



PLANS COMMITTEE

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To: Councillors S. Forrest (Chair), Lennie (Vice-Chair), Charles, Fryer, Lawrence, Lowe, Monk, Northage, O'Neill, Palmer, Snartt, N. 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 Woodgate Chambers on Thursday, 19th October 2023 at 5.00 pm for the following business.



Chief Executive

Southfields
Loughborough

11th October 2023

AGENDA

1. APOLOGIES
2. MINUTES OF PREVIOUS MEETING 3 - 6

The Committee is asked to confirm as a correct record the minutes of the meeting held on 28th September 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

7

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

- | | | |
|-----|---|---------|
| (a) | P/23/1399/2 – 51 Holywell Drive, Loughborough | 8 - 23 |
| (b) | P/23/0512/2 – Black Birds Nest, Deans Lane, Woodhouse Eaves | 24 - 46 |
| (c) | P/23/0499/2 – Broadnook, Land North of Birstall | 47 - 86 |

6. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

87 - 96

A list of applications determined under powers delegated to officers for the period from 20th September 2023 to 10th October 2023 is attached.

WHERE TO FIND WOODGATE CHAMBERS

Woodgate Chambers
70 Woodgate
Loughborough
Leicestershire
LE11 2TZ

PLANS COMMITTEE 28TH SEPTEMBER 2023

PRESENT: The Chair (Councillor Lennie)
The Vice Chair (Councillor Fryer)
Councillors Charles, Lawrence, Monk, Northage,
O'Neill, Palmer, Snartt, Cory-Lowsley and Jackson

Group Leader Development Management (CT)
Principal Solicitor - Planning, Property and
Contracts
Principal Planning Officer (JW)
Principal Planning Officer (LW)
Democratic Services Officer (RD)

APOLOGIES: Councillor S. Forrest, Lowe, N. Taylor and Worrall

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.

Apologies had been received from Cllr S. Forrest and therefore Councillor Lennie was Chair of the meeting. The Committee unanimously voted for Councillor Fryer to be appointed Vice-Chair for this meeting of Plans Committee.

33. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 21st September 2023 were confirmed as a correct record and signed.

34. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

Mr M. Hunt – Estate Plan for the Garendon Park SUE and associated matters

1. The Estate Plan for the Garendon Park SUE was supposed to be agreed before the first house was occupied; how many houses have been occupied and when will the Plan be agreed and published?
2. Which other trigger points have been missed if any and which are due soon?
3. Many other features of this development are required to be completed (or triggered) according to the number of houses occupied. One of these is the public access to the Garendon Listed Park and Gardens, I am aware that one footpath has opened (alongside an old sign prohibiting access!) but when will access be opened more widely and will there be safeguards for the monuments?

4. Who will be constructing the cycleway referred in the S106 Agreement Schedule 4 Sections 5 and when is this likely to join up with the main estate road?"

Mr Hunt was not in attendance at the meeting to ask any supplementary questions as he had indicated he was satisfied with the response to the question which was published on 27th September 2023 within the Extras Report.

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

The following disclosures were made:

- (i) by Councillors Charles, Fryer, Lawrence, Lennie, Monk, Northage, O'Neill, Palmer and Snartt, in respect of planning application P/22/1990/2 (Land to the rear of 49 and 51 Radmoor Road, Loughborough) as recipients of correspondence in relation to this application, but all came to the meeting with open minds.
- (ii) by Councillors Charles, Fryer, Lawrence, Lennie, Monk, Northage, O'Neill and Snartt, in respect of planning application P/23/0668/2 (Land at Watermead Business Park, Thurmaston) as recipients of correspondence in relation to this application, but all came to the meeting with open minds.
- (iii) by Councillor Palmer, in respect of planning application P/23/0668/2 (Land at Watermead Business Park, Thurmaston) as a resident and objector and was speaking. She sat in the public gallery for the duration of the item.
- (iv) by Councillor Snartt, in respect of planning application P/22/1852/2 (Land adjacent to Heatherfield Cottage, Benscliffe Road, Newtown Linford) as a Ward Councillor, but had made no comments on the application and came to the meeting with an open mind.
- (v) by Councillor Lawrence, in respect of planning application P/23/0668/2 (Land at Watermead Business Park, Thurmaston) who had a conversation with a speaker on the item in which the application was mentioned, however merits of the application had not been discussed and he came to the meeting with an open mind.
- (vi) by Councillor Cory-Lowsley, in respect of planning application P/22/1990/2 (Land to the rear of 49 and 51 Radmoor Road, Loughborough) as a Ward Councillor, but had made no comments on the application and came to the meeting with an open mind.

36. PLANNING APPLICATIONS

Reports of the Head of Planning and Growth, setting out planning applications for P/22/2096/2, P/22/1852/2, P/23/0668/2, P/19/1410/2 and P/22/1990/2 were submitted (item 5 on the agenda filed with these minutes). An additional report in respect of applications P/22/1852/2, P/23/0668/2 and P/19/1410/2 was also submitted (also filed with these minutes).

There was a late request to speak from Ms Eleanor Overton, in respect of application P/22/1852/2 and the Chair and members of the Committee were in agreement for the request to be granted.

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

- (i) Ms Eleanor Overton (agent) in respect of application P/22/1852/2;
- (ii) Ms Julie Palmer and Ms Louise Hall (objectors) in respect of application P/23/0668/2;
- (iii) Mr Steve Lewis-Roberts (agent) in respect of application P/23/0668/2;
- (iv) Ms Jacqueline Jackson (agent on behalf of the applicant) in respect of application P/19/1410/2;
- (v) Mr Matthew Sharpe (objector) in respect of application P/22/1990/2;
- (vi) Mr Jonathan Weekes (on behalf of the applicant) in respect of application P/22/1990/2.

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

- (i) Councillor Infield (on behalf of call-in) in respect of application P/23/0668/2;
- (ii) Councillor Haynes (on behalf of call-in) in respect of application P/19/1410/2.

a) P/22/2096/2 – LAND OFF MOOR LANE, LOUGHBOROUGH

RESOLVED that in respect of application P/22/2096/2 (Land off Moor Lane, Loughborough) planning permission be refused for reasons set out in the report of the Head of Planning and Growth.

b) P/22/1852/2 – LAND ADJACENT TO HEATHERFIELD COTTAGE, BENSCLIFFE ROAD, NEWTOWN LINFORD

RESOLVED that in respect of application P/22/1852/2 (Land adjacent to Heatherfield Cottage, Benscliffe Road, Newtown Linford) planning permission be granted subject to completion of Section 106 planning obligations and planning conditions for the reasons set out in the report of the Head of Planning and Growth and amendments to Recommendation B as set out in the Extras report.

- c) P/23/0668/2 – LAND AT WATERMEAD BUSINESS PARK, THURMASTON

RESOLVED that the application be deferred in order that the applicant be invited to consider amendments to the scheme including the re-consideration of the in-filling of part of the lake in 'Zone B' as specified by the application.

The meeting was adjourned at the close of this item for 10 minutes.

- d) P/19/1410/2 – BARKBY FIRS AMBULANCE STATION, MELTON ROAD, SYSTON

RESOLVED that in respect of application P/19/1410/2 (Barkby Firs Ambulance Station, Melton Road, Syston) planning permission be granted subject to planning conditions for the reasons set out in the report of the Head of Planning and Growth and the amendment to Recommendation B as set out in the Extras report, including revisions to Condition 14 as presented.

- e) P/22/1990/2 – LAND TO THE REAR OF 49 AND 51 RADMOOR ROAD,
LOUGHBOROUGH

A typing error was noted in Recommendation A and should have stated that biodiversity compensation was set out at section 9.7.4.

RESOLVED that in respect of application P/22/1990/2 (Land to the rear of 49 and 51 Radmoor Road, Loughborough) planning permission be granted subject to completion of Section 106 planning obligations and planning conditions for the reasons set out in the report of the Head of Planning and Growth.

37. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

A list of applications determined under powers delegated to officers for the period from 12th September 2023 to 19th September 2023 was submitted (item 6 on the agenda filed with these minutes).

NOTES:

1. No reference may be made to these minutes at the next ordinary Council meeting unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Plans Committee.

Charnwood Borough Council

Plans Committee – Thursday 19th October 2023

Index of Committee Items

Item	Application No	Applicant and Location, Description	Recommendation
a	P/23/1399/2	<p>Mr Ian Wakeford 51 Holywell Drive Loughborough Leicestershire</p> <p>Change of use of dwelling (Use Class C3) to a house in multiple occupation (Use Class C4)</p>	Grant Conditionally
b	P/23/0512/2	<p>Residential Design Architects Limited Black Birds Nest, Deans Lane Woodhouse Eaves Leicestershire</p> <p>Proposed demolition of existing manege, stables, double garage, kennels, swimming pool and detached house and erection of a replacement dwelling and detached garages together with associated landscaping and access/parking alterations. Conversion of existing outbuilding to a self-contained two-bedroom ancillary annex.</p>	Grant Conditionally
c	P/23/0499/2	<p>Davidsons Developments Broadnook Land North of Birstall Leicestershire</p> <p>Reserved matters application for 107 dwellings and associated infrastructure at Parcel 1, including discharge of condition 16 iii (housing mix), 16 iv (site wide affordable housing strategy) and condition 17 (programme of reserved matters) (P/22/0333/2 relates)</p>	Grant Conditionally

Item No. 5a

Application Reference Number P/23/1399/2

Application Type:	Full	Date Valid:	01/08/2023
Applicant:	Mr Ian Wakeford		
Proposal:	Change of use of dwelling (Use Class C3) to a house in multiple occupation (Use Class C4)		
Location:	51 Holywell Drive Loughborough Leicestershire LE11 3JU		
Parish:	Loughborough	Ward:	Loughborough Nanpantan
Case Officer:	Deborah Liggins	Tel No:	07864 603401

1. Background

1.1 This application is reported to Plans Committee at the request of Councillor Smidowicz citing the following considerations:

- The erosion of family homes with garden space
- Proposals in the local plan seek to reduce the threshold to 10%
- Highway safety
- Density, traffic and parking issues
- Many rented properties in the locality
- Student owned cars cannot be identified
- Accuracy of the plans
- Noise
- Waste
- Absent landlords and property neglect
- Previous appeal decisions have resisted Houses in Multiple Occupation (HiMO).

2. Description of the application site

2.1 The application dwelling is a 4 bedroom detached house located on the northern side of the street and positioned approximately 32m east of the junction of Holywell Drive with Spinney Hill Drive. The property is of brick construction with a tiled hipped roof and integral garage. The property has been previously extended as set out in the Planning History section of this report. The dwelling is bounded to the street and either side of the vehicular access with a low brick wall behind which are planted a variety of shrubs. The driveway and property frontage is hard-surfaced with block pavers with a smaller area of compacted stone hard-standing. Overall, the hardstanding area is 11.1m x 10.8m and is sufficient to park at least 4 vehicles in a 2 x 2 tandem arrangement. The driveway benefits from a single width vehicular dropped kerb. To the rear, the garden is approximately 26m in length and adjoins the gardens of Spinney Hill Drive dwellings.

2.2 Internally, the property comprises an office, snug, hall, garage and open plan living/dining/kitchen area to the ground floor. To the first floor there are two ensuite bedrooms, two further bedrooms, a bathroom and small storage room.

2.3 Surrounding land uses are as follows:

Boundary	Adjacent land use
West	53 Holywell Drive & perpendicular garden to No. 66 Spinney Hill Drive
North	Garden of 58 Spinney Hill Drive and perpendicular garden of 64 Spinney Hill Drive
East	49 Holywell Drive
South	Public Highway of Holywell Drive and associated footway.

3. Description of the Proposal

3.1 The proposal seeks to change the use of the dwelling to a house in multiple occupation. Submitted plans show that there would be no changes proposed to the exterior or interior layout of the house. No alterations are proposed to the existing parking provision or vehicular access to the site.

4. Development Plan Policies

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

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 CS4 – Houses in Multiple Occupation
- Policy CS16 – Sustainable Construction and Energy
- Policy CS25 – Presumption in Favour of Sustainable Development.

4.2.2 Borough of Charnwood Local Plan

Where they have not been superseded by the 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 EV/1 – Design
- Policy TR/18 – Parking Provision in New Development

5. Other material considerations

5.1 National Planning Policy Framework (NPPF) (2023)

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

- Section 2 – Achieving Sustainable Development
- Section 5 – Delivering a Sufficient Supply of Homes
- Section 9 – Promoting Sustainable Travel

5.2 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.

5.3 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.

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)

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

5.6 The Leicestershire Highways Design Guide (2018)

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 Housing Supplementary Planning Document (HSPD) (May 2017)

A Housing Supplementary Planning Document was adopted on 11 May 2017 and provides guidance when dealing with Houses in Multiple Occupation proposals in the context of adopted Core Strategy Policy CS4.

5.8 Article 4 Direction

The Secretary of State granted an Article 4 Direction for Loughborough in recognition of the issues in the town and this was introduced in February 2012 and which removes the rights to change the use of Class C3 dwellings to Class C4 Houses in Multiple Occupation in Loughborough without the need for planning permission. These are dwellings where between 3 and 6 unrelated persons, sharing basic amenities could occupy a property without the need for planning permission - whereas the Article 4 Direction limits this to occupation by a family or up to 2 unrelated persons (or 3 or where one is the owner of the property) living as a single household. Planning permission is required for the occupation of dwellings by residents in excess of these numbers.

5.9 Supplementary Planning Document – Charnwood Design (SPD) (Jan 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.

5.10 Study of Houses in Multiple Occupation Dec 2018

This is a document commissioned by the Council and prepared by Loughborough University and provides a pioneering study into HiMOs which helped develop the threshold approach to HiMOs now in operation in Loughborough. It examined the evidence base and information data about the geographic distribution of HiMOs based on shared data sets and helped shape policy.

5.11 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 early 2024.

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); and
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, 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 Consideration' part of this report.

- Policy DS1 – Development Strategy
- Policy DS5 – High Quality Design
- Policy T3 – Car Parking Standards
- Policy H7 – Houses in Multiple Occupation.

6. Relevant Planning History

Reference		Description	Decision & Date	
Ref.	Description	Decision	Date	
P/78/0388/2	Study	Granted	13/04/1978	
P/85/0148/2	First floor bedroom extension	Granted	04/03/1985	
P/14/0787/2	Erection of first floor extension to side and two storey extension to rear of dwelling	Granted	17/07/2014	
P/88/1173/2	Hall and study extension to front of detached house	Granted	30/06/1988	

7. Responses of Statutory 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 Private Sector Housing	Comments that an HiMO licence will be needed in the event planning permission is granted.
Neighbours & Ward Councillors consulted	
Cllr. Smidowicz	Councillor Smidowicz agrees with neighbour concerns relating to parking and traffic issues and objects to the change of use. The Nanpantan Ward has no community space provided. Vehicles park on the corner of roads and on pavements in term times and this presents dangers to pedestrian school children and turning space for residents has been difficult. The number of licensed HiMO's is unknown but the Nanpantan Ward Resident Group has undertaken its own research and this shows many properties on Holywell Drive are rented out. The University has difficulty monitoring student car ownership where there are 'no student parking' streets, leading to complaints. The accuracy of the submitted site plan showing 3 car parking spaces is disputed. The proposal will result in noise as students have access to university facilities 24 hours a day. Additional waste will be created and this part of town does not have a 'bring out your dead' policy at the end of the academic year. Absent landlords neglect properties and they are difficult to contact when problems arise. Previous appeal decisions on Ashleigh Drive, William Stret and Ashby Road did not support an increase in student occupation. The 100m radius saturation rate is only one criteria to be considered.
Responses to publicity	
From	Comments
24 letters of objection from 21 addresses were received commenting on the application	<ul style="list-style-type: none"> • Further student houses are not suitable in this location as adjacent streets have many such dwellings leading to an erosion of housing balance. • The proposal is out of character with the area. • Holywell Drive is one of the most desirable streets in Loughborough & owners have paid premium prices. • There is a lack of family homes. • There is no need for additional student accommodation.

	<ul style="list-style-type: none"> • The demographics are local family homes and the proposal would disrupt this. • The amount of HiMO's in the area has affected local character. • Increased Anti-social behaviour and noise. • The proposal would need parking for 8 or 9 cars. • The proposal lacks sufficient parking. • Existing student parking breaches a local by-law. • On-street parking reduces highway width. • Increased dangers to school children. • Increased poor refuse disposal and vermin. • The proposal is contrary to the Development Plan & Housing SPD. • Rented properties are poorly maintained. • The application, if permitted, would set a precedent for similar future proposals. • Increased risk of crime during vacant periods. • Reduction in house prices/property values. • Economic impact to Council Tax income from non-contributing households. • If the existing house were to be demolished and rebuilt with 2 dwellings this would be rejected and this application is equally disruptive. • The proposal may breach a restrictive covenant.
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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), "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 main issues to be considered in the determination of this application are:

- The principle of the development
- The effect of the proposal on local character and amenities – community balance
- Anti-social behaviour, noise and disturbance
- Bin storage
- Highways and car parking

9. Key issues

9.1 The Principle of the Development

- 9.1.1 Policy CS3 of the Core Strategy advises that the Council will seek to provide accommodation to meet all of its residents' needs, which includes Houses in Multiple Occupation. Policy CS4 of the Core Strategy specifically addresses houses in multiple occupation and states that the proportion of houses in multiple occupation will be managed to support the well-being, character and amenity of our communities by preventing damage to the social and physical character and amenity of a street or residential area or which generate noise and disturbance which is detrimental to the amenity of the street or a demand for on-street car parking.
- 9.1.2 Policy H7 of the emerging Local Plan makes similar provisions and adopts an approach of limiting the concentration of HiMOs to less than 10% within the area defined by a 100m radius from the centre of the application site and that do not result in a residential dwelling being sandwiched between two houses in multiple occupation. The plan is at an advanced stage but Policy H7 carries only limited weight at this time.
- 9.1.3 The supporting text to Policy CS4 of the Core Strategy states that HiMOs provide accommodation for a group of tenants who do not live together as a family and who share basic amenities such as a kitchen, and bathroom facilities but have separate bedrooms. It acknowledges that HiMOs help to meet local housing requirements and can be an important type of accommodation for a range of people including those on low incomes and young people. In Loughborough, a large number of HiMOs are occupied by students in further and higher education.
- 9.1.4 The supporting text goes on to state that, whilst the Council values Loughborough University and Loughborough College and the significant economic, social and cultural contributions the student population brings to Loughborough, a negative impact has been experienced in some neighbourhoods because of the over concentration of HiMOs. It is noted that these impacts have affected some community facilities, the character and appearance of the area and caused disturbance and parking problems. In response to this, the Council has developed a strategy for managing the proportion of HiMOs in Loughborough, particularly where it is demonstrated that there are associated adverse impacts.
- 9.1.5 A Supplementary Planning Document is a material consideration in the determination of planning applications and provides additional guidance to help understand how Local Plan policies will be implemented. The Housing Supplementary Planning Document (SPD) was prepared to provide further information and guidance on the adopted Local Plan Core Strategy Policies CS3: Strategic Housing Needs; CS4: Houses in Multiple Occupation; and CS23: Loughborough University and Science & Enterprise Park; along with the Borough of Charnwood Local Plan Policy H/12: Student Halls of Residents.

