



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 Preston Room, Woodgate Chambers, Woodgate, Loughborough on Thursday, 14th December 2023 at 5.00 pm for the following business.

Chief Executive

Southfields
Loughborough

6th December 2023

AGENDA

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

The Committee is asked to confirm as a correct record the minutes of the meeting held on 23rd November 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 6 - 7

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

 - (a) P/23/1625/2 – 6 Wren Close, Loughborough 8 - 22
 - (b) P/22/2163/2 - Land off Prestwold Lane, Prestwold 23 - 46
 - (c) P/22/2227/2 – Barrow Road, Sileby 47 - 69
 - (d) P/23/0668/2 – Watermead Business Park, Thurmaston 70 - 147
 - (e) P/23/0805/2 – Limehurst Avenue, Loughborough 148 - 201
6. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS 202 - 213

A list of applications determined under powers delegated to officers for the period from 14th November 2023 to 4th December 2023 is attached.

WHERE TO FIND WOODGATE CHAMBERS

Woodgate Chambers
70 Woodgate
Loughborough
Leicestershire
LE11 2TZ

PLANS COMMITTEE 23RD NOVEMBER 2023

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

Group Leader Development Management (CT)
Locum Solicitor (SG)
Principal Planning Officer (JW)
Principal Planning Officer (LW)
Senior Planning Officer (DL)
Democratic Services Officer (SW)

APOLOGIES: Councillor N. Taylor

The Chair stated that the meeting would be live streamed and available via YouTube. 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.

43. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 19th October 2023 were confirmed as a correct record and signed, subject to an amendment. Legal advisor Sherrie Grant had been omitted from the list of attendees at the meeting, but had been in attendance.

44. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

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

The following disclosures were made:

- (i) by Councillor O'Neill – in respect of planning application P/23/0170/2 (Lodge Farm, Sileby) as the site was in his ward, but he came to the meeting with an open mind.
- (ii) By Councillor Worrall – in respect of planning application P/23/1323/2 (4 Goldfinch Close, Loughborough) as she was speaking on the item and would not be voting.

46. PLANNING APPLICATIONS

An agenda variance was requested to allow planning application P/23/0450/2 (Old Park Farm, Burton on the Wolds) to be considered first.

Reports of the Head of Planning and Growth, setting out applications for P/23/0170/2, P/23/1323/2 and P/23/0450/2 were submitted (item 5 on the agenda filed with these minutes). An extras report in respect of applications P/23/0170/2 and P/23/1323/2 was also submitted (also filed with these minutes).

There were late requests to speak from Mr Jack Wilkins, in respect of application P/23/0170/2, Ms Birgitta Worrall and Mr Mick Burke, in respect of application P/23/1323/2. The Chair and members of the Committee were in agreement for these requests to be granted.

In accordance with procedure for public speaking at meetings, the following applicants and objectors, or their representatives attended the meeting and expressed their views:

- i. Mr Jack Wilkins (agent) in respect of application P/23/0170/2;
- ii. Ms Birgitta Worrall (objector, on behalf of the Kingfisher Area Residents Group) in respect of application P/23/1323/2;
- iii. Mr Mick Burke (applicant) in respect of P/23/1323/2.

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 Cory-Lowsley (call-in) in respect of application P/23/1323/2;
- ii. Councillor Bokor in respect of application P/23/0450/2.

a) P/23/0170/2 – LODGE FARM, SILEBY

RESOLVED that in respect of application P/23/0170/2 (Lodge Farm, Sileby) 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 Extras report, and the entering into a S106 agreement to secure the following;

- i. Ownership of the site to be restricted for a period of five years from grant of planning permission to a Qualifying Self build and custom house building developer and;
- ii. To secure off site compensation in respect of biodiversity should on site net gain not be achieved in accordance with the Biodiversity Impact Assessment to be submitted and approved with the reserved matters application.

b) P/23/1323/2 – 4 GOLDFINCH CLOSE, LOUGHBOROUGH

An additional note to applicant was recommended to consult with Licensing and Environmental Health departments within the Council to arrange for checks to be made on the property to ensure compliance with regulation.

RESOLVED that in respect of application P/23/1323/2 (4 Goldfinch Close, Loughborough) 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 Extras report.

c) P/23/0450/2 – OLD PARK FARM, BURTON ON THE WOLDS

RESOLVED that in respect of application P/23/0450/2 (Old Park Farm, Burton on the Wolds) planning permission be granted subject to planning conditions for the reasons set out in the report of the Head of Planning and Growth.

47. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

A list of applications determined under powers delegated to officers for the period from 11th October 2023 to 13th November 2023 was submitted (item 6 on the agenda filed with these minutes).

NOTES:

1. No reference may be made to these minutes at the Council meeting on 15th January 2024. 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 – 14 December 2023

Index of Committee Items

Item	Application No	Applicant and Location, Description	Recommendation
1	P/23/1625/2	Lucking Management Limited 6 Wren Close Loughborough Leicestershire LE11 3HL Change of use from HMO (Use Class C4) to HMO (Sui Generis)	Grant Conditionally
2	P/22/2163/2	Mather Jamie Land off Prestwold Lane Prestwold Leicestershire Part change of use of airfield runway to Storage and Distribution of motor vehicles (Class B8) with associated infrastructure (Retrospective Application)	Grant Conditionally
3	P/22/2227/2	Mr Paul Newberry 238B Barrow Road Sileby Leicestershire LE12 7LR Outline Application for the erection of 8no dwellings (Access only)	Grant Conditionally
4	P/23/0668/2	Wanlip Holdings Limited Land at Watermead Business Park Thurmaston Leicestershire Outline Planning Application for construction of up to 61,000 m2 of E(g)(iii), B2 and B8 Use Class	Grant Conditionally

units, including site access and infrastructure, and biodiversity enhancement area (All matters reserved except for means of access) (AMENDED PLANS AND DESCRIPTION including removal of proposal to partially infill lake, and deletion of solar farm)

5	P/23/0805/2	Fusion Loughborough Devco Ltd Land at Limehurst Avenue Loughborough Leicestershire LE11 1PA	Grant Conditionally
		Demolition of existing buildings and development of purpose-built student accommodation (sui generis) with associated amenity facilities, landscaping, parking and external works	

Plans Committee Date:	14 December 2023
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Item No: tbc

Application Reference Number: P/23/1625/2

Application Type:	Full	Date Valid:	15 September 2023
Applicant:	Lucking Management Limited		
Proposal:	Change of use from HMO (Use Class C4) to HMO (Sui Generis).		
Location:	6 Wren Close Loughborough Leicestershire LE11 3HL		
Parish:	N/A	Ward:	Loughborough Southfields
Case Officer:	Harry White	Tel No:	01509 634579

1. Background

- 1.1 This application is referred to Plans Committee in accordance with the scheme of delegation, as the application has been called in by Councillor Rhys Cory-Lowsley for the following reasons:
- Permanent disturbance to neighbours;
 - Overbearing impact on the already crowded Kingfisher Estate.

2. Description of the application site

- 2.1 The application site relates to a three-storey detached property which sits within the Kingfisher Estate area of Loughborough. The dwelling is a House in Multiple Occupation (HMO) within Class C4 of the Use Class Order. It contains living space at ground floor level, as well as two en-suite bedrooms. There are two bedrooms at first floor level and two within the roof-space, all of which also contain en-suite bathrooms. The property has a total of six bedrooms.
- 2.2 The site is bound by a mix of 1.8m close board timber fences to the rear, and a low-level brick wall at the front/side of the building. The site sits behind a small front garden laid to grass, which is split by a pathway.
- 2.3 The site benefits from a parking area to the side measuring roughly 8.4m x 3.0m, providing two parking spaces. The original plot did benefit from a garage, which has since been converted into a habitable room.
- 2.4 Although much of the Kingfisher Estate is within Flood Zones 2 & 3, the application site is located within Flood Zone 1, and at the lowest risk of flooding.
- 2.5 There are no heritage assets within the setting of the application site, or protected trees.

2.6 The site is accessed from the front along Wren Close for both vehicles and pedestrians.

3 Description of the proposal

3.1 The proposal seeks planning permission for the internal rearrangement of the building to increase the number of bedrooms provided. The increase would be from 6 bedrooms to 7 bedrooms.

3.2 No alterations would be carried out externally to the building and there would be no alterations to the ground or second floors.

3.3 The internal alterations would involve the removal of a fitted cupboard from bedroom 4 to free up roughly 1.6sqm of floor space. This floor space would be reallocated to the vacant back room, which would become bedroom 7, measuring roughly 9.3sqm in size.

3.4 Additionally, the current en-suite bathroom for bedroom 3 would become a shared bathroom with 'jack and jill' doors, through the insertion of a door off the landing.

3.5 Access to the property would remain unchanged from Wren Close.

4 Development Plan Policies

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

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 CS4 – Houses in Multiple Occupation
- Policy CS25 - Presumption in favour of sustainable development

4.2.2 [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 EV/1 – Design
- Policy TR/18 - Parking in New Development

5 Other material considerations

5.1 [The National Planning Policy Framework \(NPPF 2023\)](#)

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

- Section 2: Achieving sustainable development
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 12: Requiring well-designed places.
- Section 14: Meeting the challenge of climate change, flooding and coastal change

5.2 [Planning Practice Guidance](#)

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

5.3 [National Design Guide](#)

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

5.4 [Housing Supplementary Planning Document \(2017\)](#)

HSPD 11 Concentrations of Houses in Multiple Occupation - In accordance with Core Strategy Policy CS4 the Council will manage the proportion of Houses in Multiple Occupation by seeking to resist further Houses in Multiple Occupation (small or large) where there is already 20% or more Houses in Multiple Occupation within a 100m radius of the application site.

HSPD 12 - Social and Physical Character and Amenity - Evidence of potential issues will be considered when assessing whether a new House in Multiple Occupation will damage the social and physical character and amenity of a street or residential area, including any evidence of:

- increases in anti-social behaviour, particularly at unsociable hours;
- increases in crime and fear of crime;
- poorer standards of property maintenance and repair;
- accumulations of waste and rubbish;
- littering and fly-posting;
- and proliferation of letting signs.

HSPD 13 - Amenity Space - Proposals for Houses in Multiple Occupation will be expected to make provision for adequate storage for refuse containers taking into account the Council's Waste Collection Policy. Refuse/recycling storage should be

secure, unobstructive and accessible to residents with easy access to the front of the property for collection.

HSPD 14 – Noise Insulation - Proposals for Houses in Multiple Occupation will need to be supported by a statement that the proposed design will satisfy the current guidance in the Building Regulations approved document E. This should include:

- how the design will address the required standard of noise separation; and
- details of the measures which will be taken to achieve adequate sound separation between property and those adjacent properties likely to be affected by the proposed scheme.

HSPD 15 – Parking - Proposals for Houses in Multiple Occupation will be expected to make provision for off street parking and appropriate storage space for bikes in accordance with the County Council's Design Guide (currently the 6C's Design Guide).

5.5 Design Supplementary Planning Document (January 2020)

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

5.6 Leicestershire Highways Design Guide

The purpose of the guidance is to help achieve development that provides for the safe and free movement of all road users, including cars, lorries, pedestrians, cyclists and public transport. Design elements are encouraged which provide road layouts which meet the needs of all users and restrain vehicle dominance, create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; as well as to help create quality developments in which to live, work and play. The document also sets out the quantum of off-street car parking expected to be provided in new housing development.

5.7 Technical Housing Space Standards (2015)

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

5.8 Article 4 Direction

Local Government Circular 08/2010 'Changes to Planning Regulations for Dwelling houses and Houses in Multiple Occupation' recognises that a high concentration of shared homes can sometimes cause problems, especially if too many properties in one area are let to short-term tenants with little stake in the local community. As such, local authorities are able to apply for an Article 4 Direction to remove permitted development rights for new HMOs in defined areas. 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. This Direction 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 Equality Act 2010

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

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

This document sets out the Council's strategic and detailed policies for the Borough over the period 2021-37. The local plan was submitted for examination in December 2021 with hearings concluding in February 2023. It is anticipated that the Local Plan will be adopted by the Council in 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);
- 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:

- DS1 – Development Strategy
- DS5 – High Quality Design
- LUC1 – Loughborough Urban Centre
- H1 – Housing Mix
- H3 – Internal Space Standards
- H7 – Houses in Multiple Occupation
- T3 – Car Parking Standards
- CC5 – Sustainable Transport
- EV11 – Air Quality

4 Relevant Planning History

Reference	Description	Decision & Date
P/23/0714/2	(Advice) Change of use from small HMO (Use Class C4) to large HMO (sui generis), including a rear extension	Advice Given 06/09/2023
P/16/1317/2	(Advice) Change of use from HMO (C4) to large HMO (sui generis).	Generally negative Advice Given 22/07/2016
P/10/0645/2	(ADVISE) Extension and alterations to dwelling.	Generally negative Advice Given 12/05/2010
P/97/0676/2	Site for residential development (4.68ha) and sports uses, including all-weather floodlit playing pitch with pavilion and associated infrastructure and landscaping. (Total site area 6.68ha)	Permission 05/07/1999

7 Responses of Consultees & Other Comments Received

6.1 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 Environmental Health – Housing Standards	No objection. The HMO license holder will need to apply for a variation to the license.
Leicestershire County Council Highways	The impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. There would not be a material increase in the character of traffic.
Ward Councillor and Parish Council Response	
Cllr Sarah Goode	Objection to the increase in size of this HMO due to: <ul style="list-style-type: none"> • Lack of Parking • Overbearing impact on the community • Many bins on the streets causing access issues down footpaths • Detritus from overflowing bins and littering
Cllr Rhys Cory-Lowsley	Call – in request made on the grounds that it will cause a permanent disturbance and have an overbearing impact on the already crowded Kingfisher Estate.

Responses to publicity	
From	Comments
9 representations have been received from 6 separate addresses	<p>Concerns raised as follows:</p> <ul style="list-style-type: none"> • Parking issues locally; • Bins left out; • Noise; • Population and community imbalance; • Anti-social behaviour; • No more HMOs allowed – (Article.4 Directive); • Tenant education in managing the property; • Student overcrowding.

7 Consideration of the Planning Issues

- 7.1 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 1991-2006 (2004) which have not been superseded by the Core Strategy (2011-2028).
- 7.2 The Core Strategy and Charnwood Local Plan are over 5 years old, and it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. Other than those policies which relate to the supply of housing, the relevant policies listed above are up to date and compliant with national guidance and as such that there is no reason for them to be given reduced weight.
- 7.3 The main planning considerations applicable to this application are considered to be:
- Principle of development
 - Local character and amenities – community balance
 - Impact on residential amenity
 - Highway matters
 - Other matters

8 Key Issues

8.1 Principle of the Development

- 8.1.1 The principle of development is guided by Policy CS1 of the Charnwood Core Strategy (2015). Policy CS1 outlines the development strategy for the borough and the distribution of sustainable growth, including a settlement hierarchy in which Loughborough urban area is a favoured location for residential development. Policy

CS3 seeks to ensure that the housing stock meets the community's needs and Policy CS4 relates specifically to Houses in Multiple Occupation. Policy CS4 seeks to manage the provision of HMOs to ensure that the housing balance in an area is suitable for the social and physical character of it, and that matters of private amenity and parking demand are not unacceptably impacted.

- 9.1.2 Policy DS1 of the emerging local plan sets the overall spatial strategy for Charnwood between 2021 and 2037. It adopts a similar approach to CS1 and proposes 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 at this time. Policy LUC1 of the emerging local plan supports the role of Loughborough as the main economic, social and cultural heart of the Borough. Policy LUC1 carries limited weight.
- 9.1.3 There is an Article 4 Direction in place to prevent the change of use of class C3 dwelling houses to Class C4 HMOs in Loughborough without planning permission. Such a change of use would normally be permitted development without the Article 4 Direction and this remains the case outside of Loughborough. However, this application seeks a change of use from an existing small HMO in Class C4 to a Large HMO that does not have a use class (suis generis) and in such circumstances planning permission is always required.
- 9.1.4 The supporting text to Policy CS4 states that HMOs 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 HMO's 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, many HMO's are occupied by students in further and higher education. 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 an over-concentration of HMOs. 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 HMOs in Loughborough, particularly where it is demonstrated that there are associated adverse impacts.
- 9.1.5 It is also important to note that HMOs are not always occupied by students. Evidence in a study commissioned by the Council and undertaken by Loughborough University (December 2018) found 58% of HMOs are occupied by students and that more mixed HMO 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 local plan.

9.1.6 As this site is located close to a wide range of facilities and a range of good transport choices, it is considered that the principle of the development, to the extent of its general location, is acceptable and in accordance with the relevant policies as referred to above. The site lies within the defined settlement boundary of the adopted Local Plan and emerging Local Plan, within an area favoured for residential development. The development, in principle, is therefore considered to comply with Policy ST/2 of the adopted Local Plan, CS1 and CS 17 of the Core Strategy and DS1 and CC5 of the emerging Charnwood Local Plan.

9.2 Local Character and Amenity

9.2.1 Policy CS4 seeks to manage the balance of housing types including HMOs and to avoid impacts on local character, social cohesion and amenity. The Housing SPD provides a basis for establishing an appropriate balance of HMOs within a particular area. In HSPD11 it notes that HMOs '*will be counted as a single property, regardless of the number of bedrooms*'. It sets a 20% threshold within a 100m radius of a site. Policy HSPD 12 sets out what evidence will be assessed as to whether a new House in Multiple Occupation will damage the social and physical character and amenity of a residential area including antisocial behaviour, crime, poorer standards of property maintenance, accumulations of waste, littering and fly-posting, and proliferation of letting signs.

9.2.2 Emerging Policy H7, which due to the extent of progression of the examination of the draft Local Plan can be afforded limited weight, differs from CS4. Policy H7 makes specific reference to 'new' large HMOs and it has a lower saturation threshold of 10% than the 20% level cited in the Housing SPD. There are 36 properties that are HMOs within a 100m radius of this property. This is a 51% saturation of HMOs and in excess of both the draft local plan 10% threshold and the 20% threshold in the Housing SPD. However, this saturation level will not be affected by the proposal and it will not have any bearing on the overall saturation of HMOS in the area.

9.2.3 A search has been undertaken of any anti-social behaviour reported in the area. The results show that there is a very limited amount of antisocial behaviour within this part of Loughborough. The amount of anti-social behaviour recorded is not considered to be excessive for an urban location as densely populated as the Kingfisher Estate, with only four instances reported. Consequently, it is not considered that the amount of anti-social behaviour in the area is at intolerable levels. Equally it is not considered that the proposed development would exacerbate the levels of anti-social behaviour in the neighbourhood. Especially considering the small increase in the number of occupants by one.

9.2.4 The application site is already sandwiched between two houses in multiple occupation. However, due to the minor proposed change to increase the potential occupation of the property from 6 to 7 occupants, the single additional tenant is not considered likely to make a material difference to factors that might lead to detrimental noise and disturbance, or additional car parking issues.

9.2.5 The nature of the proposed change is small and involves the use of an unused room and internal wall adjustments to create a new bedroom. In reference to the above cited policies, the addition of one occupant is not considered to materially affect the

social and physical character of the area insofar as Policies CS4 and H7 are concerned, and an approval will not change the saturation level of HMOs in the area. It is therefore considered that the proposal is acceptable in terms of Core strategy policy CS4, the Housing SPD HSPD 11 and HSPD 12 and draft local plan policy H7.

9.3 Impact on Residential Amenity

- 9.3.1 Policies CS2 of the Core Strategy and EV/1 of the Local Plan seek to protect the amenity of existing and future residents. The Charnwood Design SPD (2020) also provides spacing standards and guidance to ensure an adequate level of amenity. Saved policy EV/1 of Local Plan and policy CS2 of Core Strategy require high quality design that does not impact on the amenity of adjacent properties or create poor standards of amenity for future occupiers. The Charnwood Design SPD (2020) also provides spacing standards and guidance to ensure an adequate level of amenity is achieved. Policy DS5 of the emerging Local Plan, to be afforded moderate weight, includes similar provisions.
- 9.3.2 Policy HSPD 14 states that proposals for Houses in multiple occupation will need to be supported by a statement that the proposed design will satisfy the current Building Regulations Approved Document E, which should include how the design will address the required standard of noise separation, and details of the measures which will be taken to achieve adequate sound separation between property and those adjacent properties likely to be affected by the scheme. Draft local plan policy H7 seeks to ensure that proposals do not increase noise but has limited weight currently. Firstly, as already stated, the dwelling at the application site is a detached property of modern construction, including cavity walls and double glazing throughout. Due to the lack of party walls to adjoining neighbours, it is considered that the dwelling is adequately insulated against noise to surrounding properties and between individual rooms. Secondly, the layout is considered logical and would safeguard against inherent noise issues in that the proposed bedroom 7 is located away from the staircase and front door ensuring that the greater number of journeys up and down stairs and entering and exiting the property would not disturb the future occupier of bedroom 7. Although positioned between the en-suite serving bedroom 6, and the living room on the ground floor, this is a similar relationship that is found at bedroom 5 and considered to provide a good level of amenity for the future occupants.
- 9.3.3 To the north of the application site is no.8 Wren Close, a three-storey townhouse. The two dwellings are separated by the turning head and adjoining allocated parking area of Wren Close. It is considered that the separation distance and detached nature of the host dwelling would ensure an unaffected impact between the two dwellings.
- 9.3.4 To the east of the application site are nos. 1 and 3 Wren Close a pair of townhouses, these sit across the public highway from the application site and sit perpendicular to the dwelling at the application site. The use of the vacant room as a bedroom would not adversely impact the neighbouring site.
- 9.3.5 To the south of the application site is no. 4 Wren Close, a similar large, detached property in use as an HMO. The increase in the number of occupants at the application site is not considered to increase the amount of noise transfer to the

adjacent property due to the separation and the lack of party walls. Furthermore, the development would not add any windows, or introduce any new built form. Consequently, there would be no overbearing impacts or other additional disturbance to neighbours.

- 9.3.6 To the west of the application site is one of the Loughborough College playing fields. The sites are separated by a dense mix of trees and shrubs, providing an effective screen between the two sites and the proposal would have no impact in this regard.
- 9.3.7 In regard to the amenity of the future occupants, each of the bedrooms benefits from a good-sized window that allows adequate natural light to the rooms. Bedroom 7 would measure roughly 3.0m by 3.4m, with a floor area of roughly 9.2sqm. The adjoining bedroom 4, which would lose its integrated wardrobe, would measure roughly 3.0m by 4.5m, with a floor area of roughly 13.3sqm not including the en-suite bathroom. The bedrooms would all exceed the minimum size of 7.5sqm, and minimum widths of 2.15m, 2.55m, and 2.75m as set out in the Department for Communities and Local Government's Technical Housing Standards.
- 9.3.8 The proposal would, therefore, comply with the provisions of policies CS2 of Charnwood Core Strategy and EV/1 of Local Plan along with NPPF, National Design Guidance and the guidance set out in the Design SPD, and emerging Policy DS5 to protect residential amenity.

9.4 Highway Matters

- 9.4.1 Policies CS2 and CS18 of the Core Strategy and TR/18 of the Local Plan seeks to ensure safe access is provided to new development. These policies generally accord with the National Planning Policy Framework and do not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them. Paragraph 111 of the NPPF seeks to ensure new development does not result in an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network. Paragraph 112 of the NPPF seeks to promote sustainable travel choices. Policy T3 of the emerging Local Plan relates to Car Parking Standards. Policy T3 is consistent with NPPF paragraphs 104, 107, 108 and due to its advancement through the examination process, it is considered to carry moderate weight. Policy HSPD 15 requires proposals for houses in multiple occupation to make provision for off street parking and appropriate storage space for bikes. Reliance upon kerbside parking is not normally acceptable unless evidence suggest there is sufficient capacity.
- 9.4.2 The site is located within the settlement limits of Loughborough and is approximately 1 kilometre from the Market Place, and roughly half a mile from Bedford Square. The site has pedestrian links to local amenities such as education facilities (including Loughborough College and Loughborough University), places of worship, and the Leisure Centre are all located within 500 metres of the site.
- 9.4.3 The application site is located within 350 metres of bus stops on Forest Road served by regular services around Loughborough and to Ashby-de-la-Zouch. The Sprint service between the University and Train Station is located on Radmoor Road, roughly 500m north of the application site.

