



PLANS COMMITTEE

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To: Councillors S. Forrest (Chair), Lennie (Vice-Chair), Charles, Fryer, Lawrence, Monk, Lowe, Northage, O'Neill, Palmer, Snartt, Taylor and Worrall
(For attention)

All other members of the Council
(For information)

You are requested to attend the meeting of the Plans Committee to be held in the Preston Room, Woodgate Chambers, Woodgate, Loughborough on Thursday, 22nd June 2023 at 5.00 pm for the following business.

Chief Executive

Southfields
Loughborough

14th June 2023

AGENDA

1. APOLOGIES
2. MINUTES OF PREVIOUS MEETING 4 - 6

The Committee is asked to confirm as a correct record the minutes of the meeting held on 25th May 2023.

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

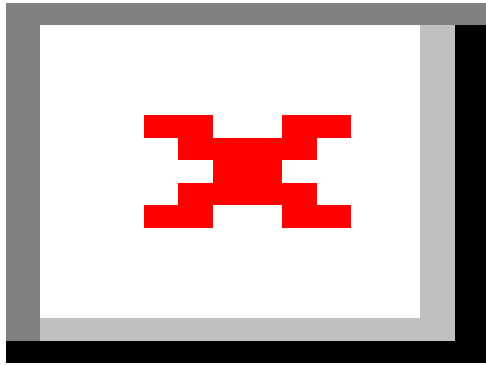
The list of planning applications to be considered at the meeting is appended.

(a)	Planning Application 5a	7 - 17
(b)	Planning Application 5b	18 - 42
(c)	Planning Application 5c	43 - 57
(d)	Planning Application 5d	58 - 69
(e)	Planning Application 5e	70 - 103
(f)	Planning Application 5f	104 - 134
(g)	Planning Application 5g	135 - 168
6.	<u>LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS</u>	169 - 180

A list of applications determined under powers delegated to officers for the period from 15th May 2023 to 9th June 2023.

WHERE TO FIND WOODGATE CHAMBERS

Woodgate Chambers
70 Woodgate
Loughborough
Leicestershire
LE11 2TZ



PLANS COMMITTEE 25TH MAY 2023

PRESENT: The Chair (Councillor S. Forrest)
The Vice Chair (Councillor Lennie)
Councillors Charles, Fryer, Lawrence, Lowe,
Monk, Neill, Northage, Palmer, Snartt and Worrall

Head of Planning and Growth
Locum Solicitor
Development Management Team Leader
Principal Planning Officer
Planning Assistant
Democratic Services Officer (RD) and Democratic
Services Officer (SW)

APOLOGIES: Councillor Taylor

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.

1. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 12th April 2023 were confirmed as a correct record and signed.

2. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

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

The following disclosures were made:

- (i) by Councillor O'Neill in respect of Planning Application P/22/1168/2 as a Ward Councillor and speaker, and sat in the public gallery for the duration of the item.

4. PLANNING APPLICATIONS

Reports of the Head of Planning and Growth, setting out applications for planning permission reference P/23/0521/2, P/22/1830/2 and P/22/1168/2 were submitted (item 5 on the agenda filed with these minutes). An additional report in respect of application P/23/0261/2 was also submitted (also filed with these minutes).

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

- (i) County Councillor James Poland (objector) in respect of application P/22/1168/2;
- (ii) Liberty Stones (on behalf of agent) in respect of application P/22/1168/2;
- (iii) Anthea Byrne (nominated speaker for inquorate Parish Council) in respect of application P/22/1168/2.

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

- (i) Councillor O'Neill in respect of application P/22/1168/2.

a) PLANNING APPLICATION 5A

RESOLVED that, in respect of application P/23/0521/2 (8 Wishbone Lane, Mountsorrel) planning permission be granted subject to the conditions and reasons set out in the report of the Head of Planning and Growth.

b) PLANNING APPLICATION 5B

RESOLVED that in respect of application P/22/1830/2 (49 Thorpe Acre Road, Loughborough) planning permission be granted subject to the conditions and reasons set out in the report of the Head of Planning and Growth.

c) PLANNING APPLICATION 5C

RESOLVED that in respect of application P/22/1168/2 (Land off Gaddesby Lane, Rearsby) planning permission be granted in accordance with Recommendations A and B subject to the conditions and reasons set out in the report of the Head of Planning and Growth, as amended by the Extras Report.

d) PLANNING APPLICATION 5D

RESOLVED that in respect of application P/23/0261/2 (23 Main Street, Newtown Linford), members of the Committee noted the decision taken by delegated authority to grant planning permission.

5. DELEGATED DECISION TAKEN BY THE HEAD OF PLANNING AND GROWTH

The Committee noted the decision taken by the Head of Planning and Growth to make a minor amendment to the wording of one of the reasons for refusal of Planning Application P/21/1105/2, which was considered by the Plans Committee on 24th August 2022, as detailed in the report of the Democratic Services Manager (item 6 on the agenda filed with these minutes).

6. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

A list of applications determined under powers delegated to officers for the period from 30th March 2023 to 12th May 2023 was submitted (item 7 on the agenda filed with these minutes).

NOTES:

1. No reference may be made to these minutes at the Council meeting on 19th June 2023 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.

Plans Committee Date:	22 June 2023
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Item No:

Application Reference Number: P/23/0320/2

Application Type:	Householder	Date Valid:	25/05/2025
Applicant:	Mr Michael Burke		
Proposal:	Proposed conversion of garage into habitable space, single storey rear extension (linked to former garage) and changes to fenestration		
Location:	12 Wren Close Loughborough Leicestershire LE11 3HL		
Parish:	Loughborough	Ward:	Loughborough
Case Officer:	Christine Beresford	Tel No:	01509 63 4977

1. Background

- 1.1 The application has been called in at the request of Ward Councilor Parton. The application was called in citing the following reasons:
- Fears other student landlords will follow in expanding their HMOs.
 - Parking issues.
 - Waste management concerns.

2. Description of the application site

- 2.1 The property subject to this application has a lawful use as a C4 dwelling house (House in Multiple Occupation) Planning ref: app No. P/18/0791/2 - certificate of lawful development, approved on the 30th May 2018.
- 2.2 The site is located in a predominantly residential area, which is characterised by dwellings similar in appearance and age.
- 2.3 The property sits at the end of a small terrace of three on a relatively standard size plot. It comprises a red brick and cream rendered 3-storey, 4-bedroom modern townhouse. A detached garage is located to the northern side of the property and set back sufficiently to provide for two off street parking spaces.
- 2.4 The standard advice from County Highway Authority confirms that the garage does not meet parking standards in relation to its size and is discounted from the available parking at the site. The total of useable parking spaces (two) therefore remains unchanged.

- 2.5 The site is located in a landfill area.
- 2.6 The site is located in an article 4 area that restricts the use of dwellings as Houses in Multiple Occupation. However, the site currently has a lawful use as a C4 dwelling (small House in Multiple Occupation, 3-6 residents).

3. Description of the proposal

- 3.1 The proposal seeks planning permission for the conversion of the garage into habitable space, a single-storey rear extension (linked to the garage) and changes / additional fenestration.
- 3.2 The proposed single storey rear extension that links to the former garage would have an overall width of 2.78 metres, have a length of 7.32 metres and would have a ridge height of 2.95 metres. In addition, the fenestration on the extension would include two windows and a door.
- 3.3 The conversion of the garage into habitable space will remain as existing in relation to footprint, apart from the modest link extension. The changes to the external appearance include the introduction of windows and a door. As discussed above, the existing garage, which is proposed to be converted, is not considered as counting towards the existing parking provision as it does not meet the Local Highway Authority size requirements.

4. Development Plan Policies

- 4.1 The Development Plan comprises the Charnwood Local Plan Core Strategy (adopted 9 November 2015), the Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies) and the Minerals and Waste Plan. The policies applicable to this application are as follows:

[Charnwood Local Plan Core Strategy](#)

- Policy CS1 – Development Strategy
- Policy CS2 – High Quality Design

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

- 4.2 Where they have not been superseded by Core Strategy policies previous Local Plan policies remain part of the Development Plan. In relation to this proposal the relevant ones are:
- Policy EV/1 – Design
 - Policy H/17 – Extensions to Dwellings
 - TR/18 – Highways and parking

5. Other Material Considerations

- 5.1 [The National Planning Policy Framework \(NPPF 2021\)](#)

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

- Section 2: Achieving sustainable development
- Section 8: Promoting healthy and safe communities.
- Section 9: Promoting Sustainable Transport
- Section 12: Requiring well-designed places.

5.3 Planning Practice Guidance (PPG)

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

5.4 National Design Guide

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

5.5 Design Supplementary Planning Document (SPD) (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.

5.6 Leicestershire Highways Design Guide

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 expected to be provided in new housing development.

5.7 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.

5.8 The Draft Charnwood Local Plan 2021-37

This document sets out the Council's strategic and detailed policies for the Borough over the period 2021-37. The Local Plan was submitted for examination in December 2021 with hearings concluding in February 2023. It is anticipated that the Inspectors will issue a letter setting out the requirement for main modifications to be made to make the plan sound. These modifications will be published for six weeks of public consultation so that the responses can assist the Inspectors in preparing their final report. The precise timings of these events are dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in Autumn 2023.

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 policies are considered applicable to this application, and the weight they can be assigned is addressed in the 'Planning Considerations' part of this report.

- DS5 High Design Quality - Moderate Weight, as the plan is at advanced stages and all issues and comments are resolved, the planning policy is in accordance with paragraph 130 of the NPPF.
- T3 Car Parking Standard - Moderate Weight, as the 12 representations received were considered in February 2023 and resolved. The planning policy is in accordance with para's 104, 107 and 108 of the NPPF.

6. **Relevant Planning History**

Reference	Description	Decision & Date
P/18/0791/2	Certificate of Lawfulness (Existing) for use of property as a C4 house in multiple occupation.	Grant Conditionally 30.05.2018

7. **Responses of Consultees and Other Comments Received**

- 7.1 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
<p>Charnwood Borough Council Environmental Health</p>	<p>No objections subject to conditions and informative:</p> <ol style="list-style-type: none"> 1) Devise and implement a property management plan (PMP) which should be submitted to and agreed in writing with the local planning authority. 2) Recommend that a written waste management plan (WMP) should be submitted to and agreed in writing with the local planning authority. This should include, but not be limited to: <ul style="list-style-type: none"> • Details of a suitable and sufficient waste and recycling store/bin area which should be locked or secured against unauthorised access, be unobstructed and accessible to residents, with easy access to the front of the property to enable collection. • The storage area should be fenced and/or screened to minimise the visual impact on neighbours and to prevent wind whipping. • Bins should be located on a hardstanding, easily cleanable, non-absorbent surface, with effective drainage to avoid run-off onto neighbouring properties and/or surface water drains. • Details of the proposed management and housekeeping measures to be implemented to keep the area clean and tidy. <p>2 Informative Note: Should permission be granted it is recommended that the applicant be made aware of the notes to minimise the potential nuisance from demolition/construction sites, namely: The applicant should take all relevant precautions to minimise the potential for disturbance to the occupiers of neighbouring properties in terms of noise and dust during the demolition and construction phases of the development. This should include not working outside regular daytime hours, the use of water suppression for any stone or brick cutting, no burning on site and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the environmental health service.</p>

Ward Councillor and Parish Council Response	
Cllr Ted Parker	Objections received.
Cllr Paul Mercer	No Objection received.
Responses to publicity	
From	Comments
Four letters of objection have been received from a neighbouring property raising the following concerns:	<ul style="list-style-type: none"> • Lack of parking provision • Disturbance • Waste concerns

8. Consideration of the Planning Issues

- 8.1 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 (2011-2028).
- 8.2 The Core Strategy and Charnwood Local Plan 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. The relevant policies listed above are up to date and compliant with national guidance and as such that there is no reason for them to be given reduced weight.
- 8.3 The main planning considerations applicable to this application are considered to be:
- Principle of development
 - Design & impact on the street scene
 - Highway matters
 - Other matters

9. Key Issues

Principle of the Development

- 9.1 The starting point for decision making on all planning applications is that they must be made in accordance with the Development Plan unless material considerations indicate otherwise. Policies in the adopted Core Strategy and the saved policies in the Borough of Charnwood Local Plan are therefore the starting point for consideration. The application site is within Loughborough, one of the main urban areas of the Borough, where the principle of extending dwellings is acceptable. The proposal is therefore considered to accord with Policy CS1 of the Core Strategy.

Design and Impact on the Street Scene

- 9.2 Core Strategy Policy CS2 and saved Local Plan policies EV/1 and H/17 promote high-quality design standards. Further guidance on design is set out in the Design Supplementary Planning Document. NPPF Paragraph 134 provides for significant weight to be given to innovative designs which promote high levels of sustainability. The emerging Local Plan Policy DS5 promotes development which enhances the character of the area having regard to scale, density, massing, height, landscape, layout, and materials. The emerging Local Plan is at an advanced stage with no further discussion planned for design and it is considered there are no unresolved objections thus far DS5 is therefore considered to carry moderate weight.
- 9.3 The existing dwelling is of brick construction with distinctive cream rendering to the front. The proposed extension is located to the rear of the property which sits at the Southwest (side) elevation of the existing property and connects to the existing garage. Therefore, the extension will only have limited visibility from the street scene and so the flat roof design, differing from the pitched roof arrangement of the existing house, will have little to no impact on the street scene. The flat roof will align with the existing dwelling eave lines. The extension will be constructed of materials to match the existing dwelling. Its appearance is considered to be acceptable with regard to its design, scale and form.
- 9.4 The proposal also includes changes to the fenestration within the garage, and whilst glimpses would be visible in the street scene, the design of the fenestration would be in keeping with the host property.
- 9.5 It is considered a proposal that complied with NPPF, National Design Guide, Policy CS2 of Charnwood Core Strategy, Policies EV/1 and H/17 of the Local Plan, emerging Policy DS5 of the Draft Charnwood Local Plan 2021-2037 and the Charnwood Design SPD would be achieved.

Impact on Residential Amenity

- 9.6 Saved policy EV/1 of the Local Plan and policy CS2 of the 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.

Impact on 10 Wren Close

- 9.7 No.10 Wren Close shares the same rear elevation layout as No. 12 therefore when applying the 45-degree rule no habitable rooms were impacted by the proposal. Furthermore, the fence that sits towards no .10 is approximately 1.80 metres in height and would also act as a screen from the development and given the single-storey nature of the proposed extension, there would also be no loss of light, loss of outlook or an overbearing impact to neighbouring main habitable room windows. Resulting in no significant impact on the neighbour's amenities.

Impact on other properties

- 9.8 The siting of the development is not considered to have any significant impact on any further properties due to the distance that they are located from the proposal. Local residents have raised concerns regarding a lack of parking, disturbance and waste management. As recommended by Charnwood Borough Council Environmental Health in section 7.1 above, a condition will be imposed and an informative will be applied to the decision if approved, which addresses the disturbance and waste concerns. The parking concerns are fully discussed under the Highways safety section at paragraph 9.12 of this report.

Impact on occupier amenity

- 9.9 The proposal will not result in a sub-par standard of occupier amenity. The garden will be reduced in size but sufficient outdoor amenity space will be retained.
- 9.10 The proposal would, therefore, comply with the provisions of policy CS2 of Charnwood Core Strategy, policies EV/1 and H/17 of the Adopted Local Plan, emerging policy DS5 of the Draft Local Plan, along with NPPF, National Design Guidance and the guidance set out in the Design SPD to protect residential amenity.

Highway Safety

- 9.11 Saved Local Plan Policy TR/18 requires new development to provide off-street parking for vehicles and promotes standards that requires a maximum of three parking spaces for a four or more-bedroom dwelling in the interests of highway safety. Paragraph 111 of the NPPF states that new development should only be resisted on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe. Policy T3 of the Emerging Local Plan relates to Car Parking Standards. T3 is consistent with NPPF paras 104, 107, 108.
- 9.12 The proposal would result in an increase in the number of bedrooms from four to six, following the conversion of the garage and some internal changes, that do not require planning permission. The garage does not meet the Local Highway Authority size requirements, therefore the available parking at the site is No. 2 parking spaces and this remains unchanged. The property is within the highly sustainable location of Loughborough with ample facilities close by and sustainable transport modes available. Therefore, it is unlikely the end users of the site (which given the location of the property could be students) will all use private vehicles, and the additional two bedrooms proposed under this application would therefore be unlikely to result in additional demand for off street parking.
- 9.13 Therefore the conversion of garage into a habitable space would not significantly impact existing parking provision that meets the Local Highway Authority requirements. Furthermore, the application site is located within Loughborough, which is considered an urban centre, that has good access to services and facilities to meet the day to day needs of the residents. The application would therefore be considered acceptable overall in accordance with policy TR/18 of the Core Strategy and Policy T3 of the Draft Local Plan.

10. Conclusion

- 10.1 In summary, the proposed development is considered to be acceptable in its design and appearance, due to the modest extension and it being set back into the site to not impact on the street scene.
- 10.2 The proposal is not considered detrimental to occupier or neighbour amenities, due to the modest size of the extension. In addition, conditions are recommended to be imposed in relation to waste management and the management of the property, and to ensure the minor number of additional occupiers to reside at the property will not be more than six.
- 10.3 The number of parking spaces will remain as the existing situation and given the location of the property and likely use as student accommodation the development will not result in onsite parking detrimental to highway safety.
- 10.4 It is considered that the proposed development complies with Policy CS1, CS2 of the Charnwood Local Plan 2011-2028 Core Strategy, "saved" Policies EV/1, TR/18 and H/17 of the Borough of Charnwood Local Plan (2004), and Emerging Policy DS5 and T3 of the Draft Charnwood Local Plan 2021-2037. Additionally, the proposed development would be considered compliant with the Design SPD of Charnwood Borough Council (2020) and the relevant provisions of the National Planning Policy Framework (NPPF) and the National Design Guide.
- 10.5 It is therefore recommended that this modest proposal can be supported, and planning permission should be granted, subject to conditions:

11. RECOMMENDATION

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

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

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

2. The development shall be carried out only in accordance with the details and specifications included in the submitted application, and plans as follows:
Application Form - Received 20th February 2023
Job No: LTD82 - Drawing no:10: Application Plan - Received 20th February 2023

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

3. The development hereby permitted shall not commence until a written property management plan (PMP) and waste management plan (WMP) has been submitted to and agreed in writing with the local planning authority.

The waste management plan shall include:

- Details of a bin and recycling area on a suitable hardstanding area that is secured by fencing.
- Details of the proposed management and housekeeping measures to be implemented to keep the property and the area clean and tidy.

REASON: To ensure the scheme provides sufficient secure bin storage and that the property is managed satisfactorily in the interests of visual and neighbour amenity, in accordance with Planning Policy CS2 of the Core Strategy and Planning Policy DS5 of the Draft Local Plan.

4. There shall be no more than six people residing at the property at any one time.

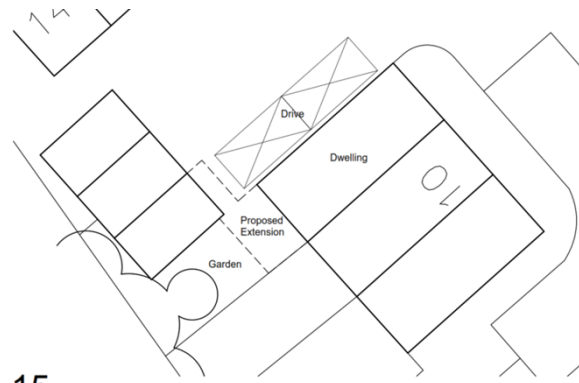
REASON: The application site is located in an Article 4 area; therefore, this condition is required to manage the occupant levels at the site, in the interests of neighbouring amenity, in accordance with Planning Policy CS2 of the Core Strategy and Planning Policy DS5 of the Draft Local Plan.

The following notes should be taken into account when carrying out the development

1. DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DECISION - Policy CS1 and CS2 of the Charnwood Local Plan 2011 to 2028 Core Strategy (adopted 9th November 2015) and Policies EV/1, TR/18 and H/17 of the Borough of Charnwood Local Plan (adopted 12th January 2004) and Emerging Policy DS5 and T3 of the Draft Charnwood Local Plan 2021-2037 have been considered in reaching a decision on this application. The proposed development complies with the requirements of these Development Plan policies and there are no other material considerations which would outweigh the provisions of the Development Plan in reaching a decision on this application.
2. Planning permission has been granted for this development because the Council has determined that it is generally in accordance with the terms of the above-mentioned policies and the Council's adopted Design Supplementary Planning Document.
3. Discussion with the applicant to seek an acceptable solution was not considered necessary in making this decision. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

- The applicant should take all relevant precautions to minimise the potential for disturbance to the occupiers of neighbouring properties in terms of noise and dust during the demolition and construction phases of the development. This should include not working outside regular daytime hours, the use of water suppression for any stone or brick cutting, no burning on site and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the environmental health service.

APPLICATION SITE



Item No.

Application Reference Number P/23/0035/2

Application Type:	Full	Date Valid:	27/02/2023
Applicant:	Mr Ross Hodgett		
Proposal:	Erection of 1 two storey dwelling and associated works, erection of double garage, boundary wall and gates to front of site.		
Location:	Land adj. Staverton House, 1580 Melton Road Queniborough Leicestershire LE7 3FN		
Parish:	Queniborough	Ward:	Queniborough
Case Officer:	Deborah Liggins	Tel No:	07864 603401

1.0 Background

- 1.1 This application is reported to Plans Committee as the proposal is strictly contrary to development plan policies.
- 1.2 The current application follows the granting of planning permission in principle (PIP) for the erection of up to 4 dwellings on land including this site under reference P/20/2197/2. Permission in Principle (PIP) was introduced in June 2018 as a new route for obtaining planning permission for small scale, housing-led developments. It was introduced under the Town and Country Planning (Permission in Principle) (Amendment) Order 2017 and Planning Practice Guidance explains that it has 2 stages:
- An 'in principle' stage; and
 - A technical details consent.
- 1.3 The approval of the technical details element of the PIP was subsequently given under application reference P/22/0329/2. The approved dwelling had a double gable frontage and a ridge height of 8.1m. The property was proposed as a 4/5 bed home with large areas of glazing to the rear elevation and a symmetrical front elevation. The proposal also included a 1.8m high curved brick wall to the front boundary which incorporated visibility splays and proposed a new native hedge to the western boundary. Boundary treatment to the front eastern boundary separating the dwelling from Staverton House was proposed to be a 0.9m high post and rail fence and hedge.

2.0 Introduction and Description of the Site

- 2.1 The application site lies on the northern side of Melton Road, opposite the junction with Syston Road and to the east of an access drive leading to business premises at Three Way Farm and is a dwelling set back from the street frontage behind mature tree planting. The existing dwelling on the site is a large Victorian House in a semi-derelict condition and which stands in a pleasant plot accessed with a private driveway running parallel with that serving Three Ways Farm.

- 2.2 A separate application was granted planning permission under reference P/22/0341/2 relating to extensions to this dwelling which are largely 2 storey extensions to the rear and eastern side of the property and which do not impact the current proposal under consideration now. That application also includes the erection of walls to the front boundary and electric gates across the vehicular access drive.
- 2.3 The site is well screened to Melton Road with large mature trees although some clearance of vegetation has taken place within the site where a mobile home is temporarily sited. The site lies outside of the Queniborough Conservation Area and outside of the identified Limits to Development for the village and in an area of local separation between Queniborough and East Goscote.
- 2.4 Surrounding land uses are as follows:

Boundary	Adjacent land use
West	Access drive leading to Three Ways Farm and No. 1576 Melton Road (residential dwelling) beyond to the east
North	Land associated with Three Ways Farm
East	Countryside
South	Melton Road and junction with Syston Road

3.0 Description of the Application

- 3.1 The proposal seeks to erect a detached dwelling on the site, of a similar scale to that already approved but with design changes to the elevations and internal layout. The proposal also introduces a double garage to the site frontage, together with associated hardscaping and boundary treatment works, including new landscaping.
- 3.2 The proposed dwelling now includes a single central projecting gable to the front elevation and retaining a symmetrical appearance, including two dormer windows to the front elevation. The overall footprint of the dwelling would be 14.65m x 10.8m with the projecting gable to the front adding 2.2m x 4.55m to this footprint. A galleried hallway, open plan kitchen/diner, study, pantry, cloakroom/w.c and sitting room would feature on the ground floor. The dwelling would have four bedrooms to the first floor (including a master en-suite bedroom and dressing room) and two further guest bedrooms and a guest bathroom to the second floor, within the roof space, with a central staircase and galleried landing. The overall ridge height is increased from 8.2m to 9.3m when compared to the earlier approved dwelling.
- 3.3 The proposed garage would measure 5.7m x 5.7m and would have a gabled roof with a ridge height of 4.6m. The rear elevation of the garage would be positioned 1m inside a new brick boundary wall and would have its door openings facing north towards the dwelling. Two additional parking spaces would be provided to the eastern side of this building. The new boundary wall would be 1.4m high and would feature a number of 1.9m high brick piers between which would be fitted black painted iron railings. Ledged and braced 1.9m high timber gates would be installed across the driveway and positioned 5.5m back from the highway boundary.

- 3.4 Details of the proposed materials have been submitted and the dwelling is proposed to be constructed in a good quality red brick with a grey concrete roof tile. Dormer faces and cheeks are to be finished in leadwork and flush fitted UPVC casement windows and doors are proposed in an anthracite colour. Yorkstone pavers are proposed to the immediate apron of the dwelling.
- 3.5 Landscaped beds are proposed to either side of the front gable of the dwelling with a new privet hedge (eventually growing to 1.8m high) proposed to the site's western boundary. A lawned garden would be provided to the rear.
- 3.6 The proposal includes an area of hard-surfaced parking between the proposed garage and the house, and this is to be surfaced with 20mm grey compacted stone with the first 5m of the driveway being tarmac with a grey edged border.
- 3.7 The submitted plans show the proposal in relation to Staverton House to the east and although the proposed dwelling would have a slightly elevated ridge line, the scale of the front elevations of the dwellings are similar with a 4.5m separation distance between them.

4.0 Development Plan Policies

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

The following policies are relevant to this application:

Policy CS1 - Development Strategy - sets out the development strategy for the Borough. This focuses housing development in locations around the Leicester Principal Urban Area and Loughborough and Shepshed with three Sustainable Urban Extensions.

Policy CS2 – High Quality Design - requires developments to make a positive contribution to Charnwood, reinforcing a sense of place. Development should respect and enhance the character of the area, having regard to scale, massing, height, landscape, layout, materials and access; protect the amenity of people who live or work nearby, provide attractive well managed public and private spaces; well defined and legible streets and spaces and reduce their impact on climate change.

Policy CS11 – Landscape and Countryside - requires new development to protect landscape character and reinforce a sense of place. It supports rural residential development where it has a strong relationship to the operational requirements of agriculture, horticulture or forestry.

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

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

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

Policy CS25 - states that the Council will take a positive approach that reflects the presumption in favour of sustainable development.

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

The saved policies relevant to this proposal include:

Policy ST/2 – Limits to Development – this policy seeks to restrict development to within the existing settlement limits to ensure that development needs can be met without harm to the countryside or other rural interests. The Limits to development distinguish between areas of development and development potential, and areas of restraint.

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

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

Policy CT/4 – Development in Areas of Local Separation – this policy sets out that in areas of local separation, development acceptable in principle will only be permitted where the location, scale and design of development would ensure that-

- The predominantly open and undeveloped character of the area is retained; and
- The already narrow gap between settlements is not reduced.

Policy TR/18 - Parking Provision in New Development notes that planning permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimise harm to visual and local amenities.

As the Borough of Charnwood Local Plan pre-dates the National Planning Policy Framework (NPPF), paragraph 219 indicates that due weight should be given to relevant policies according to their consistency with the NPPF. These policies are considered to be broadly consistent with the aims to the NPPF and, as such, should be given significant weight.

4.3 Queniborough Neighbourhood Plan (2019-2028)

This was 'made' in June 2021 and is now part of the development plan for Charnwood in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended) and includes the following policies:

Q1 – Parking – new development should ensure there is satisfactory provision for parking as required by the adopted Charnwood Borough Council parking standards.

Q6 – Countryside and Landscape – we will support and protect the character of our landscape and countryside by applying the requirements of Policy CS11 or equivalent landscape or countryside policy. New development is expected to maintain the separate identifies of towns and villages and the Area of Local Separation between Queniborough and Syston and East Goscote shall be as shown on the plan accompanying the Neighbourhood Plan unless the land is allocated for development in a development plan document.

Q8 – Ecology and Biodiversity – Development should protect and enhance the network of local ecological features and habitats set out on the Policies Map. New development will be expected to maintain and enhance existing ecological corridors and landscape features for biodiversity. If significant harm to biodiversity resulting from development cannot be avoided or compensated for, planning permission should be refused.

5.0 Material considerations

5.1 National Planning Policy Framework (NPPF)

The NPPF is a material consideration in planning decisions. The NPPF contains a presumption in favour of sustainable development.

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are 3 dimensions to this;

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

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.

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

Paragraph 11 sets out the presumption in favour of sustainable development and makes it clear that where there is an under-supply of housing land, the most important policies for the determination of housing proposals would be considered out of date.

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

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

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

Paragraph 55 sets out that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 56 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Paragraph 60 states that to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 62 sets out that the size, type and tenure of housing need for difference groups in the community should be assessed and reflected in planning policies .

Paragraph 69 explains that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built out quickly. The paragraph then goes on to explain how such sites might be promoted.

Paragraph 71 sets out that where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Plans should also consider the case for setting out policies to resist inappropriate development of residential gardens, for example, where development would cause harm to the local area.

Paragraph 74 sets out that local planning authorities are expected to maintain a 5 year housing land supply and should identify and annually update their supply of specific deliverable sites as measured against the overall housing requirement for the plan period. This should include a buffer and in Charnwood this is an additional 5% in order to ensure choice and competition in the market for land.

Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 119 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Chapter 12 (Paras 126-136) of the NPPF concerns itself with achieving well-designed places and sets out that good design is a key aspect of sustainable development. The use of visual tools and design codes is encouraged as is the development of design policies alongside local communities and neighbourhood plans.

Paragraph 131 In particular states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

Paragraph 134 states that development that is not well designed should be refused especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Paragraph 135 also affirms that local planning authorities should seek to ensure that the quality of approved development is not materially diminished between the permission and completion, as a result of changes being made to the permitted scheme.

Paragraph 174 states that the planning system should contribute to and enhance the natural and local environment and sets out how this might be achieved.

Paragraph 185 requires that decisions on planning applications should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions.

5.2 National Planning Practice Guidance

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

ID 26 - Paragraphs 001-003 states that good design matters and what this can achieve through good plan making. Paragraph 004 notes that weight can be given to outstanding or innovative design and developments of poor quality design should be refused. Paragraph 007 states that planning should promote local character. New development should be integrated within existing surroundings.

5.3 The Equality Act 2010

This Act requires local planning authorities, when making strategic decisions about the exercise of their functions to have regard to the desirability of reducing socio-economic inequalities in society. It consolidates 7 Acts including the Disability Discrimination Act. Whilst the accessible design of buildings is regulated by Part M of the Building Regulations, the Equality Act does require 'reasonable adjustments' to be made when providing access to goods, facilities, services and premises and this also applies to the design of proposed development. In terms of planning decisions, there is a need to have 'due regard' to the impact of planning application decisions and policies on anyone with a Protected Characteristic who may be affected by the decision.

5.4 The Crime and Disorder Act 1998

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

5.5 National Design Guide (2019)

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

As well as helping to inform development proposals and their assessment by local planning authorities, it supports paragraph 130 of the National Planning Policy Framework which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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

These standards deal with internal spaces within new dwellings and sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling heights. The standard sets out the minimum space requirements dependent on different combinations of single and double/twin bedrooms. These standards are not yet embodied within any Charnwood development plan policies.

5.7 Leicestershire Housing and Economic Needs Assessment (HENA) – 2022 HENA

Provides an up to date evidence base of local housing needs including an objectively assessed housing need figure 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.

5.8 Planning Guidance for Biodiversity

This document was adopted by the Council's Cabinet in June 2022 and it sets out guidance for applicants on how to avoid biodiversity loss or how to mitigate it on site, and where this is not possible, the document sets out how compensation can be achieved for mitigation off-site through the securing of developer contributions. The document is a material consideration in the determination of planning applications

5.9 Landscape Character Assessment (2012)

The Borough of Charnwood Landscape Character Assessment 2012 explains that the Charnwood Forest Area of Landscape Character is the most complex of the landscape character areas in the Borough such that five sub-areas were identified within the Borough. Its purpose is to provide a framework for the assessment of planning applications and supports Policy CS11. The site falls within the Wreake Valley Landscape Character Area which is described as having a rural quality which retains its remote countryside appearance and agricultural character. The A46 and A607 are mostly elevated on embankments. The area has low woodland cover. Small fox and game coverts are dotted across the landscape and there are trees along most watercourses.

5.10 Housing Supplementary Planning Document (SPD) (May 2017)

This document sets out the Council's goals for the delivery of a mix of housing and how it will deal with applications for new development and changes of use to Houses in Multiple Occupation. The document seeks to provide clarity for those who live in the Borough and for the developers who deliver the new homes. It includes guidance on affordable housing mix, houses in multiple occupation and purpose built and campus student accommodation. The SPD will be a material consideration in the determination of planning applications in the Borough. It should be noted that the SPD cannot and does not propose new policy; rather it explains how Policies CS3, CS4, H/12 and CS23 will be used.

5.11 Supplementary Planning Document (SPD) - Charnwood Design (January 2020)

This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life. The document is a material consideration in the determination of planning applications.

5.12 Draft Charnwood Local Plan 2021-2037

This document sets out the Council's strategic and detailed policies for the Borough over the period 2019-37. The local plan was submitted for examination in December 2021 with hearings concluding in February 2023. It is anticipated that the Inspectors will issue a letter setting out the requirement for main modifications to be made to make the plan sound. These modifications will be published for six weeks of public consultation so that the responses can assist the Inspectors in preparing their final report. The precise timings of these events are dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in Autumn 2023.

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 policies are considered applicable to this application, and the weight they can be assigned is addressed here.

DS1 – Development Strategy – This sets out the overall spatial strategy for Charnwood between 2021 and 2037 and takes a hierarchical approach focussed on urban concentration and intensification in the most sustainable settlements with some limited dispersal to other areas of the Borough. The most environmentally sensitive areas will be protected and the pattern of development will provide a balance between homes, jobs and facilities. The plan is at an advanced stage but as there are unresolved objections, this policy is therefore considered only to carry limited weight.

DS5 – High Quality Design – This policy requires all new developments to make a positive contribution to Charnwood, by responding positively to the local distinctiveness of the area and providing attractive and functional places where people will want to live, work and visit. The policy sets out how this might be achieved and includes a requirement for development to protect the amenity of people who live or work nearby and those that will live in the new development. The plan is at an advanced stage and this policy can therefore be given moderate weight.

C1 – Countryside – This policy sets out how development in the countryside will be managed to ensure that its largely undeveloped character and intrinsic beauty and character are protected. It supports some rural economic development and the re-use and adaptation of rural buildings and supports new rural housing in exceptional circumstances as set out in the policy. The plan is at an advanced stage and discussions on the Countryside took place in Examination Hearing sessions in June 2022 and it is considered that there are no unresolved objections. The policy is considered to be consistent with NPPF Paras 11, 16, 20, 23, 80, 84 and 174 and can therefore carry moderate weight.

H1 – Housing Mix – this sets out that we will seek a mix of house types, tenures and sizes that meet the overall needs of the Borough in line with the most up to date evidence. The policy therefore carries limited weight.

H3 – Internal Space Standards – this policy states that the local planning authority will seek compliance with the nationally described space standards or replacement standards produced by the Government, for all new homes (including those resulting from the change of use of existing buildings). – this policy therefore carries only moderate weight

T3 – Car Parking Standards – This seeks to ensure that there is adequate provision for all users of residential and non-residential parking in the Borough and requires development proposals to accord with the latest guidance of the Leicestershire County Council and Charnwood Borough Council. Any variation from the guidance should be supported by robust evidence and be thoroughly justified. The plan is at an advanced stage and at present, the policy carries limited weight.

CC4 – Sustainable Construction – This states that we will adapt to and mitigate against the effects of climate change, by requiring all new developments and refurbishments to take account of sustainable development principles. The policy then sets out a number of criteria as to how this would be achieved. The plan is at an advanced stage and representations on the issue were heard at Examination Hearing sessions in June 2022 with modifications to the policy being agreed. The policy is consistent with Paragraph 157 of the NPPF and carries moderate weight.

EV1 – Landscape - requires new development to protect landscape character and to reinforce sense of place and local distinctiveness. The policy also requires new development to maintain the separate identifies of our towns and villages. The plan is at an advanced stage and modifications to the policy were agreed at Examination hearing sessions held in June 2022. The policy is therefore considered to carry moderate weight.

EV3 – Areas of Local Separation – this policy seeks to protect the predominantly open and undeveloped character of Areas of Local Separation. Development will only be supported in such areas if it preserves settlement identify and clearly maintains the physical and perceptual separation between the built up areas of settlements.

EV6 – Conserving and Enhancing Biodiversity and Geodiversity – This sets out how we will conserve, restore and enhance our natural environment for its own value and the contribution it makes to our communities and economy to ensure it is resilient to current and future pressures. It is considered that the policy is consistent with NPPF Paras 174 and 179. The policy therefore carries moderate weight.

EV7 – Tree Planting – EV7 – Tree Planting – this policy seeks to protect and enhance our natural environment by increasing the number of trees in Charnwood. We will support development that:-

- Retains existing trees where appropriate
- Provides new tree planting on site, including replacing any removed non-woodland trees with at least 3 new trees; and
- Applies the latest National Forest Planting Guidelines for development proposals within the area of the National Forest and Charnwood Forest Regional Park.

