershire.gov.uk/lhdg'. As previously noted, the Applicant has demonstrated that visibility splays can be achieved in accordance with recorded 85th percentile speeds and there are no known existing highway safety issues that would be exacerbated by the proposed development. As Loughborough Road has not changed character, traffic flows are comparable and there have been no changes to highway policy or standards since 2018, the LHA does not consider that it could sustain a reason for refusal based solely on IN5 at this location considering the advice offered on application P/17/2591/2.

Off-Site Implications

The proposed development seeks to extend the existing 30mph entry zone 90m west from the proposed access along Loughborough Road as per the 2018 application. The LHA previously advised the Applicant that this would require a Traffic Regulation Order (TRO) which will be subject to a consultation process. A contribution amount of £8985.00 would be required for the TRO. The Applicant should be advised that consideration will need to be given to the following matters during the s278 detailed design stage for the access works and associated speed limit change:

- Existing dragons' teeth and roundel markings - these should be removed and reinstated at the new gateway location and will be done at the Applicant's own expense;
- Vegetation within the visibility envelope - the Applicant should make contact with the
- Council's Forestry team via the email address 'forestry@leics.gov.uk'
- Forward visibility - a topographical survey would be required to assess this, and this may require the location of the proposed speed limit signage to be amended subject to RSA2 recommendations;

Street lighting - columns need to be located outside of the proposed visibility splays. LCC Streetlighting design team will need to be contacted in this regard; and Utilities - the diversion and/or protection of existing statutory utilities equipment may be required. The Applicant should liaise with the relevant statutory undertakers.

Trip Generation

In previous Observations, the LHA accepted the submitted trip rates in this instance and accepted that the modelling of the junction will operate comfortably within capacity.

Internal Layout

The internal layout will form part of any future Reserved Matters application and is therefore not for consideration as part of this application. The LHA previously advised the Applicant that if the internal road layout is to be offered for adoption, the LHA would require two parking spaces for a dwelling with up to three beds and three spaces for a dwelling with four or more. Further guidance is contained within Section DG14 of the LHDG.

Transport Sustainability

The LHA are aware that Burton on the Wolds is a small village, with limited facilities. A pub, primary school, village hall and convenience store which is part of a petrol filling station are the only local amenities within a walkable distance. The nearest health and dedicated retail facilities are located within the village of Barrow-upon-Soar which is located 4.3km south west of the proposed development site, outside of walking distance, at the upper end of a recommended cycle distance (5.0km) and without a direct public transport link.

The nearest bus stop to the site, Loughborough Road, is located 270m from the site centre, inside the 300m recommended walking distance as contained within the CIHT 'Buses in Urban Developments' document. The stop, located on the southern side of the carriageway, hosts a shelter, raised kerbs and a flag-and-pole with signposted timetable information. The northern side stop, located 385m from the site centre comprises of a flag-and-pole alongside the provision of a bench. Both stops are served by the Centrebus 8 Service which heads between Loughborough and Melton Mowbray on an hourly frequency Monday to Saturday. The LHA note from the timetable that due to the limited frequency and awkward arrival times, the route is unlikely to be viable as a substitute for private car trips to work.

The development proposals include provision in the form of the PROW connection to Seymour Road. Consultation with the LHA will be required to agree the appropriate surfacing, width, any access barriers, signage, and any other matters affecting the Public Right of Way. A suitably worded condition is therefore advised below. To promote sustainable transport modes, contributions towards travel packs are requested alongside bus passes for the nearest bus service, the Centrebus 8 Service, which operates along Loughborough Road.

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

policies and not to give rise to transport related harm.

The development is therefore in accordance with 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.

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.

The site itself is not subject to fluvial flooding being located within zone 1 of the flood zone as identified by the Environment Agency flood maps. The Environment Agency has not raised specific objections to the proposal. 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 submitted Flood Risk Assessment concludes that the site will not be at risk of flooding from either flows generated on site or from overland flows from off site. The Leicestershire Lead Local Flood Authority has assessed the submitted information and considers 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 Paragraph 112 of the NPPF seeks to promote sustainable travel choices.

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"> • £308,380.80 towards the improving, remodelling or enhancing of existing facilities at Burton on the Wolds Primary School or any other school within the locality of the development.. • £35,716.30 towards the improving, remodelling or enhancing of existing facilities at Rawlins Academy or any other school within the locality of the development..
Libraries	£1,690 contribution towards the enhancement of Barrow Library.
Open Space	<ul style="list-style-type: none"> • An on-site young people's equipment/facilities (LEAP) . • Outdoor sports facilities £18,390. • Off-site Allotments within Burton on the Wolds £6,324. • Off-site indoor sports 1.35 sq m pool space - £25,359 and 0.01 Indoor Bowls Rinks - £3,618.
Affordable Housing	40% of the dwellings to be affordable housing with 77% for affordable rent and/or social rent and 23% shared ownership.
Highways	<ul style="list-style-type: none"> • A Traffic Regulation Order (TRO) which will be subject to a consultation process. A contribution amount of £8985.00 would be required for the TRO. • A Travel Plan monitoring fee of £3,000 • 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.

These contributions (with the exception of indoor sport) 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. As a result, it has not been fully demonstrated that the contribution towards indoor sport provision is necessary to make the development acceptable in planning terms in accordance with the requirements of CIL regulation 122.

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.

Whilst the development is not in the most sustainable settlement, it would provide 56 new units of which 40% would be affordable homes, at a time when there is an acute need for these, which is a significant public benefit of the scheme. The site offers the potential for high quality design and an acceptable mix of housing. The development would result in less than substantial harm to the grade II listed Field House and Registered Park and Garden and no harm to the Grade I listed Prestwold Hall. However this harm can be mitigated through additional planting and the location of housing within the site. The provision of housing at a time the Council cannot demonstrate a 5 year housing land supply is considered a significant public benefit which outweighs the identified harm. The scheme provides the planting of an extensive woodland, to enclose the registered parkland and encourage biodiversity net gain. There are no technical constraints relating highways, or flooding that cannot be mitigated, and landscape compensation can be secured by way of detailed landscape design. Impacts on infrastructure and public services can be offset within the site or via commuted payments to improve facilities in the area.

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"> £308,380.80 towards the improving, remodelling or enhancing of existing facilities at Burton on the Wolds Primary School or any other school within the locality of the development. £35,716.30 towards the improving, remodelling or enhancing of existing facilities at Rawlins Academy or any other school within the locality of the development.
Libraries	£1,690 contribution towards the enhancement of Barrow Library.
Open Space	<ul style="list-style-type: none"> An on-site young people's equipment/facilities (LEAP) - 1 facility within 480m every home. On site young's peoples - 1 facility within 480m of every home Outdoor sports facilities £18,390. Off-site Allotments within Burton Wolds £6,324.
Affordable Housing	40% of the dwellings to be affordable housing with 77% for affordable rent and/or social rent and 23% shared ownership.
Highways	<ul style="list-style-type: none"> A Traffic Regulation Order (TRO) which will be subject to a consultation process. A contribution amount of £8985.00 would be required for the TRO. A Travel Plan monitoring fee of £3,000 Travel pack for the first occupation of each new dwelling (£53.00 per pack) Six month bus passes (two per dwelling) for the first occupation of each new dwelling £360.00 per pass

RECOMMENDATION B:

That subject to the completion of the agreement in recommendation A above, grant Conditionally subject to the imposition of the following draft conditions and reasons and that the Head of Planning and Regeneration, in consultation with the Chair of the Plans Committee for amendments to the conditions and reasons, be given powers to determine the final detail of planning conditions.:

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> <p>Location Plan – 5655L 01A</p> <p>REASON: To provide certainty and define the terms of the permission</p>
4.	<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 pathways and all other 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 west 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. vii) All proposed boundary treatments. viii) Position and type of bins to be provided <p>REASON: To ensure that a robust landscaping scheme for the development is provided so that the scheme integrates into the landscape, surrounding area and provides a soft screen to the historic</p>

	assets, in accordance with policies CS2, CS11 and CS14 of the Development Plan.
5.	<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>
6.	<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 LEAP facility ii. On-site provision for young people iii. 0.27ha Natural and semi natural open space iv. 0.04ha Parks v. 0.06ha Amenity Green Space <p>REASON: To ensure that the open space needs of future residents are met at a level that complies with Development Plan policy CS15 and the NPPF.</p>
7.	<p>The details submitted pursuant to condition 2 above shall include an updated Biodiversity Impact Assessment that demonstrates the amount of biodiversity net gain to be provided at the site.</p> <p>REASON: To ensure that the development provides a net gain in biodiversity in accordance in accordance with Policy CS13 and the NPPF.</p>
8.	<p>Prior to the first occupation of the development hereby approved details of the position and type of the bin and secured cycle storage areas shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure the provision of bins and cycle stores to meet the aims of amenity and promote sustainable travel in accordance with CS2, EV/1, CS17 and the NPPF.</p>
9.	<p>Notwithstanding the submitted plans, the proposed access shall have a width of a minimum of 5.5 metres, a gradient of no more than 1:30 for a distance of at least 10.0 metres behind the highway boundary and shall be surfaced in a bound material with a 10.0 metres kerbed radii. The access once provided shall be so 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</p>

	interests of general highway safety and in accordance in accordance with Policies CS18 of the Core Strategy and TR/18 of the Local Plan, and the NPPF that seeks to ensure safe access is provided to new development.
8.	<p>No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 160.0 metres have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.</p> <p>REASON: To afford adequate visibility at the access to cater for the expected volume of joining the existing highway network, in the interests of general highway safety in accordance with CS18 of the Core Strategy and TR/18 of the Local Plan and the NPPF that seeks to ensure safe access is provided to new development.</p>
9.	<p>Notwithstanding the submitted details, prior to the occupation of any part of the development hereby permitted, details of a traffic calming scheme on Loughborough Road and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The traffic calming scheme shall thereafter be delivered in accordance with the approved details and timetable.</p> <p>REASON: To mitigate the impact of the development, in the general interests of highway safety, in accordance in accordance with CS18 of the Core Strategy and TR/18 of the Local Plan and the NPPF that seeks to ensure safe access is provided to new development.</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, in accordance with CS18 of the Core Strategy and TR/18 of the Local Plan and the NPPF.</p>
11.	<p>No development shall take place until a scheme for the treatment of the Public Footpath H99a and Public Bridleway H106 has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for management during construction, surfacing, width, structures, signing and landscaping, together with a timetable for its implementation. Thereafter, the development shall be carried out in accordance with the agreed scheme and timetable.</p>

	<p>REASON: In the interests of amenity, safety and security of users of the Public Right of Way in accordance with the National Planning Policy Framework (2021).</p>
12.	<p>No development 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. The development shall be carried out in accordance with the approved scheme.</p> <p>REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.</p>
13.	<p>No development 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. The development shall be carried out in accordance with the approved details.</p> <p>REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase. This is to ensure the development is in compliance with development Plan policies CS16 and WV5 and national guidance.</p>
14.	<p>The development shall not be occupied until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</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 in accordance with development Plan policies CS16 and WV5 and national guidance.</p>
15.	<p>No development 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 in accordance with development Plan policies CS16 and WV5 and national guidance.</p>

16.	<p>Prior to the occupation of any dwelling a landscape and habitat 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 and habitat 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, continued management of the ecological scheme and that drainage systems retain full function. This is to make sure the development remains in compliance with Development Plan policies CS2, CS11, CS13, CS15 and CS16.</p>
17.	<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 in accordance with Development Plan policies CS2, CS11 and WV3 and the NPPF.</p>
18.	<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 a manner for the duration of building operations on the application site.</p> <p>REASON: The hedges and trees are an important features in the area and this condition is imposed to make sure that it is properly protected while building works take place on the site in accordance with Development Plan policies CS2, CS11 and WV3 and the NPPF.</p>
19.	<p>No development shall commence until an Ecological Mitigation Strategy is submitted and approved in writing by the Local Planning Authority. As a minimum these details shall include;</p> <ol style="list-style-type: none"> 1) boundary treatments 2) Lighting Strategy 3) Construction Ecological Management Plan (CEMP) to protect features during the construction phase.

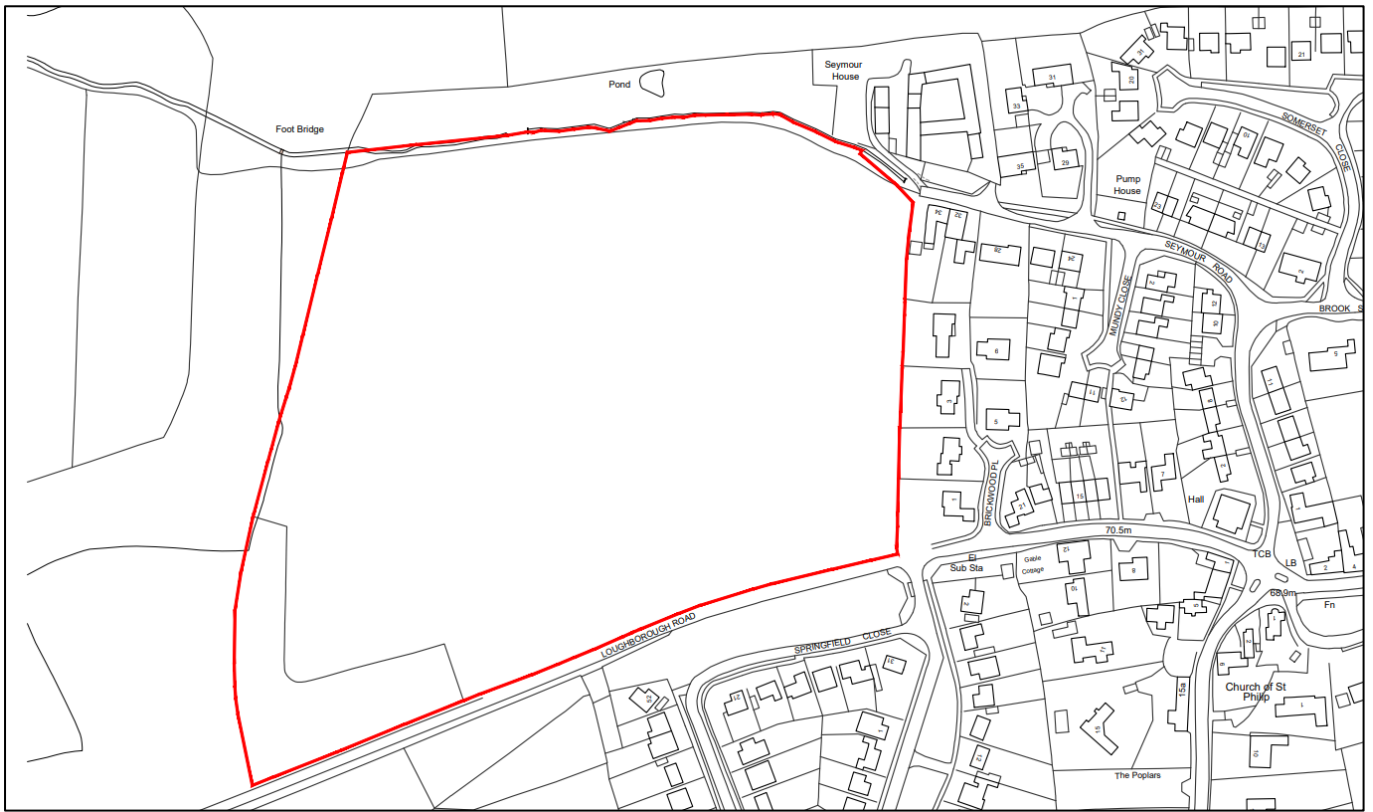
	<p>REASON: To ensure the design and construction of the development does not result in the loss of any biodiversity features, habitats or protected species in accordance with Policy CS13 and the NPPF.</p>
20.	<p>No development above slab level shall commence until samples of all the materials to be used in the construction of the external surfaces of the dwellings has been submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure a satisfactory external appearance and grouping of materials in accordance with Policies CS2 and EV/1 of the Development Plan.</p>
21.	<p>No development above slab level shall commence until details of the following shall be submitted and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> i) Reveal, cill lintel, eaves and verge details ii) Joinery details iii) Location and design of flues, extracts, soil vents and meter boxes iv) Rainwater goods <p>REASON: To ensure a satisfactory external appearance and grouping of materials in accordance with Policies CS2 and EV/1 of the Development Plan.</p>
22.	<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>

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.
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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. 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>
4. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001). A minimum of 6 months' notice will be required to make or amend a Traffic Regulation Order of which the applicant will bear all associated costs. Please email road.adoptions@leics.gov.uk to progress an application.

5. 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>
6. 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.
7. 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.
8. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations. Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change storm events.
9. 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.
10. 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.
11. 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.



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Item No. 2

Enforcement Reference Number E/21/0262

Developer: Mr and Mrs J Sugden
Breach: Material change of use from plant nursery to residential use (Class C3).
Location: Former Ulverscroft Grange Nursery,
Priory Lane,
Ulverscroft,
Leicestershire,
LE67 9PB
Parish: Ulverscroft
Case Officer: Sarah Hallam
Ward: Forest Bradgate
Tel No: 07713 885344

This case has been brought to plans committee with the agreement of the Chair of Plans Committee and the Head of Planning and Regeneration.

Description of the Site

The unauthorised development consists of the conversion and use of the site for a residential use. The 1.79-acre site was formally a plant nursery and it is understood that the nursery activities ceased on the site in around 2007 with the various buildings on the site falling into disrepair until the current owners purchased the site in October 2017.

Description of the Unauthorised Works

The unauthorised development consists of the conversion and use of the site for a residential use. The 1.79-acre site was formally a plant nursery and it is understood that the nursery activities ceased on the site in around 2007 with the various buildings on the site falling into disrepair until the current owners purchased the site in October 2017.

The site contains a number of buildings that are in various states of disrepair with a number of these buildings being renovated by the current owner. More specifically the building located centrally in the site has been renovated into residential accommodation with decking installed to the front of the building (see photographs at the end of the report). Early on in the investigations into the matter a Planning Contravention Notice was served and the owner, who, in their response, confirmed that the works to convert the building into a residential use commenced November 2017 and were completed October 2018. They also confirmed that it was not their intention to permanently reside on the site but for it to be only used for occasional occupation by the owner, their family and friends. The owner also keeps bees on the site and frequents the site regularly to attend to the hives.

The owner enlisted an agent in August 2021 who indicated that they would submit an application in an attempt to regularise the matter however, as yet

no application has been submitted. As the use will become lawful in October 2022 the Council must consider whether formal enforcement action should be pursued to address the breach.