- 9.4.4 No amendments are proposed to the existing access that leads onto Wren Close which is an adopted unclassified road subject to a 30mph speed limit. Double yellow lines are present on either side of the carriageway except for two, 10m long sections on the opposite side of the carriageway to the proposed development.
- 9.4.5 The application site is located within Parking Zone 14 of Loughborough and managed by Leicestershire County Council. Parking on Wren Close and the surrounding roads is available for permit holders only between the hours of 08:00hrs and 18:00hrs from Monday through to Saturday, throughout the year. It should be noted that no further parking permits will be issued to an HMO once the maximum allocation for the property has been reached.
- 9.4.6 There would be no loss of parking as a result of the proposed development. The property is provided with two car parking spaces, and secure cycle parking.
- 9.4.7 Policy T3 of the emerging local plan carries moderate weight and seeks to ensure that there is an adequate provision of car parking for all users. There is no set requirement for parking for large HMOs. The addition of one bedroom and occupant has been considered by the Local Highway Authority, which does not object to the proposal. The Local Highway Authority note that the proposal would not materially increase the traffic in the vicinity or create any additional highway issues. It is in a sustainable urban location, with most amenities available within a short distance, the highway impact is considered to be acceptable.
- 9.4.8 Consequently, subject to conditions, the proposed development is considered to be in accordance with Policies CS2 of the Core Strategy, TR/18 of the Local Plan, Policies IF2 and CC5 of the Emerging Local Plan, and Policy HSPD 15 of the Housing SPD (2017) which seek to ensure safe access is provided to new development.
- 9.4.9 The proposal in the interest of air quality and climate change would comply with policy CS16 of Charnwood Development Plan insofar as the additional room would be provided in an accessible location.

9.5 Other matters raised

- 9.5.1 Concern has been raised in regard to the management of the bins. Housing SPD HSPD 12 recognises the impact that HMOs can have on the amenity of streets if there are accumulations of waste and rubbish. Details regarding the collection and storage of waste at the site would be conditioned as part of the Student Management Plan. With this condition in place, the impact of the proposed development on waste and refuse is considered to be acceptable. Furthermore, the good management of the HMO is managed through the licensing programme, which is controlled and monitored by Charnwood Borough Council's Housing Service. A waste management plan is to be secured by planning condition in order to secure the ongoing management of the waste on site.

10. Conclusion

- 10.1 The property is an established HMO which, from the evidence available, has been in such use with 6 bedrooms since at least 2013. The proposed internal alteration to enlarge a room to make it a bedroom, would change the use class from C4 to sui generis, as a larger HMO, with 7 bedrooms. The use of the property as a such is acceptable in principle.
- 10.2 The addition of one bedroom/occupant would not have a significant detrimental impact on neighbour amenity, the local character, visual amenity or highway safety. There are no other material planning considerations that would justify a refusal of planning permission for the proposed works.
- 10.3 It is considered that the proposed development complies with Policy CS1, CS2, CS3 and CS4 of the Charnwood Local Plan 2011-2028 Core Strategy, “saved” Policies EV/1 and TR/18 of the Borough of Charnwood Local Plan (2004), and Emerging Policy H7 and T3 of the Draft Charnwood Local Plan 2021-2037. Additionally, the proposed development would be considered compliant with the Housing SPD of Charnwood Borough Council (2017) and the relevant provisions of the National Planning Policy Framework (NPPF) and the National Design Guide.
- 10.4 As a result, it is recommended that this modest proposal of the addition of one bedroom can be supported and planning permission is granted, subject to planning conditions.

11. Recommendation

- 11.1 Grant conditionally subject to the imposition of the following draft conditions and reasons and that the Head of Planning and Growth be given delegated authority to determine the final detail of planning conditions, in consultation with the Chair of the Plans Committee.

11.2 Recommended conditions:

1. The hereby approved development shall commence no later than three years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
 - Site Location Plan, Site Plan, Elevations – Drg. No. 1112-01 – received 08 September 2023
 - Floorplans – Drg. No. 1112-02 – received 08 September 2023

REASON: To provide certainty and define the terms of the permission in accordance with Development Plan policy CS2 of Charnwood Development Plan (2011-2028),

Saved Policies EV/1 of Charnwood Local Plan (2004), Design SPD, emerging Policy DS5 and the NPPF.

3. Prior to the first occupation of the hereby approved large HMO, details of the refuse storage and cycle storage shall be submitted to and agreed in writing by the Local Planning Authority. The refuse storage arrangements and the cycle store shall then be installed prior to the occupation of the additional bedroom and retained in use in accordance with the approved details.

REASON: In the interests of the management of waste and the impact on the amenity of the area, safeguarding amenity, in accordance with Policy CS2 of the Core Strategy (2015), HSPD 12 and the emerging draft local plan Policy DS5.

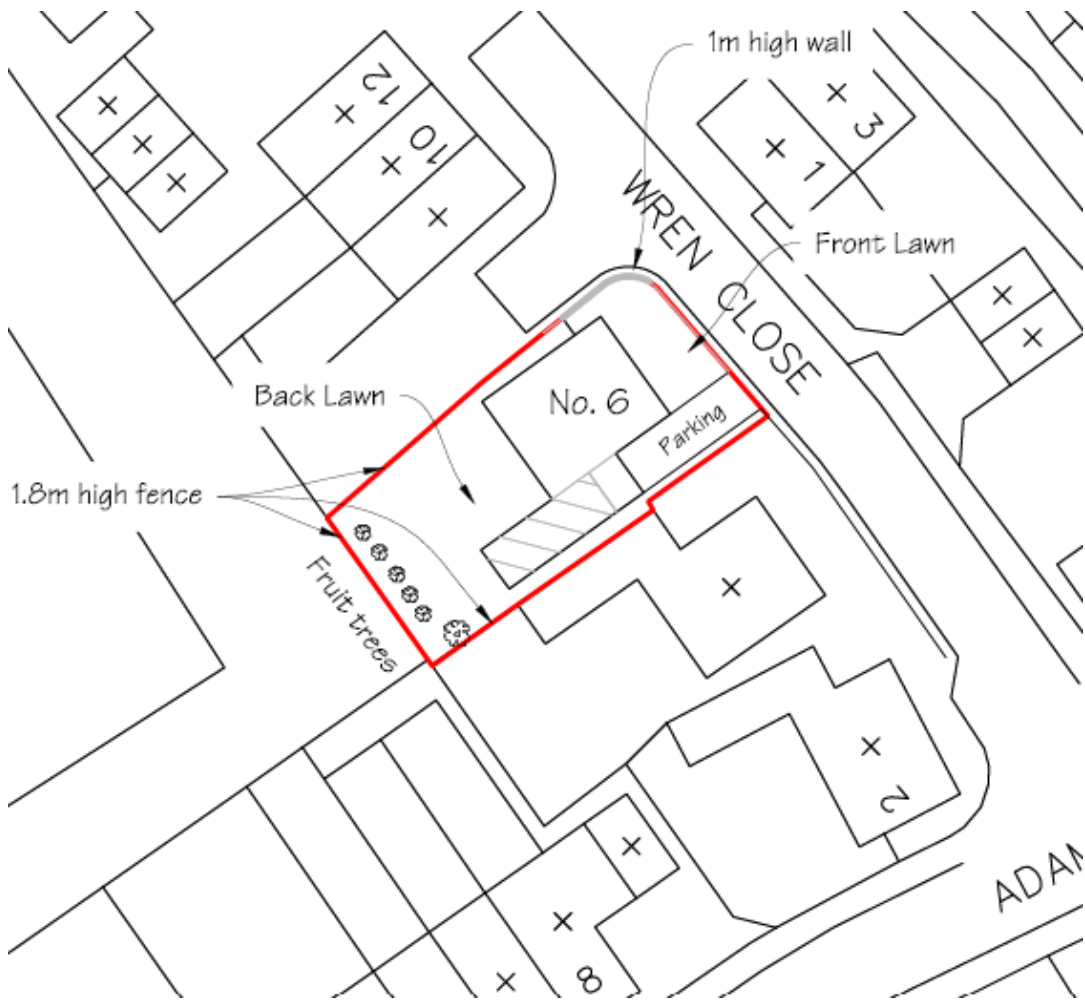
4. The development as a large House in Multiple Occupation exceeding six residents hereby permitted shall not commence until a written property management plan (PMP) and waste management plan (WMP) has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved details.

The management plans shall include:

- a) Details of who is responsible for the management and control of these premises, including the maintenance and up-keep of gardens and external areas. This should include a contact telephone number and email address in the event of any complaints;
- b) Arrangements for maintaining a record of all complaints received about the behaviour and/or conduct of future occupiers in relation to any incidents of alleged noise nuisance or anti-social behaviour;
- c) Details of any signage to be erected on the site displaying a contact telephone number and email address of the person responsible for the accommodation, in the event of a complaint;
- d) Detailed arrangements for the handling of student arrivals and departures at the start and end of the academic year, including the delivery and removal of personal possessions;
- e) Detailed arrangements for the allocation of car parking spaces to tenants on and of site;
- f) Details of the arrangements for the storage and collection of waste arising from the proposal;
- g) Details of student behaviour contracts to form part of the occupiers' tenancy agreements;
- h) Details of the arrangements for on-site security; and
- i) Arrangements for an on-going programme to monitor and review the effectiveness of the PMP.

REASON: To ensure the scheme provides sufficient secure bin storage and that the property is managed satisfactorily in the interests of visual and neighbour amenity, in accordance with Planning Policy CS2 of the Core Strategy, HSPD 12 and Planning Policy DS5 of the emerging draft Local Plan.

APPLICATION SITE



west. The concrete roads and hard standing evident in the historic photograph can still be seen on the site today.

2.6 The application site is located within the countryside and also within the Wolds Landscape Character Area and within a Mineral Safeguarding Area.

3 Description of the proposal

3.1 The application seeks retrospective planning permission for the following:

- A change of use of an area of the disused runway for the storage of motor vehicles (Use Class B8);
- Erection of a 2 metre high V mesh security fencing around the application site;
- Erection of administration and facilities building used for serving and inspecting the vehicles;
- Provision of Surface Mounted Wash Pad; and
- Installation of 7 modular cabins. Two of which form the gatehouse buildings where vehicles are checked in and out, one is used as an office with the remaining four joined together to form a staff room

3.2 The site is operated by an Online Vehicle Auction Group and is principally used for the storage of vehicles sold via the online auction. The inspection and valeting of the cars is carried out as an ancillary use. There is no direct public sales from the site, with vehicles moved in bulk via car transporters to off site distribution points. An average of 10 transporters visit the site each day with individual vehicle movements typically restricted to staff movements.

3.3 The application is supported by a transport assessment setting out the number, nature and frequency (timing) of vehicle movements associated with the site, and their anticipated routing.

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), the Minerals and Waste Local Plan (2019) and the Wolds Villages Neighbourhood Plan 2021.

4.2 The policies applicable to this application are as follows:

Charnwood Local Plan Core Strategy 2015

- Policy CS1 Development Strategy
- Policy CS6 Employment and Economic Development
- Policy CS10 Rural Economic Development
- Policy CS11 Landscape and Countryside
- Policy CS14 Heritage
- Policy CS18 The Local and Strategic Road Network

- Policy CS25 Presumption in favour of sustainable development

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

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 TR/18 Parking in New Development

4.4 The Wolds Village Neighbourhood Plan 2021

- Policy WV1 Landscape Character and Locally Important Views
- Policy WV7 Heritage Assets
- Policy WV16 Design
- Policy WV17 Transport

Minerals and Waste Local Plan (2019)

4.6 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.

4.7 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.

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

5 Other material considerations

The National Planning Policy Framework (NPPF 2023)

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 6: Building a strong, competitive economy
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting Sustainable Transport

- 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

Planning Practice Guidance

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

National Design Guide

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

Leicestershire Highways Design Guide

- 5.4 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.

Landscape Character Appraisal

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

Conservation of Habitat and Species Regulations 2010 (as amended)

- 5.6 The Council as Local Planning Authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed by the development)

then the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England.

Equality Act 2010

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

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

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

The Draft Charnwood Local Plan 2019-37

- 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 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.
- 5.11 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).
- 5.12 The following policies are considered applicable to this application, and the weight they can be assigned is addressed in the 'Planning Considerations' part of this report.

- Policy DS1: Development Strategy
- Policy C1: Countryside.
- Policy E1: Meeting Employment Needs
- Policy E3: Rural Economic Development
- Policy T2: Car Parking Standards
- Policy CC1: Flood Risk Management
- Policy CC2: Sustainable Drainage Systems (SuDS)
- Policy CC5: Sustainable Transport
- Policy EV1: Landscape
- Policy EV6: Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV8: Heritage
- Policy INF2: Local and Strategic Road Network

Planning Guidance for Biodiversity (June 2022)

- 5.13 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 site, given the variety of uses within it has an extensive planning history. However, none are specifically relevant to this application.

7 Responses of Consultees & Other Comments Received

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

Consultee	Response
Leicestershire County Council as Lead Local Flood Authority	An FRA has been provided. Since there is no proposed change regarding impermeable area, the current surface water regime will remain. Therefore, the existing drainage system is to be utilised. Conditions requested regarding water management during construction and long term maintenance of the drainage system
Leicestershire County Council – Highways	Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2023), subject to conditions. These highway observations are in response to the Transport Assessment which has been submitted. Traffic Flows: The proposed development would result in 80 two way

Consultee	Response
	<p>movements per day with a limit of 10-15 movements per hour period. Whilst no breakdown per AM/PM peak periods has been supplied, the Local Highways Authority is satisfied that the proposed development would not result in more than 30 two-way trips in any peak period. The Local Highways Authority therefore advise that on this basis, no further trip generation analysis is required.</p> <p>Junction Capacity:</p> <p>The applicant has demonstrated splays of 2.4m x 160m and 4.5m x 160m in both directions of the site access. The splays are contained within the highway boundary or land within the Applicants ownership. In accordance with the LHDG the demonstrated splays are acceptable for vehicles travelling up to 53 mph. Prestwold Lane is a classified C road subject to a 40mph speed limit, the demonstrated splays are therefore acceptable.</p> <p>From drawing number 23031-02-01 the vehicle tracking demonstrated using the largest vehicle expected to access the site, that being a Car Transporter with an over length of 20m and width of 2.5m.</p> <p>The tracking demonstrates marginal overhang of the vehicles body immediately opposite the site access when accessing the site from a southern direction. Present in this location is a narrow footpath which measures to be approximately 1.8m in width from the above drawing, the footway provision on this side of Prestwold Lane terminates at this point also.</p> <p>Upon consideration of the location of the development site and noting that this footway does not provide a connection to any immediate local amenities, it would unlikely be highly trafficked by pedestrians.</p> <p>Presently in this location is an existing dropped crossing therefore any overhang would not obstruct an existing raised kerbs thus not incurring any unnecessary maintenance burden.</p> <p>The Transport Assessment notes that the site could generate up to 5 trips per day undertaken by the above mentioned vehicle transported, movements of this nature would therefore be considered infrequent. The Local Highways Authority therefore considers on</p>

Consultee	Response
	<p>balance, that the existing access already caters for HGV movements in conjunction with the wider site, the Local Highways Authority is satisfied that the existing access can suitably accommodate for the proposals. The Local Highways Authority advises the following conditions are required:</p> <ul style="list-style-type: none"> • Maintenance of sightlines • Provision of 10 parking spaces on site
LCC Mineral Planning Authority	<p>No Objection: In addition, the site lies partially within a Mineral Safeguarding Area for gypsum, therefore Policy M11: Safeguarding of Mineral Resources of the Minerals and Waste Local Plan is relevant. However, while the proposed development may sterilise mineral, the nature, scale and location of the proposal does not raise significant safeguarding concern. A Minerals Assessment is not required in this instance and the County Council does not object.</p>
Charnwood Borough Council Environmental Health	No objections
Charnwood Biodiversity	No objections
National Grid	No objections

Ward Councillor and Parish Council Response	
<p>Cllr Bokor (Ward Councillor)</p>	<p>Notes the concerns regarding highway safety from both Parish Council's and suggests traffic should be routed through the industrial estate to the east rather than onto Prestwold Lane.</p>
<p>Burton on the Wolds, Cotes & Prestwold Parish Council</p>	<p>Object, on the following grounds:</p> <ul style="list-style-type: none"> • Request that traffic from this development does not access the site via Burton on the Wolds. There is significant concern about the impact of the increased traffic relating to this application on the local roads and especially those passing through the village. • There are temporary structures relating to the operations but it is believed that these have become permanent structures due to the passing of time from when the operations commenced through to the present day. This is becoming a permanent operation by stealth. • There are a huge number of vehicles stored on the site related to the application and the volumes of transporters accessing the site, to

	<p>move the vehicles both on and off site, is creating an adverse impact on the local roads. These vehicle transporters should not be allowed to turn and pass through the village.</p>
<p>Hoton Parish Council</p>	<p>The Parish Council has concerns with an increase in volume of traffic and the site access.</p> <p>Hoton has a longstanding issue with traffic within the village and it remains a concern that is highlighted by both villagers on a regular basis and a topic of discussion/action at Parish Council meetings. Therefore this planning application causes us further concern with the anticipation of an increase in vehicles using the village to reach their destination. The volume of traffic utilising both the site access point and travelling through the village has increased enormously and rapidly in recent years. On top of a longstanding issue with the volume of traffic within the village, we have seen an increase of events on the site, which brings both vehicles transporting items to and from the site for the events and participants of the events.</p> <p>HDT who occupy premises on the site have increased their vehicle capacity from 3 to 20+ with all of these vehicles traveling through the village to the access point numerous times throughout the day. The Fleet Auction Group have again greatly increased the capacity of vehicles traveling through the village and utilising the access point and we have been informed that the site is currently working at low capacity, which therefore means the volume of vehicles will increase.</p> <p>As you can appreciate this raises concerns for us both in terms of physical volume of vehicles but also environmentally and in a health and safety capacity. The levels of traffic should not be detrimental to the rural infrastructure or health & safety of the village and we feel the increase in traffic will impact both. Many of the junctions in and around the village were not built to withstand large vehicles and this causes concerns with health and safety due to the ability of these vehicles being able to negotiate the junctions safely and without causing harm to both people and vehicles and damaging the village infrastructure i.e. curb stones and roads, which has happened on many an occasion.</p>

	<p>Whilst we have no issue with the Fleet Auction Group or the Prestwold Estate, we do have concerns with the increase in traffic approving this planning application will cause for the village. Through discussions with the owner of the Fleet Auction Group, the owner of the Prestwold Estate and the site Manager it has been highlighted to the Parish Council that with some investment from them both, there is a more suitable access road located on the other side of the site that they expressed favour in exploring.</p> <p>This alternative access point is by far more suitable for such a vehicle capacity and we urge this to be explored further and reviewed by the Council when considering this planning application.</p>
Responses to publicity	
From	Comments
<p>One letter of objection received (from a resident of Hoton)</p>	<p>The site erected for Fleet Auctions, was done knowingly without planning permission. Although current access to it is off the Prestwold Road, an existing gateway has been opened up and improved off the Wymeswold Road. It will, I have no doubt, become more used as this site is developed further. This is a quiet country road that takes local traffic and some transport of goods to and from Hoton Stores.</p> <p>In those months lorry bodies started to be stored along the edge of the airfield.</p> <p>The numbers increased and kept increasing. They are a real eyesore, this storage area is OUTSIDE of the site location that planning has been applied for. The airfield manager advised temporary storage, under the 28 day rule, and the lorry bodies were awaiting collection by their new owners. They continue to be there, they come they go in a kind of rotating storage facility .</p> <p>Also, there is more of the same further along the edge of the airfield but still adjacent to the road towards Wymeswold. Here storage is more intermittent and behind just two rows of solar panels so still visible.</p> <p>They are ugly, there are way too many, the whole appearance from the road gives the impression of one huge long haulage scrap yard.</p>

	<p>Although the hedging will be in leaf for some months of the year and partially screening this eyesore, it won't be enough.</p> <p>My concerns are that the Wymeswold to Hoton road will become busier and will have too many transport vehicles turning in and out.</p> <p>That the site was built there with no surveys undertaken whatsoever, of any kind, as they would be if planning was applied for first. The environmental and wildlife impact needs to be addressed and particularly nesting birds at this time. The development wilfully flaunted the rules and made a mockery of our planning system.</p>
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8 Consideration of the Planning Issues

- 8.1 Section 70(2) of the Town and Country Planning Act 1990 requires the decision taker to have regard to the development plan, so far as it is material to the application. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that: "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 8.2 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), the Minerals and Waste Local Plan (2019) and the Wolds Villages Neighbourhood Plan (2021).
- 8.3 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 generally up to date and compliant with national guidance. There is no reason for these to be given reduced weight.
- 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:
- The Principle of the Development
 - Impact on the character and appearance of the countryside and visual amenity
 - Impact on residential amenities
 - Parking and Highway Safety

- Biodiversity

9. Key Issues

9.1 Principle of the Development

- 9.1.1 The principle of development is guided by Policy CS1 of the Charnwood Core Strategy (2015), which outlines the development strategy for the borough and the distribution of sustainable growth.
- 9.1.2 Policy CS1 defines a hierarchy of settlements for the Borough. After the Leicester Principal Urban Area Loughborough and Shepshed are expected to provide for the majority of the remaining growth.
- 9.1.3 Saved Local Plan Policy ST/2 and Proposals Map of the Charnwood Local Plan identify Limits to Development for various settlements in the Borough. This site sits outside the limits of development for Loughborough.
- 9.1.4 Policies CT/1 and CT/2 allow development outside the limits defined by ST/2 in very limited defined circumstances. Saved Local Plan Policy CT/1 explains that development within the countryside, as areas of generally open land, will be strictly controlled. It identifies a range of uses that are permissible in the countryside. These include those which “facilitate the diversification of the rural economy” but other exceptions relate to agricultural and leisure uses, and key infrastructure. It is therefore considered that the development is contrary to this part of the Development Plan.
- 9.1.5 Policy CS10 of the Core Strategy provides for sustainable growth and expansion of businesses economic growth in rural areas provided that the scale and character of the development is designed and operated so as to cause no detriment to the character and appearance of the countryside. Policy CS10 of the adopted Core Strategy identifies a range of uses support which includes “supporting the sustainable growth and expansion of businesses in rural areas, both through conversion of existing buildings and well-designed new buildings” but its other criteria are not applicable. The development is not considered to represent ‘sustainable growth and expansion’ as it is not connected to other, existing, businesses but is separate and, so far as understood, independent of them. Nor does it comprise ‘the conversion of existing buildings and well-designed new buildings’.
- 9.1.6 The submitted draft Local Plan 2021-37 is a material consideration. Policy DS1 defines a future development strategy for the Borough. At this date it carries limited weight due to the nature and extent of unresolved representations made during the Independent Examination. It is supportive of sustainable development within the defined Limits to Development and allocations defined in that plan. The application site is outside the Limits to Development, and in the Countryside. Policies for the Countryside include C1, which carries moderate weight. No further discussion of that policy is planned, and there are no unresolved representations. It is consistent with NPPF paragraphs 11, 16, 20, 23, 80, 84 and 174. Policy C1 aims to protect the

largely undeveloped character of the countryside, whilst providing for some limited forms of development. The form of development proposed herein is not amongst those exceptions and is therefore in conflict with the policy.