- 9.1.6 The HSPD accepts that HiMOs help to meet local housing requirements and can be an important type of accommodation for a range of people including those on low incomes and young people (para 4.1) and it also repeats the objectives of Core Strategy Policy CS4 that seeks to support the well-being, character and amenity of local communities by managing the proportion of H'MOs. This seeks to limit housing development of a particular type and therefore carries reduced weight in the absence of a 5 year supply.
- 9.1.7 Section 4 of the HSPD provides guidance for assessment of applications that propose small or large houses in multiple-occupation. Small HiMOs are defined as shared houses or flats occupied by between three and six unrelated individuals who share basic amenities and large HiMOs are for more than six occupiers and are a 'sui generis' use. i.e. they do not fall into any existing class in the Town and Country Planning (Use Classes) Order. These proposed changes of use do not benefit from being 'permitted development' in Loughborough due to the Article 4 directive which was granted by the Secretary of State in 2012 in recognition of these issues associated with a concentration of HiMOs.
- 9.1.8 The HSPD provides a methodology (at HSPD11) for assessing the concentration of Houses in Multiple Occupation against the criteria of Core Strategy Policy CS4 as part of understanding the potential for cumulative impacts. The methodology assesses the concentration of HMOs within 100m of the application site as a proportion of the total number of residential dwellings. Halls of Residence and purpose built student accommodation will not be included in the calculation. However, any Halls of Residence and purpose built accommodation will be considered as part of the overall decision making process in terms of their impacts.
- 9.1.9 The HSPD also provides guidance in respect of the Policy CS4 criteria for considering the potential impact on the social and physical character and amenity (HSPD 12), amenity space (HSPD 13), noise insulation (HSPD 14) and parking (HSPD 15).
- 9.1.10 The Council has used a threshold of 20% concentration of HiMOs in a 100 metre radius in decision making and therefore changes of use from Class C3 dwellings to Class C4 dwellings have usually been resisted in principle where the percentage of houses in multiple occupation exceeds 20% in a particular area. This approach has been accepted in all appeal decisions since the adoption of the HSPD, with the exception of one. The calculation of the household percentage is the subject of a methodology specified in the HSPD that uses data held by the University and College, the Electoral Register, the HiMO Licensing Register and planning data and it is considered that collectively, this gives the best indication available of the relevant household situation and the most accurate picture of local balance and amenity.
- 9.1.11 In terms of the proposed change of use, the Council is able to identify that there are 39 residential properties within 100m radius of the application site, none of which are known to be a house in multiple occupation. This equates to 0%. The number of HiMOs in the local area is therefore well below the 20% threshold specified by the HSPD (and 10% referred to in the emerging Local Plan Policy H7).

- 9.1.12 Whilst this is not in itself a determinative factor, it is also important to consider the location of the property. In this case, the site is located within an established residential area of the town where properties are generally detached homes of various designs and appearances with the majority being two storey properties. This has the effect of making existing houses in multiple occupation indiscernible from Class C3 dwellings.
- 9.1.13 It is also important to note that HiMOs are not always occupied by students but evidence in a recent study commissioned by the Council and undertaken by Loughborough University (December 2018) found that more mixed HiMO markets are forming that include both students and other social groups including working professionals, international migrant workers, low-skilled workers, benefit recipients and divorcees. This document forms part of the evidence base for the emerging replacement Local Plan.
- 9.1.14 The adopted Housing SPD identifies that where there is a high proportion of HiMOs in student occupation, this can lead to a sharp contrast between busy term times and a sense of abandonment during the holidays which impacts on social interactions, surveillance and local services and facilities. Essentially this can lead to the loss of community spirit as permanent populations are replaced by transient ones and this is supported by evidence in the Study of Houses in Multiple Occupation Dec 2018. Given the number of properties within the 100m radius of the application site, and the current absence of HiMOs overall it is considered that the proposal would not damage the social and physical character and amenity of the wider area and it is unlikely that the proposal would cause a sense of 'abandonment' in holiday times.
- 9.1.15 Under Policy H7 of the emerging Local Plan, the proposal would not exceed the proposed 10% threshold and the proposal would not cause the described 'sandwiching' effect as the properties either side remain as residential dwellings.
- 9.1.16 However, the issue is not confined to the mathematics of the case and the other individual considerations must be assessed and a judgment reached as to whether the level of harm that would be caused would be sufficient to refuse the planning application or whether the impact would be so limited as to indicate that planning permission should be granted. These matters are considered below.
- 9.1.17 The application site is within an existing residential area, with nearby bus connections to the town centre and, whilst the principle of development is acceptable (as a residential use), it would contribute to the mix of tenures of homes in the area in compliance with Policies CS3 and CS4 of the adopted Core Strategy. However, the proposal needs to also be considered against Core Strategy Policy CS4 and whether a change of use to a house in multiple occupation will support the well-being, character and amenity of the community and other relevant policies and detailed planning considerations as assessed below.

9.2 The Effect of the proposal on local character and amenities – community balance

- 9.2.1 The 20% threshold, and potential future 10% threshold, allows for consistency in decision-making on proposals for changes of use to HiMO's and has been recognised by appeal Inspectors as the level above which the problems associated with higher concentrations could occur.
- 9.2.2 Recent appeal decisions relating to Class C4 'HiMO' changes of use at Ashleigh Drive, Grange Street, Derby Road, Park Road, Frederick Street, Ashby Road, and Goldfinch Close (all within the built-up area of Loughborough) accept this threshold approach and attach weight to its use. Several relevant appeals have been dismissed since the Housing SPD was adopted in May 2017.
- 9.2.3 Paragraph 4.9 of the Housing SPD states, "It is important to note however that we will not adopt a rigid approach to decision making. The threshold will provide one material consideration to be considered alongside a number of other matters identified in Policy CS4 and the SPD related to the impact on the character and amenity of the area and safe operation of the highway."
- 9.2.4 Although Councillor Smodowicz and others mention there are many other rented houses in Holywell Drive and neighbouring streets, it is considered that the absence of existing houses in multiple occupation in close proximity (100m radius) to the application site is such that community balance in the wider area has very low potential to be harmed to the detriment of the social character and general amenities of the area. It is therefore considered that, on balance, the proposal would not harm the social or physical environment of Holywell Drive and is therefore in conformity with policies CS3 and CS4 of the Charnwood Local Plan (2011-2028) Core Strategy, and Policy H7 of the Draft Charnwood Local Plan (2021-2037).

9.3 Anti-social behaviour, noise and disturbance

- 9.3.1 Policy CS2 of the adopted Core Strategy and saved policy EV/1 of the Borough of Charnwood Local Plan include a requirement for new development to protect the amenity of people who live or work nearby. This is replicated within Policy DS5 of the emerging Local Plan, which due to its advancement and low level of contention can be afforded moderate weight.
- 9.3.2 Noise in HiMOs can often be a concern for objectors because of the number of people who are living independently within the property which can be considered to adversely affect the amenity of neighbouring properties. The adopted Housing SPD acknowledges that where there is a high proportion of HiMOs it can often result in a higher incidence of anti-social behaviour, particularly at unsociable hours and increases in crime and fear of crime. Permitting an additional house in multiple occupation to an area with an existing high concentration of such properties would be likely to cause unacceptable harm to the living conditions of local residents and the amenity of the local area. Such situations would be in conflict with Core Strategy Policies CS2 and CS4 as well as Housing Supplementary Planning Document 12.

- 9.3.3 Information from the Borough Council's Community and Partnerships Department shows that over the past year, there has been just one recorded incident relating to antisocial behaviour on Holywell Drive. This related to a disregard for community or personal well-being.
- 9.3.4 This recent and localised evidence is supported by the findings of the 2019 Houses in Multiple Occupation Assessment which considers ward level anti-social behaviour (ASB) records for the period January 2013 and December 2018 and states:
- 'There is a very strong correlation between the number of HMOs and number of recorded anti-social behaviour (ASB) incidents recorded by ward. A large proportion of ASB incidents occurred in wards which contain the highest proportion of HMOs i.e., around the Loughborough Southfields and Storer wards. Although the data records a wide range of different ASB incidents, the three most commonly recorded included noise, nuisance and rowdy behaviour'* (para 3.16).
- 9.3.5 This site falls within the Nanpantan ward where only 4% of all ASB incidents during that period were recorded in the Borough. This was one of the lowest proportions of ASB incidents recorded in a single ward and the evidence finds a very strong statistical correlation between these two factors across the Borough i.e., as the number of HMOs in any particular ward increases, the number of ASB incidents also increases. Although it cannot be proven that a high number of HMOs in any one particular area causes a high number of ASB incidents, the assessment identifies that statistically, there is a very strong relationship.
- 9.3.6 The adopted Housing SPD acknowledges that where there is a high proportion of HiMOs it can often result in a higher incidence of anti-social behaviour, particularly at unsociable hours, and increases in crime and fear of crime.
- 9.3.7 In addition in this case, the proposed 4 bedroom HiMO (representing no increase in the number of bedrooms) is comparable with the existing use. Having regard to the above reported incidents of anti-social behaviour, there it is considered that that noise levels associated with the HiMO would be similar or less than the current residential use (where the number of people in a family was unlimited) and thus the concerns relating to increased noise cannot be sustained in this case.
- 9.3.8 Having regard to the above assessment, it is concluded that there is insufficient justification to refuse the application on the basis of the noise and being detrimental to the amenity of the area and the existing character and amenity of the area in general. It is considered that because of a combination of the current absence of HiMOs, and the recent low incidents of reported anti-social behaviour that the proposal would not have a harmful cumulative impact and the proposal would generally accord with Core Strategy Policies CS2 and CS4, saved Local Plan Policy EV1 and the adopted SPD on Housing.

9.4 Bin Storage

9.4.1 Policy CS16 of the Charnwood Local Plan (2011-2028) seeks to support development which adopts sustainable design and construction, and this includes development that provides for the suitable storage of waste and allows for convenient waste collections. The property currently stores its bins behind the front garden wall of the property or within the hardstanding area closer to the house. It is considered that the bin storage facilities would allow for the convenient collection of waste from within Holywell Drive and as such, the requirement of Policy CS16 is met.

9.5 Highways and Car Parking

9.5.1 Saved Policy TR/18 of the Borough of Charnwood Local Plan requires development proposals to be provided with an adequate quantum of car parking/turning/servicing area so as to accord with the Leicestershire Highways Design Guide and to not cause any severe highway impact as described in Paragraph 111 of the NPPF. Policy T3 of the Draft Charnwood Local Plan (2021-2037) has a similar requirement. Draft Policy T3 is consistent with Paragraph 104, 107 and 108 of the NPPF and carries limited weight.

9.5.2 The existing property benefits from at least four off-street car parking spaces positioned within the driveway of the house and directly accessed off Holywell Drive. Cllr Smidowicz contends that the plans are inaccurate in terms of showing the amount of parking which can be accommodated within the site, but it is clear from an officer visit that there is room for at least 3 cars parked perpendicular to the street and on hard-surfacing, in addition to the actual driveway and integral garage. The existing integral garage is of insufficient internal dimensions to count as a parking space against current standards. The Highway Authority has not commented on the application as standing advice would usually relate to proposals of this nature. The proposal includes parking in excess of that normally required for a four bedroom home and the parking provision therefore accords with highway authority standing advice. Under the NPPF, paragraph 111, to refuse a planning application on highway safety grounds it must be demonstrated that there are severe residual cumulative impacts resulting from the proposal or that there would be increased highway dangers posed by the proposal.

9.5.3 The parking standards are also to be used as a starting point for assessing the quantum of parking required in new development. In this instance, the standard would require the provision of three car parking spaces, but it is also pertinent to consider the location of the site, which, in this case the site is within a neighbourhood where services and shops can be easily accessed on foot, with public transport bus stops located nearby on Forest Road and Nanpantan Road and so is considered to be in a sustainable location with less reliance on a car likely.

- 9.5.4 It is pertinent to note that Planning Inspectors have accepted HiMOs in Loughborough where there is substandard or no car parking, because of the proximity to local services, schools and employment. For example, in allowing the appeal at 76 Hermitage Road, the Inspector noted the property was to be occupied by up to six persons and considered a single parking space to be adequate (Ref P/17/0072/2). It is also relevant that in allowing the HiMO appeal at 94 Hermitage Road where one space was provided and room for a second space was available, the Inspector considered that the second space was unnecessary and would be damaging to the character and appearance of the street (Ref P/16/0845/2).
- 9.5.5 Having regard to the above, it is considered that the proposal accords with the National Planning Policy Framework, saved Policy TR/18 of the adopted Local Plan and Policy T3 of the Draft Charnwood Local Plan (2021-2037) and the severe highway impacts as described in Paragraph 111 of the NPPF would not be caused by the development.

10. Conclusion

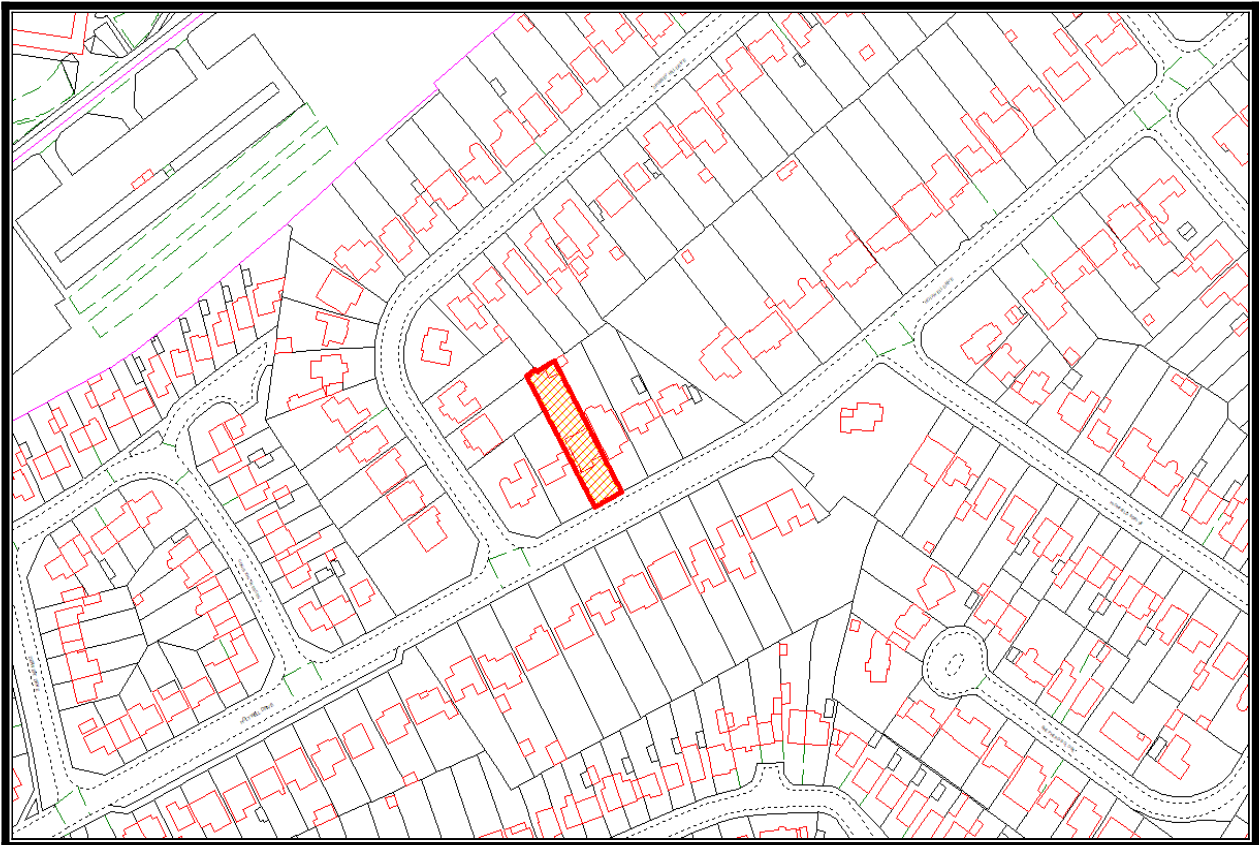
- 10.1 For the reasons given above, it is considered that the proposed change of use would not result in an overconcentration of HiMOs in the area that would result in a community imbalance. Furthermore, the proposal would not result in harm to the residential character and amenity of the area or be detrimental to highway safety. It would therefore comply with Policies CS2, CS4 and CS16 of the Core Strategy, saved Policy EV/1 of the Local Plan, Policies H7 and T3 of the draft Charnwood Local Plan (2021-2037) and the adopted Housing SPD.
- 10.2 Whilst the Housing SPD does acknowledge that there may be situations where permitting a HiMO in an area where there is a low proportion of HiMOs may be judged to be so significant under the provisions of Policy CS4, it is not considered that the circumstances are such in this case.

11. RECOMMENDATION

11.1 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>
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans: 23-1248 D01 Rev O - Site location and block plans 23-1248 D03 Rev O - Proposed floor plans and roof plan 23-1248 D05 Rev O - Proposed elevations 23-1248 D07 Rev O - Proposed elevations</p> <p>REASON: To define the terms of the planning permission.</p>

Application Site



Plans Committee Date	19 th October 2023
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Item Number: 5b

Application Reference Number: P/23/0512/2

Application Type: Full

Date Valid: 20/03/2023

Applicant: Residential Design Architects Limited

Proposal: Proposed demolition of existing manege, stables, double garage, kennels, swimming pool and detached house and erection of a replacement dwelling and detached garages together with associated landscaping and access / parking alterations.
Conversion of existing outbuilding to a self-contained two-bedroom ancillary annex.

Location: Black Birds Nest, Deans Lane, Woodhouse Eaves, Leicestershire, LE12 8TE

Parish: Newtown Linford

Ward: Forest Bradgate

Case Officer: Jim Worley

Tel No: 07591 947043

1 Background

- 1.1 This application is referred to Plans Committee in accordance with the scheme of delegation as the scale of the replacement dwelling proposed is greater than envisaged by the relevant policy, CT/14 part (iii), and it therefore represents a departure from the development plan and the Officer recommendation is one of approval.
- 1.2 The application site, in the countryside, is comprised of a group of buildings, including a traditional farmhouse, sizeable indoor manege and various outbuildings. The existing two storey dwelling is (152.7 m² footprint) and the site also contains a single storey detached out building which is used as general storage (169.4 m²), a detached a manege (446 m²), a stable building (45 m²), a garage (49.4m²), a kennel (22 m²) and a swimming pool. There also exist two detached out buildings identified as Existing Outbuilding (169.4 sq m²) and Stone/Brick storage building (40.3m²) are used as storage space.