The site affords electricity but does not have running water and therefore drinking water is brought onto site. Washing water is collected on site by rainwater harvesting and there is a compostable toilet, which is emptied by the owner and removed from the site.

There are permitted development rights under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) under Class Q part 3, schedule 2 to allow the conversion of redundant agricultural buildings into dwellings however prior to such works taking place the developer must submit a prior notification application to the Local Planning Authority detailing the works they wish to undertake. A prior approval application cannot be submitted retrospectively and therefore this option is no longer available to the owners. If, however an application had been submitted prior to the works taking place the application would have been refused as the development as built does not fully fall with the permitted limits. This is because works on the southern elevation of the building project beyond the external dimensions of the existing building.

Development Plan Policies

Charnwood Local Plan 2011-2028 Core Strategy

- Policy CS1 - Development Strategy
- Policy CS2 – High Quality Design
- Policy CS3 – Strategic Housing Needs
- Policy CS11 – Landscape and Countryside
- Policy CS12 – Green Infrastructure
- Policy CS13 – Biodiversity and Geodiversity
- Policy CS16 – Sustainable Construction and Energy
- Policy CS25 – Presumption in Favour of Sustainable Development

Borough of Charnwood Local Plan 2004

- Policy ST/2 – Limits to Development
- Policy CT/1 – General Principles for Areas of Countryside, Green Wedge and Local Separation
- Policy CT/2 – Development in the Countryside
- Policy EV/1 – Design
- Policy TR/18 – Parking Provision in New Development

Other 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 examination sessions began in June 2022, however were adjourned to deal with the apportionment of Leicester's unmet housing need following discussions at the Matter 1 hearing session. The next hearing sessions are expected to commence late this year following a consultation of further information.

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:

DS1 Development Strategy
DS5 High Design Quality
C1 Countryside
H3 Internal Space Standards
T3 Car parking standards
EV1 Landscape
EV4 Charnwood Forest and the National Forest
EV6 Conserving and Enhancing Biodiversity and Geodiversity

At present, these policies can only be given limited weight however, as the plan progresses more weight will be able to be given to these policies in line with Paragraph 48 of the NPPF.

Other Material considerations

The National Planning Policy Framework 2019 (NPPF)

The paragraphs of relevance are 7, 8, 10, 11, 15-33, 38, 48, 59, 60, 74, 79, 80, 84, 111, 119, 126-135, 174, 180, 182 and 185

Paragraph 59 states Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate.

National Forest Company Destination Plan (2015-2025)

Landscape Character Assessment 2012

Housing Supplementary Planning Document (2017)

The Housing and Economic Needs Assessment (HEDN) – 2022

Housing Needs Assessment 2020

Technical Housing Standards – Nationally described space standards (March 2015)

The Leicestershire Highways Design Guide (2018)

Supplementary Planning Document - Charnwood Design (January 2020)

The Crime and Disorder Act 1998

The Crime and Disorder Act 1998 places a duty on the local planning authority to do all that it reasonably can to prevent crime and disorder in its area. The potential impact on community safety is therefore a material consideration in the authorisation of enforcement proceedings.

The issue of **human rights** is also a material consideration in the determination of planning applications and enforcement issues. Article 8 of the Human Rights Act 1998 requires respect for private and family life and the home while Article 1 of the First Protocol provides an entitlement to peaceful enjoyment of possessions. However, these rights are “qualified” and it is necessary to consider whether refusing planning permission and/or issuing an enforcement notice would interfere with the developer’s human rights. If it would, the Committee must decide whether any interference is in accordance with the law, has a legitimate aim and is proportionate.

The impact on the human rights of the developer must be balanced against the public interest in terms of protecting the environment and the rights of other people living in the area. In this case, the balance points to protecting the openness of the countryside, the biodiversity and ecology of the site and surrounding area.

Relevant Planning History

P/85/0336/2 – Site for the erection of one single storey detached dwelling
Granted Conditionally 18 April 1985

P/87/1961/2 – Site for the erection of single storey detached dwelling renewal
of planning permission P/85/0336/2 – Refused

P/97/1686/2 - Erection of replacement office and toilet (48 sq.m.) and 6
polytunnels (418 sq.m.) – Granted Conditionally 12 February 1998

Responses of Statutory Consultees

The County Council Highways Officer has been consulted and has raised no objections to a dwelling on the site when comparing this against the previous use as a plant nursery. They indicate that the nursery would have generated more vehicle trips compared to a single dwelling.

Other Comments Received

Neighbouring residents have raised the following concerns;

- the increased use of the shared driveway and the costs of its upkeep and maintenance
- that the site does not benefit from a water supply or sewage system
- concern over access bridge to the site as it is in a poor state of repair
- access rights over the shared access
- external CCTV cameras on the site and their impact on neighbours privacy
- safety of Priory Lane when accessing and leaving the site
- deliveries to the site blocking shared driveway
- the increased use of the shared driveway undermines the security of the property which owns the driveway
- impact on the neighbouring brook where water is being pumped out and dirty water placed back in the brook
- bonfires
- parties
- loss of privacy
- noise
- design of development

Consideration of the Planning Issues

The site is outside the limits of any settlement and is therefore within Countryside as defined in the Borough of Charnwood Local Plan (policies CT/1 and CT/2). The site is accessed via a shared driveway off the North side of Priory Lane which serves one other dwelling and an agricultural field. To the North of the site is Coalburn Wood, which is an ancient woodland and local wildlife site (LWS) and on the opposite side of Priory Lane to the site is Ulverscroft Wood, which is also an ancient woodland and local wildlife site (LWS).

The site when purchased contained a number of derelict buildings that previously served Ulverscroft Nurseries, which it is understood ceased operating on the site in around 2007. From the photographs included at the end of the report it can be observed that the open sided building has been extensively remodelled to enable it to be converted into a dwelling. Other buildings on the site are also being renovated in association with the residential use and the owner's hobbies, which includes bee keeping.

The starting point for decision making is that the decision as to whether to take action 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.

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 (3.04 years at 31/3/22), 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 NPPF 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 Local Green Space and areas

or archaeological interest demonstrably equivalent to ancient monuments can be included. In this case although the site is outside of the defined limits to development and within the open countryside it 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 in this instance paragraph 11d i) would apply.

The key issues to inform whether or not the development is acceptable are included below;

- The Principle of the development
- Design of resultant dwelling and other buildings on the site and impact on the character of the area
- Highways and Car parking
- Biodiversity and landscape impact.
- Impact on residential amenity
- Implications if the breach is not remedied and allowed to gain immunity

The Principle of the development

Saved Policy CT/1 of the Local Plan 2004 does not support new residential development within the countryside, the policy supports the re-use and adaptation of rural buildings where it meets certain identified criteria. Saved Policy ST/2 also identifies built development will be confined to allocated sites and other land within the limits to development. Both policies are over 5 years old and arguably are not fully compliant with the NPPF, it is considered that it would only have moderate weight as an important policy in the determination of any appeal where planning permission would be considered.

Core Strategy Policy CS1 identifies the locations suitable for housing in the borough and the countryside is not listed as one.

The site is located within the countryside outside the limits of development within an isolated location. Whilst saved Policy CT/1 lends support to the re-use and adaptation of rural buildings where there would not be a significant adverse environmental impact this is subject to the listed criteria in the policy of which this development does not meet any. In addition, it has not been demonstrated that the development could not be reasonably located within or adjacent to an existing settlement. The site owners have made it clear that the residential use is occasional for them, their friends and family, as they permanently reside in Newtown Linford. In addition, the site is used for hobby activities such as the keeping of bees but such use does not justify a residential use on the site. The development is therefore contrary to Policies CS1, of the Core Strategy and Policies CT1 and ST/2 of the Borough of Charnwood Local Plan.

Although. the development does not meet any of the listed criteria as being essential for the efficient long-term operation of agriculture, horticulture or forestry etc. Because of the age of the policy and it arguably being not fully compliant with the NPPF, it is considered that it would only have moderate

weight as an important policy in the determination of any appeal where planning permission would be considered.

The site is well-screened from public vantage points and the condition of and indeed existence of existing buildings is not readily apparent from any street scenes due to existing trees and the topography of the site. The condition of the site was that naturally arising from disuse but this was not harmful to the overall character of its rural setting. More recently, buildings have been renovated and the land progressively maintained to create usable areas for relaxing and other residential activities, but it is not considered that these works significantly enhance the immediate setting. It is considered that none of the criteria of Paragraph 80 of the NPPF are met as:

- no evidence has been provided to show there is an essential need for a rural worker to live permanently at or near their place of work in the countryside
- the development does not represent the optimal viable use of a heritage asset or be appropriate enabling development to secure the future of heritage assets
- does re-use redundant and disused buildings however it is not considered that the reuse of these buildings enhance its immediate setting
- does not involve the subdivision of an existing residential building
- the design of the development is not of exceptional quality reflecting the highest standards in architecture and significantly enhance its immediate setting

Therefore, the works undertaken are in variance with the NPPF when read as a whole and as the NPPF is up to date this policy can be given significant weight when considering any appeal on the matter.

Paragraph 80 of the NPPF is less restrictive and talks about 'redundant' and 'disused' buildings, which the buildings prior to remodelling would have been described as such. Therefore, the 'redundant' and 'disused' nature of the site did not have a negative contribution to the rural landscape and had no significant harm to the character or appearance of the Charnwood Forest Landscape Area that would warrant and support the current development of the site. These works therefore are not considered acceptable as they do not enhance the immediate setting.

The site did originally provide employment opportunities however the nursery use, which falls within agriculture, ceased a number of years ago. The site is therefore not designated as employment land within the Development Plan.

It is considered that the site is located in an unsustainable remote location with no local bus service and the occupants reliant upon their car to visit the site. In addition, there is a lack of facilities such as shops etc. in the local vicinity and Priory Lane has no footpath further making the occupants further reliant on their car. Therefore, the residential use of the site would be contrary to CS25 of the Core Strategy which can be given significant weight in consideration of this matter.

The Charnwood Local Plan 2021-37 has been submitted for examination and examination hearing sessions have begun. The emerging policies in the plan are material considerations. Emerging policy DS1 directs 0% of housing development to hamlets (including Ulverscroft). The hamlets do not have defined Limits to Development but are considered countryside where policy C1 applies. Policy C1 does not support a residential dwelling on the site and therefore the development is contrary to emerging policies DS1 and C1 of the Charnwood Local Plan 2021-2037. At present, these policies can only be given limited weight however, as the plan progresses more weight will be able to be given to these policies in line with Paragraph 48 of the NPPF.

Taking into account the above the development does not comply with Policies CS1 of the Core Strategy, Policies CT1 and ST/2 of the Borough of Charnwood Local Plan and paragraph 80 of the National Planning Policy Framework and therefore in principle is not considered to be acceptable.

Design of resultant dwelling and other buildings on the site and impact on the character of the area

Setting aside the arguments of principle, the current dwelling on the site is of a modest size and the design of the conversion of the building is sympathetic with the use of wooden cladding and corrugated tin roof, which is considered acceptable within the rural setting. However, it is not just this building that is being used for residential activities it is the whole site and the paraphernalia that comes with residential uses that is considered detrimental to the isolated rural setting of the site. The dwelling already has decking installed with stone, paved and planted areas akin to a residential garden. Outdoor seating is also present on the decked area with the before and after photographs at the end of the report clearly detailing how the character of the site has significantly changed since the current owners purchased the site. The design of the one building may be acceptable but as a whole, the change of use of the site and resultant development that has been undertaken and that could be undertaken through various permitted development rights that would be allowed if the residential use of the site was unrestricted would not be considered to enhance the immediate setting. At present the whole site is associated with the residential building (SH1) located within the centre of the site with paths throughout the site allowing it all to be used for residential activities.

A further building to the south of the dwelling (SH2) has recently been clad with timber, had windows and a door installed, and a pitched roof installed. This is very much akin to a log cabin and is currently being used by the owners for their bee keeping activities incidental to the residential use. This could however, with very little works, be turned into additional living accommodation incidental to the main dwelling (SH1). If more buildings on the site are renovated into residential uses the modesty of the current dwelling (SH1) will be lost with the extent of the residential use sprawling all over the site.

In addition, there are a number of other buildings on the site which were under renovation during a site visit undertaken. It therefore is unclear as to what the final finish and design of these buildings will be and therefore it is unclear as to whether these works would be acceptable.

New development is required to respect and enhance the character of the area having regard to (inter alia) layout and access arrangements. Saved Policy EV/1 seeks to ensure a high standard of design that (inter alia) respects and enhances the local environment including the scale, location, character and function of the open and undeveloped nature of the countryside. Policy CS11 requires development in rural areas to respect the character of the countryside and landscape by (inter alia) protecting landscape character and requiring new development to take into account and mitigate its impact on tranquillity.

Emerging policies EV1 and EV4 aim to manage development to protect the Borough's distinctive landscape and the Charnwood Forest. The development does not comply with either of these policies as there is no evidence that the development protects the landscape character or protects and enhances the distinctive landscape character of the Charnwood Forest.

In terms of visual amenity, already with the addition of decking and paved areas and the continuing redevelopment of the other buildings on the site it is unclear to the extent of the residential sprawl which potentially could result in harm to the character and appearance of the rural landscape. The site is of substantial size with no restrictions on the limit of the residential curtilage. Therefore the whole site is considered to be the extent of the residential curtilage. An unrestricted dwelling in the countryside and the potential works that could be undertaken under the permitted development rights is considered to have significant harm to the rural setting and the character and appearance of the rural landscape. Under the permitted development rights substantial extensions could be undertaken to the dwelling (SH1) with other buildings on the site being converted to residential uses associated and incidental to the dwelling. In addition there are permitted rights to install hardstanding, fencing and erect other buildings. All these works would cause harm to the Countryside, by introducing further built form of more urban characteristics than the rural open nature of the current site. Taking account of the above, the development is not considered to be wholly in accordance with Policies CS2 and CS11 of the Core Strategy and saved policies EV/1 and CT2 of the Borough of Charnwood Local Plan as well as Paragraphs 130 and 174 of the NPPF.

Highways and Car parking

The existing gated shared access to the site appears to provide good visibility in both directions with the gates well set back so that vehicles can stand clear of the highway. The residential use has significantly fewer vehicle activities compared to what the previous nursery use would have had. This use however ceased some time ago but the ability to use the access did not cease. The current occupiers of the property that own the access driveway

have become used to their only use of the access drive. Concern has been raised on the increased use of the driveway since the current owners purchased the site. Leicestershire County Highways have raised no highways objections to a dwelling on the site.

Policy TR/18 states permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimise harm to visual and local amenities. Within the site there is ample parking for numerous vehicles to meet the needs of a dwelling, in accordance with the Leicestershire Highways Design Guide. Therefore from a highways point of view the development does not conflict with paragraph 111 of the NPPF or with saved Policy TR/18 of the local plan and is considered to be acceptable.

Emerging policy T3 of the Charnwood Local Plan 2021-2037 requires that there is adequate parking provision for development. The development is considered to comply with this policy.

Biodiversity and landscape impact

It is unclear on the impact the current use has on the biodiversity, geodiversity and the countryside as no ecological surveys or impact reports have been provided by the site owners. The owners and their agent made it very clear that they would be submitting an application in an attempt to regularise the matter and as part of this would submit the necessary surveys and detailed mitigation measures, in order to ensure the development does not result in a net loss of biodiversity. No such application has been submitted. In the absence of the necessary surveys and mitigation measures it is unclear what the full impact the development has and in light of this it is concluded that the development may conflict with policy CS13 of the Core Strategy which can be given significant weight in the decision making process and paragraphs 174, 108 and 182 of the NPPF.

The development also conflicts with emerging policies EV4 and EV6 of the Charnwood Local Plan 2021-2037. These policies aim to protect the Charnwood Forest and National Forest along with conserving and enhancing biodiversity and geodiversity.

Impact on residential amenity

Policy CS2 of the Core Strategy and saved policy EV/1 of the Local Plan 2004 seeks to protect the amenity of existing and future residents. The emerging policy DS5 states that new development will be required to protect the amenity of people who live nearby and those who live in the new development. Emerging policy H3 requires compliance with the nationally described space standards.

There is one residential property that adjoins the site and shares the access and they have raised concern that the impact the increase in comings and goings from the site has upon their amenity as the shared driveway runs

through their property and along the side of their dwelling. These residents have had many years with very limited vehicle movements other than their own activities but if the nursery reopened, the Council would not have control over the vehicle movements, which would be significantly more than a single dwelling.

It is understood that the owners of the site have a right of access over the neighbours' land therefore the driveway owners do have some control over the usage of the shared driveway and could take their own civil action if the frequency of use was not to their liking or if maintenance and repair fees of the access driveway were required.

An additional nearby resident has also echoed the concerns raised by the adjacent resident but they have also raised concern regarding the noise caused by the residential use. It is not considered that the residential use causes noise disturbance which would be of detriment to the neighbouring residential properties. The current use is relatively low level with the occupiers and their family and friends only visiting the site. If the nursery use was to take place the use would be more intense with the potential of more noise on a daily basis.

The accurate dimensions of the converted outbuilding for residential use (SH1) are not fully known as detailed drawings have yet to be provided. A rough estimate of the floor area of the building is 62 square metres and therefore this would comply with the Technical Housing Standards for a 2-bed property for three people but could fall short if the accommodation was for 4 people and therefore without further detailed information from the owner the Local Planning Authority would question its compliance with the Technical Housing Standards.

Taking into account the points raised by the local residents and if the owner can show that the building for residential occupation (SH1) complies with the Technical Housing Standards it is not considered that the use of the site for residential purposes has a detrimental impact upon residential amenity for current and future occupiers and therefore would comply with policy CS2 of the Core strategy, saved policy EV/1 of the Local Plan 2004.

If the owner can show that the building for residential occupation (SH1) complies with the Technical Housing Standards, the development is considered to comply with emerging policies DS5 and H3 of the Local Plan 2021-2037.

Implications if the breach of planning control is not remedied and allowed to gain immunity

When a dwelling is either granted unconditional planning permission or gains permission by being present for in excess of 4 years and gains immunity there are a raft of permitted development rights that the dwelling automatically affords. These permitted development rights could allow for a multitude of development, such as extensions to the buildings currently on the site, new

buildings being erected, decking and other hard surfacing of the land. In addition, various paraphernalia such as tables and chairs, washing lines etc. associated with a dwelling would be permitted which would have a significant detrimental impact upon the open countryside, biodiversity and the rural setting this site affords. Enforcement action should therefore be pursued to ensure only development that is acceptable is allowed to remain and that if there is any development that is considered acceptable that this obtains the necessary permission (i.e. planning permission) and it is suitably controlled via conditions to ensure protection is afforded to the above.