- 9.1.7 Draft Local Plan Policy E3 supports “small scale, sustainable growth and expansion of existing businesses in rural areas both through conversion of existing buildings and well-designed new buildings” (its other objectives not applicable). It has limited weight at this date but is consistent with NPPF paragraphs 84 & 85. Similarly emerging Policy C1 supports rural economic development which has a strong relationship with the operational requirements of agriculture, horticulture, forestry and other land-based industries by supporting development for the reuse and adaptation of rural buildings and small scale new built development) and for the same reasons as Core Strategy Policy CS10 above, it is not considered that support is achieved from these policies.
- 9.1.8 The NPPF paragraph 219 guides decision makers give due weight to policies, according to their degree of consistency with the Framework. The most important policies for determining the application are up-to-date, and consistent with the NPPF.
- 9.1.9 The NPPF para 84 encourages “the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings”, however the development does not comprise either ‘the conversion of existing buildings’ or ‘well-designed ‘buildings’.
- 9.1.10 It is acknowledged that the site is situated in the open countryside and the relevant countryside policies do not make provision for the type of use proposed. However, whilst it may be desirable, the provision of large areas of land for the storage of vehicles within settlements limits is not always practical or achievable.
- 9.1.11 It is a material consideration that the former airfield has a number of lawful commercial and industrial uses across the site. It is considered that whilst storage of vehicles would be a new type of development on the site, it is keeping with the character of the existing use of the site.
- 9.1.12 The scale of the storage facility, whilst large, is not substantial when considered in the context of the wider site. Due to its location, it is mostly screened from the wider area and reads as being another use within established commercial and industrial use of the former airfield as a whole.
- 9.1.13 Given the above context, it is considered that despite the proposal not according with Policy CS10 of the Core Strategy, saved Policy CT/1 of the Local Plan, Policies C1 and E3 of the Draft Charnwood Local Plan along with the NPPF, the circumstances of the application site in terms of its surrounding uses and ‘brownfield’ status are material considerations of such significance to justify a departure from their terms (in principle). This is providing that the character and appearance of the countryside are not damaged by the scale and character of the development, and other policy requirements, which are is discussed later in this report.

9.2 Landscape and Visual Impact

- 9.2.1 Policies CS11 (Landscape) of Charnwood Core Strategy and saved Policies CT/1, CT/2 and require that new development does not harm the character and appearance of the countryside. Saved Policy EV/1 seeks to ensure a high standard of design that respects and enhances the area and is of a scale, mass, and design that is compatible with the locality. These policies generally accord with the National Planning Policy Framework and do not directly impact on the supply of economic development projects. 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 Core Strategy Policies CS2 and Wolds Neighbourhood Plan Policy WV16 include the requirement to provide high quality design, require new developments (inter alia) respect and enhance the character of the area, having regard to scale, density, massing, height, landscape and layout. Wolds Neighbourhood Plan Policy WV1 requires development to conserve or enhance the local landscape.
- 9.2.3 Emerging Local Plan Policies EV1 and C1 are concerned with protecting the landscape, its local distinctiveness and ensuring new development does not result in visual harm. Policy EV1 (Landscape) can be afforded moderate weight, given the nature and hearing of representations, and its consistency with NPPF paragraphs 20 and 130. Emerging Local Plan Policy DS5 (High Quality Design) can be afforded moderate weight, given that there are no unresolved representations, and its consistency with NPPF paragraph 130.
- 9.2.4 As referred to above, Policy CS10 of the Core Strategy and supports businesses, provided that the development causes no detriment to the character and appearance of the countryside.
- 9.2.5 Emerging Local Plan Policy E3 (Rural Economic Development) will succeed CS10. Also qualifies its support to development that is not detrimental to the character and appearance of the Countryside in terms of its scale, character or operational requirements.
- 9.2.6 Development proposals should make a positive contribution to Charnwood, assessed across a range of design measures, including the appearance, mass and scale of buildings, and landscape. New developments should protect landscape character, having taken account of local Landscape Character Assessments. It is acknowledged that industrial buildings need to be large in scale in order to serve their purpose, which makes the mitigation of potential landscape harm more difficult.
- 9.2.7 Policies C1 and E3 of the Draft Local Plan support new small scale development in the countryside as discussed above, but seek to ensure that the landscape is not harmed by such proposals. This is also reflected by draft Local Plan Policy EV1 which requires new development to “protect landscape character and to reinforce sense of place and local distinctiveness”.

9.2.8 The application site lies within the Wolds Landscape Character area which is a large scale rolling landscape with exposed ridges with small villages and isolated farmsteads. The landform is punctuated by woods, copses/spinneys and hedgerow trees. Agriculture is dominated by pasture, meadow and arable. Ash, oak and sycamore predominate as high canopy species.

9.2.9 Guidance for this character area of relevance includes:

- Conserve and enhance the rural character of the rolling Wolds landscape
- Conserve long distance views across the landscape, particularly of the crest of ridges
- Focus built development within valleys and lower slopes to avoid breaking of horizon lines
- Carefully manage development in prominent locations to minimise the impact on the open rolling landscape character of the Wolds
- Enhance tree cover by encouraging the planting of trees within field hedgerows
- Take opportunities to increase tree cover around farmsteads, large farm buildings and rural dwellings to provide shelter and assimilate into the rolling landform
- Strengthen the distinctive rural character of the Wolds by encouraging the removal of particularly tall non-native trees from prominent locations in the open countryside, and replacing with native trees where possible
- Preference will be given to the use of trees and shrubs that are locally native to the Wolds character area in planting schemes
- Hedgerows and hedgerow trees to grow on as standards
- Small woodland planting.

9.2.10 It is acknowledged that in ordinary circumstances the provision of such a large area of vehicle storage on an open area of land with ancillary buildings within the countryside would be undesirable due to its likely impact on the wider landscape. However, the application site is set within the former airfield towards the centre with the main vehicle storage area surrounded by the solar farm and therefore doesn't read as an isolated development in the open countryside. The site is set 650m from the boundary with Prestwold Lane and is entirely screened from this viewpoint. To the north, intervening glimpses across the site can be achieved from Wymeswold, however the appearance of the vehicles is somewhat masked by the much larger Solar Farm. To the east views of the development are screened by the Wymeswold Industrial Estate and solar Farm. To the south sits Prestwold Hall and its Park. The closest part of the development is circa 300m away from the boundary with the Park. Given that the Park extends along much of the southern boundary of the former airfield, views of the development are obscured from this viewpoint.

9.2.11 Public footpath H92a runs through the parkland where intervening glimpses of the development could be achieved through the Park landscaping. Given that the development is circa 500m away from the footpath and also screened by the solar farm it is not considered that quality and tranquillity of the footpath adversely impacts upon user experience.

9.2.12 Overall, whilst the development is within a countryside location where the rural landscape should be protected and development should be sympathetic, the development is almost entirely screened from view. Given this and the context of the existing lawful uses on and around the site, it is considered the development does not result in harm to the character and appearance of the landscape or its distinctiveness. Indeed, it is complementary to its character, now dominated by the solar farm and other commercial activities.

9.2.13 The development is therefore considered to comply with the provisions of policies Core Strategy Policies CS2, CS10, CS11, Saved Local Plan Policies CT/1 CT/2, EV/1, policies WV1, and WV16 of the Neighbourhood Plan, and draft Local Plan policies C1, EV1 and E3 in terms of impact on the countryside and landscape. There is also no conflict with the Landscape Character Assessment.

9.3 Impact on residential amenities

9.3.1 Policy CS2 of the Core Strategy, saved Policy EV/1 of the adopted Local Plan, Policy DS5 of the Draft Local Plan and the NPPF seek to protect the amenity of nearby residential properties.

9.3.2 The nearest independent residential properties are on the opposite side of Wymeswold Road to the north with the nearest dwelling being approximately 100m north of the application site. Given this distance, the intervening landscaping and solar farm use, these dwellings are not impacted by the development in terms of loss of privacy, light or outlook.

9.3.3 With regards to noise, concern has been expressed regarding vehicle movements to and from the site and the likely disturbance from the intensification of the road network as a result of the development. The road network around the site is formed of unrestricted classified roads. As discussed below the Highway Authority has commented that the road network is suitable for this type of development and does not seek to secure any off-site highway improvements to mitigate the impact of the proposal. There have also been no concerns raised regarding noise from the Environmental Health Officer. However, given the semi-rural location of the site it is acknowledged that in the evenings the level of traffic noise is likely to reduce in the locality and this could be interrupted by noise from, particularly, empty car transporters using the site. To overcome this issue, it is recommended that no deliveries or collections of vehicles should take place between the hours of 6:30pm – 8:00am Mondays to Saturdays or at any time on Sundays or Bank Holidays.

9.3.4 Whilst a request has been received for vehicles to be diverted away from the local villages or an alternative access be found, it is not considered reasonable in this case. This is because the road surrounding network is unrestricted and can accommodate larger vehicles. The other lawful uses on the site also generate a number of vehicular movements in the locality, meaning it would be difficult to identify a negative impact from movements associated with the use proposed when the current vehicular movements from the former airfield are taken as a whole.

The Highway Authority has also reviewed the proposal and is satisfied that the proposal will not result in an unsatisfactory intensification of the highway network.

9.3.5 Taking account of the above, it is considered that the proposal would accord with Policies CS2 of the Core Strategy and saved Policy EV/1 of the Borough of Charnwood Local Plan, Policy DS5 of the Draft Local Plan, the NPPF and the Design SPD in terms of residential amenity.

9.4 Parking and Highway Safety

9.4.1 Policies CS2 of the Core Strategy and TR/18 of the Local Plan seek to ensure safe access is provided to and around new development. Neighbourhood Plan Policy WV17 requires new development to provide suitable access arrangements. 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.

9.4.2 Paragraph 111 of the NPPF states that; new development should only be resisted on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe.

9.4.3 The submitted proposals have been amended throughout the application process following consultation with the Leicestershire County Highway Authority. The following final comments have been provided as set out in section 7 above.

9.4.4 Planning conditions are requested to implement improved sightlines at the access and provision of 10 parking spaces. The former can be imposed with an implementation timetable, the latter already exists and planning conditions can require their permanent availability.

9.4.5 Consequently, the proposed development is considered to be in accordance with Policies CS2 and CS18 of the Core Strategy, TR/18 of the Local Plan, WV17 of the Neighbourhood Plan and emerging local plan policy T3 which seek to ensure safe access is provided to new development and suitable parking provision. Furthermore, the proposal would not have a severe highway impact as set out in Paragraph 111 of the NPPF and would accord with the provisions of the Leicestershire Highways Design Guide where appropriate.

9.5 Heritage

9.5.1 Core Strategy Policy CS14 along with Wolds Neighbourhood plan Policy WV7 seeks development to conserve and enhance historic assets 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. Emerging Local Plan policy EV8 Heritage seeks to protect and enhance heritage assets and prevents harm to their significance and setting. Wolds Neighbourhood Plan Policy WV7 is concerned only with non-designated heritage assets.

- 9.5.2 The Planning (Listed Buildings and Conservation Areas) Act 1990 provides a statutory duty for local authorities to have special regard to Listed Buildings, including their setting. 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
- 9.5.3 Paragraph 199 of the NPPF states that great weight should be given to the asset's conservation and para 202 that when considering the impact of a proposed development on the significance of a heritage asset any harm should be weighed against the public benefits of the proposal.
- 9.5.4 Prestwold Hall and its associated buildings are Grade II Listed Buildings and as such designated heritage assets. Their significance can be set out as follows:

Hall

- *Remodelled by William Burn in 1842-4 but incorporating a mid C18 H-plan house which influenced Burn's plan and choice of style.*
- *Is of interest as one of Burn's earlier English commissions*
- *The earlier brick house has been replaced and extended using Ancaster stone, ashlar throughout with angle quoins, sill courses and a modillion eaves cornice with balustraded parapets.*
- *The entrance (west) front is 3 storeys, 3-3-3, with the central bays recessed. In the centre is a projecting porte cochere, Roman Doric with 4 columns, triglyph frieze and cornice*
- *All windows are sashes in shouldered architraves.*
- *To the left, a Doric collonade leads to the return wall of the stable yard and its entrance, The flanking wall is relieved by projecting pilasters, and a plain frieze and cornice*
- *Garden front, 3 storeys, 2-3-3-3. Sash windows with shouldered architraves.*
- *Internally, the finest room is the entrance hall with richly coloured marble walls and coffered ceiling painted in imitation-of Raphael's Vatican grotesques, with arabesques etc.*
- *An arcade opens on to a vaulted corridor leading to a top lit inner hall, these spaces also marbled.*
- *Other rooms include the library, drawing room and dining room, which all have plaster cornices, light plaster panelled ceilings, fine doorcases, and marble fireplaces*
To the rear (North) of the house the service wing extends, forming one range of the stable courtyard.

Stable Block

- *Stable block, forming the North side of stable courtyard, c1840. Brick, with slate roof. A low 2 storeys, 6 bays with 2 central shallow arched carriage entrances, and various windows with stone sills and gauged brick heads*

Garden Walls

- *Garden walls forming terrace 1842-4*
- *Low coped stone walling, with alternating sections of solid ashlar and balustraded parapet*
- *Curved projection in centre of S range, and stone seats incorporated in W and E angles. Ornamented with urns*

North Lodge

- *Picturesque Cottage, 1850. Brick with slate roof and central stack 1½ storeys, asymmetrical road front has projecting gable to right, and a bay of 1½ storeys with gabled dormer and staircase window*
- *All windows have ornamental brick hoodmould a projecting gabled porch with 4-centred arched opening, and beyond this, 2 further latticed windows with hoodmoulds*

Sunday School House

- *Built as a girls' school in 1834 later made into a Sunday school, and now modified to form a dwelling house*
- *1½ storeys, brick with Swithland slate roof, and gable to left.*
- *Central archway beneath gable, hoodmoulds to pointed arched door and to windows, which are triple lancets beneath flat lintels*
- *To left a late C19 extension with similar detailing, gable windows with stone dressing and hoodmoulds, and decorative strapwork over upper window dated with initials CJP over doorway. To right of main facade an additional bay of C20*

Laundry Cottage

- *Cottage, late C16, sole survivor of former village of Prestwold*
- *Timber framed in large panels, 4 x 2 high with arch bracing on a brick and rubble plinth, infilled with wattle and daub and brick.*
- *Thatched roof.*
- *Rear wall has no openings, door and windows (horizontal sliding sashes) along front (E) wall*
- *Built in 2 distinct parts, separately roofed, with brick stack between the 2 parts*
- *Large outshut, also thatched, to North and South*

Church of St Andrew

- *Medieval parish church largely rebuilt 1890 by Sir A. Blomfield*
- *Mainly of random rubble with ashlar dressings but with some coursed rubble walling to S wall of chancel.*
- *Late C14 buttressed west tower with 4 principal stages, 2-light traceried openings to bell chamber, west door and 2-light traceried window above, with corbel heads to hoodmould, decorated frieze below embattled parapet*
- *Nave of 4 bays, all of 1890, random rubble with sandstone dressings, curvilinear tracery to windows, that to SE having a stilted arch*

- *Chancel retains much medieval masonry, showing 2 builds in S wall, and a 2-light reticulated traceried window with shafts*
- Is of interest for being almost the sole reminder of the medieval village of Prestwold

9.5.5 The application site does not physically intrude upon the heritage assets and there is intervening landscaping between the application site and the boundary of the Parkland. This provides a physical break from the development. The land use around the application site is of a commercial/industrial nature meaning the development does not form an isolated development at odds with the immediately locality. The existing lawful uses on the site are also situated closer to the heritage assets than the use subject to this proposal thereby having a greater impact on their setting than the proposal.

9.5.6 Due to the location of the site within the setting the identified designated heritage assets an assessment as to the potential impact on the setting of designated heritage assets must be made. The development does not physically affect any heritage assets and taking into account the above context and with reference to paragraphs 199-204 of the NPPF, it is overall considered that the development would result no harm to the setting of the designated heritage assets either, that of Prestwold Hall and its associated buildings.

9.5.7 The proposal therefore complies with the provisions of Core Strategy Policy CS14, Draft Local Plan Policy EV8, and the NPPF in this regard.

9.6 Ecology and Biodiversity, including trees

9.6.1 Policy CS13 of the Core Strategy seek to conserve and enhance the natural environment with regard to biodiversity and ecological habitats.

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. 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, draft Local Plan policy EV6 can be given only limited weight until the emerging policy is further progressed towards adoption.

9.6.3 Emerging policy EV7 (trees) supports the retention of existing trees and new tree planting and can be afforded moderate weight.

9.6.4 The site is situated in the open countryside. Whilst the wider location of the site could give rise to species of ecological interest being present, the application site and its access are predominantly concrete/tarmac and therefore clear of any vegetation. The Borough Council's Senior Ecologist has been consulted on the proposals and raises no objections on this basis.

9.6.5 No trees are affected by the development.

9.6.6 It therefore not considered that the proposal would result in a significant loss of existing habitat on the site. The trees and hedges in and around the site would be retained which provide some ecological function in the locality. Given this context it is therefore considered that the development does not result in a net biodiversity loss and therefore development complies with the provisions of Core Strategy Policy CS13 and the NPPF along with draft Local Plan policies EV6 and EV7.

9.7 Impact on mineral resources

9.7.1 The site lies partially within a Mineral Safeguarding Area for gypsum, therefore Policy M11: Safeguarding of Mineral Resources of the Minerals and Waste Local Plan is relevant. However, while the proposed development may sterilise mineral, the nature, scale and location of the proposal does not raise significant safeguarding concern. A Minerals Assessment is not required in this instance and the County Council does not object.

10 Conclusion

10.1 Whilst the proposed development is contrary to policies at national, local and Neighbourhood Plan level regarding commercial development in the countryside, it is considered the surrounding environment provides justification for the use of the site, as previously developed land, for the purposes proposed. The development is considered acceptable in principle and in terms of residential amenity, landscape impact, heritage interests and highway safety and there are no tenable reasons to support a refusal of planning permission.

11 **Recommendation**

11.1 It is recommended to grant conditionally, subject to the imposition of the following draft conditions and reasons and that the Head of Planning and Growth be given delegated authority to determine the final detail of planning conditions, in consultation with the Chair of the Plans Committee:

Recommended Conditions:

1 The following plans are hereby approved:

- a) Location Plan (A0L-2210-PLA66-L01)
- b) Existing Site Plan (A0L-2210-PLA66-L01)
- c) Existing Elevation Building 1 (A1L-2210-PLA66-E02)
- d) Existing Elevation Building 2 (A1L-2210-PLA66-E03)
- e) Existing Elevation Building 3 (A1L-2210-PLA66-E04)
- f) Existing Elevation Building 4 (A1L-2210-PLA66-E05)
- g) Existing Elevation Building 5 (A1L-2210-PLA66-E06)
- h) Existing Elevation Building 6 (A1L-2210-PLA66-E07)
- i) Pump Statetin450 LT (17-001-001)
- j) Installation Operation Guidelines (013488 GL0113B-07 E6 - E18)
- k) Fencing Details (V- Mesh Ribbed Fencing System)
- l) DTA drawing number 23031-02

2 REASON: To define the terms of this permission

3 The land shall be used only for the storage of motor vehicles and its associated ancillary use and for no other purpose, including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, without the prior consent of the Borough Council.

REASON: To ensure that the use remains compatible with the surrounding area in accordance with policies CS2, CS10 and CS11 of the Charnwood 2011-2028 Core Strategy, saved policies CT/1, CT/2 and E/V1 of the Borough of Charnwood Local Plan (2004), policies WV1 and WV16 of The Wolds Villages Neighbourhood Plan, emerging Charnwood Local Plan 2021-37 Policies C1 and D5, the Council's adopted Design Supplementary Planning Document and the National Planning Policy Framework (2023).

4 There shall be no delivery of vehicles to or from the site at any time other than between 0800 hours and 1830 on weekdays, 0800 hours and 1300 hours in Saturdays or at any time on Sundays or Bank Holidays.

REASON: The development is close to the rural village of Hoton and a restriction on the loading and unloading of vehicles and the resultant vehicle movements at times when neighbouring residents are likely to suffer the greatest disturbance and loss of amenity is necessary in accordance with policies CS2 of the Charnwood 2011-2028 Core Strategy, saved policy E/V1 of the Borough of Charnwood Local Plan (2004), policy WV16 of The Wolds Villages Neighbourhood Plan, emerging Charnwood Local Plan 2021-37 Policy T3, the Council's adopted Design Supplementary Planning Document and the National Planning Policy Framework (2023).

5 Within two months of the date of this planning permission the access arrangements shown on DTA drawing number 23031-02 shall be implemented in full. Visibility splays shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety and in accordance with policies CS2 and CS18 of the Charnwood 2011-2028 Core Strategy, saved policy E/V1 and TR/18 of the Borough of Charnwood Local Plan (2004), policy WV17 of The Wolds Villages Neighbourhood Plan, emerging Charnwood Local Plan 2021-37 Policy T3 and the National Planning Policy Framework (2023)

6 Notwithstanding the submitted details, within two months of the date of this

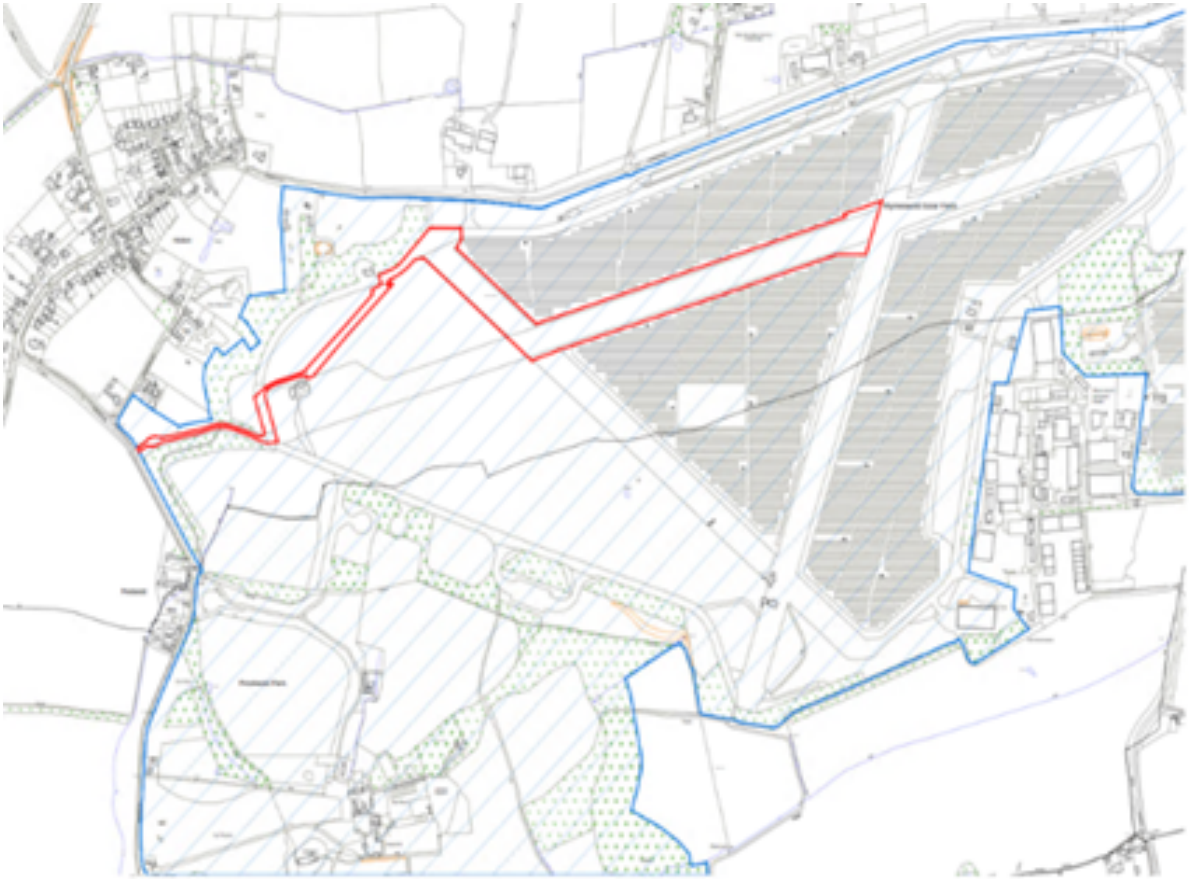
planning permission, 10 off-street car parking spaces along with parking (including turning facilities) for 2 HGV's shall be provided, hard surfaced (and demarcated) and made available for use within the application site. Thereafter the onsite parking (and turning) provision shall be maintained and kept available for such use 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 policies CS2 and CS18 of the Charnwood 2011-2028 Core Strategy, saved policy E/V1 and TR/18 of the Borough of Charnwood Local Plan (2004), emerging Charnwood Local Plan 2021-37 Policy T3 and the National Planning Policy Framework (2023).