2 Description of the application site

- 2.1 The site is 7350sq m part of a 41 acre agricultural holding located in the designated Charnwood Forest Regional Park, the open countryside, towards the west of the Borough. The small village of Woodhouse Eaves is located south east of the site. Access is off Deans Lane which abuts the south boundary of the wider site and is a shared access for the dwelling and the surrounding agricultural holding.
- 2.2 Within its wider context, the site comprises agricultural land in Charnwood Forest surrounded by open fields in front and to either side, and with dense forest planting behind forming a backdrop.

- 2.3 The body of the site lies back from the road, Deans Lane, by a distance of approximately 100m, and rises gently south to north and from east to west.



- 2.4 The application site is located within Flood Zone 1.
- 2.5 The development does not affect a listed building or Conservation Area.

3. Description of the proposal

- 3.1 The application seeks planning permission for the demolition of the existing house, manege, a stable, a garage and removal of the swimming pool to be replaced with a new two storey dwelling and two new detached garages. The two existing outbuildings would be retained, one to be used as an annexe with habitable accommodation within its roof void and the other as storage space.
- 3.2 The proposed dwelling would have a footprint of 517 m² over two storeys.

Figures 1 and 2: south (front) elevation

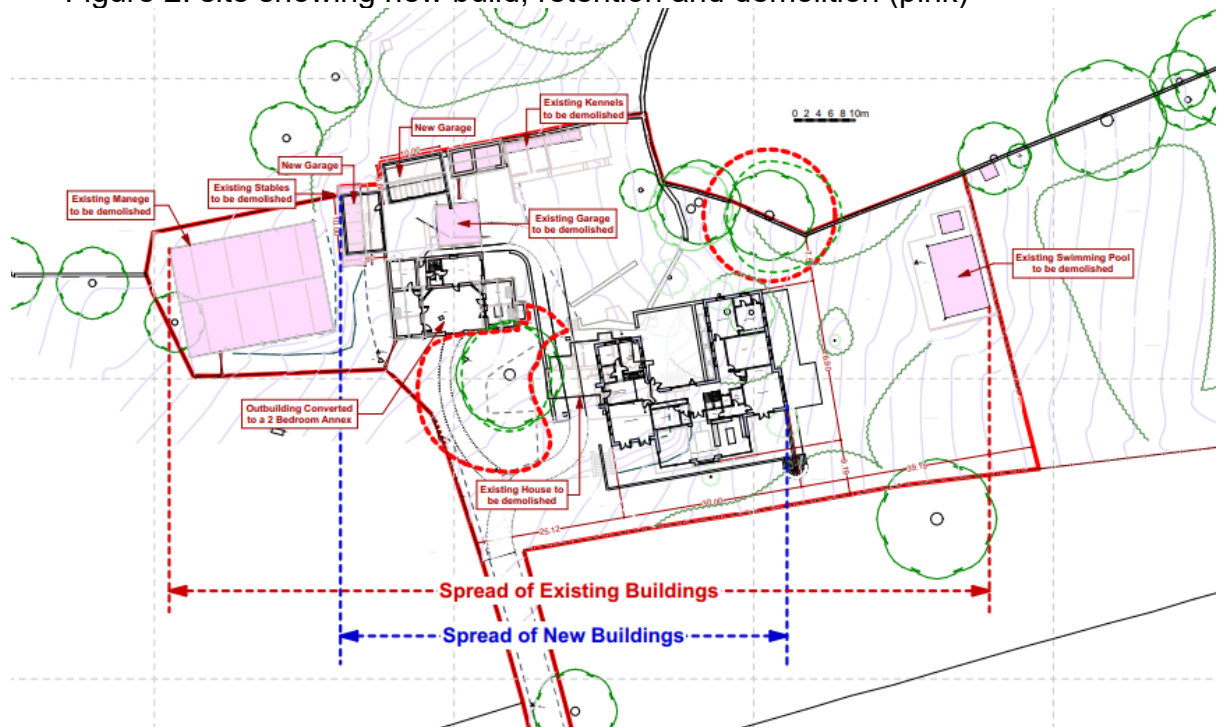


Proposed South Elevation



- 3.3 The outbuilding used as general storage would be retained as an annex with a proposed footprint of 179 sq m and the Stone/Brick storage building would be retained as storage space. The proposed garage 1 would be 66m² with a maximum height of 5.3m, garage 2 would also be 66 m² with a maximum height of 5m.
- 3.4 The existing manege, stable, garage and kennels would be demolished. The swimming pool would be removed. The existing built form will be replaced by two new buildings, being a new dwelling and a garage with car port. The proposed dwelling is shown below

Figure 2: site showing new build, retention and demolition (pink)



- 3.5 The planning application was accompanied by a suite of drawings, including
- Topographical Survey
 - Floorplans and Elevations Drawings, existing and proposed site and layout plans
 - Design and Access Statement
 - Heritage Statement
 - Preliminary Ecology Survey & Follow-up Bat Surveys
 - Structural Inspection Reports (house and outbuildings)
 - Building Condition Report (house)
 - Arboricultural Impact Assessment (with tree constraints & retention/removal plans)
 - Costs/Quote for Repair/Refurbishment & Agency Advice on Viability
- 3.6 During the processing of the application the need arose to identify biodiversity mitigation areas and to relocate the proposed garage at the rear of the site in order to avoid interference with the Listed Wildlife Site nearby.

4. Development Plan Policies

- 4.1 The Adopted Local Plan for the area comprises the Charnwood Local Plan 2011-2028 Core Strategy (CS), the saved policies of the Charnwood Borough Local Plan 1999-2006 (LP) and the Minerals and Waste Local Plan (2019).
- 4.2 The policies relevant to the determination of this application include:

Charnwood Local Plan 2011-2028 Core Strategy

- Policy CS1 – Development Strategy
- Policy CS2 – High Quality Design
- Policy CS11 – Landscape and Countryside
- Policy CS12 – Green Infrastructure
- Policy CS13 – Biodiversity and Geodiversity
- Policy CS14 – Heritage
- Policy CS16 – Sustainable Construction and Energy
- Policy CS25 – Presumption in Favour of Sustainable Development

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

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 CT/14 - Replacement Dwellings
- 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. However the site is not within a Safeguarding Area.

5. Material Planning Considerations:

The National Planning Policy Framework 2023 (NPPF)

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

- Section 2: Achieving Sustainable Development
- Section 5: Delivering a Sufficient Supply of Homes
- 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

The Equality Act 2010

5.2 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.

National Planning Practice Guidance (PPG)

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

National Design Guide (2019)

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

Design Supplementary Planning Document (SPD) (2020)

- 5.5 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

- 5.6 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)

- 5.7 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)

- 5.8 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.

Planning Guidance for Biodiversity June 2022

- 5.9 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.

The Draft Charnwood Local Plan (2021) 2021-37

- 5.10 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 is dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in early 2024.
- 5.11 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

- Policy DS5 High Quality Design
- Policy C1 Countryside
- Policy T3 Car Parking Standards
- Policy CC5 Sustainable Transport
- Policy EV1 Landscape
- Policy EV4 Charnwood Forest and the National Forest
- Policy EV6 Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV7 Tree Planting

6. Relevant Planning History

6.1 There is no relevant planning history for this site.

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 County Council Highways	No objection subject to conditions requiring that the existing gates to the vehicular access are permanently removed and are not replaced.
Charnwood Biodiversity	The Environmental Assessment deals with bats in a satisfactory way and recommends further survey work and has confirmed the presence of bat roosts on site and the need for work to be carried out under licence. This means that some measures will need to be in place prior to demolition, via a pre-commencement condition. A garage to the rear of the site may affect the nearby Listed Wildlife Site.
Charnwood Environmental Health	Given the scale of the development a Construction Method Statement for approval by the Planning Authority is required.
Charnwood Historic and Natural Environment	The heritage statement has been reviewed and there is no disagreement with its findings or conclusion (that the existing house has no heritage merit). Welcome the intention to reuse the existing outbuildings, which do have historic value.

Ward Councillor and Parish Council Response	
Newtown Linford Parish Council	No Comments received
Responses to publicity	
One letter has been received:	
<ul style="list-style-type: none"> It's always a pity to see men and materials used up without gaining another dwelling and to realise how much will end up in landfill as waste. 	

8. Consideration of the Planning Issues

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70 (2) of the Town and Country Planning Act 1990 require that planning applications for planning permission must be determined in accordance with the 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 main planning considerations applicable to this application are considered to be:

- Principle of Development
- Design
- Impact upon the character and landscape of the area
- Impact upon amenity
- Highways
- Ecology and Biodiversity
- Heritage and Archaeology
- Sustainable Construction

9. Planning Assessment

9.1 Principle of the Development

9.1.1 The proposal would be for a replacement dwelling in the open countryside and therefore the Council’s position in relation to housing land supply is not

considered to be relevant in this instance, as there would be no net increase in the number of dwellings.

- 9.1.2 The application site occupies a relatively isolated location within the countryside, where there would generally be a presumption against new residential development. The site is located outside of the defined Limits to Development of any settlement, as defined by saved Local Plan policy ST/2. The proposed development would not meet any of the specific exceptions as set out in saved Policy CT/1 of the Local Plan.
- 9.1.3 Notwithstanding this, the development in question comprises the replacement of an existing dwelling and so, in principle there is policy support subject to meeting the requirements of saved policy CT/14 of the Local Plan. Policy CT/14 provides a means to consider replacement dwellings in the countryside, and permission will not be granted unless 6 criteria are all met. Inherently this leads to energy expended in demolition and rebuild/replacement, however in this case a number of the buildings are to also be retained. Each of the criteria of Policy CT/14 is discussed in turn below.
- 9.1.4 Point (i) the replacement would not result in the loss of a building acknowledged to be of local historic or architectural interest. The Heritage Statement was carried out to determine if Blackbirds Nest possesses any local historic or architectural interest and concludes that the existing house (to be demolished) is not of any interest and that none of the buildings on the site reach the threshold to merit being identified as non-designated heritage assets. The outbuildings are of greater interest and they are to be retained and converted.
- 9.1.5 Point (ii) the original building is unsuitable for habitation and/or not viable to repair - The Structural Inspection of the existing house identify a wide range of significant underlying structural problems with the existing house and highlight various defects and the poor condition of the building's fabric. Evidence of significant cracking to external walls along with the historic construction of mass-brickwork buttresses in an attempt to arrest subsidence/movement at the eastern end of the house is clearly visible. The applicant has obtained an estimate of repair costs along with further agency advice as to the viability of carrying out those works from a firm with knowledge of the local market. The overall conclusion is that simply limiting work to renovation and remediation work to address the existing building's condition and structural defects (i.e. no extensions) would cost more than the property would increase in value by.
- 9.1.6 Point (iii): the proposed replacement dwelling represents only a change in the size of the original property and is of a mass, height, colour, design and materials compatible with the traditional character and appearance of the locality. The existing dwelling is two storeys in height. The proposed dwelling would also be two storeys. The footprint of the proposed dwelling would be much larger than that of the existing dwelling. However, this is compensated to a certain extent by demolition of the widely spread built form on site with

the proposal resulting is a more compact built form. This point is further elaborated elsewhere in this report. The development would provide a high-quality development that has regard to the nature of the site, the character of the area and the site's wider context within the Charnwood Forest landscape.

- 9.1.7 Although the proposals would result in the construction of a larger dwelling. Large, detached dwellings set within extensive plots are typical features found within the Charnwood Forest landscape. The application also explains that there are several examples of such properties near to the application site and that they possess a variety of architectural styles and are constructed in a mix of materials. The existing house and outbuildings are finished in a stark, white render which emphasises their prominence in the landscape. The proposals seek to remove the whitewash from the traditional farm building and to reveal the mixed stone and brick walls below and the new house would be constructed with stone walls and red brick detailing together with slate roof. These would reflect the local vernacular more firmly and would assist in assimilating the house into the landscape.
- 9.1.8 Point (iv) the proposed replacement dwelling is on the site of the original dwelling or, if appropriate, in a siting elsewhere within the curtilage where there would be a less damaging visual impact and provided that the original dwelling is demolished: the majority of the proposed dwelling would be sited on that of the existing dwelling this preventing the co-existence of both dwellings.
- 9.1.9 Point (v) there is no increase in the number of dwellings on the site – The dwelling is to be replaced with a single new dwelling, with no increase in the number of dwellings proposed in accordance with this requirement. The application proposed to reuse stone outbuildings to create an annex which would create the potential for a second dwelling, and therefore control is required to prevent this. This is proposed to be achieved by means of a planning condition.
- 9.1.10 Point (vi) There would be no significant adverse impact on the amenities enjoyed by neighbouring properties. There are no existing neighbours in such close proximity that the proposal would affect any amenities. Therefore, the scale and massing of the replacement dwelling would not result in overshadowing or loss of light and would not impact on privacy.
- 9.1.11 Emerging Local Plan policy is a material consideration. Policy CS11 of the Core Strategy and EV1 of the emerging Local 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.
- 9.1.12 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. Policy DS1 of the Draft Charnwood Local Plan (2021-2037) adopts a similar approach to CS1 as both propose a focus of new development in Loughborough and other urban centres. 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 currently.

9.1.13 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. Policy C1 sets out the limited circumstances in which development is permitted in areas defined as 'countryside' in the Plan (including new dwellings), and in common with CS11 above, but the application does not meet with the stated exceptions in policy C1. 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 C1 currently has moderate weight.

9.1.14 The new building would be a 1- to-1 replacement so the criteria of CT/14 regarding number of units is met. It is however much larger than the existing property. The new house proposed is 517 m², replacing a dwelling of 152.7 m² footprint. Existing buildings on the site have a combined footprint of some 987.9m² (including the traditional farm building to be converted to an annexe) whereas post-development, taking into account all proposed demolitions and replacement buildings it would amount to 868.2m² (including the annexe).

9.1.15 The provision of dwellings in the open countryside is usually not supported under Saved Policy CT/1 of the 2004 Local Plan, Policy CS11 of the Core Strategy and emerging Policy C1 of the Draft Local Plan. However, Policy CT/14 is a saved policy and remains extant and does support replacement dwellings. As a replacement dwelling, the proposal would not significantly increase trip generation, servicing requirements etc. The size of the replacement dwelling is more than a 'modest change' in the size of the original property and so conflicts with part of CT14(iii). However, there are acknowledged design and visual impact benefits to the proposal. The existing buildings on the site have a combined footprint of some 987.9m² (including the building to be converted to an annexe) whereas the retained and replacement buildings there would have a combined footprint amounting to 868.2m²

9.2 Design

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 Policy CT/14 iii) requires that the replacement dwelling is of a mass, height, colour, design and materials compatible with the traditional character and appearance of the locality. 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.

9.2.3 The proposed replacement dwelling gives consideration to the existing landscape and topography. The design takes account of the slope in the site by utilising the lower ground for a basement level whilst maintaining consistent floor, eaves and roof levels above, without substantial excavation or building up of land. The existing ground drops from west to east. The proposed north, south and west elevations would have the appearance of a two storey dwelling whereas the east elevation would reveal the height of the basement level thereby giving an appearance of the three storey dwelling. However, given the location of the dwelling this is not considered to raise concerns in terms of scale of the proposal. The proposal protects an existing mature oak tree by setting the proposed dwelling further away from the tree. The use of local vernacular and finishing materials together with eco friendly energy generation using solar and ground heat pump and rainwater harvesting is proposed. Furthermore, the proposed demolition of buildings listed above would result in a more compact built form as compared to the existing.

9.2.4 It is therefore considered that the design is acceptable and subject to conditions, would be in accordance with Saved Policy EV/1 of the 2004 Local Plan, Policy CS2 of the Core Strategy, emerging Policy DS5 of the Draft Charnwood Local Plan and the Council's Design SPD 2020. As discussed in section 9.2, there is a conflict with saved policy CS14(iii) in terms of the size of the dwelling, but the design is considered to meet the rest of CS14(iii).

9.3 Impact upon the character and landscape of the area

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 C1 covers the Council's approach towards development in the countryside and states that development will be managed to protect its largely undeveloped character. 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. 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.
- 9.3.3 The proposed development site occupies a secluded position and is largely screened by dense tree cover and landscaping. The site topography provides opportunities for the massing and scale of the proposal to be reduced and assimilated into its landscape setting. The proposal would reduce the existing footprint by 26 m² (as compared to the existing collection of buildings). Given the structural condition of the dwelling and the fact that the proposal would reduce the spread of buildings across the site by making the built form compact and in particular the removal of the large indoor manege, the re-use of the outbuilding as an annexe and the retention of the storage Stone/Brick building is considered to weigh in favour of the proposal. The reduced footprint would be an enhancement of the built form at this location. The proposed design would take into account the existing natural and topographical features of the site as discussed in the Design section of this report. The proposal, therefore, would not result in harm to the character and appearance of Charnwood Forest. It is considered to accord with Core Strategy Policy CS11, Saved Local Plan policy CT/2 and emerging Local Plan Policies EV1 and EV4.
- 9.3.4 The application is accompanied by an Arboricultural Impact Assessment which concluded that the existing tree cover, albeit of high value, lacks age structure and there is an opportunity for betterment by supplementary planting with appropriate young trees to ensure succession of the treescape in the long term. The proposals retain the imposing mature oak tree as a focal point within the development and by off setting the footprint of the replacement dwelling to provide additional space between it and the oak.
- 9.3.5 The Arboricultural Impact Assessment notes that it is only necessary to remove trees of modest quality and/or value to implement the proposals with all higher Category A and B arboricultural features at the site being retained. It is supplemented by a Tree Retention and Removal Plan, which provides detail of tree protection measures, which can be secured by attaching condition(s) should planning permission be granted.

9.3.6 Subject to these conditions the design approach adopted is therefore considered policy compliant with Core Strategy Policies CS2 and CS11, alongside the Design SPD and emerging local Plan Policy C1 and Policy EV1.

9.4 Impact upon amenity

9.4.1 Policy EV/1 (saved policy from 2004 Local Plan), Policy CS2 of the Core Strategy and Policy DS5 from the emerging Local Plan aim to protect the amenity of neighbours and occupants of new buildings. The Charnwood Design SPD (2020) also provides spacing standards and guidance to ensure an adequate level of amenity is achieved. Policy DS5 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. Emerging Local Plan policy H3 relates to internal space standards. This policy is at an advanced stage and hearing sessions in February 2023 considered the policy and it is consistent with the NPPF but is subject to objections and can therefore be given limited weight.

9.4.2 The existing dwelling sits in an isolated location and would not affect other properties. It is a very large dwelling which would exceed internal space standards considerably.

9.4.3 The Environmental Health team has suggested that an Environmental Management Plan be required by means of a condition. However, given its isolated location and that the applicant owns surrounding land, it is not considered that it is justified in terms of necessity, on this occasion.

9.4.3 The impact of the proposed development on residential amenity is therefore considered to be acceptable and would be in accordance with Saved Policies EV/1 of the 2004 Local Plan, Policy CS2 of the Core Strategy, Policies DS5 and H3 of the Draft Local Plan and the Council's Design SPD 2020.