6.0 Relevant Planning History

Reference	Description	Decision & Date
P/01/0439/2	Conversion and extension of outhouse to form self-contained annexe	Granted conditionally 29/06/2001
P/15/1047/2	Erection of 2 dwellings	Refused 04/08/2015 Appeal dismissed
P/20/1479/2	Demolition of existing dwelling and erection of 4 dwellings	Refused 22/10/2020
P/20/2197/2	Permission in principle for up to 4 dwellings.	Granted unconditionally 29/01/2021
P/22/0329/2	Submission of technical details in relation to Planning Permission in Principle ref P/20/2197/2 - erection of 1 dwelling, formation of new or altered vehicular accesses and associated works.	Granted conditionally 16/05/2022

7.0 Responses of Statutory Consultees

7.1 Queniborough Parish Council has no objection to the proposal.

7.2 The Local Highway Authority refers the Local Planning Authority to its standing advice dated September 2001 in terms of the proposed access width and surfacing, the position of the proposed gates, visibility splays and quantum of car parking within the scheme.

8.0 Other Comments Received

8.1 None received.

9.0 Consideration of the Planning Issues

9.1 The key issues in considering this application are:

- The Principle of the Development & Impact to Countryside
- Housing Mix
- Amenity and street scene
- Highways Considerations
- Impact on Trees
- Biodiversity
- The planning balance

The Principle of the Development & Impact to Countryside

- 9.2 The starting point for decision making on all 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, and those 'saved' policies of the Borough of Charnwood Local Plan which have not been superseded by the Core Strategy.
- 9.3 The Core Strategy and Borough of Charnwood Local Plan 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. With the exception of 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.
- 9.4 As the Core strategy is now five years old, the Planning Authority cannot currently demonstrate a 5-year supply of housing land (4.27 years) and therefore, 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, when assessed against the policies of the Framework taken as a whole, for planning permission to be refused.
- 9.5 Part i) of NPPF 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 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 and the 'tilted balance' applies.

- 9.6 The application site is located outside but opposite to, the Development Limits to the settlement of Queniborough, as established under “saved” Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026. For land outside these Development Limits policies CT/1 and CT/2 apply which seek to control development outside of a relatively narrow set of criteria. Policy CS1 of the Core Strategy outlines a development strategy for the Borough, including a settlement hierarchy. Policy DS1 of the Draft Charnwood Local Plan (2021-2037) adopts a similar approach. Queniborough Neighbourhood Plan also includes Policy Q6 which seeks to support and protect the character of our landscape and countryside by applying the requirements of Policy CS11 or equivalent landscape or countryside policy. New development is expected to maintain the separate identifies of towns and villages and the Area of Local Separation between Queniborough and Syston and East Goscote shall be as shown on the plan accompanying the Neighbourhood Plan unless the land is allocated for development in a development plan document. The Neighbourhood Plan became 2 years old on June 10th 2023 and its policies therefore carry reduced weight in accordance with Paragraph 14(a) of the National Planning Policy Framework.
- 9.7 Within the settlement hierarchy, Queniborough 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 generally limited public transport access to higher order settlements and employment and because it is therefore not able to meet the day to day needs of its population.
- 9.8 There is clearly conflict with these policies as although the proposal is small scale, it is outside the defined limits to the village. However the existence of an extant permission for the erection of one dwelling on this land (as granted under P/22/0329/2) has significant weight in the consideration of this application as this establishes the principle of development as being acceptable.
- 9.9 Policy CS11 of the Charnwood Local Plan (2011-2028) Core Strategy and saved Policy CT/4 of the Borough of Charnwood Local Plan are designed to ensure that landscape is protected and that settlements do not merge. Policy EV1 of the Draft Charnwood Local Plan (2021-2037) seeks to achieve similar. Policy CS11 sets out how the local planning authority will support and protect the character of the landscape and countryside and this includes requiring new developments to protect landscape character and take account of Landscape Character Assessments, requiring new development to maintain the separate identities of towns and villages and to mitigate the impacts on tranquillity. The Borough of Charnwood Landscape Character Assessment 2012 sets out a framework for the assessment of planning applications and supports Policy CS11. The application site falls within the Wreake Valley Landscape Character Area which is described as having a rural quality which retains its remote countryside appearance and agricultural character. The A46 and A607 are mostly elevated on embankments. The area has low woodland cover. Small fox and game coverts are dotted across the landscape and there are trees along most watercourses. The application site, because of its current landscaping and trees is not widely appreciated in the landscape and it would be possible for the development of the site to ensure that harm to its landscape setting and the character of the Wreake Valley countryside are not harmed.

- 9.10 Saved Policy CT/4 of the Borough of Charnwood Local Plan states that in areas of Local Separation, development acceptable in principle will only be permitted where the location, scale and design of development would ensure that the predominantly open and undeveloped character of the area is retained and that the already narrow gap between settlements is not reduced. Policy EV3 of the Draft Charnwood Local Plan (2021-2037) also seeks to protect the predominantly open and undeveloped character of Areas of Local Separation but supports development that preserves settlement identity and clearly maintains the physical and perceptual separation between the built-up areas of settlements.
- 9.11 The land immediately east of the application site is already occupied by one dwelling (Staverton House) and the proposal does not expand residential development outside the former curtilage of that dwelling. The proposal also includes new landscaping to the more exposed western boundary and retains existing features of importance to soften its appearance at this rural edge and in these ways, it is considered the proposal would preserve the undeveloped character and appearance of the wider landscape.
- 9.12 There is no conflict with these three policies meaning that the only area where the principle of the development conflicts with the development plan is with policies CS1 of the adopted Core Strategy, and saved Policies CT/1, CT/2 and ST/2 of the Borough of Charnwood Local Plan.
- 9.13 In addition, Policy Q6 of the Neighbourhood Plan seeks to support and protect the character of the landscape and countryside by applying the requirements of Policy CS11 or equivalent landscape or countryside policy. New development is expected to maintain the separate identifies of towns and villages and the Area of Local Separation between Queniborough and Syston and East Goscote shall be as shown on the plan accompanying the Neighbourhood Plan unless the land is allocated for development in a development plan document. The site is the development within a former residential curtilage of Staverton House and the proposal will not therefore reduce the separation between settlements or introduce significant built development within the open countryside.

Housing Mix

- 9.14 Policy CS3 of the Core Strategy outlines a requirement to secure an appropriate housing mix having regard to the identified housing needs and the character of the area. The Leicestershire Housing and Economic Needs Assessment (HENA) 2022 is a material consideration. HENA outlines a recommended housing mix for the Borough in respect of both market and affordable housing. This includes the following market housing mix:

Market housing	
1 bed	5%
2 bed	30%
3 bed	45%
4+ bed	20%

- 9.15 The proposed dwelling would include 4 or more bedrooms, and this does not positively contribute to the mix that reflects the evidence of most need found in the HENA. The supporting text to Policy CS3 (at Paragraph 5.7) recognises the need for medium and larger family homes although it is expected that these would be fewer number than in the past. The proposal provides a single larger home at a time when the Council cannot demonstrate a 5 year housing land supply and this is considered to weigh in favour of the development.

Amenity and street scene

- 9.16 The proposal is distant from other dwellings, with the exception of Staverton House which is also subject to its separate development plans for extensions as approved under application reference P/22/0341/2. It is considered that the design of the new dwelling and the position of its windows and inclusion of only 2 small first floor windows in its eastern elevation (serving a bathroom and en-suite facilities) would ensure that the privacy and outlook of the occupiers of Staverton House were maintained. In addition, the positioning of the proposed dwelling, alongside and to the west of the gable end of Staverton House would ensure that no significant loss of light or outlook would be experienced by the occupiers of the existing dwelling. The proposed new dwelling would also include sufficient internal and external space to ensure acceptable levels of amenity for potential occupiers were provided in accordance with DCLG standards.
- 9.17 In terms of the visual impact to the street scene, the new dwelling is set back significantly into the site, with one of the large trees to the site frontage shown to be removed with all others retained which would assist in shielding views, with only filtered public views being available through these and at the point of the vehicular access. The proposal includes 1.8m high boundary treatments and a frontage garage which will also assist in screening views from the street. This form of boundary treatment is similar to that granted next door at No. 1576 Melton Road (to the south west of the private drive serving Three Ways Farm) and which was granted under P/19/2328/2. This form of boundary treatment would not therefore be out of character with the street scene and it is considered that the proposed dwelling would not therefore be visually prominent in the street scene and would accord with Policies CS2, EV/1 and the adopted SPD on Design in addition to Policy DS5 of the Draft Charnwood Local Plan (2021-2037)

Highways Considerations

- 9.18 Paragraph 111 of the NPPF states that; new development should only be resisted on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe. Policy T3 of the Draft Charnwood Local Plan (2021-2037) seeks to ensure that there is an adequate provision for all users of residential parking in accordance with the latest published guidance of the Leicestershire County Council and Charnwood Borough Council. The proposed dwelling would have six bedrooms and a minimum of three off-street parking spaces and this quantum of parking would accord with the requirements of saved Policy TR/18 of the Borough of Charnwood Local Plan and Policy T3 of the Draft Charnwood Local Plan (2021-2037).

- 9.19 The Local Highway Authority (LHA) notes the history of the site and that planning permission in principle was granted for the erection of up to four dwellings on the site. It also notes that this application relates only to one new dwelling. Melton Road is a classified C road, subject to a 40 mph limit and the access should comprise a minimum of 7 dropped kerbs. (6.4m). The Local Highway Authority refers to standing advice relating to access geometry and the quantum of parking. The proposal utilises an existing vehicular access which is to be 4.8m wide and hard-surfaced with semi-permeable tarmac. The imposition of appropriately worded planning conditions can ensure the access drive and turning areas are provided prior to occupation and appropriately surfaced and maintained as such in perpetuity. The access is also acceptable in terms of achieving suitable visibility splays although it is noted that there is an existing access already in use in the position of the proposed widened drive.
- 9.20 In these ways, it is considered that the proposal would not have a severe highway impact as recommended in Paragraph 111 of the NPPF and would accord with the provisions of the Leicestershire Highways Design Guide where appropriate. In summary, it is considered that the development would achieve a safe and appropriate access and would not harm highway safety in accordance with saved Policy TR/18 of the Charnwood Local Plan and Paragraph 111 of the National Planning Policy Framework and Policy T3 of the Draft Charnwood Local Plan (2021-2037).

Impact on Trees

- 9.21 Policy CS2 of the Charnwood Local Plan (2011-2028) Core Strategy requires new development to make a positive contribution to Charnwood, resulting in places where people would wish to live through high quality, inclusive design. New developments are required to (inter alia) respect and enhance the character of the area, having regard to scale, density, massing, height, landscape, layout, materials and access arrangements.
- 9.22 Policy EV7 of the Draft Charnwood Local Plan (2021-2037) seeks to protect and enhance our natural environment by increasing the number of trees in Charnwood and supports development that retains existing trees, where appropriate.
- 9.23 The Council's Landscape Officer previously considered that the erection of a dwelling on this site would lead to significant adverse effects leading to landscape/visual/arboricultural harm which would not be capable of mitigation. This was primarily because of the impact of the then two vehicular access drives with entrance feature walls and associated highway requirement visibility splays through the trees which front onto Melton Road. However, it has to be acknowledged that these accesses were existing although overgrown because of the long-term non-occupation of the existing house. The proposal now includes the removal of one of the frontage trees to facilitate the improvements to the vehicular access.

- 9.24 It also must be acknowledged that there have been several applications to redevelop this site for housing, but the important trees fronting the site are not statutorily protected via tree preservation orders. However, their visual importance is recognised and the scheme includes their retention. However, it will be important to ensure that driveway surfacing and wall construction does not significantly harm the root protection areas of the trees to be retained and it is therefore appropriate to impose a pre-commencement planning condition requiring an Arboricultural Method Statement to be submitted. This would include details of the proposed boundary wall foundations and weight distribution and no-dig methods within root protection areas. It is considered that the imposition of such a condition would ensure that the proposal accorded with Policy CS2 of the Charnwood Local Plan (2011-2028) Core, Strategy, saved Policy EV/1 of the Borough of Charnwood Local Plan and Policy EV7 of the Draft Charnwood Local Plan.

Biodiversity

- 9.25 The NPPF, Policy CS13 of the adopted Core Strategy and the publication of the Council's "Biodiversity Planning Guidance" call for developments to result in no net losses of biodiversity and preferably achieve biodiversity net gain. Policy EV6 of the Draft Charnwood Local Plan sets out how we will conserve, restore and enhance our natural environment for its own value and the contribution it makes to our communities and economy.
- 9.26 The previous application (under reference P/22/0329/2) was accompanied by an ecological survey which concluded that there were no significant habitats on the site (which was residential garden).
- 9.27 In this case, the application is not accompanied by any assessment of the existing condition of the land, nor any assessment of the site post development and the necessary calculations have not therefore been completed. The current application details the important trees to the site frontage and makes provision for new hedgerow planting. It is also material to consider that a large proportion of the site could have been hard-surfaced or stripped of vegetation as residential curtilage to Staverton House. It is also significant that there is an extant planning permission for the erection of one dwelling on this site and this permission did not call for any biodiversity off-setting. It is the officer's view that it would be somewhat unreasonable to request the applicant to provide a full biodiversity impact assessment to support the current proposal, given that some development is already authorised for this site. Having considered the existence of the extant permission for the erection of a dwelling on the site, it is reasonably assumed that the proposal, including the provision of the new hedge and retention of the majority of existing large trees would not result in bio-diversity losses warranting additional compensation. It is therefore considered that the proposal would accord with Policy CS13 of the Core Strategy and Policy EV6 of the Draft Charnwood Local Plan (2021-2037).

The Planning Balance

- 9.28 Decisions on applications need to be made in accordance with the adopted development plan policies unless material considerations indicate otherwise.

- 9.29 As the Core strategy is now five years old and the Local Planning Authority cannot currently demonstrate a 5-year supply of housing land (4.27 years), 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 11dii), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits for planning permission to be refused. However, the site already benefits from an extant permission for the erection of one dwelling and this has significant weight in the planning balance.
- 9.30 The scale and appearance of the proposed dwelling and its gated access, garage and boundary walls are considered acceptable in design and landscape impact terms and would comply with Policies CS2 and CS16 of the Charnwood Local Plan (2011-2028) Core Strategy, Policy EV/1 of the Borough of Charnwood Local Plan, Policy DS5 of the Draft Charnwood Local Plan and the Design SPD. As all developments should be of an acceptable design this is considered to be given neutral weight in the planning balance.
- 9.31 The proposal would be served by a safe and suitable vehicular access and be provided with an adequate quantum of off-street parking. As all developments are required to secure such, this is considered neutral in the planning balance.
- 9.32 With regards to neighbouring amenity, the development complies with the provisions of policy CS2 of the Charnwood Local Plan (2011-2028) Core Strategy and save Policy EV/1 of the Borough of Charnwood Local Plan and with the advice given in the Design SPD with regards to loss of light, privacy, outlook and noise. The proposal would also accord with Policy DS5 of the Draft Charnwood Local Plan (2021-2037) in terms of amenity impact. However, as all proposals for new development are expected to protect such amenity interests, this is neutral in the planning balance.
- 9.33 The majority of the existing trees to the site frontage are shown to be retained on the submitted plans, and a new hedgerow is proposed to the western site boundary which can be secured by planning condition. Although no new biodiversity assessment impact assessment has been provided by the applicant, and the proposal does not explicitly demonstrate there would be no net losses to biodiversity, it is considered such an assessment is unnecessary in this instance because of the unique planning history of the site. It is therefore concluded that the proposal would be acceptable in terms of biodiversity impact and that the proposal would generally accord with the requirements of the NPPF and policy CS13 of the adopted Core Strategy and policy EV6 of the Draft Charnwood Local Plan (2021-2037). Because all developments are required to demonstrate no net losses of biodiversity and actively pursue net gains, this is considered to be neutral in the planning balance.
- 9.34 The proposal would also be likely to generate some economic activity during construction and upon occupation but all developments of this nature are likely to result in such effects. In addition, the modest additional population to the village upon occupation of the dwelling would be unlikely to generate a need for additional facilities or support any existing rural community groups and these factors are considered to be neutral in the planning balance.

- 9.35 The proposal would make a very small contribution to the overall housing shortfall with the addition of a single dwelling but would not be a dwelling size which is most needed and therefore this is considered to be a small scale positive of the scheme to which very limited weight is assigned.
- 9.36 However, the proposal is outside the limits to development for Queniborough (which has seen significant growth on rural land in recent years). The development is therefore contrary to development plan policies. However, it is noted that the land to the north associated with Three Ways Farm is a site allocated for housing in the emerging Borough of Charnwood Local Plan (Policy DS3/HA64) for around 100 houses. If this development is built out, the application site would appear as part of a larger residential development.
- 9.37 However, at the present time the proposal conflicts with the development plan adopted spatial strategy as set out in CS1 of the Charnwood Local Plan, Policy ST2 of the Borough of Charnwood Local Plan and emerging Policy DS1 of the Draft Charnwood Local Plan (2021-2037). The proposal would also conflict with advice contained in the National Planning Policy Framework which promotes sustainable travel by locating new development close to urban centres well served by public transport. In addition, the proposal would represent unwarranted development in the countryside, contrary to Policy CS11 of the adopted Core Strategy, saved Policy CT/1 of the Borough of Charnwood Local Plan and emerging Policy C1 of the Draft Charnwood Local Plan. These are the harms of the scheme.
- 9.38 Applying the presumption in favour of sustainable development through application of the tilted balance in paragraph 11dii), it is considered that the identified adverse impacts (the conflict with the spatial strategy regarding development in the countryside and in particular the unsustainable location) would not significantly and demonstrably outweigh the benefits of the development (addition of a single dwelling to Charnwood's supply of housing) when assessed against the NPPF taken as a whole.

10.0 Conclusion

The proposal is acceptable in planning terms for the reasons set out above.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1.	<p>The development, hereby permitted, shall be begun not later than 3 years from the date of this permission.</p> <p>REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
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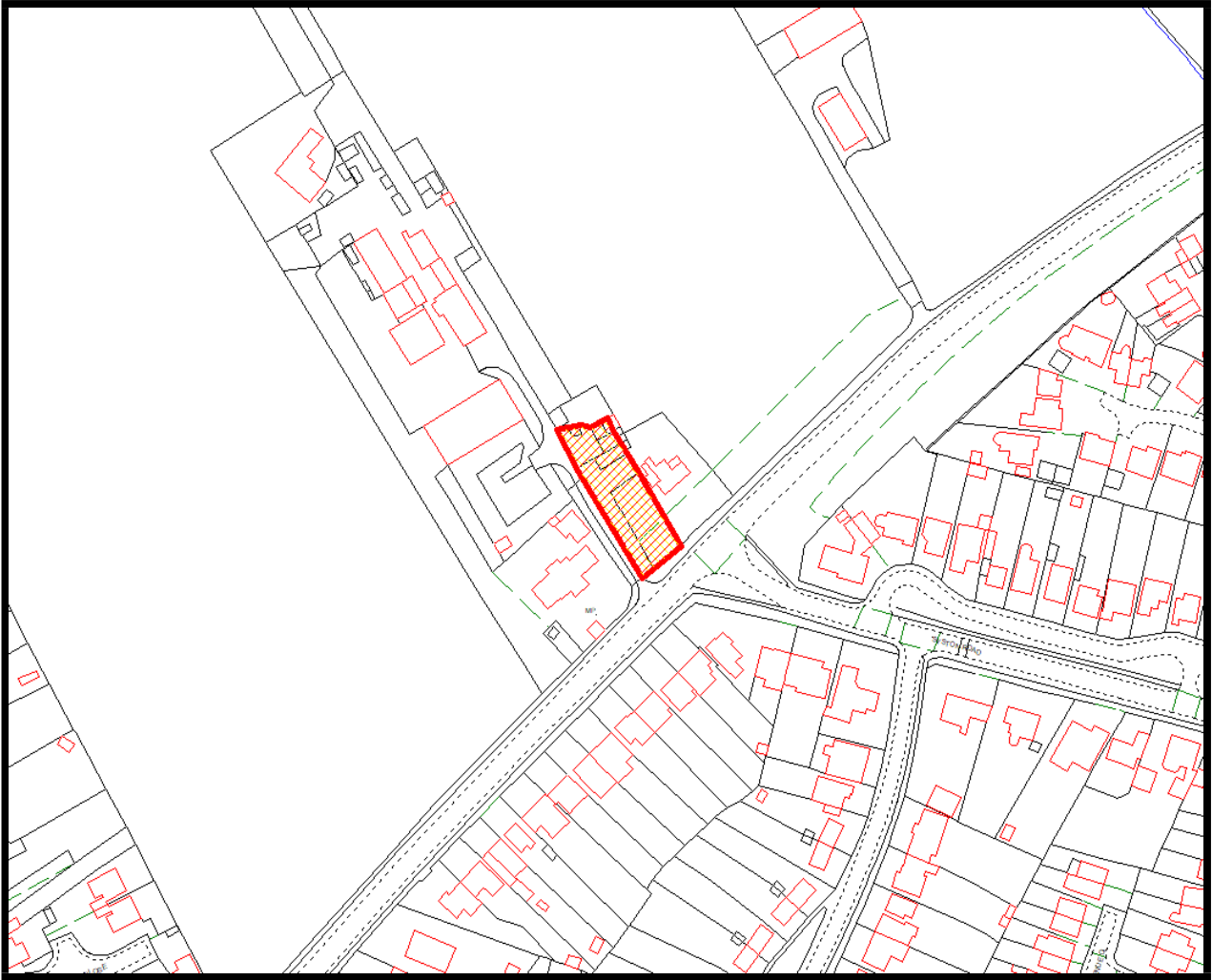
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans: 2022/9252/01 - Proposed elevations, ground and first floor plans 2022/9252/02A - Second floor plan, section plan, garage elevations and floor plan and site location plan 2022/9252/03 - Proposed 1:200 scale block plan 2022/9252/03b - Overall 1:200 scale site layout plan - received 15th May 2023 with proposed materials annotated.</p> <p>REASON: To define the terms of the planning permission.</p>
3.	<p>Only those materials specified in the application shall be used in carrying out the development hereby permitted.</p> <p>REASON: To ensure the satisfactory appearance of the completed development in accordance with Policy CS2 of the Charnwood Local Plan (2011-2028) Core Strategy, saved Policy EV/1 of the Borough of Charnwood Local Plan and Policy DS5 of the Draft Charnwood Local Plan.</p>
4.	<p>No development shall commence until such time as an Arboricultural Method Statement illustrating how harm to the significant trees fronting Melton Road is to be avoided has been submitted to and approved in writing by the Local Planning Authority. This should include no dig solutions within root protection areas and include weight loading distribution mechanisms to prevent compaction and loss of root feeding and aeration capacity and foundation design for the proposed boundary walls. The development shall thereafter be carried out in accordance with the approved details.</p> <p>REASON: In order that significant natural features are not harmed as a result of the proposed works and in order to accord with Policy CS2 of the Charnwood Local Plan (2011-2028) Core Strategy, saved Policy EV/1 of the Borough of Charnwood Local Plan and Policy EV7 of the Draft Charnwood Local Plan</p>
5.	<p>Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking and re-enacting that Order, with or without modifications), and notwithstanding the submitted details, no vehicular access gates shall be erected at any time unless they are set back a minimum distance of 5 metres behind the highway boundary and hung so as to open inwards only.</p> <p>REASON: To allow a vehicle to wait off the highway while the gates are opened or closed and thus prevent an obstruction to other vehicles using the highway, and to accord with Policy TR/18 Borough of Charnwood Local Plan 2004.</p>
6.	<p>No occupation of the new dwelling shall take place until such time as the access drive and parking and turning facilities as shown on Plan No. 2022/9252/03B received on 15th May 2023 have been completed in accordance with the submitted details. Thereafter, the parking, access and turning facilities shall not be obstructed in any way that would prevent such use and shall be retained and maintained in perpetuity.</p>

	<p>REASON: To ensure vehicles can enter and leave the site in a forward direction and to provide off-street parking, in the interests of road safety and to accord with Policy TR/18 Borough of Charnwood Local Plan 2004.</p>
7.	<p>Notwithstanding the submitted details, within two months of the commencement of development, a landscaping scheme, to include those details specified below, shall be submitted in writing to the local planning authority for approval:</p> <ul style="list-style-type: none"> i) planting schedule for the new hedge to the western site boundary, noting the species, sizes, numbers and densities of plants; ii) functional services above and below ground; and iii) all existing trees, hedges and other landscape features, indicating clearly those to be removed. <p>REASON: To make sure that a satisfactory landscaping scheme for the development is agreed.</p>
8.	<p>The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting and seeding seasons following the first occupation of any part of the development or in accordance with a programme previously agreed in writing by the local planning authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.</p> <p>REASON: To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.</p>
9.	<p>No part of the development, hereby permitted, shall be occupied or used until visibility splays of 2.4 metres by 65.0 metres have been provided on the highway boundary on both sides of the access and the areas have been laid out and surfaced in a manner previously agreed in writing by the local planning authority.</p> <p>REASON: To make sure that drivers leaving the access have adequate visibility of vehicles already on the highway.</p>
10.	<p>Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking and re-enacting that Order, with or without modifications), no fence, wall, structure or hedge or other planting shall be erected, placed or planted within the splay areas referred to in the previous condition.</p> <p>REASON: To make sure that drivers leaving the access have adequate visibility of vehicles already on the highway.</p>

11.	<p>No development, including site works, shall start on the site until details of existing and proposed levels, including ground levels, finished floor levels of all dwellings and a number of sections across the site (these sections to extend to land and buildings adjoining the application site), have been submitted to and agreed in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>REASON: To make sure that the development is carried out in a way which is in character with its surroundings.</p>
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The Following Advice notes will be attached to the decision:

1.	<p>DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS11, CS13, CS16, CS17 and CS25 of the Charnwood Local Plan (2011-2028) Core Strategy, saved Policies ST/2, EV/1, CT/1, CT2, CT/4 and TR/18 of the Borough of Charnwood Local Plan, Policies Q1, Q6, and Q8 of the Queniborough Neighbourhood Plan and Policies DS1, DS5, C1, H1, H3, T3, CC4, EV1, EV3, EV6 and EV7 of the Draft Charnwood Local Plan (2021-2037) have been taken into account in the determination of this application.</p>
2.	<p>Planning permission has been granted for this development because the Council has determined that, although it does not fully accord with the terms of the above-mentioned policies and the Council's adopted Supplementary Planning Document 'Design' (adopted 2020)., the degree of harm that might be caused to one or more of the issues arising under the policy, is insufficient to warrant the refusal of planning permission.</p>
3.	<p>The Local Planning Authority acted pro-actively through positive engagement with the applicant during the determination process. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.</p>
4.	<p>All works within the limits of the highway with regard to access shall be carried out to the satisfaction of the County Council's Highway Manager on 0116 305 0001.</p>



Plans Committee Date:	22 June 2023
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Item No:

Application Reference Number: P/22/1503/2

Application Type:	Full	Date Valid:	16/9/2022
Applicant:	Mr Pole		
Proposal:	Change of use form unclassified land to C3 Residential & construction of new Outbuilding.		
Location:	The Manor House 85 Main Street Queniborough Leicestershire LE7 3DB		
Parish:	Queniborough	Ward:	Wreake Valley
Case Officer:	Jim Worley	Tel No:	07734 334548

1. Background

- 1.1 The application has been called in at the request of the former Ward Councillor Grimley citing the following consideration:
- residential development outside of the limits of development.

2. Description of the application site

- 2.1 The site comprises pasture land to the south east of The Manor House, 85 Main St, Queniborough. The Manor House fronts Main Street and the land concerned is set behind by a considerable distance and separated from the location of the proposals by existing development Manor Farm Mews and land and building associated with Springfield Farm. It is connected to The Manor House by a narrow private driveway running behind the east side of Manor Farm Mews to the west and Springfield Farm to the east. There is currently a vehicular access to the paddock through a gated access at the south end of Manor House Mews.
- 2.2 The site is currently paddock land, approximately rectangular in shape, enclosed by fencing and immature hedgerows and extends approximately 100m. to the south. It is undeveloped by buildings but has a surfaced area towards its north end and a surfaced track leading to the Manor Farm Mews access.

3. Description of the proposal

- 3.1 The application seeks full planning permission to change the use of the land to residential garden and to erect an outbuilding. The outbuilding would be situated at the north end of the paddock, close to the Manor House Mews houses and Springfield Farm. The outbuilding would be sizeable, approximately 25m. long and 6m. wide arranged in a loose arc shape and facing south down the paddock. It would be single storey and constructed entirely in timber with a grey tile roof and contains decorative features such as an arched canopy and weathervane feature centrally located within the roof. The building would be used for domestic purposes and its internal floorspace is labelled as workshop/craft room, garden room and garage and boat store. No physical changes are proposed to the land intended for domestic purposes extending south from the proposed outbuilding.

4 Development Plan Policies

- 4.1 The Development Plan comprises the Charnwood Local Plan Core Strategy (adopted 9 November 2015), the Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies) and the Minerals and Waste Local Plan (2019).

- 4.2 The policies applicable to this application are as follows:

4.3 [Charnwood Local Plan Core Strategy](#)

- Policy CS1 - Development Strategy
- Policy CS2 - High Quality Design
- Policy CS11 - Landscape and Countryside
- Policy CS13 - Biodiversity and Geodiversity
- Policy CS14 - Heritage
- Policy CS16 - Sustainable Construction and Energy

4.4 [Borough of Charnwood Local Plan \(adopted 12 January 2004\) \(saved policies\)](#)

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

- Policy ST/2 - Limits to Development
- Policy CT/1 - General Principles for areas of countryside
- Policy CT/2 - Development in the Countryside
- Policy EV/1 - Design

4.5 [The Queniborough Neighbourhood Plan](#)

The Neighbourhood Plan was made in 2021 and forms part of the Development Plan. Applicable policies are considered to comprise:

- Policy Q6: Countryside and Landscape
- Policy Q14: Design

4.6 Minerals and Waste Local Plan (2019)

This document includes the County Council's spatial vision, spatial strategy, strategic objectives, and core policies which set out the key principles to guide the future winning and working of minerals and the form of waste management development in the County of Leicestershire over the period to the end of 2031.

Policy M11 seeks to safeguard mineral resources including sand, gravel, limestone, igneous rock, surface coal, fireclay, brick clay and gypsum. The policy sets out that planning permission will be granted for development that is incompatible with safeguarding minerals within a Mineral Safeguarding Area provided certain criteria are met.

Planning applications for non-mineral development within a Mineral Safeguarding Area should be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to it.

5. Other material considerations

5.1 [The National Planning Policy Framework \(NPPF 2021\)](#)

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

- Section 2; Achieving sustainable development
- Section 4: Decision making
- Section 12: Achieving well-designed places.
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment
- Section 17: Facilitating the sustainable use of minerals

5.2 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.

5.3 National Design Guide

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

5.4 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.

5.5 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.

5.6 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.

5.7 [The Draft Charnwood Local Plan 2019-37](#)

This document sets out the Council's strategic and detailed policies for the Borough over the period 2019-37. The local plan was submitted for examination in December 2021 with hearings concluding in February 2023. It is anticipated that the Inspectors will issue a letter setting out the requirement for main modifications to be made to make the plan sound. These modifications will be published for six weeks of public consultation so that the responses can assist the Inspectors in preparing their final report. The precise timings of these events are dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in Autumn 2023.

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 policies are considered applicable to this application, and the weight they can be assigned is addressed in the 'Planning Considerations' part of this report.

- Policy DS1: Development Strategy
- Policy DS5: High Quality Design
- Policy C1: Countryside
- Policy EV1: Landscape
- Policy EV6: Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV8: Heritage

5.8 Planning Guidance for Biodiversity June 2022

This planning guidance seeks to provide further clarification to Core Strategy Policy CS13 insofar as ensuring development proposals secure biodiversity net gain on-site to contribute towards the overall sustainability of development proposals.

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

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides provides a statutory duty for local authorities to have special regard to Listed Buildings and Conservation Areas. Section 66 (1) of the Act refers to the desirability of preserving Listed Buildings, the setting of Listed Buildings and the features of special architectural and historic interest which it possesses whilst Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

6. **Relevant Planning History**

6.1 There is no planning history for the site considered relevant to the application.

7. **Responses of Consultees & Other Comments Received**

7.1 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

Ward Councillor and Parish Council Response	
Cllr D Grimley	<ul style="list-style-type: none"> • Call in on the basis of residential development outside of the limits of development.
Queniborough Parish Council	<ul style="list-style-type: none"> • The Parish Council object to the land being reclassified as residential, as the proposed plans are not for residential use, this land is also outside of the village envelope. Neighbours' views should be taken into account when considering this application.

Responses to publicity

From	Comments
<p>Three responses received: two letters received from two addresses and one forwarded by the Ward Councillor</p>	<ul style="list-style-type: none"> • This large structure in a former ridge and furrow paddock and would be outside the building line of the village envelope, visible from at least two of the new build Mews properties. • The proposed structure is too large and its design inappropriate and too far from the main house for security. • The proposed site is located outside of the settlement boundary of Queniborough and therefore contravenes Charnwood Borough Council's adopted planning policy. • The proposed development would be in breach of many of the principles in the Neighbourhood Plan of Queniborough. • The access to the site would be via the private road (not adopted highway) causing traffic/noise/parking issues for the residents. • During development, heavy plant and construction traffic would have to access the site in close proximity to residential dwellings via the unadopted highway. • The construction would be situated at least 90m from the main residence of the applicant and will be clearly visible from the public footpath and Ridgemere Lane. This could attract criminal activity. • This development will clearly be utilised for residential purposes in the longer term (granting C3 residential use will enable the dwelling to be occupied for this purpose). • The approval of this application for change of use from agricultural land to C3 residential could cause an influx of applications of this type. • Whilst the 'garden building' is aesthetically pleasing, it's unreasonable to describe it as a 'relatively small timber structure' when in fact it is excessive and measures over 82 feet wide and not compatible in size with the original dwelling. • The planning case makes a point that the land is 'immediately adjacent to the established extent of residential land to the west and north when in fact the land is actually surrounded on all four sides by agricultural land with the exception of the entrance to the footpath on

	<p>the north side which leads to the Manor House and the five bar gate on the west side which was only put in so the land had access for vehicles. Therefore, it does not create a 'logical extent to the village limits'.</p>
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8. Consideration of the Planning Issues

- 8.1 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), those "saved" policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy (2011-2028) and the Minerals and Waste Local Plan (2019).
- 8.2 The Core Strategy and Charnwood Local Plan 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 that there is no reason for them to be given reduced weight.
- 8.3 Part i) of NPPF 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 generally nationally designated areas such as SSSI's, designated Local Green Space, AONBs and designated heritage assets.
- 8.4 The main planning considerations applicable to this application are considered to be:
- Principle of Development
 - Landscape & Visual Impact
 - Design
 - Impact on Residential Amenity
 - Ecology and Biodiversity
 - Heritage

9. Key Issues

9.1 Principle of the Development

- 9.1.1 The principle of development is guided by local plan policies Q6 of the Queniborough Neighbourhood Plan, Policies CS1 and CS11 of the Charnwood Core Strategy (2015) and saved policies CT/1 and ST/2 of the Borough of Charnwood Local Plan (2004). Policy CS1 of the Core Strategy outlines the development strategy for the Borough and the distribution of sustainable growth.

- 9.1.2 The site is located outside of the defined Limits to Development of Queniborough, as defined by saved Local Plan policy ST/2 and Q6 of the Neighbourhood Plan. The proposed development would not meet any of the specific exceptions as set out in Policy CT/1 for development outside limits to development. Policy CT/2 only applies when the proposal is acceptable in principle.
- 9.1.5 Policy CS11 of the Core Strategy and Q6 of the Neighbourhood Plan are also relevant as it is located in the countryside, and it requires new development to protect landscape character. These impacts are considered later in the report.
- 9.1.6 Emerging Local Plan policy is a material consideration. Emerging Local Plan Policy DS1 is relevant as it explains that areas are designated as Countryside as an integral part of the spatial strategy towards the objective of conserving and protecting the character of our towns and villages and the intrinsic character and beauty of the countryside.
- 9.1.7 The proposal does not accord with the development strategy set out in DS1 as the site is located outside limits to development and within the countryside defined by emerging policy C1 of the draft Local Plan. Policy C1 does support small scale new built development in very limited circumstances and where there would not be significant adverse environmental effects, but the development is not amongst those types the policy refers to.
- 9.1.8 Under the guidance of NPPF paragraph 48 it is considered that the emerging Local Plan is 'well advanced' having been subject to Examination and policies are consistent with the NPPF. However, Policy DS1 is contested and can therefore be given only limited weight whilst C1 can be afforded moderate weight.
- 9.1.9 The development is considered to be contrary to the policies of both the adopted and emerging Development Plan policies and therefore is considered to be unacceptable in principle.

9.2 Landscape and Visual Impact

- 9.2.1 Core Strategy Policy CS2 and saved Local Plan policy EV/1 seek to respect and enhance the landscape character of the area and the form of existing settlements and the open and undeveloped nature of the countryside. Policy CS11 of the Core Strategy seeks to protect the character of our landscape and countryside and reinforce sense of place and local distinctiveness. 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.
- 9.2.2 Neighbourhood Plan Policy Q6 complements Core Strategy CS11 and its objective of protecting the character of the landscape and countryside. Policy Q14 of the Neighbourhood Plan, Design, provides criteria for design objectives which include integrating into surroundings and creating a locally inspired or otherwise distinctive character.

- 9.2.3 Emerging Local Plan Policy EV1 requires new development to protect landscape character and to reinforce sense of place and local distinctiveness and maintain separate identities of settlements. Emerging Local Plan Policy C1 aims to manage development in areas of Countryside to protect its largely undeveloped character, and its intrinsic character and beauty. These policies are at an advanced stage and were discussed at the hearing sessions in June 2022 and are consistent with the NPPF so can be given moderate weight.
- 9.2.4 The site is currently undeveloped, flat, and offers clear views of the landscape setting of Queniborough from the south. In this area that comprises the varied roofscape of the buildings forming Main Street and associated groupings, complemented by established trees. The site forms part of a wider, flat landscape before the land rises further to the south, with views generally available obstructed by occasional trees and hedgerow. This includes public views particularly from the bridleway I81A which is aligned north to the south just east of the site. Within this context the building will be prominent and will detract from both the landscape itself and the setting it forms of the settlement. This would not support the objectives of protecting landscape character and reinforcing sense of place and local distinctiveness and would be contrary to Core Strategy Policy CS11, Neighbourhood Plan Policy Q6 and emerging Local Plan Policies EV1 and C1.
- 9.2.5 The use of the land for domestic purposes has the potential to change its appearance, in terms of its condition, planting and the introduction of domestic paraphernalia. It is however well maintained at present and a condition could be applied to prevent the introduction of further structures.