- 7 No public access to the site for either the viewing, purchasing or collection of vehicles shall be allowed at any time.

REASON: To avoid an intensification of unsustainable vehicle movements in the countryside location and to prevent noise and disturbance to nearby residents in accordance with policies CS2, CS10 and CS11 of the Charnwood 2011-2028 Core Strategy, saved policies CT/1, CT/2 and EV/1 of the Borough of Charnwood Local Plan (2004), policies WV16 and WV1 of The Wolds Villages Neighbourhood Plan, emerging Charnwood Local Plan 2021-37 Policies C1 and D5, the Council's adopted Design Supplementary Planning Document and the National Planning Policy Framework (2023).

APPLICATION SITE



Plans Committee Date: 14th December 2023

Item Number:

Application Reference Number: P/22/2227/2

**Date Valid:
12/12/2022**

Application Type: Full
Applicant: Mr P Newbury
Proposal: Outline Application for the erection of 8no dwellings (Access only)
Location: 238B Barrow Road Sileby

Parish:	Sileby	Ward:	Sileby
Case Officer:	James Mountain	Tel No:	07713 323437

1 Background

1.1 This application is referred to Plans Committee in accordance with the scheme of delegation because the proposed development site is situated beyond the limits of development of Sileby (as defined by Policy G1 of the Sileby Neighbourhood Plan 2022 and saved Policy ST/2 of the charnwood Local Plan 2004) and therefore lies within designated 'countryside'. The proposal represents a departure from the development plan and the officer recommendation is one of approval.

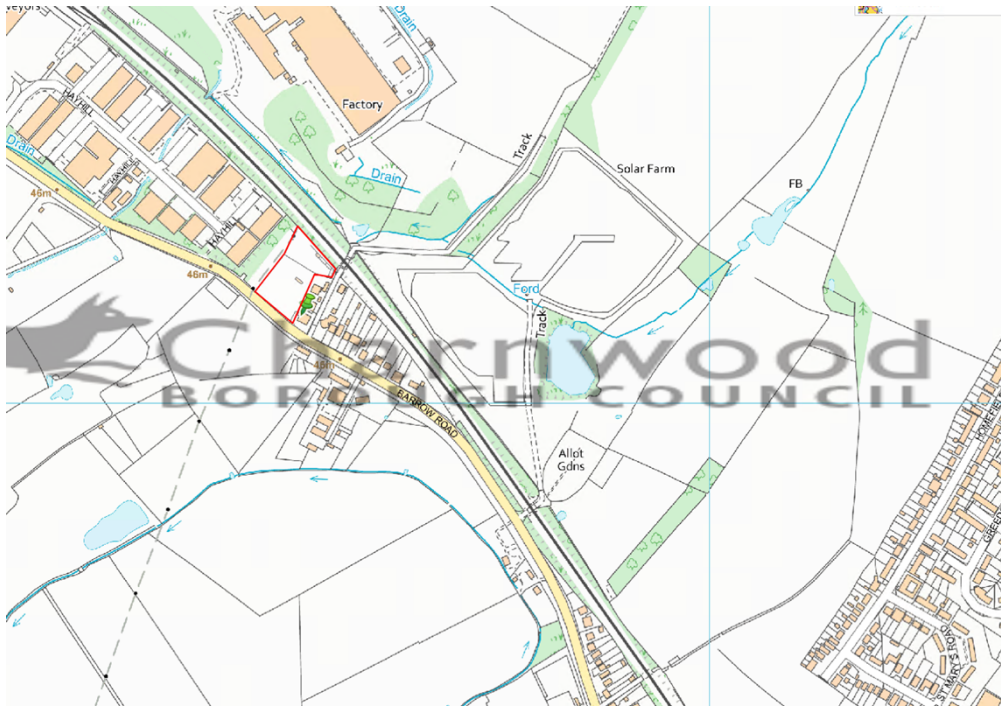
2 Description of the application site

2.1 The application site relates to land at 238B Barrow Road, which is situated on the western edge of the Parish of Sileby. While the site relates closely to eastern edge of Barrow upon Soar it is within the boundary of the Sileby Parish and therefore the Sileby Neighbourhood Plan applies. The site contains one large dwelling on the frontage and large gardens to the side and rear which have been used historically for the rearing and training of greyhounds. The dwelling on the front of the site was granted planning permission for a change of use in 2003 to be converted into 5 apartments and a bungalow was constructed to the rear. A further bungalow was constructed to the rear of that in 2015 and the wider grounds associated with No. 238 retained by the owner who now resides within No. 238B, one of the bungalows.

2.2 No. 238 occupies a building line consistent with approximately a dozen dwellings situated to the south east. To the north west is a brief gap in frontage development before giving way to high voltage overhead power lines and industrial development on the Hayhill Industrial Estate, Barrow. The south west side of Barrow Road, opposite, is open agricultural land, used for grazing and to the north east lies a railway line. The site is not deemed to be within Sileby or Barrow as settlements and therefore lies outside of and is physically detached from the Development Limits of either settlement as defined by their

respective Neighbourhood Plans, and is therefore located within the designated 'countryside'.

- 2.3 The site as shown below consists of an area of land, measuring approximately 0.5 Ha. in extent. It is tree lined from Barrow Road with dense tree cover on the south west and north west boundaries. The site is currently accessed from a shared driveway which serves 238, 238A and 238B and contains a number of structures associated with the previous use of the site for rearing and training greyhounds; kennels, runs etc.



Site location overview

- 2.4 The front section of the site is elevated slightly from Barrow Road and reaches a plateau approximately where the existing frontage to 238B is located and then slopes gently down to the north west boundary. The site is bound with close boarded fencing on the boundary, with the railway embankment elevated in comparison beyond. The site is bound by a timber close boarded fence from Barrow Road, with tree and hedge planting limiting views into and out of the site. The trees are subject of a Tree Preservation Order made in 1993 and the green frontage of the site makes a positive contribution to the appearance of this part of Barrow Road.
- 2.5 The front half of the site has an appearance of more domestic garden with the rear section more so associated with the previous dog training use, albeit still containing domestic sheds and log stores in addition to dog kennel areas.
- 2.6 The application site lies within a Minerals Safeguarding Area (MSA) for sand and gravel and according to government mapping, lies within Flood Zone 1, this being land at least risk of flooding. The development does not affect a listed building or a Conservation Area but is within an area of Archaeological Interest.

3. Description of the proposal

3.1 The application seeks Outline Planning Permission for the erection of 8 dwellings with all matters except access reserved. Notwithstanding the above the applicant has provided an indicative layout plan and states the intention for plots 5-8 to be 2 bed bungalows, plots 2-4 to be 3 bed dwellings and on plot 1 a 4 bed dwelling. A new access is proposed approximately centrally in the existing garden frontage with dwellings positioned either side of the drive.



Indicative layout plan

3.2 The application is accompanied by:

- An Arboricultural Survey
- A Flood Risk Assessment and drainage Strategy application.
- A Preliminary Ecological Appraisal (Updated February 2023)
- A Biodiversity Impact Assessment (submitted October 2023)
- A Noise Assessment (submitted October 2023)
- A Road Safety Audit (submitted July 2023)

4. Development Plan Policies

4.1 The Adopted Local Plan for the area comprises the Charnwood Local Plan 2011-2028 Core Strategy 2025 (CS), the saved policies of the Charnwood Borough Local Plan 2004 (LP), The Sileby Neighbourhood Plan (made November 2022) 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 CS13 – Biodiversity and Geodiversity
- Policy CS14 – Heritage
- Policy CS16 – Sustainable Construction and Energy
- Policy CS25 – Presumption in Favour of Sustainable Development

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

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

- Policy ST/2 - Limits to Development
- Policy CT/1 - General Principles for Areas of Countryside
- Policy CT/2 - Development in the Countryside
- Policy CT/4 - Development in Areas of Local Separation
- Policy EV/1 - Design
- Policy TR/18 - Parking in New Development

4.4 The Sileby Neighbourhood Plan 2022

- Policy G1 – Limits to Development
- Policy G2 - Design
- Policy H3 – Windfall Development
- Policy H4 - Housing Mix
- Policy ENV8 – Biodiversity Protection in New Development
- Policy ENV10 – Flood Risk and Brownfield Sites
- Policy T2 – Highway Safety
- Policy E4 – Broadband Infrastructure

4.5 Minerals and Waste Local Plan (2019)

4.5.1 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.

- 4.5.2 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 not be granted for development that is incompatible with safeguarding minerals within a Mineral Safeguarding Area provided certain criteria are met. The site lies within a Mineral Safeguarding Area for sand and gravel.

5. Material Planning Considerations

5.1 The National Planning Policy Framework 2023 (NPPF)

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

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 (PPG)

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

5.4 National Design Guide (2019)

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

5.5 Design Supplementary Planning Document (SPD) (2020)

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

5.6 Leicestershire Highways Design Guide

The purpose of the guidance is to help achieve development that provides for the safe and free movement of all road users, including cars, lorries, pedestrians, cyclists and public transport. Design elements are encouraged which provide road layouts which meet the needs of all users and restrain vehicle dominance, create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; as well as to help create quality developments in which to live, work and play. The document also sets out the quantum of off-street car parking expected to be provided in new housing development.

5.7 Technical Housing Space Standards (2015)

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

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

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

5.9 Planning Guidance for Biodiversity June 2022

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

5.10 The Draft Charnwood Local Plan (2021) 2021-37

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

5.12 The following policies are considered applicable to this application:

- Policy DS1 - Development Strategy
- Policy DS5 - High Quality Design
- Policy SC1 - Service Centres
- Policy C1 - Countryside
- Policy T3 - Car Parking Standards
- Policy CC1 - Flood Risk
- Policy CC2 - Sustainable Drainage
- Policy CC5 - Sustainable Transport
- Policy EV1 - Landscape
- Policy EV3 - Areas of Local Separation
- Policy EV6 - Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV7 - Tree Planting
- Policy EV8 - Heritage

6. **Relevant Planning History**

6.1 The following applications relate to the site:

Reference	Description	Decision & Date
P/03/3724/2	Change of use from detached house into 5 apartments and conversion of rear outbuilding to form dwelling	Approved 2004
P/11/0984/2	Erection of bungalow, detached garage and site entrance	Refused 2011
P/14/0259/2	Erection of 1 detached bungalow	Approved 2014
P/15/1042/2	Erection of 1 bungalow (reserved matters).	Approved 2015

7. Responses of Consultees & Other Comments Received

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 - Local Highways Authority	Initial comments – the access has sub-standard visibility which could result in highway safety concerns. Comments based on re-consultation - No objection – the development when considered cumulatively with other developments would not impact on the road network. Conditions are recommended in relation to provision of visibility splays and surfacing
Charnwood Biodiversity	No objection – the submitted assessment indicates a net loss of 0.67HU, if offsite compensation can be secured via a 3 rd party offsetting provider (via planning obligation) then the application can be determined on the basis that ecological constraints have been overcome and the application can be determined in accordance with Policy CS13 and relevant sections of the NPPF.
Charnwood Environmental Health	No objection – enhanced glazing and alternative ventilation is recommended. The acoustic design statement as part of the detailed design stage should be considered as part of the reserved matters submission with consideration given to the orientation of the dwellings to minimise noise impact and an overheating assessment is undertaken to identify ventilation requirements.
Charnwood Archaeology	No objection - a written scheme of investigation for an archaeological watching brief is recommended to be secured via condition

Leicestershire County Council as Minerals Authority	No objection – the site is within a minerals safeguarding area for sand and gravel and is subject to policy M11 (safeguarding of mineral resources) of the LMWLP. No minerals assessment is required in this instance.
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Ward Councillor and Parish Council Response	
Sileby Parish Council	Object – The proposal doesn't accord with Policy H3 (windfall housing) of the Sileby NP and the comments of the Highways Authority are supported.
Responses to publicity	
No Comments received	

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), those “saved” policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy (2011-2028), The Sileby Neighbourhood Plan (2022) and the Minerals and Waste Local Plan (2019).
- 8.2 Part i) of NPPF paragraph 11d) sets out that where there are NPPF policies that protect areas or assets this can be a clear reason to refuse an application and part 11 dii) does not then apply. These are generally nationally designated areas such as SSSI's, designated Local Green Space, AONBs and designated heritage assets which in this case includes the Conservation Area. In this case, the site is not in conflict with policies protecting an area specifically protected by the NPPF (the impact on archaeology is addressed below) such that the NPPF's presumption in favour of sustainable development and the 'tilted balance' applies, i.e planning permission should be granted unless its harm significantly and demonstrably outweighs any benefits arising from the proposal.
- 8.3 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
 - Flood Risk and Drainage
 - Biodiversity and Trees

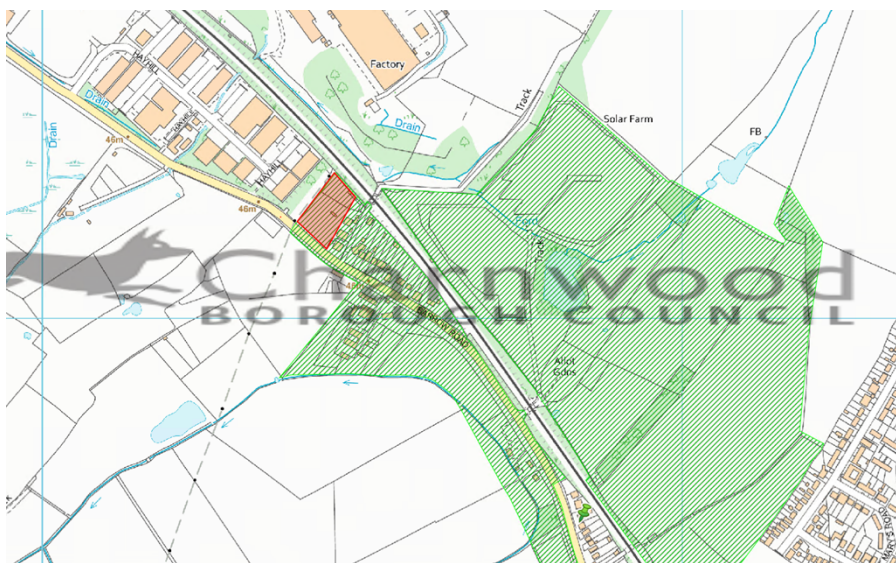
- Heritage and Archaeology

9. Planning Assessment

9.1 Principle of the Development

- 9.1.1 The principle of development is guided by local plan policy CS1 of the Charnwood Core Strategy (2015), which outlines the development strategy for the borough and the distribution of sustainable growth. Policy CS1 seeks to provide at least 3,000 new homes within and adjoining the Service Centres and aims to respond positively to sustainable development which contributes towards meeting development needs, supports the strategic vision, makes effective use of land and is in accordance with the policies elsewhere in the Charnwood Core Strategy. Sileby is one of those service centres.
- 9.1.2 Saved Local Plan Policy ST/2 and Proposals Map of the Charnwood Local Plan identify Limits to Development for various settlements in the Borough. Policies CT/1 and CT/2 allow development outside the limits defined by ST/2 in very limited defined circumstances. However, the housing supply policies of the Development Plan are out of date as the Core Strategy is more than five years old and the Local Planning Authority can currently demonstrate only 4.27 years housing land supply (on 1st April '23).
- 9.1.3 The emerging Draft Local Plan 2021-37 defines its spatial strategy in Policy DS1 and regards both Sileby and Barrow as service centres suitable for residential development. Housing Allocations are defined by Policy DS3, with 345 units allocated in Sileby across six different sites. Policy DS1 has limited weight at the date of this report, due to the number and nature of unresolved representations to the Examination but is consistent with NPPF Paragraph 20. Emerging policy C1 (Countryside) states that development in areas of countryside will be managed to protect its largely undeveloped character.
- 9.1.4 Being outside the identified boundary of Sileby as indicated in the adopted Neighbourhood Plan and emerging Draft Local Plan, the site is considered to be in a countryside location. In such locations the Neighbourhood Plan states *“development will be carefully controlled in line with local and national strategic planning policies”*. The site is however not isolated, being flanked by existing residential properties to the south-east and commercial properties approximately 80m to the north-west. Whilst saved Local Plan Policy CT/2 (Countryside) details that development acceptable in principle will be permitted where it would not harm the character of the countryside and it could safeguard historic, nature conservation, amenity and other local interest, it does not fall within the types of development acceptable in principle. Emerging Draft Local Plan Policy C1 (Countryside) details that amongst other things small scale new build development will be supported where it would not result in significant environmental effects and meet a proven local need as identified by a Neighbourhood Plan or other community led plan.
- 9.1.5 The site was designated an Area of Local Separation under the Core Strategy in 2015 and is protected under Policy CS10 which states “We will protect the

predominantly open and undeveloped character of Areas of Local Separation unless new development clearly maintains the separation between the built-up areas of these settlements”. Saved Local Plan Policy CT/4 (Development in Areas of Local Separation) states that ‘development acceptable in principle will only be permitted where the location, scale and design of development would ensure that (amongst other things): the predominantly open and undeveloped character of the area is retained and the already narrow gap between settlements is not reduced. The emerging Draft Local Plan policy EV3 (Areas of Local Separation) details that development will only be supported which preserves settlement identity and maintains separation between built up areas. These policies do not preclude the principle of all development and development may be acceptable if it clearly enables separation between settlements to be maintained.



Extract from proposals map in the emerging Charnwood Local Plan (green highlighting area of local separation)

- 9.1.6 The proposed site does not comply with the identified policies in the existing Local Plan, Neighbourhood Plan or the emerging Local Plan in principle. However, whilst being in a countryside location and identified as being part of a much larger Area of Local Separation, it is also within 50m of existing bus stops to the east of the site, providing access into neighbouring settlements in addition to Leicester. In relation to the identified policies relating to ‘areas of local separation’, the indicative proposed layout plan demonstrates that the property closest to Barrow Road would be set back approximately 20-25m and screened by the existing and retained frontage tree/hedge planting. In relation to closing the gap between settlements, it is considered that the application site and the dozen or so properties to the east are already separated from Sileby by way of the narrowing of the land to the north of Barrow Road and its relationship with the railway line, as shown below. Therefore, it is not considered that development on this site would result in the merging of Barrow upon Soar and Sileby, nor harm the character of the countryside.



(Development site to the west of the blue dot)

- 9.1.6 It is considered that due to the setback nature of the proposed development, the retention of boundary trees to the frontage and east and west boundaries, development on the proposal site would not be unduly prominent and would sit comfortably with the pattern of the existing residential properties to the east and would not impact upon the settlement identity of Barrow. Neither saved Local Plan policy CT/4 or emerging Local Plan policy EV3 create a prohibition against development in Areas of Separation, referring to the impact proposals have on the designated area concerned and due to these findings, it is considered that their requirements are met.
- 9.1.7 Paragraph 14 of the NPPF states that conflict with the Neighbourhood Plan is likely to be significant if the Plan concerned is less than 2 years old, allocates housing sites and housing delivery has not reached stated thresholds. In the case of the Sileby Neighbourhood Plan all these criteria are met, so its weight is not compromised. Policies G1 (Limits to development) and H3 (Windfall housing) of The Neighbourhood Plan explain that the identified Limits to Development are intended to avoid unwanted encroachment into the countryside, to help maintain the setting of Sileby and steer development away from the least sustainable locations. However, the site is not considered to be typical of countryside owing to its former use and being contained between residential development south east, and the industrial estate and railway north west and north east respectively. The site is not considered to play any role in the setting of Sileby, which is defined further south. As rehearsed above the site is not unsustainable owing to the very close proximity to Barrow on Soar, bus stops and railway stations etc.
- 9.1.8 Furthermore, the Council cannot currently demonstrate a 5 year housing land supply and the proposed development would make a positive contribution

towards housing supply, in a location close to 2 settlements, with Sileby and Barrow upon Soar both identified as service centres and the site providing ready access to public transport connections to both settlements. The proposal of residential development on the site is therefore considered to be on-balance acceptable and would maintain separation between settlements.

9.1.9 Therefore, whilst the development is considered contrary to the provisions of saved Policies CT/1 of the Local Plan 20024, CS1 of the Core Strategy, G1 of the Neighbourhood Plan and DS1 of the emerging Local Plan, its location and site characteristics are such that it would complement, rather than undermine, their objectives and on this basis an exception to these policies is considered to be justified.

9.2 Housing Mix

9.2.1 Core Strategy Policy CS3 outlines a requirement to secure an appropriate housing mix having regard to the identified housing needs and affordable housing within schemes of 10 or more. The application is for 8 dwellings.

9.2.2 Emerging policy H1 seeks a mix of house types and sizes to meet the overall needs of the Borough in line with up to date evidence. The policy is at an advanced stage, was considered in the hearing sessions in February 2023 and is consistent with the NPPF and it is considered can currently be given limited weight. Emerging Policy H3 requires compliance with the Nationally Described Space Standards.

9.2.3 Neighbourhood Plan Policy H4 ‘Housing Mix’ states that developments should comprise a mix of house types and size that reflect up to date published evidence of local need in Sileby, or if this is not available, a larger area including Sileby.

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

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

9.2.5 The proposal is for outline planning permission with all matters except access reserved. However, the applicant has as part of the submission indicated that a mix of 2, 3 and 4 bed properties, with an emphasis to smaller dwelling types and inclusion of bungalows, can be provided upon the site, with sufficient room appearing available to ensure the development would accord with the Government’s ‘Technical housing standards - nationally described space standards’ as sought by emerging policy H3.

9.2.6 The precise mix would be secured as part of a future reserved matters submission; however, it is considered that an appropriate mix of dwelling sizes can be accommodated on the site. It is therefore considered to comply with the expectation of Core Strategy Policy CS3, Neighbourhood Plan Policy H4 and emerging Local Plan policies H1 and H3.

9.3 Design and Layout

9.3.1 Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved policy EV/1 of the Local Plan supports development that is of a design, scale, layout and mass compatible with the locality and which uses appropriate materials. These policies generally accord with the NPPF and National Design Guide and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.

9.3.2 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. Policy G2 (Design) of the Sileby Neighbourhood Plan can however be afforded full weight and the policy seeks to reinforce local distinctiveness and character.

9.3.3 Only access is sought as part of this submission. The applicant has provided an indicative layout plan which indicates that frontage tree planting would be retained and 8 dwellings of varying scales constructed beyond. The practicality of doing so is supported by an Arboricultural Survey. Matters of layout, design and appearance would be secured as part of the future reserved matters submission. It is considered that the proposal would not appear out of keeping with that of the character of development to the east and the site is a mix of brownfield and garden area from previous dog rearing and training activities.