Conclusion

The development is not acceptable in principle, as the provision of a dwelling in this location does not meet national or local policy objectives of directing development to sustainable locations. The condition of the site prior to the current owner's occupation was not considered so unsightly that the development of it for residential use was the only option.

In addition, no agricultural or other justification has been given to support the retention of the residential use on the site and in the absence of an assessments that details the impact the development has upon the biodiversity and the geodiversity it is unclear as to the full impact of the development. . The site is of substantial size with no restrictions on the limit of the residential curtilage. Therefore the whole site is considered to be the extent of the residential curtilage. An unrestricted dwelling in the countryside and the potential works that could be undertaken under permitted development rights is considered to have significant harm to the rural setting and the character and appearance of the rural landscape. Under permitted development rights substantial extensions could be undertaken to the dwelling (SH1) with other buildings on the site being converted to residential uses associated and incidental to the dwelling. In addition, there are permitted rights to install hardstanding, fencing and erect other buildings. All these works would cause harm to the Countryside.

The harm identified to the countryside and the unsustainable location is considered to be significant and demonstrable. Whilst the development would result in the addition of a dwelling this is not considered a benefit which would outweigh the harm identified.

Therefore, it is considered that formal enforcement action should be pursued.

Recommendation

Authorise Enforcement Action

It is **RECOMMENDED** that Members:

Authorise the Head of Planning and Regeneration responsible, in accordance with the Councils constitution to take enforcement action under the Town and Country Planning Act 1990 and to institute and

conduct any legal proceedings necessary to secure compliance with the enforcement notice.

give the following reasons why it is expedient to authorise enforcement action:

- 1) It appears to the Council that the above breach of planning control has occurred within the last 4 years.
- 2) In the absence of any assessments that details the impact the development has upon the biodiversity and the geodiversity of the site and area, it is unclear as to the full impact the development has. In light of this it must be concluded that the development may conflict with policy CS13 of the Charnwood Local Plan Core Strategy 2011-2028
- 3) The site is located within the countryside where a strict approach is taken towards the development of isolated homes. The dwelling currently on the site does not in the opinion of the local authority, meet any identified need for an agricultural or forestry workers dwelling, does not facilitate the diversification of the rural economy or improve facilities for recreation or leisure uses. In addition, it has not been demonstrated that the development could not be reasonably located within or adjacent to an existing settlement. The development is therefore contrary to Policies CS1, CS11 and CS25 of the Core Strategy, Policies ST/2 and CT/1 of the Borough of Charnwood Local Plan and paragraph 80 of the National Planning Policy Framework.
- 4) The Council does not consider that planning permission should be given as planning conditions could not overcome these objections.

confirm that the notice will require the following steps to be taken:

- 1) Cease the residential use of the site
- 2) Remove (all domestic items from inside the buildings detailed in the attached photographs SH1 and SH2 including but not limited to furniture, kitchen units and appliances, TV, log burner and bathroom)
- 3) Remove decking, hard surfaced areas (gravelled areas, paths and paving) around building as identified in Photograph SH1
- 4) Return the building as identified on photograph SH1 back to an open sided building as detailed in the attached photograph SH1
- 5) Return the container back to its former condition as detailed in the attached photograph SH2
- 6) Remove from the site any other residential items such as, but not limited to; washing lines, garden furniture, household furniture, kitchen units and appliances, TV aerial, burner flue, lighting, roller shutter, CCTV cameras etc.
- 7) Remove all resulting debris from the site.

Time for Compliance

06 months from the date the Notice takes effect

for the purposes of any appeal proceedings, resolve that, had a planning application been received in relation to the unauthorised development described above, permission would have been refused for the reasons set out in the preceding section of this report.

Photographs

Building SH1

Before



After



Building SH2

Before

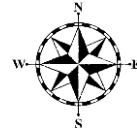




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Reference No:

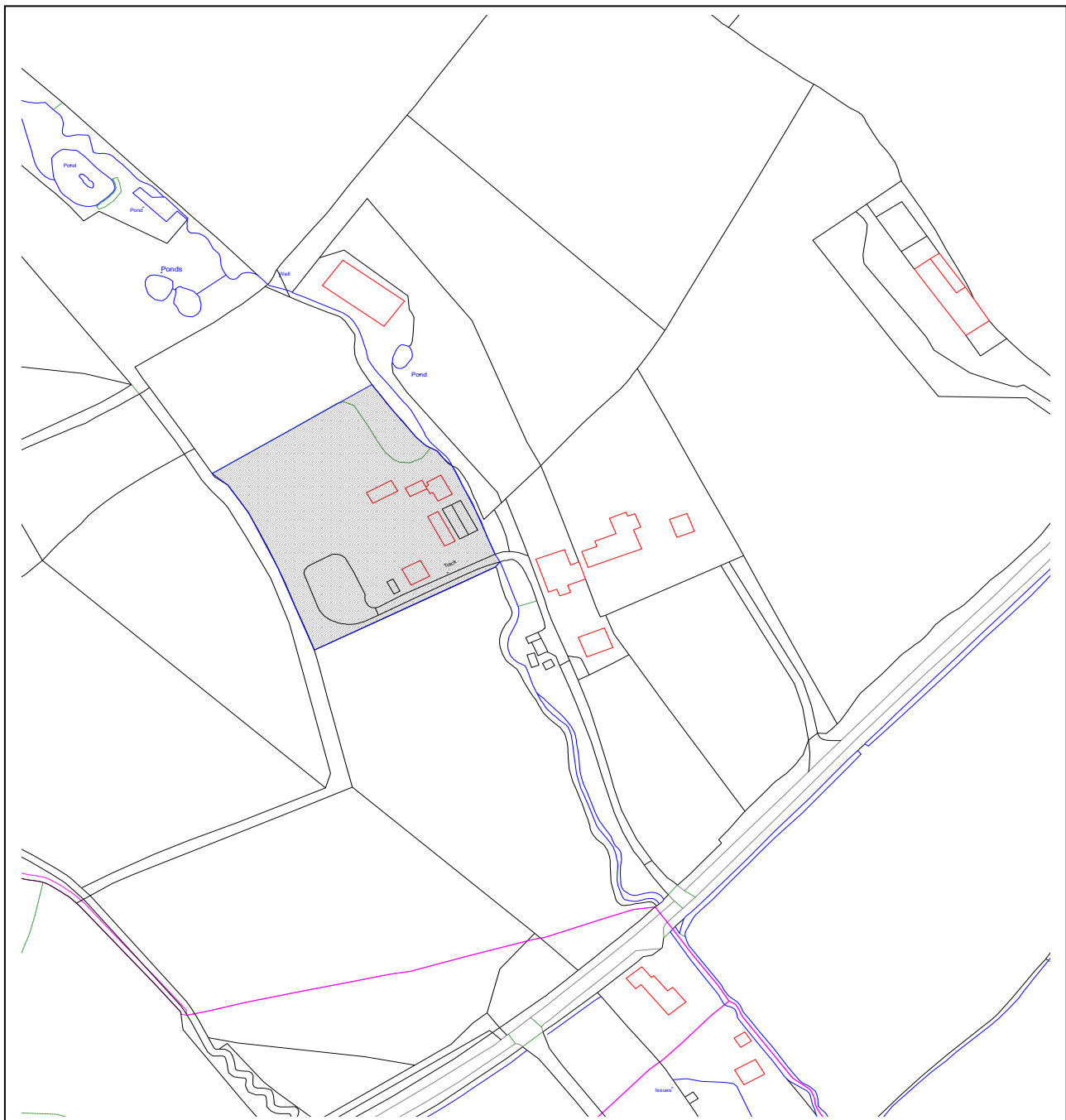
E/21/0262

Location:

Former Ulverscroft Grange Nursery, Priory Lane, Ulverscroft, Leicestershire, LE67 9PB

Scale:

1:2500



Item No. 3

Application Reference Number P/20/1952/2

Application Type:	Full	Date Valid:	15 th March 2021
Applicant:	Fort Estates		
Proposal:	Full planning application for the development of 25 dwellings (Partial redesign of layout and house types approved under reserved matters application P/17/0246, with addition of 4 plots (37 total))		
Location:	Land at Oakley Road & Hallamford Road Shepshed LE12 9AU		
Parish:	Shepshed	Ward:	Shepshed
Case Officer:	Mohammed Akram	Tel No:	07595464216

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.

Description of the application

Outline planning permission with access only was granted under application ref: P/13/1838/2 for the erection of 33no. residential dwellinghouses associated works subject to conditions and completion of a Section 106 Legal Agreement to secure affordable housing, education, open space, community and infrastructure benefits. The original s.106 Legal Agreement secured 30% affordable housing (75% affordable rent & 25% Shared ownership). The outline approval was granted with decision issued in November 2015.

In 2017, approval was granted under application ref: P/17/0246/2 for Reserved Matters for layout, landscaping, scale and appearance. The development approved has been implemented with the access road (central spine) from Oakley Road constructed/ laid out and a total of 12no. dwellings constructed (11no. occupied) on site. There have been various applications made to discharge conditions attached to both Outline and Reserved Matters permissions (ref: P/13/1838/2 and P/17/0246/2).

This current full planning application seeks permission for the erection of 25no. dwellings (Use Class C3) on the remainder of the site (the western section). This application coincides with the unimplemented section of the site and would result in a partial re-design of the layout approved under Outline and Reserved Matters permissions (ref: P/13/1828/2 and P/17/0246/2), where development has not taken place. The current application would result in the addition of 4 plots/ units to the previously approved and implemented planning consents (Overall total of 37 units on site). The submitted Proposed Site Layout (Rev E) clearly illustrates which units have been erected and that land is outlined in blue.

The comparison between the approved scheme under Outline/ Reserved Matters and this current full planning application would result with the following housing mix/ additional units:

- Plot 23 (Approved plans) - Removal of large 4-bed detached dwelling with garage (house type 1625) with replacement of 2no. smaller three-bed detached dwellings (house type 1388) on Plot 22-23 as per current site layout plan.
- Plot 22 & 19 (Approved plans)– Change of house type for 4-bed dwelling (House type no. 1033 replaced with no. 1924) for Plots 18 & 20 as per current site layout plan.
- Plot 16 (Approved plans) - Removal of 4-bed dwelling with garage (House type 1625) with two smaller 3 & 4-bed detached dwellings with garages (House type 1275 & 1405) on Plot 14 & 15 as per current layout plan
- Plot 16 & 17 (Approved Plans) – Installation of new garage and modification to parking layout
- Plots 14 and 15 (Approved Plans) - Removal of 2no. large 4-bed dwellings with garages (House types 1625 and 1575) with 4no. smaller three-bed semi-detached dwellings and modification to parking layout (House type 900) on Plots 10-13 on current site layout plan.
- Plots 9-13 (Approved plans) – Layout changes to re-site dwellings, parking layout and extension of planting verge along central spine road (now plots 6-9 on the current site layout plan)
- Plots 4-5 (Approved plans) – 2 no. pairs of semi-detached dwellings (House type 2B(R) and 3B(R)) to 4no. terrace block (House type 2B(R) and 3B(R)) with modification to parking layout and creation of landscaped area along central spine road

The following supporting documents/ plans have been submitted for this application:

- Design and Access Statement
- Material Schedule
- Land contamination report
- Construction method statement
- Transport Assessment
- Ecology correspondence/ addendum
- Arboricultural Method Statement/ Tree protection plan

Description of the site

The application site is located in open countryside immediately outside and adjacent to the Limits to Development for Shepshed, which is defined by the Charnwood Core Strategy Policies map (2011-2028), immediately bordering the current extent of built development on the east side of Oakley Road. It is bordered to the southwest by Hallamford Road, a “sunken lane” with an enclosed character, where there is also a broad dense hedgerow/tree belt within the application site boundary. The site falls from east to west from Oakley Road down to the Black Brook which flows in a south to north direction. The land immediately adjacent to Black Brook has been excluded from the application site but remains within the applicant’s ownership. The application site is situated within Flood Zone 1 and the land adjacent to Black Brook (outside the application site) is within Flood Zones 2 and 3.

The site was previously used as equestrian land comprising a paddock, with a stable block surrounding a courtyard and a manège area located towards the southeast boundary. There

is extant permission for this site with Outline and Reserved Matters planning consents (ref: P/13/1838/2 & P/17/0246/2) implemented for residential development with access road and 12no. dwellings built out (11 occupied) as detailed above. The total site area is approximately 1.63 ha, with 0.51ha of this area already developed under Reserved Matters application P/17/0246/2. Although emerging Charnwood Local Plan (2021-2037) currently carries limited weight, the emerging policies map includes the site within the settlement boundary of Shepshed. Sites adjoining the application site to the north/ northwest and southwest are proposed Housing Allocations (HA32, HA33, HA34 & HA35) in the emerging Local Plan.

The surrounding area to the northeast and southeast is residential in character. The site is also located within 600m of Shepshed town centre.

Development Plan Policies

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

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

- Policy CS1 Development Strategy
- Policy CS2 High Quality Design
- Policy CS3 Strategic Housing Needs
- Policy CS11 Landscape and Countryside
- Policy CS12 Green Infrastructure
- Policy CS13 Biodiversity and Geodiversity
- Policy CS14 Heritage
- Policy CS15 Open Spaces, Sport and Recreation
- Policy CS16 Sustainable Construction and Energy
- Policy CS17 Sustainable Travel
- Policy CS18 The Local and Strategic Road Network
- Policy CS24 Delivering Infrastructure
- Policy CS25 Presumption in favour of sustainable development

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

The saved policies of the Local Plan (2004) are still considered to be consistent with the aims and objectives of the NPPF and the more recently adopted Core Strategy and therefore carry significant weight. In relation to this proposal the relevant ones are:

- ST/2 (Limits to development)
- CT/1 General principles for Areas of Countryside, Green wedges, and local separation)
- CT/2 (Development in the Countryside)
- EV/1 (Design)
- TR/18 (Parking provision in new development)

The Charnwood Local Plan: Pre-submission Draft (July 2021) 2021-37

The emerging Local Plan was submitted for examination in December 2021. It sets out the Council's strategic and detailed policies for the plan period 2021-37. A number of hearing

sessions have been held on some matters in June 2022. An adjournment of hearing sessions is underway to address the specific matter of Leicester’s unmet need. Following the further consideration of this issue by the Council and the Planning Inspectorate it is expected that hearing sessions will resume later this year. At this stage the emerging Local Plan is given limited weight.

Other Material Considerations

- The National Planning Policy Framework (2021)
- National Planning Practice Guidance (PPG) (2014 as amended)
- The National Design Guide (2019)
- Department for Communities and Local Government – Technical Housing Standards – nationally described space standard (March 2015)
- Leicestershire County Council Local Transport Plan (LTP)
- Leicestershire Minerals and Waste Local Plan to 2031 (2019)
- Leicestershire Housing and Economic Needs Assessment (HENA) – 2021
- Charnwood Design SPD (2020)
- The Leicestershire Highways Design Guide (2018)
- Shepshed Town Centre Master Plan & Delivery Framework (May 2013) – The Framework includes development sites to the northeast but does not include the application site
- The Crime and Disorder Act 1998
- Conservation of Habitat and Species Regulations 2010 (as amended)
- Equality Act 2010

Relevant Planning History

Reference	Description	Decision & Date
P/13/1838/2	Site for the erection of 33 dwellings with associated infrastructure	Granted subject to conditions and completion of S.106 Legal Agreement. 09/11/2015
P/17/0246/2	Erection of 33 dwellings (Reserved Matters – Outline application P/13/1838/2 refers)	Approved subject to conditions. 23/08/2017
P/17/1990/2	Discharge of condition 5 & 6 of P/13/1838/2 regarding trees, hedges and construction method statement	Approve – 09/03/2018
P/17/2038/2	Discharge of condition of P/17/0246/2 regarding materials	Approve – 07/03/2018
P/17/2063/2	Discharge of condition 7 & 9, 10, 11, 13, 15 and 16 of P/13/1838/2 regarding proposed levels and drainage, contamination, landscaping, biodiversity, archaeological interest and site works respectively.	Part approve – Condition 7 & 15

		Part refuse – Condition 9, 10, 11, 13 & 16 06/03/2018
P/18/0624/2	Discharge of condition 14 of P/13/1838/2 regarding Public Art	Granted – 07/01/2019
P/18/1361/2	Discharge of condition 10 and 16 of P/13/1838/2 regarding ground investigation and access arrangements	Granted – 18/09/2018
P/18/2350/2	Discharge of condition 9, 11 and 13 of P/13/1838/2 regarding surface water drainage, landscaping, green infrastructure	Refused – 14/01/2019
P/19/0183/2	Discharge of condition 9 of P/13/1838/2 relating to the surface water drainage system	Refused – 19/03/2019
P/19/0373/2	Discharge of condition 3 of P/17/0246/2 relating to details of Northern boundary treatment including pedestrian link	Granted – 09/05/2019
P/19/0375/2	Discharge of condition 11 and 13 of P/13/1838/2 relating to Landscaping layout and Green infrastructure	Refused – 04/04/2019
P/19/0886/2	Discharge of condition 9 of P/13/1838/2 relating to surface water drainage	Refused – 13/06/2019
P/19/0887/2	Discharge of condition 11 of P/13/1838/2 relating to landscaping layout	Refused - 18/06/2019
P/20/0037/2	Discharge of condition 13 of P/13/1838/2	Refused -05/03/2020
P/22/1392/2	Discharge of condition 9 of P/13/1838/2	Approved

Responses of Consultees & Other Comments Received

<u>Consultees</u>	
From	Comments
Leicestershire County Council Local Highways Authority	No objections subject to conditions. They have also requested the following contributions: a) <i>Travel Packs (£52.85 per pack)</i> b) <i>Six-month bus passes, two per dwelling (£360.00 per pass)</i>
<u>Charnwood Borough Council Housing Strategy & Support</u>	10 affordable units from previous application – P17/0246/2 included in this application. A further unit would be required to meet the contribution for the additional 4 units
<u>Charnwood Borough Council Ecology Officer</u>	No objections.
<u>Leicestershire County Council as Local Lead Flood Authority</u>	No objections.