9.3 Design

- 9.3.1 Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved policy EV/1 of the Local Plan supports development that is of a design, scale, layout and mass compatible with the locality and which uses materials appropriate to the locality. These policies generally accord with the NPPF and National Design Guide and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.
- 9.3.2 Neighbourhood Plan Policy Q14: Design advises that residential development that reflects the distinctive and traditional character of Queniborough will be supported unless the development is of exceptional quality or innovative design. It provides criteria or design objectives including integrating into surroundings and creating a locally inspired or otherwise distinctive character.
- 9.3.3 Emerging Local Plan Policy DS5 requires development to make a positive contribution to Charnwood by responding positively to local distinctiveness. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. The policy can be given moderate weight.
- 9.3.4 The proposed building is not considered to be unattractive, showing a coherent design and strong symmetry centred around its central weather vane design feature. Materials are also considered to be of good quality and appropriate.

9.3.5 On this basis it is considered that, in strictly aesthetic terms, the proposal would be in accordance with the NPPF, National Design Guide, policies CS2 and CS11 of Charnwood Core Strategy and Q14 of the Neighbourhood Plan, EV/1 of Local Plan, and the Charnwood Design SPD. However, these policies also contain expectations for development to be respectful of and complementary to their surroundings and it is considered that the proposal is at variance with these policies and unacceptable in this respect (see above).

9.4 Ecology and Biodiversity

9.4.1 Policy CS13 of the Core Strategy seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. The policy supports development that protects biodiversity and geodiversity and those that enhance, restore or re-create biodiversity. The loss of features of biodiversity and geodiversity will only be supported in exceptional circumstances where the benefit of the development clearly outweighs the impact. Where there are impacts, the policy requires mitigation or compensation of equal or greater value, likely to result in a net gain in biodiversity. The NPPF states that planning decisions should minimise impacts upon and provide net gains for biodiversity.

9.4.2 Emerging policy EV6 of the Draft Local Plan seeks 10% biodiversity net gain and the protection and enhancement of habitats, species and networks. Emerging policy EV7 supports the retention of existing trees and new tree planting. Although the Environment Act 2021 makes provision for 10% biodiversity net gain, the relevant sections of the Act have not yet been brought into force to make it a legal requirement and is not currently required by national policy. Therefore, emerging Local Plan policy EV6 can be given only limited weight until the emerging policy is further progressed towards adoption.

9.4.3 Although it is anticipated that the site of the proposed building would be of limited biodiversity value, no information has been provided to quantify this, and no measures are proposed to compensate for its impact or to generate net gain. However, the site is very large and the building would occupy a small proportion, and as such it is considered that conditions could be applied to require such analysis and a consequential scheme for mitigation within the site.

9.4.4 Consequently, the proposal, subject to conditions to make up for any impact and secure net gain, can be made acceptable and would be able to comply with policy CS13 of the Charnwood Local Plan 2006-2028 Core Strategy and emerging Local Plan policy EV6.

9.5 Impact on Residential Amenity

- 9.5.1 Policies CS2 of the Core Strategy and EV/1 of the Local Plan seek 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. Saved policy EV/1 of Local Plan and policy 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.
- 9.5.2 Emerging Local Plan policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. The policy can be given moderate weight.
- 9.5.3 No objections have been received concerning overbearing, overlooking and overshadowing of existing properties, and it is considered that the building would be sufficiently distant and boundary treatment sufficiently strong, to prevent unacceptable impact in these terms. The use would be domestic and as such would not introduce a source of noise or nuisance unexpected in a residential environment.
- 9.5.4 Objection has however been registered with regard to disturbance during construction. Whilst this is not considered grounds to refuse permission conditions could be applied to control the hours of activity and prevent works at unsociable times.
- 9.5.5 On this basis it is considered that the development would be able to comply with the provisions of policies CS2 of Charnwood Core Strategy and EV/1 of Local Plan along with the NPPF, National Design Guidance, Emerging Local Plan Policy DS5 and the guidance set out in the Design SPD to protect residential amenity

9.6 Impact on mineral resources

- 9.6.1 The site is located within a sand and gravel Mineral Safeguarding Area. Policy M11 of the Leicestershire County Council Mineral and Waste Local Plan aims to prevent non-mineral related development from potentially sterilising any mineral present within a Mineral Safeguarding Area.
- 9.6.2 The application is of a category exempt from safeguarding and is therefore satisfactory under the terms of Policy M11 of the Leicestershire County Council Minerals and Waste Local Plan (2019). Furthermore, it is considered that the proposed development would not be in conflict with the relevant provisions of the National Planning Policy Framework, notably Paragraph 210.

9.7 Heritage

- 9.7.1 Policy CS14 of the Core Strategy (Heritage) seeks 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.
- 9.7.2 Emerging Local Plan policy EV8 Heritage seeks to protect and enhance heritage assets, including non-designated heritage assets, and prevents harm to their significance and setting. Under the guidance of NPPF paragraph 48 it is considered that the emerging Local Plan is 'well advanced' having been subject to Examination and policies are consistent with the NPPF. Policy EV8 is largely uncontested and can therefore be afforded moderate weight.
- 9.7.3 Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- 9.7.4 The site does not contain nor is it adjacent to any listed buildings, scheduled monuments nor is it within a Conservation Area. It is, however, immediately south of the Conservation Area boundary which follows the boundaries of Springfield Farm and Manor House Mews at this location. There are a number of designated heritage assets to consider:
- Manor House, 85 Main Street, Queniborough (Grade II Listed)
 - Church of St Mary, Main Street (Grade I listed)
 - Queniborough Conservation Area

There are a number of other Listed Buildings on Main Street, but these are not readily seen within the same visual context as the application site.

- 9.9.5 The main issues raised by the proposals are the potential impact on the setting to the Conservation Area and the potential impact on the setting to the Listed Buildings.
- 9.9.6 The Conservation Area Appraisal makes reference that the historic core of the settlement is still obvious within its historic landscape and largely unaffected by 20th Century development, and that the broad open aspect of the village, influenced by the fine plain in which it sits, are notable characteristics. The Manor House, together with other older properties nearby, form part of this historic core. As explained above, the building would be visible from the south and would intrude into the undeveloped setting referred to in the Conservation Area Appraisal. It is considered that the development would harm the historic landscape referred to, and therefore to the setting of the Conservation Area.
- 9.9.7 It is considered that this would amount to less than substantial harm to the setting of the Conservation Area which, under paragraph 202 of the NPPF, should be balanced against any public benefits. No such benefits have been identified and as such it is considered to fail in these terms.

- 9.9.8 Individually, it is considered that the listed buildings have strongly defined settings formed by their own boundaries and surrounding buildings and trees. It is not considered that the development would result in harm to them, or to their settings.
- 9.9.9 The proposal therefore fails to meet with the requirements of Policy CS14 of the Core Strategy and EV8 of the Emerging Local Plan, and relevant parts of the NPPF section 16, paragraphs 199 and 202.

10. Conclusion

- 10.1 The development sits outside the limits to development for Queniborough and is therefore contrary to policies ST/2 and CT/1 of the adopted Local plan 2004, CS1 of the Core Strategy 2015 and DS1 of the emerging Local Plan.
- 10.2 The development, owing to its position, is considered to harmful to the countryside and landscape and therefore contrary to policies CS11 of the Core Strategy, Q6 of the Queniborough Neighbourhood Plan and emerging Local Plan policies EV1 and C1. Whilst not unattractive, the building would not appear sympathetic or respectful of its surroundings and is therefore considered contrary to CS2 of the Core Strategy, Q14 of the Queniborough Neighbourhood Plan and emerging Local Plan policy DS5.
- 10.4 The site forms part of the setting of Queniborough Conservation Area and it is considered that by virtue of introduction of a highly visible and prominent building into the currently undeveloped landscape, this setting will be harmed. There are no significant public benefits arising and as such this harm is not justified.

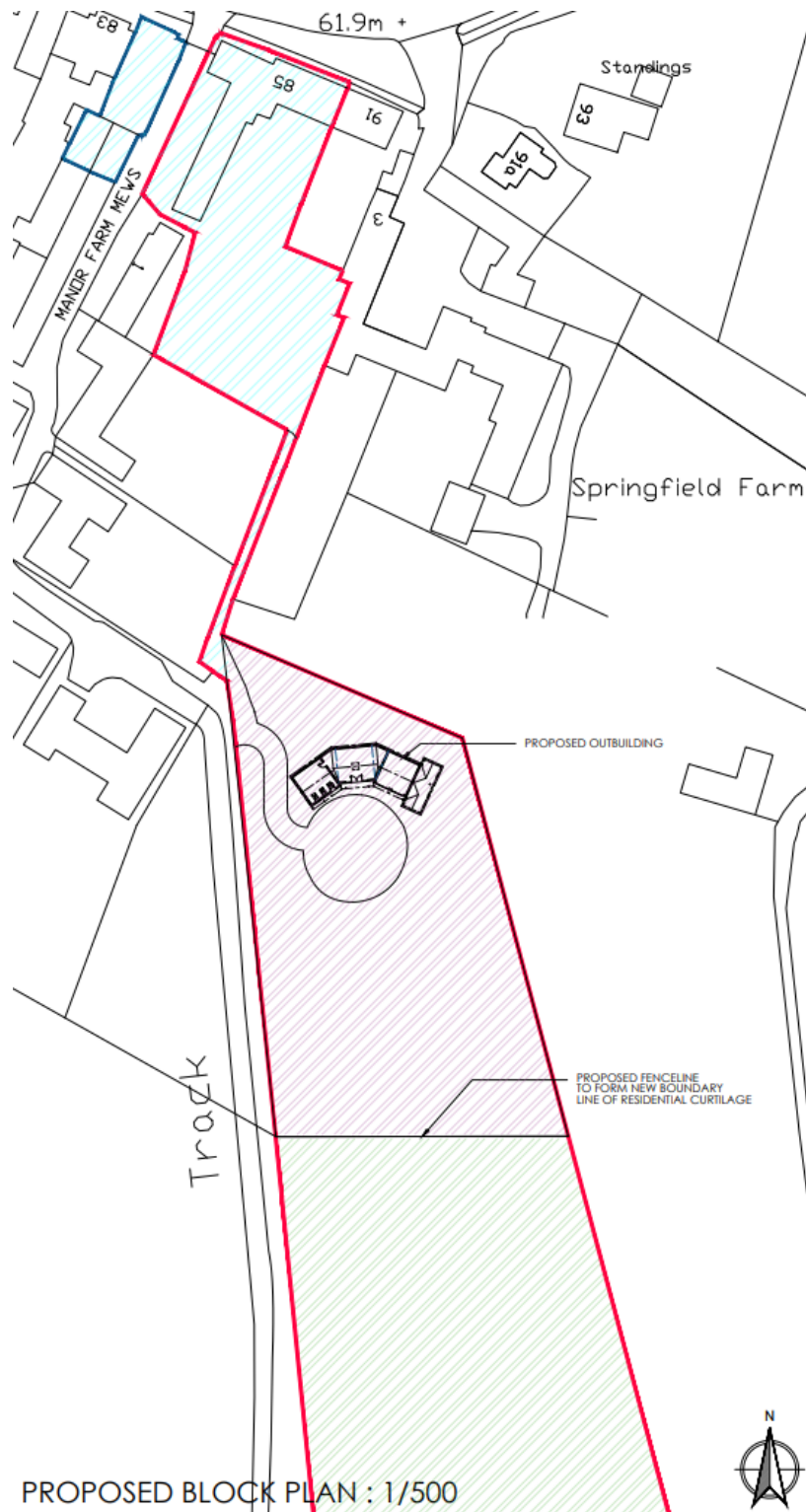
11. Recommendation

It is recommended that the application is refused, for the following reasons:

1. The development sits outside the limits to development for Queniborough and is not a form of development identified as acceptable in a countryside location, therefore contrary to policies ST/2 and CT/1 of the adopted Local Plan 2004, CS1 of the Charnwood Local Plan Core Strategy 2015 and DS1 of the emerging Charnwood Local Plan 2021-37.
2. The development, owing to its position within a flat and open countryside would be a notable intrusion which would neither preserve the character of the countryside or assist sense of place or local distinctiveness. It is therefore considered harmful to the countryside and landscape and contrary to policies CS11 of the Charnwood Local Plan Core Strategy 2015, Q6 of the Queniborough Neighbourhood Plan 2021 and emerging Charnwood Local Plan 2021-37 policies EV1 and C1.
3. The building would not appear sympathetic to or respectful of its surroundings and is therefore considered contrary to CS2 of the Charnwood Local Plan Core Strategy 2015, Q14 of the Queniborough Neighbourhood Plan 2021 and emerging Charnwood Local Plan 2021-37 policy DS5.

4. The site forms part of the setting of Queniborough Conservation Area and it is considered that by virtue of introduction of a highly visible and prominent building into the currently undeveloped landscape, this setting will be harmed. There are no significant public benefits arising and as such this harm is not justified. The development is therefore contrary to Policy CS14 of the Charnwood Local Plan Core Strategy 2025, NPPF Paragraphs 199 and 202, and policy EV8 of the emerging Charnwood Local Plan 2021-37.

APPLICATION SITE



Item No.

Application Reference Number P/23/0382/2

Application Type: Variation of condition **Date Valid:** 28/02/2023
Applicant: Mr Neal Gohill
Proposal: Variation of Conditions 2 and 3 (Approved Plans and materials) of Planning Permission: P/21/0773/2 (Proposed first floor extension above garage, single storey extensions to front and rear with associated works)

Location: 3 The Dovecotes
Queniborough
Leicestershire
LE7 3WP

Parish: Queniborough **Ward:** Wreake Valley
Case Officer: Joe Davies **Tel No:** 07734 334548

1. Background

1.1 This application has been brought to Plans Committee as it has been called in by Cllr Grimley for the following reasons:

- The solar panels would have an incongruous appearance on the setting of local listed buildings and the church.

2. Description of the Application Site

2.1 The application site comprises a modern detached dwelling on a residential cul-de-sac in the Queniborough Conservation Area. The property has a driveway to the front and a garden to the rear. To the north of the site is the dwelling at 2 The Dovecotes, to the south are the dwellings at 86, 88a, 88b and 94 Main Street. To the east of the site is St Mary's Church and the properties at The Mews and to the west is the dwelling at 3 Hall Farm Close. The site lies close to several listed buildings, most notably St Mary's Church, Queniborough Hall and the properties at 80, 82, 84, 86 and 94 Main Street. There are also further listed buildings on the southern site of Main Street. The property has an extant planning permission for a first floor extension above the garage, single storey extensions to the front and rear and other associated works under the planning reference P/21/0773/2. This permission is currently being implemented.

3. Description of the Proposal

- 3.1 The application seeks permission to vary conditions 2 and 3 of P/21/0773/2, these conditions relate to materials and approved plans. This permission granted permission for a single storey side extension, a two storey side and rear extension, alterations to the front porch, a first floor extension above the existing garage including 2 side dormers and fenestration alterations to the rest of the dwelling.
- 3.2 The reason for varying these conditions is to seek approval for the retention of solar panels to the southern roof slope of the dwelling and to change the window frames from white UPVC window frames to black aluminium window frames. The rest of the proposal would remain unchanged from the previous permission.

4. Development Plan Policies

- 4.1 The Development Plan comprises the Queniborough Neighbourhood Plan (2021), the Charnwood Local Plan Core Strategy (adopted 9 November 2015), the Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies) and the Minerals and Waste Local Plan (2019).

- 4.2 The policies applicable to this application are as follows:

4.3 [Charnwood Local Plan Core Strategy](#)

- Policy CS1 - Development Strategy
- Policy CS2 - High Quality Design
- Policy CS14 - Heritage
- Policy CS16 - Sustainable Construction and Energy

4.4 [Borough of Charnwood Local Plan \(adopted 12 January 2004\) \(saved policies\)](#)

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

- Policy EV/1 - Design
- Policy H/17 – Extensions to dwellings

4.5 [The Queniborough Neighbourhood Plan](#)

The Neighbourhood Plan was made in 2021 and forms part of the Development Plan. Applicable policies are considered to comprise:

- Policy Q14: Design

5. Other material considerations

5.1 The Draft Charnwood Local Plan 2021-37

This document sets out the Council's strategic and detailed policies for the Borough over the period 2019-37. The local plan was submitted for examination in December 2021 with hearings concluding in February 2023. It is anticipated that the Inspectors will issue a letter setting out the requirement for main modifications to be made to make the plan sound. These modifications will be published for six weeks of public consultation so that the responses can assist the Inspectors in preparing their final report. The precise timings of these events is dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in Autumn 2023.

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 policies are considered applicable to this application, and the weight they can be assigned is addressed in the 'Planning Considerations' part of this report.

- Policy DS5 Design.
- Policy EV8 Heritage
- Policy CC3: Renewable and Low Carbon Energy Installations

5.2 Queniborough Conservation Area Character Appraisal (2011) (updated 2019)

This document sets out the special character of the Queniborough Conservation Area and how it should be preserved.

5.3 The National Planning Policy Framework (NPPF 2021)

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

- Section 2 ; Achieving sustainable development
- Section 12: Achieving well-designed places
- Section 8 : Meeting the challenge of climate change
- Section 16: Conserving and enhancing the historic environment

5.4 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.

5.5 National Design Guide

This document sets out the Government's design guidance to support the NPPF.

5.6 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.

5.7 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.

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

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides a statutory duty for local authorities to have special regard to Listed Buildings and Conservation Areas. Section 66 (1) of the Act refers to the desirability of preserving Listed Buildings, the setting of Listed Buildings and the features of special architectural and historic interest which it possesses whilst Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

6. Relevant Planning History

P/84/1193/2 – Erection of three detached houses – Granted at appeal (05.07.1984)

P/21/0773/2 - Proposed first floor extension above garage, single storey extensions to front and rear with associated works – Granted conditionally (15.10.2021)

7. Consultation Responses

7.1 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
Councillor Grimley	Daniel	<ul style="list-style-type: none"> Requested that the application be determined by planning committee due to the impact of the solar panels on the setting of nearby listed building, stating that solar tiles should be used instead.
Queniborough Council	Parish	<ul style="list-style-type: none"> Raised concerns that the design of the proposal had been altered significantly since the previous application and that the solar panels were not in keeping with the surrounding area. The solar panels can be seen from the street scene, despite the application form stating otherwise. Noted the change to black aluminum windows on the new plans which would need to be in keeping with the conservation area.

Responses to publicity

From	Comments
Five letters of objection from four local households have also been received	<ul style="list-style-type: none"> The proposal would be visible from Main Street, even though the application form states it won't be. The solar panels would not match the existing dwelling and would be an eyesore on the conservation area. The retrospective nature of the application would give others the green light to start work before planning permission is granted. Concerns regarding safety of the solar panels and future maintenance. Agree with the use of renewable energy but object to the proposal to use standard solar panels. Consultation should have been carried out in advance of their installation. Several close neighbours would have to look at the solar panels on a regular basis. Concerns regarding the impact on nearby listed buildings. Concerns regarding the potential for glare from the solar panels. Concerns regarding the need for screening to other properties. Overbearing impact on the environment. The owners of The Barn and the adjoining two properties are over looked and now have these Solar panels spoiling their views. Also can be seen from Main Street which is a conservation area, as The Dovecotes was part of

	<p>Queniborough Hall which is in a conservation area as well.</p> <ul style="list-style-type: none"> • The black window frames are not in keeping with the other two properties. • Notification letters were not clear about the changes proposed.
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8. Consideration of the Planning Issues

8.1 The starting point for decision making on all planning applications is that they must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise. The most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Charnwood Local Plan 2011-2028 Core Strategy (2015), those “saved” policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy. It is acknowledged that several of these plans are over 5 years old; therefore it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. With the exception of those policies which relate to the supply of housing, the relevant policies listed above are up to date and compliant with national advice. Accordingly there is no reason to reduce the weight given to them, in this regard.

8.2 The main issues are considered to be:

- The principle of the proposed development;
- Design
- Heritage
- Residential Amenity
- Other matters

9 Key Issues

9.1 Principle of the proposed development

The principle of extensions to existing dwellings are not restricted by local or national planning policy, providing they accord with the other relevant policies of the development plan. The application therefore falls to be considered in terms of its design, impact on the design, the impact on heritage assets, amenity and highway safety.

9.1.1 Core Strategy Policy CS16 supports domestic scale renewable energy and emerging Local Plan policy CC3 similarly supports proposals for renewable and low carbon energy installations will be supported where any adverse impacts, including cumulative impacts have been fully addressed. These issues are considered below.

9.2 Design and visual amenity

- 9.2.1 Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved policy EV/1 of the Local Plan supports development that is of a design, scale, layout and mass compatible with the locality and which uses materials appropriate to the locality. These policies generally accord with the NPPF and National Design Guide and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.
- 9.2.2 Neighbourhood Plan Policy Q14: Design advises that residential development that reflects the distinctive and traditional character of Queniborough will be supported unless the development is of exceptional quality or innovative design. It provides criteria or design objectives including integrating into surroundings and creating a locally inspired or otherwise distinctive character.
- 9.2.3 Emerging Local Plan Policy DS5 requires development to make a positive contribution to Charnwood by responding positively to local distinctiveness. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. The policy can be given moderate weight.
- 9.2.4 The proposed solar panels, whilst visible from the properties to the south on Main Street, would not be prominent when viewed from the street scene and would have no significant adverse impact on the character and appearance of the locality. Furthermore, the property is a modern dwelling and the solar panels are of a domestic type that are typical of the type fitted to dwellings such as this.
- 9.2.5 In terms of the impact of the change to the window design, whilst different to the other dwellings on The Dovecotes which is a modern cul-de-sac, the aluminium windows are considered to be an improvement and more sympathetic to the site's setting than the white UPVC windows currently at the property.
- 9.2.6 Whilst, the grant of a Variation of Condition application effectively grants a new planning permission, so the whole proposal should be taken into account, the existing planning permission and the fall-back position it provides is a significant material planning consideration.
- 9.2.7 In terms of the rest of the development, the extension are subservient to the host dwelling and use matching materials. Furthermore, the dwellings on the Dovecotes occupy large plots and these extensions are considered to be in keeping with the character and appearance of the area.

9.2.8 The impact of the proposed development on design and visual amenity is therefore considered to be acceptable and would be in accordance with Policy CS2 of the Charnwood Local Plan Core Strategy 2015, Saved Policies EV/1 and H/17 of the Borough of Charnwood Local Plan 2004, Policy DS5 of the Draft Local Plan, Policy Q14 of the Queniborough Neighbourhood Plan and the Council's Design Supplementary Planning Document 2020.

9.3 Heritage

9.3.1 In relation to heritage the dwelling is in the Queniborough Conservation Area and is in close proximity to a number of listed buildings. These are:

- St Mary's Church,
- Queniborough Hall,
- 94 Main Street and
- 80, 82, 84 and 86 Main Street.

9.3.2 The Queniborough Conservation Area was designated in 1972 and incorporates the whole of the village as it was in medieval times up until the 19th century.

9.3.3 Policy CS14 of the Core Strategy (Heritage) seeks 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.

9.3.4 Emerging Local Plan policy EV8 Heritage seeks to protect and enhance heritage assets, including non-designated heritage assets, and prevents harm to their significance and setting. Under the guidance of NPPF paragraph 48 it is considered that the emerging Local Plan is 'well advanced' having been subject to Examination and policies are consistent with the NPPF. Policy EV8 is largely uncontested and can therefore be afforded moderate weight.

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

9.3.6 In terms of the impact on these heritage assets, it is considered that the aluminium-framed windows would be more sympathetic to the Conservation Area than the existing white UPVC windows and would not be prominent outside of the Dovecotes, which is a modern insert into the Conservation Area. They would therefore not result in any harm to the setting of the wider Conservation Area or nearby listed buildings that would need to be outweighed by public benefits and the impact of this change is therefore considered to be acceptable.

- 9.3.7 The solar panels would back onto the dwellings at 88a and 88b Main Street which are not listed buildings and are more modern properties. The solar panels would not be prominent from the street scene or the wider Conservation Area beyond this or from any of the nearby listed buildings. The proposed solar panels would therefore not result in any harm to the Conservation Area or the setting of nearby listed buildings that would need to be outweighed by public benefits.
- 9.3.8 The impact of the proposed development in relation to heritage is therefore considered to be acceptable and would be in compliance with Policy CS14 of the Charnwood Local Plan Core Strategy 2015 and Policy EV8 of the Draft Charnwood Local Plan.

9.4 Residential Amenity

- 9.4.1 Policies CS2 of the Core Strategy and EV/1 of the Local Plan seek 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. Saved policy EV/1 of Local Plan and policy 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.
- 9.4.2 Emerging Local Plan policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. The policy can be given moderate weight.
- 9.4.3 The solar panels and proposed windows would not result in any increase in the built footprint of the dwelling that would lead to loss of light and the windows would be in window openings that are already approved, with the only changes being to the design of the windows frames and there would therefore be no additional impact in relation to overlooking in comparison to the previous permission.
- 9.4.4 In terms of the issue of glare raised by neighbours, the solar panels are typical of the type of domestic solar panels fitted to domestic properties (often as 'permitted development') and it is considered that there would be no unacceptable impact in relation to this that would justify a refusal of planning permission.

- 9.4.5 The alterations are sufficiently distanced from neighbouring properties that there would be no significant impact in relation to loss of light or over-dominance. Furthermore, other than roof lights there are no windows facing the properties on Main Street, that would lead to overlooking, other than roof lights which are of a sufficient height and angle, that they would have no significant impact. The other properties on the Dovecote are more distant from the proposal or set back much further in the street scene to the extent that there would be no impact on overlooking.
- 9.4.6 The impact of the proposed development on residential amenity is therefore considered to be acceptable and would be in compliance with Policy CS2 of the Charnwood Local Plan Core Strategy 2015, Saved Policies EV/1 and H/17 of the Borough of Charnwood Local Plan 2004, Policy DS5 of the Draft Charnwood Local Plan and the Council's Design Supplementary Planning Document 2020.

9.5 Other Matters

- 9.5.1 In terms of other matters raised, the safety and maintenance issues are not a material planning consideration that can be taken into account in the determination of the application and the application being retrospective also can't be taken into account. In terms of the comments regarding consultation being undertaken prior to the installation of the solar panels. Due to the application being retrospective, this was not possible. However, consultation has been undertaken prior to the determination of this application, with all neighbours being notified and a site notice and press advert being placed as legally required.

10. **Conclusion**

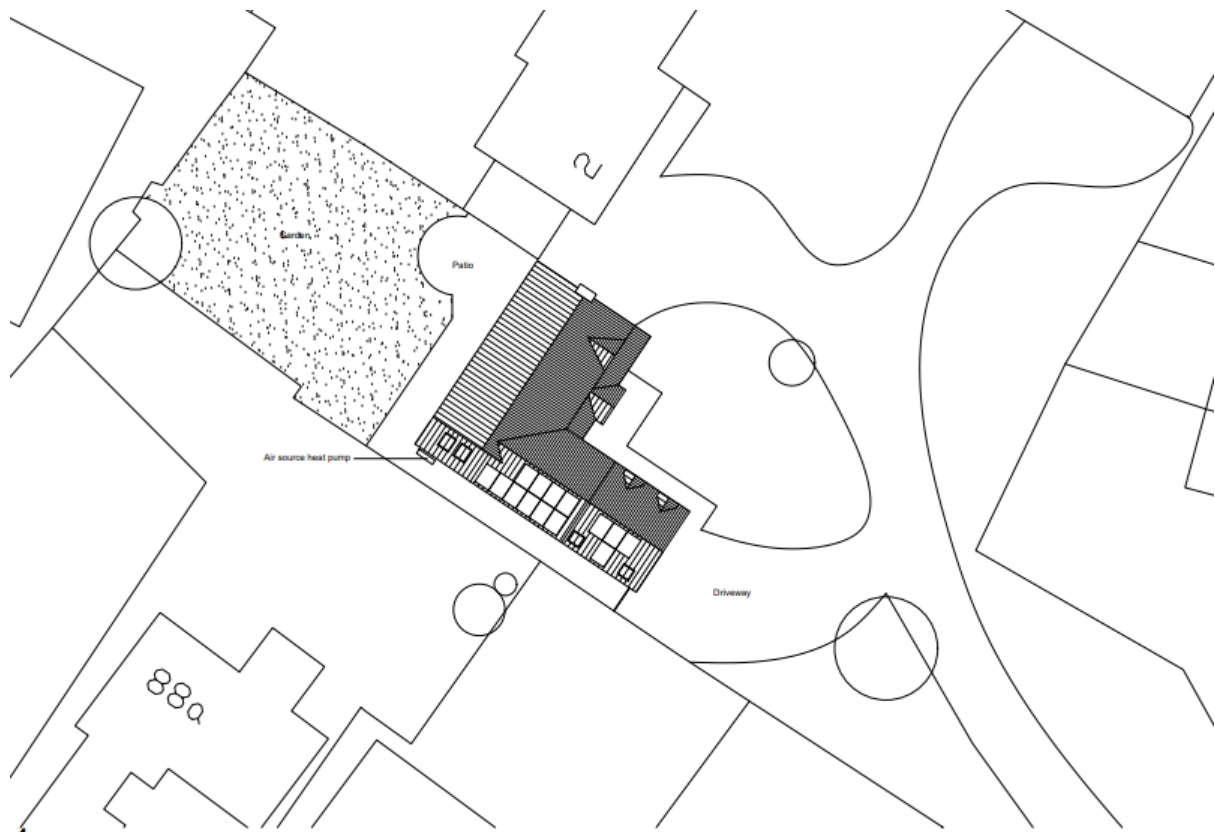
- 10.1 There installation of domestic scale renewable energy equipment is encourage by both National and Local Policy, including the adopted and emerging Local Plans.
- 10.2 The changes to the window style are considered to be a modest improvement and an appropriate treatment for the more modern immediate surroundings of the application site, within the Conservation Area and would not therefore affect its character or appearance. For similar reasons, it is not considered that they would have an adverse effect on the settings of nearby Listed Buildings.
- 10.3 It is considered that would be no significant adverse impact on neighbour amenity as a result of the proposed development and there would also be no significant adverse impact on visual amenity or highway safety. The impact of the proposed development is therefore considered to be acceptable.
- 10.4 It is therefore considered that the development accords with the requirements of the Development Plan and there are no other material considerations presented which indicate a decision departing from its content is appropriate. Overall the application is therefore recommended for approval subject to conditions.

RECOMMENDATION

11.1 That planning permission is granted subject to the following Conditions

1.	<p>The development hereby permitted shall be carried out in accordance with the following plans:</p> <ul style="list-style-type: none">- Proposed Drawings – WAA153 05 Rev Q; <p>REASON: To define the terms of the planning permission.</p>
2.	<p>Only those materials specified in the application shall be used in carrying out the development hereby permitted.</p> <p>REASON: To ensure the satisfactory appearance of the completed development in accordance with Saved Policies EV/1 and H/17 of the Borough of Charnwood Local Plan 2004, Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy 2015, Policies DS5 and EV8 of the Draft Charnwood Local Plan, Policy Q14 of the Queniborough Local Plan and the Council’s Design Supplementary Planning Document 2020.</p>

SITE LOCATION PLAN



Plans Committee Date:	22/06/2023
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Item No:

Application Reference Number: P/22/2188/2

Application Type:	Reserved Matters	Date Valid:	06/01/2023
Applicant:	Persimmon Homes (North Midlands)		
Proposal:	Reserved matters application seeking approval of access, layout, scale, appearance and landscaping in respect of Parcel E1 of the Employment Zone, pursuant to outline planning permission reference P/14/1833/2, including the discharge of outline conditions 43 (Noise Assessment) and 50 (Odour Assessment), 51 (Ecological Appraisal)		
Location:	Land at West of Loughborough, Garendon Park		
Parish:	Stonebow Village	Ward:	Dishley, Hathern and Thorpe Acre
Case Officer:	Mark Pickrell	Tel No:	07852720913

1. Background

1.1 This application is referred to Plans Committee in accordance with the scheme of delegation as it relates to the early delivery of the Employment Zone and associated Hathern Road access point of the Garendon Park Sustainable Urban Extension (SUE) and it is of significant public interest.

2. Description of the application site

2.1 The West of Loughborough Sustainable Urban Extension (known as Garendon Park) is located on land to the west of Loughborough, with the whole site covering 466ha. The site has been granted outline permission in 2018 for development including 3,200 dwellings, schools, open space and associated infrastructure with land extending between the A6 to the A512, including Garendon Park registered park and gardens.

2.2 Reserved matters and various discharge of conditions have been agreed in association with the first residential parcels, generally located towards the north east of the site, adjacent to the A6. The first parcel was commenced in 2022, with the first dwellings having been occupied in early 2023.

2.3 The current reserved matters application relates to the appearance, landscaping, layout, access and scale for one parcel of the employment zone. The total site area of this parcel is 7.51ha and it forms part of an allocated employment area with total area of 16ha, located within the Garendon Park SUE.

- 2.4 The submission forms part of a suite of submissions relating to land to the west of the SUE and the Employment Zone, including a separate reserved matters application (P/22/2223/2) for the access route from Hathern Road, linking to the Strategic Link Road (SLR), up to the proposed employment parcel, also including drainage and infrastructure. Also relevant are various discharge of conditions applications, the details of which are provided below.
- 2.5 The general location of the employment zone, which essentially encircles the Hathern Household Waste and Recycling Centre, sewage treatment plant and solar farm to the west of the SUE, was approved as part of the outline permission. Key plans which formed part of the outline permission (P/14/1833/2) include:
- Parameters Plan A - Application Boundary FPCR Drawing Reference No. 1005/L/201
 - Parameters Plan B - Land Use FPCR Drawing Reference No. 1005/L/202 Rev A
 - Parameters Plan C - Building Heights & Density FPCR Drawing Reference No. 1005/L/203 Rev A
 - Parameters Plan D - Access FPCR Drawing Reference No. 1005/L/204 Rev C
 - Parameters Plan E Green Infrastructure FPCR Drawing Reference No. 1005/L/205 Rev A
 - The Submitted Masterplan (FPCR Drawing Reference No. 1005/L/04 Rev E
- 2.6 The site is currently agricultural land bounded by existing hedgerow and tree planting along the northern southern boundary.

3. Description of the proposal

- 3.1 The proposals include details relating to the appearance, landscaping, layout, access and scale (reserved matters) specifically relating to one parcel of the employment zone.
- 3.2 The proposals seek detailed consent for one manufacturing unit and one ancillary unit for Space 4, a subsidiary company of the wider Persimmon Group, part of which owns the site of the Garendon Park SUE.
- 3.3 The proposals include provision for two units, the larger of which (Unit A) would allow for the manufacture of timber frame components for regional and national customers and a secondary unit (Unit B) which would allow for internal storage and loading of components.
- 3.4 The proposals include areas of landscaping and infrastructure as well as parking, loading areas, HGV routing and ancillary office space.

- 3.5 Unit A would have a height of 9m with three storey ancillary office space, extending up to a maximum height of 12m. Unit A would have a maximum length of 330m and maximum depth of 130m, including inset element facing the SLR. The unit would have a gross external floor area of 38,753sqm.
- 3.6 Unit B would have a maximum height of 9m, length of approx. 75m and depth of 85m with a gross external floor area of 6,578sqm. It would be located to the west of Unit A, adjacent to the parcel's access point and would serve as a storage and loading area.
- 3.7 Development includes ancillary buildings, including a single storey gatehouse, smoking shelter and cycle shelter.
- 3.8 The use is proposed to be operated on a shift basis as follows:
- 06:00 to 14:00 Monday to Friday
 - 14:00 to 22:00 Monday to Friday
 - 22:00 to 06:00 Sunday to Thursday
- 3.9 Access to the site forms part of the associated reserved matters application (P/22/2223/2), including a new junction onto Hathern Road, a link road between Hathern Road and the Strategic Link Road (SLR) and sections of the SLR up to the access point to the parcel.
- 3.10 In addition to plans detailing the proposed development, the application is supported by the following documents which are relevant to the application. Please note that the original submissions included details for discharge of phase specific conditions which have subsequently been omitted from this application and dealt with by way of separate discharge of conditions applications.
- 3.11 The supporting documents are as follows:
- Application Form and plans
 - Design and Access Statement (Roberts Limbrick)
 - External Lighting Layout
 - Green Infrastructure and Biodiversity Management Plan
 - Biodiversity Metric 3.0
 - Arboricultural Method Statement – November 2022 (FPCR)
 - Biomass Feasibility Report (CPW)
 - Noise Assessment – November 2022 (Tetra Tech)
 - Daylight Assessment (CPW)
 - External Lighting Report – P03 (CPW)
 - Odour Assessment – November 2022 (Tetra Tech)
 - Services and Energy Statement (CPW)
 - Ecological Appraisal (FPCR)
 - Utilities Requirements Report (CPW)
 - Topographical Survey (10537-PL020)
 - Proposed Gatehouse Plans and Elevations (10537-PL038)
 - On Plot Landscape Proposals (10860-FPCR-XX-XX-DR-L-0001-0007-P02-Landscape Proposals)
 - BNG Baseline Habitats Plan

4. Development Plan Policies

4.1 The Development Plan comprises the Charnwood Local Plan Core Strategy (adopted 9 November 2015), the Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies), Minerals and Waste Local Plan (2019).