9.5 Highways

9.5.1 The site access has been considered suitable by the Local Highways Authority provided the gates are removed and any replacements are 5m behind the highway. The suitably worded condition has been suggested in order to ensure this.

9.5.2 The proposal includes two garages at 6.6m by 10m floor size each. This would provide six parking spaces with dimensions that accord with the Leicestershire Highway Design Guide (LHDG). In addition the red line curtilage would provide sufficient parking for vehicles. No concerns are raised in terms of highway safety and parking and the proposal is considered to accord with Saved Local Plan Policy TR/18.

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 moderate weight but 10% net gain cannot yet be secured.
- 9.6.3 Core Strategy Policy CS12 aims to protect and enhance green infrastructure assets for their community, economic and environmental values and to define, protect and enhance the Charnwood Forest Regional Park and support the aims of the National Forest Strategy by:
- supporting the woodland economy,
 - seeking planting from developments that are within the Charnwood Forest Regional Park that meet National Forest Planting Guidelines;
- These expectations are reiterated by Policy EV4 of the emerging Local Plan, to which moderate weight can be assigned.
- 9.6.4 The application is supported by a Preliminary Ecological Appraisal and a Bat Survey. The Council's Ecologist advises that the proposal would be acceptable in terms of impact on biodiversity subject to their suggested conditions in order to ensure acceptable soft landscaping details and mitigation measures for protection of Bats are implemented.
- 9.6.5 The application is accompanied by a comprehensive landscaping scheme. The Council's senior Ecologist recognises the decrease in buildings and hardstanding and recommends a landscaping condition that includes biodiversity as a reason in order to help define areas of vegetated garden post development. Previous concerns regarding the positioning of a garage within the boundary of the Local Wildlife Site have been overcome by its relocation.
- 9.6.6 It is therefore considered that, subject to conditions requiring adherence to the landscaping proposals, the impact of the proposed development on

biodiversity therefore can be made acceptable, to both ensure in accordance with Policies CS12 and CS13 of the Core Strategy and Policies EV4, EV6 and EV7 of the Draft Charnwood Local Plan.

9.7 Heritage and Archaeology

9.7.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy CS14 (Heritage) of the Core Strategy 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 Saved Policy CT/14(i) of the Local Plan requires that the replacement would not result in a loss of a building acknowledged to be of local historic or architectural interest. Emerging Local Plan policy EV8 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. The application is accompanied by a heritage assessment addressing the building itself and the settings of nearby heritage assets. NPPF chapter 16 provides national guidance on consideration of heritage assets.

9.7.3 There are no designated or non designated heritage assets on site or within the local area which would be impacted by the proposal.

9.7.4 A Heritage Statement accompanies the submission, which confirmed that the proposed development area is located within an area of general archaeological interest sufficient to warrant an entry on the Historic Environment Record as an early enclosure on the Forest, apparently enclosed prior to 1754. Officers will forward this information for recording in order to enhance the Record for the benefit of the understanding of the evolution of land use for future generations.

9.7.5 The proposal is in accordance with Policy CS14 of the Core Strategy, policy CT/14(i) of the Local Plan and Policy EV8 from the emerging Local Plan.

9.8 Sustainable Construction

9.8.1 Core Strategy policy CS16 encourages developers to go further than required by the Building Regulations toward sustainable design and construction methodology. Policy CC4 in the emerging Local Plan shares similar sustainability design and construction methods and material usage. CC4 has moderate weight and is consistent with NPPF paragraph 157.

9.8.2 The proposal would incorporate measures for energy generation in the form of ground source heat pump and photovoltaic arrays. Although details of location of these measures have not been confirmed it is considered that this can be secured via a planning condition.

9.8.3 As such, the proposals represent sustainable design and incorporates renewable energy generation in accordance with Policy CS16 of the Core Strategy and with emerging policy CC4 of the Local Plan.

10 Conclusion

10.1 The primacy of the development plan as the decision-making tool is enforced in paragraph 38(6) of the Planning and Compulsory Act 2004 and at section 70(2) of the Town & Country Planning Act 1990.

10.2 The development sits outside the limits to development for any settlement 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. However, saved Policy CT/14 of the Local Plan makes specific provision for replacement dwellings (subject to criteria). The new dwelling would not undermine the sustainable pattern of development that the policies aim to achieve as the dwelling is a replacement. It is considered that all but part of criteria iii) of policy CT/14 have been satisfied by the proposal.

10.3 There is a conflict with criterion (iii) of Policy CT/14 on the basis that the replacement dwelling would be of a much larger scale and footprint than the existing property. However, the siting and landscaping proposed would combine to reduce the visual impact. That impact can be assessed against the existing situation, whereby a group of buildings, some large and unsightly, have themselves an adverse impact on the landscape. The objectives of Policy CT/14 are in part about ensuring that a replacement dwelling is of an appropriate design and can be absorbed into the landscape. The design is considered to be of high quality and can be successfully absorbed.

9.4 A number of bat roosts would be lost through the proposed demolition of existing structures / buildings on the site. The mitigation proposed is acceptable and biodiversity net gain can be secured, subject to a planning condition.

9.5 On balance, the replacement dwelling is considered to be acceptable, and although the floor area proposed is larger than the floor areas of the existing buildings on the site, with suitable mitigation measures in landscape and ecological terms some betterment of both the visual impact and biodiversity is possible, by comparison with the existing site's condition.

11 Recommendation

To grant conditionally subject to the imposition of the following 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.

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 2221 / 07 A - Outbuilding Conversion • Prop Floor Plans – received 10/07/2023
 - 2221 / 03 A - Proposed Ground Floor Plan • New Dwelling - received 10/07/2023
 - 2221 / 11 B - Proposed Roof Plan - received 10/07/2023
 - 2221 / 02 A - Lower Ground Floor Plan • New Dwelling - received 10/07/2023
 - 2221 / 08 A - Proposed Garage Elevations - received 10/07/2023
 - 2 221 / 14 - Proposed Garage Plans - received 18/07/2023
 - 2221 / 01 A - Proposed Site Layout – received 26/06/2023
 - 2221 / 10 - Outbuilding proposed elevations - received 20/03/2023
 - 4035 5/8 – Proposed North and South elevations – received 20/03/2023
 - 2221 / 13 – Proposed East and West sectional elevations – received 20/03/2023
 - 2 221 / 04A – First floor plan – received 10/7/2023
 - BCA Design Tree Retention and Removal Plan ref 02

REASON: To define the terms of the planning permission.

3. Prior to commencement of the development hereby approved, including site works, a scheme for the disposal of foul sewage and surface water from the site and for its future maintenance shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and subsequently shall be maintained in accordance with such details.

REASON: To make sure that the site can be drained in a satisfactory way in accordance with Policy CS 2 of the Charnwood Local Plan 2011-2028 Core Strategy and Policy cc2 of the emerging Charnwood Local Plan 2021-37

4. Prior to commencement of the development hereby approved a Bat survey carried out by a suitably qualified person shall be submitted to and approved in writing by the Local Planning Authority in accordance with the recommendations of the Preliminary Ecological Assessment (BJ Collins; July 2022). If identified as being necessary, proposed mitigation measures, and timescale(s) for implementation including prior to any demolition taking place if required, shall be included in the survey report to be submitted and these shall then be implemented in accordance with the approved timescale(s).

REASON: To ensure that important features of ecological interest are protected in accordance with Policy CS 13 of the Charnwood Local Plan 2011-2028 Core Strategy and Policy EV4 of the emerging Charnwood Local Plan 2021-37

5. Prior to first occupation of the development hereby approved the existing gates to the vehicular access shall be permanently removed. 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 5.0 metres of the highway boundary unless hung to open away from the highway.

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).

6. 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 enlargement, improvement or other alteration of the dwelling shall be carried out and no building, enclosure or other structure shall be erected within its curtilage.

REASON: In order to ensure such development does not affect the overall appearance and character of the area in accordance with Policy CS2 of the Charnwood Local Plan 2011-2028 Core Strategy, EV/1 of the adopted Charnwood Local Plan 2014 and Policy DS5 of the emerging Charnwood Local Plan 2021-37.

7. Notwithstanding the submitted details, within two months of the commencement of development, a landscaping scheme, to include those details specified below, shall be submitted in writing to the local planning authority for approval:
 - i) the treatment proposed for all ground surfaces, including hard areas;
 - ii) full details of tree planting;
 - iii) planting schedules, noting the species, sizes, numbers and densities of plants;
 - iv) any structures to be erected or constructed;
 - v) functional services above and below ground; and

vi) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

REASON: To make sure that a satisfactory landscaping and biodiversity scheme for the development is agreed in accordance with Policy CS11 and CS13 of the Charnwood Local Plan 2011-2028 Core Strategy, and Policy EV1, EV6 and EV7 of the emerging Charnwood Local Plan 2021-37.

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

REASON: To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings in accordance with Policy CS11 of the Charnwood Local Plan 2011-2028 Core Strategy, and Policy EV1, EV7 of the emerging Charnwood Local Plan 2021-37.

9. During the course of development, the protections measures set out in the BCA Design Tree Retention and Removal Plan (ref 02) shall be implemented in full.

REASON: To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings in accordance with Policy CS11 of the Charnwood Local Plan 2011-2028 Core Strategy, and Policy EV1, EV7 of the emerging Charnwood Local Plan 2021-37.

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

REASON: To ensure the satisfactory appearance of the completed development in accordance with Policy CS2 of the Charnwood Local Plan 2011-2028 Core Strategy, EV/1 of the adopted Charnwood Local Plan 2014 and Policy DS5 of the emerging Charnwood Local Plan 2021-37.

11. The existing outbuilding proposed to be used as an annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the main replacement residential dwelling hereby approved.

REASON: In order to ensure sustainable development in accordance with Policy CS1 and CS25 Charnwood Local Plan 2011-2028 Core Strategy and Policy DS1 of the emerging Charnwood Local Plan 2021-37.

12. Prior to first occupation of the dwelling or the annex hereby approved, details of the provision of Air Source Heat Pumps and solar panels shall be submitted to and approved in writing by the Local Planning Authority, including a timetable for their provision. The development shall be implemented in accordance with the approved details and approved timetable.

REASON: to ensure sustainable sources of energy production, in accordance with Policy CS16 of the Core strategy and Policy CC4 of the emerging Charnwood Local plan 2021-37

SITE LOCATION PLAN



Plans Committee Date:	19th October 2023
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Item No: 5c

Application Reference Number: P/23/0499/2

Application Type: Reserved Matters **Date Valid:** 19/04/2023

Applicant: Davidsons Development

Proposal: Reserved Matters application for 107 dwellings and associated infrastructure at Parcel 1, including discharge of Condition 16 iii (housing mix), Condition 16 iv (Site Wide Affordable Housing Strategy) and Condition 17 (Programme of Reserved Matters) (P/22/0333/2 relates).

Location: Broadnook, Land North of Birstall, Leicestershire

Parish: Wanlip **Ward:** Birstall Wanlip

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 first Reserved Matters application for the Broadnook Sustainable Urban Extension development that is of strategic importance and hence in the opinion of the Head of Planning and Regeneration it is of significant public interest.

2. Description of the application site

2.1 The application site forms part of Phase 1 of the hybrid permission P/22/0333/2 for the Broadnook Sustainable Urban Extension (SUE), which is comprised of approximately 204 hectares of land located in open countryside, adjacent to, and immediately north of, the A46 between Birstall and Rothley and predominantly consists of intensively farmed arable land with tree belts, spinneys, copses and hedges forming distinctive field patterns. The Broadnook Centre will sit centrally within the wider site with an approximate area of 16.15 hectares.

2.2 The site of the overall hybrid permission includes 3 distinct areas: to the north, an extensive green area will run across the site, with integrated green infrastructure and a variety of sports and recreational facilities; a middle band which will run from west to east and be comprised of Phase 2 - 650 dwellings; Phase 1 - 725 dwellings, the Broadnook Centre and the Broadnook Enterprise Area; whilst a southern band will form Phase 3, and consist of a further 575 dwellings.

- 2.3 The hybrid permission includes full details of 193 dwellings at Phase 1 and also the A6/A46 junction and approach roads, as well as a stretch of the Wanlip Lane to the south of the A46 which lies to the south-east of the site. The remaining residential zones of Phases 1, 2 and 3 have outline planning permission for 1950 dwellings with all matters reserved.
- 2.4 This Reserved Matters application site relates to the middle and northern part of Zone C1 of Phase 1 (referred to as 'Parcel 1' by the applicant), which benefits from outline permission for residential development. It has a site area of 2.85 Hectares and its northern boundary meets with a new roundabout that will serve the SUE off the A6.
- 2.5 Its western boundary will abut the main distributor road into the site with open space and the Broadnook Centre on the other side of this road, whilst the eastern boundary abuts what will be a woodland north-south Recreational Route (area) between the residential and employment zones.
- 2.6 The southern boundary of this Reserved Matters application site abuts the remainder of Zone C1 (the southern part) which, along with Zones C2 and D7, is the subject of a separate Reserved Matters application by Cora Homes, where negotiations are ongoing (P/23/0889/2).
- 2.7 The site slopes down from north to south and west to east. Site regrading works to facilitate the residential development have recently been approved under a Discharge of Condition application. The approved levels provide a number of stepped development plateaus whilst respecting the general original lay of the land.
- 2.8 The location of the parcel subject of this application for reserved matters in relation to the wider development is shown outlined in blue below:



Approved Development Parameter Plan DE096 001P (P/22/0333/2)

3. Description of the proposal

- 3.1 The proposals consist of the reserved matter details of layout, appearance, scale access and landscaping for this central and northern part of Zone C1 of Phase 1 ('Parcel 1').
- 3.2 The wider hybrid permission includes full details of the access between the A6 and this Reserved Matters application site, which is currently under construction and, therefore, the submitted access details relate only to those within the red line boundary of the current application site (i.e. roads and footpaths into and through the site).



Proposed Site Layout (6000_p1_100 – Rev P03)

- 3.3 The proposal includes the provision of 107 dwellings consisting of a mix of 1, 2, 3, 4, and 5 bed properties up to 2.5 storeys in height, albeit primarily 2 storey and including various garage, undercroft and car port buildings. Of the proposed 107 units, 37 (34.58%) would be affordable units, these being a mix of 1, 2 and 3 bedroom properties. The 1 bedroom units include both flats and semi-detached style properties.
- 3.4 The proposed quantity and tenure of the 37 x affordable units is a mix of the 3 types of Affordable Housing as defined in the Section 106 Agreement of the hybrid permission i.e. 20 x affordable rent (social rent), 6 x intermediate (shared ownership) and 11 x discounted market (private sales below the market rate).

3.5 The application has been subject to amended documents and plans as the application has progressed. The following documents are relevant to the application:

- Application Form
- Site Location Plan
- Sketchbook and Design Statement
- Planning and Design Statement (submitted July 2023)
- Planning Layout including house type schedule, chimney details and various hard landscaping details (as amended September 2023)
- House type, garage and car port plans and elevations (including amendments received July and September 2023)
- Streetscene views/montages (not to scale)
- Streetscene views/sections (drawn to scale)
- Soft landscaping plans (as amended July 2023)
- External materials and boundary treatment plan (as amended Sept 2023)
- Highway Plans including swept path analysis (as amended July 2023)
- Soft landscaping plans (as amended July 2023)
- External Works Plan – private drainage, finished floor levels and retaining features (as amended July 2023)
- Drainage General Arrangements (for background information only)
- Surface Water Modelling Results (for background information only)
- Reserved Matters Programme for Condition 17 - Proposed order and timing of Reserved Matters applications (as provided July 2023)
- Parking Provision Schedule (as provided July 2023)
- Affordable Housing Justification Document (Re: overall percentage, mix and grouping)
- Site Wide Affordable Housing Strategy (SWAHS) (as provided July and Sept 2023 for Condition 16, being the same as the Site Wide Affordable Housing Delivery Plan (SWAHDP) submitted and approved in relation to the S106 Agreement).
- Phase Specific Affordable Housing Delivery Plan (PSAHDP) (as provided Sept 2023)
- Sustainability Statement (as provided Sept 2023).
- Solar Panel and Electric Charging Point Plan (as provided Sept 2023)
- Affordable Housing Justification

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 \(2015\)](#)

- Policy CS2 - High Quality Design
- Policy CS3 - Strategic Housing Needs
- Policy CS12 - Green Infrastructure
- Policy CS13 - Biodiversity and Geodiversity
- Policy CS16 - Sustainable Construction and Energy
- Policy CS20 - North of Birstall Direction of Growth
- Policy CS25 - Presumption in favour of sustainable development

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

4.5 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 EV/1 - Design
- Policy TR/4 - Road and Highway Improvements
- Policy TR/18 - Parking in New Development

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

4.7 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.

4.8 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.

4.9 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 \(NPPF 2021\)](#)

5.2 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

5.3 [Planning Practice Guidance](#)

5.4 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.

5.5 [National Design Guide](#)

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

5.7 [The Planning \(Listed Buildings and Conservation Areas\) Act 1990.](#)

5.8 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.

5.9 [Design Supplementary Planning Document \(January 2020\)](#)

5.10 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.

- 5.11 Leicestershire Highways Design Guide
- 5.12 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 and advice regarding the design of parking courts and waste collection.
- 5.13 Landscape Character Appraisal
- 5.14 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'.
- 5.15 Conservation of Habitat and Species Regulations 2010 (as amended)
- 5.16 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.
- 5.17 Equality Act 2010
- 5.18 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.
- 5.19 Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)
- 5.20 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.

5.21 The Draft Charnwood Local Plan 2021-37

5.22 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 early 2024.