9.3.4 It is considered that development on the site is capable of sympathetic assimilation into its surroundings and would not detract from the character and appearance of the area, and subject to details being secured as part of the reserved matters submission the proposal would accord with the NPPF, National Design Guide, policy CS2 of Charnwood Core Strategy, EV/1 of Local Plan, G2 of the Neighbourhood Plan and the Charnwood Design SPD and emerging Local Plan Policy DS5.

9.4 Impact on Residential Amenity

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

- 9.4.2 Emerging Local Plan policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. The policy can be given moderate weight.
- 9.4.3 Layout was initially sought as part of this application. However, concern was raised regarding the potential relationship between plot 2 and the applicant's property (238B). The applicant has now sought for just matters of access to be secured via this permission. It is considered that with some minor alterations to the layout under a future reserved matters application, 8 units could be achieved on the site which would not result in a significant loss of amenity for existing dwellings and would result in an acceptable standard of amenity for future occupiers.
- 9.4.4 The application has been supported by a noise survey, given the proximity of the railway line on the northern boundary of the site. The assessment has been reviewed by the Environmental Health team who have raised no concern, subject to future development seeking to ensure development follows the guidance laid out in the report, which shall be secured by condition. Therefore, the proposal would comply with the provisions of policies CS2 of Charnwood Core Strategy and EV/1 of Local Plan along with NPPF, National Design Guidance, Emerging Local Plan Policy DS5 and the guidance set out in the Design SPD to protect residential amenity.

9.5 Highway Matters

- 9.5.1 Policy T2 of the Sileby NP seeks to ensure that development minimises traffic generation and movement through the village. Policy CS2 of the Core Strategy requires new development to provide well defined and legible streets and spaces that are easy to get around for all. Policy CS18 of the Core Strategy requires network improvements where they are identified in Transport Assessments. Policy TR/18 of the Saved Local Plan requires off-street parking to be provided for vehicles and cycles to secure highway safety and minimise harm to visual and local amenities. Adopted standards as set out in the saved Local Plan are provided as a starting point to assess the level of provision. These policies generally accord with the National Planning Policy Framework and do not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.
- 9.5.2 The NPPF promotes sustainable travel choices and states development should ensure safe and suitable access and mitigation of any significant impacts. It states development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe (paragraphs 110-112).

- 9.5.3 Emerging Local Plan policy T3 requires new development to provide car parking in accordance with the latest published guidance of the County and Borough Councils.
- 9.5.4 The application proposes a new access to the west of the current access point with properties sited on a private drive. An initial objection was raised by the Local Highway Authority in relation to proposed visibility splays, however the applicant has worked with the Highway Authority and provided further supporting assessments to resolve initial concerns raised. The indicative plan submitted demonstrates a private drive approximately 5.8m wide with footpaths to serve the dwellings with a turning head at the northern end. Parking has been indicated to the front for 1-2 vehicles depending on the indicative scale of the dwelling which appears able to meet the required Local Highway Authority standards numerically and in terms of their dimensions.
- 9.5.5 On this basis it is considered that the relevant adopted and emerging policies are satisfied. The small-scale nature of the development means that there are no wider highways infrastructure issues.

9.6 Flood risk and drainage

- 9.6.1 Policy ENV10 of the Sileby NP seeks to ensure that development reduces surface water run off rates. Policy CS16 of the Core Strategy and the NPPF direct development away from areas at highest risk of flooding. The policy requires development to manage surface water run off with no net increase in the rate of surface water run off for green field sites. This policy generally accords with the NPPF and does not frustrate the supply of housing. It is therefore not considered there is a need to reduce the weight afforded to this policy.
- 9.6.2 Emerging Local Plan Policy CC1 of the Draft Local Plan encourages minor development to incorporate Sustainable Urban Drainage Systems (SuDS). Emerging policy CC2 states development will include appropriate measures to manage flood risk. This policy is at an advanced stage and was discussed at the hearing sessions in June 2022 and is consistent with the NPPF so can be given moderate weight.
- 9.6.3 The development is situated within Flood Zone 1 and being at low risk of fluvial flooding as identified by the Environment Agency flood maps and is not vulnerable to other forms of flooding.
- 9.6.4 Surface water disposal is indicated to be managed by way of SuDS. No details have been provided in relation to this and as such a surface water management condition is recommended as part of any grant of consent.
- 9.6.5 Consequently, the proposal is considered acceptable having regard to Policy ENV10, of the Sileby NP, Policy CS16 of Charnwood Core Strategy, emerging Local Plan policies CC1 and CC2 and the NPPF.

9.7 Impact on Biodiversity Interests Including Trees

- 9.7.1 Policy ENV8 of the Sileby NP seeks to ensure that development protects and enhances local biodiversity. 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.
- 9.7.2 Emerging policy EV6 of the Draft Local Plan seeks 10% biodiversity net gain and the protection and enhancement of habitats, species and networks. Although the Environment Act 2021 makes provision for 10% biodiversity net gain, the relevant sections of the Act have not yet been brought into force to make it a legal requirement and is not currently required by national policy. Therefore, emerging Local Plan policy EV6 can be given only moderate weight until the emerging policy is further progressed towards adoption except in relation to the 10% net gain requirement, which is limited.
- 9.7.3 Policy EV7 of the Draft Charnwood Local Plan (2021-2037) seeks to protect and enhance our natural environment by increasing the number of trees in Charnwood and supports development that retains existing trees, where appropriate. The emerging Local Plan is 'well advanced' having been subject to Examination and policies are consistent with the NPPF. Policy EV7 is largely uncontested and can therefore be afforded moderate weight.
- 9.7.4 The trees on the site are the subject of a Tree Preservation Order dating from 1993. Two trees are indicated to be removed to facilitate access to the site (T12 & T14) a hawthorn and purple cherry plum with both trees indicated as being 'category C' trees of the lowest value. Approximately 18 new trees are indicated as being planted on the proposed layout plan and the precise species, scale and location shall be secured as part of the future 'landscaping' element contained in any future reserved matters submission.
- 9.7.5 The application has been supported by a preliminary ecological appraisal and a biodiversity impact assessment (BIA). The BIA associated with the application recognises a net loss of 0.67 habitat units will occur, with no prospect of a remedy on site due to the size of the site. The Council's Ecologist considers the financial equivalent of 0.67 habitat units can be secured from the Habitat Bank, to positively contribute towards ecological projects within Leicestershire. This has been agreed with the applicant and can be secured as a planning obligation. This is considered to be necessary, related to the development and for planning purposes (Biodiversity compensation in accordance with NPPF paragraph 174 and the above referenced Policies) and therefore compliant with Regulation 122 of the Community Infrastructure Levy Regulations 2010. Planning conditions

are recommended to promote ecology on site as detailed within section 6.2 of the submitted ecology report.

- 9.7.6 The proposal is considered to accord with Policy ENV8 of the Sileby NP, Core Strategy Policy CS13, emerging Local Plan Policy EV6 and the Council's Planning Guidance for Biodiversity June 2022.

9.8 Heritage and Archaeology

- 9.8.1 Policy CS14 (Heritage) seeks development to conserve and enhance historic assets in the Borough for their own value and the community, environmental and economic contribution they make, developments are expected to not only protect the assets, but also their setting.

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

- 9.8.3 The application is accompanied by a desk-top archaeological assessment which has been reviewed by the archaeology officer. The assessment indicates the potential for archaeological remains to be within the area including potentially a roman cemetery and possibly a villa. There is however also the potential that the site was quarried for limestone sometime between 1883 and 1901. The desktop assessment therefore concludes that the archaeological significance of the site is considered low. Notwithstanding this, the archaeology officer has recommended that a written scheme of investigation be secured as a condition on any consent.

10. Conclusion

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

- 10.2 The development sits outside the limits to development for Sileby and Barrow within a designated Area of Local Separation and is therefore contrary to policies ST/2 and CT/1 of the adopted Local Plan 2004, policy CS1 of the Core Strategy 2015, Policies G1 and H3 of the Sileby Neighbourhood Plan, policy DS1 of the emerging Local Plan and guidance contained within paragraph 14 of the NPPF. However, as the Core strategy is now five years old and the Local Planning Authority cannot currently demonstrate a 5-year supply of housing land (4.27 years), any policies which directly relate to the supply of housing are out of date and cannot be afforded full weight. The shortfall in the supply of deliverable housing sites also means that, in accordance with the presumption in favour of sustainable development (at paragraph 11dii), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits, when assessed against the NPPF as a whole for planning permission to be refused.

- 10.3 The application site is also outside the Limits to Development as defined by the Sibley Neighbourhood plan policy G1. This policy is not out of date owing to its date (2022) and content, and housing delivery figures recently achieved and therefore retains full weight. Furthermore, paragraph 14 of the NPPF is considered to be fully 'engaged' in relation to the weight that the Neighbourhood Plan carries. This means that in a situation where paragraph 11 d applies, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits of the proposal.
- 10.4 Notwithstanding paragraph 14 of the NPPF, and as rehearsed in the 'principle' section (para 9.1) of the report, it is considered that the principle of outline residential development in this countryside location and within an Area of Local Separation is acceptable in this instance and would positively contribute towards the existing housing supply whilst resulting in very limited harm to the matters addressed by the policies with which it conflicts. It is considered to comply with saved Local Plan Policy CT/4, Core Strategy Policy CS10 and emerging Local Plan Policy EV3 owing to site circumstances, the scale of the Area of Local Separation concerned, and surrounding development. The proposal would make a modest contribution of 8 units to the overall housing shortfall (a deficiency of some 839 dwellings), the benefits of this limited housing provision, should be considered positive in the overall planning balance. The proposal would also be likely to generate some economic activity during construction and upon occupation but all developments of this nature are likely to result in such effects.
- 10.5 The proposal would be served by a safe and suitable vehicular access and off-street parking would be provided. The proposal, subject to the applicant entering into a legal agreement is considered acceptable in relation to ecology and trees and details relating to amenity, archaeology and drainage can be secured via condition/future reserved matters submission.
- 10.6 Notwithstanding the provisions of paragraph 14 of the NPPF, it is not considered that in light of the particular site circumstances the proposal would undermine the objectives of the Neighbourhood Plan, as the merits of the development as a whole represent a material consideration of such significance that outweigh the policy conflicts that have been identified. Therefore, it is recommended that planning permission should be approved.

11. RECOMMENDATION

RECOMMENDATION A:

That authority is given to the Head of Planning and Growth and the Head of Strategic Support to negotiate the terms of a Unilateral Undertaking with the applicant, on terms to be finalised by the parties, as set out below:

- (i) the receipt of a Unilateral Undertaking under s 106 of the Planning Act making adequate provision for:

(a) securing of 0.67HU credits from the Habitat Bank

11.2 RECOMMENDATION B:

That subject to the completion of the Unilateral Undertaking as set out above, grant planning permission conditionally subject to the imposition of the following draft planning conditions and reasons and that the Head of Planning and Growth be given delegated authority to determine the final detail of these planning conditions, in consultation with the Chair of the Plans Committee: .

1. Application for approval of reserved matters shall be made within three years of the date of this permission and the development shall be begun not later than two years from the final approval of the last of the reserved matters.

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

2. The development shall not commence until approval of the following reserved matters has been obtained in writing from the local planning authority: a. layout, b. scale, c. appearance and d. landscaping.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

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

- 21050.13.PL5 proposed site layout plan (access only)
- 21050.10.PL3 site location plan

REASON: For the avoidance of doubt and to define the terms of the planning permission.

4. No development involving the breaking of ground shall take place within the site boundaries unless a written specification for the implementation of an archaeological watching brief, during the course of the development, has first been submitted to and approved in writing by the Local Planning Authority. The specification shall include arrangements for:

(a) the recording of any finds made during the watching brief and for the preparation of a final report;

(b) the deposition of the records of finds, and any significant finds, capable of removal from the site, in a registered museum; and

(c) proposals for the publication of a summary of the final report in an appropriate journal.

The archaeological works approved under this condition shall be carried out in accordance with the approved specification.

REASON: To safeguard archaeological resources in accordance with Policy EV8 of emerging the Local Plan.

5. No above ground works shall begin on the site until such time as a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate how as a minimum run off rates from the site shall be reduced by 30% by use of SuDS techniques which can include swales, attenuation ponds and green roofs. The development must be carried out in accordance with these approved details and completed prior to first occupation.

REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and in order to accord with Policy CS16 of the Charnwood Local Plan and Policy CC1 of the Draft Charnwood Local Plan (2021-2037)

6. Development shall not commence on site until such time as protective fencing as shown on the submitted tree protection plan 01 received 12/12/22 is implemented. The fencing shall be retained for the duration of the build process (relating to each individual plot)

REASON: In the interests of protecting tree which are considered to positively contribute to the character of the site and wider area and to accord with policy EV7 of the emerging Charnwood Local Plan (2021-2037).

7. Development shall be undertaken in accordance with the recommendations contained in the submitted preliminary ecological appraisal received 27/2/23 undertaken by Ramm Sanderson.

REASON: To ensure that important features of ecological interest are protected; to accord with Policy CS13 of the Charnwood Local Plan (2011-2028) Core Strategy and Policy EV6 of the Draft Charnwood Local Plan (2021-2037).

8. Development shall be undertaken in accordance with the recommendations made within the submitted noise assessment undertaken by Tetra Tech received 8/10/23

REASON: In the interests of amenity of future occupiers and to accord with emerging policy DS5 of the Local Plan.

9. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on 'Proposed Site Layout

drawing number 21050.13.PL4 have been implemented in full. Visibility splays shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway / verge / highway.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2023).

10. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

REASON: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2023).

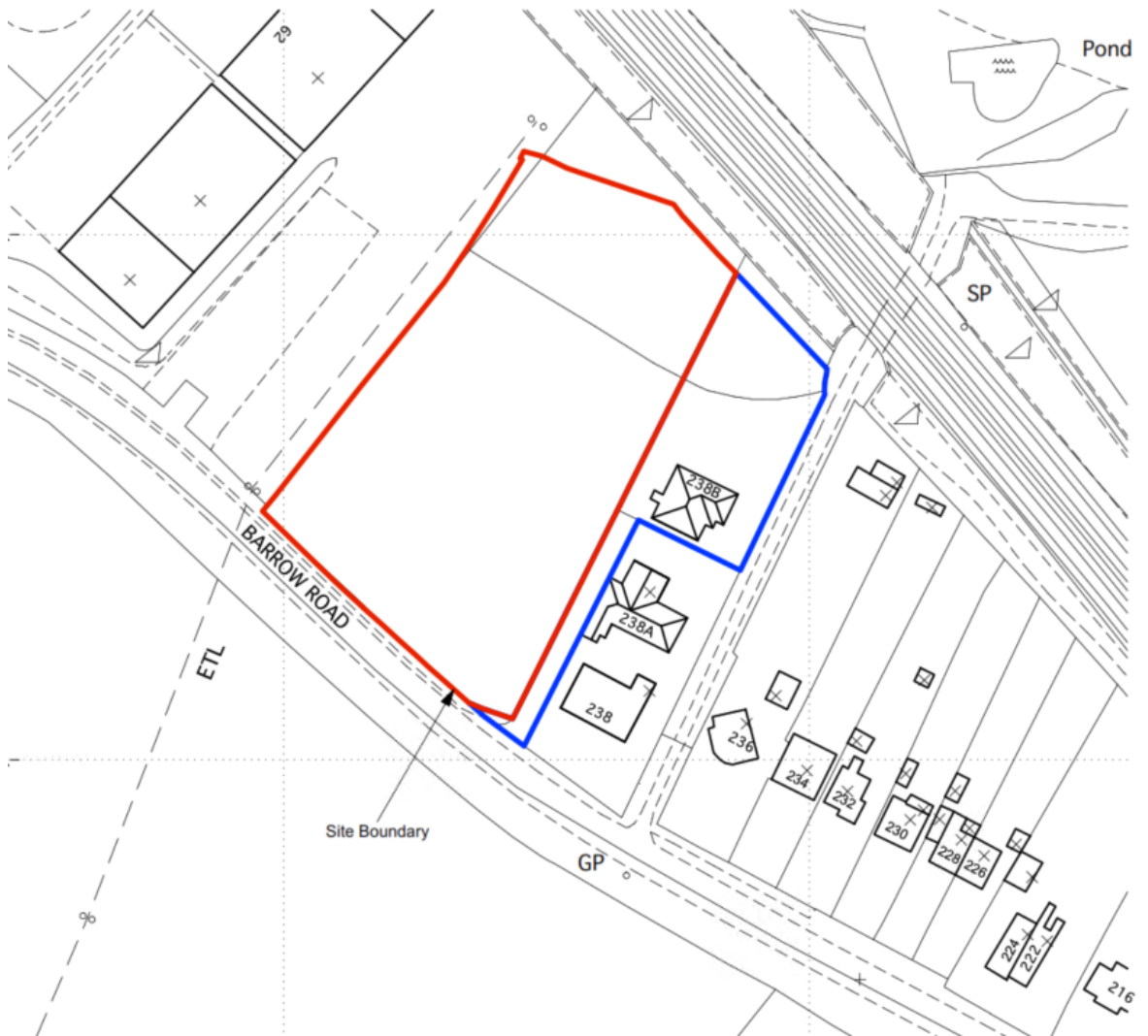
11. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2023)

12. Details submitted under condition 2 above shall provide for a mix of sizes reflecting the most recent evidence of housing need (2,3,4 bed, single and up to two ½ storey) as indicated as part of the information supporting the grant of this outline planning permission.

REASON: To seek to positively contribute towards a sustainable and inclusive community and to accord with Policy H4 of the Sileby Neighbourhood Plan, Policy CS3 of the Core Strategy and emerging policies H1 and H3 of the Local Plan

SITE LOCATION PLAN



Plans Committee Date:	14 th December 2023
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Item No.

Application Reference Number : P/23/0668/2

Application Type:	Outline	Date Valid:	14.4.2023
Applicant:	Wanlip Holdings Limited		
Proposal:	Outline Planning Application for construction of up to 61,000 m2 of E(g)(iii), B2 and B8 Use Class units, including site access and infrastructure and biodiversity enhancement area (All matters reserved except for means of access) (Amended Description including removal of proposal to partially infill lake)		
Location:	Land at Watermead Business Park Thurmaston Leicestershire		
Parish:	N/A	Ward:	System
Case Officer:	Jim Worley	Tel No:	07591 947043

1. Background

- 1.1 This application was deferred at the meeting of Plans Committee on the 28th September 2023 in order to invite the applicant to consider amendments to the plans. This was recorded within the agreed minutes as “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”.
- 1.2 This report is to provide Plans Committee with an update following the submission of amended plans and further consultation with all consultees and interested parties.
- 1.3 All other matters are contained in the main report (item 5c of the meeting of 28th September, attached as **Appendix A**, and associated ‘extras’ report (**Appendix B**).

2. Amended Plans

- 2.1 Amended Plans were submitted on 30th October 2023 making the following changes:
 - Revised Parameter Plan to remove built development from the Green Wedge and the lake.
 - Consequential reduction in the extent of developable area of the Zone B parameter and the upper threshold of deliverable floorspace for the development as a whole:

Original application	Amended application
‘Zone B’ <ul style="list-style-type: none"> • Developable Area 4.24 ha (maximum floorspace 19,500m²) • Proposed Use B8 Use Class 	‘Zone B’ <ul style="list-style-type: none"> • Developable Area 1.75 ha (maximum floorspace 6,000m²) • Proposed Use B8 Use Class

Original application	Amended application
<ul style="list-style-type: none"> Proposed Maximum Finished Unit Height 16m overall height to ridge (12.5m haunch) 	<ul style="list-style-type: none"> Proposed Maximum Finished Unit Height 16m overall height to ridge (12.5m haunch)

- Removal of the 'northern' lake area and repurposing of this area as biodiversity enhancement area;
- A revised Illustrative Masterplan has also been submitted that shows how the development can be delivered based upon the revised parameters plan;
- Both the Flood Risk Assessment and Drainage Strategy have been updated to reflect the amended site layout; and
- Consequential revisions to the economic benefits report, biodiversity impact assessment and Design and Access Statement.

(n.b. the amended plans included proposals for a solar farm on the land north of the A46 but this was subsequently deleted)

Revised Parameters Plan and extract showing revised 'Zone B':





3. Further comments following re-consultation with all consultees and interested parties

Consultee	Response
Canals and Rivers Trust	Resubmission of comments previously provided (see Appendix A)
Lead Local Flood Authority	<p>The Lead Local Flood Authority note the amendments and that to land to the north of the A46 proposes no drainage scheme.</p> <p>The revised plans satisfy the LLFA and previously recommended conditions continue to be relevant.</p> <p>Recommend conditions:</p> <ul style="list-style-type: none"> • Agreement of surface water drainage scheme; • details in relation to the management of surface water on site during construction • Agreement of long-term maintenance of the surface water drainage system.
Leicestershire County Council, Local Highways Authority	<p>Recognise that the commercial elements of the proposal are reduced in scale and have no objection.</p> <p>Seek further information regarding access, traffic flow and vehicle type to construct and operate the Solar Farm (n.b. solar farm now deleted)</p>

Consultee	Response
National Highways	Request additional period to consider the application in order to assess the implications of the solar farm (now deleted)

Ward Councillor and Parish Council Response	
Syston Town Council	<p>Would prefer to see solar panels on the roofs of the buildings rather than the land north of the A46.</p> <p>(n.b solar farm now deleted)</p>
Wanlip Parish Meeting	<p>Overall, the meeting is opposed to the application on the grounds of the impact on the environment, destruction of green areas bordering Watermead, increase in traffic, plus noise and vehicle pollution.</p> <p>Specifically:</p> <ul style="list-style-type: none"> • The application does nothing to address the amount of pollution that is going to be produced by HGVs going in and out of the distribution hub. • The area of land to be built upon has been reduced with less impact on the canal zone but the disruption from the vehicles will preclude that land from being of value to wildlife. If serious about promoting wildlife in the Marl Lake area it should be properly managed by the Wildlife Trust or another accredited body and appropriate funding should be provided for its management. • The Marl Lake has now been retained but its value to wildlife is negated by the surrounding buildings. We also note that the proposed northern lake has been replaced by a Solar farm, which though a feature for sustainable development, does nothing to benefit the environment for wildlife and flora. (n.b. solar farm now deleted) • In general the Economic Benefits Report looks rather fanciful given that most people employed are likely to come from the surrounding area and therefore be a loss to those areas. i.e. Charnwood gains as Leicester city loses

Responses to publicity

From	Comments
<p>Three further letters of objection from residents:</p>	<ul style="list-style-type: none"> • The new plans have reduced the buildings by very little, but they have added a field of solar panels. The field is earmarked for flood run off. • No provision for new road layouts, and the congestion the substantially increased traffic and pollution (mainly HGV's) would be detrimental to the wildlife and the residents in the area. • It will be operating 24/7 causing additional noise and light pollution. • It is not something that would fit in the area without causing damage and disruption. • A precious, established and deeply loved public amenity should be saved. • Wildlife is protected including protected species under the Wildlife and Countryside Act 1981 • The integrity of the canal structure, flood plains, mature hedges, plants and trees, varied grass and ground habitats must be maintained. • Climate change mitigations or traffic and pollution issues should not be contravened • The Core documents reflect significant opposition from expert agencies, inc CPRE, Canal & River Trust, Natural England, local MP, Councillors, the public, to name a few with knowledge of the breadth of issues involved. • Issues related to the solar farm component: <ul style="list-style-type: none"> - Works required for access - Access routes - Sensitivities and glare - Connectivity to the man site - Impacts of contamination including access when connecting the site to the main part of the site - Impact of floods - How flooding may transfer pollution to the Canal and other water bodies and watercourses - Impacts on the nearby residential moorings on the Canal • The taller buildings at the southern end of the development will result in increased visibility from Watermead Country Park. The haunch height for units will range from 8m to 18m (26 to 59 feet) - higher than four double decker buses. This an eyesore that is not sensitive to the local landscape and does not integrate it into the Country Park setting. This will be visible to the users of the park, canal and surrounding areas. • Information on the natural environment is not complete. The additional field earmarked for use as a biodiversity

Responses to publicity

	<p>offsetting compensation area north of the A46, was not included within the breeding bird surveys. Non-Technical Summary submitted 01/11/2023 demonstrates that there has been no survey work undertaken in relation to Badgers despite Badgers being located within the site.</p> <ul style="list-style-type: none">• The reports state no otters were recorded in the site. Information has been provided regarding their sightings in the Country Park at John Merricks Lake and in the River Soar (photos supplied).• There is clear guidance that should be followed in respect of the presence of otters:<ul style="list-style-type: none">- the LPA must ensure that protected species issues are fully considered.- LPA's must advise of the need for licences from DEFRA- Developers should offer alternatives that seek to avoid, mitigate, or compensate for any negative effects on Otters- The LPA should consider if the developer has taken appropriate measures to avoid, mitigate and, as a last resort, compensate for any negative effect- The safeguarding of any protected species is the owner's responsibility and failure to do so can be an offence• The Ground Conditions report identified many forms of contamination and pathways to the local water environment These pose a risk of water pollution and subsequent impact on species.• Very little has changed except the introduction of the solar farm. Previous concerns still apply: Green Wedge, traffic , adjacent to Country Park, vehicle emissions, air quality, works will last a year, the site will operate 24/7, noise pollution, impact on residents, impact on wildlife, pollution of the Canal, River Soar and the lakes.
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4. Consideration of the Planning Issues

4.1 The key issues in considering the impact of the amendments are as follows:

- Principle of Development
- Ecology and Biodiversity
- Impact on Watermead Country Park and wider landscape
- Economic and Regeneration impacts

5. Key issues

5.1 The Principle of the Development

- 5.1.1 The principle of the development for the land south of the A46 ('Zones A, B and C) remains largely as set out in the main report at Appendix A. However, it is simplified to an extent in that the removal of the partial infilling of the lake removes entirely any conflict with emerging Local Plan Policy EV3 which designates it as a Green Wedge. This designation follows the surface area of the lake exactly and this will now be unaffected as a body of water in its current form, and in accordance with that policy.
- 5.1.2 The introduction of proposed Solar Panels into the land north of the A46 submitted with the amended application has now been withdrawn. It is now proposed to revert back to a biodiversity enhancement area but in the form of enhanced planting and habitats as opposed to a new water body. This prevents a potential of conflict with 'countryside' policies related to this area (CT/1 of the Local Plan 2004, CS11 of the Charnwood Core Strategy 2015, and C1 and EV1 of the emerging Charnwood Local Plan 2021-37) which strictly control development in the countryside and, as a result of the absence of built development in this area, these policies are all satisfied.
- 5.1.3 The conclusions of the former report, conveyed at paragraphs 9.1.7 and 9.1.8, that the relevant Development Plan Policies are satisfied in principle therefore remains, except that the amendments result in a stronger position as the sole conflict - with Policy EV3 of the emerging Local Plan (Green Wedge) – is now negated and as such no applicable policies relating to the principle of development are now contravened.