4.2 The policies applicable to this application are as follows:

4.2.1 Charnwood Local Plan Core Strategy

- Policy CS1 – Development Strategy
- Policy CS2 – High Quality Design
- Policy CS6 – Employment and Economic Development
- Policy CS11 - Landscape and Countryside
- Policy CS12 – Green Infrastructure
- Policy CS13 – Biodiversity and Geodiversity
- Policy CS14 – Heritage
- Policy CS16 - Sustainable Construction and Energy
- Policy CS22 – West Loughborough Sustainable Urban Extension
- Policy CS25 - Presumption in favour of sustainable development

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

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

- Policy ST/2 - Limits to Development
- Policy CT/1 - General Principles for areas of countryside
- Policy CT/2 – Development in the Countryside
- Policy EV/1 – Design
- Policy TR/18 - Parking in New Development

4.2.3 Minerals and Waste Local Plan (2019)

This document includes the County Council's spatial vision, spatial strategy, strategic objectives, and core policies which set out the key principles to guide the future winning and working of minerals and the form of waste management development in the County of Leicestershire over the period to the end of 2031.

Policy M11 seeks to safeguard mineral resources including sand, gravel, limestone, igneous rock, surface coal, fireclay, brick clay and gypsum. The policy sets out that planning permission will be granted for development that is incompatible with safeguarding minerals within a Mineral Safeguarding Area provided certain criteria are met.

Planning applications for non-mineral development within a Mineral Safeguarding Area should be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to it.

5. Other material considerations

5.1 The National Planning Policy Framework (NPPF 2021)

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

- Section 2: Achieving sustainable development
- Section 6: Building a strong, competitive economy
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting Sustainable Transport
- Section 12: Requiring well-designed places.
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment

5.2 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.

5.3 National Design Guide

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

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

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides a statutory duty for local authorities to have special regard to Listed Buildings and Conservation Areas. Section 66 (1) of the Act refers to the desirability of preserving Listed Buildings, the setting of Listed Buildings and the features of special architectural and historic interest which it possesses whilst Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

5.5 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.

5.6 Leicestershire Highways Design Guide

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 expected to be provided in new housing development.

5.7 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'.

5.8 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.

5.9 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.

5.10 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 and location of the application proposals, it is not considered that the application would constitute EIA development.

5.11 The Draft Charnwood Local Plan 2019-37

This document sets out the Council's strategic and detailed policies for the Borough over the period 2019-37. The local plan was submitted for examination in December 2021 with hearings concluding in February 2023. It is anticipated that the Inspectors will issue a letter setting out the requirement for main modifications to be made to make the plan sound. These modifications will be published for six weeks of public consultation so that the responses can assist the Inspectors in preparing their final report. The precise timings of these events is dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in Autumn 2023.

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 policies are considered applicable to this application, and the weight they can be assigned is addressed in the 'Planning Considerations' part of this report.

- Policy DS1: Development Strategy
- Policy DS4: Employment Allocations
- Policy DS5: High Quality Design
- Policy LUC2: West of Loughborough Sustainable Urban Extension
- Policy E1: Meeting Employment Needs
- Policy T3: Car Parking Standards
- Policy CC4: Sustainable Construction
- Policy CC5: Sustainable Transport
- Policy EV1: Landscape
- Policy EV6: Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV7: Tree Planting
- Policy EV8: Heritage
- Policy SUA1 – Shepshed Urban Area

5.12 Planning Guidance for Biodiversity June 2022

This planning guidance seeks to provide further clarification to Core Strategy Policy CS13 insofar as ensuring development proposals secure biodiversity net gain on-site to contribute towards the overall sustainability of development proposals.

6. **Relevant Planning History**

6.1 The key planning applications related to the consideration of this proposal are as follows.

Reference	Description	Decision and Date
P/14/1833/2	Outline planning permission for residential development up to 3,200 dwellings; up to 16 ha of employment land of B1/B2 and B8 uses; a mixed-use Community Hub of up to 4 ha comprising a local convenience retail unit (2,000 sqm); up to 1,000 sqm of other A1 retail, A2 financial and professional services, A3 food and drink, B1 business and D1 uses, sites for Gypsy, Travellers and Travelling Showpeople provision totalling 1 ha; 2 primary schools up to 2 ha each; strategic open space including allotments; access roads and new Strategic Link Road; open space/landscaping and associated works; principal means of access; restoration of Garendon Park and assets; all other matters to be reserved.	Approved July 2018
P/22/2223/2	Reserved Matters Application for the Hathern Road Access and link road to the Strategic Link Road and associated infrastructure and enabling works for Parcel E1 of the Employment Zone pursuant to outline planning permission reference P/14/1833/2, including the discharge of outline conditions 43 (Noise Assessment), 51 (Ecological Appraisal)	Pending (Plans Committee)
P/22/2003/2	Discharge of conditions 10 (Development Framework) and 13 (Employment Parcel Design Brief) of P/14/1833/2	Pending
P/22/1994/2	Discharge of condition 9 (Phasing Plan) of P/14/1833/2 (Outline planning permission for residential development and associated infrastructure)	Pending

P/22/1918/2	Discharge of condition 20 (Strategic Link Road) of P/14/1833/2	Pending
P/22/2266/2	Discharge of condition 36 (Green Infrastructure Biodiversity Management Plan) of P/14/1833/2	Pending
P/22/2094/2	Discharge of condition 37 (Arboricultural Method Statement) of P/14/1833/2	Approved 17/03/23
P/22/2002/2	Discharge of condition 38 (Written Scheme of Investigation for Programme of Archaeological Works) of P/14/1833/2	Approved 17/03/23

6.2 Other associated applications, including discharge of site wide conditions, are detailed below:

Reference	Description	Decision and Date
P/18/2406/2	Discharge of conditions 9, 25, 28 of P/14/1833/2 regarding Site Wide Phasing Plan, Public Transport Strategy, and Site Wide SuDs Strategy.	Granted – 25/07/2019
P/20/0515/2	Reserved Matters for Phase 1a + Discharge of outline conditions 11 (Children and Young Persons Strategy), 14 (Site wide structural landscaping), 39 (Landscape scheme for registered park and garden), 43 (noise assessment), 50 (phase odour assessment)	Granted – 19/07/2021
P/20/2187/2	Reserved matters application comprising of 251 dwellings inclusive of access, appearance, landscaping and scale relating to Phase 1b and 1c of outline application P/14/1833/2	Granted – 08/10/2021
P/21/2664/2	Discharge of conditions 29 (phase SUDS), 30 (phase disposal of surface water), 33 (foul sewage drainage plans and timescale), 34 (site wide green infrastructure and biodiversity management strategy and timescale), 36 (phase green infrastructure and biodiversity management strategy), 37 (phase arboricultural method statement), 38 (phase archaeological investigation) & 51 (phase ecological survey update) of P/14/1833/2	Granted – 23/08/2022

6.3 Other applications relate to the Garendon Park SUE and discharge of conditions and are available via Charnwood's Planning Explorer.

7. Responses of Consultees & Other Comments Received

7.1 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	No objections
Leicestershire County Council – Highways	<p>No objections subject to conditions:</p> <ul style="list-style-type: none"> • Restriction of use to Timber Frame Property Manufacturing Facility as described in the Design and Access Statement • No part of the development occupied until easternmost access has been implemented in full • No part of the development shall be occupied until visibility splays provided • No part of the development shall be occupied until site egress arrangements have been implemented in full • No part of the development shall be occupied until westernmost visibility splays provided • The development shall not be occupied until such time as the parking and turning facilities have been implemented in full • The development shall not be occupied until a minimum of 10 secure (and under cover) cycle spaces have been provided • The development shall not be occupied until a minimum of 10 secure powered two wheeler parking spaces have been provided • No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 60m of the highway boundary • No part of the development shall be first occupied until a car park management plan has been submitted to and agreed in writing by the Local Planning Authority.
Leicestershire County Council – Waste Management	No objections from a waste safeguarding perspective.
Charnwood Conservation and Design	No comment
Charnwood Landscape	No comment

Charnwood Biodiversity	No comment (Note separate submissions in relation to Phase Biodiversity and Green Infrastructure Management Plan – P/22/2266/2)
Charnwood Borough Council Environmental Health	No objections
Ancient Monuments Society	No comment
Historic England	No advice to offer
The Gardens Trust	No comment
Bridleway Association	No comment
British Gas	No comment
Environment Agency	No comment
Ramblers Association	No comment

Ward Councillor and Parish Council Response

Hathern Parish Council	No comment
Shepshed Town Council	No comment

Responses to publicity

From	Comments
2 letters of objection received from 2 addresses	<ul style="list-style-type: none"> Concerns that the ecological walkover surveys have not been extensive enough and the 2022 appraisal is over reliant on surveys that are 9 or 10 years out of date. Inaccuracies in the supporting documents result in misrepresentation of the issues and assessment. Highway safety is not accurately presented The proposals would increase traffic on Hathern Road, impacting residents. The proposed access is dangerous and would affect safety of highway users, including horses and riders There is a nearby livery yard and the proposed access would make the highway unsafe for horses and riders The assessment of impact on horse riders is inaccurate.

	<ul style="list-style-type: none"> • Horse riders from the local area visit the area to access local bridleways • Open days are held at Shepshed Watermill with up to 500 visitors and safe access for visitors would be affected. • An alternative junction, including a roundabout, is a better solution. • The access would result in noise pollution to neighbouring residents
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8. Consideration of the Planning Issues

8.1 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 (2011-2028), Minerals and Waste Local Plan (2019).

8.2 The Core Strategy and Charnwood Local Plan 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. As this application relates to provision of employment uses, the relevant policies listed above are up to date and compliant with national guidance and as such that there is no reason for them to be given reduced weight.

8.3 The main planning considerations applicable to this application are considered to be:

- Principle of development
- Environmental Impact Assessment
- Delivery of Employment Land
- Landscape & Visual Impact
- Design & Layout
- Impact on trees
- Ecology and biodiversity
- Impact on residential amenity
- Heritage and Archaeology
- Highway matters
- Sustainable construction and energy efficiency

9 Key Issues

9.1 Principle of the Development

- 9.1.1 The principle of development is guided by local plan policies CS1 of the Charnwood Core Strategy (2015). Policy CS1 outlines the development strategy for the borough and the distribution of sustainable growth. Policy CS1 includes provision for approximately 3,000 homes on land west of Loughborough (now known as Garendon Park) and up to 16ha of employment land by 2028. Policy CS1 aims to respond positively to sustainable development which contributes towards meeting development needs, supports the strategic vision, makes effective use of land and is in accordance with the policies elsewhere in the Charnwood Core Strategy.
- 9.1.2 Core Strategy Policy CS22 allocates the Garendon Park site for development, including up to 16ha of employment land. The allocation is reiterated in the emerging Local Plan policy LUC2, including the provision of up to 16ha of employment land. Furthermore, the approved outline permission for the SUE (P/14/1833/2) and associated S106 makes provision for the delivery of up to 16ha of employment land within the SUE, in the location subject of this application.
- 9.1.3 The principle of employment development on this site has been established by the outline permission and its delivery is supported by the adopted and emerging Development Plan.
- 9.1.4 The matters for consideration as part of this application are the appearance, landscaping, layout, access and scale.

9.2 Environmental Impact Assessment (EIA)

- 9.2.1 As there is an Environmental Statement (ES) attached to the original outline application, the reserved matters are regarded as subsequent 'EIA applications'. Regulation 8 of the 2011 Environmental Impact Assessment Regulations and Regulation 9 of the 2017 Environmental Impact Assessment Regulations both state that where a subsequent application is submitted and an Environmental Impact Assessment has previously been provided that the planning authority must consider whether the previously submitted information is adequate to assess the significant effects of the development on the environment. This assessment should cover:
- Whether the reserved matters accord with the provisions of the parameters in the outline/hybrid planning permission
 - Relevant updates to policy/legislation by topic
 - Whether any topic baseline assessments have changed
 - Whether there are any effects which were not identified, or which weren't identifiable by topic
- 9.2.2 These matters have been assessed and it is considered that the reserved matters are in compliance with the parameters in the outline permission and that there are no changes to policy and legislation that would have a material impact on the findings of the Environmental Impact Assessment.

9.3 Delivery of Employment Land

- 9.3.1 Policy CS6 (Employment and Economic Development) of Core Strategy outlines aims to meet the economic needs of our community and support the economy of Leicester by delivering 75ha of land for strategic employment purposes, providing opportunities for manufacturing businesses to develop, re-locate and expand and supporting major employment opportunities in locations where they reduce journeys to work by car. CS22 makes provision for delivery of employment land to meet the boroughs wider strategic employment purposes with 16ha allocated as part of the Garendon Park SUE. Similarly, paragraph 81 of the NPPF places significant weight on supporting economic growth and productivity.
- 9.3.2 The emerging Local Plan includes the latest evidence base for assessment of employment need and follows through the allocation of employment land at Garendon Park from the Core Strategy into emerging policy LUC2 to help meet our strategic and local employment needs and support regeneration of Loughborough and Shepshed in accordance with emerging Local Plan policies DS1, LUC2 and SUA1.
- 9.3.3 The development proposed in this application includes provision for 35,264sqm of B2 uses, with ancillary office space on a 7.51ha site. This represents approximately 47% of the overall employment provision within the SUE being made available for a defined user, rather than as speculative development.
- 9.3.4 The original outline permission and associated details approved through subsequent discharge of conditions (P/18/2406/2) made provision for the delivery of the employment land as one of the latter phases of the development (6 and 7 out of 9). The current proposals and associated discharge of conditions make provision for the early delivery of the employment land (phase 3 out of 8). Subject to agreement of relevant details, it is expected that construction of the unit could commence in 2024 with a view to being operational in 2025.
- 9.3.5 Under the conditions of the Outline Planning Permission, delivery of the remaining parcels of the employment land is subject to employment marketing (required to be commenced by the 600th dwelling, at the latest) and market demand. It would also take into account the early delivery of services and infrastructure to serve the proposed parcel E1 and potential for these to be extended to serve remaining parcels such that it could be possible for further parcels of employment land to be made available from an earlier stage than originally anticipated.
- 9.3.6 The need for the employment land is established by the adopted Core Strategy and evidence base supporting the emerging Local Plan. The employment area is an allocated employment site that is planned to provide for the economic and employment needs of the Borough during the plan period of up to 2037. The proposals make provision for early delivery of employment land for a defined user with associated benefits of job opportunities and growth of the local economy on an allocated site which is a significant benefit to be considered in the determination of this application.

9.3.7 The proposals comply with Core Strategy Policies CS6 and CS22 as well as the NPPF and emerging Local Plan Policies DS1, LUC2 and SUA1.

9.4 Design and Layout

- 9.4.1 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 which uses materials appropriate to the locality. Core Strategy Policy CS22 and the supporting vision sets out aims for the overall character of the SUE, including that the design of Garendon Park will be strongly informed by the unique local character and the historic setting provided by the Charnwood Forest and The Garendon Registered Park and Garden. The general urban design of the SUE is expected to weave the local style into the development as well as introducing new innovative and creative solutions. These policies generally accord with the NPPF and National Design Guide and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them. Similar to the adopted Core Strategy, emerging Local Plan policies DS5 and general and LUC2 with specific reference to the site require development of the site to respond to the landscape and surrounding areas to create a locally distinctive development.
- 9.4.2 Separate submissions have been made in relation to discharge of conditions 10 (Development Framework) and 13 (Employment Parcel Design Brief) of the outline permission, relating to a phase specific development framework and design brief (P/22/2003/2) which seek to establish the parameters for design and layout of the wider employment zone. This builds on details established through parameter plans and the illustrative masterplan approved as part of the outline permission and sets out the general layout and access parameters specifically for the employment zone. These include provision for the scale of development proposed as part of this reserved matters application and provides context for how proposed manufacturing unit would be incorporated into the employment zone.
- 9.4.3 The main body of the unit would have a height of 9m, with an additional office element with a height of 12m on the southern elevation. The proposed development would have a max length of 330m. Elevations facing the SLR would include an inset section and layered landscaping. The unit would be set back 25m from the edge of the footpath / cycleway of the SLR. Elevations fronting the link road between Hathern Road and the SLR would have a height of 9m and width of 100m with additional inset element having a width of 30m. This elevation would be set back from the highway by 90m, with intervening drainage basin and landscape planting.
- 9.4.4 The scale bulk and mass of the proposals are significant, however, the design does seek to mitigate its impact where possible while still achieving the operational needs of the business. Measures include having an inset element on the eastern elevation, incorporating a graduated colour pallet and utilising drainage basins to create interest in space between the building and highway with associated planting to soften the immediate setting of the building. Boundary treatment is referred to including post and rail along the southern frontage, though specific details are to be agreed. The southern elevation is broken up by the office element, including timber treatment which creates some interest in the southern elevation.

- 9.4.5 It is also noted that parameter plan C, approved as part of the outline permission (plan ref. 1005.L.203 Rev A) sets out that the maximum height of buildings within the employment area would not exceed 12m. The maximum height was considered acceptable in principle at the time of the outline application based on the landscape assessment and heritage setting and it is noted that the majority of the unit would have a height of 9m, therefore less than the maximum provided for through the approved parameter plans.
- 9.4.6 The scale, bulk and mass of the development is significant and no amount of colour changes, landscaping or materials will fully mitigate its impact on the area. However, the proposals are considered to be reasonable in the context of the approved parameter plans and wider setting of the SUE. Due to its scale and bulk and the design that includes limited reference to the unique character of the area, it is considered that the proposals conflict with NPPF, National Design Guide, policies CS2, CS11, CS13 and CS22 of Charnwood Core Strategy, DS5 and LUC2 of emerging Local Plan and the Charnwood Design SPD. The impact is to be weighed in the planning balance.

9.5 Landscape and Visual Impact

- 9.5.1 Policies CS2 and CS11 of Charnwood Core Strategy are concerned with protecting the landscape and ensuring new development does not result in visual harm. CS22 specifically relates to the Garendon Park SUE and requires the SUE as a whole to respond to the landscape and surrounding areas to create a locally distinctive development. These policies generally accord with the National Planning Policy Framework and do not directly impact on the supply of employment land. As a result, it is not considered that there is a need to reduce the weight that should be given to them.
- 9.5.2 The supporting text for policy CS22 includes a vision for the Garendon Park growth area. The vision includes emphasis for the SUE, combined with the LUSEP, to put local connectivity as a key aim whilst providing residents with a variety of employment opportunities. The design of Garendon Park will be strongly informed by the unique local character and the historic setting provided by the Charnwood Forest and The Garendon Registered Park and Garden. The general urban design of the SUE is expected to weave the local style into the development as well as introducing new innovative and creative solutions.
- 9.5.3 Emerging Local Plan Policy EV1 requires new development to protect landscape character and to reinforce sense of place and local distinctiveness. And maintain separate identities of settlements. This policy is at an advanced stage and was discussed at the hearing sessions in June 2022 and are consistent with the NPPF so can be given moderate weight. The above requirements are also reiterated by emerging Local Plan Policy LUC2 which, for the same reasons, also carries moderate weight.

- 9.5.4 The submission documents include a Design and Access Statement, with landscape section, arboricultural method statement (noting previous approval of condition 37 – Arboricultural Method Statement) and landscaping details. The submitted details are taken in the context of the wider landscape and visual impact assessment which formed part of the outline permission. The proposals are also taken in the context of the phasing plan which forms part of a separate discharge of condition application (P/22/1994/2) and is pending determination.
- 9.5.5 The proposed phasing plan and delivery of the wider SUE provides some context for how the proposed manufacturing unit would be perceived and its impact on the surrounding landscape. In summary, the proposed phasing plan is based on a north to south delivery of the SUE, with residential parcels progressing firstly from the north east of the SUE (closest to A6), before progressing generally towards the north west of the SUE, and then progressing south towards the registered park and garden. Full details are available within application ref. P/22/1994/2. A Summary is also provided in the supporting background paper.
- 9.5.6 The employment zone would be located towards the west of the site and, based on the proposed phasing plan including delivery in phase 3, would be separate from wider development of the SUE in the short term, however, it would be located directly adjacent to the existing Household Waste and Recycling Centre, sewage treatment plant, solar farm, associated Hathern Road access road and associated infrastructure and viewed with the backdrop of the M1 motorway. It would also be served by sections of the SLR linking to the A6 which will appear as a significant feature in the landscape extending north from the site towards current development parcels. The proposals also retain existing trees and hedgerow wherever feasible and include new landscaping with a combined impact that will alter the character of the area.
- 9.5.7 In terms of setting, delivery of the SUE is underway and associated construction work and infrastructure delivery is already altering the character of the area and landscape setting of the employment site. Residential development is expected to continue with parcels to the north east of the employment zone being constructed up to 2030. The community hub, immediately east of the employment zone, is required to be delivered under the provisions of the S106 by the 1801st occupation which, based on the housing trajectory considered as part of the recent Local Plan hearing sessions, could be achieved by circa 2032. While in the short term the employment unit would be a notable addition to the landscape, the wider context of the site is already changing in accordance with the parameters of the outline permission and is expected to continue to do so over the coming 10 – 15 year build out period.
- 9.5.8 The approved parameter plan 1005/L/203 Rev A makes reference to accepted density and scale of development within parcels of the site, including employment area as well as residential parcels and the community hub directly adjacent to the proposed unit. This includes provision for higher density residential development close to the employment area and community hub, with residential properties expected to be up to 12m in height. Development within the community hub is expected to be up to 13m in height and the employment zone having buildings up to 12m in height.

- 9.5.9 In addition to the scale and appearance of the building, the proposed use includes 24hr working with associated requirements for night-time lighting. This will increase the visibility of the unit in views of the wider landscape during the evening and night and will further affect the character and appearance of the area, albeit in the evolving context of wider development on the SUE, including street lighting and the Community Hub which may also include night-time illumination and signage. Furthermore, the existing setting includes the M1 with associated lighting.
- 9.5.10 In the long term and based on the completion of the SUE in accordance with the provisions of the outline permission, the manufacturing unit would be a prominent part of the SUE located alongside the SLR, albeit screened to a certain extent by proposed landscaping and viewed in the context of the adjacent local centre and surrounding residential parcels (details to be agreed through future reserved matters). In particular, views of the southern elevation of the unit would be possible when travelling north along the SLR and when entering the SUE from Hathern Road and, given the scale and massing of the building, glimpsed views would be possible when travelling along the M1.
- 9.5.11 Given its bulk, mass, form, lighting, proximity to the SLR and community hub, the proposed manufacturing unit would be a large and prominent element within the SUE which will have an impact on the overall character of the development and achievement of the vision for Garendon Park, particularly in the short term, before surrounding development parcels are delivered and landscaping matures.
- 9.5.12 Some mitigation on the appearance of bulk would be achieved by the inclusion of a subservient element on the eastern elevation, an office element with distinct elevational treatment on the southern elevation, use of coloured cladding and tree planting alongside the SLR. However, the building would remain a significant element in the landscape and wider setting of the Registered Garendon Park and the impact needs taken into account when determining this application.
- 9.5.13 As observed above, the proposed development would have a significant impact on the appearance of the area in the short term due its scale and mass and that the proposed soft landscaping will take time to become established to the point of providing effective softening of the appearance of the building. In the medium term, the surrounding farmland to the northeast of the site will become largely residential development which will begin to subsume the apparent mass of the building into the context of a peri-urban environment. It can also be expected that landscaping would become more established. In the medium to long term, the adjacent community hub is expected to be developed, with approved parameter plans making provision for building heights of up to 13m. Subject to agreement of details for surrounding parcels, it is expected that the mass of the manufacturing unit will become amalgamated with the scale and character of adjacent development parcels to an acceptable level that is in keeping with the wider SUE and approved parameter plans.

9.5.14 The application is supported by detailed landscaping proposals and, together with retention and enhancement of site wide green infrastructure and its setting within the wider context of the SUE, the long term impacts would be acceptable in both landscape and visual terms, however, there would be some harm to the character and appearance of the area in the short term, until the surrounding parcels of the SUE are developed and views of the manufacturing unit become amalgamated with surrounding properties.

9.5.15 Taking into account the approved parameter plans and wider setting of the SUE, the overall development would accord with policies CS2, CS11 and CS12 of the Adopted Core Strategy and the Landscape Character Appraisal (2012), and emerging Local Plan policy EV1 and LUC2.

9.6 Impact on Trees

9.6.1 Policies CS2, CS11 and CS22 of the Core Strategy seek to ensure high quality design that reflects the character and context of the area, which in this location comprises an emerging SUE on what is currently agricultural land with mature trees residential parcels. The character of the area is already changing as part of the delivery of the SUE and it is expected to continue to do so for many more years as further parcels of the site are constructed.

9.6.2 Emerging Local Plan policy DS5 makes similar requirements and EV7 encourages the protection of trees and tree planting. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF, and can therefore be given moderate weight.

9.6.3 In terms of parcel specific landscaping, the details of the proposed development would result in the loss of sections of existing hedgerow in order to facilitate the meets the operational needs of the business, however, the majority of existing trees and hedgerow in the area would be retained and supplemented by additional planting, as shown on the submitted landscaping scheme.

9.6.4 An arboricultural impact assessment has been approved in relation to condition 37 of the outline permission under a separate discharge of condition application (P/22/2094/2). This sets out adequate measures to protect retained trees. Furthermore, site wide structural landscaping details have been agreed which include retention and enhancement of habitats along the Black Brook as well as further landscaping within the SUE which will be retained as features within the landscape setting of the employment site.

9.6.5 The proposed landscape and visual impact from the scale and appearance of the proposal is recognised as presenting a prominent addition to the existing landscaping, however, considering the approved parameter plans and principles established by the outline permission, the impact is expected to be at its peak in the short term and subsumed into the wider SUE as further parcels and infrastructure are delivered. Consequently, the proposed development accords with the approved site wide structural landscaping plans and is in general accordance with the illustrative masterplan to the extent that the impact on trees in relation to policies in the Core Strategy are acceptable, particularly Policy CS11 (Landscape and Countryside), Policy CS2 (High-Quality Design) and CS22 (West of Loughborough Sustainable Urban Extension) and emerging Local Plan policy EV7 and LUC2.

9.7 Ecology and Biodiversity

9.7.1 Policy CS13 seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats and CS22 makes provision with particular reference to the Garendon Park SUE.

9.7.2 Emerging policy EV6 of the Draft Local Plan seeks 10% biodiversity net gain and the protection and enhancement of habitats, species and networks. Emerging policy EV7 supports the retention of existing trees and new tree planting. Although the Environment Act 2021 makes provision for 10% biodiversity net gain, the relevant sections of the Act have not yet been brought into force to make it a legal requirement and is not currently required by national policy. Therefore, emerging Local Plan policy EV6 can be given only limited weight until the emerging policy is further progressed towards adoption.

9.7.3 This submission is for reserved matters including appearance, landscaping, layout, access to and scale but includes submissions to discharge condition 51 (phase ecological survey update) of the outline permission.

9.7.4 Separate submissions have made in relation to discharge of condition 36 (phase Green Infrastructure and Biodiversity Management Plan) under application referenced P/22/2266/2 with associated baseline ecological assessment that is pending determination and is based on the previously approved discharge of condition 34 (site wide Green Infrastructure and Biodiversity Management Plan) forming part of application referenced P/21/2664/2 which establishes the general approach to ecology and biodiversity protection and enhancement in the SUE.

9.7.5 The CBC Ecologist has not raised any objections to the submitted ecological surveys and outstanding details in relation to management of biodiversity can reasonably be agreed through the current pending submissions in relation to the phase specific Green Infrastructure and Biodiversity Management Plan, in keeping with the approved details forming part of the overarching site wide Green Infrastructure and Biodiversity Management Plan.

9.7.5 Consequently, the proposal, subject to the provisions of the related planning conditions, is considered acceptable and would comply with policy CS13 and CS22 of the Charnwood Local Plan 2006-2028 Core Strategy and emerging Local Plan policy EV6 in respect of ecology and biodiversity.

9.8 Impact on Residential Amenity

- 9.8.1 Policies 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. Saved policy EV/1 of Local Plan and policy 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.
- 9.8.2 Emerging Local Plan policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. The policy can be given moderate weight.
- 9.8.3 As set out above, the development relates to the early delivery of a unit within the employment zone. As such, existing properties in the area are limited to the adjacent Household Waste and Recycling Site, sewage treatment plant, beyond which are existing residential properties, including Shepshed Watermill.
- 9.8.4 It is recognised that comments have been received from local residents in relation to the impact of proposed development set out in the associated reserved matters application for the link road and Hathern Road access point (P/22/2223/2). Given the interrelated issues between the access details and this application, the issues raised are considered in relation to this application where they relate.
- 9.8.5 The proposed development includes a manufacturing unit with operational hours stated to be 24hrs. The development would be a new source of noise and light, particularly from its operational requirements to provide safe night-time working areas and HGV movements.
- 9.8.6 The submitted details include provision to mitigate noise to existing and future residents through the orientation of the building and external operational areas. Unit B makes provision for internal loading and unloading of HGVs with a view to containing potential noise spill. Details of external lighting have been submitted, along with an assessment of light spill outside of the site.
- 9.8.7 The submissions have been considered by CBC's Environmental Health Officers who find that, while condition 45 of the outline permission (P/14/1833/2) included a condition requiring plant noise to attenuation levels to be 5dB below the measured background noise at adjacent dwellings, the main source of impact on residential amenity would be from night noise associated with HGV movements, with particular regard to the existing dwelling at Shepshed Watermill directly west of Hathern Road, and HGVs accessing the site via the proposed Hathern Road junction. There are also potential impacts from light spill from the unit impacting the future residential parcels. The impact is considered in the context that the proposals are in keeping with the general location of employment land and adjacent development set out in the approved parameter plans

- 9.8.8 Based on the light spill assessment, the location of lighting and layout of the development is considered to adequately protect existing and proposed dwellings to an extent that is in keeping with the principles established by the outline permission.
- 9.8.9 In addition to existing properties, consideration has also been given to potential impacts on future residents, particularly those proposed dwellings within residential parcels immediately east of the employment zone. Particular amenity issues could be associated with noise and light from an employment use in relatively close proximity to dwellings. It is noted, however, that detailed layout and design of new properties adjacent to the employment unit are not agreed at this stage and there would be opportunity to determine any future reserved matters applications in relation to the community hub and nearby residential parcels to take account of potential noise and light spill from this development.
- 9.8.10 It is expected that construction of the unit would commence before the SLR is available and it would be necessary for construction vehicles to access the site via the Hathern Road access point. This will give rise to impact on the local highway network and local dwellings from noise and disturbance associated with vehicles entering the site as well as construction work within the site.
- 9.8.11 Considering the potential impact on residential amenity for existing residents from the operational phase of the development, primarily from HGV movements using the Hathern Road access point, Environmental Health Officers support the inclusion of conditions which restrict the use of the Hathern Road access point for HGVs associated with the Space 4 unit and for the Space 4 unit to only be brought into use when sections of the SLR between the employment zone and the A6 have been made available. Provision for this is included in proposed conditions, below.
- 9.8.12 In relation to impacts on residential amenity during construction, the outline permission (P/14/1833/2) includes condition 35 (phase Construction Environment Management Plan, including vehicle routing) and 42 (demolition / construction hours). It is reasonable to expect that adequate provision can be secured through these conditions to protect residential amenity to a reasonable level. In particular, these conditions require details to be agreed prior to the commencement of each relevant phase including access and routing of construction vehicles, loading and unloading of plant and materials and wheel washing facilities.
- 9.8.13 Based on recommended conditions to mitigate potential impacts, the proposal would comply with the provisions of policies CS2 of Charnwood Core Strategy and EV/1 of Local Plan and DS5 of the emerging Local Plan, along with NPPF, National Design Guidance and the guidance set out in the Design SPD to protect residential amenity.

9.9 Heritage Assets & Archaeology

- 9.9.1 Planning policy CS14 (Heritage) seeks 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. Policy CS22 provides further context in specific relation to the Garendon Park SUE and requires that development of the site will protect and mitigate impacts on historic and archaeological features including Garendon Registered Park and Garden, the scheduled monument and listed buildings within the Park in accordance with CS14.
- 9.9.2 Emerging Local Plan policy EV8 Heritage seeks to protect and enhance heritage assets and prevents harm to their significance and setting. Under the guidance of NPPF para. 48 it is considered that the emerging Local Plan is 'well advanced' having been subject to Examination and policies are consistent with the NPPF. Policy EV8 is largely uncontested and can therefore be afforded moderate weight.
- 9.9.3 The Planning (Listed Buildings and Conservation Areas) Act 1990 provides a statutory duty for local authorities to have special regard to Listed Buildings and Conservation Areas. Section 66 (1) of the Act refers to the desirability of preserving Listed Buildings, the setting of Listed Buildings and the features of special architectural and historic interest which it possesses whilst Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 9.9.4 Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- 9.9.5 The outline permission (P/14/1833/2) established the principle for development of the SUE and approved various parameter plans which guide delivery of the site and future detailed submissions. The outline permission was based on an assessment of heritage impact and makes provision for wider protection and mitigation of heritage assets. However, consideration remains to be given in relation to the details of this application and its particular impacts on heritage assets.
- 9.9.6 As set out above, it is recognised that the scale, bulk and mass of the proposals would have an impact on the character of the development, particularly in the short term. While there are no specific heritage assets within the site and the principles for delivery of employment land have been established by the outline consent, the heritage impact of these specific proposals remain to be considered, particularly the setting of Registered Garendon Park and Garden, scheduled monument and associated listed buildings within the site and the nearby Shepshed Watermill, located outside of the SUE, on the western side of Hathern Road.

- 9.9.7 Similarly to the considerations above, the proposed development would have an impact on heritage assets on a short, medium and long term, with a changing context as the wider site is constructed. It is considered that the proposed development would have the greatest prominence, and therefore impact on the setting of heritage assets, in the short term with its individual impact subsequently being reduced as the unit becomes amalgamated with surrounding development and the character of the area becomes urbanised.
- 9.9.8 It is recognised that comments have been made in relation to the associated reserved matters application and the Hathern Road access point (P/22/2223/2) and impact on Shepshed Watermill. Those issues will be considered in the determination of that application.
- 9.9.9 Given the scale, mass, appearance and location of the building within the employment zone, the development would be visible in the short term in views from public rights of way and would feature in the existing setting of listed buildings, including the Temple of Venus. Views of the development would be taken in the context of existing development, including the Household Waste and Recycling Centre, sewage treatment plant and M1 motorway, as well as current parcels that are under construction. The impact of the development on the setting of listed buildings is not considered to be harmful in its own right and its scale and location is in keeping with parameters approved as part of the outline consent. Furthermore, the long-term impact of the proposals are expected to become amalgamated with further development parcels of the site such that there would not be a notable impact of the development on heritage assets.
- 9.9.10 In terms of archaeology, initial archaeological investigation has been undertaken as part of the original outline application. The outline permission was granted on the basis that there are no known archaeological interests in the area of the employment zone that warrant preservation in situ. However, the outline permission includes condition 38 (phase written scheme of archaeological investigation) which requires a scheme of archaeological investigation to be agreed and implemented on a phase by phase basis. A separate discharge of condition application has been submitted and approved for condition 38 and the employment zone (application ref. P/22/2002/2). On that basis, adequate provision is made for investigation and preservation of archaeological assets, separately from this reserved matters application.
- 9.9.11 Considering that the principle of development within the SUE has been established by the outline consent, including an understanding that the setting of heritage assets would be affected by the overall development, but offset by repair and enhancement as well as provision of public access to the registered park and garden, the short term impact of the current proposals is not considered to be significant in the existing context and any impact would become subsumed by the evolving character of the area as future development parcels are constructed and delivered. The proposal therefore meets the requirements of Policy CS14 and CS22 of the Core Strategy and EV8 of the emerging Local Plan, and the requirements in respect of Listed Buildings and Conservation Areas set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

9.10 Highway Matters

- 9.10.1 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. Similarly, CS22 makes provision for particular transport matters to be considered in relation to the Garendon Park SUE. Paragraph 111 of the NPPF seeks to ensure new development does not result in an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network. Paragraph 112 of the NPPF seeks to promote sustainable travel choices.
- 9.10.2 Emerging local plan policy T3 requires new development to provide car parking in accordance with the latest published guidance of the County and Borough Councils. Emerging policies INF1 and INF2 seek to secure appropriate infrastructure to mitigate the impacts of development. Policy C6 encourages the inclusion of electric charging points and similarly carries moderate weight.
- 9.10.3 It is noted that the submissions as part of the outline application included details of access onto Hathern Road, the provision of which relates to the delivery of the employment zone. However, those details were not agreed at the time of the outline application and the permission included condition 24 which requires subsequent agreement of details. The specific access arrangements for the link road between Hathern Road and the site are subject of the associated reserved matters application (P/22/2223/2) but referred to where relevant as part of these proposals.
- 9.10.4 Notwithstanding the detail of the Hathern Road access point subject of the associated reserved matters application (P/22/2223/2), the parcel of the employment zone subject of this reserved matters application includes access from the site onto a proposed highway, which in turn links onto the SLR.
- 9.10.5 The proposals include access, parking, cycle parking and manoeuvring space within the site for HGVs, based on the specific operational requirements of Space 4 including the following:
- A total of 100 car parking spaces, including 5 x disabled spaces and 10 x electric car charging spaces
 - 10 x covered cycle spaces
 - 10 x motorcycle spaces
- 9.10.6 The submitted traffic impact includes calculation of the AM and PM peak hour flows from this development and expects that vehicle movements from the Space 4 development will be 58 two way flow AM peak hour and 53 two way flow PM peak hour. Shift working will spread factory staff vehicle movements to outside of the peak hour flows.