5.23 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: High Quality Design
- Policy LUA3: North of Birstall Sustainable Urban Extension
- Policy H1: Housing Mix
- Policy H2: Housing for Older People and People with Disabilities
- Policy H3: Internal Space Standards
- Policy CC4: Sustainable Construction
- Policy CC5: Sustainable Transport
- Policy EV6: Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV7: Tree Planting
- Policy T3: Car Parking Standards

5.24 Planning Guidance for Biodiversity June 2022

5.25 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/16/01660/2	Hybrid planning application comprising: Outline application (with all matters reserved on those areas not subject to the detailed proposals) for erection of 1,950 residential dwellings (Use Class C3), 15 hectares of employment land (Use Class B1(a), B1(c), B2 & B8), erection of a primary school (Use Class D1), a local centre comprising of shops, supermarket (Use Class A1), financial & professional services (Use Class A2), restaurants/cafes (Use Class A3), drinking establishments (Use Class A4), hot food takeaway (Use Class A5), business (use Class B1a), erection of an assisted living retirement village of up to 175 units & 70 bed care home (Use Class C2), non - residential institutions (Use Class D1) and assembly and leisure (Use Class D2), erection of a community resource centre providing a mix of uses, provision of 4 plots for travelling show people, green infrastructure, outdoor sport provision, public open space/parkland, allotments, arboretum, extended rights of way, and associated landscaping and infrastructure; and detailed planning application relating to the erection of 193 dwellings (Use Class C3), erection of two separate lodge/gate houses (Use Class C3), a countryside park with sports pitches, sports pavilion, structural landscaping, biodiversity parkland, details of drainage and internal access roads, and the provision of the primary access including the details of the signalised roundabout to the A6 Dual Carriageway, site access works and the provision of a two way local link to Loughborough Road, Rothley.	Approved 05/11/2020
P/21/0875/2	Discharge of Condition 33 of application P/16/1660/2 relating to written scheme of archaeological investigation	Approved 15/06/2021
P/22/0333/2	Application under Section 73 - Variation of Conditions 13 (compliance with plans), 15 (phasing and delivery), 18 (Broadnook	Approved 27/01/23

	<p>Centre in accordance with Planning Brief), 21 (Development Framework Planning Brief for residential phase 2 and 3), 22 (Planning and Design Brief for employment area), 23 (landscape principles), 24 (surface water drainage), & 40 (approved drawings) of hybrid application P/16/1660/2 to amend the Illustrative Masterplan and Parameter Plans in order to transpose an employment parcel with a residential parcel to allow for a first phase of residential development.</p> <p>(Note: P/22/0333/2 provides a new hybrid planning permission for the development type approved under P/16/01660/2 including outline planning permission for 1950 dwellings with all matters reserved (other than where full details of access approved along northern section of distributor road).</p>	
P/22/2148/2	Discharge of Condition 32 (Arboricultural Method Statement) of P/22/0333/2 (relating to Broadnook SUE)	Approved 21/02/2023
P/23/0579/2	Discharge of Conditions 29 (site wide landscape and biodiversity management strategy) and 30 (Phase Green Infrastructure Biodiversity Management Plan) of Planning Permission ref: P/22/0333/2	Pending
P/23/0580/2	Discharge of Conditions 24 (surface water drainage scheme), 25 (surface water management during construction), 27 (foul sewage drainage plans) and 39 (earthworks and site levels) of Planning Permission ref: P/22/0333/2	Approved 21/09/23
P/23/0582/2	Discharge of Condition 9 (Construction Traffic Management Plan) and 16 i (development area), 16 ii (site accesses, internal infrastructure, pedestrian cycle crossings, footpaths, cycleways and bridleways), 16 v (off-site highways and infrastructure) 16 viii (updated badger and bat surveys), 16 xii (timing and sequencing of development), 28 (contamination) and 31 (Construction Environment Management Plan) of Planning Permission ref: P/22/0333/2	Pending

P/23/0889/2	Reserved Matters application for 154 dwellings and associated infrastructure (Note: relates to Zones C2 and D7 and part of Zone C1 of Phase 1 of permission P/22/0333/2) Applicant: Cora Homes	Pending
P/23/1027/2	Reserved Matters application in relation to Road 2 and 3 (highway adjacent to Parcel 1) (relates to Hybrid permission P/22/0333/2) Applicant: Davidsons	Pending

6.2 Other applications related to the Broadnook SUE 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 County Council – Highways	<p>No objections subject to a condition requiring the development not to be occupied until the proposed parking and turning facilities have been implemented and thereafter retained in perpetuity to allow vehicles to enter and leave in a forward direction and limit local on-street parking issues in the interest of highway safety.</p> <p>No highway objections to Road 1 (Spinney Lane) being a 5.5m wide residential cul de sac rather than a 6.75m wide through road to the employment zone to the east (as shown on the previously approved parameter plan).</p> <p>Additionally, the response details that the proposed Bin Collection Points for use on collection days (i.e. to serve shared drives) are acceptable and the associated pull-out distances for residents do not exceed the recommended maximum 30m distance.</p> <p>An informative provides details on how an agreement under Section 38 of the Highways Act will be required if the roads are to be adopted, including the possible need for commuted sums for non-standard highway items/surfacing.</p>
Leicestershire County Council Local Flood Authority (LLFA)	Leicestershire County Council as Lead Local Flood Authority (LLFA) advises the Local Planning Authority (LPA) that it has no objections to the revised proposals which show filter drains in shared driveways in lieu of permeable paving [given the ground conditions]

		The LLFA provides the applicant with some standing advice for the regarding any discharge to an ordinary watercourse or ditch and the future maintenance of the drainage system.
Leicestershire Architectural Officer (PALO)	Police Liaison	<p>Provides guidance including:</p> <ul style="list-style-type: none"> - Natural surveillance of parking courts, alongside lighting and signage. - Suitable access for emergency service to dwellings - CCTV coverage and lighting of key vehicle and pedestrian entry points, across the site and for pedestrian walkways, including number plate recognition with appropriate signage and agreements. - Consideration of Safe Routes through open space and walkways should take account of the use by women and girls - No foliage between 1m and 2m above the ground level on frontages to allow views across. - Boundary treatment to the front is recommended to be 1.2m high and 1.8m to the rear. - Use of domestic burglar and fire alarms recommended and advice on types provided, with alarms covering garages. - Secure rear storage for bikes and bins recommended. - Consideration of most appropriate type of doors and windows from a security and safety perspective (advice provided). - Lampposts at vehicle entry points recommended to have electrical spur to allow power supply for CCTV. - Consideration of Secured by Design accreditation as a deterrent to potential offenders and to provide effective security for residents. - Consideration of Park Mark accreditation.
Charnwood Council Housing	Borough Affordable	<p>In regard of the affordable housing proposals set out within the RMA, the following relates:</p> <ol style="list-style-type: none"> 1. The quantum of affordable housing within the parcel is agreed 2. The tenure mix set out in 23/0499 is agreed 3. The house types set out in 23/0499 are acceptable

	<p>4. The clustering of dwellings along the eastern boundary of the parcel, including interspersed discount housing, is not supported</p> <p>With regard to the submitted site wide affordable housing delivery strategy (condition 16 of P/22/0333/2) and associated phase specific details set out in 23/0499, the following comments relate:</p> <ol style="list-style-type: none"> 1. The site wide affordable housing delivery strategy is agreed, however, we would like to review the viability when stated in the original Section 106 regarding an increase in affordable housing 2. The related phase specific affordable housing delivery strategy, as set out in the submitted details for 23/0499, are agreed
Charnwood Borough Council Open Space Team including Waste Team.	<p>Welcomes how some dwellings will overlook and hence provide some natural surveillance of strategic open space.</p> <p>Notes that suitable facilities are required for the presentation of bins at kerbside where shared driveways will not be accessible by refuse vehicles (e.g. no turning head).</p> <p>There are a number of shared driveways where the indicated surfacing would not be suitable for HGV vehicles. Wheelie bins may need to be presented some distance away from the properties and/or the Council needs to be indemnified against damage to the private access road.</p>
Charnwood Borough Council Environmental Health	No objections.
Charnwood Borough Council Conservation and Design (Built Heritage)	Supports the use of solar panels subject to these being suitably sited and an integral element of the architecture, with specific details being secured by a suitably worded planning condition including ensuring the use of integrated panels within roof slopes.
Charnwood Borough Council Landscape and Urban Design	No comments received.
Charnwood Borough Council Trees	No comments received.
Active Travel England	No objections (refers LPA to standing advice to possibly inform sustainable travel).

Ward Councillor and Parish Council Response

Rothley Parish Council	No objections confirmed
Birstall Parish Council	No overall objection but consider that the clustering of the 37 affordable homes should not be accepted and the housing SPD should be applied and adhered to.
Thurcaston & Cropston Parish Council	No objections confirmed
Wanlip Parish Council	No comments received.

Responses to publicity

No letters of objection, comment or support have been received.	N/A
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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. 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.
- 8.3 The principle of development on this site is already established by Core Strategy Policy CS20 and emerging Local Plan Policy LUA3 and through the approved hybrid consent which established the principle of residential development on this parcel of land. The matters for consideration of this application are those reserved matters where detailed consent is sought, comprising scale, appearance, layout and landscaping, and those specific conditions that are sought to be discharged. Therefore, the consideration of the proposal falls under NPPF para 11 (d) (i) – to approve development proposals that accord with an up-to-date development plan without delay.
- 8.4 Amongst the material considerations are the emerging Charnwood Local Plan 2021-37 (ELP) and the National Planning Policy Framework (NPPF).

- 8.5 The main planning considerations applicable to this application are considered to be:
- Principle of Development
 - Environmental Impact Assessment
 - Housing Numbers, Density, Mix and Phasing
 - Highway and Transportation Matters (including road layout)
 - Visual Impact, Design & Layout
 - Landscaping
 - Heritage and Archaeology
 - Residential Amenity
 - Ecology and Biodiversity
 - 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 and CS20 of the Charnwood Core Strategy (2015) and Saved Policy ST/2 of the Borough of Charnwood Local Plan (2004).
- 9.1.2 The approved hybrid permission (P/22/0333/2) provides outline planning permission for 1,950 dwellings at the overall site, including residential development at the parcel of land to which these reserved matters application relates to.
- 9.1.3 The submitted Local Plan 2021-37 is a material consideration. Its Policy DS1 defines a future development strategy for the Borough and DS3 allocates housing development, including provision for land North of Birstall (including this site) to provide 1,950 dwellings, as per the provisions of LUA3. LUA3 and the associated text sets out the expectations for delivery of this site to achieve a garden suburb. At this date the emerging Local Plan carries limited weight due to the nature and extent of unresolved representations made during the Independent Examination. Policy LUA3 of the emerging Local Plan can be given limited weight.
- 9.1.4 The matters for consideration as part of this application are the proposal's appearance, landscaping, layout, access, and scale. This includes consideration of these aspects against various parameter plans of the outline permission and the approved documents including the Design and Access Statement and Planning Brief.
- 9.1.5 In addition to reserved matters (landscaping, scale, design, and layout) of the residential parcel, the submission includes the submission of details to discharge the requirements of conditions 16 iv) and 17 of P/22/0333/2, relating to a Site Wide Affordable Housing Strategy and phasing strategy for submission of reserved matters applications. The detail of these submissions is assessed below.

9.1.6 As a separate matter, Condition 17 of the hybrid permission requires the submission of a Programme of Reserved Matters with the first reserved matters application, detailing the order and timing of subsequent reserved matters applications for that part of the Broadnook site with outline rather than full permission (application phasing). Such a programme forms part of this reserved matters application. It has been carefully assessed and is deemed appropriate, and can, therefore, be approved. It accords with the general phasing approved by the hybrid permission with development generally moving from north to south and the early delivery of components of the Broadnook Centre, as required by the Section 106 Agreement.

9.1.7 The proposed phasing for submission of reserved matters is agreed and presents a logical progression for delivery of the site, including provision of the local centre and open space at an early stage of the development and in line with the trigger points set out in the Section 106 and relevant conditions.

9.2 Environmental Impact Assessment (EIA)

9.2.1 As there is an Environmental Statement (ES) attached to the hybrid 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 suitable compliance with the parameters in the outline permission, including the road adjustment discussed in the Highway and Transportation section below, 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 Housing Numbers, Density and Mix

9.3.1 Core Strategy Policy CS3 outlines a requirement to secure an appropriate housing mix having regard to the identified housing needs. Policy CS20 regarding the Broadnook development seeks, amongst other things, the provision of a range of tenures, types and sizes of homes in accordance with Policy CS3, including a suitable level of affordable homes. These policies generally accord with the NPPF 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 it should be given.

- 9.3.2 Emerging Local Plan Policy LUA3 specifically relates to the north of Birstall SUE and seeks 30% of homes to be affordable in accordance with emerging policy H4 and a range of tenures, types and sizes to meet emerging policy H1. The policy is at an advanced stage, was considered in the hearing sessions in February and is consistent with the NPPF. Notwithstanding this it is considered that it can only be given limited weight at the present time. Similarly, Emerging Policy H2 seeks at least 10% of new market homes on major sites to meet Building Regulations Part M4(2) standards for accessible and adaptable and an appropriate proportion of affordable homes to meet M4(2) and/or M4(3). Policy H2 is at an advanced stage and is in accordance with the NPPF paragraph 130 and has limited objections. However, again, it is considered to be of only limited weight at this stage.
- 9.3.3 Further to adopted and emerging policies, a key approved parameter of the outline permission is a housing density of 35-55 dwellings per hectare (dph) at the land parcel that these reserved matters application forms part of (i.e. the approved Housing Densities Per Development Parcel Plan). The proposed density of 37.54 dph complies with this.
- 9.3.4 The proposed number of dwellings at the application site (107) suitably accords with the 'Housing Numbers Per Development Parcels and by Phase Plan' in terms of Zone C1.
- 9.3.5 Condition 16 iii) of the hybrid permission requires later approval of the overall housing mix. This is considered as part of this proposal insofar as it applies to this phase. In particular, the mix of market dwellings as the Section 106 Agreement establishes the requirements for affordable housing (albeit with caveats to allow any agreed variations – see below).
- 9.3.6 The latest evidence of need is provided by the Leicestershire Housing and Economic Needs Assessment (HENA) 2022. This outlines a recommended housing mix for the Borough in respect of market and affordable housing. A comparison of the recommended market housing mix and that provided for in this application is provided below:

Market housing mix		
	HENA 2022	RMA
1 bed	0-10%	4%
2 bed	25-35%	19%
3 bed	45-55%	51%
4+ bed	10-20%	26%

- 9.3.7 The provision of 70 open market homes of a mix that makes a valuable contribution towards identified need is a material consideration that weighs in favour of the proposal. However, it is noted that the proposed market mix includes a modestly greater proportion of open market larger properties (4+ bed) and smaller proportion of 1 and 2 bed open market homes than is recommended by the HENA (2022).

- 9.3.8 The proposed mix is, however, considered to be suitable taking account of the mix that can be achieved across the wider Broadnook site. Indeed, when the market dwellings proposed at the application site (Davidsons) are combined with the market dwellings proposed at the adjoining land parcel (Zones C2, D7 and remainder of C1 by Cora Homes P/2023/0889/2 – Pending), it is apparent that the HENA mix would then be met given the high proportion of 1-3 bed market dwellings proposed at the second scheme (see table below).
- 9.3.9 This combination methodology can be applied across the Broadnook SUE as a whole to broadly meet the HENA mix over time. The proposed market mix at the current application site is, therefore, acceptable and can thus be approved under Condition 16 of the hybrid permission for this particular Reserved Matters application site. The mix at later development parcels/phases will be separately assessed under Condition 16 at the appropriate time.
- 9.3.10 In terms of affordable housing Policy CS3 of the adopted plan seeks 30% of housing at major sites to be affordable housing with such being integrated with the market housing. CS20 relates to the Broadnook SUE and reiterates a requirement for 30% to be provided in accordance with CS3. The Housing Supplementary Planning Document provides further guidance in support of this relating to how these units should be provided, including seeking Affordable Housing groupings of no more than 10. It also seeks a tenure split of 77% social rented and 23% shared ownership.
- 9.3.11 Notwithstanding the above, the overall affordable housing requirements for the 1,950 dwellings with hybrid permission at the Broadnook SUE have been established by the associated Section 106 Agreement. The Section 106 Agreement sets out the detailed requirements, including 16.37% of the 1,950 units are to be affordable based on a viability review undertaken as part of the original permission.
- 9.3.12 The Section 106 requires the approval of a Site Wide Affordable Housing Delivery Plan (SWAHDP) covering the 1,950 dwellings across all phases of the outline permission before the first reserved matters application for housing is made. A SWAHDP has, therefore, been submitted to the Local Planning Authority separately to this application. This has been found to be acceptable by the LPA in consultation with the Council's Affordable Housing Team and, therefore, has been formally approved. This is such that the matching Site Wide Affordable Housing Strategy submitted under Condition 16 as part of this reserved matters application is also acceptable.
- 9.3.13 The approved SWAHDP establishes that 34.58% of the dwellings on this parcel will be affordable, as defined in the S106 Agreement. This is significantly greater than the minimum 16.37% required at the parcel, and such will see the welcome early delivery of 37 affordable dwellings at the overall Broadnook SUE site. This is a significant benefit of the application. It is considered that the provision of a higher percentage of affordable dwellings is appropriate within a parcel approved as having a higher overall density than later phases/parcels. As already noted, the wording of the Section 106 allows this flexibility across the different parcels.

9.3.14 The proposed affordable housing type/size mix at the application site is set out in the table below alongside the mix set out in the Section 106 Agreement. The former matches the detail shown in the approved Site Wide Affordable Housing Delivery Plan (and in the Phase Specific Affordable Housing Delivery Plan that has been submitted as part of this application in relation to Condition 16).

Affordable Rent (Social Rented)		
	Mix Proposed	'Site wide' Mix in the S106
1 bed, 2 person flat	16% (6)	4%
2 bed, 4 person house	35% (13)	24%
2 bed, 4 person bungalow	-	6%
3 bed, 5 person house	3% (1)	11%
3 bed, 5 person bungalow	-	1%
4 bed 7 person house	-	4%
Intermediate (Shared Ownership)		
1 bed, 2 person flat	-	-
2 bed, 4 person house	16% (6)	13%
2 bed, 4 person bungalow	-	-
3 bed, 5 person house	-	12%
3 bed, 5 person bungalow	-	-
4 bed, 7 person house	-	-
Discounted Market		
1 bed, 2 person flat	16% (6)	3%
2 bed, 4 person house	14% (5)	10%
2 bed, 4 person bungalow	-	3%
3 bed, 5 person house	-	8%
3 bed, 5 person bungalow	-	-
4 bed, 7 person house	-	1%
TOTALS	100% (37)	100%

9.3.15 The proposed tenure/size/type split for the application site does not wholly comply with the mix set out in the approved Section 106 which informs delivery on the whole development (nor the HENA of the Affordable Housing SPD). Nonetheless, it complies with the approved Site Wide Affordable Housing Delivery Plan (SWAHDP) and is hence supported by the Council's Affordable Housing Team. Indeed, the mix at the application site has been assessed as being appropriate for the density and design of this parcel, being close to the proposed local centre and the overarching SWAHDP ensures that any mismatch in the delivery of affordable housing can be equalised across the wider SUE.

9.3.16 Policy HSPD8 of the Council's Housing SPD refers to groupings of Affordable Housing not normally being in groups of more than 10. The proposals include a mix of social rented and shared ownership units being located along the eastern boundary of the parcel, interspersed by discount market units and separated by roads, nevertheless, the proposals do locate all affordable units along the eastern boundary of the parcel. While efforts have been made to break up the grouping of affordable housing, the proposals are not supported by Charnwood's Affordable Housing Officers in respect of this point.

9.3.17 Considering the above, the proposed tenure, house types and mix of units is considered to comply with CS20 and CS3 and emerging policies LUA3 and H4. However, the proposed grouping of affordable units along the eastern boundary is not considered to comply with the guidance of the Housing SPD and therefore is considered to be a material consideration that weighs negatively in the determination of this application. Notwithstanding the conflict with the Housing SPD in terms of clustering of affordable units, the overall provision of 35% affordable housing, consisting of a mix of tenures and house types that are supported by Housing Officer, and being on a parcel adjacent to the local centre which is to be provided at an early stage of the development are considerations that weigh in favour of the application.