<u>Charnwood Borough Council Environmental Protection Officer</u>	No objections subject to conditions.
Environment Agency	No comments as there are no environmental constraints associated with the application site which fall within the remit of the Environment Agency.
<u>Charnwood Borough Council Open Spaces</u>	No objections in respect of the 4 additional dwellings. Off-site contribution for £7,165 needs to be provided towards provision for Natural/Semi-Natural Open Space, Children's Play, Young People's Provision, Outdoor Sport and £452 for allotments.
Leicestershire County Council Developer Contribution	£36,521.60 towards improvement, remodelling or enhancement existing facilities at primary education provision and capacity at St. Botolph's Primary and St. Ives Secondary School, or any other school within the locality. £171.00 towards improving capacity at Shepshed Household Waste and Recycling Centre
Site and press notice displayed. Neighbours & Ward Councillors consulted.	
Councillor Radford raised concerns in relation to LCC Highway comments as there is no mention of a raised area at the access junction, which was approved as a condition for the original application.	
Shepshed Town Council raised following comments/ concerns: <ul style="list-style-type: none"> • Number of affordable dwellings should increase to 11 to meet 30% criteria • Additional run-off from Ticklow Lane development (rear of Westroyd) needs to be taken into account and review carried out of environmental effect on Blackbrook by LCC LLFA • Raised platform as required by planning condition has not been carried out prior to occupation and needs to be addressed 	
Neighbours	
From	Comments
Two letters of objections received from neighbours	<ul style="list-style-type: none"> • The site is within flood plain and would cause further issues to existing properties • Why anyone would apply and why would Council allow development on flood plain • The site was previously designated and should remain as countryside • Increase of plot numbers would place more properties at risk of flooding • Increased traffic • The approved number of dwellings (33) should remain and object to 4 additional units • Highway safety as the new access has created a crossroads with New Walk

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 Core Strategy (2015) and those “saved” policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy.

The plans are over 5 years old, and it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. Other than those policies which relate to the supply of housing, the relevant policies listed above are up to date and compliant with national guidance and as such there is no reason for them to be given reduced weight. As the Core strategy is now five years old, the LPA cannot currently demonstrate a 5-year supply of housing land (3.04 years at 31/3/22) 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 NPPF paragraph 11 d) 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 7 and are generally nationally designated areas such as SSSI's, designated Local Green Space, AONBs and designated heritage assets. In this case, the site is not in an area specifically protected by the NPPF such that the NPPF's presumption in favour of sustainable development (paragraph 11d(ii)) and the 'tilted balance' applies.

The main issues are considered to be:

- Principle of development / Fallback position
- Housing mix
- Design/ character and visual impact
- Ecology and biodiversity
- Impact on residential amenity
- Highway Matters
- Flooding and drainage
- Archaeology
- Planning Obligations/ S106 Contributions

Principle of the Development

The application site is located outside but adjacent to the Limits to Development for settlement of Shepshed, 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.

Since the outline planning application P/13/1838/2 was considered, the Core Strategy has been adopted and the new NPPF (2021) has been published.

Policy CS1 of the Core Strategy, outlines the development strategy for the borough and the distribution of sustainable growth. Within the settlement hierarchy, Shepshed and Loughborough are defined as large settlements in the borough with good access to jobs, services and facilities and public transport to meet the day to day needs of its residents. The proposal would not conflict with Core Strategy CS1 which seeks to encourage new residential development within and adjoining Shepshed as it is the second largest settlement in the borough.

The policies identified in this section are those that are the most important for establishing whether development of the site is acceptable in principle. The proposal would result in the provision of 25no. dwellinghouses (4 additional units compared to the extant permission) at a time when there is not a five-year supply of housing. Given the current lack of a 5-year supply of housing land, the above housing supply policies must be considered out of date and the weight that can be ascribed to them would be reduced. 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. The application site is considered as a sustainable location for development being within walking distances to public transport routes, Shepshed town centre, schools and other services.

The site is proposed within Shepshed settlement boundary in the emerging Local Plan. This identification follows from the evidence base that has supported the development of the emerging Local Plan. 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. As noted above, the emerging Local Plan carries limited weight at the current time.

The implemented permission on the site is a material consideration. The development of the site for housing was considered acceptable in principle under the previous approved applications and the fallback position is a relevant consideration in this instance. In terms of considering the fall-back, it is considered significant weight can be given to the fallback position as there is likelihood and a real prospect of the development occurring. The existing planning permissions have been implemented on site, and it is not constrained by a timescale associated with the development commencing as discussed below.

The approved residential permissions under Outline and Reserved matters comprises 33no. dwellings with associated works on the application site. There are 12no. dwellings built (11 occupied) with the access road also constructed on site. The current proposal would result in development of the remaining part of the site for 25no. dwellinghouses, which would result in net increase of 4no. dwellings on site compared to previous extant permissions.

In conclusion, there is a greater than theoretical possibility that the remaining part of the approved development might take place. Consequently, the fallback position attracts significant weight as a material consideration in favour of the proposal. Accordingly, the proposal is considered acceptable in principle in accordance with policy CS1 and CS25 of Charnwood Core Strategy and would again be considered within the overall planning balance for the proposal.

Affordable housing and housing mix

Policy CS3 relates to affordable housing on major development sites of 10 or more units. The policy requires an appropriate level of affordable homes and a mix of type, tenure and size of home having regard to housing need and character of the area. Policy CS3 seeks 20% affordable homes across the site and also a mix of type, tenure and size of home to meet local needs in Shepshed. The level of affordable housing provision on site (10 units) was secured through the S.106 Legal agreement under original outline application ref: P/13/1838/2.

The extant planning permission and signed S106 agreement secured 30% affordable housing on the site. The current policy requirement of 20% for Shepshed is therefore lower.

A representation has been received from Shepshed Town Council and consultation response from CBC Affordable Housing Strategy in relation to the number of affordable units and should increase to 11 units on site. In terms of whether affordable housing units complies with the relevant policy of Core Strategy, on a simple mathematical comparison, table 1 below assesses the previous approved scheme, what can be delivered through development for the full number of units compared with what has been implemented/ built on site and the number of units proposed as part of this current application:

Table 1: Consideration of affordable housing provision

Planning consents/ overall units	Percentage (%) to total units	Affordable units
Original Planning Consent P/13/1838/2 & S.106 Legal Agreement	30% of 33 units	10 units
Overall units that can be delivered on site (existing and proposed) - 37 units in accordance with current Policy CS3 of Charnwood Core Strategy	20% of 37 units	7.4 units
Number of units built/ occupied/ Proposed		
	Percentage (%) to total units	Affordable units required on site
12no. built/ occupied units for implemented consent: P/13/1838/2 & P/17/0246/2	30% of 12 units	4 units
Proposed development under current application – 25 units under Policy CS3 of Charnwood Core Strategy	20% of 25 units	5 units
Total Affordable units		9 units

As highlighted above in the table, the best outcome under current policy CS3 would be 9no. affordable housing units taking into account of what has actually been built/ occupied and what is proposed as part of this current application. Although, there would be over-provision

of one affordable housing unit on site, the fallback position would be material consideration in this instance. The agreed S.106 Agreement for extant Outline permission secured 10no. affordable housing units on site. There would be no net loss in affordable housing units as the applicant has agreed to provide a total of 10no. affordable housing units as per planning obligation requirement for S.106 Agreement for extant Outline consent.

The mix proposed for open market housing units in respect of this full application for 25 units is set out below, and considered against the latest needs assessment (HENA 2022):

Table 2: Proposed open market housing mix

Size of Units	Market Dwellings	Market Percentage	HENA %	Deficit/ Surplus
1 Bed	0	0%	5%	Deficit 5%
2 Bed	4	26.66%	30%	Deficit 3.33%
3 Bed	4	26.66%	45%	Deficit 18.44%
4 Bed	7	46.67%	20%	Surplus 26.67%
Total	15	100%	100%	

Whilst the mix of open market housing proposed does not strictly accord with HENA, this needs to be considered in association with previous approvals on site and policy CS3, which requires that regard be given to the character of the area. It is considered that the proposed open market housing mix is acceptable on account of the site's location and that the mix represents the right balance between meeting identified needs and respecting the character, density, and pattern of development in the surrounding area.

The mix proposed for affordable housing in respect of this full application for 25 units are set out below:

Table 3: Proposed affordable housing mix

Size of Units	Affordable Dwellings	Affordable Housing Percentage	HENA%	Deficit/ Surplus
1 Bed	4	40%	35%	Surplus 5%
2 Bed	4	40%	35%	Surplus 5%
3 Bed	2	20%	25%	Deficit 5%
4 Bed	0	0%	5%	Deficit 5%
Total	15	100%	10	

The Section 106 agreement for the outline planning permission prescribes housing mix with regards to the type of tenure and type of affordable housing. There would be no changes to proposed tenure mix, which would comprise a mix of two shared ownership and eight affordable rent units to accord with approved Outline/ Reserved Matters consents and S.106 Agreement. The mix of one, two and three-bed units would accord with the previous approvals and the S.106 Legal Agreement. In terms of the location, the 10no. affordable

housing units would be provided in three blocks of flats, terrace, semi-detached dwellings on a private drive accessed from the central spine road, which would accord with the approved plans for extant Reserved Matters permission. Consequently, the proposal would comply with policy CS3 of Charnwood Core Strategy (2011-2028).

Design and impact on the character and appearance of the area

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.

The previous layout of the site was defined by a central spine road, which is dictated by the narrow elongated shape of the site and the steepness of the levels with a series of private drives to serve dwellings off the spine road. The previous consents have been implemented with the spine road and two private drives constructed with 12no. dwellings built (11 occupied) along the Oakley Road frontage and the northern part of spine road.

This current proposal would result in 25no. dwellings, which again would be served from the central spine road up to the cul-de-sac with a series of private drives. In respect to scale, the proposal consists of a mix of 1, 2, 3 and 4 bed terrace, semi-detached and detached dwellings of two storeys in height. It is considered that the scale and mix of house type would be consistent with the extant permission and are considered acceptable and would fully respect the character of the surrounding area.

In terms of appearance, the different house types feature a mixture of front gabled end and pitched roofs. Detailing is provided on dwellings across the site to include decorative brick dentil course, brick headers, stone or brick sills, window design, pitch roof canopies and roof line of the dwellings. There are variations in facing materials to include render on some of the properties within the site. The materials are similar in appearance to what has been built on site and other properties in the surrounding area, which would help assimilate into the area and help create a 'sense of place'. The proposed mix would ensure variety and visual interest across the development site. A compliance condition for materials would ensure high quality of design of the scheme is delivered throughout on site.

The major difference for this current application compared to the previous extant permission is the layout re-design to sub-divide/ re-position the plots, substitution of house type, parking areas and/ or garages to certain plots resulting in 4no. additional dwellings on site. The main vehicular and pedestrian access arrangement to the site would continue to remain from the central spine road via Oakley Road. The car parking is proposed in a driveway arrangement either to the sides or frontage (some with garages). It is considered that the proposed layout is acceptable with a good level of permeability. It is considered that the alteration to the layout to include additional units and changes in house type would not have any significant impact on the overall character of the wider development or Long Meadow Lane.

Consequently, it is considered that the detailed design and appearance of the proposed development is acceptable and accord with policies CS2, CS11 and CS13 of the Core Strategy, Saved policy EV/1 of Local Plan, Design SPD and the NPPF.

Impact on residential amenity

Saved policy EV/1 of Local Plan and CS2 of Core Strategy require high quality design that does not impact on the amenity of adjacent properties or create poor standards of amenity for future occupiers. The Charnwood Design SPD (2020) also provides spacing standards and guidance to ensure an adequate level of amenity is achieved.

In respect to internal site arrangement, there are changes in house type, plot layout, addition of 4 units, removal/ erection of garage(s), modify parking layout etc. on site. The proposed development would comply with the minimum separation distances as laid out within Design Guide SPD. The proposal would also not impact on the amenity of existing residential occupiers within the immediate vicinity of the site.

The proposed changes in house type would result in replacement of some of the larger dwellings (some with garages) with smaller 3-bed family dwellings, with private amenity or communal area provided to each of the plots. The proposed gross internal floor area of the dwellings would comply with Nationally Described Spacing Standards with the exception of 2-bed affordable unit, where there is marginal shortfall of 5sq. m to the gross internal floor area of 70sq. m. The floor plans have also been provided with essential furniture with circulation space annotated, which demonstrates that adequate residential amenity would be achieved for prospective occupiers. The proposal would provide an acceptable private amenity space to the rear of dwellings or communal amenity area for recreational and functional activities.

Given the garden sizes, separation distances and orientation of some of the dwellings, it is considered appropriate to remove permitted development rights for extensions and alterations to certain plots on site. A condition to secure this removal has been recommended to be attached to any approval.

Consequently, the proposal would accord with policy CS2 of the Core Strategy, Saved policy EV/1 of Local Plan and Design SPD.

Impact on highway safety

Policy CS2 seeks well designed streets and spaces that are easy to navigate with safe public spaces and policy TR/18 seeks to ensure appropriate levels of parking are provided. Policies CS17 and CS18 of the Core Strategy and Policy TR/18 of the Local Plan state that the applicants need to demonstrate sustainable travel options and demonstrate that a safe and suitable access can be provided.

Supporting statements have confirmed that the access road has been constructed/ laid out to serve 33no. dwellings as per previously approved and implemented consent. A total of 12no. dwellings have been built on site. The highway (spine road) would be privately owned and managed. LCC Highways would not adopt it due to the steepness of the sloping site not meeting the required standards.

All of the dwellings would be served by a central spine road through a series of shared driveways with very few properties having direct access to the central spine road. The LCC Highway Authority have assessed the proposal and raised no objection to the proposed development and are satisfied that neither a Stage 1 Road Safety Audit or revised trip rates

are required. With regards to the Construction Management Plan, this demonstrates wheel washing and contractor parking but no timetable for construction works on site. The LHA officers are satisfied that the scheme is acceptable subject to imposition of a number of conditions to include a construction management plan. With the conditions, the proposal would comply with relevant policies CS2 of Charnwood Core Strategy and policy TR18 Of Local Plan.

Concerns have been raised by neighbours on highway safety grounds in relation to the new access that has created a crossroads with New Walk. The access was considered acceptable and determined as part of Outline consent ref: P/13/1838/2, where Local Highways Authority raised no objections on highway safety grounds.

Concerns have been raised by the Parish Council and neighbours in relation to the raised junction plateaux traffic calming feature at the junction of application site, Oakley Road, Belton Road and Ticklow Lane. In order to be consistent with previous approvals, the access would be conditioned to ensure that it is implemented in accordance to approved details. It is also worth noting that the raised junction plateaux would involve works on public highway, which would be subject to separate agreement such as S.278 etc. covered under the Highways Act.

Impact on landscaping, ecology & biodiversity

Policy CS13 seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats.

The impact on open countryside and landscape impact were considered acceptable under the approved outline consent. A landscaping scheme was previously agreed as part of the Reserved Matters consent, which shows planted verges, hedgerows/ trees/ shrubs, a retained hedgerow along Hallamford Road and an open space area of over 400sq. m provided on site.

The proposed development with changes to layout, house types, additional units etc. would make use of similar developable area as it would result in sub-division of plots as previous approved with no additional land take. The proposed development would not deliver a net gain in biodiversity on site. The application is therefore contrary to Policy 13 of the Core Strategy. However, the fallback position is a material consideration. The proposed landscaping scheme shows a modest improvement to include a swale, extended planting verges/ creation of landscaped area (e.g. proposed plots 4-7 & plot 9), hedgerows/ trees, shrubs planting. The proposal would also continue to retain hedgerow/ trees around perimeters such as along Hallamford Road. Therefore, the proposed scheme would deliver landscaping scheme and biodiversity over and above what was granted under extant permission. CBC Landscape and Ecologist have raised no objections subject to imposition of conditions in relation to landscaping scheme and landscape management plan. This would again be considered within the overall planning balance for the proposal.

The application is supported by Arboricultural Method Statement and tree protection plan. A compliance condition would be imposed to ensure the existing hedges and trees on the site or adjoining it are protected during the course of any construction works. The landscaping scheme also shows trees and hedgerow to be retained within the development and as part of the detailed design of the development and this can be secured by condition.

Consequently, the proposal, subject to imposition of a condition, would comply with policy CS2 and CS11 of Charnwood Core Strategy (2011-2028) and Saved policy EV/1 of Local Plan and NPPF.

Impact on Land Contamination

CBC Environmental Health have reviewed the Environmental Assessment and are satisfied that no remedial actions are necessary on site with respect to human health. However, the assessment does highlight that further gas monitoring is required and further supporting information has been provided and agreed as part of discharge of condition ref: P/18/1361/2 for a basic gas protection measure incorporated into the construction of the building(s). CBC Environmental Health have raised no objections and are satisfied that site remediation is not required as there have been previous ground investigations undertaken at the site. A precautionary condition is recommended to secure that a revised remediation strategy need to be submitted and agreed for any unsuspected contamination during development that were not previously identified within the assessment. Consequently, the proposal would comply with policy CS16 of Charnwood Core Strategy (2011-2028) and NPPF.

Impact on 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. Concerns have been raised by neighbours regarding flooding and the impact this development would have on the local flooding problems in the future for existing and future residential properties. The application site is situated within Flood Zone 1. The land adjoining Black Brook is situated within Flood Zone 2 & 3 and is outside of application site.

Under the previous consents granted, a number of pre-commencement conditions were attached with regards to surface water drainage, foul waste and surface water drainage and compliance condition in relation to implementation of Flood Risk Assessment. There have been numerous applications to clear outstanding details reserved by these conditions, where Severn Trent, LCC LLFA and Environment Agency were satisfied with condition details submitted and were formally discharged. The only difference between previous implemented consents and current application includes changes to house type, modification to parking layout and 4 additional units, where overall developable area stays the same as plots would be subdivided to accommodate any additional dwellings on site. The revised landscape plan also shows inclusion of a swale.

The Lead Local Flooding Authority (LLFA), having initially sought some clarification, has raised no objection to the proposal. The proposal would limit surface water into the Black Brook at 5l/s. The LLFA are satisfied and raise no concerns in relation to surface water or other drainage or flooding issues subject to a compliance condition for the development to be carried in accordance with approved details. Consequently, the proposal is considered acceptable having regard to Policy CS16 of Charnwood Core Strategy and NPPF.

Impact on Archaeology

There was requirement by Condition 15 of the outline permission for submission of an archaeological scheme, which was submitted as part of the Reserved Matters and a condition discharge application for the Outline permission. The details were considered

acceptable and approved as part of Reserved Matters ref: P/17/0246/2 and formally discharged under a condition application ref: P/17/2063/2. Consequently, the proposal would comply with CS14 of Charnwood Core Strategy and NPPF.

Sustainable construction and energy efficiency

Supporting statements have confirmed that sustainable construction and energy efficiency will be incorporated into the design and promotion of high standards measures would be integral to the proposed development. The best practice measures would include efficient heating systems, layout design optimizing passive solar gain with double/ triple glazing, improved insulation, low energy lighting, reduction of waste during construction with sustainable source for supply etc. Other options include use of local supply chain, recycling, SuDS etc. Consequently, the proposal in the interest of air quality, construction and climate change would comply with policy CS16 of Charnwood Core Strategy and NPPF.