- 9.10.7 Site wide pedestrian and cycleways relate and are subject of broad details agreed as part of the structural landscaping (discharge of condition forming part of P/20/0515/2) and recreational routes approved as part of the parameter plans of the outline permission (P/14/1833/2). The submitted application does not affect wider routes but does benefit from close proximity to an existing bridleway to the immediate south of the site, providing off road pedestrian and cycle access to Shepshed and Loughborough.
- 9.10.8 In order to build the proposed development, it would be necessary for construction traffic to access the site via the existing highway network, including Hathern Road. This is expected to cause a degree of impact to the local highway network, but it is expected that this can reasonably be controlled to an acceptable extent through conditions of the outline permission, including a Construction Environment Management Plan and vehicle routing plan to minimise impact on Hathern, Shepshed and surrounding dwellings.
- 9.10.9 Given the potential impact on the local highway network and disturbance to existing residents, it is proposed that HGVs associated with the operational use of the employment zone would be routed via the SLR, rather than the Hathern Road access point.
- 9.10.10 LCC Highways have been consulted on the details of this application and are content that, based on the specific user being Space 4, trip generation and junction capacity assessments are in line with the provisions of the outline permission, that adequate parking provision is provided within the site and that safe access can be achieved.
- 9.10.11 In addition to submitted details, it is noted that an employment travel plan is required to be submitted and agreed prior to the first occupation within the employment parcel. This will be required prior to occupation of the manufacturing unit subject of this application and would be required to be in accordance with the framework travel plan which formed part of the outline permission (P/14/1833/2) and would include detail of measures to promote sustainable travel patterns.
- 9.10.12 Consequently, the proposed development is considered to be in accordance with Policies CS2, CS18 and CS22 of the Core Strategy and TR/18 of the Local Plan, T3, INF2 and INF3 of the emerging Local Plan which seek to ensure safe access is provided to new development. The inclusion of vehicle charging points accords with emerging Local Plan Policy CC6.
- 9.11 Sustainable construction and energy efficiency
- 9.11.1 Core Strategy Policy CS16 seeks to encourage sustainable design and construction and the provision of renewable energy, where it does not make the development unviable. Policy CS22 encourages development of the SUE to, where viable, exceed building regulations for carbon emissions. Similarly, emerging Policy LUC2 seeks to promote sustainable development on the SUE with buildings adaptable to future climatic conditions.

- 9.11.2 Emerging Local Plan policies CC4 requires sustainable construction practices. They are at an advanced stage and were discussed at the hearing sessions in June 2022 and are consistent with the NPPF so can be given moderate weight.
- 9.11.3 The submission documents provide assessment of service and energy demands of the proposed Space 4 unit, along with initial assessment of potential measures to reduce energy demand, and potential offsetting of energy demand through photovoltaics and using waste products from the timber frame manufacturing process to fuel a wood biomass facility.
- 9.11.4 The submissions make reference to delivering an exemplar approach to environmental responsibility based on low energy design principles, including minimising energy demand through effective building form and orientation, good envelope design and proficient use of services before considering the deployment of appropriate renewable technologies to decarbonise the energy supply. Options proposed as having potential to mitigate the energy demands of the business include photovoltaics on a significant proportion of the roof space and a biomass boiler / CHP. The supporting documents indicate an aspiration to achieve an 'excellent' BREEAM rating.
- 9.11.5 While submission documents provide initial assessments, no detailed proposals have been submitted to confirm the energy efficiency of the building and its use. Nevertheless, it is acknowledged that there is significant scope to achieve sustainable construction and energy efficiencies as referred to in the submission documents and conditions are recommended to ensure that detailed proposals are agreed and implemented to achieve the stated intentions of being an 'exemplar' site.
- 9.11.6 The proposal in the interest of air quality and climate change and subject to agreement of details through conditions would comply with the NPPA, policy CS16 and CS22 of the Core Strategy and LUC2 and CC4 of the emerging Local Plan.

10. Other Matters

- 10.1 As this application relates to an outline application, there are other matters which are controlled by conditions and which will require details to be considered as part of separate discharge of condition submissions.
- 10.2 *Outline conditions (P/14/1833/2) – Prior to commencement of the Employment Land*
- Condition 29 (phase SUDS)
 - Condition 30 (phase disposal of surface water)
 - Condition 31 (phase filter of surface water during construction)
 - Condition 33 (foul sewage drainage plans)
 - Condition 35 (phase CEMP)
 - Condition 36 (phase Green Infrastructure and Biodiversity Management Plan)

10.3 *Outline conditions (P/14/1833/2) – Prior to occupation of the Employment Land*

- Condition 17 (employment travel plan)

10.4 *Outline conditions (P/14/1833/2) – Compliance required*

- Condition 42 - Demolition / construction hours limited to 0700 to 1800 Monday to Friday and 0700 to 1300 on Saturdays and at no time on Sundays or Bank Holidays.
- Condition 45 – Plant noise attenuation levels to be 5dB below the measured background noise at adjacent dwellings.
- Condition 46 – Access to the civic amenity site to be unrestricted during construction.

11. Conclusion

11.1 This application relates to the appearance, scale, layout, landscaping and access to a parcel of employment land. The principle of the development is established by the exiting outline planning permission and the proposals are in accordance with the parameter plans approved as part of this. While they present a larger alternative than that envisaged as part of the illustrative masterplan, the proposals make provision for the early delivery of an allocated employment area on behalf of a defined user.

11.2 Considering the detailed design and layout of the building, there are no technical constraints relating to highways or noise that cannot be mitigated, either by conditions on this application, through conditions on the associated reserved matters (P/22/2223/2) or through the conditions on the original outline permission (P/14/1833/2).

11.6. In conclusion, the development is considered to accord with the relevant policies of the Development Plan and those applicable from the emerging Local Plan. 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 facilitating the early delivery of an employment use that is in general accordance with the approved parameter plans. The application should therefore be supported subject to appropriate conditions being attached as set out below.

12. Recommendation

12.1 That planning permission be granted subject to the following planning conditions and reasons:

Recommended conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
 - Design and Access Statement (Roberts Limbrick)
 - External Lighting Layout
 - Proposed Gatehouse Plans and Elevations (10537-PL038)
 - On Plot Landscape Proposals (10860-FPCR-XX-XX-DR-L-0001-0007-P02-Landscape Proposals)
 - Key Planning Layout (MA11509-SP4-1004C)
 - Drainage Layout (MA11509-SP4-2000B, 2002B, 2003B)
 - Site sections (MA11509-SP4-2004A)
 - 16.5m Articulated Vehicle Track Analysis (MA11509-SP4-1000C)
 - Proposed Visibility Splays, Forward Visibility And Anticipated Adoption Extents (MA11509-SP4-1005)
 - Proposed Site Master Plan (10537-PL022A)
 - Proposed S4A Elevations / Street Scenes (10537-PL025)
 - Proposed S4A Ground Floor Plan (10537-PL023)
 - Proposed S4A Proposed Building and Site Cross Sections (10537-PL026)
 - Proposed S4A Office Elevations (10537-PL030)
 - Proposed indicative street scenes visualisation (10537-PL033)
 - Proposed S4A Office ground Floor Plan (10537-PL027)
 - Proposed S4A Office First Floor Plan (10537-PL028)
 - Proposed S4A Office Second Floor Plan (10537-PL029)
 - Proposed S4A Office Roof Plan (10537-PL024)
 - Proposed S4B Plans and Elevations (10537-PL031)
 - Proposed indicative site aerial visualisations (10537-PL032)
 - Proposed S4A Office Indicative Visualisation (10537-PL034)
 - Designated Smoking Area Associated with Car Park (10537-PL035)
 - Designated Smoking Area Associated with Terrace (10537-PL036)
 - Proposed Cycle Park Typical Shelter (10537-PL037)

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 SPD and the NPPF.

2. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and / or the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any orders revoking and re-enacting those Orders), the development site shall not be used for any purpose other than Timber Frame Property Manufacturing Facility as described in the Roberts Limbrick Design and Access Statement dated November 2022.

REASON: In the interests of general highways safety and in accordance with the National Planning Policy Framework (2021) as a more traffic-intensive development at this site would be inappropriate due to the limitations of the on site parking, vehicular access and / or the local road network.

3. No part of the development hereby permitted shall be occupied until such time as the main, easternmost, site access arrangements shown on MCE drawing number MA11509/SP4/1004 Revision B drawing number have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

4. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 4.5 metres by 47 metres have been provided at the main, easternmost, site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway / verge / highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2021).

5. No part of the development hereby permitted shall be occupied until such time as the warehouse, westernmost, site egress arrangements shown on MCE drawing number MA11509/SP4/1004 Revision B drawing number have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

6. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 4.5 metres by 47 metres have been provided at the warehouse, westernmost, site egress. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway / verge / highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2021).

7. The development hereby permitted shall not be occupied until such time as the parking (and turning facilities) have been implemented in accordance with MCE drawing number MA11509/SP4/1004 Revision B. Thereafter the onsite parking (and turning) provision shall be kept available for such use(s) in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

8. The development hereby permitted shall not be occupied until such time as a minimum of 10 secure (and under cover) cycle parking spaces have been provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such use(s) in perpetuity

REASON: To promote travel by sustainable modes in accordance with the National Planning Policy Framework (2021).

9. The development hereby permitted shall not be occupied until such time as a minimum of 10 secure powered two wheeler (motorcycle, scooter) parking spaces have been provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the onsite parking provision shall be kept available for such use(s) in perpetuity.

REASON: To promote travel choice in accordance with the National Planning Policy Framework (2021).

10. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 60 metres of the highway boundary.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2021).

11. No part of the development hereby permitted shall be first occupied until a car park management plan has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed car park management plan shall be implemented in accordance with the approved details.

REASON: To manage parking demand to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

12. Prior to commencement of development an Energy and Sustainability Statement shall be submitted to the Local Planning Authority and agreed in writing. The Statement shall contain details of on-site energy generation, including siting, layout and design of solar panels and associated infrastructure, together with measures to ensure sustainable design and construction methods are utilised for the buildings. The development shall be implemented in accordance with the approved details.

REASON: To ensure that reasonable measures are implemented to secure sustainable energy generation and the development adapts to and mitigates against the effects of climate change in accordance with Core Strategy CS16 and CS22 and emerging policy CC4.

13. Prior to commencement of development details of boundary treatment, including height, materials, design, colour and location shall be submitted to the Local Planning Authority and agreed in writing. The development shall be implemented in accordance with the approved details.

REASON: To ensure an appropriate landscape impact in accordance with the provisions of CS2, CS11 and CS22.

14. Prior to commencement of development, details of signage and / or advertisements and any associated illumination shall be submitted to the Local Planning Authority and agreed in writing. The development shall be implemented in accordance with the approved details.

REASON: To ensure protection of the landscape setting and setting of heritage assets in accordance with CS 2, CS11, CS14 and CS22.

15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To ensure protection of the landscape setting and setting of heritage assets in accordance with CS 2, CS11, CS14 and CS22.

16. The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no.:

- Proposed S4A Elevations / Street Scenes (10537-PL025)
- Proposed S4A Office Elevations (10537-PL030)
- Proposed S4A Office Roof Plan (10537-PL024)
- Proposed S4B Plans and Elevations (10537-PL031)

REASON: To provide certainty, to ensure that the development is completed in accordance with approved plans and to mitigate impact on the landscape and heritage setting of the area in accordance with CS1, CS, CS11, CS14 and CS22 and emerging policy DS5 and LUC2.

17. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no further plant or machinery shall be erected on the site under or in accordance with Part 7 of Schedule 2 to that Order.

REASON: To protect residential amenity of existing and future residents in the vicinity of the development in accordance with CS2, EV/1 and emerging policy DS5.

18. Prior to use of the site hereby granted permission, the Strategic Link Road (as defined by the outline permission ref. P/14/1833/2 and subject to details as may be agreed through discharge of condition 20 of P/14/1833/2) shall be completed and made available for use for access onto the A6.

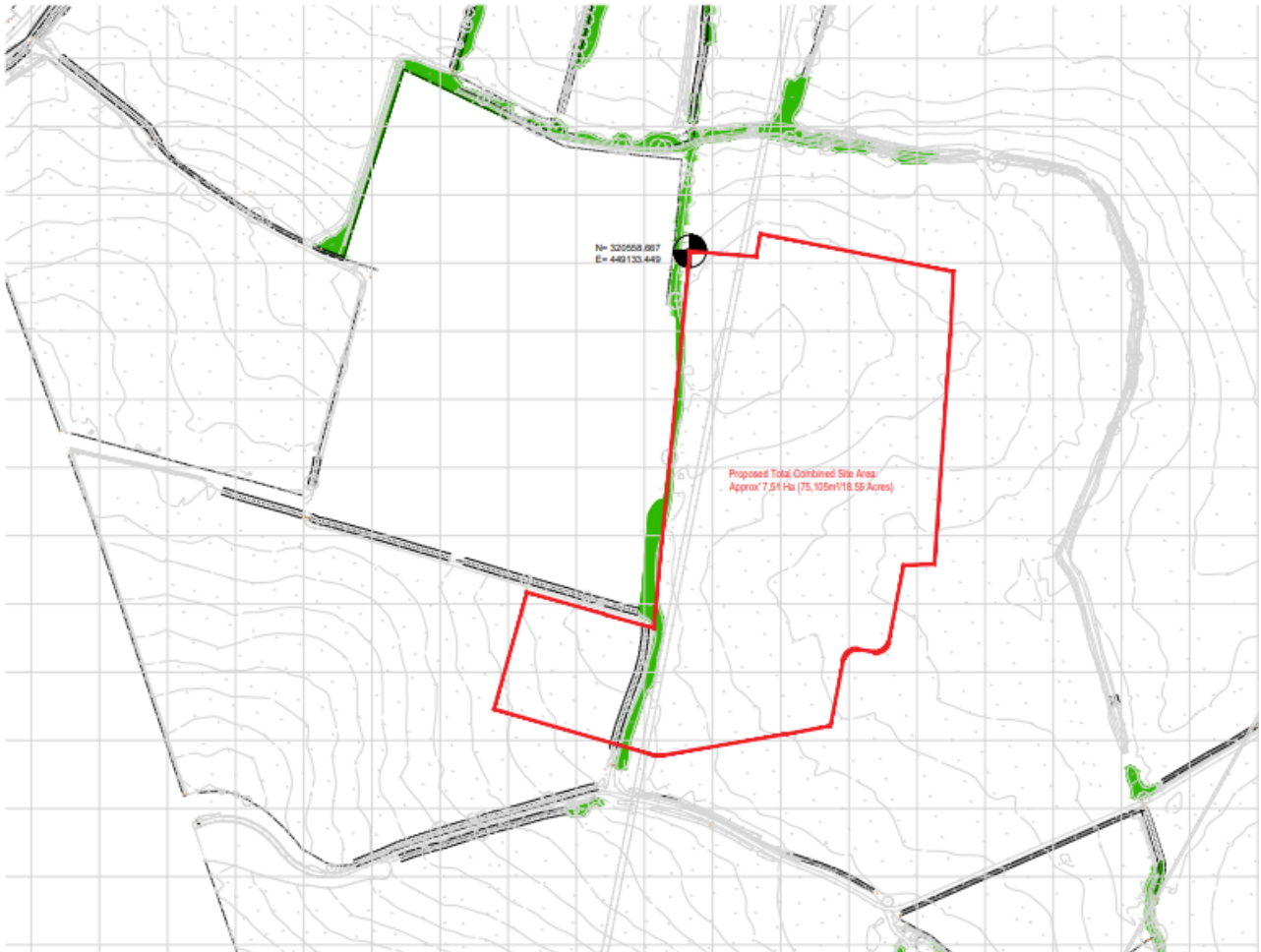
REASON: To ensure that suitable access for HGVs associated with the hereby approved employment use is available and to avoid adverse impacts on residential amenity.

19. Prior to use of the site hereby granted permission a vehicular routing plan shall be submitted and agreed in writing with the Local Planning Authority. The vehicle routing plan will make provision to ensure that impacts of traffic and vehicular routing associated with the employment use will be managed to avoid unreasonable impacts on residential amenity of residential properties. The details submitted shall include:

- a. HGV routing plans
- b. Means to control third party deliveries

REASON: To ensure that suitable access for HGVs associated with the hereby approved employment use is available and to avoid adverse impacts on residential amenity.

APPLICATION SITE



Plans Committee Date:	22 June 2023
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Item No:

Application Reference Number: P/20/1390/2

Application Type:	Outline	Date Valid:	6/8/2020
Applicant:	Parkers of Leicester Ltd		
Proposal:	Erection of 7 dwellings with associated landscaping and the creation of new vehicular access (outline with all matters reserved)		
Location:	23 Main Street, Woodthorpe, Leicestershire, LE12 8UG		
Parish:	Loughborough	Ward:	Loughborough Woodthorpe
Case Officer:	Jim Worley	Tel No:	07864 603389

1. Background

1.1 The application has been called in at the request of the Ward Councillor Anne Gray under the Council’s call-in procedure, for the following reasons:

- Concern regarding the impact of the development on the character of Woodthorpe;
- The development would breach the area of local separation;
- Additional traffic would have adverse impact on road safety;
- Layout and density would impact on the open space and character of the hamlet; and
- Adverse impact on wildlife.

1.2 The call in is supported by recently elected Councillor Worrall.

2. Description of the application site

2.1 The site is situated on the western side of Main Street in Woodthorpe towards the north end of the village. The site is approximately 0.37 hectares in size and comprises of garden and paddock associated with 23 Main Street; a two storey dwelling adjacent to the site to the north. The site abuts Main Street to the east, the garden of 43 Main Street and 49 Main Street (which is located behind) to the south-east. There is an area of open space and tree planting to the west, and the garden of 21 Main Street to the north.

2.2 The site frontage comprises a mature hedgerow except for the access referred to above. The site is overgrown and is contained by hedgerows to north and south, and tree planting to the west (rear). The hedgerow is interrupted to allow for access to no. 23 at its south end. Thereafter the hedgeline continues with the hedge enclosing 43 Main Street.

- 2.3 Woodthorpe is a small hamlet located to the south-east of Loughborough. The hamlet is located in an area of countryside between the A6004 to the north and Allendale Road to the west. The hamlet is linear in nature, with all buildings located off Main Street, which connects to the A6004 roundabout to the north and narrows to a single track lane to south of the hamlet.
- 2.4 The front part of the site (approximately half its overall depth) is within the limits to development of Woodthorpe as defined by Policy ST/2 of the Local Plan 2004, is within a mineral consultation area and an archaeological alert area. The remainder of the site is outside the Limits to Development as 'countryside'.
- 2.5 In the emerging Local Plan 2021-37 the site is wholly within a defined Area of Local Separation which includes all of the land and buildings on the west side of Main Street and further to the west. It is opposite part of the proposed housing allocation HA/15 to the east. This part of the allocation has planning permission (outline) for 120 dwellings granted in 2022.
- 2.6 The village does not contain a Conservation Area and the nearest Listed Building, Reynells Farm, 80 Main St, is some distance further south at the opposite end of the hamlet.

3. Description of the proposal

- 3.1 This outline planning application seeks permission for the erection of **up to seven dwellings, with all matters reserved for future consideration**. It is proposed that the access would be taken from a new access point from Main Street. The application was submitted with an Indicative Layout Plan showing a cul-de-sac arrangement of detached dwellings. Following concerns raised about the indicative layout, a Design Brief was submitted in March 2022 and re-consultation was undertaken. Further transport evidence was also requested and submitted to demonstrate the capability of accessing the site and safety implications. However, 'means of access' remains a reserved matter.
- 3.2 The application is also supported by the following:
- Design and Access Statement
 - Planning Statement
 - Preliminary Ecological Appraisal Report (September 2020)
 - Transport Technical Note (dated 30/11/21)
 - proposed Access Arrangement Stage 1 Road Safety Audit (RPS, v1 June 22)
 - Design Brief, October 2021
 - Phase 1 and 2 Geo Environmental Report (March 22, Dice Environmental)
 - Preliminary Arboricultural Assessment (Dec 20, Middlemarch Environmental)
 - Proposed Site Access Option A (June 22, Taylor Bowie Ltd) and plans referenced JNY10868-01 rev C, April 23
 - Road Safety Audits submitted March 2023 (addressing larger vehicles)
 - Biodiversity Impact Assessment and offsetting proposals (Dec. 2022 – March 2023)

4. Development Plan Policies

4.1 The Development Plan comprises the Charnwood Local Plan Core Strategy (adopted 9 November 2015), the Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies) and the Minerals and Waste Local Plan (2019).

4.2 The policies applicable to this application are as follows:

4.2.1 [Charnwood Local Plan Core Strategy](#)

- Policy CS1 – Development Strategy
- Policy CS2 – High Quality Design
- Policy CS3 - Strategic Housing Needs
- Policy CS11 - Landscape and Countryside
- Policy CS13 – Biodiversity and Geodiversity
- Policy CS14 - Heritage
- Policy CS16 - Sustainable Construction and Energy
- Policy CS17 - Sustainable Travel
- Policy CS18 – The Local and Strategic Road Network
- Policy CS25 - Presumption in favour of sustainable development

4.2.2 [Borough of Charnwood Local Plan \(adopted 12 January 2004\) \(saved policies\)](#)

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

- Policy ST/2 - Limits to Development
- Policy CT/1 - General Principles for areas of countryside
- Policy CT/2 – Development in the Countryside
- Policy EV/1 – Design
- Policy TR/18 - Parking in New Development

4.2.3 [Minerals and Waste Local Plan \(2019\)](#)

This document includes the County Council's spatial vision, spatial strategy, strategic objectives, and core policies which set out the key principles to guide the future winning and working of minerals and the form of waste management development in the County of Leicestershire over the period to the end of 2031.

Policy M11 seeks to safeguard mineral resources including sand, gravel, limestone, igneous rock, surface coal, fireclay, brick clay and gypsum. The policy sets out that planning permission will be granted for development that is incompatible with safeguarding minerals within a Mineral Safeguarding Area provided certain criteria are met.

Planning applications for non-mineral development within a Mineral Safeguarding Area should be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to it.

5. Other material considerations

5.1 [The National Planning Policy Framework \(NPPF 2021\)](#)

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

- Section 2: Achieving sustainable development
- Section 4: Decision making
- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting Sustainable Transport
- Section 12: Achieving well-designed places.
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment
- Section 17: Facilitating the sustainable use of minerals

5.2 [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.

5.3 [National Design Guide](#)

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

5.4 [Leicestershire Housing and Economic Needs Assessment \(HENA\) – 2022](#)

HENA provides an up to date evidence base of local housing needs including an objectively assessed housing need figure 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.

5.5 [Housing Supplementary Planning Document \(SPD\) \(adopted May 2017 – updated December 2017\)](#)

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

5.6 Design Supplementary Planning Document (SPD) (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.

5.7 Leicestershire Highways Design Guide

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 expected to be provided in new housing development.

5.8 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, but it is included in draft Policy H3 of the emerging local plan and is therefore a material consideration for which appropriate weight must be given.

5.9 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.

5.10 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.

5.11 [The Draft Charnwood Local Plan 2019-37](#)

This document sets out the Council's strategic and detailed policies for the Borough over the period 2019-37. The local plan was submitted for examination in December 2021 with hearings concluding in February 2023. It is anticipated that the Inspectors will issue a letter setting out the requirement for main modifications to be made to make the plan sound. These modifications will be published for six weeks of public consultation so that the responses can assist the Inspectors in preparing their final report. The precise timings of these events are dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in Autumn 2023.

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 policies are considered applicable to this application, and the weight they can be assigned is addressed in the 'Planning Considerations' part of this report.

- Policy DS1: Development Strategy
- Policy DS5: High Quality Design
- Policy C1: Countryside
- Policy H1: Housing Mix
- Policy CC4: Sustainable Construction
- Policy CC5: Sustainable Transport
- Policy CC6 : Electric Charging Points
- Policy EV1: Landscape
- Policy EV3: Areas of Local Separation
- Policy EV6: Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV7: Tree Planting
- Policy EV8: Heritage
- Policy INF1: Infrastructure and Developer Contributions

5.12 [Planning Guidance for Biodiversity June 2022](#)

This planning guidance seeks to provide further clarification to Core Strategy Policy CS13 insofar as ensuring development proposals secure biodiversity net gain on-site to contribute towards the overall sustainability of development proposals.

6. Relevant Planning History

6.1 There is the following relevant planning history for the site:

Reference	Description	Decision & Date
P/97/0432/2	Erection of two detached dwellings (0.048ha)	Refused 04.06.97 Appeal Dismissed 24.06.1998

7. Responses of Consultees & Other Comments Received

7.1 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
Charnwood Borough Council – Urban Design, Conservation & Archaeology (May 2023)	<p>Heritage assets to be considered are Reynall's Farmhouse which is listed grade II and is located on Main St at the southern end of the hamlet. The hamlet of Woodthorpe is considered to be a non-designated heritage asset. The proposed development also falls within an archaeological alert area.</p> <ul style="list-style-type: none"> The heritage significance of Reynall's Farm or its setting will not be diminished by this proposed development. The design brief identifies the significant characteristics of the hamlet and a form of development that responds to the distinct context. If the proposed development followed the details in the design brief the result would be acceptable. <p>Concern is that the requirements identified in the response received from the highway authority for a regular highway width of 5.5m with potential footways and regular kerb alignment, together with a wide regular radii access point to service the development, would result in significant degradation of the heritage significance of Woodthorpe.</p> <p>Conclusion:</p> <ul style="list-style-type: none"> There would be no harm to the heritage significance of Reynall's Farm or its setting. The required highway alterations would have a very significant adverse impact on the character of Woodthorpe, and Para 203 of the NPPF is engaged.

<p>Leicestershire County Council – Local Highway Authority (LHA) (Feb 2023)</p>	<p>Whilst access is not to be determined at the outline stage, the LHA can now confirm that it considers that a safe and suitable access can be achieved at the site and demonstrated at the future reserved matters stage. The LHA therefore advises approval subject to conditions.</p> <p>No objections subject to conditions:</p> <ul style="list-style-type: none"> • Construction traffic management plan • Provision of off site highways works
<p>Leicestershire County Council Mineral Planning Authority (20/9/21 and 26/8/20)</p>	<p>No objections in respect of mineral safeguarding.</p>
<p>Charnwood Borough Council Environmental Health (3/6/21)</p>	<p>No objections subject to conditions:</p> <ul style="list-style-type: none"> • Noise mitigation measures to be approved as part of the detailed design of the dwellings. • Ground contamination/ remediation/ verification scheme. • Conditions are recommended to control dust and approval of a construction method statement. • Construction Management Statement
<p>Charnwood Borough Council Biodiversity (March 2023)</p>	<ul style="list-style-type: none"> • A balanced and acceptable baseline assessment has been produced for this site, together with that at 63 Main Street • The DEFRA metric is acceptable because the applicant had a potential site to deliver offsetting. • It would appear that offsetting is not currently an option and so there is an increased risk that an offsetting payment will be required. • Therefore the Warwickshire Metric should be referenced in the S106 agreement, should we get to that stage. • Transfer of the recently submitted baseline data to the Warwickshire Metric indicates offsetting payments of £72,086. • Note that the post development habitats have followed the applicants' submissions, are indicative only and do not represent confirmation of the semi natural habitats where these have been shown. <p>No objection subject to obligations as part of S106 are prepared to include:</p>

	<ul style="list-style-type: none"> • To submit the Biodiversity Mitigation and Enhancement Scheme to the Council for its written approval with any Reserved Matters Application. • To provide the Biodiversity Net Gain on Site in accordance with the Approved Biodiversity Mitigation and Enhancement Scheme. • Where the provision of the Biodiversity Net Gain on Site cannot be achieved to provide the mitigation measures on Site pursuant to the Approved Biodiversity Mitigation and Enhancement Scheme and/or pay the Biodiversity Impact Compensation to the Council.
<p>Campaign to Protect Rural England (CPRE) (21/9/21 and 14/9/20)</p>	<p>Object to the development on grounds of:</p> <ul style="list-style-type: none"> • Adopted policy does not allocate the site for housing. • Woodthorpe lacks facilities to sustain further development. • Recent application P/17/1555/2 was refused on unsustainability grounds. • No affordable housing provision is included. • The hamlet has 23 dwellings and 7 more would increase population by 50%. • The development would erode the buffer between Woodthorpe and Shelthorpe. • Contrary to strategic objective SO9. • Residents would be car dependent for employment, schools, healthcare etc. • The site is not allocated in the draft Local Plan. • Highways position is unclear.

Ward Councillor and Parish Council Response	
<p>Cllr Anne Gray</p>	<ul style="list-style-type: none"> • Concerns about the suitability of the hamlet for this kind of development and its effect on heritage and biodiversity. Requests 'call in' to Committee. • The development goes against the principle of sustainable development given the absence of any facilities or transport links. • The development would generate at least 14 additional vehicles travelling through the village. Main Street already poses dangers and these will be exacerbated.

	<ul style="list-style-type: none"> • Such a development would affect the character of the hamlet and destroy its uniqueness as the last hamlet in Charnwood. • A grouping of properties in this way will mean that Woodthorpe is no longer a linear settlement. • The Charnwood Local Plan states that remaining small villages and hamlets are not appropriate locations for development; at least one other application has been turned down in the last few years.
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Responses to publicity

From	Comments
<p>53 letters of objection received from 22 addresses.</p> <p>Five submissions from the Woodthorpe Residents Association.</p> <p>A petition signed by 25 addresses.</p>	<ul style="list-style-type: none"> • Biodiversity • Loss of wildlife present on the site. • Biodiversity offsetting should take place locally, rather than exported to Quorn. • Concern that offsetting proposal could be lost to future development. • The Biodiversity assessment does not include all wildlife on the site. These plots are rich in wildlife and form a diverse system of plants and animals. Many types of birds (including those from the RSPB red list), frogs, newts, toads, butterflies, insects, foxes, badgers, and deer are all in evidence. • Trees and hedges • Arboreal analysis does not include trees recently removed or those which could be affected by the access. It contains several other inaccuracies regarding the effect on trees. • widening of the road and potentially damage to hedges. • Concern about the cutting back of trees and potential removal of trees to allow additional access. • Highways Issues • Works to the road will enable faster traffic speeds. • Impact of the increase in traffic is particularly worrying - access from the roundabout is already difficult. • The effect from work traffic from a safety aspect and the obscured vision from the sharp bend in the road just prior to the property is of particular concern.

	<ul style="list-style-type: none"> • Long term consequences with regard to the number of cars travelling along Main Street. <p>Impact on existing properties</p> <ul style="list-style-type: none"> • Impact on outlook/ open views as the new properties directly overlooked by this proposal. • The layout and massing of the proposals on the plot behind Rose Cottage will give rise to problems of overshadowing in place of sunlight from the South; overall reduction of light; issues of overlooking; as well as general loss of privacy and amenity. <p>Infrastructure and drainage</p> <ul style="list-style-type: none"> • There is no explanation of how water run-off would affect the already overloaded drainage system. • There is no sewage drainage available - the only drains are those relating to the road water run-off which overload and flood on a regular basis. • There are no mains facilities in Woodthorpe – gas, mains sewer. <p>Character and appearance</p> <ul style="list-style-type: none"> • The proposed development would destroy the character of the small hamlet of Woodthorpe. • The scale of growth would be out of character – Woodthorpe contains only 23 dwellings and this is an increase circa 30%. • Overbearing impact from the development on the last remaining local hamlet. • There should be no development in the hamlet that would spoil its linear topography, which goes back to Viking times. • Layout and density of buildings inappropriate for the hamlet. Woodthorpe is linear in nature and the proposal provides depth. • The green spaces are integral to the character of Woodthorpe and provide its countryside feel. <p>Planning Policies</p> <ul style="list-style-type: none"> • Strict adherence to Council planning policies should be applied. • Building in open countryside and its unsustainable consequences. • Charnwood Planning Policy identifies Woodthorpe as a small hamlet unsuitable for new development. Policy C1 remains applicable. • Contrary to planning policies on ‘Areas of Separation’.
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	<ul style="list-style-type: none"> • Draft policy LP1 has already been fulfilled for housing allocation. • The proposed residential development is contrary to saved policies EV/18 as well as EV/1 and H/16 of the adopted local plan. It will therefore have a significant detrimental impact on local wildlife habitat and biodiversity. • Contrary to current Core Strategy policies CS1, CS11 and CS25. • Policy DS3 (HA15) of the Draft Local Plan, cites the requirement for the retention and enhancement of the character and identity of the linear hamlet of Woodthorpe. This proposed development clearly no longer maintains the linear characteristic. • Clause 3.223 of the Draft Local Plan states that “Our small villages and hamlets have few or no services and facilities, and the people who live in these settlements rely on larger ones for their day-to-day needs. They are therefore generally poor locations for new development, and we have made no allocations in these places”. <p>Precedents</p> <ul style="list-style-type: none"> • Precedent of refused planning applications. • The application will create precedent of breaching policies. • No benefits to residents of Woodthorpe. <p>Design Guide</p> <ul style="list-style-type: none"> • The Design Guide does not reflect the evolution of the village and would introduce contrived architectural approach. • The positioning directly to the rear of 23, and parallel to the plot of 21 changes the character from houses along a linear development with views out into open space. • The depth shown is a step away from the linear form of the village (and previous refused applications). • It omits the previously proposed parking and garage for Rose Cottage (23 Main Street) which will result in on street parking and resultant parking issues on Main St. • It does not reference Fletchers Farmhouse, the Old Barn or the Old Dairy in the immediate vicinity.
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8. Consideration of the Planning Issues

- 8.1 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 (2011-2028) and the Minerals and Waste Local Plan (2019).
- 8.2 The Core Strategy and Charnwood Local Plan 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 Planning Authority cannot currently demonstrate a 5-year supply of housing land (4.27 years), 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 11dii), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits for planning permission to be refused.
- 8.3 Part i) of NPPF 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 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 and the 'tilted balance' applies.
- 8.4 The main planning considerations applicable to this application are considered to be:
- Principle of Development
 - Housing Mix
 - Landscape & Visual Impact
 - Design & Layout
 - Impact on Residential Amenity
 - Ecology and Biodiversity
 - Impact on Trees
 - Land Contamination
 - Highway Matters
 - Flooding and Drainage

9. Key Issues

9.1 Principle of the Development

- 9.1.1 The principle of development is guided by Local Plan policies CS1 of the Charnwood Core Strategy (2015) and saved policy ST/2 of the Borough of Charnwood Local Plan (2004). Policy CS1 of the Core Strategy outlines the development strategy for the Borough and the distribution of sustainable growth.
- 9.1.2 Woodthorpe is designated as a Small Village/Hamlet in the settlement hierarchy under Policy CS1. It states that the strategy for these settlements is to safeguard services and facilities and respond positively to development that meets a specific local social or economic need in these smallest settlements. Policy CS1 states the Council will respond positively to development where the specific local need has been identified in a Neighbourhood Plan or other community-led strategy or the development supports sustainable businesses in accordance with Policy CS10.
- 9.1.3 The submitted application does not seek to meet an identified local social or economic need or support a rural business. The proposal is therefore considered to be contrary to policy CS1.
- 9.1.4 The site is located partly within and partly outside of the defined Limits to Development of Woodthorpe, as defined by saved Local Plan policy ST/2. The smaller west section of the site, fronting Main Street and including the bungalow number 63, is within the limits with the remainder outside. Local Plan Policy ST/2 seeks to restrict development to within defined limits to development. Local Plan Policies CT/1 and CT/2 allow development outside the limits defined by ST/2 in very limited defined circumstances. The proposed development would not meet any of the specific exceptions as set out in Policy CT/1. Policy CT/2 only applies when the proposal is acceptable in principle.
- 9.1.5 Policy CS11 of the Core Strategy is also relevant as the site is largely located in the defined countryside and it requires new development to protect landscape character and maintain the separate identities of towns and villages. These impacts are considered later in the report.
- 9.1.6 The site is located close to, but outside of, the settlement of Loughborough, where Core Strategy policy CS1 directs further housing growth as it is considered to be a sustainable location.
- 9.1.7 Given the current lack of a 5-year supply of housing land (which stands at 4.27 years) and the age of Core Strategy Policy CS1 and Local Plan policies CT/1 and ST/2, the weight that can be ascribed to them is reduced, and paragraph 11d of the NPPF applies, as stated at paragraph 8.2 above.
- 9.1.8 The proposal would be contrary to the Development Plan in principle but would result in seven new dwellings at a time when the Local Planning Authority cannot demonstrate a five-year supply of housing land. This is regarded as a benefit of the development which is required to be balanced against any harm identified (the 'planning balance' is addressed at the conclusion of this report).

9.1.9 Emerging Local Plan policy is a material consideration. Emerging Local Plan Policy DS1 defines Woodthorpe as a Small Village/Hamlet where no development is allocated. The policy states that new built development will be limited to allocated sites and other land within limits to development subject to specific exceptions set out in the plan. Policy DS1 also sets out the approach to be taken when a 5 year land supply is not present. It states that in these circumstances, development should only be refused where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits and will be supported only where 4 criteria are met:

- Accord with pattern of development set out in policy DS1
- Adjoin the limits to development
- Do not prejudice the delivery of infrastructure set out in Appendix 3, and
- Accord with other development plan policies.

Emerging Local Plan policy CC5 of the Draft Local Plan states that the Council will support sustainable patterns of development which will minimise the need to travel and seek to support a shift from travel by private car to walking, cycling and public transport.

9.1.10 It is considered that the proposal does not accord with the distribution of development set out in DS1 as the site (and all of Woodthorpe) is located outside limits to development and within the countryside; defined by emerging policy C1 and does not adjoin any defined Limit to Development. Policy C1 does support small scale new built development in very limited circumstances and where there would not be significant adverse environmental effects. The proposal for seven dwellings within the hamlet of Woodthorpe, which only currently has 23 dwellings, is not considered to be small scale in the context, nor does it satisfy the other exceptions listed in Policy C1. The site does not adjoin the defined limits to development within the emerging plan. Therefore, the first two criteria are not met. The proposal will not prejudice the delivery of infrastructure. The compliance with other relevant emerging policies is considered in the relevant sections below. Overall, the proposal is considered to be in conflict with emerging policy DS1.

9.1.11 In relation to emerging Policy CC5, Woodthorpe is located very close to Loughborough with a range of services, facilities and transport links, which serve to minimise the need to travel by car. The emerging Local Plan proposes to allocate 723 homes and a primary school close to the site, to the east and south of Woodthorpe (emerging policy DS3 (HA/15), in part because of this proximity. Planning application P/21/0550/2 for up to 120 new dwellings to the east of the hamlet was recently considered at appeal (September 2022) and planning permission was granted despite the clear conclusion that it was contrary to Core Strategy Policy CS1 and Local Plan policies CT/1 and ST/2. This was justified on the basis that the development would make a strong contribution to housing supply (including affordable housing), the sustainable location of the site and its proximity to future planned growth strategies.