9.4 Highway and Transport Matters

9.4.1 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 CS17 makes provision to achieve a 6% shift from travel by private car to walking, cycling and public transport. Policy CS18 of the Core Strategy requires network improvements whilst Policy CS20 relates to the whole of the Broadnook SUE and requires well-connected streets and walkable neighbourhoods, high quality, safe and direct walking, cycling and public transport routes in accordance with Policy CS17 and the provision of new and improved cycling and walking routes.

9.4.2 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.

9.4.3 The above 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.

9.4.4 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 that 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).

9.4.5 Emerging Policy INF2 seeks to secure appropriate highway infrastructure for developments. 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 Policy CC5 support provision of sustainable transport options. Policies INF2 and T3 are at an advance stage but subject to objections and can be given limited weight at this stage. Policy CC5 is at an advanced stage and modifications to the policy agreed such that it can be given moderate weight.

9.4.6 This parcel is located close to the primary access onto the A6 with access to the residential parcel taken from the main spine road running through the site and a road layout seeking to create defined streetscapes and legibility when moving through the site, including provision of parking, landscaping, materials and vistas to suit.

- 9.4.7 It is noted that the layout omits a secondary highway to the adjacent employment land which is shown on parameter plans approved as part of the original hybrid consent (P/16/1660/2). The current alternative takes into account the swap of employment and residential parcels approved as part of P/22/0333/2 and further analysis of site levels and required earthworks undertaken since that permission, along with considerations of impact on amenity of a secondary route serving an employment area running through a residential parcel. An alternative secondary route to the employment area is proposed to the south of the employment zone and officers are content that the omission of the secondary road through the residential parcel does not materially alter the overall development and is considered acceptable in other respects.
- 9.4.8 Notwithstanding the omission of a highway, the potential to provide a cycleway / footpath between the main distributor road and the employment zone to the east remains, subject to a suitable connecting path onto the intervening lower land of the Recreation Route. A suitable detail will be secured as part of a later Reserved Matters application for this area, which the applicant is in agreement with.
- 9.4.9 The access and road layout details of the reserved matters application tie in with the provisions of the overarching hybrid consent, including all internal roads being served by 2m wide footways and pedestrians and cyclists having access along various paths and linear shared drives. For example, the shared drives and turning heads along the eastern side of the site have been designed to be permanently passable by both pedestrians and cyclists whilst being severed for cars by bollards. The linear shared drive between Spinney Lane and Little Lane is similarly designed.
- 9.4.10 Overall, all streets and routes are highly permeable for pedestrians and cyclists allowing good access to the future services and facilities at the Broadnook Centre and the nearby bus route along what will be the 'High Street' for the overall development. Additionally, each dwelling will have a permission for a small shed, which will allow the safe storage of bikes and hence encourage cycling in accordance with a key sustainability aim of the original Design and Access Statement of the hybrid application.
- 9.4.11 Suitable lighting will be secured for adopted roads under the required Section 38 Agreement. Suitable lighting for shared drives can be secured by condition for security and safety purposes, as per the recommendations of the Police Architectural Liaison Officer. This guidance, including, the suggested use of CCTV for pedestrian routes and a potential vehicle recognition system, will be conveyed to the applicant by way of an informative.
- 9.4.12 The proposals also make appropriate provision for off street parking and turning within the site to the satisfaction of Local Highways Authority, and in accordance with Policy TR18, in order to limit on street parking and reverse manoeuvres onto the public highway. This includes provision of parking courts, which generally comply with the advice provided in the Local Highways Authority Highways Design Guide.

9.4.13 The Council's Open Space Department queried the proposed bin collection arrangements particularly in relation to shared drives. The Local Highways Authority has, however, confirmed that the Bin Collection Points proposed for these areas are acceptable and the pull-out distances for residents do not exceed the 30m maximum distance recommended in its Highways Design Guide. These are sited so as to avoid bins blocking footways and accesses on collection days to the detriment of highway safety. Their provision, retention and permanent availability can be secured by condition.

9.4.14 The internal road layout is intended to be adopted by the Local Highways Authority and the detailed layout has been amended to address initial concerns raised by the Local Highways Authority. The Local Highways Authority raises no objections to the final access proposals and layout. This has included consideration of swept path details and visibility splay information, including pedestrian splays, with details to be secured by conditions.

9.4.15 Subject to conditions, the relevant submitted details are considered to be in accordance with Policies CS2, CS17, CS18 and CS20 of the Core Strategy, TR/18 of the Saved Local Plan and emerging Local Plan policies LUA3, T3, CC5 and INF2.

9.5 Visual Impact, Design & Layout

9.5.1 Policies CS2 and CS11 of the Core Strategy are concerned with protecting the landscape and ensuring new development respects and enhances the character of an area whilst reinforcing a sense of place and local distinctiveness through high quality design. Policy CS2 refers to specific design issues including the importance of scale, layout, height, materials, landscaping and well defined and legible streets.

9.5.2 Policy CS20 relates specifically to the Broadnook SUE as a new garden suburb with the preamble to the policy referring to various Garden Suburb principles including high quality, imaginative design including homes with gardens; tree lined streets; and generous green space linked to the wider countryside. Specific design, layout and landscaping aims of the policy include achieving a well-connected street pattern and green infrastructure network and being responsive to the landscape and surrounding areas to create a locally distinctive development.

9.5.3 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. It seeks positive and attractive built frontages to existing or proposed public spaces including roads, footpaths and areas of public open space.

9.5.4 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.

9.5.5 Emerging Local Plan Policy DS5 requires development to make a positive contribution to Charnwood by responding positively to local distinctiveness and LUA3 sets out the design aspirations for the site to achieve the characteristics of a garden suburb with distinctive design. The emerging Local Plan is at an advanced stage and this policy can be given moderate weight.

- 9.5.6 The visual impact of the Broadnook SUE in the broader landscape was appropriately considered at the hybrid application stage including the approval of various overarching parameter plans and documents including a Design and Access Statement (and addendum), a Planning Brief, an illustrative Masterplan and various parameter plans to control future development. The overall design of SUE will be in accordance with the outline permission and strongly informed by Charnwood's unique local character. Its general urban design will weave the local style into the development whilst introducing new innovative and creative solutions.
- 9.5.7 This reserved matters application includes full details of layout, appearance, scale and landscaping within this development parcel, along with the access and road layout details that have been considered above. It represents the first reserved matters application for dwellings at the wider site. Given this and its siting at the northern entrance off the A6, it will play a significant role in establishing the character and appearance of the overall development.
- 9.5.8 In line with the above, the final design has been informed by various rounds of amendments including taking account of pre-application advice and detailed feedback during the course of the application. The layout and design is also directly informed by plans and documents approved at the outline stage including not exceeding the building height parameter for this residential zone (up to 10m for storey dwellings and up to 12m and 3 storey dwellings, with the latter being no more than 30% of the total).
- 9.5.9 A well designed 2-storey gateway building of 3 linked dwellings with linked 2-storey dwellings to each side are sited close to the site's northern boundary (Plots 4-12). These face the roundabout and around the curve onto the 'High Street'. Such a perimeter block of built form set relatively close to the highway boundary adheres to the original design ethos for this area, as detailed in the approved Design and Access Statement document and the Planning Brief. These will be first dwellings seen on entering the Broadnook SUE from the A6 and it is critical that they are well designed and outward looking with gardens and parking to the rear, which has been achieved.
- 9.5.10 In terms of layout, further along High Street it is considered appropriate to have the proposed row of well-spaced, larger detached dwellings set further back from the highway, with landscaping (including trees) to the front, because this area is further from the proposed 'denser' village centre and opposite what will be public open space/green infrastructure. As one moves closer to the village centre, a perimeter block with rear parking is again used, presenting an active frontage and landscaping to the southern roundabout. The style and building line of these 3 dwellings (Plots 105 to 107) will inform the siting and broad design required at the neighbouring parcel (Cora Homes).

- 9.5.11 Within the central parts of the site the majority of dwellings are situated relatively close to the highway boundary to the rear of either parking or short front gardens. Similarly, dwellings along the linear shared drives sit close to the drives with parking to the side or opposite along with landscaping. These layouts are both considered suitable design responses for these more central parts of the site. These 'street' types will provide residential street sections akin those shown in the approved Design and Access Addendum.
- 9.5.12 The house types include a mix of designs varying between 2 and 2.5 storeys in height, with their massing, style, architectural detailing and materials based on local vernacular (various nearby Charnwood villages), as detailed in the submitted Design Sketch Book. Cues have clearly been taken from the bespoke buildings illustrated in the approved Planning Brief.
- 9.5.13 The submitted designs demonstrate an architectural coherence enhanced by the level of detail incorporated into the buildings and the proposed choice of building materials (mainly brick but with some render, mainly full height over a brick plinth). Features include a general vertical emphasis including the fenestration, corbelled eaves, steep roof pitches, detailed chimneys and sash style windows on certain properties. Canopy porches and some bay windows including at first floor level feature on various properties.
- 9.5.14 Certain buildings are grouped together to provide clear typology areas, such as the northern gateway buildings, the large, detached dwellings to the west, the smaller well-spaced semi-detached dwellings along the central linear shared drive and the row of terraces and semi-detached dwellings along the eastern zone. These distinct areas provide a legibility to the streets whilst common design features and materials provide suitably harmony. The gateway dwellings appear as 'exemplar' buildings for the SUE and include the use of local stone.
- 9.5.15 Chimneys are used to provide interest and articulation of the roofs with such being appropriately focused on the outward facing western and northern zones and at key 'intersections' within the central area where the chimneys will be most visible.
- 9.5.16 The proposed layout and finished floor levels relate to the recently approved land regrading and site levels across the site (approved under a separate Discharge of Condition application). This results in stepped development areas which facilitate the provision of various stepped rooflines that add architectural interest and plot width articulation, particularly to linked properties.
- 9.5.17 The proposed external materials for the buildings are stated on the plans and samples have been inspected. There are a number of different brick types and colours (browns/and subdued reds). They are all of a high quality, blend together well and are typical of brick colours found in the local area. The proposed render detailing, the local stone and mix of grey and red tiles (some clays) are also all good quality and locally appropriate. The material plan shows that different tile types will be used on grouped buildings or buildings of the same type rather than randomly to achieve the type of pattern that develops in villages incrementally over time.

- 9.5.18 The roofs are proposed to include integrated solar panels, and a plan has been submitted showing which roof slopes would be used for such. The majority of panels would be located on rear roof slopes in order to achieve the design standards expected by policy, however, precise details of the panels has not been provided and can reasonably be secured by condition.
- 9.5.19 The submissions also detail the location of EV charging points, the provision of which is supported and can be secured by condition.
- 9.5.20 The proposed boundary treatment scheme has been carefully considered and is considered to be acceptable in terms of visual impact, amenity and highway safety. However, the proposed retaining wall features are not considered acceptable in a number of respects including a lack of detail. Therefore, it is reasonable and necessary to attach a condition to secure suitable retaining wall features notwithstanding the details shown on the acceptable finished floor level plans.
- 9.5.21 In conclusion, the proposed layout and design of the scheme including scale, appearance, materials and stated finished floor levels will provide a high quality, legible and coherent scheme that will be locally distinctive but nonetheless in keeping with the character of Charnwood. The details suitably accord with the parameter plans and design documents etc of the hybrid permission and the relevant provisions of Policies CS2, C11 and CS20 of the Core Strategy, Saved Policy EV/1 of the Local Plan, Emerging Policy DS5 and LUA3, the NPPF and the Design SPD are satisfied.

9.6 Sustainable Construction and Energy efficiency

- 9.6.1 Core Strategy Policy CS16 seeks to encourage sustainable design and construction and the provision of renewable energy (including exceedance of Building Regulations), where this will not make the scheme unviable. Policy CS20 regarding the Broadnook SUE similarly encourages exceedance of the Building Regulations and the delivery of buildings designed to be adaptable to future climatic conditions including heat and flooding. It also requires applications to include details of the development's response to carbon emissions reduction and climate change resilience.
- 9.6.2 Emerging Local Plan Policy CC4 requires sustainable construction practices. It 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. Emerging Local Plan Policy CCS6 relates to electric charging points but is proposed to be deleted from the emerging Local Plan and is therefore given limited weight. Emerging Local Plan Policy LUA3 largely reiterates the provisions of CS20 and carries moderate weight.
- 9.6.3 The approved DAS Addendum for of the hybrid permission for the Broadnook SUE states that for Phase 1 (of which the who application site is part) the Council's two key sustainability aims are encouraging cycling and walking and the provision of electric vehicle charging points. As discussed above, the submitted scheme will suitably achieve the former. Additionally, revised plans show an electric vehicle charging point for each property in accordance with Building Regulations.

- 9.6.4 In response to Core Strategy Policies C16 and C20 the applicant has submitted a Sustainability Statement. This sets out how the carbon emissions will be reduced primarily through a passive design/fabric first approach based on high quality insulation and increased air tightness and including thermally efficient glazing.
- 9.6.5 Other stated measures include integrated solar panels for each dwelling, a targeted consumption rate of 110 litres of water per person per day for each dwelling, buildings designed to be adaptable by future occupiers, sustainably constructed tiles, blocks and plasterboard i.e. made with less energy and/or recycled materials.
- 9.6.6 The proposal is designed in the interest of climate change including limiting carbon emissions and suitably accords with the relevant aims of Policies CS16 and CS20 of the Core Strategy and Emerging Local Plan Policy LUA3 and CC6.
- 9.7 Residential Amenity
- 9.7.1 Policies CS2 of the Core Strategy and EV/1 of the Local Plan seek to protect the amenity of existing and future residents. They require high quality design that does not impact on the amenity of adjacent properties or create poor standards of amenity for future occupiers.
- 9.7.2 To assist in the application of the above policies the Charnwood Design SPD (2020) provides spacing standards and guidance to ensure an adequate level of amenity is achieved.
- 9.7.3 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, therefore, be given moderate weight. Emerging Local Plan Policy H3 relates to internal space standards. This policy is at an advanced stage and hearing sessions in February 2023 considered the policy and it is consistent with the NPPF but is subject to objections and can therefore be given limited weight.
- 9.7.4 With regard to residential amenity of future residents, the scheme provides a relatively dense layout but as discussed above, this accords with the density parameter plan of the hybrid permission for a parcel close to the local centre, employment land and primary vehicular access. Moreover, the occupiers of all dwellings have access to private amenity space of various sizes and all occupiers (including those occupying apartment style units without any private garden space) will live within close walking distance of excellent Public Open Space and Green Infrastructure, which will be provided as an integral part of the Broadnook SUE.
- 9.7.5 The floor layouts do not accord with the proposed minimum standards in the Emerging Local Plan Policy H3, but all homes are well proportioned internally and, as noted above, the policy cannot be afforded significant weight at the present time.

- 9.7.6 In terms of privacy, the proposed layout and density results in dwellings with a range of back-to-back type separation distances, varying from 18m to 25m. A common back-to-back relationship across the application site is 19-19.5m (e.g. Plots 90-94 to 80 and 87), which is below the recommended 21m separation for 2 storey dwellings (plus a minor adjustment where land levels vary).
- 9.7.7 Whilst there are a number of plots where separation distances are below minimum guidelines as set out in the Design Supplementary Planning Document, this guidance should be applied flexibly rather than policy and most 'under provision' is marginal in any event. Indeed, the overall layout will provide a good level of privacy for all future residents subject to any potential overlooking from side bathroom/ensuite first floor windows over nearby neighbouring private gardens being minimised. The applicant has confirmed that all bathroom / WC / ensuite windows will be obscure glazed and detail can be secured by condition.
- 9.7.8 Overall, the layout and orientation of the dwellings and the position of habitable room windows ensures suitable outlook and light ingress for all homes even where the separation distances are slightly below the guidance in the Design Guide. It is noted that two habitable room windows at Plot 38 will be just 8m from the blank two storey side elevation of No.22 rather than the recommended 12.5m. However, the room served will have a larger front facing window also. Similarly, the rear kitchen window at Plot 37 will only partially face the side elevation of No.22 (8m away) allowing an angled outlook to the right of this neighbouring property.
- 9.7.9 The application site will be separated from the approved employment area to the east by the woodland Recreation Route. This separation and other controls will ensure that the amenity of the residents will not be materially harmed by future employment activities. This has further been assisted by Spinney Lane not being an employment through road.
- 9.7.10 Overall, Policies CS2 of Charnwood Core Strategy and EV/1 of Local Plan and Emerging Local Plan Policy DS5 are suitably complied with in terms of the amenity of future resident taking account of the related guidance within the NPPF, National Design Guidance and the Design SPD.

9.8 Landscaping

- 9.8.1 Policy CS2 of the Core Strategy seek to ensure high quality design including landscaping. The preamble to Core Strategy Policy CS20 regarding Broadnook refers to tree lined streets and green space and the policy refers to well linked green infrastructure.
- 9.8.2 These policies generally accord with the National Planning Policy Framework and do not conflict the supply of housing.
- 9.8.3 Emerging Local Plan Policies DS5 and LUA3 make similar requirements and EV7 encourages tree planting. These policies are 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.

- 9.8.4 The NPPF seeks the planting of street trees in new developments.
- 9.8.5 Condition 23 of the hybrid permission requires landscaping reserved matters to comply with various approved landscape plans (e.g. the Landscape Framework Plan, Landscape Phasing Plans).
- 9.8.6 Landscaping is a reserved matter to be considered in relation to this parcel, however, it is taken into account that this parcel is focused on a single residential element which sets adjacent to a landscaped buffer between the employment parcel to the east, access and associated landscaping to the north and extensive open space and tree line spine road to the west. Any consideration of the landscaping within this residential parcel is taken in the context of its setting in the wider development and the density approved as part of the approved parameter plans which formed part of the hybrid consent.
- 9.8.7 Taking account of the above the applicant has chosen to focus the tree planting areas along the western and eastern boundaries where they will have maximum visual impact. The associated land is also placed outside of private plots to safeguard the trees long term retention and maintenance (i.e. covered by a management company). Other trees within the central sites are shown 'on plot' at individual dwellings or within landscape areas of the affordable housing area. This is considered acceptable and no objections have been received to this approach or the proposed species mix by the Council's Landscape Team.
- 9.8.8 The hard landscaping has been considered above in terms of the boundary treatment and certain surfacing. The hard surfacing will be a mix of tarmac for roads and certain drives and parking bays, tegular blocks, herringbone paving and granite setts. It is concluded that all proposed hard landscaping details are acceptable other than the retaining features as detailed above.
- 9.8.9 All other landscaping across the site is acceptable, including that in the parking courts and at transition zones with the neighbouring parcel and no objections have been raised by Charnwood's Natural and Built Heritage Team.
- 9.8.10 In conclusion, the landscaping scheme suitably complies with the requirements of the hybrid permission and Policies CS2 and CS20 of the Core Strategy and Emerging Local Plan Policies DS5, LUA3 and EV7, the NPPF and the Design SPD.