Planning Obligations/ S.106 Agreement

Infrastructure Policies CS3, CS13, CS15, CS17 and CS24 of the Core Strategy require 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.

The following obligations are sought for this development:

	P/13/1838/2 S106 Agreement obligations to be secured:	Additional requirement for application P/20/1952/2 in addition to that previously secured through P/13/1838/2:
Affordable housing	30% of dwellings to be affordable housing with 75% Affordable Rent & 25% Shared Ownership (30% of 33 dwellings = 10 affordable houses)	
Highways	£5,600 - Bus Pass Contribution (6 months bus passes) £3,263 - Bus Stop Contribution £120 - Information Display Case Contribution at the nearest bus stop to the development £2,920 - Real Time Information Board	£211.40 Travel Packs £2,880 Six-month bus passes

	Contribution at the nearest bus stop serving the development £52.85 - Travel Pack Contribution per dwelling	
Civic Amenity	£1,367 - Civic Amenity Contribution	£171 towards improving capacity at Shepshed Household Waste Recycling Centre
Education	£5,692.40 per dwelling towards provision, improvement, remodelling or enhancement of education facilities at Primary, Higher and Upper school	£36,521.60 towards primary and secondary school provision in the area
Healthcare	£285.12 per dwelling towards improved healthcare care facilities at Field Practice and Leicester Road Surgery	
Libraries	£1,740 towards improvements to library facilities within Shepshed	
Off-site Open Space Contribution	£1,066 per dwelling for the provision of off-site child's formal play space £706 per dwelling for the provision of off-site youth and adult play facilities	£1,373 Provision for outdoor sport facilities £3,816 Provision for young people £909 Natural and semi-natural open space £1,067 Children's Play £452 Allotments
Open Space	400sq. m to be provided on-site	
Open Space Maintenance Contribution	£68,939 per hectare of Open Space provided for the maintenance of the Open Space	

A Section 106 is required to secure all obligations identified above including those which are secured through the P/13/1838/2 for this application. All obligations identified are considered to be CIL compliant as they are necessary to meet the needs and mitigate the impacts of the development. There are no viability issues raised with the contributions sought as part of S.106 agreement agreed with the applicant.

Conclusion

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

The application site is located outside but adjacent to the Limits to Development for the town of Shepshed, within the open countryside. Whilst the proposed development would be contrary with the relevant provisions of saved Policies ST/2, CT/1 and CT/2 of the Borough of Charnwood Local Plan, policy CS1 is by far the most important policy in the determination of this application as it seeks to encourage new residential development within and adjoining Shepshed as it is the second largest settlement in the borough. The application site is sustainably located on the edge of Shepshed, and future residents of the proposed development would have access to the range of facilities and services and access to good transport links available within the town.

Given the current lack of a 5-year supply of housing land, the above housing supply policies must be considered out of date and the weight that can be ascribed to them would be reduced. CS1 is given significant weight as it reflects a sustainable strategy for growth at Shepshed and accords with the NPPF. There is also a realistic fallback position as the site benefits from extant planning permission, where 12no. units and access road of total 33no. units have been built and the proposal for 25no. units (4 additional) would make more effective and efficient use of the land to increase housing supply at a time where there is a Borough wide housing shortfall and the Council can demonstrate only 3.04 years housing land supply. The extant permission is given significant weight as a material consideration in favour of the development. The benefits of housing provision are afforded significant positive weight.

It is considered that the proposed amendments/ re-design to layout, sub-division/ addition of 4 units (25 units overall), changes to house type etc. are considered acceptable in terms of design and character and would not impact on the amenity of existing or future residential occupiers. The proposal is also considered acceptable as the benefits of providing additional residential units and fallback position under extant permission together with modest landscape improvement would outweigh any impact on ecology and biodiversity. There are no technical constraints relating to land contamination, arboriculture, flood risk/drainage and highways that cannot be mitigated or otherwise be compensated for.

The impacts of the proposed development on local infrastructure can either be offset within the application site or otherwise secured via commuted payments to improved facilities in the area.

With regards to affordable housing, there would be over-provision of one affordable housing unit. However, the fallback position would be material consideration and there would be no net loss with planning obligation to secure 10 no. affordable units on site as per extant permission and S.106 Agreement.

In conclusion, it is considered that there are no impacts of the development of this site that cannot be mitigated and that would be so significant and demonstrably harmful as to outweigh the benefits of providing the required housing land (including affordable units) in a sustainable location. The benefits of the development include the contribution of the proposal to the Council's housing land supply deficit and deliverability, the sustainable location, affordable housing provision, community and other infrastructure provision and contribution to the local economy. The application should therefore be supported subject to appropriate conditions being imposed and additional contributions being secured to support local infrastructure as part of S.106 Legal Agreement.

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:

	P/13/1838/2 S106 Agreement obligations to be secured through this application:	Obligations to be secured in addition to that previously secured through P/13/1838/2:
Affordable housing	30% of dwellings to be affordable housing with 75% Affordable Rent & 25% Shared Ownership (30% of 33 dwellings = 10 affordable houses)	
Highways	£5,600 - Bus Pass Contribution (6 months bus passes) £3,263 - Bus Stop Contribution £120 - Information Display Case Contribution at the nearest bus stop to the development £2,920 – Real Time Information Board Contribution at the nearest bus stop serving the development £52.85 - Travel Pack Contribution per dwelling	£211.40 Travel Packs £2,880 Six-month bus passes
Civic Amenity	£1,367 - Civic Amenity Contribution	£171 towards improving capacity at Shepshed Household Waste Recycling Centre
Education	£5,692.40 per dwelling towards provision, improvement, remodelling or enhancement of education facilities at Primary, Higher and Upper school	£36,521.60 towards primary and secondary school provision in the area
Healthcare	£285.12 per dwelling towards improved healthcare care facilities at Field Practice and Leicester Road Surgery	
Libraries	£1,740 towards improvements to library facilities within Shepshed	

Off-site Open Space Contribution	£1,066 per dwelling for the provision of off-site child's formal play space £706 per dwelling for the provision of off-site youth and adult play facilities	£1,373 Provision for outdoor sport facilities £3,816 Provision for young people £909 Natural and semi-natural open space £1,067 Children's Play £452 Allotments
Open Space	400sq. m to be provided on-site	
Open Space Maintenance Contribution	£68,939 per hectare of Open Space provided for the maintenance of the Open Space	

RECOMMENDATION B:

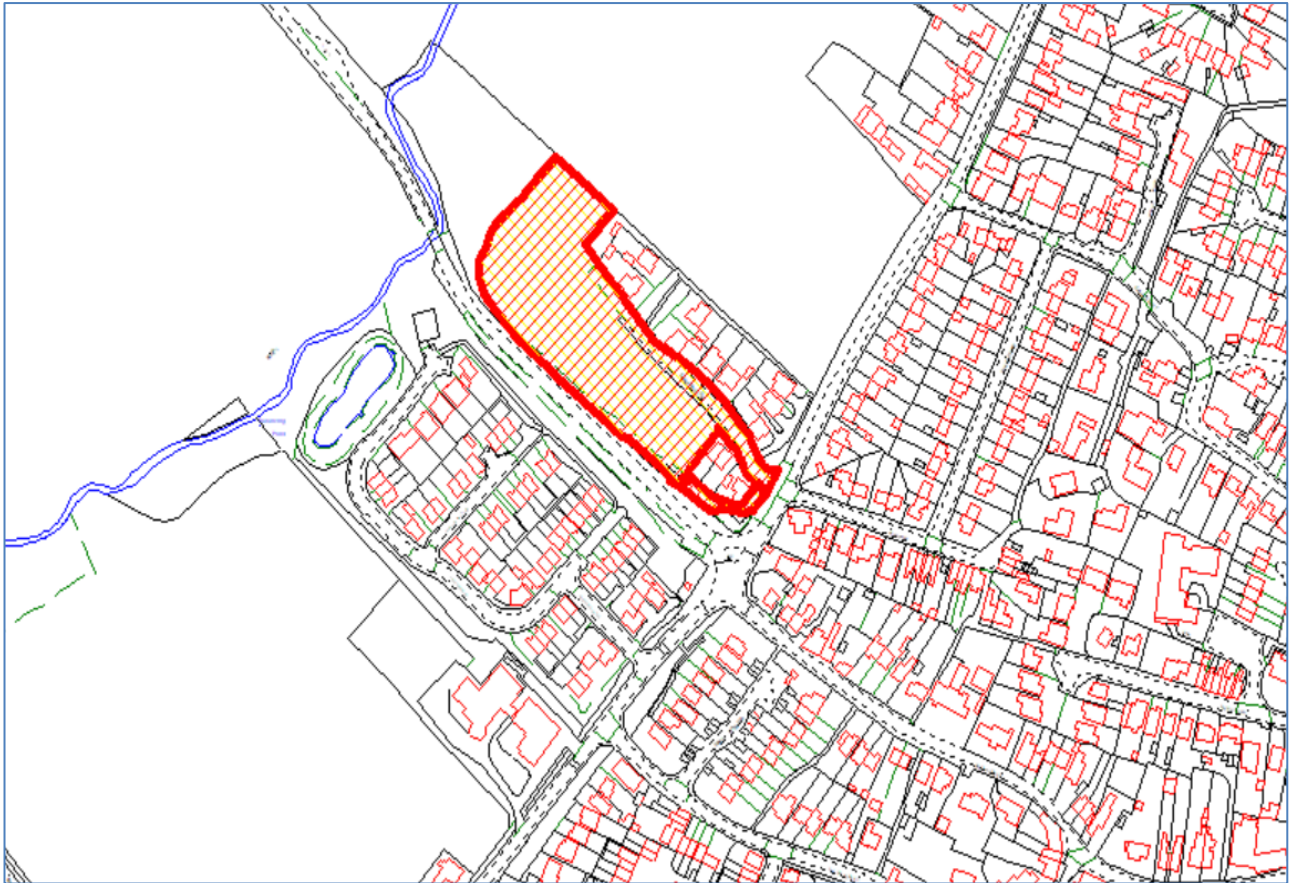
That subject to the completion of the S106 legal agreement in Recommendation A above, Grant Conditionally subject to the imposition of the following draft conditions and reasons and that the Head of Planning and Regeneration, in consultation with the Chair of the Plans Committee for amendments to the conditions and reasons, be given powers to determine the final detail of planning conditions:

Conditions	
1.	The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. REASON: In order to comply with Section 91 of the Town and Country Planning Act (as amended) and the NPPF.
2.	The development hereby permitted shall be carried out in accordance with the following approved plans and strategies: 2148/03-Site Replan 3 Rev. E (Proposed Site Layout Re-Plan 3) 2148/28/1388 (House Type 1388 Planning Drawing) 2148/34/1625 Rev. A (House Type 1625 Planning Drawing) 2148/26/1405 Rev. A (House Type 1405 Planning Drawing) 2148/36/1924 (House Type 1924 Planning Drawing) 2148/25/1275 Rev. A (House Type 1275 Planning Drawing) 2148/3B (House Type 3B Affordable Planning Drawing) 2148/33/1575-01 Rev. Rev. B (House Type 1575 Planning Drawing) 248/20/1B (House Type 1B Apartments – 488sqft Planning Drawing) 2148/39/2B (House Type 2B Affordable Planning Drawing) 2148/24/900-02 Rev. B (House Type 900 Planning Drawing) 2148/37/GARAGE-02 Rev. A (Single Garage - Front to Back Planning Drawing Plots 14,15,19,24) 2148/36/GARAGE-01 Rev. B (Single Garage - Side to Side Planning Drawing Plots 16,17,21) REASON: To provide certainty and define the terms of the permission in accordance with Development Plan policy CS2 of Charnwood Development Plan (2011-2028), Saved Policies EV/1 of Charnwood Local Plan (2004), Design SPG and the NPPF.

3.	<p>The development hereby approved shall be implemented in accordance with approved details ref: Phase 2 External Materials and Colour dated 09 September 2021 (received by the Local Planning Authority 10/3/22).</p> <p>Reason: In order to secure the satisfactory development of the application site in accordance with CS2 of Charnwood Development Plan (2011-2028), Saved Policies EV1 of Charnwood Local Plan (2004), Design SPG and the NPPF.</p>
4.	<p>The landscaping scheme hereby approved shall be implemented in accordance with approved details Drawing ref: EML JMH 01 Rev. J (Landscaping Plan) prior to first occupation of any part of the development and thereafter maintained. Any trees or shrubs which, within 5 years from the completion of the development, die, are removed, or become severely damaged or seriously diseased, shall be replaced in the next planting season by others of similar size and species to those originally required to be planted. All boundary treatments shall be retained in the approved form.</p> <p>REASON: In order to secure the satisfactory development of the application site and to landscaping scheme for the development is provided so that it integrates into the landscape and surrounding area in accordance with policies CS2, CS11 and CS13 of Charnwood Core Strategy (211-2028), Saved policy EV/1 of Local Plan and the NPPF.</p>
5.	<p>Notwithstanding the submitted Construction Method Statement, no development shall commence on the site until such time as an amended construction traffic management plan, including as a minimum details of 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: This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing in order 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 in accordance with policies CS2 and TR/18 of the Development Plan and the NPPF.</p>
6.	<p>A scheme for the protection of trees and hedgerows on site shall be implemented in accordance with the submitted Arboricultural Method Statement - Land at Oakley Road (Arbech AMS 02) dated 13 February 2022 and Arbtech TPP 02 (Tree Protection Plan Plan). The agreed measures shall be carried out prior to any site clearance and shall remain in place for the duration of construction works and until all equipment, machinery and surplus material has been removed from the site.</p> <p>REASON: In order to secure the satisfactory development of the application site and enhance the nature conservation interest of the site and achieve biodiversity net gain in accordance with policy CS11 and CS13 of Charnwood Development Plan (2011-2028), Design SPG and the NPPF.</p>
7.	<p>Details of the proposed boundary treatment along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of those works. These details shall include plans showing the locations of existing, retained and proposed new boundary treatments and scaled drawings indicating the positions, height, design, materials, type and colour of</p>

	<p>proposed new boundary treatments. The approved scheme shall be implemented before occupation of the dwelling (s) hereby permitted and shall be retained thereafter. Reason: In order to secure the satisfactory development of the application site in accordance with Policy CS2 of the Charnwood Local Plan (2011-2028), policy EV/1 of Local Plan (2004), Design SPD and the NPPF.</p>
8.	<p>In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. No further development shall be carried out until full details of a Remediation Strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details. Following completion of measures identified in the approved Remediation Strategy a verification report must be prepared, submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological system, and to ensure that the development is carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS2 and CS16 of the Charnwood Local Plan and NPPF</p>
9.	<p>Prior to first occupation of any of the dwellings hereby approved, the drainage scheme shall be constructed and completed in accordance with the approved details:</p> <p>100 Rev. I (Proposed Levels and Drainage) SK200 (Drainage Strategy to cater for additional 4 plots) 16083 Oakley Road, Shepshed 30yr Event Storm Design date 5th May 2021 16083 Oakley Road, Shepshed 30yr Surcharged Outfall Design Surcharged date 5th May 2021 16083 Oakley Road, Shepshed 2yr Event Storm Design date 5th May 2021 16083 Oakley Road, Shepshed 2yr Event Surcharged Outfall date 21st January 2019 16083 Oakley Road, Shepshed 100yr Event Storm Design date 5th May 2021 16083 Oakley Road, Shepshed 100yr Event Surcharged Outfall Design date 5th May 2021 16083 Oakley Road, Shepshed 100yr+40%CC Event Surcharged Outfall Design date 5th May 2021 16083 Oakley Road, Shepshed 100yr+40% CC Event Storm Design date 5th May 2021</p> <p>REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with policies CS2 and CS16 of the Charnwood Local Plan 2011-2028 Core Strategy (2015) and the National Planning Policy Framework (2021).</p>
10.	<p>Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015, (or any order amending, revoking and/ or re-enacting that order, with or without modifications), no enlargement, improvements or other alterations of a dwellinghouse or its roof shall be carried out on Plots 4-5A, 8-13 and 22-24 without further subsequent planning approval of the Local Planning Authority.</p> <p>REASON: In order to maintain an adequate area of amenity space at the rear of the dwellings and to safeguard the amenities of the occupiers of premises/ dwellings in the vicinity in accordance with policy CS2 of Charnwood Development Plan (2011-2028), Saved Policies EV1 of Charnwood Local Plan (2004), Design SPG and the NPPF.</p>

11.	<p>No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on drawing number 2148/03-Site Replan 3 have been implemented in full.</p> <p>REASON: In order to secure the satisfactory development of the application site and in the interest of highway safety in accordance with policies CS2 and TR/18 of the Development Plan and the NPPF.</p>
12.	<p>The dwellings on the development hereby permitted shall not be first occupied until such time as the parking and turning facilities have been implemented in accordance with drawing number 2148/03-Site Replan 3. Thereafter the onsite parking provision shall be so maintained for parking in perpetuity.</p> <p>REASON: In order 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) and in the interests of highway safety in accordance with policy CS2, Saved Policies TR4 and TR18 of Charnwood Local Plan (2004), Design SPG and the NPPF the National Planning Policy Framework (2021).</p>
13.	<p>Pursuant to condition 4, a landscape management and maintenance plan, including a survey of the existing landscape and its condition, long term design objectives, management responsibilities and maintenance operations for all landscape areas, other than domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be implemented in accordance with the approved details and thereafter maintained.</p> <p>Reason: To protect the landscape character and amenity of the development site over the long term in accordance with policies CS2, CS11 and CS13 of Charnwood Core Strategy (211-2028), Saved policy EV/1 of Local Plan and the NPPF.</p>



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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/22/0386/2	Householder	140 Andrew Road Anstey Leicestershire LE7 7BB	Erection of two storey extension to side of detached dwelling.	GTDCON, Permission be granted subject to the following conditions:	15-Jun-2022	Anstey
P/22/0010/2	CL (existing)	Land adjacent to 293 Bradgate Road Anstey Leicestershire LE7 7FX	The foundation trenches for the double garage permitted pursuant to Planning Permission reference APP/X2140/W/3204941 (LPA Ref P/17/0508/2	GTD, Permission be granted unconditionally	16-Jun-2022	Anstey
P/22/0606/2	Householder	The Green Farm, 4 The Green Bradgate Road Anstey Leicestershire LE7 7FT	Conversion and extension of attached outbuilding to form additional living accommodation, erection of double garage to rear and installation of roof lights.	GTDCON, Permission be granted subject to the following conditions:	20-Jun-2022	Anstey
P/22/0300/2	Householder	185 Cropston Road Anstey Leicestershire LE7 7BR	Proposed single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	01-Jul-2022	Anstey
P/22/0870/2	Householder	1 James Street Anstey Leicestershire LE7 7DY	Single storey extensions to side and rear of detached house, formation of rear patio area, rendering of dwelling exterior, enlargement of driveway to front (Revised scheme P/21/1226/2 refers)	GTDCON, Permission be granted subject to the following conditions:	22-Jul-2022	Anstey