9.1.12 Under the guidance of NPPF paragraph 48 it is considered that the emerging Local Plan is 'well advanced' having been subject to Examination and policies are consistent with the NPPF. However, Policy DS1 is contested and can therefore be given only limited weight whilst C1 and CC5 can be afforded moderate weight. In summary, the proposed development of seven dwellings on land that is largely outside the limits to development of Woodthorpe in the adopted Local Plan and wholly in the emerging Local Plan, and is therefore contrary in principle to both the extant Development Plan and the emerging Local Plan and this should be regarded as a negative factor within the overall planning balance. However, the weight to be ascribed to the housing policies in the Development Plan is reduced as paragraph 11d of the NPPF applies, as the Council cannot demonstrate a 5 year supply of housing. Despite its very small size, Woodthorpe can be regarded as a more sustainable location for residential development which is illustrated by the site allocation and recent granting of planning permission at site 'HA15' on the east side of Woodthorpe opposite this site.

9.1.13 Proposals for housing development on part of the site have been refused in the past. However, the planning policy framework has evolved very considerably since and consideration of the application must be undertaken under the circumstances as they now stand.

9.1.14 In these circumstances, the presumption in favour of sustainable development (NPPF paragraph 11d)ii) applies and requires an assessment to be made as to whether there are any adverse impacts of granting permission that would significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies of the NPPF taken as a whole. The identified conflict with the adopted and the emerging Development Plan is considered to be harm within this approach and will be considered within the overall planning balance for the proposal at the end of this report, weighed against the benefits.

9.2 Housing Mix

9.2.1 Core Strategy Policy CS3 outlines a requirement to secure an appropriate housing mix having regard to the identified housing needs. As the site is only seven dwellings, no affordable homes are required under either existing or emerging policies. This policy generally accords with the NPPF and does not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that it should be given.

9.2.2 Emerging policy H1 seeks a mix of house types and sizes to meet the overall needs of the Borough in line with up to date evidence. The policy is at an advanced stage, was considered in the hearing sessions in February and is consistent with the NPPF and it is considered can currently be given limited weight.

9.2.3 The latest evidence of need is provided by the Leicestershire Housing and Economic Needs Assessment (HENA) 2022 outlines a recommended housing mix for the Borough in respect of market housing. This includes the following housing mix:

Market	
1 bed	5%
2 bed	30%
3 bed	45%
4+ bed	20%

9.2.4 Because of the 'outline' nature of the application the size of the dwellings (expressed as number of bedrooms) is unknown but it is possible to ensure adherence to the policy through conditions and the consideration of reserved matters. This outline proposal for seven dwellings is supported by a Design Brief (Rev C) which shows seven detached dwellings. The provision of seven market homes of a mix to contribute to identified needs is a benefit of the scheme which should be given positive weight within the planning balance.

9.3 Landscape and Visual Impact

9.3.1 Core Strategy Policy CS2 and saved Local Plan policy EV/1 seek to respect and enhance the landscape character of the area and the form of existing settlements and the open and undeveloped nature of the countryside. Policy CS11 of the Core Strategy seeks to protect the character of our landscape and countryside and reinforce sense of place and local distinctiveness. 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.

9.3.2 Emerging Local Plan Policy EV1 requires new development to protect landscape character and to reinforce sense of place and local distinctiveness and maintain separate identities of settlements. This policy is at an advanced stage and was discussed at the hearing sessions in June 2022 and is consistent with the NPPF so can be given moderate weight.

9.3.3 Emerging policy EV3 states that development in Areas of Local Separation will only be supported where:

- it preserves settlement identity; and
- it clearly maintains the physical and perceptual separation between the built-up areas of settlements.

9.3.4 The emerging Local Plan defines an Area of Local Separation (ALS) between Woodthorpe and the urban edge of Loughborough. The application site is within the proposed ALS This policy is at an advanced stage and objections were discussed at the hearing sessions in June 2022 and are consistent with the NPPF so can be given moderate weight.

- 9.3.5 The site forms part of a wider Area of Local Separation in the emerging Local Plan and as referred to above and development in such locations is limited (but not precluded). In terms of settlement identity and separation between settlements it is considered that the remaining undeveloped land west of the site (designated open space by emerging policy EV9) would remain effective in maintaining separation from the urban edge of Loughborough both physically, by distance, and perceptively because of the effectiveness of tree planting in this area creating a 'barrier' between Woodthorpe and Loughborough. It is considered that it would be possible to design a scheme which would not protrude towards Loughborough to a significantly greater extent than existing development and there would be no perception of coalescence of the settlements, with each retaining its own identity arising from this separation.
- 9.3.6 The submitted Design and Access Statement explains that the site is contained by established residential curtilages, the hedgerow to the site frontage and, to the west, tree planting associated with the Grange Park development. It is considered that these features are effective in limiting the effect on the wider landscape. The anticipated impact on these trees and the hedge is addressed in following sections of this report.
- 9.3.7 Representations have expressed a view that the various gaps that interrupt the linear pattern of Woodthorpe are essential to its character and have historic significance.
- 9.3.8 The site itself is undeveloped and provides a green gap within the linear hamlet. The proposed development would infill this space and thus the dispersed character, form and local distinctiveness of the settlement would be detrimentally impacted. The loss of the green gap would impact on settlement identity and local distinctiveness and thus conflicts with policies CS2, CS11 and EV/1 and emerging Local Plan Policies EV1 and EV3. However, the gaps are not of recognised importance such that they have been identified as Open Space or other 'protective' policies and it is therefore considered that the weight that can be given to this matter is limited.
- 9.3.9 The hedge along the front of the site is an important feature, especially as it connects to the hedge of the property to the south and together, they make a strong linear, verdant, border to this section of Main Street. Whilst means of access is a reserved matter, documents demonstrating feasibility of access have shown that the access could take place with limited loss of the hedge (approximately 3m. length) for the new access and associated sightlines. This represents a small proportion of the hedgeline, of which approximately 90% would remain, and its overall contribution as described above would remain largely intact.
- 9.3.10 In conclusion, the proposed development would infill a green gap in the hamlet and therefore would have a limited detrimental impact upon the dispersed character, form and local distinctiveness of the linear settlement. However, the impact of this would be significantly mitigated by the retention of the majority of hedge along the frontage which it is considered makes the greatest contribution to character and appearance. Overall, it is considered that harm would be limited but the proposal would nevertheless conflict with policies CS2 and CS11 of the Core Strategy, EV/1 of the Local Plan and emerging Local Plan policies EV1 and EV3.

9.4 Design and Layout and the character of Woodthorpe

- 9.4.1 Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved policy EV/1 of the Local Plan supports development that is of a design, scale, layout and mass compatible with the locality and which uses materials appropriate to the locality. These policies generally accord with the NPPF and National Design Guide and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.
- 9.4.2 Emerging Local Plan Policy DS5 requires development to make a positive contribution to Charnwood by responding positively to local distinctiveness. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. The policy can be given moderate weight.
- 9.4.5 The application was submitted with an Indicative Layout Plan, with an access road adjacent to number 23, and seven detached dwellings and garages. To address concerns raised regarding the indicative layout a Design Brief was submitted.
- 9.4.6 The Design Brief (Rev C) layout options show seven detached dwellings with off-road parking. The dwellings would be set back from the road and located on raised ground. The Design Brief states the following principles for the development:
- The buildings should be a group of related buildings around a courtyard
 - The buildings should follow the linear nature of the village
 - Utilise a single point of access from Main Street (sufficient for emergency access) with bin storage/collection point near the site entrance
 - The buildings should reflect farm buildings (1.5 storey) with a feature farmhouse/lodge house facing the street (up to 2.5 storey) adjacent to 23.
 - Informal courtyard space with large trees and private rear gardens
 - Materials and architectural details to reflect those in Woodthorpe
 - Parking on each plot and not in the shared courtyard
 - Informal landscaping and garden to the front of the feature farmhouse/lodge house
- 9.4.7 It is considered that a layout could be secured that could, in architectural and design terms, be complementary and suitable for the site and the linear nature of Woodthorpe. It would be possible to stipulate that the principles set out in the Design Brief are followed at reserved matters stage as a requirement of a condition(s).
- 9.4.8 However, the works required to form an access will have impact on the hamlet as a whole. Currently the hamlet is a single road with dwellings all accessed from Main Street. Main Street has a distinct rural character with wide raised verges in places with no kerbs, and a varied width along its length. The limited footpaths are narrow and have low granite kerbs.

- 9.4.9 Whilst full details of access and the off-site works to Main Street are not available as access is a reserved matter, the site will most likely require a formal access (4.8m width is the highways standard) with kerbing and markings. It is considered that the access and off-site works required by the Highways Authority will result in a detrimental impact on the rural character of the hamlet and the comments of the Council's Urban Design, Conservation & Archaeology team are noted in this respect. The road access will be of equal width to Main Street, creating a modern intrusion into the traditional surroundings of the hamlet.
- 9.4.10 On this basis it is considered the proposal would give rise to limited harm and is at variance in this respect with the NPPF, National Design Guide, policies CS2 and CS11 of Charnwood Core Strategy, EV/1 of Local Plan and the Charnwood Design SPD.

9.5 Impact on Trees

- 9.5.1 Core Strategy Policies CS2 and CS11 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. These policies generally accord with the National Planning Policy Framework and do not conflict the supply of housing. Emerging Local Plan policy DS5 makes similar requirements and EV7 encourages the protection of trees and tree planting. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF, and can therefore be given moderate weight.
- 9.5.2 The site is contained by mature hedgerows along its boundaries, several standing outside the site itself, within which are a number of trees including a high quality specimen in the south east corner. However, the body of the site does not contain significant trees and it would be possible to develop a scheme that would leave sufficient distance to avoid these perimeter features. Safeguards (e.g. protection of tree root areas and distances from hedges) can be imposed as conditions if permission was to be granted.
- 9.5.3 Consequently, the proposed development is considered able to accord with the relevant policies in the Core Strategy, particularly Policy CS11 (Landscape and Countryside) and Policy CS2 (High-Quality Design) and the applicable emerging policies.

9.6 Ecology and Biodiversity

- 9.6.1 Policy CS13 of the Core Strategy seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. The policy supports development that protects biodiversity and geodiversity and those that enhance, restore or re-create biodiversity. The loss of features of biodiversity and geodiversity will only be supported in exceptional circumstances where the benefit of the development clearly outweighs the impact. Where there are impacts, the policy requires mitigation or compensation of equal or greater value, likely to result in a net gain in biodiversity. The NPPF states that planning decisions should minimise impacts upon and provide net gains for biodiversity.

- 9.6.2 Emerging policy EV6 of the Draft Local Plan seeks 10% biodiversity net gain and the protection and enhancement of habitats, species and networks. Emerging policy EV7 supports the retention of existing trees and new tree planting. Although the Environment Act 2021 makes provision for 10% biodiversity net gain, the relevant sections of the Act have not yet been brought into force to make it a legal requirement and is not currently required by national policy. Therefore, emerging Local Plan policy EV6 can be given only limited weight until the emerging policy is further progressed towards adoption.
- 9.6.3 Representations from local residents have raised concerns regarding the loss of woodland and trees and the impact on ecology. To the west of the site is a wooded area that forms part of the structural planting containing the Grange Park development (planning application P/00/0278/2 and associated reserved matters P/02/1114/2).
- 9.6.4 A Biodiversity Impact Assessment has been submitted and proposals for Ecological mitigation and off-site compensation have been provided. However, the Council's Biodiversity Officer calculates that this would still give rise to a net loss of biodiversity and advises that it could be satisfactorily addressed by detailed measures secured as part of a detailed reserved matters application and secured and agreed through obligations as part of a S.106 Legal Agreement.
- 9.6.5 Representations from residents have also expressed the view that compensation should be in the immediate vicinity (the suggested proposals are located at Quorn) and expressed concern that they may be lost to development in the future. However, there is no imperative for them to relate directly to an application's site, and any impact by future development would be the subject of further assessment.
- 9.6.3 Consequently, the proposal, subject to the required obligations in the S.106 Legal Agreement to make up for the on-site shortfall and net gain, imposition of planning conditions and detailed design/mitigation as part of a reserved matters application, is considered acceptable and would comply with policy CS13 of the Charnwood Local Plan 2006-2028 Core Strategy and emerging Local Plan policy EV6.

9.8 Impact on Residential Amenity

- 9.8.1 Policies CS2 of the Core Strategy and EV/1 of the Local Plan seek 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. Saved policy EV/1 of Local Plan and policy 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.
- 9.8.2 Emerging Local Plan policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. The policy can be given moderate weight.

9.8.3 *Existing properties*

Objections have been received concerning overbearing, overlooking and overshadowing of existing properties, with particular reference to the slope within the site. A full assessment of such matters cannot be undertaken until detailed plans are submitted (as reserved matters) but the site is considered to be of sufficient size to accommodate seven dwellings without such effects being unavoidable, i.e. capable of being of a scale, distance from boundaries and design techniques to avoid overlooking from windows. The design brief references a courtyard arrangement which indicates buildings concentrated rather than dispersed towards the boundaries of the site, and lower scale buildings limiting their height. The boundaries of the site are unusually strong and would serve to mitigate impacts of overlooking and overbearing.

9.8.4 The proposals would result in a reduction in the size of the garden available to no. 23 Main Street. However sufficient would remain to provide an acceptable level of amenity space. Normal design techniques would enable a scheme to be developed which did not unduly overshadow, overbear or overlook this property.

9.8.5 *Future occupants*

It is considered that the site is of sufficient size to allow development to proceed with sufficient amenity space for new dwellings. Assessment of this provision would be undertaken at reserved matters stage.

9.8.4 The proposal would, therefore, be capable of complying with the provisions of policies CS2 of Charnwood Core Strategy and EV/1 of Local Plan along with NPPF, National Design Guidance, Emerging Local Plan Policy EV5 and the guidance set out in the Design SPD to protect residential amenity

9.9 Highway Matters

9.9.1 Policy CS2 of the Core Strategy requires new development to provide well defined and legible streets and spaces that are easy to get around for all. Policy CS18 of the Core Strategy requires network improvements where they are identified in Transport Assessments. Policy TR/18 of the Saved Local Plan requires off-street parking to be provided for vehicles and cycles to secure highway safety and minimise harm to visual and local amenities. Adopted standards as set out in the saved Local Plan are provided as a starting point to assess the level of provision. 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.

9.9.2 The NPPF promotes sustainable travel choices and states development should ensure safe and suitable access, reflection of national guidance and mitigation of any significant impacts. It states development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe (paragraphs 110-112).

9.9.3 Emerging local plan policy T3 requires new development to provide car parking in accordance with the latest published guidance of the County and Borough Councils. Emerging policies INF1 and INF2 seek to secure appropriate infrastructure to mitigate the impacts of development.

9.9.4 Local representation have raised concerns that the site is more than 800m from a bus stop. Core Strategy Policy CS17 and emerging Local Plan policy CC5 require development to be 400m walk from a bus stop (or introduce a new one, where possible), but this only applies to major developments.

9.9.5 *Site Access*

Whilst access to the site is a reserved matter, the Highways Authority has required reassurance that the site is able to be safely accessed. Two potential designs and swept path analysis for one of them have been provided to which the Highways Authority has not objected. It has recommended conditions regarding construction management and the implementation of the works before occupation, and notes that further assessment of details will be a matter for reserved matters, if permission is granted.

9.9.6 *Highway Safety*

Traffic levels are low in Woodthorpe and the road layout mitigates against higher speeds. The narrow roads are used by pedestrians and cyclists as well as vehicles and there is no record of serious accidents. Whilst the development would introduce more traffic, overall levels would remain low and the existing road layout largely unchanged except for works to allow the introduction of the access itself.

9.9.7 Consequently, subject to the suggested conditions the proposed development is considered to be in accordance with Policies CS2 and CS18 of the Core Strategy and TR/18 of the Saved Local Plan, which seek to ensure safe access is provided to new development and emerging Local Plan policies T3, INF1 and INF2.

9.10 Land Contamination

9.10.1 A Phase 1 and 2 Geo-Environmental Assessment has been submitted as part of the supporting information and concludes that there are no contaminant exceedances and that made ground is suitable for development with appropriate foundations. Charnwood Borough Council's Environmental Health Team has raised no objections subject to the imposition of a planning condition for intrusive ground investigation and remediation strategy. Consequently, the proposed development accords with relevant policies in the Core Strategy, particularly Policy CS2 and CS16 of the Core Strategy, Policy EV/1 of Local Plan and the NPPF.

9.11 Flood risk and drainage

- 9.11.1 Policy CS16 of the Core Strategy and the NPPF direct development away from areas at highest risk of flooding. The policy requires development to manage surface water run off with no net increase in the rate of surface water run off for green field sites. 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.
- 9.11.2 Emerging policy CC1 of the Draft Local Plan encourages minor development to incorporate Sustainable Urban Drainage Systems (SuDS). Emerging policy CC2 states development will include appropriate measures to manage flood risk. This policy is at an advanced stage and was discussed at the hearing sessions in June 2022 and is consistent with the NPPF so can be given moderate weight.
- 9.11.3 The development is situated within Flood Zone 1 and being at low risk of fluvial flooding as identified by the Environment Agency flood maps.
- 9.11.4 Surface water would be directed to an existing watercourse and it is considered that attenuation will be required in order to prevent this from increasing run-off rates. This can be secured by means of a condition.
- 9.11.5 Consequently, the proposal is considered acceptable having regard to Policy CS16 of Charnwood Core Strategy, emerging Local Plan policies CC1 and CC2 and the NPPF.

9.12 Impact on Mineral Resources

- 9.12.1 The site is located within a sand and gravel Mineral Safeguarding Area. Policy M11 of the Leicestershire County Council Mineral and Waste Local Plan aims to prevent non-mineral related development from potentially sterilising any mineral present within a Mineral Safeguarding Area.
- 9.12.2 The Minerals Planning Authority has advised that any deposits would be unlikely to be extracted due to the proximity of housing. Consequently, the proposed development would not be in conflict with Policy M11 of the Leicestershire County Council Minerals and Waste Local Plan (2019). Furthermore, it is considered that the proposed development would not be in conflict with the relevant provisions of the National Planning Policy Framework, notably Paragraph 210.

9.13 Heritage

- 9.13.1 Policy CS14 (Heritage) seeks 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.

- 9.13.2 Emerging Local Plan policy EV8 Heritage seeks to protect and enhance heritage assets, including non-designated heritage assets, and prevents harm to their significance and setting. Under the guidance of NPPF paragraph 48 it is considered that the emerging Local Plan is 'well advanced' having been subject to Examination and policies are consistent with the NPPF. Policy EV8 is largely uncontested and can therefore be afforded moderate weight.
- 9.13.3 The hamlet of Woodthorpe is considered to be a non-designated heritage asset. The proposed development also falls within an archaeological alert area and further archaeological investigation will be required prior to the commencement of any approved development. This can be secured by means of a condition. The single listed building, Reynells Farmhouse, is situated some distance from the site at the south end of the village.
- 9.13.4 Woodthorpe comprises a loosely connected group of historic farmsteads and several cottages, interspersed with pockets of late 19th and 20th century development. The farmsteads define a distinct grain to the arrangement and density of built form. Its heritage significance is derived from this grain and the way in which these farmsteads and cottages frame Main Street, together with the verges, traditional paving features and the irregular edge to the carriageway. Open spaces between buildings also contribute to this character but it is very much the space between the buildings and not wider views through these spaces out into the countryside beyond that are significant.
- 9.13.5 As stated above, it is considered that the design brief submitted by the applicant identifies the significant characteristics of the hamlet and a form of development that responds to its context. It is considered that provided the development followed the specific details contained in the design brief the result would be acceptable in heritage terms. However, the requirements identified in the response received from the highway authority for a regular highway width of 5.5m with potential footways and regular kerb alignment, together with a wide regular radii access point to service the development, if that scheme were to be followed, would result in degradation of the heritage significance of Woodthorpe.
- 9.13.6 As a non-designated heritage asset, harm should be avoided if possible and, under paragraph 203 of the NPPF a balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset. It is considered that the harm is limited and also important to note that the concerns relate to access arrangements submitted to demonstrate feasibility, not as part of the application requiring determination (access remains a 'reserved matter' where assessment of a fully developed scheme will take place), meaning that there is a lack of certainty what the arrangements may finally comprise. Therefore, it is considered that the harm – or potential for harm – arising from the access arrangements must be given very limited weight. The benefits of the scheme are principally the contribution towards housing supply in a relatively sustainable location.
- 9.13.7 The heritage significance of Reynall's Farm or its setting will not be diminished by this proposed development owing to its contained setting, distance from the site and intervening buildings.

9.14 Sustainable construction and energy efficiency

- 9.14.1 Emerging Local Plan policies CC4 and CC6 require sustainable construction practices and the installation of electric car charging points respectively. They are at an advanced stage and were discussed at the hearing sessions in June 2022 and are consistent with the NPPF so can be given moderate weight.
- 9.14.2 The application is in outline and as such does not provide details of construction techniques or the low carbon 'credentials' of the development. These are detailed matters which can be the subject of reserved matters and can be required by condition.
- 9.14.3 The proposal in the interest of air quality and climate change would be able to comply with policy CS16 of the Core Strategy and the emerging Local Plan policies CC4 and CC6 referred to above.

10. **Conclusion**

- 10.1 As there is currently an insufficient supply of deliverable housing sites (4.27 years), this application is to be determined on the basis of para 11dii) 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. The benefits of such housing provision are afforded positive weight however this is limited due to their small number within the context of supply requirements.
- 10.2 There are no technical constraints relating to highways, contamination or flooding that cannot be mitigated, biodiversity impact / mitigation / net gain and tree / hedge protection can be secured by way of planning conditions, reserved matters and obligations secured in a S.106 legal agreement. There would be no harm to designated heritage assets or archaeology. As this is the case these are seen as neutral factors in the planning balance.
- 10.3 The impacts of the proposed development on local infrastructure are considered to be limited by virtue of its scale.
- 10.4 It is considered that the development is harmful based upon its impact on the historic built form of Woodthorpe. i.e. its linear pattern and dispersed building arrangement and identity as a hamlet and introduction of modern design components (such as the access) within the traditional surroundings. For the same reasons, there is a limited potential harm to heritage interests to a non-designated heritage asset. As a result, it would be contrary to Core Strategy Policy CS2 and emerging Local Plan policies DS5, EV8 and C1. However, these qualities are not recognised in terms of specific planning policies or heritage-based assessments and as such it is considered can only be afforded limited weight. The retention of the frontage hedge is considered to be a strong mitigating factor.

- 10.5 Of greater importance are considered to be the existing and emerging Development Plan policies, which set out the spatial strategy for the Borough. The proposed development would be contrary in part to the relevant provisions of saved Policy CT/1 of the Borough of Charnwood Local Plan and with adopted Core Strategy Policy CS1 and Policy DS1 of the emerging Local Plan 2021-37 by virtue of the position of Woodthorpe in the settlement hierarchy as a ‘small village or hamlet in the countryside’.
- 10.6 However, it is considered the weight that can be applied to the conflict with these policies is limited by the location of Woodthorpe being close to Loughborough and the proximity and availability of services that it provides. Furthermore, Policy DS1 can only be afforded limited weight owing to its status as an emerging draft local plan policy that remains contested.
- 10.7 In conclusion, it is considered that whilst there are impacts arising from the development of this site that can be considered harmful, and contrary to the policy framework, the weight that can be attributed to harm arising due to conflict with some of the relevant policies is significantly compromised as outlined above. The benefits relate to the contribution of the proposal to the housing land supply deficit and deliverability which, although themselves not considered to attract great weight owing to the limited contribution they would make, are nevertheless considered to outweigh the harms referred to. The application should therefore be supported subject to appropriate conditions being attached and contributions being secured to address bio-diversity off setting as part of S.106 Legal Agreement as set out below.

11. Recommendation

11.1 RECOMMENDATION A:

That authority is given to the Head of Planning and Growth 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:

Biodiversity	<p>To submit the Biodiversity Mitigation and Enhancement Scheme to the Council for its written approval with any Reserved Matters Application.</p> <p>a) To submit an updated Biodiversity Impact Assessment</p> <p>b) To provide the Biodiversity Net Gain on site, if possible, in accordance with the Approved Biodiversity Mitigation and Enhancement Scheme.</p> <p>c) Where the provision of the Biodiversity Net Gain on Site cannot be achieved to provide the mitigation measures off Site pursuant to the Approved Biodiversity Mitigation and Enhancement Scheme and/or pay the Biodiversity Impact Compensation to the Council.</p>
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11.2 RECOMMENDATION B:

That subject to the completion of the S106 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 Growth, in consultation with the Chair of the Plans Committee for amendments to the conditions and reasons, be given delegated authority to determine the final detail of planning conditions.

11.3 Recommended conditions:

1. 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.

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

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

- Application form
- Site Location Plan ref. WTH01 005 A
- Site Boundary plan ref. WTH01 006 A
Received by the Local Planning Authority on 6.8.2020

REASON: To provide certainty and define the terms of the permission.

3. Details of the means of access, layout, scale, appearance and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

4. The details submitted pursuant to condition 3 above shall include:

- Full details of existing and proposed ground levels and finished floor levels of all buildings relative to the proposed ground levels.
- Details of the materials of construction and surfacing of the access
- Development in accordance with the 'Key Requirements' 1 -10 inclusive set out in Section 4 of the Design Brief (Version C) October 2022, submitted with this application on 25.3.2022
- With the exception of removal required to create the access, the retention of the hedgerow forming the east boundary of the site on to Main Street to a height not less than 2m.
- An arboricultural Method Statement of the proposed layout to show how the development will protect and mitigate impacts on existing trees and hedges and include new tree planting.

- Details of boundary treatment including planting
- A Noise Assessment Report to confirm mitigation measures to ensure internal and external noise guidelines can be achieved and over-heating does not occur. This Noise Assessment Report shall be accompanied by a Noise Mitigation Scheme which confirms necessary glazing and ventilation requirements on a plot by plot basis to control noise within habitable rooms and mitigation for external amenity areas to achieve acoustic standards detailed within BS 8233:2014.
- All units in compliance with the Nationally Described Space Standards.

The development shall thereafter be carried out in accordance with the approved details.

REASON: To ensure the development is in character with its landscape and surroundings and to ensure amenity of new residents is protected in accordance with policies CS2, CS11 and H3 of the Charnwood Local Plan Core Strategy 2015 and policy EV/1 of the Charnwood Local Plan 2004.

5. No development shall take place until the existing trees and all existing hedgerows to be retained have been protected in accordance with a Tree and Hedgerow Protection Plan that has been submitted to and approved in writing by the Local Planning Authority. The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development and shall be maintained until all equipment machinery and surplus material has been removed from the site. Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground level within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

REASON: To ensure the continued health of retained trees and hedgerows to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with policies CS2 and CS11 of the Charnwood Local Plan Core Strategy 2015 and policy EV/1 of the Charnwood Local Plan 2004.

6. No development shall commence on the site until such time as a 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.

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.

7. No development approved by this planning permission shall take place until such time as a surface water drainage scheme and details of its future management and maintenance has been submitted to, and approved in writing by the Local Planning Authority. Prior to the first occupation of each dwelling hereby approved, the drainage scheme to serve that dwelling shall be constructed and completed in accordance with the approved plans.

REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and in accordance with biodiversity interests in accordance with policies CS2, CS13 and CS16 of the Charnwood Local Plan 2011-2028 Core Strategy (2015) and the National Planning Policy Framework (2021).

8. If, during development, contamination not previously identified is found to be present at the site, 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.

REASON: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with policy CS2 of the Charnwood Local Plan 2011-2028 Core Strategy (2015) and the NPPF.

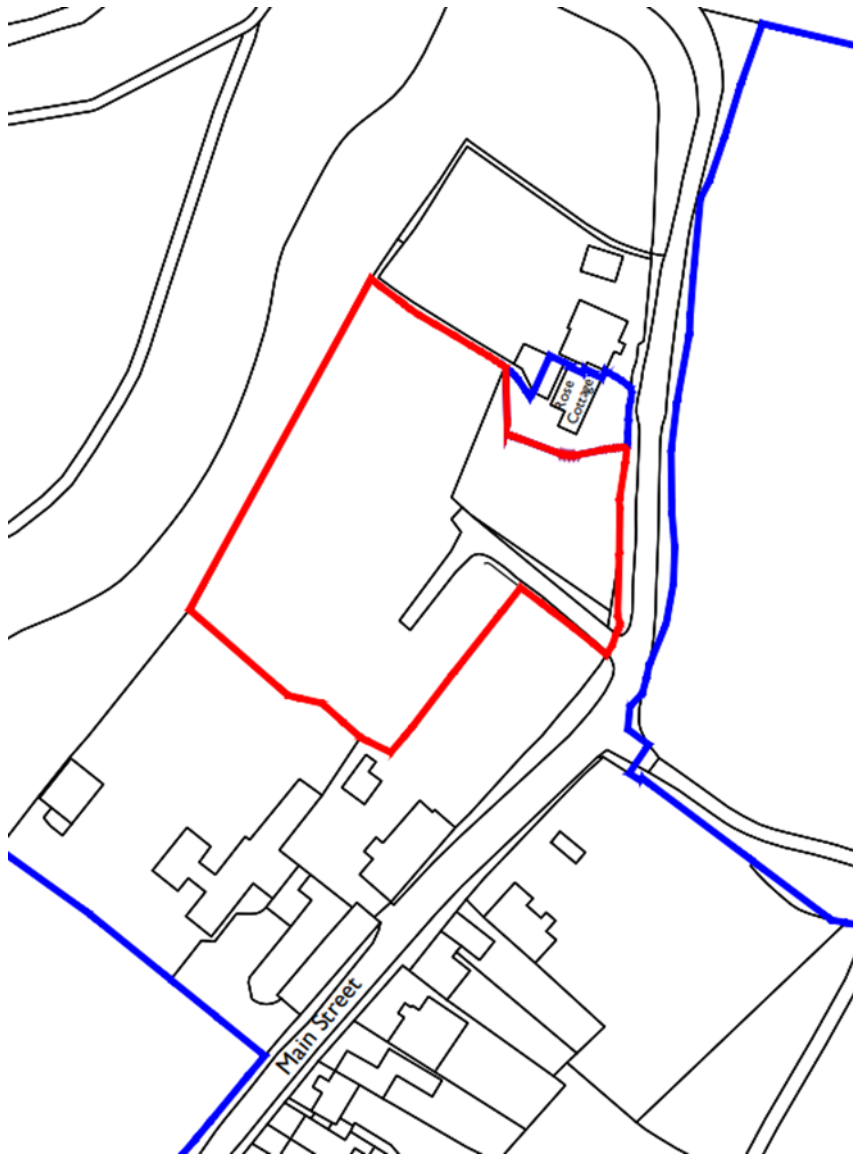
9. No part of the development shall be occupied until such time as the scheme submitted under the requirements of condition 3 above, including any approved offsite works, have been implemented in full.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2021).

10. Prior to the commencement of development, a scheme for the investigation, conservation and recording of any archaeological artefacts present within the site shall be submitted to and approved by the Local planning Authority. The development shall proceed only in accordance with the approved scheme.

REASON: To ensure the satisfactory investigation and recording of archaeological interest in the site and to ensure compliance with Policies CS14 of the Charnwood Local Plan Core Strategy 2015 and EV8 of the emerging Charnwood Local Plan 2021-37.

APPLICATION SITE



Plans Committee Date:	22 June 2023
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Item No:

Application Reference Number: P/20/1571/2

Application Type:	Outline	Date Valid:	28/9/2020
Applicant:	Parkers of Leicester Ltd		
Proposal:	Demolition of existing dwelling on-site, erection of up to 7 no. dwellings on-site and associated works. (Outline - All Matters Reserved)		
Location:	Grange Farm Bungalow 63 Main Street Woodthorpe Loughborough Leicestershire LE12 8UG		
Parish:	Loughborough	Ward:	Loughborough Woodthorpe
Case Officer:	Jim Worley	Tel No:	07864 603389

1. Background

- 1.1 This application is referred to Plans Committee in accordance with the scheme of delegation as the development represents a departure from the Development Plan and the Officer recommendation is one of approval.
- 1.2 The application has also been called in at the request of the late Ward Councillor Bolton under the Council's call-in procedure, for the following reasons:
- Impact on the character of the hamlet from proposed layout and density
 - Traffic and road safety impacts
 - Increase in noise levels
 - Lack of mains drainage
 - Effect on wildlife
- 1.3 Cllr Anne Gray has also registered a 'call in' to the Committee (10/3/22), citing the following material considerations:
- traffic and road safety
 - detrimental effect on wildlife
 - character of the hamlet
 - noise
 - density of the development.
- 1.4 Recently elected Ward Councillor Worrall has confirmed she agrees with the 'call in'.

2. Description of the application site

- 2.1 The site is situated on the western side of Main Street in Woodthorpe in the centre of the hamlet. It comprises the curtilage of no. 63 Main Street and adjacent land to the north. The site is approximately 0.49 hectares in size and abuts Main Street to the west, agricultural land and buildings to the south and the garden of 'The Old Barn' 45 Main Street and 'The Old Dairy' 47 Main Street (situated behind) to the north. The site boundary to Main Street is not defined and fronting Main Street is a row of mature trees. These stand on land forming part of the public highway. The site itself is overgrown and is enclosed by mature hedgerows and trees along its west and north boundaries.
- 2.2 There is a small shed located close to no. 63, which is not part of the application site, enclosed by a stone wall that also demarks the current access to no.63. A small length of red brick wall forms the front site boundary north of this. No. 63 is a large, detached bungalow with low pitched roof set back from Main Street by approximately 10m and orientated parallel with the road. Opposite are a row of traditional cottages and houses prior to giving way to more modern bungalows in large plots to the south.
- 2.3 Woodthorpe is a small hamlet located to the south-east of Loughborough. The hamlet is located in an area of countryside between the A6004 to the north and the Allendale Road to the west. The hamlet is linear in nature, with all buildings located off Main Street, which connects to the A6004 roundabout to the north and narrows to a single track lane to south of the hamlet.
- 2.4 The front part of the site (approximately one third of its overall depth) is within the Limits to Development of Woodthorpe as defined by Policy ST/2 of the Local Plan 2004. Then site is within a mineral consultation area and an archaeological alert area. The remainder of the site is outside the Limits to Development within the countryside.
- 2.5 In the emerging Local Plan 2021-37 the site is wholly within a defined Area of Local Separation which includes all of the land and buildings on the west side of Main Street and land further to the west.
- 2.6 The village does not contain a Conservation Area and the nearest Listed Building, Reynells Farm, 80 Main St, is some distance further south at the extremity of the hamlet.

3. Description of the proposal

- 3.1 This outline planning application seeks permission for the erection of **up to seven dwellings** following the demolition of no.63 Main Street, **with all matters reserved for future consideration**. It is proposed that the access would be taken from a new access point from Main Street. The application was originally submitted with an Indicative Layout Plan showing a cul-de-sac arrangement of nine detached dwellings. Following concerns about the proposed layout, a Design Brief was submitted in March 2022 and re-consultation was undertaken on a revised proposal of up to seven dwellings. Further transport evidence was also requested and submitted to demonstrate the capability of accessing the site and safety implications. However, 'means of access' remains a reserved matter.

3.2 The application is also supported by the following:

- Design and Access Statement
- Preliminary Ecological Appraisal Report (September 2020)
- Bat Building Assessment (August 2020)
- Transport Technical Note (dated 30/11/21)
- Design Brief December 2021
- Phase 1 and 2 Geo-Environmental Report March 2022
- Potential Access Arrangement Stage 1 Road Safety Audit (RPS, v1 June 22)
- Tree survey, constraints and protection plans March, 2023
- Road Safety Audits submitted March 2023 (addressing larger vehicles)
- Biodiversity Impact Assessment and offsetting proposals (Dec. 2022 – March 2023)

4. Development Plan Policies

4.1 The Development Plan comprises the Charnwood Local Plan Core Strategy (adopted 9 November 2015), the Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies) and the Minerals and Waste Local Plan (2019).

4.2 The policies applicable to this application are as follows:

[Charnwood Local Plan Core Strategy \(Core Strategy\)](#)

- Policy CS1 – Development Strategy
- Policy CS2 – High Quality Design
- Policy CS3 - Strategic Housing Needs
- Policy CS11 - Landscape and Countryside
- Policy CS13 – Biodiversity and Geodiversity
- Policy CS14 - Heritage
- Policy CS16 - Sustainable Construction and Energy
- Policy CS17 - Sustainable Travel
- Policy CS18 – The Local and Strategic Road Network
- Policy CS25 - Presumption in favour of sustainable development

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

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

- Policy ST/2 - Limits to Development
- Policy CT/1 - General Principles for Areas of Countryside
- Policy CT/2 – Development in the Countryside
- Policy EV/1 – Design
- Policy TR/18 - Parking in New Development

Minerals and Waste Local Plan (2019)

- 4.4 This document includes the County Council's spatial vision, spatial strategy, strategic objectives, and core policies which set out the key principles to guide the future winning and working of minerals and the form of waste management development in the County of Leicestershire over the period to the end of 2031.
- 4.5 Policy M11 seeks to safeguard mineral resources including sand, gravel, limestone, igneous rock, surface coal, fireclay, brick clay and gypsum. The policy sets out that planning permission will be granted for development that is incompatible with safeguarding minerals within a Mineral Safeguarding Area provided certain criteria are met.
- 4.6 Planning applications for non-mineral development within a Mineral Safeguarding Area should be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to it.

5. Other material considerations

[The National Planning Policy Framework \(NPPF 2021\)](#)

- 5.1 The NPPF policy guidance of particular relevance to this proposal includes:
- Section 2: Achieving sustainable development
 - Section 4: Decision making
 - Section 5: Delivering a sufficient supply of homes
 - Section 8: Promoting healthy and safe communities
 - Section 9: Promoting Sustainable Transport
 - Section 12: Achieving well-designed places.
 - Section 14: Meeting the challenge of climate change,
 - Section 15: Conserving and enhancing the natural environment
 - Section 16: Conserving and enhancing the historic environment
 - Section 17: Facilitating the sustainable use of minerals

Planning Practice Guidance

- 5.2 This national document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework. It 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 travel plans, supporting the policy framework as set out in the NPPF.