5.2 Impact on Ecology and Biodiversity

- 5.2.1 The consequence of the omission of partial infilling of the lake is to reduce the deficit that the development will make to biodiversity interests. The Biodiversity Impact Assessment has been updated to reflect this change. The 'value' of the site in terms of biodiversity units remains 304 habitat units but as a result of reduced loss by retaining all of the lake, the overall impact of the development would lead to a value of 201.5 (formerly 183) resulting in a net deficit of 102.5 (formerly 121).
- 5.2.2 Following the same methodology as the proposal before amendment by relating this to the extant permission for the site (see paras. 9.9.8 – 9.9.10 of the main report (Appendix A)) leads to a deficit of approximately 19.5 biodiversity units (formerly 33.5) and therefore a payment of around £760,000 required for offsite compensation (i.e. 19.5 units at £39k per unit).
- 5.2.3 The conclusions expressed in the main report at para. 9.9.11 can be maintained by this revised calculation.
- 5.2.4 Representations have been received regarding the ecological surveys particularly in respect of the presence of otters and the results of badger surveys. The point was made that inspection of records alone is insufficient to establish the presence of otters and that site survey work is required alongside.

- 5.2.5 This is not disputed and the Ecological report referred to at para. 9.9.11 of the main report brought together the findings from records *together with* the findings of site surveys. They include a detailed description of the dates carried out, the methodologies employed as well as the findings. Their conclusion that none were present on the site but that habitat was suitable led to recommendations that precautionary measures should be employed such as: a Construction Environmental Management Plan, a buffer between the site and the adjacent canal and good practice methodology to prevent pollution during construction. These were recommended to be incorporated into planning conditions in two ways: (i) that the recommendations of the ecological reports themselves must be followed (condition 17) and as specific requirements within recommended conditions 4 (iii), 7 and 8, for example. These are considered to remain necessary.
- 5.2.6 The representations received regarding otters refers to sightings of otters in the Country Park at King Lear's Lake and in The River Soar and as such are consistent with the findings of the submitted ecological reports, which found no evidence of their presence *within the site* but did register record of their presence in the surrounding area.
- 5.2.7 The representations point out the various duties upon the Local Planning Authority when Protected Species are encountered, and they are to request survey work and not to rely only on records, to consider whether they have been taken account of in the proposal and whether any mitigation (or as last resort compensation) is adequate, and to advise developers of their obligations towards protected species under the Wildlife and Countryside Acts. As stated above, survey work was carried out and the results reported in the ecological reports, leading to a range of mitigation measures. The adequacy of these was the subject of consultation with both Natural England (the body responsible for Protected Species and provision of the guidelines for when they are encountered) and the Council's Senior Ecologist, and neither had objection, Natural England stating the development will not have significant adverse impacts on statutorily protected wildlife and conservation. Of note, those making representation have also not identified shortcomings in the proposed mitigations.
- 5.2.8 The developers have employed qualified Ecologists familiar with the legislative requirements associated with Protected Species and further advice can be provided alongside any permission granted regarding these obligations. Therefore, it is considered that the guidance has been followed and the requirements met.
- 5.2.9 With regard to badgers specifically, the allegation that no survey work has been carried out would appear to derive from the redaction of documents reporting the results of such surveys, However, it is confirmed that survey work has taken place in 2023 (on both the 'main' site and land north of the A46), and the results collated which includes locations of setts, secondary setts and latrines alongside recommendations for mitigation of impacts. These recommendations were proposed to be incorporated as requirements in planning conditions (recommended condition 17 in Appendix A refers).

5.3 Impact on Watermead Country Park, Grand Union Canal and wider landscape

5.3.1 Whilst the amended plans reduce the quantum of floorspace proposed for 'Zone B', they do not reduce their prospective height. However, the amendments reduce the developable area on the west side of Zone B (adjacent to the Canal and Country Park) such that only a small portion of this boundary will be developable and as a result a break in the built form will arise, effectively separating the built form of Zones A from B and C, as depicted below.



5.3.2 This will substantially reduce the visual impact on the Canal and Country Park and represents an improvement from the results anticipated as described at paras. 9.10.6 - 9.10.10 of the main report (Appendix A) which, themselves were considered acceptable.

5.3.3 In terms of the wider landscape, the reduction is unlikely to make significant difference to the findings, as set out in para.9.10.7 of the main report (Appendix A). This is because though less in quantity and 'density' on the site, and a break emerging between the north section Zone A and south sections Zones B and C, longer distance impacts are influenced predominantly by maximum anticipated heights and the buildings on the perimeter of the site. Neither of these factors has changed.

5.3.4 It is therefore concluded that the amendments are of benefit to the impacts in 'closer quarter' contexts of the Canal and Country Park and as such weigh towards the acceptability of the proposal (in comparison the original proposal).

5.4 Economy and Regeneration

5.4.1 The anticipated Regeneration properties of the proposal were reported in Para. 9.2.1 of the main report (Appendix A). The nature of these will not alter as a result of the reduced scale of the development, but obviously the scale of their contribution will diminish on a basis commensurate to their scale.

5.4.2 However, it should be noted that the reduced floorspace would be entirely from the 'Class B8' warehousing use contained within the proposal, as opposed to the B2 and Class E 'office/light industrial' contained in Zone A – these would remain unchanged. This has a bearing as the employment 'density' (i.e. jobs per m²) in Class B8 is lower than the other use classes and as such the reduction in employment potential is not directly proportionate to the reduction in overall floorspace. A similar pattern applies to the nature and 'quality' of jobs (skill levels) as the potential capacity of this those demanding higher skill levels is not reduced.

5.4.3 The regeneration potential of the proposal has been recalculated in the light of the amendments and revised projections are as follows:

Category	Original proposal	Revised Proposal
Direct and indirect construction-related employment	447 jobs over the expected two-year build programme and an additional £53.8million of gross value added (GVA)	187 construction jobs and 513 temporary over the two-year build timeframe. Additional £63.1million of GVA
Employment (on completion)	918 jobs	807 jobs
GVA generated by the Proposed Development over a ten-year period.	In the region of £0.4billion	In the region of £0.2billion
Skills and employment opportunities across the entire skills spectrum.	No change: sector employment profile is: <ul style="list-style-type: none"> • 44.9% of workers have a degree level of qualification or higher (or are currently studying for a degree) • Around 22% have A levels only • 20.8% have GCSEs. • 6.3% of workers have other qualifications • 5.9% have no qualifications. 	
Wages	up to £28.9million per annum once the development is complete and operational.	£24.0million per annum once the development is complete and operational.
Business Rates	(in the region of) £1.1million per annum	(in the region of) £1.1million per annum

5.4.4 This continues to be less than that of the former consent (P/12/0003/2) but it still represents a significant key regeneration investment and neither Core Strategy Policy CS21 or emerging Local Plan Policy DS4 impose any thresholds or targets

in this regard. The application has arisen because the nature of employment land supply is dynamic and has been changed by factors for example 'remote working' arrangements which has suppressed demand for office space and ancillary uses, and notably the configuration approved under P/12/0003/2 has not progressed since the granting of the permission.

5.4.5 This is the basis upon which Policy CS21 is proposed to be replaced with a more flexible and adaptable approach under emerging Policy DS4 and as such, despite the effect of the amendments, these policies (insofar as they relate to the application site, in relation to CS21) are satisfied.

5.5 Other Considerations

5.5.1 with reference to the main report (Appendix A) and 'extras' ('Appendix B'), there are a series of other considerations of relevance to the application. However, they are not rehearsed here because it is not considered that they are affected by the amendments to the application.

5.5.2 For clarity, it bears repeating that the introduction of a solar farm within the north area of the site would have given rise to the assessment of a series of new Development Plan and other material considerations, including representations received which addressed it, but this element has now been withdrawn.

6 Conclusion

6.1 As described above, the amendments to the application are (since the removal of the solar farm component) in full accordance with the request made by the Plans Committee during its meeting on 28th September 2023. They do not give rise Policy or material considerations that were not formerly present and were not addressed within the main report and 'extras' (Appendices A and B). However, they do affect the position in respect of such factors and, in turn, adjust the weight they can be afforded. The main differences to the application and the effect they have on the 'planning balance' are summarised below:

Amendment	Impact	Assessment ('Weight', in comparison to original application)
Removal of proposal to part infill lake	Full compliance with emerging Local Plan Policy EV3 (Green Wedge designation)	Positive : Significant
	Potential impact on water pollution reduced	Positive: Moderate
	Impact on wildlife	Positive: Limited
Reduction in deliverable B8 buildings and floorspace (13,000m ²)	Reduced traffic generation, particularly HGV movements	Positive: Limited
	Impact on Canal and Country Park (visual and potential for noise)	Positive: Moderate
	Reduction in regeneration contribution	Negative: Moderate

6.2 Taken together, it is considered that the amendments are a net improvement from the original application, achieving greater Policy compliance and reducing various impacts, and clearly outweighing the reduced economic benefits. Therefore, the application of the presumption in favour of sustainable development through application of the tilted balance in NPPF paragraph 11dii), referred to at para 10.11 of the main report (Appendix A), is considered to produce a more clear cut conclusion in favour of the application because the extent to which the benefits outweigh the harm is considered to have increased. It is therefore considered that permission should be granted.

7 RECOMMENDATION

7.1 The recommendation represents an updated version of that conveyed in the main report (Appendix A) with the differences emphasised in **bold**:

RECOMMENDATION A

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

Biodiversity	<ul style="list-style-type: none"> • To submit the Biodiversity Mitigation and Enhancement Scheme to the Council for its written approval with any Reserved Matters Application. • To submit an updated Biodiversity Impact Assessment with the reserved matters and Biodiversity Mitigation and Enhancement Scheme • To pay to the Council a sum of up to £756,000 for off-site biodiversity mitigation to compensate for any shortfall arising from on and off site measures (calculated at reserved matters stage including the 'on site' compensation at that stage).
Sustainable Transport	<ul style="list-style-type: none"> • £510 per Centrebus bus pass to be made available for all employees • Monitoring Fee required for this site will be the sum of £11,337.50 for monitoring the effectiveness of the Travel Plan over the five year duration of its life

RECOMMENDATION B

That subject to the completion of the S106 agreement in recommendation A above, grant outline planning permission conditionally subject to the imposition of the following draft conditions and reasons and that the Head of Planning and Growth, be given delegated authority to determine the final detail of the planning conditions, in consultation with the Chair of the Plans Committee:

TIMETABLE FOR SUBMISSION OF RESERVED MATTERS

1. Application for approval of reserved matters shall be made within 10 years of the date of this permission and the development shall be begun not later than two years from the final approval of the last of the reserved matters.

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

PLAN SPECIFICATION

2. The following plans are hereby approved:
 - a) 22-005-SGP-ZZ-XX-DR-A-101001-Location Plan-P03
 - b) ADC2945-DR-002-P1 (Proposed Site Access Layout)
 - c) **22-005-SGP-ZZ-XX-DR-A-101002-Parameters Plan-P11 submitted to the Local Planning Authority on 24.11.2023**
 - d) **22-005-SGP-ZZ-XX-DR-A-001004-Illustrative Masterplan-B submitted to the Local Planning Authority on 24.11.2023**
 - e) **FPCR Environment and Design Ltd Watermead – BNG Non-Technical Summary 24.10.23 submitted to the Local Planning Authority on 30.10.2023**
 - f) ADC2945-RP-F-v4 (Framework Travel Plan)
 - g) **WMPS-BSP-XX-XX-D-C-0102_P02_ZONE_A_PROPOSED_SW_AREAS submitted to the Local Planning Authority on 30.10.2023**
 - h) **WMPS-BSP-XX-XX-D-C-0105_P02_ZONE_B_PROPOSED_SW_AREAS submitted to the Local Planning Authority on 30.10.2023**
 - i) **WMPS-BSP-XX-XX-D-C-0100_P04_ZONE_A_DRAINAGE_STRATEGY submitted to the Local Planning Authority on 30.10.2023**
 - j) **WMPS-BSP-XX-XX-D-C-0103_P03_ZONE_B_DRAINAGE_STRATEGY submitted to the Local Planning Authority on 30.10.2023**
 - k) **WMPS-BSP-XX-XX-D-C-0106_P03_ZONE_C_DRAINAGE_STRATEGY submitted to the Local Planning Authority on 30.10.2023**
 - l) **WMPS-BSP-XX-XX-D-C-0101_P02_ZONE_A_PRELIMINARY_LEVELS_PLAN submitted to the Local Planning Authority on 30.10.2023**
 - m) **WMPS-BSP-XX-XX-D-C-0107_P02_ZONE_C_PRELIMINARY_LEVELS_PLAN submitted to the Local Planning Authority on 30.10.2023**
 - n) **WMPS-BSP-XX-XX-D-C-0104_P02_ZONE_B_PRELIMINARY_LEVELS_PLAN submitted to the Local Planning Authority on 30.10.2023**
 - o) **WMPS-BSP-ZZ-XX-RP-C-0001-P02_Flood_Risk_Assessment submitted to the Local Planning Authority on 30.10.2023**

- p) **WMPS-BSP-ZZ-XX-RP-C-0002-P02_Drainage_Strategy_Report Drainage Strategy Plan submitted to the Local Planning Authority on 30.10.2023**
- q) Watermead Business Park - Paragon Phase 2 Ground Investigation
- r) Report FINAL
- s) 6525r1 - Air Quality Assessment - Watermead Park Leicester.
- t) 22-005 - Watermead Design and Access Statement-A—2
- u) FPCR Badger Report – Confidential - April 2023
- v) FPCR Herpetofauna Report - April 2023
- w) FPCR Bat Survey Report - April 2023
- x) FPCR Bird Survey Report - April 2023
- y) FPCR Ecological Appraisal - April 2023

REASON: To define the scope of this permission.

RESERVED MATTERS

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

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

SITE WIDE CONDITIONS

4. Prior to the submission of any applications for 'reserved matters' the following plans shall be submitted to and approved by the Local Planning Authority:
 - (i) a phasing plan covering the entire application indicating the sequence for the delivery of each zone and the works to the land north of the A46;
 - (ii) a design brief establishing clear design principles of the buildings to be accommodated within the site, with reference to:
 - Coherent and consistent use of a limited palette of materials
 - Common design features
 - Lighting strategy
 - Fencing and other boundary treatment
 - Surfacing materials for car parking and servicing areas
 - The use of trees and hedges to delineate individual plots
 - Sustainable construction principles
 - (iii) a scheme that includes the following components to deal with the risks associated with contamination of the site:
 - A site investigation scheme, based on the provided preliminary risk assessment The Phase 2 Ground Investigation Report by Paragon

Building consultancy Ltd (Ref. 22.0089/AM/LC) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- The results of the site investigation and detailed risk assessment referred to in (iii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

(iv) a scheme for the treatment of the Public Rights of Way has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for management during construction, surfacing, width, structures, signing and landscaping in line with Cycle Infrastructure Design LTN 1/20, together with a timetable for implementation.

(v) a Public Transport Strategy for the site including the provision of service(s) and associated infrastructure which will be operational from first occupation and which shall operate for a minimum of five years.

(vi) A Construction Environment Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highways Authority and National Highways, and shall include:

- a Construction Traffic Management Plan (CTMP) including construction phasing
 - HGV routing plans
 - construction traffic arrival and departure times
 - delivery times to avoid peak traffic hours
 - parking and delivery arrangements
- clear and detailed measures to prevent debris, mud and detritus being distributed onto the Strategic Road Network (the A46).
- assurance that all construction vehicles exit the site in a forward gear
- details of visual assessments, dust monitoring and dust suppression techniques to be employed during the development

vii) details of the timetable for the creation of the new lake and other biodiversity features within the land referred to as 'Land north of the A46'

viii) an amended Framework Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets

Thereafter each reserved matters application shall be submitted in accordance with the terms of the approved plans as listed above and the development shall subsequently be developed in accordance with the approved plans and approved 'reserved matters'.

REASON: To ensure the proper phased implementation of the development and associated infrastructure in accordance with Government guidance contained within the National Planning Policy Framework 2023.

CONDITIONS FOR EACH ZONE

5. Prior to the commencement of development hereby approved within any zone identified within Plan Ref **22-005-SGP-ZZ-XX-DR-A-101002-Parameters Plan-P11 submitted to the Local Planning Authority on 24.11.2023** a phasing plan covering all components of the development within that zone shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved phasing plan for the zone and each reserved matters application shall be submitted in accordance with the terms of the approved phasing plan or the zone concerned.

REASON: To ensure the proper phased implementation of the development and associated infrastructure in accordance with Government guidance contained within the National Planning Policy Framework 2023.

6. The reserved matters required under condition 3 above shall include, for each zone identified within plan Ref. **22-005-SGP-ZZ-XX-DR-A-101002-Parameters Plan-P11 submitted to the Local Planning Authority on 24.11.2023**:
- Design in accordance with the design principles set out in the Design and Access Statement submitted with the application (**SGP22-005 - Watermead Design and Access Statement Rev.B submitted to the Local Planning Authority on 30.10.2023**)
 - Landscaping proposals to show the full extent of tree and hedge removal and details of new planting
 - Details in accordance with plan ref. **22-005-SGP-ZZ-XX-DR-A-101002-Parameters Plan-P11 submitted to the Local Planning Authority on 24.11.2023 including** the quantum (floorspace), the Use Class of development as annotated, the identified developable areas and landscaping illustrated on the Plan.
 - Details in accordance with the **FPCR Environment and Design Ltd Watermead – BNG Non-Technical Summary 24.10.23 submitted to the Local Planning Authority on 30.10.2023**

REASON: To ensure that the development is constructed in a satisfactory manner. and in accordance with Policy CS21 of the adopted Core Strategy 2015 and Policy DS4 of the emerging Charnwood Local Plan 2021 -37.

7. No occupation of any part of the permitted development for each zone identified within plan Ref. **22-005-SGP-ZZ-XX-DR-A-101002-Parameters Plan-P11 submitted to the Local Planning Authority on 24.11.2023** under condition 4 above shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation within that zone has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-

term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved

REASON: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

8. No development approved by this planning permission shall take place within any zone identified within plan Ref. **22-005-SGP-ZZ-XX-DR-A-101002-Parameters Plan-P11 submitted to the Local Planning Authority on 24.11.2023** until such time as details in relation to the management of surface water on within that zone during construction of the development has been submitted to, and approved in writing by the Local Planning Authority in accordance with the Drainage Strategy hereby approved. The construction of the development must be carried out in accordance with these approved details.

REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.

9. No occupation of the development approved by this planning permission shall take place within any zone identified within plan Ref. **22-005-SGP-ZZ-XX-DR-A-101002-Parameters Plan-P11 submitted to the Local Planning Authority on 24.11.2023** until such time as details in relation to the long-term maintenance of the surface water drainage system within that zone have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

REASON: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.

10. No trees or hedgerows shall be removed until such time as the reserved matters for 'landscaping' required by condition 2 above, relating to the relevant zone identified within plan Ref. **22-005-SGP-ZZ-XX-DR-A-101002-Parameters Plan-P11 submitted to the Local Planning Authority on 24.11.2023** have been approved. The removal of trees and hedges shall then take place in full accordance with the approved landscaping reserved matter(s) applicable to the zone.

REASON: To maximise the potential to retain existing trees and consolidate the planting of new trees, in accordance with Policy EV7 of the emerging Charnwood Local Plan 2012-37.

LIMITATIONS

11. The development shall be carried out in accordance with the submitted flood risk assessment (**WMPS-BSP-ZZ-XX-RP-C-0001-P02_Flood_Risk_Assessment compiled by BSP Consulting**) submitted to the Local Planning Authority on **30.10.2023** and the following mitigation measures it details:

- There shall be no raising of ground levels within flood zone 3b or 3a.
- Finished floor levels in zone A shall be set no lower than 49.95 metres above Ordnance Datum (AOD)
- Finished floor levels in zones B and C shall be set no lower than 49.17 m AOD.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that flood volumes are not displaced.

12. If, during development, contamination not previously identified is found to be present within any zone identified within plan Ref. **22-005-SGP-ZZ-XX-DR-A-101002-Parameters Plan-P11 submitted to the Local Planning Authority on 24.11.2023** then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out within that zone until the developer has submitted and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete, in accordance with paragraph 170 of the National Planning Policy Framework.

13. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON: Piling or any other foundation using penetrative methods can resulting risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater in accordance with National Planning Policy Framework paragraph 109. Where deep foundations are

proposed we recommend the developer follows the guidance set out within document 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination' which is available on our website at the following address:

<http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>

14. No infiltration of surface water drainage into the ground on land affected by contamination is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON: To protect the water environment and comply with the National Planning Policy Framework.