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0528/2	Householder	10 Balladine Road Anstey Leicestershire LE7 7BE	Proposed demolition of existing single storey side garage and erection of a single storey front and side extension, two storey side extension and single storey side and rear extension, with material changes.	GTDCON, Permission be granted subject to the following conditions:	01-Aug-2022	Anstey
P/22/0478/2	Householder	3 Park Road Anstey Leicestershire LE7 7AX	Proposed two storey extension to rear, single storey extension to side and rear, double garage and new access gates to front of dwelling.	GTDCON, Permission be granted subject to the following conditions:	03-Aug-2022	Anstey
P/22/0505/2	Householder	23 Welland Road Barrow Upon Soar LE12 8NA	Single storey extension and provision of balconies to front and two storey extensions to side and rear of detached dwelling and alterations to facing materials of dwelling (revised scheme P/21/2234/2 refers)	GTDCON, Permission be granted subject to the following conditions:	15-Jun-2022	Barrow & Sileby West
P/22/0569/2	Householder	42 South Street Barrow Upon Soar Leicestershire LE12 8LZ	Construction of single storey extension to rear of dwelling (Retrospective).	GTDCON, Permission be granted subject to the following conditions:	16-Jun-2022	Barrow & Sileby West
P/22/0552/2	Householder	4 Ribble Drive Barrow Upon Soar Leicestershire LE12 8LJ	Proposed single storey side and rear extension.	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2022	Barrow & Sileby West
P/21/2582/2	Full	Hall Orchard Church Of England Primary School Church Street Barrow Upon Soar Leicestershire LE12 8HP	Proposed two storey teaching block and associated works	GTDCON, Permission be granted subject to the following conditions:	18-Jul-2022	Barrow & Sileby West

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0944/2	Householder	28 Martin Avenue Barrow Upon Soar Leicestershire LE12 8LG	Extension of roof space to create first floor to existing bungalow, single storey side and rear extensions, fenestration alterations including bay windows to front and installation of solar panels. (following demolition of existing garage)	GTDCON, Permission be granted subject to the following conditions:	27-Jul-2022	Barrow & Sileby West
P/22/0314/2	Householder	88 Barrow Road Sileby Leicestershire LE12 7LP	Erection of single storey extension to rear of house	REF, Permission be refused for the following reasons:	28-Jul-2022	Barrow & Sileby West
P/22/0497/2	Householder	22 Moorgate Avenue Birstall Leicestershire LE4 3HH	Extensions and alterations to raise the roof height, hip to gables, dormer extensions to both sides to create loft conversion, and Juliette balcony to rear of dwelling. (Revised scheme - refusal P/21/2275/2 refers).	GTDCON, Permission be granted subject to the following conditions:	05-Jul-2022	Birstall Wanlip
P/22/0755/2	Householder Prior Notification	10 Villier Drive Birstall Leicestershire LE4 3NZ	The erection of a single storey rear extension extending beyond the rear wall of the original house by 5m, with a maximum height of 4m, and height to the eaves of 3m.	PRINOT, Prior approval from the Council is not required	06-Jul-2022	Birstall Wanlip
P/22/0426/2	Householder	17 Spinney Rise Birstall Leicestershire LE4 3DY	Proposed single storey extension to side and rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	08-Jul-2022	Birstall Wanlip
P/22/1161/2	CL (Proposed)	11 Brockington Way Birstall Leicestershire LE4 3BW	Certificate of lawful (proposed) development for single storey rear extension.	CLDPGRANT, Certificate of Lawful Proposed Development	11-Jul-2022	Birstall Wanlip

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/1100/2	CL (Proposed)	19 Walker Road Birstall Leicestershire LE4 3BP	Certificate of lawful (proposed) development for loft conversion involving hip to gable extension, two rear dormers and 1no. rooflight to front roofslope.	CLDPGRANT, Certificate of Lawful Proposed Development	13-Jul-2022	Birstall Wanlip
P/22/0542/2	Householder	2 Kiln Orchard Way Birstall Leicestershire LE4 3NT	Erection of outbuilding with alterations to the existing hardscape.	GTDCON, Permission be granted subject to the following conditions:	15-Jul-2022	Birstall Wanlip
P/21/2155/2	Householder	105 Woodgate Drive Birstall LE4 3HW	First floor extension to side of dwelling	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	Birstall Wanlip
P/22/0713/2	Full	The Cedars Academy Wanlip Lane Wanlip Leicestershire LE4 4GH	Variation of condition 2 (approved plans- levels) of P/21/0930/2 (Creation of 3G Artificial Grass Pitch with perimeter fencing, floodlighting, macadam hardstanding areas, equipment storage, and landscaping). Creation of 3G Artificial Grass Pitch with perimeter fencing, floodlighting, macadam hardstanding areas, equipment storage, and landscaping.	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	Birstall Wanlip
P/22/0783/2	Householder Prior Notification	19 Long Meadow Way Birstall Leicestershire LE4 3NU	The erection of a single storey rear extension extending beyond the rear wall of the original house by 6.0m, with a maximum height of 4.0m, and height to the eaves of 3.0m	PRINOT, Prior approval from the Council is not required	25-Jul-2022	Birstall Wanlip
P/22/0997/2	Householder Prior Notification	34 Heathgate Close Birstall Leicestershire LE4 3GU	The erection of a single storey rear extension extending beyond the rear wall of the original house by 3.5m, with a maximum height of 3.35m, and height to the eaves of 2.25m.	PRINOT, Prior approval from the Council is not required	27-Jul-2022	Birstall Wanlip

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0703/2	Full	The Cedars Academy Wanlip Lane Wanlip Leicestershire LE4 4GH	Proposed 2x single storey extensions and recladding of existing swimming pool block, with associated air source heat pump.	GTDCON, Permission be granted subject to the following conditions:	29-Jul-2022	Birstall Wanlip
P/22/1091/2	Householder	16 Fielding Road Birstall Leicestershire LE4 3AJ	Proposed single storey rear extension	GTDCON, Permission be granted subject to the following conditions:	02-Aug-2022	Birstall Wanlip
P/22/0419/2	Householder	29 Church Road Wanlip Leicestershire LE7 4PJ	Removal of existing garage and conservatory, proposed two storey side extension with balcony, single storey front and side extension, single storey side extension and single storey side and rear extension. with associated external works.	GTDCON, Permission be granted subject to the following conditions:	05-Aug-2022	Birstall Wanlip
P/22/0392/2	Householder	435 Loughborough Road Birstall Leicestershire LE4 4BH	Erection of a Retaining Wall and Fence (retrospective)	GTDCON, Permission be granted subject to the following conditions:	14-Jun-2022	Birstall Watermead
P/22/0673/2	Householder	81 Roman Road Birstall Leicestershire LE4 4BF	Proposed single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	21-Jun-2022	Birstall Watermead
P/21/2356/2	CL (existing)	9 & 9a Roman Road Birstall Leicestershire LE4 4BB	Certificate of lawful existing development for the conversion of one dwelling into 2 based on existing use.	GTD, Permission be granted unconditionally	21-Jun-2022	Birstall Watermead
P/22/0580/2	Full	19-35 Sibson Road Birstall LE4 4DX	Warehouse and showroom building (resubmission P/21/2244/2)	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2022	Birstall Watermead

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0762/2	Householder Prior Notification	37 Gwendolin Avenue Birstall Leicestershire LE4 4HF	The erection of a single storey rear extension extending beyond the rear wall of the original house by 4.1m, with a maximum height of 3.6m, and height to the eaves of 2.7m.	PRINOT, Prior approval from the Council is not required	06-Jul-2022	Birstall Watermead
P/22/0342/2	Full	Unit 1 Easy Drive Meadow Lane Birstall Leicestershire	Change of use from Mixed Use (Class B8, E(c & g)) to golf simulator with ancillary office and storage space (Class E(d)) (Retrospective).	GTDCON, Permission be granted subject to the following conditions:	15-Jul-2022	Birstall Watermead
P/22/0620/2	Householder	69 Curzon Avenue Birstall Leicestershire LE4 4AF	Single storey rear extension	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	Birstall Watermead
P/22/1063/2	Householder Prior Notification	16 Hawthorn Avenue Birstall Leicestershire LE4 4HJ	The erection of a single storey rear extension extending beyond the rear wall of the original house by 8m, with a maximum height of 3m, and height to the eaves of 3m.	PRINOT, Prior approval from the Council is not required	28-Jul-2022	Birstall Watermead
P/22/0510/2	Full	661 Loughborough Road Birstall Leicestershire LE4 4NL	Proposed change of use of part of building from financial and professional services (Use Class E(c)) to office (Use Class E(g) to form 2 separate units.	GTDCON, Permission be granted subject to the following conditions:	04-Aug-2022	Birstall Watermead
P/22/0900/2	Householder	15 Huntsmans Dale East Goscote Leicestershire LE7 3WW	Two storey and single storey extensions to rear and side of detached house	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	East Goscote Ward
P/22/0451/2	Householder	15 The Headland East Goscote Leicestershire LE7 3QT	Proposed single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	27-Jul-2022	East Goscote Ward

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0087/2	Householder	15 Church Hill Woodhouse Eaves Leicestershire LE12 8RT	Proposed two storey side and rear extension, with single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	17-Jun-2022	Forest Bradgate
P/22/0225/2	Householder	30 Tuckett Road Woodhouse Eaves Leicestershire LE12 8SE	Proposed erection of detached, self-contained living space to replace existing outbuilding to the rear of the property.		20-Jun-2022	Forest Bradgate
P/22/0225/2	Householder	30 Tuckett Road Woodhouse Eaves Leicestershire LE12 8SE	Proposed erection of detached, self-contained living space to replace existing outbuilding to the rear of the property.		20-Jun-2022	Forest Bradgate
P/22/0219/2	Householder	100 Main Street Newtown Linford Leicestershire LE6 0AF	Proposed construction of summer house and swimming pool to rear of existing dwelling.	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2022	Forest Bradgate
P/22/0422/2	Householder	6 Grey Crescent Newtown Linford Leicestershire LE6 0AA	Proposed loft conversion with dormer windows. Construction of porch to side of dwelling with associated window alterations.	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2022	Forest Bradgate
P/22/0574/2	Full	Newtown Linford Cricket Club Main Street Newtown Linford Leicestershire LE6 0AE	Variation of condition 2 of planning permission P/21/1416/2 under Section 73 of the Town and Country Planning Act 1990 to allow the net frames to be constructed in a galvanised steel colour instead of a dark green. (Replacement of existng cricket practice net with double bay practice nets (24m x 7.32m)	GTD, Permission be granted unconditionally	23-Jun-2022	Forest Bradgate

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0411/2	Householder	1 Herrick Road Woodhouse Eaves Leicestershire LE12 8RX	Replacement of existing garage	GTDCON, Permission be granted subject to the following conditions:	29-Jun-2022	Forest Bradgate
P/21/2442/2	Householder	Chitterman Hills Farm Priory Lane Ulverscroft Leicestershire LE67 9PA	Insertion of new windows to rear elevation of dwelling.	GTDCON, Permission be granted subject to the following conditions:	05-Jul-2022	Forest Bradgate
P/22/0731/2	Householder	488 Bradgate Road Newtown Linford Leicestershire LE6 0HB	Alterations and extension to garage rear of house.	GTDCON, Permission be granted subject to the following conditions:	08-Jul-2022	Forest Bradgate
P/22/0442/2	Householder	98 Main Street Woodhouse Eaves Leicestershire LE12 8RZ	Demolition of existing outbuildings and replacement with a new single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	12-Jul-2022	Forest Bradgate
P/22/0155/2	Householder	Linford Farm 36 Main Street Newtown Linford Leicestershire LE6 0AD	Proposed alterations to the front entrance, single storey extensions to rear of existing dwelling, and installation of swimming pool and associated plant room to rear.	GTDCON, Permission be granted subject to the following conditions:	19-Jul-2022	Forest Bradgate
P/22/0729/2	Householder	34 Main Street Newtown Linford Leicestershire LE6 0AD	Construction of single storey annexe building to rear of existing dwelling with glazed link and walkway between dwelling and annexe.	GTDCON, Permission be granted subject to the following conditions:	19-Jul-2022	Forest Bradgate
P/22/0425/2	Householder	78A Bird Hill Road Woodhouse Eaves Leicestershire LE12 8RR	Erection of porch and canopy to front, single storey extensions to side and rear with undercroft to side, dormer window to rear of house.	GTDCON, Permission be granted subject to the following conditions:	26-Jul-2022	Forest Bradgate

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0771/2	Full	Brand Hill House Brand Hill Woodhouse Eaves Leicestershire LE12 8SX	Application for use of existing vehicular access point and track for access to dwelling and for the creation of a section of track and lighting (retrospective)	REF, Permission be refused for the following reasons:	29-Jul-2022	Forest Bradgate
P/22/0586/2	Full	Longdale Land off Warren Hill Newtown Linford Leicestershire LE6 0AL	Proposed Extension to Existing Agricultural Building (part retrospective)	GTDCON, Permission be granted subject to the following conditions:	02-Aug-2022	Forest Bradgate
P/22/0852/2	Agricultural for Prior Approval	Chitterman House Polly Botts Lane Ulverscroft Leicestershire LE67 9PT	Proposed agricultural building (storage).	NRQ, The submission of details are not required for consideration.	04-Aug-2022	Forest Bradgate
P/22/0853/2	Agricultural for Prior Approval	Chitterman House Polly Botts Lane Ulverscroft Leicestershire LE67 9PT	Proposed new access to serve agricultural building.	NRQ, The submission of details are not required for consideration.	04-Aug-2022	Forest Bradgate
P/22/0359/2	Householder	22 Eyebrook Close Loughborough Leicestershire LE11 4PS	Single storey extension to rear of detached bungalow	GTDCON, Permission be granted subject to the following conditions:	24-Jun-2022	Loughborough Garendon
P/22/0518/2	Householder	49 Althorpe Drive Loughborough Leicestershire LE11 4QT	Single storey side and rear extension to dwelling.	GTDCON, Permission be granted subject to the following conditions:	28-Jun-2022	Loughborough Garendon

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0410/2	Full	Thorpe House Nursing Home Knightthorpe Road Loughborough Leicestershire LE11 4JS	Change of use of part of the ground floor from nursing home (Use Class C2) (7 Bedrooms) to self-contained staff accommodation for Rushcliffe Care Group (large House in Multiple Occupation sui generis use).	GTDCON, Permission be granted subject to the following conditions:	13-Jul-2022	Loughborough Garendon
P/22/0369/2	Householder	4 Trelissick Close Loughborough Leicestershire LE11 4TZ	Erection of single storey extension at side and rear of house	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	Loughborough Garendon
P/22/1082/2	Householder	5 Byland Way Loughborough Leicestershire LE11 4FS	Proposed conversion of garage into habitable room. Proposed single storey front extension and 2no. bay windows.	GTDCON, Permission be granted subject to the following conditions:	03-Aug-2022	Loughborough Garendon
P/22/0549/2	Full	Trinity College Moor Lane Loughborough Leicestershire LE11 1BA	Variation of condition 1 of P/18/1637/2 under Section 73 of the Town and Country Planning Act 1990.to allow the retention of the temporary classroom buildings and temporary toilet building on site until July 2024. (P18/1637/2 - Variation of condition 1 of P/16/0811/2 to allow the retention of the temporary classroom buildings and temporary toilet building on site until July 2022 refers.)	GTDCON, Permission be granted subject to the following conditions:	16-Jun-2022	Loughborough Hastings
P/22/0467/2	Advert Consent	Loughborough Orthodontic and Implant Clinic 168 Leicester Road Loughborough Leicestershire LE11 2AH	Proposed 1 x internally illuminated fascia sign and 1 x internally illuminated post mounted sign.	GTDCON, Permission be granted subject to the following conditions:	15-Jul-2022	Loughborough Hastings

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0042/2	Full	10 Gregory Street Loughborough Leicestershire LE11 1AS	Proposed change of use from large HMO (sui generis) to offices (Class E)	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	Loughborough Hastings
P/22/1158/2	CL (Proposed)	55 Darwin Crescent Loughborough Leicestershire LE11 5SA	Certificate of lawful (proposed) development for loft conversion with rear dormer and six roof lights on front roof slope.	CLDPGRANT, Certificate of Lawful Proposed Development	06-Jul-2022	Loughborough Hathern & Dishley
P/22/1011/2	Equipment PD Notification	Maxwell Drive Loughborough Leicestershire LE11 4RZ	Replacement of existing 12.5m high monopole mast with new 20m high mast supporting 6No. antennae and installation of associated replacement cabinets and related works.	MNAAU, The application be agreed without conditions.	12-Jul-2022	Loughborough Hathern & Dishley
P/22/0607/2	Householder	12 Monsarrat Way Loughborough Leicestershire LE11 5YS	Part retrospective application for proposed 2x two storey side extensions, porch extension and single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	22-Jul-2022	Loughborough Hathern & Dishley
P/22/1076/2	Advert Consent	Land West of the junction of Derby Road and Pear Tree Lane Loughborough Leicestershire	Installation of a non-illuminated advertisement hoarding	GTDCON, Permission be granted subject to the following conditions:	27-Jul-2022	Loughborough Hathern & Dishley
P/22/0644/2	Householder	39 High Meadow Hathern Leicestershire LE12 5HW	2 storey side extension to dwelling.	GTDCON, Permission be granted subject to the following conditions:	28-Jul-2022	Loughborough Hathern & Dishley
P/22/0455/2	Outline Planning Permission	Land adjacent 39 High Meadow Hathern Leicestershire LE12 5HW	Outline application for construction of a bungalow and additional parking for number 39 (access only)	GTDCON, Permission be granted subject to the following conditions:	05-Aug-2022	Loughborough Hathern & Dishley