National Design Guide

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

Leicestershire Housing and Economic Needs Assessment (HENA) – 2022

- 5.4 HENA provides an up to date evidence base of local housing needs including an objectively assessed housing need figure 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 (SPD) (adopted May 2017 – updated December 2017)

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

Design Supplementary Planning Document (SPD) (January 2020)

- 5.6 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

- 5.7 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 expected to be provided in new housing development.

Technical Housing Space Standards (2015)

- 5.8 Seeks to encourage minimum space standards for housing. This document has not been adopted for the purposes of Development Management at Charnwood Borough Council, but it is included in draft Policy H3 of the emerging local plan and is therefore a material consideration for which appropriate weight must be given.

Conservation of Habitat and Species Regulations 2010 (as amended)

- 5.9 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

- 5.10 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.

[The Draft Charnwood Local Plan 2021-37](#)

- 5.11 This document sets out the Council's strategic and detailed policies for the Borough over the period 2021-37. The local plan was submitted for Examination in December 2021 with hearings concluding in February 2023. It is anticipated that the Inspectors will issue a letter setting out the requirement for main modifications to be made to make the plan sound. These modifications will be published for six weeks of public consultation so that the responses can assist the Inspectors in preparing their final report. The precise timings of these events are dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in Autumn 2023.

- 5.12 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).

- 5.13 The following policies are considered applicable to this application, and the weight they can be assigned is addressed in the 'Planning Considerations' part of this report.

- Policy DS1: Development Strategy
- Policy DS5: High Quality Design
- Policy C1: Countryside
- Policy H1: Housing Mix
- Policy CC4: Sustainable Construction
- Policy CC5: Sustainable Transport
- Policy CC6: Electric Charging Points
- Policy EV1: Landscape
- Policy EV3: Areas of Local Separation
- Policy EV6: Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV7: Tree Planting
- Policy EV8: Heritage
- Policy INF1: Infrastructure and Developer Contributions

Planning Guidance for Biodiversity June 2022

- 5.14 This planning guidance seeks to provide further clarification to Core Strategy Policy CS13 insofar as ensuring development proposals secure biodiversity net gain on-site to contribute towards the overall sustainability of development proposals.

6. Relevant Planning History

- 6.1 There is the following relevant planning history for the site.

Reference	Description	Decision & Date
P/97/0438/2	Site for the erection of two detached dwellings	Refused 19/5/97 Appeal dismissed 24.6.1998

7. Responses of Consultees & Other Comments Received

- 7.1 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
LCC Local Highways Authority	No objection subject to conditions: <ul style="list-style-type: none"> • Provision of the site access and any off site works before occupation of any dwellings • Full details of working practices to form the access and any associated works in order to protect highways trees in front of the site • Provision of a construction traffic management plan
Charnwood Borough Council – Urban Design, Conservation & Archaeology (May 2023)	Heritage assets to be considered are Reynall's Farmhouse which is listed grade II and is located Main St at the southern end of the hamlet. The hamlet of Woodthorpe which is considered to be a non-designated heritage asset. The proposed development also falls within an archaeological alert area. <ul style="list-style-type: none"> • The heritage significance of Reynall's Farm or its setting will not be diminished by this proposed development. • The design brief identifies the significant characteristics of the hamlet and a form of development that responds to the distinct context. If the proposed development followed the details in the design brief the result would be acceptable. • Concern that the requirements identified in the response received from the highway authority for

	<p>a regular highway width of 5.5m with potential footways and regular kerb alignment, together with a wide regular radii access point to service the development, would result in significant degradation of the heritage significance of Woodthorpe.</p> <p>Conclusion:</p> <ul style="list-style-type: none"> • There would be no harm to the heritage significance of Reynall's Farm or its setting. • The required highway alterations would have a very significant adverse impact on the historic character of Woodthorpe, and Para 203 of the NPPF is engaged.
<p>Leicestershire County Council Mineral Planning Authority (20/9/21 and 26/8/20)</p>	<p>No objections in respect of mineral safeguarding.</p>
<p>Lead Local Flood Authority (LLFA)</p>	<p>The development scale is such that the LLFA is not a statutory consultee. Refers to standing advice that drainage must not lead to flooding or exacerbate flooding elsewhere.</p>
<p>Charnwood Borough Council Environmental Health (17/1/23 and 3/6/21)</p>	<p>No objections subject to conditions:</p> <ul style="list-style-type: none"> • Noise mitigation measures to be approved as part of the detailed design of the dwellings. • Conditions are recommended to control dust and approval of a construction method statement. Construction Management Statement. <p>No remedial measures required for contamination.</p>
<p>Charnwood Biodiversity (March 2023)</p>	<ul style="list-style-type: none"> • A balanced and acceptable baseline assessment has been produced for the site and that at 63 Main Street. • A net loss of 0.34 habitat biodiversity units is stated. • The DEFRA metric is acceptable because the applicant had a potential site to deliver offsetting. • It would appear that offsetting is not currently an option and so there is an increased risk that an offsetting payment will be required. • Therefore, the Warwickshire Metric should be referenced in the S106 agreement, should we get to that stage.

	<ul style="list-style-type: none"> • Transfer of the recently submitted baseline data to the Warwickshire Metric indicates offsetting payments of £21,267. • Note that the post development habitats have followed the applicants' submissions, are indicative only and do not represent confirmation of the semi natural habitats where these have been shown. <p>No objection subject to obligations as part of S106 are prepared to include:</p> <ul style="list-style-type: none"> • To submit the Biodiversity Mitigation and Enhancement Scheme to the Council for its written approval with any Reserved Matters Application. • To provide the Biodiversity Net Gain on Site in accordance with the Approved Biodiversity Mitigation and Enhancement Scheme. • Where the provision of the Biodiversity Net Gain on site cannot be achieved to provide the mitigation measures on site pursuant to the Approved Biodiversity Mitigation and Enhancement Scheme and/or pay the Biodiversity Impact Compensation to the Council.
<p>Campaign to Protect Rural England (CPRE) (5/4/22 and 27/10/20)</p>	<p>Object to the development on grounds of:</p> <ul style="list-style-type: none"> • Adopted Local Plan does not allocate the site for housing. • Lack of 5 year supply is not a reason to overturn the intention of the Local Plan to preserve the separate identity/character of Woodthorpe • Woodthorpe lacks facilities to sustain further development. • No affordable housing provision is included. • The hamlet has 23 dwellings and 7 more with 23 bedrooms would increase population by 50%. • Erode the buffer between Woodthorpe and Shelthorpe. • Contrary to strategic objective SO9 of the Core Strategy. • Residents would be car dependent for employment, schools, healthcare etc. • The site is not allocated in the draft Local Plan. • No bus service and more than 800m from bus stop • Highways concerns not addressed • Road widening impact on trees • CPRE understand a recent application for 120 dwelling to the east of Woodthorpe was refused permission.

Ward Councillor and Parish Council Response

<p>The Late Cllr G Bolton (former Shelthorpe Ward Cllr)</p>	<ul style="list-style-type: none"> • The increase in traffic on what is a narrow road is likely to lead to highway safety issues. This is exacerbated by the fact that a number of the cottages do not have parking spaces so have to park on the road. • There is no bus route through or close to Woodthorpe and, with the proposed size of the house, each property will likely have more than one vehicle. In addition, many people walk and cycle through and round the Hamlet - an increase in vehicles may lead to pedestrian and cyclist safety issues. • Noise levels: There will be an increase in the noise levels with so many extra vehicles both during construction and post construction. • The Layout and Density of the Property: The proposed development will, in my have a detrimental effect on the layout of Woodthorpe Hamlet and the density of the property currently in existence. Nine houses will be built on an area that is currently open space and will change the whole nature of the Hamlet. • Lack of mains drainage: The current properties rely on septic tanks as there is no • central sewerage system. An additional set of properties would put increasing pressure on these available amenities. • Effect on Wildlife: the proposed site for development currently houses much wildlife which could be lost if the development is allowed to go ahead.
<p>Cllr Anne Gray (7/4/22)</p>	<ul style="list-style-type: none"> • Grave concerns about the suitability of the hamlet for this kind of development and its effect on heritage and biodiversity. Requests 'call in' to Committee. • The development goes against the principle of sustainable development given the absence of any facilities or public transport links. • The development would generate at least 14 additional vehicles travelling through the village. It already poses dangers and these will be exacerbated. • Such a development would affect the character of the hamlet and destroy its uniqueness as the last hamlet in Charnwood.

	<ul style="list-style-type: none"> • A grouping of properties in this way will mean that Woodthorpe is no longer a linear settlement. • Impact on privacy and the blocking of light to the adjacent property. • The Charnwood Local Plan states that remaining small villages and hamlets are not appropriate locations for development; at least one other application has been turned down in the last few years.
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Responses to publicity	
From	Comments
<p>27 letters of objection received from 18 addresses:</p> <p>Four submissions from the Woodthorpe Residents Association</p> <p>Two petitions signed by 27 and 33 addresses respectively</p>	<p>Biodiversity</p> <ul style="list-style-type: none"> • Loss of wildlife present on the site. • Biodiversity offsetting should take place locally, rather than exported to Quorn. • Concern that offsetting proposal could be lost to future development. • The Biodiversity Assessment does not include all wildlife on the site. These plots are rich in wildlife and form a diverse system of plants and animals. Many types of birds (including those from the RSPB red list), frogs, newts, toads, butterflies, insects, foxes, badgers, and deer are all in evidence. <p>Trees and hedges</p> <ul style="list-style-type: none"> • Arboreal analysis does not include trees recently removed or those which could be affected by the access. It contains several other inaccuracies regarding the effect on trees. • Widening of the road and potentially damage to hedges. • Concern about the cutting back of trees and potential removal of trees to allow additional access or sightlines. <p>Highways Issues</p> <ul style="list-style-type: none"> • Works to the road will enable faster traffic speeds. • Impact of the increase in traffic is particularly worrying - access from the roundabout is already difficult. • The effect from work traffic from a safety aspect and the obscured vision from the sharp bend in the road just prior to the property is of particular concern.

	<ul style="list-style-type: none"> • Long term consequences with regard to the number of cars travelling along Main Street. • Impact on existing properties • Impact on outlook / open views as the new properties directly overlooked by this proposal. • Issues of overlooking; as well as general loss of privacy and amenity. • Infrastructure and drainage • There is no justification or need for these houses. • There is no sewage drainage available - the only drains are those relating to the road water run-off which overload and flood on a regular basis. • There are no mains facilities in Woodthorpe – gas, mains sewer, bus services. • Character and appearance • The proposed development would destroy the character of the small hamlet of Woodthorpe. • The scale of growth would be out of character – Woodthorpe contains only 23 dwellings and this is an increase circa 30%. Together with the proposal at Rose Cottage would be an increase by 14. • Overbearing impact from the development on the last remaining local hamlet. • There should be no development in the hamlet that would spoil its linear topography, which goes back to Viking times. • Layout and density of buildings inappropriate for the hamlet. Woodthorpe is linear in nature and the proposal provides depth. • The green spaces are integral to the character of Woodthorpe and provide its countryside feel. • Planning Policies • Strict adherence to Council planning policies should be applied. • Building in open countryside and its unsustainable consequences. • Charnwood Planning Policy identifies Woodthorpe as a small hamlet unsuitable for new development. Policy C1 remains applicable. • Contrary to planning policies on ‘Areas of Separation’ which is there to protect the environment. • Draft policy LP1 has already been fulfilled for housing allocation.
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	<ul style="list-style-type: none"> • The proposed residential development is contrary to saved policies EV/18 as well as EV/1 and H/16 of the adopted Local Plan. It will therefore have a significant detrimental impact on local wildlife habitat and biodiversity. • Contrary to current Core Strategy policies CS1, CS11 and CS25. • Policy DS3 (HA15) of the Draft Local Plan, cites the requirement for the retention and enhancement of the character and identity of the linear hamlet of Woodthorpe. This proposed development clearly no longer maintains the linear characteristic. • Clause 3.223 of the Draft Local Plan states that “Our small villages and hamlets have few or no services and facilities, and the people who live in these settlements rely on larger ones for their day-to-day needs. They are therefore generally poor locations for new development, and we have made no allocations in these places”. <p>Precedents</p> <ul style="list-style-type: none"> • Precedent of refused planning permissions. Full reason for refusal are quoted including planning policies. These remain current and should therefore apply to this application and generate refusal. • The application will create precedent of breaching policies. <p>Design Guide</p> <ul style="list-style-type: none"> • There are several inaccuracies and inconsistencies in this design brief. • The design of the proposed development as it is illustrated would have a big detrimental impact on no 47, which is immediately adjacent, and shares a common boundary located to the south of us. The two storey house would overbear on no.47, overlook bedroom windows and cause a loss of light and could affect hedges and trees.
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8. Consideration of the Planning Issues

- 8.1 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 (2011-2028) and the Minerals and Waste Local Plan (2019).
- 8.2 The Core Strategy and Charnwood Local Plan 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 and the Planning Authority cannot currently demonstrate a 5-year supply of housing land (4.27 years), 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 11dii), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits for planning permission to be refused.
- 8.3 Part i) of NPPF 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 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 and the 'tilted balance' (NPPF paragraph 11dii) applies.
- 8.4 The main planning considerations applicable to this application are considered to be:
- Principle of Development
 - Housing Mix
 - Landscape & Visual Impact
 - Design & Layout
 - Impact on Residential Amenity
 - Ecology and Biodiversity
 - Impact on Trees
 - Land Contamination
 - Highway Matters
 - Flooding and Drainage
 - Heritage Impacts

9. Key Issues

9.1 Principle of the Development

- 9.1.1 The principle of development is guided by Local Plan policies CS1 of the Charnwood Core Strategy (2015) and saved policy ST/2 of the Borough of Charnwood Local Plan (2004). Policy CS1 of the Core Strategy outlines the development strategy for the Borough and the distribution of sustainable growth.
- 9.1.2 Woodthorpe is designated as a Small Village/Hamlet in the settlement hierarchy under Policy CS1. It states that the strategy for these settlements is to safeguard services and facilities and respond positively to development that meets a specific local social or economic need in these smallest settlements. Policy CS1 states the Council will respond positively to development where the specific local need has been identified in a Neighbourhood Plan or other community-led strategy or the development supports sustainable businesses in accordance with Policy CS10.
- 9.1.3 The submitted application does not seek to meet an identified local social or economic need or support a rural business. The proposal is therefore considered to be contrary to policy CS1.
- 9.1.4 The site is located partly within and partly outside of the defined Limits to Development of Woodthorpe, as defined by saved Local Plan policy ST/2. The smaller west section of the site, fronting Main Street and including the bungalow number 63, is within the limits with the remainder outside. Local Plan Policy ST/2 seeks to restrict development to within defined limits to development. Local Plan Policies CT/1 and CT/2 allow development outside the limits defined by ST/2 in very limited defined circumstances. The proposed development would not meet any of the specific exceptions as set out in Policy CT/1. Policy CT/2 only applies when the proposal is acceptable in principle.
- 9.1.5 Policy CS11 of the Core Strategy is also relevant as the site is largely located in the defined countryside and it requires new development to protect landscape character and maintain the separate identities of towns and villages. These impacts are considered later in the report.
- 9.1.6 The site is located close to the settlement of Loughborough, where Core Strategy policy CS1 directs further housing growth as it is considered to be a sustainable location.
- 9.1.7 Given the current lack of a 5-year supply of housing land (which stands at 4.27 years) and the age of Core Strategy Policy CS1 and Local Plan policies CT/1 and ST/2, the weight that can be ascribed to them is reduced, and paragraph 11d of the NPPF applies, as stated at paragraph 8.2 above.
- 9.1.8 The proposal would be contrary to the Development Plan in principle but would result in seven new dwellings at a time when the Local Planning Authority cannot demonstrate a five-year supply of housing land. This is regarded as a benefit of the development which is required to be balanced against any harm identified (the 'planning balance' is addressed at the conclusion of this report).

9.1.9 Emerging Local Plan policy is a material consideration. Emerging Local Plan Policy DS1 defines Woodthorpe as a Small Village/Hamlet where no development is allocated. The policy states that new built development will be limited to allocated sites and other land within limits to development subject to specific exceptions set out in the plan. Policy DS1 also sets out the approach to be taken when a 5 year land supply is not present. It states that in these circumstances, development should only be refused where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits and will be supported only where 4 criteria are met:

- Accord with pattern of development set out in policy DS1
- Adjoin the limits to development
- Do not prejudice the delivery of infrastructure set out in Appendix 3, and
- Accord with other development plan policies.

Emerging Local Plan policy CC5 of the Draft Local Plan states that the Council will support sustainable patterns of development which will minimise the need to travel and seek to support a shift from travel by private car to walking, cycling and public transport.

9.1.10 It is considered that the proposal does not accord with the distribution of development set out in DS1 as the site (and all of Woodthorpe) is located outside limits to development and within the countryside; defined by emerging policy C1 and does not adjoin any defined Limit to Development specified within the emerging Local Plan. Policy C1 does support small scale new built development in very limited circumstances and where there would not be significant adverse environmental effects. The proposal for seven dwellings within the hamlet of Woodthorpe, which only currently has 23 dwellings, is not considered to be small scale in the context, nor does it satisfy the other exceptions listed in Policy C1. The site does not adjoin the defined limits to development within the emerging plan. Therefore, the first two criteria are not met. The proposal will not prejudice the delivery of infrastructure. The compliance with other relevant emerging policies is considered in the relevant sections below. Overall, the proposal is considered to be in conflict with emerging policy DS1.

9.1.11 In relation emerging Policy CC5, Woodthorpe is located very close to Loughborough with a range of services, facilities and transport links, which serve to minimise the need to travel by car. The emerging Local Plan proposes to allocate 723 homes and a primary school close to the site, to the east and south of Woodthorpe (emerging policy DS3 (HA/15)), in part because of this proximity. Planning application P/21/0550/2 for up to 120 new dwellings to the east of the hamlet was recently considered at appeal (September 2022) and planning permission was granted despite the clear conclusion that it was contrary to Core Strategy Policy CS1 and Local Plan policies CT/1 and ST/2. This was justified on the basis that the development would make a strong contribution to housing supply (including affordable housing), the sustainable location of the site and its proximity to future planned growth strategies.

9.1.12 Under the guidance of NPPF paragraph 48 it is considered that the emerging Local Plan is 'well advanced' having been subject to Examination and policies are consistent with the NPPF. However, Policy DS1 is contested and can therefore be given only limited weight whilst C1 and CC5 can be afforded moderate weight. In summary, the proposed development of seven dwellings on land that is largely outside the limits to development of Woodthorpe is contrary in principle to both the extant Development Plan and the emerging Local Plan and this should be regarded as a negative factor within the overall planning balance. However, the weight to be ascribed to the housing policies in the Development Plan is reduced as paragraph 11d of the NPPF applies, as the Council cannot demonstrate a 5 year supply of housing. Despite its very small size, Woodthorpe can be regarded as a more sustainable location for residential development which is illustrated by the site allocation and recent granting of planning permission at site 'HA15' on the east side of Woodthorpe.

9.1.13 Proposals for housing development on part of the site have been refused in the past. However, the planning policy framework has evolved very considerably since. More recent refusals on other sites in Woodthorpe have been referenced in representations received from local residents within which the current policy framework is cited. However, this was determined prior to the requirement of the 2021 NPPF and its 'presumption in favour of sustainable development' (i.e. Para 11d referred to above and below).

9.1.14 In these circumstances, the presumption in favour of sustainable development (NPPF paragraph 11d)ii) applies and requires an assessment to be made as to whether there are any adverse impacts of granting permission that would significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies of the NPPF taken as a whole. The identified conflict with the adopted and the emerging Development Plan are considered to be harm within this exercise and will be weighed against the benefits and considered within the overall planning balance for the proposal at the end of this report.

9.2 Housing Mix

9.2.1 Core Strategy Policy CS3 outlines a requirement to secure an appropriate housing mix having regard to the identified housing needs. As the proposal is for seven dwellings, no affordable homes are required under either existing or emerging policies. This policy generally accords with the NPPF and does not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that it should be given.

9.2.2 Emerging policy H1 seeks a mix of house types and sizes to meet the overall needs of the Borough in line with up to date evidence. The policy is at an advanced stage, outstanding objections were considered in the hearing sessions in February and is consistent with the NPPF and it is considered can currently be given limited weight.

9.2.3 The latest evidence of need is provided by the Leicestershire Housing and Economic Needs Assessment (HENA) 2022 which outlines a recommended housing mix for the Borough in respect of market housing. This includes the following housing mix:

Market	
1 bed	5%
2 bed	30%
3 bed	45%
4+ bed	20%

9.2.4 Because of the ‘outline’ nature of the application the size of the dwellings (expressed as number of bedrooms) is unknown but it is possible to ensure adherence to the policy through conditions and the consideration of reserved matters. This outline proposal for seven dwellings is supported by a Design Brief which shows a mix of dwelling types and sizes. The provision of seven market homes of a mix to meet identified needs appears to be possible. Accordance with this policy and therefore contribution towards identified needs is a benefit of the scheme and should be given positive weight within the planning balance.

9.3 Landscape and Visual Impact

9.3.1 Core Strategy Policy CS2 and saved Local Plan policy EV/1 seek to respect and enhance the landscape character of the area and the form of existing settlements and the open and undeveloped nature of the countryside. Policy CS11 of the Core Strategy seeks to protect the character of our landscape and countryside and reinforce sense of place and local distinctiveness. 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.

9.3.2 Emerging Local Plan Policy EV1 requires new development to protect landscape character and to reinforce sense of place and local distinctiveness. and maintain separate identities of settlements. This policy is at an advanced stage and were discussed at the hearing sessions in June 2022 and are consistent with the NPPF so can be given moderate weight.

9.3.3 Emerging Local Plan Policy EV3 states that development in Areas of Local Separation will only be supported where:

- it preserves settlement identity; and
- it clearly maintains the physical and perceptual separation between the built-up areas of settlements.

The emerging Local Plan defines an Area of Local Separation (ALS) between Woodthorpe and the urban edge of Loughborough. The application site is mainly within the ALS (with the site frontage and number 63 outside the ALS). This policy is at an advanced stage and objections were discussed at the hearing sessions in June 2022 and are consistent with the NPPF so can be given moderate weight.

9.3.4 The submitted Design and Access Statement explains that the site is contained by established residential curtilages, the row of mature trees in the foreground and, to the west, tree planting associated with the Grange Park development. It is considered that these features are effective in limiting the effect on the wider landscape. The anticipated impact on these trees is addressed in following sections of this report.

- 9.3.5 Representations have expressed a view that the various gaps that interrupt the linear pattern of Woodthorpe are essential to its character and have historic significance. The majority of the site is 'countryside' in the current Development Plan and is ALS in the emerging Local Plan.
- 9.3.6 The site itself is mainly an undeveloped area (other than the bungalow number 63) which provides a green gap within the linear hamlet. The proposed development would infill this space and thus the dispersed character, form and local distinctiveness of the settlement would be detrimentally impacted. The loss of the green gap would impact on settlement identity and local distinctiveness and thus conflicts with policies CS2, CS11 and EV/1 and emerging Local Plan Policies EV1 and EV3. However, the gaps are not of recognised importance such that they have been identified as Open Space or other 'protective' policies and it is therefore considered that the weight that can be given to this matter is limited.
- 9.3.7 In terms of separation between settlements it is considered that the remaining undeveloped land west of the site would remain effective in maintaining separation from the urban edge of Loughborough both physically by distance, and perceptively because the tree planting in this area is an effective barrier. Therefore, the proposal would retain the separate identities of Woodthorpe and Loughborough, in accordance with emerging Local Plan policy EV3.
- 9.3.8 The environs of the site make a very strong contribution to the character of Woodthorpe in that the row of trees along its frontage are a very prominent feature and notable landmark (trees T6, T8-14 Norway Maples and T7 Silver Birch identified in the submitted Tree Survey). These trees have been categorised as B2 – moderate quality (except T9 which is dead). The trees are within the road verge close to the roadside. These do not lie within the application site but could be impacted by the development.
- 9.3.9 The Highways Authority who manage the street trees, have stated that highway widening works will be required along Main Street. The extent of works is unclear as access is a reserved matter. The submitted Tree Survey does not take account of the highways works that will be required to facilitate the site access. Therefore, it is not known at this stage, to what extent the trees and road verge will be impacted by the site access and road widening. The plans submitted to demonstrate feasibility of access show that the proposal seeks to retain all Leicestershire County Council (LCC) trees but do show some limited road widening works within the root protection area of one of the trees. The Highways Authority has raised concerns regarding the impact of these works on the highway trees and there is potential for re-profiling of the verge adjacent to the site access for visibility purposes. They have requested conditions to ensure root protection during the works.
- 9.3.10 In conclusion, the proposed development would infill a green gap in the hamlet and therefore would have a limited detrimental impact upon the dispersed character, form and local distinctiveness of the linear settlement. The proposal would therefore conflict with policies CS2 and CS11 of the Core Strategy, EV/1 of the Local Plan and emerging policies EV1 and EV3. Whilst there is potential harm to the street trees along Main Street, from the site access and off-site road improvements, it is considered this is avoidable and careful work practices can avoid their loss.

9.4 Design and Layout and the Impact on the Character of Woodthorpe

- 9.4.1 Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved policy EV/1 of the Local Plan supports development that is of a design, scale, layout and mass compatible with the locality and which uses materials appropriate to the locality. These policies generally accord with the NPPF and National Design Guide and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.
- 9.4.2 Emerging Local Plan Policy DS5 requires development to make a positive contribution to Charnwood by responding positively to local distinctiveness. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. The policy can be given moderate weight.
- 9.4.5 The planning application was submitted with an Indicative Layout Plan indicating nine detached dwellings and garages. However, this was superseded by a Design Brief and the application was amended to “up to 7” dwellings, following concerns raised about the proposed original layout.
- 9.4.6 The Design Brief layout options show seven dwellings of mixed size and types with off-road parking. The dwellings would be set back from the road behind the existing road frontage trees. The Design Brief sets out the following principles for the development:
- The design should be conceived as a whole
 - The buildings should follow the linear structure of the village
 - A central space should be created and frontage trees retain as far as possible
 - Utilise a single point of access from Main Street
 - The buildings should reflect predominant characteristics of buildings in Woodthorpe and the Soar Valley
 - The houses should be mixed in style, size and design
 - Houses should be orientated towards Main Street; parking provision and garages located behind the building line
 - Materials should reflect buildings in Woodthorpe and the Soar Valley
 - Detailing should reflect buildings in Woodthorpe and the Soar Valley
 - Landscaping should be simple and focus on the central space
- 9.4.7 Notwithstanding the conclusion above that the built development on the site would be harmful to the distinctive dispersed form and character of the settlement and could impact the street trees. it is considered that a layout could be secured that would, in architectural and design terms, be complementary and suitable for the site and the linear nature of Woodthorpe. The comments of the Council’s Urban Design, Conservation & Archaeology team are noted in this respect. It would be possible to stipulate that the content of the Design Brief is followed at reserved matters stage as a requirement of a condition(s).

- 9.4.8 However, the works required by highways could also have wider impacts on the hamlet as a whole. Currently the hamlet is a single road with dwellings all accessed from Main Street. Main Street has a distinct rural character with wide raised verges in places with no kerbs, and a varied width along its length. The limited footpaths are narrow and have low granite kerbs.
- 9.4.9 Whilst full details of access and the off-site works to Main Street are not available as access is a reserved matter, the site will require a formal access if development to the quantum of 7 is submitted (n.b the application is for “up to” 7 and a lower number may avoid the need for such a formal approach). 4.8m width is the highways standard, with kerbing and markings, and off-site works to widen Main Street close to the site access to 4.8m width. However, the Highways Authority advise that the visibility splays may have impacts on the existing highways trees through the re-profiling of the sloped verge along Main Street (though this is not evident from the feasibility plans submitted). The development may also require further road widening works further north along Main Street (to 5.5m), a flattened verge and the addition of a passing place (in general accordance with plan JNY10868-01 Rev C). The Highways Authority also highlight that at this stage emergency vehicle access/refuse access has not been considered. However, the information provided to demonstrate access feasibility shows that the trees can be retained and adequate sightlines provided over the verge to the required height.
- 9.4.10 It is considered that the access and off-site works, if required in the form presented in the feasibility plans, will result in a detrimental impact on the rural character of the hamlet. The road access will be of equal width to Main Street, creating a spur road within this linear hamlet and the widening of Main Street (and associated verge flattening and passing place) will be detrimental to the rural character of Main Street.
- 9.4.11 In conclusion, the Design Brief demonstrates that a linear development could be achieved, with dwellings that would reflect the materials and detailing of the hamlet. However, the access road and off-site highway works required would be detrimental to the linear character of the hamlet and the character of Main Street. The proposal is therefore contrary to policy CS2 of the Core Strategy, policy EV/1 of the Local Plan, the Design SPD and emerging policy DS5 of the Local Plan.
- 9.4.12 The bungalow on the site, 63 Main Street, is proposed for demolition as part of the proposal. The dwelling is of limited architectural merit and of no heritage value. The bungalow is one of several bungalows in this part of Woodthorpe but its loss would not harm the overall character of the hamlet. Its demolition is therefore considered acceptable in principle.

9.5 Impact on Trees on Site

- 9.5.1 Core Strategy Policies CS2 and CS11 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. These policies generally accord with the National Planning Policy Framework and do not conflict the supply of housing. Emerging Local Plan policy DS5 makes similar requirements and EV7 encourages the protection of trees and tree planting. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF and can therefore be given moderate weight.
- 9.5.2 The applicant has submitted a Tree Survey: Arboricultural Impact Assessment, Method Statement and Tree Protection Plan (Feb 2023) which concludes the proposal will require the removal of 12 trees (all category C low value) and encroachments of hard surfacing into the root protection areas of five trees. This Assessment conclusion is based upon an illustrative scheme as this is an outline proposal. The site stands behind the mature trees on the Main Street frontage and is enclosed by hedging containing further trees to north and west boundaries. There are also trees around the curtilage of no.63 and smaller specimens within its garden. However, within this perimeter planting the site is open and it would be possible to develop a scheme that would leave sufficient distance to avoid these features, except for the removal of one tree from the frontage to enable access. Safeguards (e.g. protection of tree root areas and distances from hedges) can be imposed as conditions if permission was to be granted indeed a detailed plan has been provided showing the extent of these as part of the exercise of demonstrating potential access without undermining the frontage trees.
- 9.5.3 It is considered that the loss of the single tree (the smallest in the group) at the site frontage is of very limited impact and, consequently, subject to a condition to secure the retention of trees within the site where possible as part of the reserved matters scheme the proposed development is considered able to accord with the relevant policies in the Core Strategy, particularly Policy CS11 (Landscape and Countryside) and Policy CS2 (High-Quality Design) and the applicable emerging Local Plan policies EV7 and DS5 referred to above in respect of trees.

9.6 Ecology and Biodiversity

- 9.6.1 Policy CS13 of the Core Strategy seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. The policy supports development that protects biodiversity and geodiversity and those that enhance, restore or re-create biodiversity. The loss of features of biodiversity and geodiversity will only be supported in exceptional circumstances where the benefit of the development clearly outweighs the impact. Where there are impacts, the policy requires mitigation or compensation of equal or greater value, likely to result in a net gain in biodiversity. The NPPF states that planning decisions should minimise impacts upon and provide net gains for biodiversity.

- 9.6.2 Emerging policy EV6 of the Draft Local Plan seeks 10% biodiversity net gain and the protection and enhancement of habitats, species and networks. Emerging policy EV7 supports the retention of existing trees and new tree planting. Although the Environment Act 2021 makes provision for 10% biodiversity net gain, the relevant sections of the Act have not yet been brought into force to make it a legal requirement and is not currently required by national policy. Therefore, emerging Local Plan policy EV6 can be given only limited weight until the emerging policy is further progressed towards adoption.
- 9.6.3 Representations from local residents have raised concerns regarding the loss of woodland and trees and the impact on ecology. To the west of the site is a wooded area that forms part of the structural planting containing the Grange Park development.
- 9.6.4 A Biodiversity Impact Assessment has been submitted and proposals for Ecological mitigation and off-site compensation have been provided. However, the Council's Biodiversity Officer calculates that this would still give rise to a net loss of biodiversity and advises that it could be satisfactorily addressed by detailed measures secured as part of a detailed reserved matters application and secured and agreed through obligations as part of a S.106 Legal Agreement.
- 9.6.5 Representations from residents have also expressed the view that compensation should be in the immediate vicinity (the suggested proposals are located at Quorn) and expressed concern that they may be lost to development in the future. However, there is no imperative for them to relate directly to an application's site, and any impact by future development would be the subject of further assessment.
- 9.6.6 Consequently, the proposal, subject to the required obligations in the S. 106 Legal Agreement to make up for an the on-site shortfall and net gain, imposition of planning conditions and detailed design/mitigation as part of a reserved matters application, is considered acceptable and would comply with policy CS13 of the Charnwood Local Plan 2006-2028 Core Strategy and emerging Local Plan policy EV6.
- 9.8 Impact on Residential Amenity
- 9.8.1 Policies CS2 of the Core Strategy and EV/1 of the Local Plan seek 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. Saved policy EV/1 of Local Plan and policy 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.
- 9.8.2 Emerging Local Plan policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. The policy can be given moderate weight.

Existing properties

- 9.8.3 Objections have been received concerning overbearing, overlooking and overshadowing of existing properties, with particular reference to the houses that adjoin the site to the north. It is understandable that concern is registered in response to diagrams within the Design Brief that show buildings close to this boundary. However, the layout would not be bound by these diagrams and a full assessment of such matters cannot be undertaken until detailed plans are submitted (as reserved matters). The site is considered to be of sufficient size to accommodate seven dwellings without such effects arising, i.e. a design is considered possible of a scale, distance from boundaries and design to avoid overlooking from windows. The Design Brief references buildings concentrated towards the centre of the site rather than dispersed towards the boundaries, retention of mature boundaries and lower scale buildings limiting their height. The houses immediately north are single storey and there are bungalows opposite 63 Main Street at present. Therefore, lower building heights would assist in assimilating into the site's surroundings.

Future occupants

- 9.8.4 It is considered that the site is of sufficient size to allow development to proceed with sufficient amenity space for new dwellings. Assessment of this provision would be undertaken at reserved matters stage.
- 9.8.5 The proposal would, therefore, be capable of complying with the provisions of policies CS2 of Charnwood Core Strategy and EV/1 of the saved Local Plan along with NPPF, National Design Guidance and the guidance set out in the Design SPD to protect residential amenity.

9.9 Highway Matters

- 9.9.1 Policy CS2 of the Core Strategy requires new development to provide well defined and legible streets and spaces that are easy to get around for all. Policy CS18 of the Core Strategy requires network improvements where they are identified in Transport Assessments. Policy TR/18 of the Saved Local Plan requires off-street parking to be provided for vehicles and cycles to secure highway safety and minimise harm to visual and local amenities. Adopted standards as set out in the saved Local Plan are provided as a starting point to assess the level of provision. 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.
- 9.9.2 The NPPF promotes sustainable travel choices and states development should ensure safe and suitable access, reflection of national guidance and mitigation of any significant impacts. It states development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe (paragraphs 110-112).

- 9.9.3 Emerging local plan policy T3 requires new development to provide car parking in accordance with the latest published guidance of the County and Borough Councils. Emerging policies INF1 and INF2 seek to secure appropriate infrastructure to mitigate the impacts of development.
- 9.9.4 Local representation have raised concerns that the site is more than 800m from a local, bus stop. Policy CS17 and emerging policy CC5 does requires development to be 400m walk from a bus stop (or for a new one to be provided, where possible), but this only applies to major developments.

Highway Safety

- 9.9.5 Access to the site is a reserved matter, but the Highways Authority requested sufficient detail with this application to be able to determine that a safe and suitable access can be achieved, including Site Access drawing (Rev D), Swept Path Analysis and a Road Safety Audit. Traffic levels are low in Woodthorpe and the road layout mitigates against higher speeds. The narrow roads are used by pedestrians and cyclists as well as vehicles and there is no record of serious accidents. Whilst the development would introduce more traffic, overall levels would remain low and the existing road layout largely unchanged except for works to allow the introduction of the access itself.
- 9.9.6 The LHA advise that the principle of access does appear to be achievable, but there are several matters that would be required to be addressed in order to agree a suitable access design. As access is a reserved matter the Highways Authority are content that based on the information provided, the development therefore does not conflict with paragraph 111 of the NPPF subject to conditions to secure general accordance with the submitted plans for access and off-site highways works, a construction traffic management plan and a scheme for protection of highways trees.
- 9.9.7 Consequently, subject to the suggested conditions the proposed development is considered to be in accordance with Policies CS2 and CS18 of the Core Strategy and TR/18 of the Saved Local Plan, which seek to ensure safe access is provided to new development and emerging Local Plan policies T3, INF1 and INF2.

9.10 Land Contamination

- 9.10.1 Phase 1 and 2 Geo-Environmental Assessment have been submitted as part of the supporting information and conclude that there are no contaminant exceedances and that made ground is suitable for development with appropriate foundations. The Council's Environmental Health team has raised no objections and it is possible to impose a planning condition requiring measures should contaminants be encountered. Consequently, the proposed development accords with relevant policies in the Core Strategy, particularly Policy CS2 and CS16 of Charnwood Core Strategy, Policy EV/1 of the Local Plan and the NPPF.

9.11 Flood Risk and Drainage

- 9.11.1 Policy CS16 of the Core Strategy and the NPPF direct development away from areas at highest risk of flooding. The policy requires development to manage surface water run off with no net increase in the rate of surface water run off for green field sites. 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.
- 9.11.2 Emerging policy CC1 of the Draft Local Plan encourages minor development to incorporate Sustainable Urban Drainage Systems (SuDS). Emerging policy CC2 states development will include appropriate measures to manage flood risk. This policy is at an advanced stage and were discussed at the hearing sessions in June 2022 and are consistent with the NPPF so can be given moderate weight.
- 9.11.3 The development is situated within Flood Zone 1 and being at low risk of fluvial flooding as identified by the Environment Agency flood maps.
- 9.11.4 Surface water would be directed to an existing watercourse and it is considered that attenuation will be required in order to prevent this from increasing run-off rates. This can be secured by means of a condition.
- 9.11.5 Consequently, the proposal is considered acceptable having regard to Policy CS16 of Charnwood Core Strategy, emerging Local Plan policies CC1 and CC2 and the NPPF.