9.9 Ecology and Biodiversity

- 9.9.1 Policy CS13 of the Core Strategy seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. Policy CS20 includes reference to creating a coherent biodiversity network. These policies support development that protects biodiversity and geodiversity and those that enhance, restore or re-create biodiversity. The NPPF states that planning decisions should minimise impacts upon and provide net gains for biodiversity.

- 9.9.2 Emerging Policy EV6 of the Draft Local Plan seeks 10% biodiversity net gain and the protection and enhancement of habitats, species and networks. 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, additionally it has been confirmed that the legislation will not apply to reserved matters applications where the outline permission proceeds the date that the legislation is enacted. Therefore, emerging Local Plan Policy EV6 can be given only moderate weight until the emerging policy is further progressed towards adoption and the national 10% BNG requirement would not relate to this reserved matters application in any event.
- 9.9.3 Emerging Policy EV7 supports the retention of existing trees and new tree planting. Policy EV7 is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. It, can, therefore be given moderate weight. Emerging Policy LUA3 largely replicates the provisions of Core Strategy Policy CS20 and can be given limited weight.
- 9.9.4 Matters regarding ecology and biodiversity have been resolved at the outline stage including the imposition of various planning conditions to secure suitable mitigation and enhancement works and updated surveys as appropriate and which are to be considered separately. The provision of trees has been considered above in terms of the submitted landscaping reserved matter details and found to be acceptable in terms of visual amenity. They will also provide valuable new habitat over time.
- 9.9.5 Condition 16 of the hybrid permission requires the submission of details of integrated bat roosting and bird boxes for the residential units, which have not been submitted as part of this application. The required provision can, however, be resolved through the submission of a Discharge of Condition. Importantly, the required modest additions will not require the wholesale revision of the plans hereby considered.
- 9.9.6 Based on the above, it is considered that the proposals make adequate contribution towards achieving the site wide aims for ecology and biodiversity such that the provisions of Core Strategy Policies CS13 and CS20, emerging Local Plan policy EV6 and LUA3 and the NPPF are satisfied.
- 9.10 Flooding and Drainage
- 9.10.1 The hybrid permission contains conditions to secure suitable drainage for the site including the sustainable management of surface water drainage. These matters are considered separately to the reserved matters details of this application. However, the Lead Local Flood Authority has commented that it raises no objections to the proposed hard surfacing given the provision of filter drains across shared drives (as ground conditions do not support infiltration drainage). In this respect Policy CS16 of Charnwood Core Strategy and the NPPF are suitably complied with regarding minimising localised flood risk.
- 9.10.2 The proposals are considered to comply with the requirements of Core Strategy policies CS16 and CS20 and emerging Local Plan policy CC1 and LUA3.

9.11 Heritage Assets & Archaeology

- 9.11.1 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.
- 9.11.2 Emerging Local Plan Policy EV8 seeks to protect and enhance heritage assets and prevent harm to their significance and setting. Policy EV8 is largely uncontested and can therefore be afforded moderate weight.
- 9.11.3 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 Conservation Areas.
- 9.11.4 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 assets conservation.
- 9.11.5 The hybrid permission established the principle of development for the SUE and approved various parameter plans to guide the appropriate delivery of the site and future detailed submissions. The outline permission included an assessment of heritage impact and made provision for wider protection and mitigation of heritage assets.
- 9.11.6 There are no above ground heritage assets at the application site and the site is not within the setting of any above ground heritage assets. A condition of the hybrid permission ensures that any required archaeological work will be undertaken across the wider Broadnook SUE site and has been discharged in relation to phase 1, including this parcel.
- 9.11.7 The reserved matters proposal, therefore, meets the requirements of Policy CS14 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. The relevant sections of the NPPF are also suitably addressed.

10 Conclusion

- 10.1 These submissions seek agreement of the landscaping, scale, layout and appearance of a residential parcel consisting of 107 dwellings and associated infrastructure for parcel 1, within Phase 1, of the Broadnook SUE.
- 10.2 The submissions also seek discharge of related conditions, including 16 iv (Site Wide Affordable Housing Strategy) and Condition 17 (Programme of Reserved Matters).

- 10.3 While full permission was granted for residential parcels as part of the hybrid consent (P/16/1660/2), changes to that permission have been approved (P/22/0333/2) such that the development subject of this application will be the first residential parcel to be delivered on the site and will be the first residential parcel that will be visible when entering the SUE via the vehicular access from the A6.
- 10.4 While detailed consent is sought for 107 dwellings, the proposals cannot be taken in isolation and are to be considered in the context of the approved parameters plans, supporting documents, with associated conditions and section 106 obligations which secure particular details and guide the delivery of the SUE alongside these reserved matters and surrounding areas.
- 10.5 Provision is made with the detailed design and layout to meet the aspirations established by the hybrid consent, including provision for a well-connected development with design features that are representative of Charnwood and which achieve the garden suburb ethos required by adopted and emerging policies. This has been achieved through a high-quality design and layout and well thought out choice of materials, particularly on frontage plots that is considerate of its location within the wider SUE and respects the surrounding landscape and topographical features around the entrance to the site.
- 10.6 There are no objections from statutory consultees, particularly in relation to highways, design, landscape, flooding / drainage, ecology and biodiversity or archaeology and officers are content that the proposals comply with the provisions of the overarching hybrid consent and associated conditions and section 106 obligations.
- 10.7 Notwithstanding condition 16 iv) and condition 17, it is noted that separate conditions from the hybrid consent are extant and will require compliance or agreement of details separately from these submissions.
- 10.8 Overall, officers commend the design on a prominent parcel within the site and support the layout which will help to establish a strong character and sense of arrival for the development.
- 10.9 It is acknowledged that achieving a strong design on primary frontages has resulted in all affordable units being located towards the eastern edge of the parcel, exceeding usual limits on clustering of affordable housing, which is to be considered as a harm to be assessed with the 'planning balance'. However, some mitigation is provided for by interspersing discounted market housing and by the proposed highway layout. It is also acknowledged that the parcel will provide 35% affordable housing (above the 16.37% required by the hybrid permission) and would provide a significant amount of affordable housing at an early stage of the SUE during a time of housing need such that the harm is limited. It would also be within a parcel which was accepted to be of a higher density as part of the approved parameter plan and which is in close proximity to the local centre, with good connections to local services and sustainable transport links. While there is conflict with the Housing SPD arising from the clustering of affordable dwellings, there are no objections to the house types, tenure or mix of those units.

10.10 It is considered that the development represents strong fulfillment of the ambitions and policies of the adopted Development Plan and emerging Local Plan in most respects, and some considerations add further positive weight in their own right, such as the 'over provision' and early delivery of affordable housing. Where at variance (such as the 'clustering' of affordable housing) it is considered that they are not material considerations of such significance to justify departing from the Development Plan. It is therefore considered that approval of reserved matters should be granted.

11 Recommendation

RECOMMENDATION

Conditionally approve the submitted reserved matter subject to 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.

1. The development, hereby permitted, shall be begun not later than 2 years from the date of this permission.

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

2. The development, hereby permitted, shall be carried out in accordance with the approved plans listed in schedule 1.

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

3. The development hereby permitted shall not be occupied until such time as the parking (and turning facilities) have been implemented in accordance with Highways Layout Sheet 1 of 2, Drawing 6010_101 Rev P03. 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 (2023).

4. No dwelling shall be occupied until surface water drainage to serve that dwelling, which accords with the surface water drainage scheme for the phase has been completed and made available.

REASON: To ensure there is no risk of flooding within the development or surrounding areas as a result of approved drainage detail not being implemented in a timely manner and to ensure compliance with policies CS16 and CS20 of the Core Strategy and emerging Local Plan Policy LUA3.

5. Prior to commencement of works above slab level, and notwithstanding the provisions of Private Drainage and External Works (E6000-ENG-1350B, 1351A and 1352A) details of retaining walls are to be submitted to and agreed in writing by the Local Planning Authority. The agreed details are to be implemented in accordance with the approved details prior to occupation of the associated plot.

REASON: To ensure that suitable boundary treatment is provided in keeping with the design and layout of the site in accordance with Core Strategy Policy CS20 and LUA3 of the emerging Local Plan.

6. Prior to commencement of works above slab level, and notwithstanding the provisions of Solar Panel & EV Plan (6010_103 Rev P01), details of roof integrated solar PV are to be submitted and agreed in writing by the Local Planning Authority. The agreed details shall be in broad accordance with the locations indicated in Solar Panel & EV Plan (6010_103 Rev P01) and implemented in accordance with the approved details prior to occupation of the associated plot.

REASON: To ensure that suitable boundary treatment is provided in keeping with the design and layout of the site in accordance with Core Strategy Policy CS20 and LUA3 of the emerging Local Plan.

7. Prior to commencement of works above slab level, details of lighting for shared drives shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details are to be implemented in accordance with the approved details prior to occupation of the associated plots.

REASON: To ensure that suitable boundary treatment is provided in keeping with the design and layout of the site in accordance with Core Strategy Policy CS20 and LUA3 of the emerging Local Plan.

8. The Bin Collection Points shall be laid out in accordance with approved plan referenced Planning Layout 6010_100 Rev P04 and made available prior to occupation of the associated plot. The Bin Collection Point shall be retained and made and permanent available in perpetuity.

REASON: To ensure that adequate space is provided to reduce the possibility of the bins restricting access in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

9. Notwithstanding the approved plans, all first-floor side facing windows serving bathrooms, WC or en-suites are to be obscure glazed and maintained as such in perpetuity.

REASON: To ensure that there is no overlooking of adjacent gardens in the interest of ensuring good standards of amenity for future occupiers in accordance with Core Strategy Policy CS2 of the development plan and emerging Local Plan policy DS5.

10. Any trees that form part of the landscaping scheme under plan references Landscaping Proposals GL1746 901C C and Landscaping Proposals GL1746 902C C hereby approved that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Core Strategy Policies CS2 and CS11 and emerging Local Plan Policy EV7.

Schedule 1 – Approved Plans

Plan title	Plan reference	Revision
General		
Site Location Plan	6010-401	P02
Planning Layout	6010_100	P04
Highways Layout Sheet 1 of 2	6010_101	P03
Highways Layout Sheet 2 of 2	6010_101	P02
Management Adoptions Plan	6010_102	P01
Solar Panel and EV Plan	6010_103	P01
Materials and Boundary Treatment Plan	6010_200	P04
Private Drainage and External Works	E6000_ENG-1350	B
Private Drainage and External Works	E6000_ENG-1351	A
Private Drainage and External Works	E6000_ENG-1352	A
Streetscene - Plots 1-12	6010_801	P01
Streetscene Section - Plots 4-15 & 29-37/39	6010_802	P02
Streetscene Section - Plots 44/63/70/73	6010_803	P02
Streetscene Section - Plots 82/91/97/103	6010_804	P02
Landscaping Proposals	GL1746 901C	C
Landscaping Proposals	GL1746 902C	C
Typical Bollard Lighting		
Reserved Matters Strategy Plan	1070_RMSP_100	B
House Types		
Elevations and Floor Plans (2 drawings)	DH16GEA/B (AS)	C01
Elevations and Floor Plans (2 drawings)	DH101BE (OPP) & DH200BEG (OPP)	
Elevations and Floor Plans (2 drawings)	DH200GE (AS)	C01

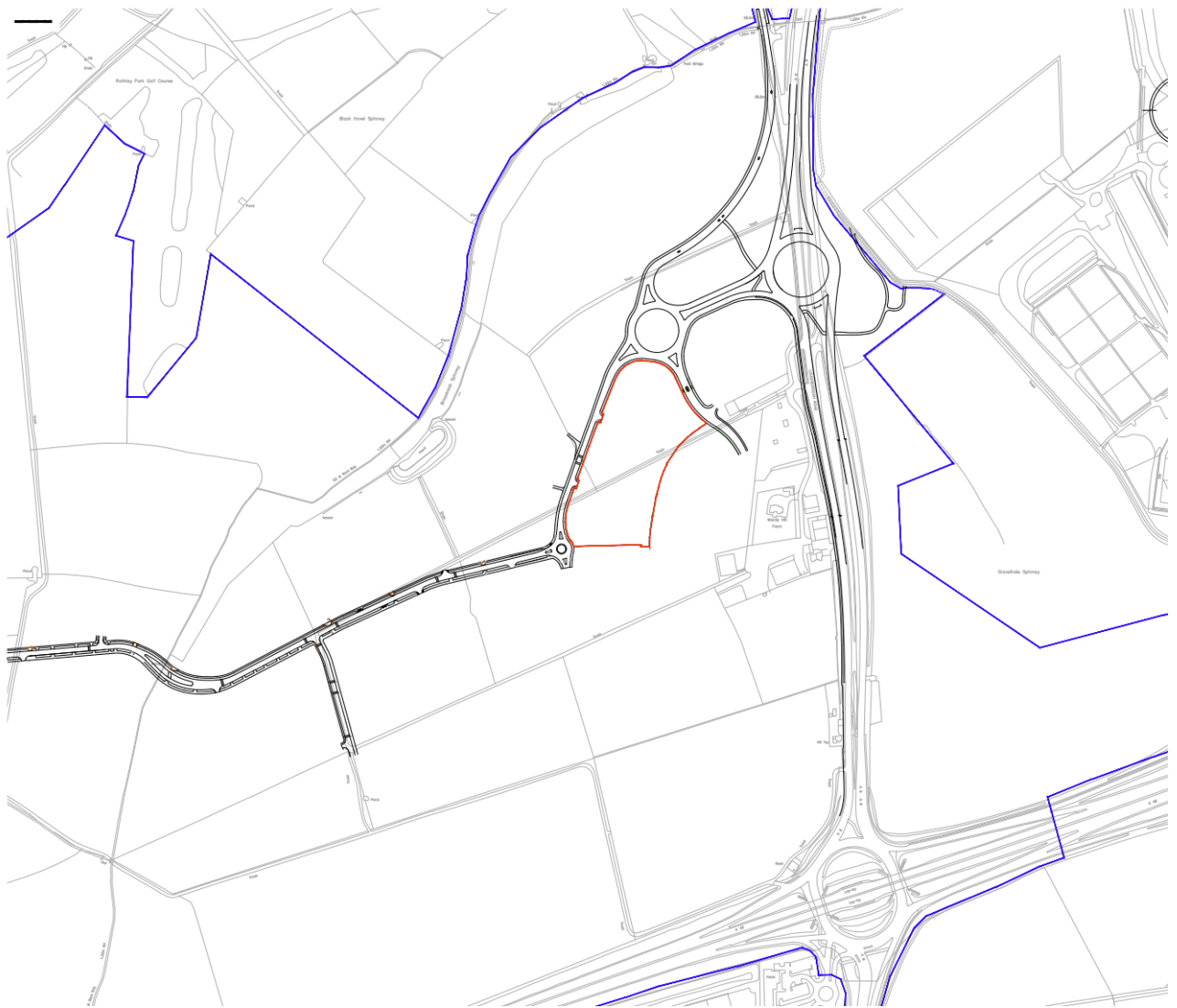
Elevation and Floor Plans (2 drawings)	DH200GE (OP)	C01
Elevations and Floor Plans (3 drawings)	DH201BN (OPP) & DH202BN (OPP)	C01
Elevations and Floor Plans (2 drawings)	DH240BN	A
Elevations and Floor Plans (2 drawings)	DH302GE (AS)	C01
Elevations and Floor Plans (2 drawings)	DH302GE (OP)	C01
Elevations and Floor Plans (1 drawing)	DH302VE (AS)	
Elevations and Floor Plans (1 drawing)	DH302VE (OP)	
Elevations and Floor Plans (2 drawings)	DH303GE (AS)	P00A
Elevations and Floor Plans (2 drawings)	DH303GE (OP)	P00A
Elevations and Floor Plans (2 drawings)	DH313B (AS)	C03
Elevations and Floor Plans (2 drawings)	DH313B (OP)	C03
Elevations and Floor Plans (2 drawings)	DH313R (AS)	C02
Elevations and Floor Plans (2 drawings)	DH313V (AS)	
Elevations and Floor Plans (2 drawings)	DH313V (OPP)	
Elevations and Floor Plans (2 drawings)	DH314V (AS)	C01
Elevations and Floor Plans (2 drawings)	DH314V (OP)	C01
Elevations and Floor Plans (2 drawings)	DH318B (AS)	C02
Elevations and Floor Plans (2 drawings)	DH318B (OP)	C02
Elevations and Floor Plans (3 drawings)	DH323GG (AS)	C01

Elevations and Floor Plans (2 drawings)	DH343B (AS)	C04
Elevations and Floor Plans (2 drawings)	DH343B (OP)	C04
Elevations and Floor Plans (2 drawings)	DH344B (AS)	C02
Elevations and Floor Plans (2 drawings)	DH400B (OP)	C00
Elevations and Floor Plans (2 drawings)	DH420BN (AS)	C01
Elevations and Floor Plans (3 drawings)	DH422GR (OP)	C00
Elevations and Floor Plans (3 drawings)	DH422G (OP)	C00
Elevations and Floor Plans (2 drawings)	DH425GH (AS)	C00
Elevations and Floor Plans (3 drawings)	DH427B (AS)	C01
Elevations and Floor Plans (2 drawings)	DH430R (AS)	C01A
Elevations and Floor Plans (3 drawings)	DH465ET (AS)	C04
Elevations and Floor Plans (3 drawings)	DH501G (AS)	C01
Elevations and Floor Plans (3 drawings)	DH522G (AS)	C01
Elevations and Floor Plans (2 drawings)	DH532R	C01
Elevations and Floor Plans (5 drawings)	Dwg no. Plot-5-7	C01
Dwg no Plots 8-10 Elevations and Floor Plans (5 drawings)	DH343BN	C01
Elevations and Floor Plans (2 drawings)	AH16G (AS & OP)	C01
Elevations and Floor Plans (2 drawings)	AH21GE (AS)	C02A

Elevations and Floor Plans (2 drawings)	AH21GE (OP)	C02A
Elevations and Floor Plans (2 drawings)	AH21GI (AS)	C02A
Elevations and Floor Plans (2 drawings)	AH21GI (OP)	C01A
Elevations and Floor Plans (2 drawings)	AH21GT (AS)	C02A
Elevations and Floor Plans (2 drawings)	AH21GT (OP)	C01A
Garages and car ports		
Elevations and Floor Plan	SG1 Single Garage (AS)	C01
Elevations and Floor Plan	SG3 Single Garage (AS)	C03
Elevations and Floor Plan	LG1 Single Garage (AS)	C01
Elevations and Floor Plan	LG3 Single Garage (AS)	C01
Elevations and Floor Plan	LG10 Double Garage (AS)	C01
Elevations and Floor Plan	LG25 (AS)	
Elevations and Floor Plan	LG1005 (OP)	C01
Elevations and Floor Plan	MG1 Single Garage (AS)	C00
Elevations and Floor Plan	CP Plots 4/5/7/8 -	
Documents and related plans		
Planning and Design Statement – Phase 1: Davidson Homes		July 2023
Broadnook Parcel 1 - Parking Provision		September 2023
Sustainability Statement - Climate Change		September 2023
Phase Specific Affordable Housing Delivery Plan Statement		September 2023
Broadnook Site Wide Affordable Housing Plan – Strategy Document		C