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0053/2	Full	113 Derby Road Loughborough Leicestershire LE11 5AE	Change of use from Retail Unit (Class E(a)), C3 Dwelling and outbuilding and erection of rear link extension to create 4 no. flats, with render and external alterations, and boundary treatment.	GTDCON, Permission be granted subject to the following conditions:	15-Jun-2022	Loughborough Lemyngton
P/21/1702/2	Full	53A - 55 The Rushes Loughborough Leicestershire LE11 5BL	Change of use for the first floor (53A Swan Street) from a Snooker Hall (Use Class E) to a Night Club Use (Sui Generis)	GTDCON, Permission be granted subject to the following conditions:	06-Jul-2022	Loughborough Lemyngton
P/22/0555/2	Full	Unit 1 Sullivan Way Loughborough Leicestershire LE11 5QS	Change of use from car sales (Sui Generis) to Storage and Distribution (Use Class B8)	GTDCON, Permission be granted subject to the following conditions:	08-Jul-2022	Loughborough Lemyngton
P/22/0430/2	Householder	30 Brush Drive Loughborough Leicestershire LE11 1LT	Erection of rear single storey extension to existing dwellinghouse.	GTDCON, Permission be granted subject to the following conditions:	21-Jul-2022	Loughborough Lemyngton
P/21/0573/2	Full	Galven House Bakewell Road Loughborough Leicestershire LE11 5RQ	Proposed 15m x 15m Forklift practice building (retrospective)	GTD, Permission be granted unconditionally	25-Jul-2022	Loughborough Lemyngton
P/22/0430/2	Full	First Floor Office 12 Baxter Gate Loughborough Leicestershire LE11 1TG	Part change of use and erection of 1st floor and roof extensions at rear to form 2 no. flats and 1 no. office with associated alterations to building (Revised plans rec'd 20th June 2022).	GTDCON, Permission be granted subject to the following conditions:	02-Aug-2022	Loughborough Lemyngton

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0796/2	Full	72 Ratcliffe Road Loughborough Leicestershire LE11 1LQ	Demolish of existing garage and erection of two-bedroom dwellinghouse with associated works	REF, Permission be refused for the following reasons:	04-Aug-2022	Loughborough Lemyngton
P/22/0879/2	Full	Holywell Building Holywell Way Loughborough Leicestershire LE11 3UZ	Erection of external plant and fencing.	GTDCON, Permission be granted subject to the following conditions:	01-Jul-2022	Loughborough Nanpantan
P/22/0593/2	Householder	11 Kirkstone Drive Loughborough Leicestershire LE11 3RN	Proposed single storey side extension.	GTDCON, Permission be granted subject to the following conditions:	04-Jul-2022	Loughborough Nanpantan
P/22/1096/2	CL (Proposed)	16 Oaklands Avenue Loughborough Leicestershire LE11 3JF	Certificate of lawful (proposed) development for loft conversion including a hip to gable extension and rear dormer with installation of 2no. rooflights to front roofslope.	CLDPGRANT, Certificate of Lawful Proposed Development	06-Jul-2022	Loughborough Nanpantan
P/22/0918/2	Full	National Centre for Combustion and Aerothermal Technology (NCCAT Building B) Loughborough University Holywell Park Loughborough LE11 3GR	Installation of external gas storage area and erection of ARMCO crash barrier fencing.	GTDCON, Permission be granted subject to the following conditions:	07-Jul-2022	Loughborough Nanpantan
P/22/0617/2	Householder	59 Mountfields Drive Loughborough Leicestershire LE11 3JD	Proposed construction of single-storey rear extension to replace existing conservatory. Construction of larger, single-storey outbuilding to rear of dwelling to replace existing, creating office space and additional guest room.	GTDCON, Permission be granted subject to the following conditions:	22-Jul-2022	Loughborough Nanpantan

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/1201/2	Demolition Determination	Loughborough University Ashby Road Loughborough Leicestershire LE11 3TU	Demolition of University Buildings (Sir Arnold Hall, John Clements and John Cooper) Prior Notification.	NRQ, The submission of details are not required for consideration.	26-Jul-2022	Loughborough Nanpantan
P/22/1113/2	Full	Car Park 3 University Road University Campus Loughborough Leicestershire	Erection of 2.7m high concrete sculpture.	GTDCON, Permission be granted subject to the following conditions:	28-Jul-2022	Loughborough Nanpantan
P/22/0340/2	Householder	7 Kirkstone Drive Loughborough Leicestershire LE11 3RN	Proposed second storey extension to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	05-Aug-2022	Loughborough Nanpantan
P/21/2190/2	Householder	51 Atherstone Road Loughborough LE11 2SH	Proposed erection of boundary fence to border the property.	GTDCON, Permission be granted subject to the following conditions:	17-Jun-2022	Loughborough Outwoods
P/21/2534/2	Householder	129 Valley Road Loughborough Leicestershire LE11 3PY	Single storey rear extension (retrospective)	GTDCON, Permission be granted subject to the following conditions:	29-Jun-2022	Loughborough Outwoods
P/21/2451/2	Full	Nanpantan Scout Headquarters 212 Nanpantan Road Loughborough Leicestershire LE11 3YE	Demolition of existing Scout Hut and construction of replacement Scout Hut and associated works.	GTDCON, Permission be granted subject to the following conditions:	11-Jul-2022	Loughborough Outwoods

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/21/2444/2	Outline Planning Permission	Nanpantan Scout Headquarters 212 Nanpantan Road Loughborough Leicestershire LE11 3YE	One detached dwelling and double garage with new access	GTDCON, Permission be granted subject to the following conditions:	15-Jul-2022	Loughborough Outwoods
P/22/0769/2	Householder	4 Bramcote Road Loughborough Leicestershire LE11 2SA	Construction of replacement single storey rear extension, garage conversion to habitable accommodation, conversion of car port to garage and pitched roof to front of dwelling over porch and front of garage/car port	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	Loughborough Outwoods
P/22/0887/2	Householder	7 Brookside Road Loughborough Leicestershire LE11 3PQ	Erection of single storey extensions to side and rear of semi-detached dwelling (Retrospective application) and the application of a part rendered finish to the resultant dwelling.	GTDCON, Permission be granted subject to the following conditions:	27-Jul-2022	Loughborough Outwoods
P/21/2547/2	Householder	305 Beacon Road Loughborough LE11 2RA	Retrospective application for a metal pergola, with retractable glass panels and retractable fabric roof to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	01-Aug-2022	Loughborough Outwoods
P/22/1002/2	Full	Site Of 333a Beacon Road Loughborough Leicestershire LE11 2RA	Demolition of existing property and erection of replacement dwelling. (Variation of condition 1 of P/20/1834/2 under Section 73 of the Town and Country Planning Act 1990 to amend the approved drawings. Variation to consist of alterations to windows and doors and inclusion of wall mounted air conditioning units; increased roof height over gym and repositioning of vehicular access gates.)	GTDCON, Permission be granted subject to the following conditions:	04-Aug-2022	Loughborough Outwoods

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0361/2	Householder	74 Holt Drive Loughborough Leicestershire LE11 3JA	Proposed Hip to Gable enlargement with new dormer to rear and single storey side and rear extension.	GTDCON, Permission be granted subject to the following conditions:	05-Aug-2022	Loughborough Outwoods
P/22/0970/2	Advert Consent	Tesco Extra Park Road Loughborough Leicestershire LE11 2EX	Installation of 1no. internally illuminated LCD Media Screen and 4no. flag pole signs in association with vehicle charging points (Advertisement Consent)	GTDCON, Permission be granted subject to the following conditions:	19-Jul-2022	Loughborough Outwoods Loughborough Shelthorpe
P/22/1005/2	CL (Proposed)	22 Alan Turing Road Loughborough Leicestershire LE11 2NQ	Certificate of Lawful (proposed) Development for single storey rear extension.	CLDPGRANT, Certificate of Lawful Proposed Development	20-Jun-2022	Loughborough Shelthorpe
P/22/0657/2	Householder	6 Birch Close Loughborough Leicestershire LE11 2TF	Erection of single storey extension to side and rear of house	GTDCON, Permission be granted subject to the following conditions:	28-Jun-2022	Loughborough Shelthorpe
P/22/0370/2	Householder	94 Manor Drive Loughborough Leicestershire LE11 2LT	Proposed single storey outbuilding to rear of dwelling.	REF, Permission be refused for the following reasons:	01-Jul-2022	Loughborough Shelthorpe
P/22/1118/2	Equipment PD Notification	Junction Haddon Way, Laurel Road Loughborough Leicestershire LE11 2SG	Proposed replacement of 15m streetworks pole with a new 15m streetworks pole, replacement of 2no. existing cabinets with 2no. new cabinets and associated works	MNAAU, The application be agreed without conditions.	22-Jul-2022	Loughborough Shelthorpe
P/22/0855/2	Full	Outwoods Edge Primary School 21 Redwood Road Loughborough Leicestershire LE11 2LD	Erection of log cabin and erection of two metre high fence around (MUGA)	GTDCON, Permission be granted subject to the following conditions:	28-Jul-2022	Loughborough Shelthorpe

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0006/2	Householder	32 Lemontree Lane Loughborough Leicestershire LE11 2QS	Single storey front extension to dwelling and extension to side of existing garage to create home office	GTDCON, Permission be granted subject to the following conditions:	29-Jul-2022	Loughborough Shelthorpe
P/22/0854/2	Householder	81 Hazel Road Loughborough Leicestershire LE11 2JQ	Single storey side and rear extension to dwelling.	GTDCON, Permission be granted subject to the following conditions:	05-Aug-2022	Loughborough Shelthorpe
P/21/1150/2	Full	43 Market Street Loughborough Leicestershire LE11 3ER	Retrospective planning application for an awning to a shopfront.	GTD, Permission be granted unconditionally	14-Jun-2022	Loughborough Southfields
P/22/0190/2	Householder	33 Granville Street Loughborough Leicestershire LE11 3BL	Proposed loft conversion with rear dormer	GTDCON, Permission be granted subject to the following conditions:	17-Jun-2022	Loughborough Southfields
P/22/0558/2	Householder	8 Grove Road Loughborough Leicestershire LE11 3QN	Proposed detached garage including solar panels and retention of garden sheds to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2022	Loughborough Southfields
P/21/1765/2	CL (existing)	9 Garton Road Loughborough Leicestershire LE11 2DY	Certificate of Lawfulness (Existing) for use of property as a house of multiple occupation (Use Class C4 HMO)	GTD, Permission be granted unconditionally	28-Jun-2022	Loughborough Southfields
P/21/2480/2	Householder	15 Burfield Avenue Loughborough Leicestershire LE11 3AZ	Construction of gazebo to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	01-Jul-2022	Loughborough Southfields

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/21/1835/2	CL (existing)	26 Burleigh Road Loughborough Leicestershire LE11 3BA	Certificate of Lawfulness (Existing) for use of property as a house of multiple occupation (Use Class C4 HMO).	GTD, Permission be granted unconditionally	07-Jul-2022	Loughborough Southfields
P/21/2434/2	Householder	16 Arthur Street Loughborough Leicestershire LE11 3AY	Proposed single storey side and rear extension.	GTDCON, Permission be granted subject to the following conditions:	22-Jul-2022	Loughborough Southfields
P/22/0461/2	Full	21 High Street Loughborough Leicestershire LE11 2PZ	Change of use from hairdressers A1 to a restaurant (Use Class E(b). Installation of an external flue to rear of building and air conditioning units. Installation of new shop front.	GTDCON, Permission be granted subject to the following conditions:	22-Jul-2022	Loughborough Southfields
P/22/0736/2	Full	50 Frederick Street Loughborough Leicestershire LE11 3BJ	Proposed change of use of existing dwelling to 2 no. 2-bedroomed flats.	GTDCON, Permission be granted subject to the following conditions:	02-Aug-2022	Loughborough Southfields
P/21/2525/2	CL (existing)	122 Leopold Street Loughborough Leicestershire LE11 5DW	Certificate of Lawfulness (Existing) for use of property as a house of multiple occupation (Use Class C4 HMO)	GTD, Permission be granted unconditionally	16-Jun-2022	Loughborough Storer
P/22/0406/2	Householder	58 Leopold Street Loughborough Leicestershire LE11 5DN	Proposed single storey side extension.	GTDCON, Permission be granted subject to the following conditions:	17-Jun-2022	Loughborough Storer
P/21/2009/2	CL (existing)	108 Leopold Street Loughborough Leicestershire LE11 5DW	Certificate of Lawfulness (Existing) for use of property as a house of multiple occupation (Use Class C4 HMO).	GTD, Permission be granted unconditionally	21-Jun-2022	Loughborough Storer

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0249/2	Full	96 Leopold Street Loughborough Leicestershire LE11 5DW	Single storey extension and box dormer roof extension to rear of end-terraced dwelling. Erection of new 1.97m high wall to Oxford Street boundary.	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2022	Loughborough Storer
P/21/1832/2	Full	Tanni Grey House Union Street Loughborough LE11 3DD	Replacement entrance doors to blocks 1-12 and 14-22.	GTDCON, Permission be granted subject to the following conditions:	24-Jun-2022	Loughborough Storer
P/22/0496/2	Full	128 Leopold Street Loughborough LE11 5DW	Conversion of dwelling to 3 no. flats, and construction of two storey extensions to side and rear extension and single storey extension to rear.	GTDCON, Permission be granted subject to the following conditions:	15-Jul-2022	Loughborough Storer
P/21/2102/2	Householder	24 Clifford Road Loughborough LE11 5NG	Construction of porch to front of existing dwelling	GTDCON, Permission be granted subject to the following conditions:	18-Jul-2022	Loughborough Storer
P/22/0665/2	Householder	87 Byron Street Loughborough Leicestershire LE11 5JN	Proposed single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	Loughborough Storer
P/22/0250/2	Householder	49 Oxford Street Loughborough Leicestershire LE11 5DP	Proposed single storey extension to rear and insertion of dormer window to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	22-Jul-2022	Loughborough Storer
P/22/0424/2	Householder	86 Rockhill Drive Mountsorrel Leicestershire LE12 7DT	Two storey side and rear extensions	GTDCON, Permission be granted subject to the following conditions:	22-Jun-2022	Mountsorrel

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0446/2	Householder	91 Cross Lane Mountsorrel Leicestershire LE12 7BX	Proposed new porch to front elevation, gable extension to rear elevation, single storey side extension, alterations to fenestration, alteration to existing dormer and insertion of additional dormer to side elevation. Alterations to front of property including erection of boundary wall and alteration to entrance gates.	GTDCON, Permission be granted subject to the following conditions:	12-Jul-2022	Mountsorrel
P/22/0923/2	Householder	78 Rockhill Drive Mountsorrel Leicestershire LE12 7DT	Single storey rear extension to dwelling	GTDCON, Permission be granted subject to the following conditions:	21-Jul-2022	Mountsorrel
P/22/0990/2	Householder	32 Otter Lane Mountsorrel Leicestershire LE12 7GF	Construction of single storey side and rear extensions (following demolition of existing conservatory)	GTDCON, Permission be granted subject to the following conditions:	27-Jul-2022	Mountsorrel
P/22/0949/2	Full	86 Rothley Road Mountsorrel Leicestershire LE12 7JU	Extension to the existing surgery to create 4no. additional consulting rooms, internal alterations and installation of solar panels to roof.	GTDCON, Permission be granted subject to the following conditions:	29-Jul-2022	Mountsorrel
P/22/1081/2	Householder	6 Grange Lane Mountsorrel Leicestershire LE12 7HY	Proposed two storey extension to side of detached house and single storey extension to rear.	GTDCON, Permission be granted subject to the following conditions:	03-Aug-2022	Mountsorrel
P/22/0987/2	Agricultural for Prior Approval	Hillcrest Farm South Croxton Road Queniborough Leicestershire LE7 3RX	Erection of agricultural shed (24m x 12m).(Agricultural Prior Approval)	NRQ, The submission of details are not required for consideration.	16-Jun-2022	Queniborough

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0341/2	Householder	Staverton House 1580 Melton Road Queniborough Leicestershire LE7 3FN	Erection of two storey extension to side and single storey extension to rear of detached dwelling. Erection of walls and gates to front boundary.	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	Queniborough
P/21/2322/2	Householder	1507 Melton Road Queniborough Leicestershire LE7 3FP	Single storey side and rear extension.	GTDCON, Permission be granted subject to the following conditions:	05-Aug-2022	Queniborough
P/22/0651/2	Householder	The Old Coach House Armston Road Quorn Leicestershire LE12 8QP	Erection of boundary wall (2.4m high) and erection of detached double garage, and detached garden outbuilding.	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2022	Quorn & Mountsorrel Castle
P/22/0656/2	Householder	6 Loughborough Road Quorn Leicestershire LE12 8DX	Erection of single storey extension at side and rear of house	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2022	Quorn & Mountsorrel Castle
P/22/0884/2	CL (Proposed)	14 Sanders Road Quorn Leicestershire LE12 8JN	Certificate of lawful (proposed) development for single storey rear extension.	CLDPGRANT, Certificate of Lawful Proposed Development	06-Jul-2022	Quorn & Mountsorrel Castle
P/22/0789/2	Agricultural for Prior Approval	Woodside Farm Wood Lane Quorn Leicestershire LE12 8DB	Agricultural store	NRQ, The submission of details are not required for consideration.	07-Jul-2022	Quorn & Mountsorrel Castle
P/22/0924/2	CL (Proposed)	17 Castledine Avenue Quorn Leicestershire LE12 8DN	Certificate of Lawful (proposed) development for a loft conversion with rear dormer and rooflight to the front roof slope and erection of garden outbuilding.	CLDPGRANT, Certificate of Lawful Proposed Development	08-Jul-2022	Quorn & Mountsorrel Castle

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/21/1896/2	Householder	3 Paddock Close Quorn LE12 8BJ	Conversion of existing garage and construction of new porch with associated re-roofing. Erection of first floor extension over existing flat roof to rear and side of the property, with material changes to entire dwelling.	GTDCON, Permission be granted subject to the following conditions:	11-Jul-2022	Quorn & Mountsorrel Castle
P/22/0308/2	Householder	21 Cradock Drive Quorn Leicestershire LE12 8ER	Single storey rear and side extension, and roof extensions (revised scheme of P/21/0514/2)	GTDCON, Permission be granted subject to the following conditions:	11-Jul-2022	Quorn & Mountsorrel Castle
P/22/0581/2	Householder	59 Chaveney Road Quorn Leicestershire LE12 8AB	Retention of single storey extension to rear of dwelling to replace conservatory.	GTDCON, Permission be granted subject to the following conditions:	11-Jul-2022	Quorn & Mountsorrel Castle
P/22/0338/2	Householder	22 Peppers Close Mountsorrel Leicestershire LE12 7DW	Proposed two storey extension to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	Quorn & Mountsorrel Castle
P/22/0326/2	Householder	34 Alexander Road Quorn Leicestershire LE12 8EQ	Proposed first floor extension over garage, and single storey extensions to both side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	25-Jul-2022	Quorn & Mountsorrel Castle
P/22/0701/2	Householder	3 Beacon Avenue Quorn Leicestershire LE12 8EW	Erection of single storey extension to rear of house	GTDCON, Permission be granted subject to the following conditions:	26-Jul-2022	Quorn & Mountsorrel Castle
P/22/0136/2	Full	32 High Street Quorn Leicestershire LE12 8DT	Retrospective planning application for covered outdoor seating area attached to the rear of the building.	GTD, Permission be granted unconditionally	08-Aug-2022	Quorn & Mountsorrel Castle