15. No development shall be carried out within 25m of the western site boundary until a method statement detailing all excavation works to form any ponds, all works to infill and remodel the existing lake within the site, and the design and construction of any foundations within this area, together with any earth moving and excavations and all operations to construct roadways and hard standings, has been submitted to and approved by the Local Planning Authority. The method statement shall include measures to ensure the risk of instability of the Grand Union Canal and its towpath are prevented both during and after construction and shall include a vibration monitoring regime for any piling works. The development shall proceed in accordance with the approved method statement.

REASON: To ensure the structural integrity of the adjacent canal structure, including the towpath and lands stability issues in accordance with NPPF paragraphs 174 and 183.

16. Barriers shall be included along the access road alongside the canal indicated within plan Ref. **22-005-SGP-ZZ-XX-DR-A-101002-Parameters Plan-P11 submitted to the Local Planning Authority on 24.11.2023** hereby approved, so that vehicles will be prevented from entering the canal. Details of the barriers shall be submitted to and approved by the Local Planning Authority prior to the construction of the access road and shall be retained thereafter on a permanent basis.

REASON: To ensure the structural integrity, water quality and biodiversity interest of the adjacent canal structure, including the towpath and land stability issues in accordance with NPPF paragraphs 174 and 183.

17. The development shall be carried out in accordance with the recommendations of each of the following documents, submitted with the application:

- FPCR Badger Report – Confidential - April 2023
- FPCR Herpetofauna Report - April 2023

- FPCR Bat Survey Report - April 2023
- FPCR Bird Survey Report - April 2023
- FPCR Ecological Appraisal - April 2023

REASON: to ensure that the biodiversity interest within and in close proximity of the site is sufficiently safeguarded, in accordance with Policy CS13 of the Core Strategy and emerging Local Plan Policy EV6.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that Order with or without modification), no change of use from B1 Office to C3 residential shall take place without the prior consent on application to the Local Planning Authority

REASON: To ensure that development includes a satisfactory mix of employment uses to meet the Borough's needs, in accordance with Policy CS21 of the adopted Core Strategy 2015 and Policy DS4 of the emerging Charnwood Local Plan 2021-37.

19. Prior to its implementation, details of all external lighting shall be submitted to and agreed in writing with the Local Planning Authority including details of hours of operation, luminance and light spillage. These shall provide for minimal illumination of the adjacent Canal and Country Park The lighting shall be implemented as approved.

REASON: To make sure the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings and to ensure that the biodiversity interest within and in close proximity of the site is sufficiently safeguarded, in accordance with Policy CS13 of the Core Strategy and emerging Charnwood Local Plan 2021-37 Policy EV6.

20. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on the 'Proposed Site Access Layout' (drawing reference ADC2945-DR-002-P4) dated 15th August 2023 have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2023).

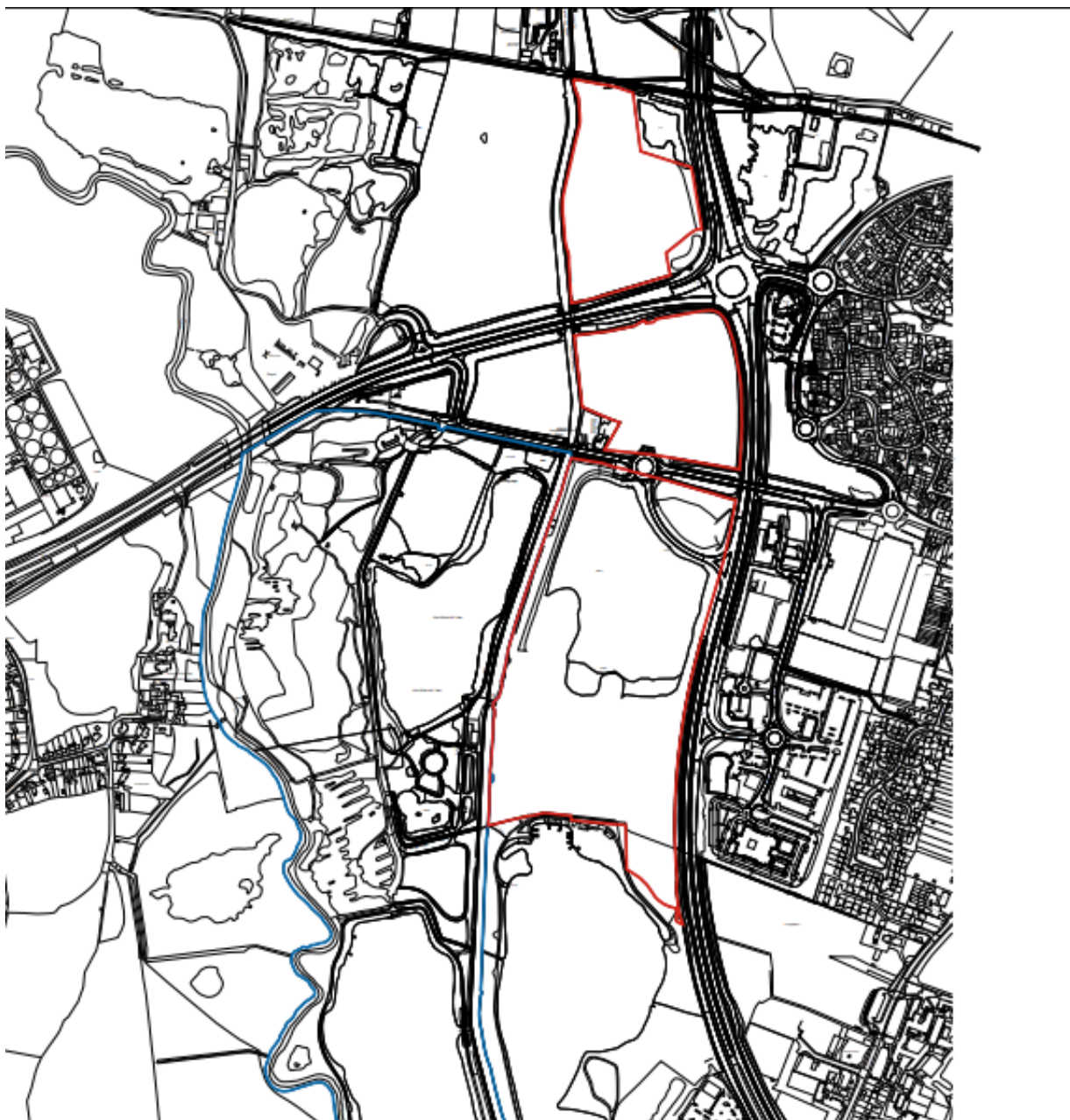
21. The development hereby permitted shall not be occupied until such time as the Public Footpaths I58 and I58a and Connect2 cycleway have been provided in full as per the plan Ref. **22-005-SGP-ZZ-XX-DR-A-101002-Parameters Plan-P11 submitted to the Local Planning Authority on 24.11.2023**

REASON: To provide an all-weather route in the interests of amenity, safety and security of users of the Public Right of Way in accordance with the National Planning Policy Framework (2023).

22. No development shall take place until a scheme for the treatment of the Public Rights of Way has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for management during construction, surfacing, width, structures, signing and landscaping in line with Cycle Infrastructure Design LTN 1/20, together with a timetable for its implementation. Thereafter, the development shall be carried out in accordance with the agreed scheme and timetable.

REASON: In the interests of amenity, safety and security of users of the Public Right of Way in accordance with the National Planning Policy Framework (2023).

Site Location Plan



Plans Committee Date:	28 th September 2023
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Item No. 5c

Application Reference Number : P/23/0668/2

Application Type:	Outline	Date Valid:	14.4.2023
Applicant:	Wanlip Holdings Limited		
Proposal:	Outline Planning Application for construction of up to 70,600 m2 of E(g)(iii), B2 and B8 Use Class units, including site access and infrastructure, and remodelling of artificial lake (All matters reserved except for means of access)		
Location:	Land at Watermead Business Park Thurmaston Leicestershire		
Parish:	N/A	Ward:	Syston
Case Officer:	Jim Worley	Tel No:	07591 947043

1.0 Background

- 1.1 This application is reported to Plans Committee as it is considered appropriate to do so by the Head of Planning and Growth owing to its unusually large scale, significance to the development strategy for the Borough and extent of public interest.
- 1.2 Cllr Infield requests call in of the application to be heard by Committee.

2.0 Introduction and Description of the Site

- 2.1 The application site occupies approximately 31.06 Ha (76.77 Acres), located on the western edge of the Syston. The site lies to the west of the A607/ A46 Syston Bypass and east of the east bank of the Thurmaston to Syston section of the Grand Union Canal.
- 2.2 The site makes up part of the Watermead Business Park, of which Phase one has already been completed to the east of the A607. The development site is currently vacant. The southern part of the site is a brownfield site whilst the northern part of the site is a green area of open scrub.
- 2.3 To the east lies the existing light industrial and commercial units of Phase 1 of the Watermead Business Park, beyond which is the established housing area and urban edge of Syston. To the west lies Watermead Country Park, a network of lakes and three Local Nature Reserves.
- 2.4 The site is bounded by the A607 to the east, A46 to the north and the Watermead Country Park to the south and West.

Figure 1: Proposed Parameters Plan



2.5 The site lies within the mineral consultation area for sand and gravel, has potential for contamination from historic industry (gravel pits) and contains an old pond shown on 1903 mapping. The site is within Flood Zones 2 and 3. The site is within a watercourse interest zone identified by the Canal and River Trust. Within the adopted Development Plan the site is defined as outside Limits to Development and within the countryside and parts of the site are Green Wedge. Public footpath Public Footpath I58a are within the site and Footpaths I58 and I58a are in close proximity.

2.6 Part of the site, south of the A46, (12 Ha) is allocated for employment under Policy DS4, site reference ES9 in the emerging Local Plan. Part of the site is proposed as green wedge and countryside in the emerging Local Plan.

3. Description of the Application

- 3.1 The application seeks outline planning permission for the construction of up to 70,600 m² of E(g)(iii) (Industrial), B2 (industrial process other than one falling within class E(g)) and B8 (Storage or distribution) Use Class units, including site access and infrastructure, and remodelling of the artificial lake at Land at Watermead Business Park, Thurmaston.
- 3.2 The site access has already been established by the grant of Planning Application Ref. P/12/0003/2 (i.e. the outline application for the business park including a hotel, leisure facilities, restaurant etc.) which the application proposes to duplicate. The service roads to the north and south of Wanlip Road roundabout, as well as drainage and sewer infrastructure, benefit from extant Planning Permission (Ref. P/16/0887/2). This current planning application broadly follows the parameters of the extant permission P/12/0003/2 in terms of its outer boundaries, but now includes the lake within the site which was excluded from permission P/12/0003/2.
- 3.3 For the purposes of comparison, the application differs from extant permission P/12/0003/2 in a number of ways:

Permission/application	P/12/0003/2	P/23/0668/2 (current)
Site area (ha)	23.4 ha	31.06 ha
Developable area	17.5 ha	14.16 ha
Office floorspace	9,000m ²	16,500m ² combined
Employment (industrial)	12,000m ²	
Warehouse 'B8'	9,950 (Max) m ²	51,000m ²
Other uses	Public House, Hotel, Conference facilities and Leisure: 15,742m ²	-
Total floorspace proposed	46,692m²	67,500m²

- 3.4 Outside of the developable area of the site an area of land is identified to the North that would provide a new pond that would provide both biodiversity opportunity, drainage management and replacement/additional habitat for the lake to be remodelled within 'Zone B' of the developable area.
- 3.5 Across the wider site, landscaping, drainage and services are proposed to serve the development site and enhance the biodiversity, design and amenity of the site.
- 3.6 The proposal identifies proposed plot parameters for three zones that make up the whole built form development site:
- 'Zone A'
- Developable Area 4.13 ha (maximum floorspace 16,500m²)
 - Proposed Use E(g), B2 and B8 Use Classes
 - Proposed Maximum Finished Unit Height 15.0m overall height to ridge (10m haunch)
- 'Zone B'
- Developable Area 4.24 ha (maximum floorspace 19,500m²)

- Proposed Use B8 Use Class
- Proposed Maximum Finished Unit Height 16m overall height to ridge (12.5m haunch)

‘Zone C’

- Developable Area 5.79 ha (maximum floorspace 31,500m²)
- Proposed Use B8 Use Class
- Proposed Maximum Finished Unit Height 21.5m overall height to ridge (18m haunch)

- 3.7 In summary the built form development combined is proposed as follows:
- Redline Area: 31.09 ha
 - Total Developable Area 13.48 ha
 - Proposed Use Zone A: E(g), B2, B8 Use Class
 - Zones B & C: B8 Use Class
 - Proposed Maximum Finished Unit Height 21.5m overall height to ridge (18m haunch)
- 3.8 A detailed access is shown from Wanlip Road / A607 slip road roundabout shows the southern radius of the access arm at 12m, the removal of the existing splitter island and the widening of the access carriageway to 7.3m. This would allow a maximum size HGV to access the site from the A607 off slip, while another HGV exits the site, as shown on the drawing ADC2945-DR-002-P1 (Proposed Site Access Layout). The uncontrolled crossing on this arm would be relocated a short distance along the site access road to reduce the crossing distance.
- 3.9 The application is accompanied by the following documents:-
- Design and Access Statement;
 - Landscape and Visual Appraisal;
 - Ecological Impact Assessment(s);
 - Phase 1 and 2 Geo-environmental Study;
 - Transport Assessment (and additional information provided following comments from the Highways Authority).
 - Framework Travel Plan;
 - Flood Risk Assessment
 - Drainage Strategy (revised following comments from the LLFA);
 - Air Quality Assessment Report.

4. Development Plan Policies

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

4.2 The policies applicable to this application are as follows:

4.2.1 [Charnwood Local Plan Core Strategy](#)

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

- Policy CS6 - Employment and Economic Development
- Policy CS11 – Countryside
- Policy CS12 – Strategic Green infrastructure
- Policy CS13 – Biodiversity and Geodiversity
- Policy CS16 - Sustainable Construction and Energy
- Policy CS17 - Sustainable Travel
- Policy CS18 – The Local and Strategic Road Network
- Policy CS21 - Watermead Regeneration Corridor - Direction of Growth
- Policy CS25 - Presumption in favour of sustainable development

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

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

- Policy ST/2 - Limits to Development
- Policy EV/1 – Design
- Policy TR/18 - Parking in New Development

4.2.3 Minerals and Waste Local Plan (2019)

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

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

The development site is located within a minerals safeguarding area for sand and gravel.

5. **Other material considerations**

5.1 [The National Planning Policy Framework \(NPPF September 2023\)](#)

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

- Section 2: Achieving sustainable development
- Section 4: Decision making
- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting Sustainable Transport
- Section 12: Achieving well-designed places.

- Section 15: Conserving and enhancing the natural environment

5.2 Planning Practice Guidance

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

5.3 National Design Guide

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

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

The HENA made an assessment of the employment land needs for each planning authority in the county, including Charnwood. However, the current proposal relies upon policies within the Development Plans and the emerging Local Plan which was informed by the findings of HENA.

5.5 Design Supplementary Planning Document (SPD) (January 2020)

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

5.6 Leicestershire Highways Design Guide

The purpose of the guidance is to help achieve development that provides for the safe and free movement of all road users, including cars, lorries, pedestrians, cyclists and public transport. Design elements are encouraged which provide road layouts which meet the needs of all users and restrain vehicle dominance, create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; as well as to help create quality developments in which to live, work and play. The document also sets out the quantum of off-street car parking expected to be provided in new housing development.

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

The Council as Local Planning Authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed by the development) then the Council is

obliged to consider the likelihood of a licence being subsequently issued by Natural England.

5.8 Equality Act 2010

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

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

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

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

- Policy DS1: Development Strategy
- Policy DS4: Employment Allocations (site reference ES9)
- Policy DS5: High Quality Design
- Policy LUA1: Leicester Urban Area
- Policy CC1: Flood Risk Management
- Policy CC2: Sustainable Drainage Systems (SuDS)
- Policy CC5: Sustainable Transport
- Policy E1: Meeting Employment Needs
- Policy EV5: River Soar and Grand Union Canal Corridor
- Policy EV6: Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV7: Tree Planting

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

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

6. Relevant Planning History

Reference	Description	Decision
P/12/0003/2	Outline application for Business Park, comprising offices, research and development/light industry; erection of hotel and leisure facilities, cafe/pub/restaurant, playing field/sports pitches, changing facilities and clubroom, canal footbridge and footpath diversion, alterations to car park and toilet facilities and associated landscaping (office floorspace limited to a maximum of 9000 m ²)	Approved 24/3/2015
P/15/1978/2	Formation of public footpath. (Reserved Matters - Outline Application P/12/0003/2 refers)	Withdrawn
P/16/0667/2	Formation of public footpath. (Reserved Matters - Outline Application P/12/0003/2 refers)	Approved 13/3/2018
P/16/0887/2	Creation of service roads to the north and south of Wanlip Road roundabout with associated drainage and sewer infrastructure.	Approved Conditionally 13-03-2018
P/22/1528/2	Request for Screening Opinion for the construction of up to 70,600 m ² of B8 storage and distribution unit, including site access and infrastructure and remodelling of artificial lake	Screening Opinion issued 29/9/22 Environmental Statement Not Required

7.0 Responses of Statutory Consultees

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 – Local Highway Authority (LHA) (following receipt of additional technical information)	<p>Site Access:</p> <p>Following amendment and additional information, the Local Highways Authority are now satisfied with the proposed access design and have sought to condition the proposals shown on Drawing ADC2945-DR-002-P4</p> <p>Highway Safety</p> <p>As per the previous observations, the LHA consider that the proposed development would not exacerbate the</p>

	<p>likelihood of further Personal Injury Collisions (PICs) occurring.</p> <p>Trip Generation</p> <p>The LHA consider that the proposed development result in a net reduction of trips compared to the extant permitted use of the site.</p> <p>Internal Layout</p> <p><u>Parking</u></p> <p>On the basis that layout is a reserved matter, this is not to be determined at this stage.</p> <p><u>Road Network</u></p> <p>This is a reserved matter</p> <p>Designs at that stage should allow for longer body vehicles up to 18.55m.</p> <p>In Zone A, 3.0m wide shared footway/cycleways would be provided on both sides the internal carriageway network.</p> <p>For Zones B and C, a shared 3.0m wide footway/cycleway would be provided on the eastern side the internal carriageway network.</p> <p>Footpaths</p> <p>Public Footpath 158a runs through the proposed development and will be obstructed. To implement this a Public Path Diversion Order would be required. It is noted it is similar to previous applications for diversion. It measures 3.0m in width and is therefore suitable as a shared use path in accordance with the LHDG</p> <p>Transport Sustainability</p> <p><u>Pedestrian and Cycling</u></p> <p>3.0m shared footway and cycleways are to be provided within the development as shown on the submitted access drawing and local cycle routes are provided through Watermead Country Park as well as National Cycle Route (NCR) 48, which passes through Syston and Queniborough.</p> <p>The Revised Parameters Plan shows an indicative footway/cycle route linking back into the canal towpath which overcomes potential obstruction by other land owners and are satisfied that it measures 3.0m in width in accordance with the LHDG.</p>
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The County Council supports the development of non-motorised user access to local facilities and the ability for the public to choose how they move, to encourage walking and cycling

Bus and Rail Provision

The nearest bus stop to the site is located on Wanlip Road circa 1.1km from the site centre when measured along available walking routes

The LHA would expect financial contributions from the developer towards the development of a service which provides an hourly, Monday to Saturday service that covers the whole of the day 7-7pm (Monday-Friday) and 8-6pm Saturday.

The LHA require that the Applicant develop a Public Transport (PT) Strategy to enhance public services, as a condition

Wider Watermead Business Park Measures

The LHA note that the availability of e-bikes to employees currently in use across the wider Watermead are to be extended to this phase within the revised Travel Plan document.

Travel Plan

The LHA would not expect all employees to apply for a bus pass however it is considered that uptake should be encouraged as much as possible throughout the life span of the Travel Plan.

Developer contributions

- £510 per Centrebus bus pass should be made available for all employees (though it is recognised that take up may be low)
- Monitoring Fee required for this site will be the sum of £11,337.50 for monitoring over the five-year duration of its life

Conditions

- Access provided before occupation, in accordance with approved plans
- Works to Public Footpaths I58 and I58a and Connect2 cycleway to be completed prior to occupation
- A scheme for the treatment of the Public Rights of Way to be agreed prior to development
- An amended Framework Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets to be agreed before occupation

	<ul style="list-style-type: none"> • A Public Transport Strategy to be agreed before occupation • Agreement of a construction traffic management plan prior to development <p>The applicant has conformed agreement to the developer contributions and conditions requested by the Local Highways Authority</p>
Charnwood Biodiversity	<p>Two BIAs have been provided, representing</p> <p>(i) the site baseline as it currently stands and (ii) the impact of the existing consent had it been implemented.</p> <p>The latter is not considered to be acceptable because the permission was in outline so cannot be accurately represented.</p> <p>It is agreed that the current site conditions (measures 2022) is the most appropriate reference point for establishing an ecological baseline and the submitted BIA (6/7/23) is acceptable.</p> <p>However, not all the post development habitat values are accepted as appropriate or achievable, so the net biodiversity loss is likely to be greater than the 39.71% calculated (this relates to maturity of new grassland habitats, tree coverage, and the approach to the Marl Pit).</p> <p>Biodiversity impact would be reduced if the lake within the site was retained. The lake is an example of a priority habitat (eutrophic still waters) and is listed in the Leicestershire and Rutland BAP and it lies adjacent to Watermead Park; a large and important wildlife site which also functions as a green wedge for the City of Leicester.</p> <p>It is important that ecological compensation is delivered in full. This will result in a very significant biodiversity offsetting but there is a reasonable prospect of offsite compensation being delivered broadly in accordance with metric trading rules.</p> <p>It is not appropriate to conclude that the previous scheme would have resulted in biodiversity loss that should now be used to discount the offsetting burden associated with the current scheme.</p> <p>In summary, further work to be done to fully understood the impact.</p> <p>If the proposal is granted there will be a significant biodiversity offsetting requirement which should be secured via a S106 agreement.</p>

	<p>Conditions (if applicable) regarding:</p> <ul style="list-style-type: none"> • Construction Environment Management Plan • Ecological mitigation plan to demonstrate how habitats proposed in the BIA will be created and managed in perpetuity • Phasing plan; to demonstrate how on site habitat creation measures will ensure continuity of priority habitat provision on site • Landscaping plan (based on the EMP) illustrating how planting will implement the BIA proposals. • Lighting, to secure the protection of biodiversity
<p>Lead Local Flood Authority (following amendment)</p>	<p>The total 29.6ha greenfield site split into four sub-sites (labelled North Field and zones A, B and C). North Field is not proposed to be developed. The total developed area is therefore 19.37 and these are located within Flood Zone 2 being at medium risk of fluvial flooding and low risk of surface water flooding.</p> <p>The applicant has received River Soar flooding levels from the Environment Agency (EA) showing that the site lies outside the rivers fluvial flood plain. In addition to this the flood risk assessment has advised raised finished floor levels for the units 0.6m above 1 in 100 year flood levels. The proposals seek to discharge at the average greenfield runoff rates via pervious paving and attenuation basins to an on-site watercourse (Zone A) and via conveyance swales to an existing lake (zones B and C).</p> <p>Adequate assurances regarding the eventual outfall have been provided. There are concerns with catchment transfer and as such, the LLFA requested an existing catchment plan drawing to be submitted. On review of this it appears that although some catchment transfer will be present in Zone A and C, it is negligible.</p> <p>The applicant has also noted that a receiving watercourse downstream of the proposed outfall has connectivity to a currently silted asset and thus this is recommended to be cleared. Responsibility and plans for the management of these existing assets has been assured.</p> <p>The revised plans satisfy the LLFA .</p> <p>Recommend conditions:</p> <ul style="list-style-type: none"> • Agreement of surface water drainage scheme; • details in relation to the management of surface water on site during construction;