9.13 Impact on Mineral Resources

- 9.12.1 The site is located within a sand and gravel Mineral Safeguarding Area. Policy M11 of the Leicestershire County Council Mineral and Waste Local Plan aims to prevent non-mineral related development from potentially sterilising any mineral present within a Mineral Safeguarding Area.
- 9.12.2 The Minerals Planning Authority consider it unlikely that extraction of the mineral deposits would occur in the future, due to the site size and close proximity to the residential properties. Therefore, a Mineral Assessment is not necessary, and no objection is raised.
- 9.12.3 Consequently, the proposed development would not be in conflict with Policy M11 of the Leicestershire County Council Minerals and Waste Local Plan (2019). Furthermore, it is considered that the proposed development would not be in conflict with the relevant provisions of the National Planning Policy Framework, notably Paragraph 210.

9.13 Heritage

- 9.13.1 Core Strategy Policy CS14 (Heritage) seeks 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.

- 9.13.2 Emerging Local Plan policy EV8 Heritage seeks to protect and enhance heritage assets, including non-designated heritage assets, and prevents harm to their significance and setting. Under the guidance of NPPF para. 48 it is considered that the emerging Local Plan is 'well advanced' having been subject to Examination and policies are consistent with the NPPF. Policy EV8 is largely uncontested and can therefore be afforded moderate weight.
- 9.13.3 The hamlet of Woodthorpe is considered to be a non-designated heritage asset. The proposed development also falls within an archaeological alert area and further archaeological investigation will be required prior to the commencement of any approved development. The single listed building, Reynells Farmhouse, is situated some distance from the site at the south end of the village and would not be affected directly or by affecting its setting.
- 9.13.4 Woodthorpe comprises a loosely connected group of historic farmsteads and several cottages, interspersed with pockets of late 19th and 20th century development. The farmsteads define a distinct grain to the arrangement and density of built form. Its heritage significance is derived from this grain and the way in which these farmsteads and cottages frame Main Street, together with the verges, traditional paving features and the irregular edge to the carriageway. Open spaces between buildings also contribute to this character but it is very much the space between the buildings and not wider views through these spaces out into the countryside beyond that are significant.
- 9.13.5 As stated above, it is considered that the design brief submitted by the applicant identifies the significant characteristics of the hamlet and a form of development that responds to its context. It is considered that provided the development followed the specific details contained in the design brief the result would be acceptable in heritage terms. However, the requirements identified in the response received from the highway authority, if that were to be followed, for a regular highway width of 5.5m with potential footways and regular kerb alignment, together with a wide regular radii access point to service the development, would result in degradation of the heritage significance of Woodthorpe.
- 9.13.6 As a non-designated heritage asset, harm should be avoided if possible and, under para 203 of the NPPF a balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset. It is considered that the harm is limited and also important to note that the concerns relate to access arrangements submitted to demonstrate feasibility, not as part of the application requiring determination (access remains a 'reserved matter' where assessment of a fully developed scheme will take place), meaning that there is a lack of certainty what the arrangements may finally comprise. Therefore, it is considered that the harm – or potential for harm – arising from the access arrangements must be given very limited weight. The benefits of the scheme are principally the contribution towards housing supply in a relatively sustainable location.
- 9.13.7 The heritage significance of Reynall's Farm or its setting will not be diminished by this proposed development owing to its contained setting, distance from the site and intervening buildings.

9.14 Sustainable Construction and Energy Efficiency

- 9.14.1 Emerging Local Plan policies CC4 and CC6 require sustainable construction practices and the installation of electric car charging points respectively. They are at an advanced stage and were discussed at the hearing sessions in June 2022 and are consistent with the NPPF so can be given moderate weight.
- 9.14.2 The application is in outline and as such does not provide details of construction techniques or the low carbon 'credentials' of the development. These are detailed matters which can be the subject of reserved matters and can be required by condition.
- 9.14.3 The proposal in the interest of air quality and climate change would be able to comply with policy CS16 of the Core Strategy and the emerging Local Plan policies CC4 and CC6 referred to above.

10. **Conclusion**

- 10.1 As there is currently an insufficient supply of deliverable housing sites (4.27 years), this application is to be determined on the basis of para 11dii) 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. The benefits of such housing provision are afforded positive weight however this is limited due to their small number within the context of supply requirements.
- 10.2 There are no technical constraints relating to highways, contamination or flooding that cannot be mitigated, biodiversity impact /mitigation /net gain and tree / hedge protection can be secured by way of planning conditions, reserved matters and obligations secured in a S.106 legal agreement. There would be no harm to heritage assets or archaeology. As this is the case these are seen as neutral factors in the planning balance.
- 10.3 The impacts of the proposed development on local infrastructure are considered to be limited by virtue of its scale.
- 10.4 It is considered that the development is harmful based upon its impact on the historic built form of Woodthorpe. i.e. its linear pattern and dispersed building arrangement and identity as a hamlet and introduction of modern design components (such as the access) within the traditional surroundings. For the same reasons, there is a limited potential harm to heritage interests to a non-designated heritage asset. As a result, it would be contrary to Core Strategy Policies CS2 and CS14 and emerging Local Plan policies DS5, EV8 and C1. However, these qualities are not recognised in terms of specific planning policies or heritage based assessments and as such it is considered can only be afforded limited weight. The loss of a tree to facilitate access is considered to be of slight adverse impact.

- 10.5 Of greater importance are considered to be the existing and emerging Development Plan policies, which set out the spatial strategy for the Borough. The proposed development would be contrary in part to the relevant provisions of saved Policy CT/1 of the Borough of Charnwood Local Plan and with adopted Core Strategy Policy CS1 and Policy DS1 of the emerging Local Plan 2021-37 by virtue of the position of Woodthorpe in the settlement hierarchy as a 'small village or hamlet in the countryside'.
- 10.6 However, it is considered the weight that can be applied to the harm arising as a result of the conflict with these policies is limited by the location of Woodthorpe close to Loughborough and the proximity and availability of services that it provides. Furthermore, Policy DS1 can only be afforded limited weight owing to its status as an emerging draft local plan policy that remains contested.
- 10.6. In conclusion, it is considered that whilst there are impacts arising from the development of this site that can be considered harmful, and contrary to the policy framework, the weight that can be attributed to harm arising with some of the relevant policies is significantly compromised as outlined above. The benefits relate to the contribution of the proposal to the housing land supply deficit and deliverability which, although themselves not considered to attract great weight owing to the limited contribution they would make, are nevertheless considered to outweigh the harms referred to. The application should therefore be supported subject to appropriate conditions being attached and contributions being secured to address bio-diversity off setting as part of S.106 Legal Agreement as set out below.

11. Recommendation

11.1 RECOMMENDATION A:

That authority is given to the Head of Planning and Growth 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:

Biodiversity	<p>To submit the Biodiversity Mitigation and Enhancement Scheme to the Council for its written approval alongside any Reserved Matters Application.</p> <p>a) To submit an updated Biodiversity Impact Assessment</p> <p>b) To provide the Biodiversity Net Gain on site, if possible, in accordance with the Approved Biodiversity Mitigation and Enhancement Scheme.</p> <p>c) Where the provision of the Biodiversity Net Gain on Site cannot be achieved to provide the mitigation measures off Site pursuant to the Approved Biodiversity Mitigation and</p>
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	Enhancement Scheme and/or pay the Biodiversity Impact Compensation to the Council.
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11.2 RECOMMENDATION B:

That subject to the completion of the S106 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 Growth, in consultation with the Chair of the Plans Committee for amendments to the conditions and reasons, be given delegated authority to determine the final detail of planning conditions.

11.3 Recommended conditions:

1. 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.

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

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

- Application form
- Site Location Plan ref. WTH01 005 A
- Site Boundary plan ref. WTH01 006 A
Received by the Local Planning Authority on 6.8.2020

REASON: To provide certainty and define the terms of the permission.

3. Details of the means of access, layout, scale, appearance and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved

in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

4. 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.
- Development in accordance with the 'Key Requirements' 1 -10 inclusive set out in Section 4 of the Design Brief December 2021, submitted with this application on 25.3.2022
- Details of materials of construction including the surfacing of the access
- A Noise Assessment Report to confirm mitigation measures to ensure

internal and external noise guidelines can be achieved and over-heating does not occur. This Noise Assessment Report shall be accompanied by a Noise Mitigation Scheme which confirms necessary glazing and ventilation requirements on a plot by plot basis to control noise within habitable rooms and mitigation for external amenity areas to achieve acoustic standards detailed within BS 8233:2014.

- all units in compliance with the Nationally Described Space Standards.
- Details of boundary treatment including planting
- With the exception of details approved under condition 2 above, 'means of access', retention of all trees within the highways land along the frontage of the site.

The development shall thereafter be carried out in accordance with the approved details.

REASON: To ensure the development is in character with its landscape and surroundings and to ensure amenity of new residents is protected in accordance with policies CS2, CS11 and H3 of the Charnwood Local Plan Core Strategy 2015 and policy EV/1 of the Charnwood Local Plan 2004.

5. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of highway trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Methods of demolition within the root protection area (RPA) as defined in BS 5837: 2012) of retained trees.
- b) Details of construction within the RPA or that may impact on retained trees.
- c) a full specification for the installation of boundary treatment works.
- d) a full specification for the construction of any roads, parking areas, kerbing and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- e) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- f) a specification for scaffolding and ground protection within tree protection zones.
- g) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- h) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires.
- i) Boundary treatments within the RPA.

The TPP and AMS shall specify the timetable for these provisions and development shall thereafter be carried out in accordance with the approved details.

REASON: Required prior to commencement of development to satisfy the Local Highway Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, pursuant to section 197 of the Town and Country Planning Act 1990

6. No development shall take place until the existing trees and all existing hedgerows to be retained have been protected in accordance with a Tree and Hedgerow Protection Plan that has been submitted to and approved in writing by the Local Planning Authority. The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development and shall be maintained until all equipment machinery and surplus material has been removed from the site. Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground level within those areas shall not be altered, nor shall any excavations be made.

REASON: To ensure the continued health of retained trees and hedgerows to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with policies CS2 and CS11 of the Charnwood Local Plan Core Strategy 2015 and policy EV/1 of the Charnwood Local Plan 2004.

7. No development shall commence on the site until such time as a 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.

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.8. No development approved by this planning permission shall take place until such time as a surface water drainage scheme and details of arrangements for its future management and maintenance has been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of each dwelling hereby approved, the drainage scheme to serve that dwelling shall be constructed and completed in accordance with the approved plans.

REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and in accordance with biodiversity interests in accordance with policies CS2, CS13 and CS16 of the Charnwood Local Plan 2011-2028 Core Strategy (2015) and the National Planning Policy Framework (2021).

8. If, during development, contamination not previously identified is found to be present at the site, 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.

REASON: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with policy CS2 of the Core Strategy and the NPPF.

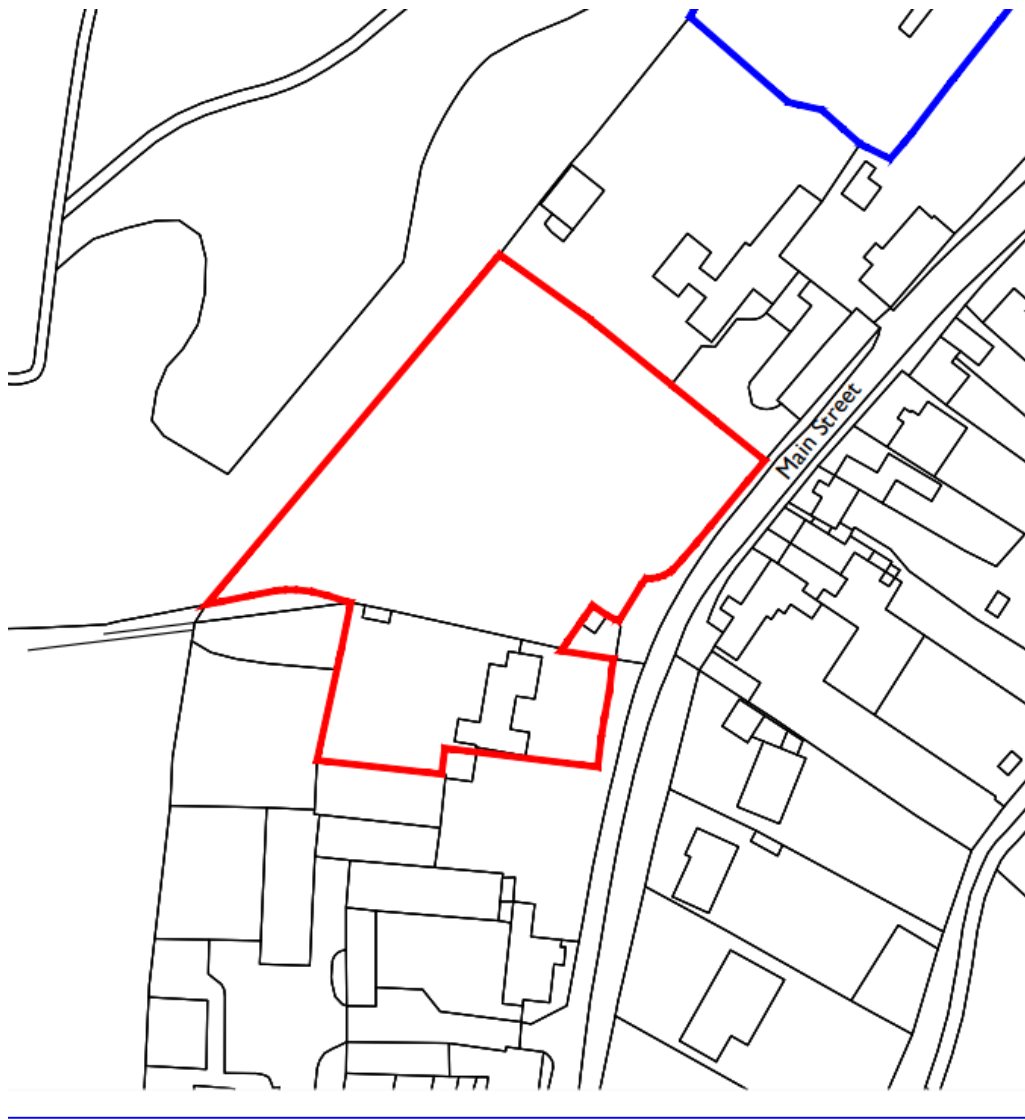
9. Prior to the commencement of development, a scheme for the investigation, conservation and recording of any archaeological artefacts present within the site shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the approved scheme.

REASON: To ensure the satisfactory investigation and recording of archaeological interest in the site and to ensure compliance with Policies CS14 of the Charnwood Local Plan Core Strategy 2015 and EV8 of the emerging Charnwood Local Plan 2021-37.

10. The works required to provide the access approved under condition 3 above, including any off site works, shall be completed prior to the occupation of any dwellings hereby approved.

REASON: To ensure satisfactory and safe access is provided, in accordance with Policy CS2 of the Charnwood Local Plan Core Strategy 2015 and the NPPF (para 111).

APPLICATION SITE



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/23/0269/2	Householder	32 The Close Anstey Leicestershire LE7 7EP	Erection of single storey rear extension	GTDCON, Permission be granted subject to the following conditions:	15-May-2023	Anstey
P/21/0581/2	Full	46A-46C Albion Street Anstey Leicestershire LE7 7DE	Change of use of first floor from storage/office space to pop up pub (Sui Generis) Variation of Condition 5 of P/18/1287/2 to allow the use of the external garden area up to 2100 hours on any day.	GTDCON, Permission be granted subject to the following conditions:	23-May-2023	Anstey
P/23/0208/2	Householder	66 Breachfield Road Barrow Upon Soar Leicestershire LE12 8NN	Erection of single storey rear extension with two rooflights	GTDCON, Permission be granted subject to the following conditions:	15-May-2023	Barrow & Sileby West
P/22/2098/2	Householder	41 Barrow Road Sileby Leicestershire LE12 7LW	Single storey rear extension, repositioning of front door, new front doorstep, front door canopy, replacement windows, and raised deck.	GTDCON, Permission be granted subject to the following conditions:	26-May-2023	Barrow & Sileby West
P/23/0385/2	Householder	6 Walker Road Birstall Leicestershire LE4 3BN	Conversion of garage/storage into habitable space with pitched roof and changes to fenestration	GTDCON, Permission be granted subject to the following conditions:	22-May-2023	Birstall Wanlip
P/23/0676/2	Householder	87 Hallam Fields Road Birstall Leicestershire LE4 3LX	Erection of front porch extension	GTDCON, Permission be granted subject to the following conditions:	12-Jun-2023	Birstall Wanlip
P/23/0564/2	Householder	62 Sibson Road Birstall Leicestershire LE4 4NA	Erection of single storey side extension and rear dormer roof extension (Resubmission of Planning Application ref: P/23/0102/2)	GTDCON, Permission be granted subject to the following conditions:	22-May-2023	Birstall Watermead

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/0570/2	Householder	21 Beechfield Avenue Birstall Leicestershire LE4 4DB	Erection of single storey extension to side and rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	25-May-2023	Birstall Watermead
P/22/1611/2	Householder	41 The Crossways Birstall LE4 4ED	Retrospective application for a single-storey rear extension and a two-storey side/rear extension. In addition the garage permitted under planning ref application P/20/1626/2 to be used for a part time hairdressing salon.	GTDCON, Permission be granted subject to the following conditions:	26-May-2023	Birstall Watermead
P/22/1395/2	Householder	451 Loughborough Road Birstall Leicestershire LE4 4BH	Erection of single storey extension to side and rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	31-May-2023	Birstall Watermead
P/23/0680/2	Householder	92 Birstall Road Birstall Leicestershire LE4 4DF	Erection of single storey detached garage to front of dwelling.	REF, Permission be refused for the following reasons:	13-Jun-2023	Birstall Watermead
P/23/0004/2	Householder	25 Keepers Croft East Goscote Leicestershire LE7 3ZJ	Erection of two storey extension to side of dwelling. (Revised scheme - P/22/1610/2 refers)	GTDCON, Permission be granted subject to the following conditions:	01-Jun-2023	East Goscote Ward
P/23/0103/2	Householder	9 Beacon Road Woodhouse Eaves Leicestershire LE12 8RN	Erection of single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	02-Jun-2023	Forest Bradgate
P/23/0152/2	Householder	Linford House 6 Main Street Newtown Linford Leicestershire LE6 0AD	Alterations to existing annex including conversion of garage to habitable accommodation and insertion of additional windows and construction of detached, timber framed car port.	GTDCON, Permission be granted subject to the following conditions:	05-Jun-2023	Forest Bradgate

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/0643/2	Householder	36 Knipton Drive Loughborough Leicestershire LE11 4ER	Erection of two storey side extension (following demolition of existing garage)	GTDCON, Permission be granted subject to the following conditions:	02-Jun-2023	Loughborough Garendon
P/22/1023/2	Telecom Determination with mast	Knighthorpe Road street works Knighthorpe Road Loughborough LE11 4JX	Proposed 5G telecoms installation: H3G Phase 8m high street pole c/w wrap-around cabinet and 3no. further additional equipment cabinets	WDT, Withdrawn	07-Jun-2023	Loughborough Garendon
P/23/0341/2	Full	1 Kingswood Avenue Loughborough Leicestershire LE11 4FT	Retrospective change of use of domestic garage to part domestic garage and part hairdressing salon.	GTDCON, Permission be granted subject to the following conditions:	08-Jun-2023	Loughborough Garendon
P/23/0528/2	Listed Building Consent	Taylor's Foundry Freehold Street Loughborough Leicestershire LE11 1AR	Replacement of deteriorated patent glazing bars to roofs over Covered Yard and first-floor offices of Works building.	GTDCON, Permission be granted subject to the following conditions:	19-May-2023	Loughborough Hastings
P/23/1892/2	Full	GCR Locomotive Works Warner Place Loughborough Leicestershire LE11 1SJ	Single storey extensions to side and rear of existing locomotive shed with enclosed fire escape staircase and internal alterations including installation of internal disabled access lift and creation of mezzanine	GTDCON, Permission be granted subject to the following conditions:	08-Jun-2023	Loughborough Hastings
P/23/0624/2	Householder	127 Braddon Road Loughborough Leicestershire LE11 5YU	Erection of single storey extension to rear and side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	01-Jun-2023	Loughborough Hathern & Dishley
P/23/0687/2	Listed Building Consent	Dales Farm House Narrow Lane Hathern Leicestershire LE12 5LH	Proposed repair /reinstatement works to roof and chimney	GTDCON, Permission be granted subject to the following conditions:	13-Jun-2023	Loughborough Hathern & Dishley

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/1585/2	Full	195 Derby Road Loughborough Leicestershire LE11 5HJ	Change of use From Veterinary Practice (Sui Generis) and the erection of 2x two storey side extensions, and a single storey rear extension with landscaping, parking and associated works to provide 4no. two-bedroom and 1no. one-bedroom residential units (Use Class C3).	GTDCON, Permission be granted subject to the following conditions:	22-May-2023	Loughborough Lemyngton
P/23/0646/2	Householder	48 Brush Drive Loughborough Leicestershire LE11 1LT	Erection of single storey extension rear, two storey extension to side, installation of 1no. rooflight to front elevation to dwelling.	GTDCON, Permission be granted subject to the following conditions:	07-Jun-2023	Loughborough Lemyngton
P/23/0138/2	Householder	259 Nanpantan Road Loughborough Leicestershire LE11 3YD	Erection of single storey extension to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	01-Jun-2023	Loughborough Nanpantan
P/23/0433/2	Householder	53 Holywell Drive Loughborough Leicestershire LE11 3JU	Two storey side/rear extension, single storey rear extension, front porch, and solar panels	REF, Permission be refused for the following reasons:	08-Jun-2023	Loughborough Nanpantan
P/23/0373/2	Householder	68 Atherstone Road Loughborough Leicestershire LE11 2SJ	Erection of single storey rear extension and changes to fenestration	GTDCON, Permission be granted subject to the following conditions:	16-May-2023	Loughborough Outwoods
P/23/0376/2	Householder	255 Beacon Road Loughborough Leicestershire LE11 2QZ	Erection of single storey rear extension (following demolition of conservatory and outbuilding)	GTDCON, Permission be granted subject to the following conditions:	19-May-2023	Loughborough Outwoods
P/23/0415/2	Householder	74 Holt Drive Loughborough Leicestershire LE11 3JA	Erection of hip to gable end extension with rear dormer and single storey side/rear extension (Resubmission of P/22/0361/2).	GTDCON, Permission be granted subject to the following conditions:	22-May-2023	Loughborough Outwoods

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/0436/2	Householder	17 Cricket Lane Loughborough Leicestershire LE11 3PD	Erection of single storey extension to side and rear of existing garage to front of house (Retrospective)	GTDCON, Permission be granted subject to the following conditions:	01-Jun-2023	Loughborough Outwoods
P/22/1956/2	Householder	9 Hambledon Crescent Loughborough Leicestershire LE11 2SX	Erection of single storey side and rear extension. Erection of single storey outbuilding to rear. (Part Retrospective)	GTDCON, Permission be granted subject to the following conditions:	05-Jun-2023	Loughborough Outwoods
P/23/0008/2	Householder	20 Hill Top Road Loughborough Leicestershire LE11 3LW	Installation of ground mounted solar panels to rear garden of dwelling.	GTDCON, Permission be granted subject to the following conditions:	08-Jun-2023	Loughborough Outwoods
P/23/0665/2	Householder	13 Hill Top Road Loughborough Leicestershire LE11 3LW	Erection of single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	08-Jun-2023	Loughborough Outwoods
P/23/0530/2	Full	2 Pulteney Avenue Loughborough Leicestershire LE11 2NA	Change of use from dwelling(C3) to residential family facility (C2)	GTDCON, Permission be granted subject to the following conditions:	19-May-2023	Loughborough Shelthorpe
P/23/0590/2	Householder	94 Manor Drive Loughborough Leicestershire LE11 2LT	Erection of single storey outbuilding (gym/store/w.c) (Resubmission of Planning Application ref: P/22/0370/2)	REF, Permission be refused for the following reasons:	25-May-2023	Loughborough Shelthorpe
P/23/0627/2	Householder	52 Mayfield Drive Loughborough Leicestershire LE11 2EB	Erection of single storey extension to side and rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	25-May-2023	Loughborough Southfields
P/23/0307/2	Full	15 Market Place Loughborough Leicestershire LE11 3EA	Proposed replacement entrance doors, windows to upper floors and fabric to blind to be re-covered	GTDCON, Permission be granted subject to the following conditions:	01-Jun-2023	Loughborough Southfields
P/23/0647/2	Householder	84 Beacon Road Loughborough Leicestershire LE11 2BH	Erection of single storey side and rear extension	GTDCON, Permission be granted subject to the following conditions:	06-Jun-2023	Loughborough Southfields

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/0464/2	Full	64 Leopold Street Loughborough Leicestershire LE11 5DN	Conversion of dwellinghouse (Class C3) to form 3no. residential apartments (Class C3) and erection of single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	15-May-2023	Loughborough Storer
P/23/0188/2	Householder	101 Cross Lane Mountsorrel Leicestershire LE12 7BX	Erection of part single and part two storey side extension to eastern elevation, single storey side extension to western elevation, erection of canopy to front and driveway alterations. (Revised Scheme P/22/1959/2 refers)	GTDCON, Permission be granted subject to the following conditions:	18-May-2023	Mountsorrel
P/23/0554/2	Householder	54 Castle Road Mountsorrel Leicestershire LE12 7EU	Erection of two storey side and single storey rear extensions, with accommodation in roofspace, rooflights to front and rear roofslopes and changes to fenestration (Resubmission of Planning Application ref: P/23/0101/2)	GTDCON, Permission be granted subject to the following conditions:	26-May-2023	Mountsorrel
P/23/0608/2	Householder	52 Church Hill Road Mountsorrel Leicestershire LE12 7JE	Erection of two storey side extension	GTDCON, Permission be granted subject to the following conditions:	30-May-2023	Mountsorrel
P/22/2082/2	Householder	118 Church Hill Road Mountsorrel Leicestershire LE12 7JF	Erection of two storey extension to side and single storey extension to side and rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	07-Jun-2023	Mountsorrel
P/23/0637/2	Householder	30 Queniborough Road Queniborough Leicestershire LE7 3DG	Erection of single storey side and rear extension (following demolition of existing garage and store)	GTDCON, Permission be granted subject to the following conditions:	06-Jun-2023	Queniborough
P/23/0282/2	Householder	25 Toller Road Quorn Leicestershire LE12 8AH	Erection of single storey side extension. Roof alterations with erection of canopy to front and rear of dwelling. Render to dwelling. Fenestration alterations.	GTDCON, Permission be granted subject to the following conditions:	19-May-2023	Quorn & Mountsorrel Castle

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/0864/2	Householder	Meynell Lodge 12 Meynell Road Quorn Leicestershire LE12 8BG	Proposed alteration to existing access, replacement gates and associated boundary wall and piers treatment (resubmission of P/21/1152/2)	REF, Permission be refused for the following reasons:	25-May-2023	Quorn & Mountsorrel Castle
P/22/0917/2	Listed Building Consent	Meynell Lodge 12 Meynell Road Quorn Leicestershire LE12 8BG	Proposed alteration to existing access, replacement gates and associated boundary wall and piers treatment (resubmission of P/21/1152/2)	REF, Permission be refused for the following reasons:	25-May-2023	Quorn & Mountsorrel Castle
P/23/0099/2	Householder	23 Buddon Lane Quorn Leicestershire LE12 8AA	Erection of first floor extension raising height of roof ridge line and eaves and single storey extension to rear of house	GTDCON, Permission be granted subject to the following conditions:	30-May-2023	Quorn & Mountsorrel Castle
P/23/0098/2	Householder	12 Alexander Road Quorn Leicestershire LE12 8EQ	Single storey side/rear extension	GTDCON, Permission be granted subject to the following conditions:	01-Jun-2023	Quorn & Mountsorrel Castle
P/23/0661/2	Householder	108 Leicester Road Quorn Leicestershire LE12 8BB	Erection of front dormer window and 2no. rooflights, rear dormer doors (with juliet balcony) and render finish to entire property and changes to fenestration	GTDCON, Permission be granted subject to the following conditions:	09-Jun-2023	Quorn & Mountsorrel Castle
P/23/0403/2	Householder	11 Netherhall Drive Quorn Leicestershire LE12 8WF	Erection of single storey side extension and single storey rear extension to dwelling. Installation of 3no. rooflights to front and rear roof slopes.	GTDCON, Permission be granted subject to the following conditions:	12-Jun-2023	Quorn & Mountsorrel Castle
P/23/0444/2	Householder	36 Grangefields Drive Rothley Leicestershire LE7 7NB	Front and rear dormers to dwelling, insertion of 2 front rooflights, conversion of garage to habitable space with changes to fenestration.	GTDCON, Permission be granted subject to the following conditions:	05-Jun-2023	Rothley & Thurcaston
P/23/0560/2	Householder	5 Forge End Rothley Leicestershire LE7 7NY	Replacement front door and a new Velux rooflight	GTDCON, Permission be granted subject to the following conditions:	08-Jun-2023	Rothley & Thurcaston

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/0660/2	Householder	6 Damson Close Rothley Leicestershire LE7 7SZ	Erection of single storey front and side extension, 1no. dormer to rear and 2no. dormers to front of dwelling.	REF, Permission be refused for the following reasons:	12-Jun-2023	Rothley & Thurcaston
P/23/0631/2	Householder	Temple Hayes 5 Wellsic Lane Rothley Leicestershire LE7 7QB	Erection of replacement first floor side extension, external alterations to cladding, conversion of pool house into habitable space and changes to fenestration with associated works	GTDCON, Permission be granted subject to the following conditions:	13-Jun-2023	Rothley & Thurcaston
P/22/2196/2	Householder	43 Forest Street Shepshed Leicestershire LE12 9BZ	Erection of single storey extension to front and side of house (amended 15/5/2023)	GTDCON, Permission be granted subject to the following conditions:	31-May-2023	Shepshed East
P/22/1339/2	Full	61 Sullington Road Shepshed Leicestershire LE12 9JF	Retention of rear covered terrace, storage container, and marquee (retrospective)	GTDCON, Permission be granted subject to the following conditions:	01-Jun-2023	Shepshed East
P/23/0672/2	Householder	12 Ploughmans Drive Shepshed Leicestershire LE12 9SG	Erection of single storey rear extension	GTDCON, Permission be granted subject to the following conditions:	12-Jun-2023	Shepshed East
P/23/0473/2	Full	19 - 21 Hall Croft Shepshed Leicestershire LE12 9AN	Change of use from Use Class C1 (Hotel/Bed and Breakfast) to form 11 room HMO (House in Multiple Occupation - Use Class Sui Generis)	GTDCON, Permission be granted subject to the following conditions:	26-May-2023	Shepshed West
P/23/0517/2	Householder	26 Balmoral Avenue Shepshed Leicestershire LE12 9PX	Construction of single storey rear extension, demolition of existing garage and replacement with single storey outbuilding to side and provision of parking to front of dwelling.	GTDCON, Permission be granted subject to the following conditions:	05-Jun-2023	Shepshed West

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/2302/2	Householder	39 Seagrave Road Sileby Leicestershire LE12 7TN	Proposed external rendering and alterations and formation of vehicular crossing	GTDCON, Permission be granted subject to the following conditions:	22-May-2023	Sileby
P/23/0690/2	Householder	153 Ratcliffe Road Sileby Leicestershire LE12 7PX	Erection of single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	13-Jun-2023	Sileby
P/23/0230/2	Householder	85 Pembroke Avenue Syston Leicestershire LE7 2BZ	Erection of enlargement of front porch extension. Erection of first floor side and front extension over existing side.	GTDCON, Permission be granted subject to the following conditions:	19-May-2023	Syston East
P/23/0666/2	Householder	7 St Hildas Close Syston Leicestershire LE7 2GF	Erection of single storey side and rear extensions with alterations to roof.	GTDCON, Permission be granted subject to the following conditions:	09-Jun-2023	Syston East
P/23/0249/2	Full	Merton County Primary School Cherry Drive Syston Leicestershire LE7 2PT	Erection of single storey extension for 2 small group rooms to south elevation of school building.	GTDCON, Permission be granted subject to the following conditions:	09-Jun-2023	Syston East
P/23/0184/2	Householder	9 Keble Drive Syston Leicestershire LE7 2AN	Extend dropped kerb to front of dwelling.	GTDCON, Permission be granted subject to the following conditions:	13-Jun-2023	Syston East
P/23/0374/2	Householder	184 Wolsey Way Syston Leicestershire LE7 1NZ	Erection of two storey side extension and single storey rear extension	GTDCON, Permission be granted subject to the following conditions:	16-May-2023	Syston West
P/23/0189/2	Full	Wreake Valley Academy Parkstone Road Syston Leicestershire LE7 1LY	Proposed new modular building to provide new multi use teaching space (Use Class D1) with ancillary spaces for the Bradgate Education Partnership (BEP), including tarmac footpath	GTDCON, Permission be granted subject to the following conditions:	09-Jun-2023	Syston West

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/1828/2	Householder	1 Sheppards Orchard Wymeswold Leicestershire LE12 6TW	Erection of dormer window and installation of ground floor windows to front, external staircase to side of detached double garage to facilitate use of first floor as home office incidental to use of the house (Class C3)	GTDCON, Permission be granted subject to the following conditions:	30-May-2023	The Wolds
P/23/0351/2	Reserved Matters	73 B Brook Street Wymeswold Loughborough LE12 6TT	Application made under Section 73 of the Town and Country Planning Act 1990 for Variation of condition 1 (Approved Plans) of Planning Permission ref P/18/2577/2 (Erection of dwelling - Reserved matters - (Outline Planning Permission P/17/0378/2)). Variation to consist of amendments to elevations	GTDCON, Permission be granted subject to the following conditions:	08-Jun-2023	The Wolds
P/23/0726/2	Demolition Determination	Wymeswold Industrial Park, Unit 61 Wymeswold Lane Wymeswold Leicestershire LE12 5TY	Application to determine if prior approval is required for proposed Demolition of Buildings (The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 11, Class B	NRQ, The submission of details are not required for consideration.	09-Jun-2023	The Wolds
P/23/0323/2	Householder	73 Church Hill Road Thurmaston Leicestershire LE4 8DF	Erection of front porch extension and covered area, single storey side and rear extension, extend and convert garage into habitable space and raised steps to front of dwelling (Part Retrospective Application).	GTDCON, Permission be granted subject to the following conditions:	24-May-2023	Thurmaston
P/23/0559/2	Full	35 Church Street Thurmaston Leicestershire LE4 8DQ	Variation of Condition 2 (Approved Plans) of P/19/1293/2	REF, Permission be refused for the following reasons:	05-Jun-2023	Thurmaston

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/1277/2	Full	Land forming part of Paudy View Farm (access from Berrycott Lane) Paudy Lane Seagrave LE7 4TB	Erection of an agricultural workers dwelling and detached garage.	GTDCON, Permission be granted subject to the following conditions:	17-May-2023	Wreake Villages
P/23/0022/2	Householder	2 Back Lane Thrussington Leicestershire LE7 4TD	Replacement of single storey extension to side and rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	22-May-2023	Wreake Villages
P/23/0550/2	Householder	77 Main Street Cossington Leicestershire LE7 4UU	Erection of dormer extension to rear (Revision to Planning Application ref:P/22/1845/2)	GTDCON, Permission be granted subject to the following conditions:	22-May-2023	Wreake Villages
P/23/0576/2	Listed Building Consent	Ratcliffe Hall 1 Main Street Ratcliffe On The Wreake Leicestershire LE7 4SN	Installation of internal insulated dry lining to internal face of a number of external walls.	GTDCON, Permission be granted subject to the following conditions:	23-May-2023	Wreake Villages
P/23/0583/2	Listed Building Consent	Ratcliffe Hall 1 Main Street Ratcliffe On The Wreake Leicestershire LE7 4SN	Installation of underfloor heating to first and second floors.	GTDCON, Permission be granted subject to the following conditions:	23-May-2023	Wreake Villages
P/23/0537/2	Full	Ratcliffe College 351 Fosse Way Cossington Leicestershire LE7 4SG	Installation of solar panels on flat roofs.	GTDCON, Permission be granted subject to the following conditions:	06-Jun-2023	Wreake Villages
P/22/1646/2	Listed Building Consent	Cossington Mill Syston Road Cossington Leicestershire LE7 4UZ	Raised patio to assist flood defence for four doors. (retrospective)	GTDCON, Permission be granted subject to the following conditions:	08-Jun-2023	Wreake Villages

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/1609/2	Householder	Cossington Mill Syston Road Cossington Leicestershire LE7 4UZ	Raised patio to assist as a flood defence for four doors. (retrospective)	GTDCON, Permission be granted subject to the following conditions:	08-Jun-2023	Wreake Villages
P/23/0688/2	Full	Land off Gaddesby Lane Rearsby Leicestershire LE7 4YJ	Section 73 Variation of conditions 2 (Approved Plans), 5 (Vehicular Visibility Splays) and 7 (Parking and Turning Facilities) of Planning Permission ref: P/22/1567/2 (Section 73 Variation of Condition 2 (Approved Plans) of Planning Permission ref P/22/0669/2 (Erection of 3 detached two storey dwellings with carports and associated works). Variation to consist of revised design of dwellings proposed for Plots 1 & 2 including proposed triple carport), Variation to amend design of dwelling and alter parking arrangements.	GTDCON, Permission be granted subject to the following conditions:	13-Jun-2023	Wreake Villages

Total Delegated Decisions: 81