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0129/2	Householder	923 Loughborough Road Rothley Leicestershire LE7 7NH	Proposed extension of dropped kerbs and widening of existing vehicular access within public highway (classified 'C' road).	GTDCON, Permission be granted subject to the following conditions:	14-Jun-2022	Rothley & Thurcaston
P/22/0634/2	Householder	16 Leicester Road Thurcaston Leicestershire LE7 7JG	Two storey rear and side extension & single storey rear extension. (Revised Scheme - P/21/2169/2 refers)	GTDCON, Permission be granted subject to the following conditions:	16-Jun-2022	Rothley & Thurcaston
P/22/0306/2	Householder	82 Swithland Lane Rothley Leicestershire LE7 7SE	Erection of two-storey exetension to the side and rear of the dwelling, replacing existing garage.	GTDCON, Permission be granted subject to the following conditions:	17-Jun-2022	Rothley & Thurcaston
P/21/2114/2	CL (existing)	3 Fox Covert Close Thurcaston LE7 7JX	Certificate of lawfulness (existing) to retain 6ft close boarded fence along the eastern, southern and partly western and northern boundary	GTD, Permission be granted unconditionally	21-Jun-2022	Rothley & Thurcaston
P/22/101/2	CL (Proposed)	52 Latimer Road Cropston Leicestershire LE7 7GN	Certificate of lawful (proposed) development for single storey rear extension.	CLDPGRANT, Certificate of Lawful Proposed Development	06-Jul-2022	Rothley & Thurcaston
P/22/0988/2	CL (Proposed)	11 The Pyke Rothley Leicestershire LE7 7LY	Proposed conservatory to rear of dwelling.	CLDPGRANT, Certificate of Lawful Proposed Development	07-Jul-2022	Rothley & Thurcaston
P/22/0556/2	Full	1 Church Street Rothley Leicestershire LE7 7PD	Single storey rear extension and associated works	GTDCON, Permission be granted subject to the following conditions:	07-Jul-2022	Rothley & Thurcaston

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0524/2	Advert Consent	24 - 26 Woodgate Rothley Leicestershire LE7 7LJ	Advertisement consent for replacement of fascia signage and installation of vinyl graphics to windows.	GTDCON, Permission be granted subject to the following conditions:	08-Jul-2022	Rothley & Thurcaston
P/22/0489/2	Full	24 - 26 Woodgate Rothley Leicestershire LE7 7LJ	Alterations to shop front including replacement of doors, installation of new glazing, replacement of fascia lights with LED lights, amendments to pilaster and fascia on corner and installation of safety bollards. Erection of 1m high fence on side boundary to rear.	GTDCON, Permission be granted subject to the following conditions:	11-Jul-2022	Rothley & Thurcaston
P/22/0050/2	Householder	161 Swithland Lane Rothley Leicestershire LE7 7SJ	Single storey porch and first floor extension above existing garage to front of detached house and single storey extension to rear.	GTDCON, Permission be granted subject to the following conditions:	12-Jul-2022	Rothley & Thurcaston
P/22/0339/2	Full	Dobbies Garden Centre Loughborough Road Rothley Leicestershire LE7 7NL	Proposed electric vehicle charging hub and associated works.	GTDCON, Permission be granted subject to the following conditions:	13-Jul-2022	Rothley & Thurcaston
P/21/1935/2	Full	Anstey Alpacas Bradgate Road Cropston Leicestershire	Change of use from agricultural land to a mixed agricultural and educational use and formation of access road off Bradgate Road and car park (Retrospective application)	GTDCON, Permission be granted subject to the following conditions:	18-Jul-2022	Rothley & Thurcaston

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0704/2	Householder	Beacon Hollow 45A Town Green Street Rothley Leicestershire LE7 7NU	Single-storey side extension to dwelling, addition of canopy, increase in roof and chimney height, installation of dormer windows, single-storey front and side extension to existing garage, fenestraion alterations, demolition of outbuilding, construction of detached garage and associated site works.	GTDCON, Permission be granted subject to the following conditions:	28-Jul-2022	Rothley & Thurcaston
P/22/0348/2	Householder	3 Coachmans Court Shepshed Leicestershire LE12 9SE	Two storey side extension forming carport with bedroom above.	GTDCON, Permission be granted subject to the following conditions:	14-Jun-2022	Shepshed East
P/22/0596/2	Householder	26 Kings Road Shepshed Leicestershire LE12 9HT	Proposed single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	15-Jun-2022	Shepshed East
P/21/0218/2	Reserved Matters	Rear of 87 Leicester Road Shepshed Leicestershire LE12 9DF	Erection of detached bungalow and associated works (Reserved matters to planning permission reference P/20/1246/2)	GTDCON, Permission be granted subject to the following conditions:	22-Jun-2022	Shepshed East
P/22/0351/2	Householder	27 Countrymans Way Shepshed Leicestershire LE12 9RA	Proposed single storey side and rear extension.	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2022	Shepshed East
P/22/0682/2	Householder	Holly Cottage 2 Ring Fence Shepshed Leicestershire LE12 9HY	Erection of single storey extension to front of house	GTDCON, Permission be granted subject to the following conditions:	24-Jun-2022	Shepshed East

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P/22/0323/2	Full	65 Ashby Road Central Shepshed Leicestershire LE12 9EQ	Extension to Building No.6 including raising part of the roof and recladding of the resultant building. Addition of new external plant and equipment.	GTDCON, Permission be granted subject to the following conditions:	07-Jul-2022	Shepshed East
P/21/2567/2	Full	St Botolphs Church Of England Controlled Primary School Loughborough Road Shepshed Leicestershire LE12 9DN	Proposed SEND school, multi-use games area, access, parking, and landscaping	GTDCON, Permission be granted subject to the following conditions:	18-Jul-2022	Shepshed East
P/22/1015/2	CL (Proposed)	6 Celandine Road Shepshed Leicestershire LE12 9QT	Certificate of Lawful (proposed) Development for single storey rear extension.	CLDPGRANT, Certificate of Lawful Proposed Development	21-Jun-2022	Shepshed West
P/22/0332/2	Householder	28 Moorfield Place Shepshed Leicestershire LE12 9AW	Single storey side and rear extension to dwelling.	GTDCON, Permission be granted subject to the following conditions:	22-Jun-2022	Shepshed West
P/22/0188/2	Advert Consent	65 Anson Road Shepshed Leicestershire LE12 9PT	Display of 3 x internally illuminated fascia sign and 1 x externally illuminated post sign.	GTDCON, Permission be granted subject to the following conditions:	04-Jul-2022	Shepshed West
P/22/0222/2	Householder	1 Strawflower Road Shepshed Leicestershire LE12 9WS	Single storey extension to side and rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	Shepshed West
P/22/0758/2	Full	7 Charnwood Road Shepshed Leicestershire LE12 9QE	Change of use only from Class E to a Nail Parlour (Sui Generis).	GTDCON, Permission be granted subject to the following conditions:	21-Jul-2022	Shepshed West

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0823/2	Householder	106 Oakley Road Shepshed Leicestershire LE12 9AX	Proposed single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	27-Jul-2022	Shepshed West
P/22/0834/2	Householder	38 Thorpe Road Shepshed Leicestershire LE12 9LX	Erection of two storey extension to rear, single storey extension to side of house	GTDCON, Permission be granted subject to the following conditions:	28-Jul-2022	Shepshed West
P/22/0601/2	CL (Proposed)	12 Taylor Drive Sileby Leicestershire LE12 7WS	Certificate of lawful (proposed) development for a single storey side extension.	CLDPGRANT, Certificate of Lawful Proposed Development	07-Jul-2022	Sileby
P/22/0520/2	Householder Prior Notification	17 Wellbrook Avenue Sileby Leicestershire LE12 7QG	The erection of a single storey rear extension extending beyond the rear wall of the original house by 6m, with a maximum height of 3.95m, and height to the eaves of 2.5m.	PRINOT, Prior approval from the Council is not required	25-Jul-2022	Sileby
P/22/0490/2	Householder	17 Wellbrook Avenue Sileby Leicestershire LE12 7QG	The erection of two storey and single storey extension at rear of house	GTDCON, Permission be granted subject to the following conditions:	25-Jul-2022	Sileby
P/22/0867/2	Householder	24 Sherrard Drive Sileby Leicestershire LE12 7SG	Demolition of existing flat roof garage and the construction of a two storey side and single storey front extension	GTDCON, Permission be granted subject to the following conditions:	26-Jul-2022	Sileby
P/22/0745/2	Householder	1 Collingwood Drive Sileby Leicestershire LE12 7NT	Proposed detached garage and new access onto Heathcote Drive	GTDCON, Permission be granted subject to the following conditions:	27-Jul-2022	Sileby

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/1470/2	Householder	33 Butler Way Sileby Leicestershire LE12 7GR	Proposed single storey extension to side and rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	29-Jul-2022	Sileby
P/22/1189/2	Full	20 Butler Way Sileby Leicestershire LE12 7GR	Change of use from residential (class C3) to mixed use of residential and personal training facility (classes C3 and F2(c)) (Revised Scheme - P/22/0830/2 refers).	GTDCON, Permission be granted subject to the following conditions:	05-Aug-2022	Sileby
P/22/0929/2	Householder	147 Seagrave Road Sileby Leicestershire LE12 7TW	Erection of detached garden room building to rear of dwelling.. Variation or removal of Condition 3 of P/18/1782/2) under Section 73 of the Town and Country Planning Act 1990	GTDCON, Permission be granted subject to the following conditions:	05-Aug-2022	Sileby
P/22/0658/2	Householder	4 St Hildas Close Syston Leicestershire LE7 2GF	Erection of two storey extension at side and rear, single storey extension at rear of house	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2022	Syston East
P/22/0632/2	Householder	10 Ridgemere Close Syston Leicestershire LE7 2ZR	Proposed single storey rear extension to dwelling.	GTDCON, Permission be granted subject to the following conditions:	13-Jul-2022	Syston East
P/22/0806/2	CL (Proposed)	84 Empingham Drive Syston Leicestershire LE7 2DL	Certificate of lawful (proposed) development for conversion of garage into a habitable room.	CLDPGRANT, Certificate of Lawful Proposed Development	19-Jul-2022	Syston East
P/22/0933/2	Full	16 Keble Drive Syston Leicestershire LE7 2AN	Single storey extensions to side/rear of semi-detached house and to front for porch.	GTDCON, Permission be granted subject to the following conditions:	25-Jul-2022	Syston East

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0983/2	Full	1257 Melton Road Syston Leicestershire LE7 2JT	Construction of external fire escape/staircase to rear to serve existing first floor flat	GTDCON, Permission be granted subject to the following conditions:	05-Aug-2022	Syston East
P/22/0302/2	Householder	12 Northfields Syston Leicestershire LE7 1HW	Proposed single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	24-Jun-2022	Syston West
P/22/0635/2	Householder	5 Field View Syston Leicestershire LE7 1YG	Construction of two storey extension at side and single storey extension at rear of house	GTDCON, Permission be granted subject to the following conditions:	11-Jul-2022	Syston West
P/21/0706/2	Full	Land at Broad Street and St Peter's Street Syston Leicestershire LE7 1GJ	Erection of two buildings comprising 6 business units for storage or distribution use (Use Class B8) or commercial use (Use Class E(g) and ancillary landscaping, external service areas and car parking	GTDCON, Permission be granted subject to the following conditions:	19-Jul-2022	Syston West
P/22/0280/2	Full	23 Blackthorn Drive Syston Leicestershire LE7 1YT	Change of Use of residential dwelling (Use Class C3) to a mixed use comprising residential (Use Class C3) and hair salon (Use Class E) operating from a ground floor room within dwelling.	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	Syston West
P/22/0911/2	Householder	22 Roundhill Close Syston Leicestershire LE7 1PP	Proposed single storey and two storey rear extensions.	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	Syston West
P/22/0619/2	Householder	4 Priory Close Syston Leicestershire LE7 1RY	Proposed single-storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	01-Aug-2022	Syston West

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/1204/2	CL (Proposed)	26 Swallow Drive Syston Leicestershire LE7 1ZN	Certificate of lawful (proposed) use for the use of a bedroom to a treatment/therapy room for occupiers business.	CLDPGRANT, Certificate of Lawful Proposed Development	02-Aug-2022	Syston West
P/22/0742/2	Householder	12 Upper Church Street Syston Leicestershire LE7 1HR	Replacement of existing garage with single storey side and rear extension, including replacement of boundary wall.	GTDCON, Permission be granted subject to the following conditions:	08-Aug-2022	Syston West
P/22/0975/2	Agricultural for Prior Approval	Glebe Barn Farm Narrow Lane Wymeswold Leicestershire LE12 6SD	Erection of livestock building (13.71m x 5.64m).(Agricultural Prior Approval)	NRQ, The submission of details are not required for consideration.	15-Jun-2022	The Wolds
P/22/0269/2	Householder	Pasture Lodge Hades Lane Wymeswold Leicestershire LE12 6SB	Proposed single storey extension to side and entrance front porch to dwelling.	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2022	The Wolds
P/21/0615/2	Outline Planning Permission	Sturdee Poultry Farm Sowters Lane Burton On The Wolds Leicestershire LE12 5AL	Outline Application for the erection of up to 60 residential dwellings, with all matters reserved except access.	GTDCON, Permission be granted subject to the following conditions:	28-Jun-2022	The Wolds
P/22/0565/2	Householder	Gable Cottage 12 Loughborough Road Burton On The Wolds Leicestershire LE12 5AF	Erection of 2m high brick wall fronting Loughborough Road.	GTDCON, Permission be granted subject to the following conditions:	20-Jul-2022	The Wolds

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0707/2	Householder	84 - 86 Brook Street Wymeswold Leicestershire LE12 6TU	Proposed addition of porch to front elevation, conversion of attached outbuilding to wc and utility room and addition of new roof, replacement of car port, changes to fenestration and render and removal of chimney stack.	GTDCON, Permission be granted subject to the following conditions:	25-Jul-2022	The Wolds
P/22/0668/2	Householder	Magnolia Cottage 124 Brook Street Wymeswold Leicestershire LE12 6TU	Installation of replacement door to front and new window to rear of detached garage to front of Listed Building	GTDCON, Permission be granted subject to the following conditions:	26-Jul-2022	The Wolds
P/22/0848/2	Householder	1 Stanford Lane Cotes Leicestershire LE12 5TW	Two storey and single storey extensions to rear and construction of new boundary wall	GTDCON, Permission be granted subject to the following conditions:	27-Jul-2022	The Wolds
P/22/0445/2	Householder	10 Beechwood Avenue Thurmaston Leicestershire LE4 8HA	Proposed garden store to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2022	Thurmaston
P/22/0286/2	Householder	22 Humberstone Lane Thurmaston Leicestershire LE4 8HE	Proposed part 2-storey and part single-storey extension to rear of dwelling and addition of dormer windows to front and rear elevations to enable provision of bedroom in loft space.	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2022	Thurmaston
P/22/0401/2	Householder	32 Campbell Avenue Thurmaston Leicestershire LE4 8HB	Erection of garage	GTDCON, Permission be granted subject to the following conditions:	29-Jun-2022	Thurmaston

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0049/2	Householder	80 Lonsdale Road Thurmaston Leicestershire LE4 8JF	Proposed two storey side & single storey side and rear extensions with material changes. Part retrospective application for an outbuilding with associated works.	GTDCON, Permission be granted subject to the following conditions:	13-Jul-2022	Thurmaston
P/22/0795/2	Householder	74 Ivydale Road Thurmaston Leicestershire LE4 8NE	Alterations to create pitched roof and Installation of window to front of house to facilitate conversion of garage to living room.	GTDCON, Permission be granted subject to the following conditions:	26-Jul-2022	Thurmaston
P/22/0418/2	Full	The Roundhill Academy 997 Melton Road Thurmaston Leicestershire LE4 8GQ	Proposed filling in of existing swimming pool to form hardstanding area for seating with canopy above and provision of detached timber clad building. Refurbishment of existing changing rooms to form toilets and creation of grassed area with external steps to side.	GTDCON, Permission be granted subject to the following conditions:	28-Jul-2022	Thurmaston
P/22/0431/2	Full	Unit 39 Pinfold Road Thurmaston Leicestershire LE4 8AS	Replacement of current site Installed Thermal Oxidiser Plant with new Regenerative Abatement System	GTDCON, Permission be granted subject to the following conditions:	29-Jul-2022	Thurmaston
P/22/0516/2	Householder	North Lodge Farm 174 Thrussington Road Ratcliffe On The Wreake Leicestershire LE7 4SQ	Demolition of existing garage, and construction of annexe.	GTDCON, Permission be granted subject to the following conditions:	17-Jun-2022	Wreake Villages
P/22/0500/2	Householder	7 Church Leys Avenue Rearsby Leicestershire LE7 4YF	Alterations and extensions to bungalow including ground floor extension and two dormer windows to front, raising of roof height, ground floor and first floor extensions to rear.	GTDCON, Permission be granted subject to the following conditions:	21-Jun-2022	Wreake Villages

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0110/2	Householder	18 Green Lane Seagrave Leicestershire LE12 7LU	Alterations and extensions to side, front and rear of detached bungalow and retention of outbuilding to rear.	GTDCON, Permission be granted subject to the following conditions:	24-Jun-2022	Wreake Villages
P/20/1176/2	Full	Paudy View Farm Paudy Lane Seagrave LE7 4TB	Erection of agricultural building for rearing livestock.	AWAD, This is an application where a recommendation is being considered.	06-Jul-2022	Wreake Villages
P/22/0162/2	Householder	3 Green Lane Close Seagrave Leicestershire LE12 7LX	Erection of two storey rear and single storey rear and side extensions to semi detached dwelling	GTDCON, Permission be granted subject to the following conditions:	21-Jul-2022	Wreake Villages
P/22/0765/2	Householder	40 Church Lane Ratcliffe On The Wreake Leicestershire LE7 4SF	Erection of single storey extension to rear of house, cladding to external walls	GTDCON, Permission be granted subject to the following conditions:	25-Jul-2022	Wreake Villages
P/22/0216/2	Full	Whitehouse Farm 63 Green Lane Seagrave Leicestershire LE12 7LU	Renovation and partial rebuilding of barn to rear of dwelling (Retrospective application)	GTDCON, Permission be granted subject to the following conditions:	01-Aug-2022	Wreake Villages