Site Wide Affordable Housing Plan	1070-SWAHP_100	
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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/23/0274/2	Full	14 Leicester Road Anstey Leicestershire LE7 7AT	Erection of single storey extension (following demolition of existing conservatory)	GTDCON, Permission be granted subject to the following conditions:	06-Oct-2023	Anstey
P/23/1171/2	Householder	188A Cropston Road Anstey Leicestershire LE7 7BN	Erection of a garage and new access gate	GTDCON, Permission be granted subject to the following conditions:	06-Oct-2023	Anstey
P/23/1374/2	Householder	213 Bradgate Road Anstey Leicestershire LE7 7FX	Erection of detached garage to front of dwelling.	GTDCON, Permission be granted subject to the following conditions:	20-Sep-2023	Anstey Anstey
P/23/1353/2	Householder	17 Thirlmere Road Barrow Upon Soar Leicestershire LE12 8QQ	Erection of two storey side and single storey side and rear extensions, with render to existing dwelling.	GTDCON, Permission be granted subject to the following conditions:	10-Oct-2023	Barrow upon Soar
P/23/1407/2	Householder	23 Hill Rise Birstall Leicestershire LE4 4LL	Removal of garage door and replacement window and door to facilitate conversion of garage to habitable room, porch extension and canopy to front of house, single storey outbuilding to rear.	GTDCON, Permission be granted subject to the following conditions:	28-Sep-2023	Birstall East an Wanlip
P/23/1576/2	Householder	115A Roman Road Birstall Leicestershire LE4 4BF	Erection of single storey rear extension, first floor side extension and provision of vehicular access and associated alterations (Resubmission of Planning Application ref: P/23/1127/2)	GTDCON, Permission be granted subject to the following conditions:	05-Oct-2023	Birstall East an Wanlip

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1492/2	Householder Prior Notification - Class A (Rear Extensions)	8 Houghton Way Birstall Leicestershire LE4 3PE	Erection of single storey rear extension extending beyond the rear wall of the original house by 4.5m, with a maximum height of 3.7m, and height to the eaves of 2.7m	PRIGRA, The prior approval of the Council is granted	28-Sep-2023	Birstall West
P/23/1435/2	Householder	61 Moorgate Avenue Birstall Leicestershire LE4 3HJ	Erection of single storey extension to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	02-Oct-2023	Birstall West
P/23/1209/2	Householder	19 The Leys Hathern Leicestershire LE12 5HX	Erection of two storey side and single storey rear extension and associated restoration works	GTDCON, Permission be granted subject to the following conditions:	27-Sep-2023	Dishley, Hather and Thorpe Aci
P/23/1419/2	Householder	5 Golding Close Loughborough Leicestershire LE11 5BZ	Erection of single storey side extension (following removal of existing conservatory)	GTDCON, Permission be granted subject to the following conditions:	02-Oct-2023	Dishley, Hather and Thorpe Aci
P/23/1453/2	Householder	22 Ravensthorpe Drive Loughborough Leicestershire LE11 4WA	Construction of detached annexe	GTDCON, Permission be granted subject to the following conditions:	05-Oct-2023	Dishley, Hather and Thorpe Aci Loughborough Ashby
P/23/0965/2	Householder	18 Victoria Road Woodhouse Eaves Leicestershire LE12 8RF	Erection of single storey side extension and part single storey, part two storey rear extension	GTDCON, Permission be granted subject to the following conditions:	26-Sep-2023	Forest Bradgat
P/23/0923/2	Householder	Heatherfields Priory Lane Newtown Linford Leicestershire LE67 9PA	Erection of replacement porch in alternative location, replacement windows and doors, conversion of garage into habitable space, alterations to entrance gates.	GTDCON, Permission be granted subject to the following conditions:	28-Sep-2023	Forest Bradgat

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1348/2	Householder	88 Main Street Newtown Linford Leicestershire LE6 0AF	Erection of single storey infill extension to eastern elevation and installation of canopy to northern elevation. Alterations to fenestrations and to porch canopy on southern elevation, with associated works.	GTDCON, Permission be granted subject to the following conditions:	29-Sep-2023	Forest Bradgat
P/23/0078/2	Householder	4 Grey Crescent Newtown Linford Leicestershire LE6 0AA	Erection of dormer extensions to rear and front, canopy to front porch, pitched roof over garage and changes to fenestration of dwelling.	GTDCON, Permission be granted subject to the following conditions:	29-Sep-2023	Forest Bradgat
P/23/1439/2	Householder	36 Warren Hill Newtown Linford Leicestershire LE6 0AL	Erection of detached double garage and formation of vehicular access to front of site.	GTDCON, Permission be granted subject to the following conditions:	03-Oct-2023	Forest Bradgat
P/23/1049/2	Full	Black Hill Farm Beacon Road Ulverscroft Leicestershire LE12 8XA	Erection of agricultural building for storage.	GTDCON, Permission be granted subject to the following conditions:	05-Oct-2023	Forest Bradgat
P/23/0942/2	Full	10 Cravens Rough Ulverscroft Lane Newtown Linford Leicestershire LE67 9PF	Erection of replacement dwellinghouse and detached garage, with associated works (following demolition of existing dwellinghouse)	GTDCON, Permission be granted subject to the following conditions:	06-Oct-2023	Forest Bradgat
P/22/1915/2	Householder	Vine Cottage 9 Main Street Newtown Linford Leicestershire LE6 0AE	To raise height of chimney stack/new clay pot (to dwelling house) and installation of solar panels to roof plane of pool house outbuilding to north.	GTDCON, Permission be granted subject to the following conditions:	10-Oct-2023	Forest Bradgat
P/23/1389/2	Telecom Determination with mast	Stirling Avenue Loughborough LE11 4LJ	Proposed installation of 15m 5G telecoms installation: H3G street pole and additional equipment cabinets.(Prior Approval)	AGRD, Refusal of Approval	21-Sep-2023	Loughborough Ashby

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1413/2	Full	Sir Arnold Hall Building Margaret Keay Road University Campus Loughborough Leicestershire LE11 3TU	Erection of timber canopy with associated hard and soft landscaping.	GTDCON, Permission be granted subject to the following conditions:	27-Sep-2023	Loughborough Ashby
P/23/1412/2	Householder	49 Thorpe Acre Road Loughborough Leicestershire LE11 4LF	Erection of two storey extensions to side and rear, single storey extension to rear, alterations to fenestration and roof form to facilitate first floor accommodation of house (Resubmission of Planning Application ref: P/22/1830/2)	GTDCON, Permission be granted subject to the following conditions:	27-Sep-2023	Loughborough Ashby
P/23/1371/2	Householder	136 Bottleacre Lane Loughborough Leicestershire LE11 1JQ	Erection of single storey extension to front and rear, two storey extension to side and rear of house (Resubmission of Planning Application ref: P/23/0592/2)	REF, Permission be refused for the following reasons:	25-Sep-2023	Loughborough East
P/23/0293/2	Reserved Matters	Phase 1B/1C Garendon Park Pear Tree Lane Loughborough Leicestershire	Variation of condition 2 (approved plans) and condition 5 (parking and turning facilities) of P/20/2187/2 (RMA Parcel 1B/1C), including plot substitutions to plots 11-20, handing of Plot 181, addition of hedging, substitution of House Types on Plot 74, 81 reorientation of plot 40, 197, 216, 231 and 232 and amendments to path and parking arrangements at Plots 57, 58, 87 - 91, 100, 130 (as amended).	GTDCON, Permission be granted subject to the following conditions:	21-Sep-2023	Loughborough Hathern & Dishley

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1405/2	Householder	14 Longcliffe Gardens Loughborough Leicestershire LE11 3YQ	Erection of two storey extensions to front, side and rear of dwelling. Erection of covered timber pergola and porch to side. Raised patio to rear with fenestration changes (inc. cladding) (Part Retrospective) (Revised scheme ref: P/22/1004/2)	GTDCON, Permission be granted subject to the following conditions:	27-Sep-2023	Loughborough Nanpantan
P/23/1373/2	Householder	1 Wheatland Drive Loughborough Leicestershire LE11 2AR	Erection of single storey extension to rear of dwelling. (Resubmission of Planning Application ref: P/23/0632/2)	GTDCON, Permission be granted subject to the following conditions:	20-Sep-2023	Loughborough Outwoods and Shelthorpe
P/23/1414/2	Outline Planning Permission	62 Holt Drive Loughborough Leicestershire LE11 3JA	Outline Application for erection of single storey dwellinghouse (All Matters reserved)	GTDCON, Permission be granted subject to the following conditions:	25-Sep-2023	Loughborough Outwoods and Shelthorpe
P/23/0532/2	Full	Loughborough College Radmoor Road Loughborough Leicestershire LE11 3BT	Erection of a three storey building for teaching and training facilities.	GTDCON, Permission be granted subject to the following conditions:	06-Oct-2023	Loughborough Southfields
P/23/1112/2	Full	47 A Market Street Loughborough Leicestershire LE11 3ER	Change of use of upper floor maisonette (Use Class C3) to a house in multiple occupation (Use Class C4)	GTDCON, Permission be granted subject to the following conditions:	09-Oct-2023	Loughborough Southfields
P/22/2221/2	Full	57-58 Wards End Loughborough Leicestershire LE11 3HB	Single storey rear extension and associated external alterations.	GTDCON, Permission be granted subject to the following conditions:	10-Oct-2023	Loughborough Southfields
P/23/1530/2	Change of Use Prior Notification	Kindeva Drug Delivery Ltd Derby Road Loughborough Leicestershire	Application to determine if prior approval is required for a proposed Installation of Solar Photovoltaic array to roofs. (Schedule 2 part 14 class J of GPDO refers).	PRINOT, Prior approval from the Council is not required	03-Oct-2023	Loughborough Storer

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1080/2	Full	39 Holmfield Avenue Loughborough Leicestershire LE11 5HS	Change of use from dwelling house (Use Class C3) to a Children's Home to accommodate a maximum of 1 child (Use Class C2).	GTDCON, Permission be granted subject to the following conditions:	04-Oct-2023	Loughborough Storer
P/23/1457/2	Full	101 Knightthorpe Road Loughborough Leicestershire LE11 5JR	Erection of single storey rear extension to rear and internal alterations to create additional bedroom for House in Multiple Occupation (sui generis), demolition of existing conservatory	GTDCON, Permission be granted subject to the following conditions:	09-Oct-2023	Loughborough Storer
P/23/1158/2	Householder	34 Berkeley Close Mountsorrel Leicestershire LE12 7DN	Erection of single storey side extension	REF, Permission be refused for the following reasons:	28-Sep-2023	Mountsorrel
P/23/0806/2	Full	129 Rothley Road Mountsorrel Leicestershire LE12 7JT	Erection of detached dwelling at Land Adjacent to 129 Rothley Road (Re-submission of P/22/0039/2).	GTDCON, Permission be granted subject to the following conditions:	04-Oct-2023	Mountsorrel Mountsorrel
P/23/0427/2	Householder	Poplars Grange 65 Crown Lane Mountsorrel Leicestershire LE12 7AD	Proposed installation of 2no. dormer windows to front elevation and 2no. dormers windows to rear elevation, and replacement of existing rooflights in roof profiles	GTDCON, Permission be granted subject to the following conditions:	21-Sep-2023	Quorn & Mountsorrel Castle
P/21/2676/2	Full	26E High Street Quorn Leicestershire LE12 8DT	Erection of 8 detached houses with landscaping and associated works following demolition of existing dwelling. - (Amended from previous proposal for 9 dwellings).	REF, Permission be refused for the following reasons:	22-Sep-2023	Quorn & Mountsorrel Castle
P/23/1261/2	Householder	88 Leicester Road Quorn Leicestershire LE12 8BB	Erection of single storey rear extension (following demolition of existing extension)	GTDCON, Permission be granted subject to the following conditions:	06-Oct-2023	Quorn and Mountsorrel Castle

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/1570/2	Householder	73 Swithland Lane Rothley Leicestershire LE7 7SG	Proposed alterations to front boundary, relocation access, front gate and dropped kerb.	GTDCON, Permission be granted subject to the following conditions:	04-Oct-2023	Rothley & Thurcaston
P/23/1292/2	Householder	100 Swithland Lane Rothley Leicestershire LE7 7SF	Erection of new rear extensions, changes to fenestration and replacement roof to existing extension	GTDCON, Permission be granted subject to the following conditions:	02-Oct-2023	Rothley Brook
P/23/1299/2	Householder	28 Moorfield Place Shepshed Leicestershire LE12 9AW	Single storey side and rear extension to dwelling (retrospective) (resubmission of P/22/0532/2)	GTDCON, Permission be granted subject to the following conditions:	20-Sep-2023	Shepshed East
P/23/1032/2	Advert Consent	46-53 Lacey Court Shepshed Leicestershire LE12 9QY	Installation of prescription collection machine signage(Advertisement Consent)	GTDCON, Permission be granted subject to the following conditions:	29-Sep-2023	Shepshed East
P/23/0593/2	Full	Rear Of 7 To 9 Field Street Shepshed Leicestershire LE12 9AL	Three storey block of 4no. flats	GTDCON, Permission be granted subject to the following conditions:	06-Oct-2023	Shepshed East Shepshed Wes
P/23/1388/2	Householder	64 Paterson Place Shepshed Leicestershire LE12 9RY	Erection of two storey extension to side of dwelling.	REF, Permission be refused for the following reasons:	22-Sep-2023	Shepshed Wes
P/23/0689/2	Full	Land adjacent to 75 Homefield Road Sileby Leicestershire	Construction of 2 dwellings.	REF, Permission be refused for the following reasons:	10-Oct-2023	Sileby
P/21/2650/2	Householder	93 Melody Drive Sileby Leicestershire LE12 7UU	Erection of single storey front extension and single storey side and rear extension.	GTDCON, Permission be granted subject to the following conditions:	21-Sep-2023	Sileby and Seagrave

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1410/2	Full	45 Green Lane Seagrave Leicestershire LE12 7LU	Conversion of existing garage to habitable room, two storey side extension to form new double garage with granny annexe over on first floor level	GTDCON, Permission be granted subject to the following conditions:	26-Sep-2023	Sileby and Seagrave
P/23/1129/2	Full	1130 Melton Road Syston Leicestershire LE7 2HA	Conversion of ground and first floor from warehouse/Storage facility into Restaurant/Bar (Use Class E)	REF, Permission be refused for the following reasons:	02-Oct-2023	Syston
P/23/1469/2	Householder	7 Beatty Road Syston Leicestershire LE7 1LT	Erection of single storey rear extension	GTDCON, Permission be granted subject to the following conditions:	09-Oct-2023	Syston
P/23/0784/2	Householder	7 Broad Street Syston Leicestershire LE7 1GH	Erection of detached garage and 2.0m high fence/gate.	GTDCON, Permission be granted subject to the following conditions:	29-Sep-2023	Syston Syston West
P/23/1421/2	Householder	95 Central Avenue Syston Leicestershire LE7 2EG	Construction of single storey rear extension and conversion of roofspace into habitable space including roof lights (Retrospective)	GTDCON, Permission be granted subject to the following conditions:	28-Sep-2023	Syston Wreake Valley
P/23/1378/2	Householder	10 Trinity Crescent Wymeswold Leicestershire LE12 6UQ	Erection of single storey and two storey extensions at side of house	GTDCON, Permission be granted subject to the following conditions:	21-Sep-2023	The Wolds
P/23/1581/2	Agricultural for Prior Approval	Hoton Hills Farm 76 Loughborough Road Hoton Leicestershire LE12 5SF	Proposed irrigation reservoir	NRQ, The submission of details are not required for consideration.	03-Oct-2023	The Wolds
P/23/1636/2	Agricultural for Prior Approval	Land South of Six Hills Road Walton On The Wolds Leicestershire	Prior Approval Application for the erection of an agricultural building	NRQ, The submission of details are not required for consideration.	03-Oct-2023	The Wolds

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/0279/2	Full	Land off Black Lane Walton On The Wolds Leicestershire	Erection of a free range poultry building and 4 silos	GTDCON, Permission be granted subject to the following conditions:	03-Oct-2023	The Wolds
P/23/1369/2	Householder	5 Mundy Close Burton On The Wolds Leicestershire LE12 5AQ	Erection of single storey rear extension, single storey front extension and loft conversion to include raising of ridge height, new front and rear dormers and insertion of rooflights	GTDCON, Permission be granted subject to the following conditions:	10-Oct-2023	The Wolds
P/23/0069/2	Householder	173 Colby Drive Thurmaston Leicestershire LE4 8LE	Erection of porch and changes to fenestration to front, replacement garage door with window to facilitate garage conversion to habitable room, external cladding with render finish, rooflight window to side, single storey extension and dormer window to rear of house	GTDCON, Permission be granted subject to the following conditions:	29-Sep-2023	Thurmaston
P/23/1028/2	Householder	44 Beacon Avenue Thurmaston Leicestershire LE4 8FF	Erection of two storey extension to side and rear, single storey rear extension and single storey store to side of house (Revised scheme P/23/0062/2 refers)	GTDCON, Permission be granted subject to the following conditions:	29-Sep-2023	Thurmaston
P/23/1341/2	Householder	9 Ploughmans Lea East Goscote Leicestershire LE7 3ZQ	Erection of single storey extension at rear and 1.8m high fence to side of house	GTDCON, Permission be granted subject to the following conditions:	21-Sep-2023	Wreake Valley
P/23/0851/2	Householder	1A Station Road Rearsby Leicestershire LE7 4YX	Erection of single storey outbuilding (artist studio), tree works and installation of pond	GTDCON, Permission be granted subject to the following conditions:	02-Oct-2023	Wreake Valley
P/23/1161/2	Householder	5 Nursery Close Queniborough Leicestershire LE7 3DX	Erection of first floor front and side extensions and single storey side extension	GTDCON, Permission be granted subject to the following conditions:	03-Oct-2023	Wreake Valley

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1237/2	Full	Church Leys Station Road Rearsby Leicestershire	Construction of extensions and alterations to outbuilding to form double garage	GTDCON, Permission be granted subject to the following conditions:	06-Oct-2023	Wreake Valley
P/23/0501/2	Householder	27 Main Street Ratcliffe On The Wreake Leicestershire LE7 4SN	Front bay window, replacement windows and cills, parapet gables with stone copings, garage conversion, render to external walls and replacement roof tiles	GTDCON, Permission be granted subject to the following conditions:	29-Sep-2023	Wreake Village

Total Delegated Decisions: 63