	<ul style="list-style-type: none"> • Agreement of long-term maintenance of the surface water drainage system.
<p>Leicester City Council (as adjacent Local Highways Authority)</p>	<p>The net vehicle trip generation between the approved quantum and the proposed quantum has been calculated and presented at section 4.11 through 4.14, and person trips presented at section 4.18.</p> <p>The TA presents that the vehicle trip generation for the proposed scheme would be in the order of 606 passenger car units (PCU) trips less than the consented scheme in the AM network peak, and 534 fewer PCU trips in the PM network peak.</p> <p>Furthermore, it is expected that the change in the proposed use would mean a higher proportion of the HGV traffic which would primarily use the A46 West and North to route to the site, as opposed to using routes through the City.</p> <p>No highway mitigation was identified as a result of the TA for the extant scheme on the City's network. As such, no concerns are raised in respect of traffic impact as a result of the revised proposal put forward for this application given the reduction in trips.</p> <p><u>Sustainable Travel:</u> As this is a framework for workplace Travel Plans on the development, it is highly likely that would include staff which live within Leicester City. The City Highway Authority would be supportive of measures to encourage sustainable travel as part of the plan, and any improvements to local footpath and cycle track connections on routes to the site which would connect into the city, either via Watermead Park or south towards Melton Road to support those measures.</p> <p>Whilst the Travel Plan states that the northern parts of Thurmaston are within 2km pedestrian catchment, and northeast Leicester is within 5km cycle catchment, there does not appear to be any direct pedestrian and cycle connections into the southern part of the site from either Watermead Country Park or Melton Road. Therefore, any walking or cycling trips from the northern side of Leicester would need to route via Wanlip Lane which is a considerable distance and may discourage such trips. It is acknowledged that this could require a new crossing of the canal which would require consent.</p> <p>The Travel Plan also states 'There are also opportunities for travel by public transport. The nearest bus stops to the</p>

	<p>site are located on Wanlip Road, served by the local 100 bus route. Additional services to and from Leicester City Centre can be accessed on Melton Road, a 15-minute walk from the site.'</p> <p>Presumably these stops on Melton Road are in Syston and are accessed via Wanlip Road. There are bus stops at the northern end of Melton Road in Thurmaston (near Costco) and Melton Road outside Roundhill Academy. Whilst it is acknowledged these stops are within the County highway network, a more direct pedestrian connection would reduce journey times for staff, who would travel from the city the units on the southern part of the site. The City Highway Authority would be supportive if more direct pedestrian connections between the site and these stops could be explored and provided.</p> <p><u>Recommendation:</u> The City Highway Authority would welcome the provision of further pedestrian and cycle access into the southern section of the site to encourage sustainable travel to and from the City as part of the development</p>
Natural England	<p>No objection: Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes</p>
Canals and Rivers Trust	<p>The main issues for the Trust are as follows:</p> <p><u>Impact on the structural integrity of the canal</u></p> <p>Consider that detailed construction methodology is requires to ensure that building process do not affect the structure of the canal, for example through vibration. Recommend a condition to this effect for operations within 25 m of the canal (suggested wording provided).</p> <p><u>Impact on the ecological value of the canal</u></p> <p>Recognises the outline nature of the application and that landscaping is a reserved matter. Suggests a condition to ensure that the planting and buffer margins shown in the Parameters Plan are carried forward into reserved matters.</p> <p>Reiterate that the structural integrity of the canal should not be affected ,such as by tree roots and adequate future maintenance.</p> <p>Request that barriers are included along the access road alongside the canal so that vehicles will be prevented from entering the canal.</p>

	<p>Lighting should avoid illuminating the canal.</p> <p><u>Drainage</u></p> <p>Whilst no discharge into the canal is proposed, the drainage proposal uses watercourses that flow under the canal in culverts. The capacity of these should be established, in order to prevent possibility of flooding</p>
<p>The Environment Agency</p>	<p>The proposed development will meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included:</p> <p><u>Flood Risk</u></p> <p>The development shall be carried out in accordance with the submitted flood risk assessment (ref WMPS-BSP-ZZ-XX-RP-C-0001-P01_Flood_Risk_Assessment, dated 28th March 2023, compiled by BSP Consulting) and the following mitigation measures it details:</p> <ul style="list-style-type: none"> • There shall be no raising of ground levels within flood zone 3b or 3a. • Finished floor levels in zone A shall be set no lower than 49.95 metres above Ordnance Datum (AOD) • Finished floor levels in zones B and C shall be set no lower than 49.17 mAOD. <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p><u>Groundwater And Contaminated Land</u></p> <p>Based on the provided information, historic potential sources of contamination including a historic landfill have been identified on the site. No leachability testing, groundwater sampling or sampling of surface waters has been undertaken as part of the provided reports. We request that further information is provided to justify why this wasn't done and that further site works are undertaken so that the risk to controlled waters can be fully assessed.</p> <p>The following conditions are necessary:</p> <ul style="list-style-type: none"> • A site investigation scheme, based on the provided preliminary risk assessment, providing appraisal and remediation strategy. A verification plan providing details of the data that will be collected in order to

	<p>demonstrate that the works set out in the remediation strategy are complete</p> <ul style="list-style-type: none"> • No occupancy until the above requirements are complete. • No further development if contamination not previously identified is found to be present at the site • Piling or any other foundation designs using penetrative methods shall not be permitted for those parts of the site except where it has been demonstrated that there is no resultant unacceptable risk to groundwater • No infiltration of surface water drainage into the ground on land affected by contamination is permitted except for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. <p><u>Use of infiltration techniques / SUDS</u></p> <p>The first option for surface water disposal should be the use of SUDS.</p> <p><u>On Site waste</u></p> <ul style="list-style-type: none"> • excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution • treated materials can be transferred between sites as part of a hub and cluster project • some naturally occurring clean material can be transferred directly between sites <p>Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear.</p>
National Highways	<p>National Highways interest is in relation to the nearby A46 and Hobbyhorse roundabout.</p> <p><u>Trip Generation</u></p> <p>The vehicle trip generation has been previously reviewed and agreed, with a total of 274 and 248 vehicle trips, two-way, in the weekday AM and PM peaks respectively. It is noted that there is a previous planning consent from 2015 on the site. It is agreed that the proposed level of development will result in an overall reduction in trips compared to the 2015 proposal.</p> <p><u>Impact Assessment</u></p>

The impact upon the A46 Hobby Horse Roundabout shows there is a total of 37 and 49 two-way vehicular trips at the junction during AM and PM peaks, respectively, with a maximum of around 20 trips on any one of the two A46 approaches. The impact on the westbound slip road on the A46 would be 46 and 67 two-way vehicular trips during the AM and PM peaks respectively.

We note that the additional traffic impact on the A46 would be acceptable.

Sustainable Transport

It is recommended that the new footway and cycleways proposed within the site boundary to be designed and constructed in line with Cycle Infrastructure Design LTN 1/20

Geo-technical

The new pond which surrounds the existing balancing pond to the north / west of the A6 at Hobby Horse Roundabout as well as the development to the south of the A46 embankment might have geotechnical implications on the SRN. There are defect conditions on the earthwork assets, primarily animal burrows (as shown by the yellow line along Wanlip Road).

Any works at this location that could affect or influence the SRN should be addressed with regards to CD 622 "Managing Geotechnical Risk". This does not only apply to on the SRN but also any adjacent development whereby National Highways needs to be assured that there is no adverse impact. The CD 622 process is also a reciprocal duty of care, so the adjacent development is aware of the condition of our asset and any influence that may influence their own development. The integrity of our assets (whatever condition they are) shall not be adversely affected by neighbouring developments.

Recommendation

Recommend condition requiring a Construction Environment Management Plan (CEMP) to be agreed incorporating:

- a Construction Traffic Management Plan (CTMP) including construction phasing
- HGV routing plans
- construction traffic arrival and departure times
- delivery times to avoid peak traffic hours
- parking and delivery arrangements

	<ul style="list-style-type: none"> • clear and detailed measures to prevent debris, mud and detritus being distributed onto the SRN • assurance that all construction vehicles exit the site in a forward gear
Minerals and Waste Planning Authority	<p>The development site is located within a minerals safeguarding area for sand and gravel. However, the site is allocated within the emerging Charnwood Local Plan 2021-37 under the Policy DS4, site reference ES9. Although the local plan is yet to be adopted, it is far enough within the examination phase to be a material consideration afforded significant weight. Thus, it is compliant with Policy M11 of the Leicestershire Minerals and Waste Local Plan as the draft plan has “took account of the prevention of unnecessary mineral sterilisation and determined that prior extraction should not be considered when development applications came forward”. Therefore, a Mineral Assessment is not necessary for this proposal, and we do not wish to provide any objections from a mineral safeguarding perspective.</p>
Leicestershire County Council Developer Contributions	<p>No S106 contributions for waste, libraries or education are requested.</p> <p>Environment and Transport will request any highways related S106 contributions directly as part of their statutory response.</p>
Charnwood Borough Council Environmental Health	<p><u>Ground contamination</u></p> <p>The Phase 2 Ground Investigation Report by Paragon Building consultancy Ltd (Ref. 22.0089/AM/LC) confirmed the presence of asbestos and ground gas/vapour. The following conditions are therefore recommended:</p> <ol style="list-style-type: none"> 1. A detailed remediation scheme to address all significant risks identified in the site investigation report shall be submitted for the approval of the Local Planning Authority. 2. On completion of the approved remediation scheme, a suitable verification report shall be submitted for the approval of Local Planning Authority. 3. Occupation of the site shall not commence until the approved remediation scheme verification report has been approved in writing by the Local Planning Authority. 4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, an

	<p>amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.</p> <p><u>Air Quality</u> The Redmore Environmental Air Quality Assessment (Reference: 6525r1) determined the construction-phase of the development required site specific mitigation measures in order to prevent possible nuisance dust impacting on existing and future site receptors.</p> <p>It is therefore recommended that any permission be conditioned to require the submission of a detailed construction/environmental management plan prior to commencement of construction work. The submission should include for example, details of visual assessments, dust monitoring and dust suppression techniques to be employed during the development.</p>
<p>Charnwood Borough Council Landscape</p>	<p>The green wedge function will not be affected and its function will remain intact.</p> <p>There will be some short term views to the new Business Park but over time these will reduce as the vegetation matures and screens the new buildings. The views from the A607 will be transient, glimpsed views with less significance. A soft landscape plan, schedule and maintenance plan must be provided (see conditions)</p> <p>Methodology – the LVIA has been carried out to adequate standards and takes into account appropriate viewpoints. It recognises impacts on the Country park and the lake within the site, and depends on landscaping to mitigate these so the importance of landscaping (as reserved matters) is highlighted.</p> <p>There will be some landscape benefits to be proposed development. The LVIA states: In addition, the land to the north of the A46 will be laid out as a new area of wetland with managed public access. The LVIA concludes that the proposed strategy will improve public access and recreation.</p> <p>Conditions: Robust soft landscape plan must be provided with a schedule showing number, size and species of the trees to be planted, with a long term maintenance plan to ensure mature trees thrive and are replaced if die. The supplied Landscape Masterplan is not satisfactory and detail is needed at reserved matters stage.</p>

Ward Councillor and Parish Council Response

Rt. Hon Edward Agar MP	<p>Expresses his concerns and those of residents regarding:</p> <ul style="list-style-type: none"> • The Country Park is a haven of wildlife and biodiversity which attracts visitors locally and from further afield and should be protected and enhance. This development will have the opposite effect. • Whilst economic development and employment issues are always important, the scale of the development will impact on the beauty of the area and the adjacent John Merricks Lake. • The development is on the floodplain • New Landscaping replacing exiting vegetation would not provide the same wildlife habitat • Traffic levels in the area are already high and the main entrance Wanlip Road is barely more than a country Lane.
Cllr Infield	Requested call in of the application to be heard by Committee
Syston Town Council	<p>The construction of units in this area will have an adverse effect on trees and wildlife and nature conservation work.</p> <p>This type of construction will increase traffic in an already congested road structure, including the traffic island whose design is already out of date to cope with the current traffic levels.</p> <p>The land is a flood plain, where will the excess water be directed without causing flooding in areas not equipped to deal with it.</p> <p>The construction is designed very close to the lake, if one has to be built, why not locate it well away from the lake, an area of natural beauty and habitat for local wildlife and aphids.</p> <p>The area is a beautiful outside space for the local communities in the area. It is a sanctuary for wellbeing and good mental health. There is no place for industry and associated noise, pollution and traffic in this park. A woodland walk has been created recently in memory of those lost in the Covid pandemic, there appears to be no regard for this or those that will be affected.</p>
Wanlip Parish Meeting	<p>Opposition to the application:</p> <p>The concerns are that the nature of the proposed development with have a negative impact on</p> <ul style="list-style-type: none"> • Watermead country park • Wildlife in the area and its habitat • Noise and air pollution in the area • On traffic using Wanlip Lane

	<ul style="list-style-type: none"> • Flooding in the area during periods of heavy rain.
Responses to publicity	
From	Comments
31 letters received from various addresses and comments from the Campaign to protect Rural England (CPRE).	<p>Noise</p> <ul style="list-style-type: none"> • The development will seriously affect the canalised section of the river Soar which borders the west of the development. Currently the land acts as a sound buffer from the main roads which are nearby. This will be lost as the development sits on the western boundary of the site. • There are currently some very peaceful moorings on this stretch of canal, these would be badly affected by the noise of vehicles especially at night. <p>Need</p> <ul style="list-style-type: none"> • there are logistics warehouses standing unused in Leicestershire. • There are more suitable sites. • Industrial buildings will now be both sides of the A 607. <p>Wildlife and Biodiversity</p> <ul style="list-style-type: none"> • A count identified 500 species of wildlife here. • The outline application says there are no trees or hedges either on or adjacent to the site. This is clearly not true and a full wildlife survey should be required • We cannot afford to lose more natural habitats for wildlife. The city is depleted enough as it is and we should be aiming to increase it not decrease it. • Leicestershire and Rutland are amongst the poorest counties in the UK for sites of recognised nature conservation value. It is crucial that we do not allow developments to take place in areas of conservation. • Current government targets require tree canopy cover to expand particularly in this area of the county where averagely they fall far below the national standard. • 'Rewilding' to make up for loss of natural habitats will only be detrimental to local biodiversity. It takes time for natural habitats to grow, mature and consequently increase in benefit. • Development within the Park will destroy what has taken 40+ years to establish • The modified grassland towards the north of the application site and areas of mixed scrub should be designated as Open Mosaic on previously developed land. Likewise the modified grassland to the north

	<p>described as other neutral grassland. Therefore the BNG calculation is incorrect.</p> <ul style="list-style-type: none"> The site should be sensitively built not abut the canal for ecological and landscape reasons. Works should take place at least 30m from the canal edge and the lake should stay in place. <p>Recreational value</p> <ul style="list-style-type: none"> It's a massive recreational resource for people in the county and city. There has just been a Memorial walk created to remember people who died in the pandemic. This is a significant open space that is so important for the mental health of people during these difficult times. We need more not less. <p>Traffic</p> <ul style="list-style-type: none"> Traffic would be much increased locally as a result of this application together with traffic pollution. Hobby Horse roundabout is already a motor crash and congestion hotspot. The Asda roundabout is also highly congested due to unwise planning decisions in the past. There is no active transport infrastructure along the A46 The data on traffic flow is misleading. Whether the number of car journeys is within consented limits is irrelevant. The prime issues include route capacity, flow through the site, and the sufficiency of parking within the site. For example, if 73% of 900 employees arrive by car that would mean over 600 journeys in and out daily; this does not include the impact of 24/7 commercial traffic to the site. <p>Flood risk and drainage</p> <ul style="list-style-type: none"> It's a flood plane so it will add to problems Waste discharge into the water, pollution etc <p>Public Opinion</p> <ul style="list-style-type: none"> Public responses to these plans are overwhelmingly negative, despite the business arguing it will bring 'local' jobs. Charnwood must listen to local residents.
CPRE Comments	<ol style="list-style-type: none"> Extension into the Country Park Media coverage of this application suggests that some of the development will be within the Country Park. Clarification of this would be helpful.

	<p>2. Relationship to Watermead Country Park</p> <p>Given its location in the currently open space adjacent to the eastern boundary of the Country Park, the proposed development will inevitably impact on its wider environment. Tree planting around the perimeter of the development alongside the Canal could help in mitigating the visual impact in views from the Country Park. The scale of the buildings in Zone C will make it difficult to hide when viewed from the Park.</p> <p>One of the key benefits claimed for the local community of the development includes: “Enhancement and improvements to the biodiversity and ecological environments of the Country Park.” It is unclear precisely what this enhancement and improvement of the Country Park itself involves.</p> <p>3. Ecological Impact and Biodiversity Gain</p> <p>The Bird Survey Report, April 2023 at para. 6.19 refers to the creation of this new lake and notes that “newly created lakes of this nature take a considerable time to establish”. In our view, it is vital that this compensatory work should proceed at the same time that the infilling of the Carp Pool is undertaken so that a head start is achieved in establishing this new compensating habitat. We are therefore calling for a condition to be attached to any permission granted for this application to this effect and to require it to be completed before any of the buildings on the main site are occupied.</p> <p>We also concerned about a statement on p. 30 of the Design and Access Statement which reads: “Existing hedgerows and trees within the site will be removed to accommodate the development and new landscaping and tree planting will be used and reinforced to mitigate their loss.” We seek clarification of this statement.</p> <p>4. Climate Change and reduction of emissions</p> <p>There appears to have been little consideration of the climate change, energy use and emissions implications of this development, especially in relation to design of the site and built infrastructure as required under Policy CS16 of the current Charnwood Local Plan 2011-2028 (adopted in November 2015) or emerging Policy CC 4 Sustainable Construction.</p>
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	This is a serious omission.
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8. Consideration of the Planning Issues

8.1 The key issues in considering this application are:

- Principle of Development
- Scale, Design & Layout
- Impact on Residential Amenity
- Highways Matters
- Ecology and Biodiversity and Impact on Trees
- Flood Risk and drainage
- Impact on Watermead Country Park and wider landscape
- Impact on the Grand Union Canal
- Economic and Regeneration impacts

9. Key issues

9.1 The Principle of the Development

9.1.1 The starting point for decision making on all applications is that they must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise. The most relevant policies for the determination of this application are listed above and are contained within the Development Plan for this part of Charnwood which comprises the Charnwood Local Plan (2011-2028) Core Strategy, and those 'saved' policies of the Borough of Charnwood Local Plan which have not been superseded by the Core Strategy and the Minerals and Waste Local Plan (2019)

9.1.2 The Core Strategy and Borough of Charnwood Local Plan are over 5 years old and it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. This is addressed in the following paragraphs.

9.1.3 The policies most relevant to the principle of the development are considered to be Core Strategy Policies CS1 (Development Strategy) and CS21 (Watermead Regeneration Corridor - Direction of Growth) of which the site forms a significant part and Adopted Local Plan 2004 Policies CT/1 and CT/3, which allocate the site as 'countryside' and 'Green Wedge' respectively, the latter for the parts proposed to be developed for commercial purposes (and which also encapsulates the wider surroundings of Watermead Country Park).

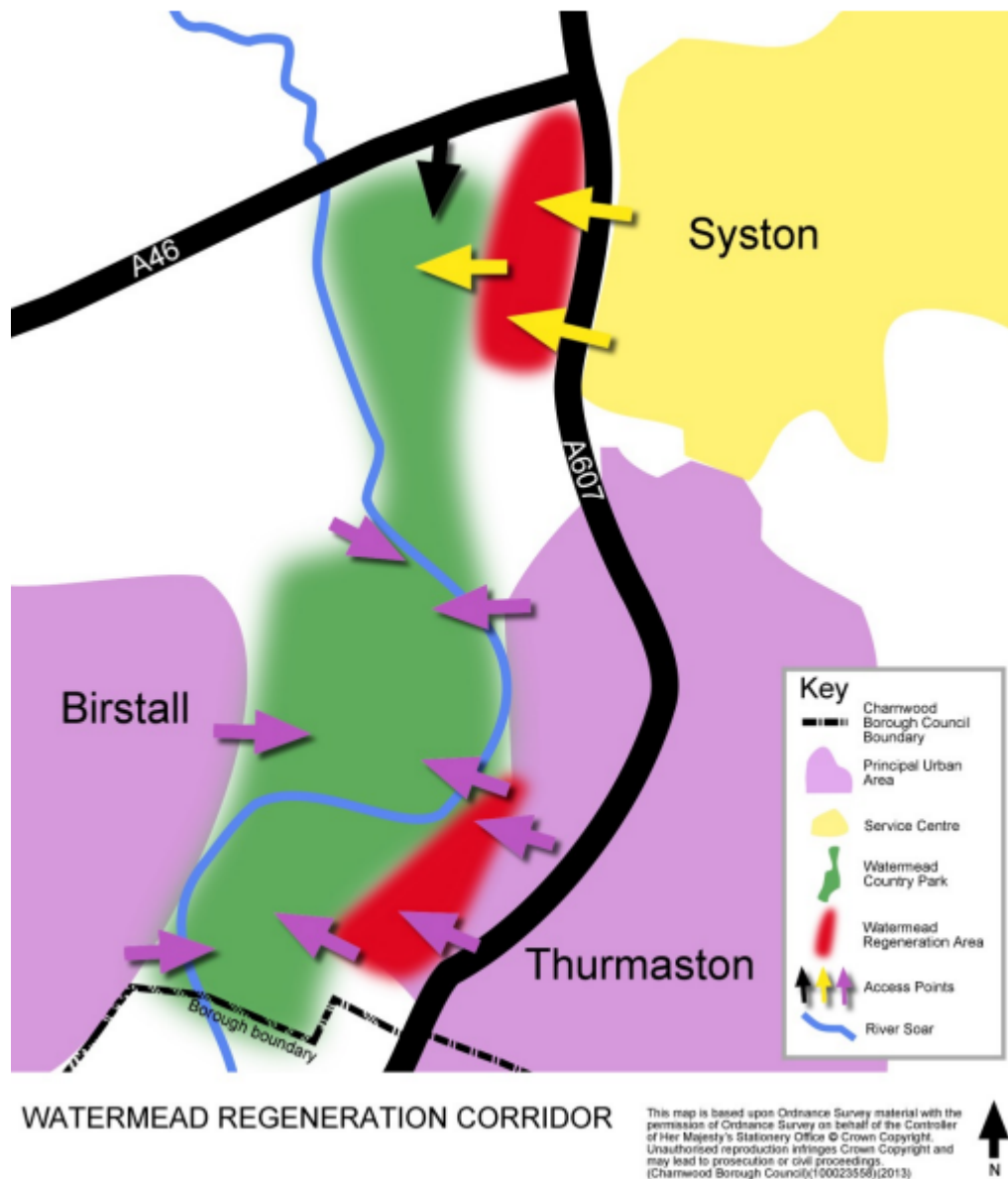
9.1.4 Core Strategy Policy CS1 is considered to remain current as it directs development to the Leicester Urban Area. This approach is being carried forward in the emerging Local Plan under Policy DS1. Policy CS21 specifically identifies the entirety of the site proposed to be physically developed (i.e. the parts south of the A46 including the lake it contains, but not the portion north of the A46 intended to contain the new lake but no buildings or infrastructure) as a regeneration site and as such it is considered that this supersedes the former designation as Green Wedge in the earlier Local Plan 2004

for this part of the site. Legislation requires that, where there is conflict between the parts of the Development Plan, the most recent should prevail. Core Strategy Policy CS21 is more recent than the 'green wedge' allocation under Local Plan Policy CT/3.

Figure 2: Local Plan 2004 Proposals Map extract (key: green dots show Green Wedge designation) The diagonal hatched area relates to policy RT/18 of the Local Plan and the red dotted line relates to policy TR/13 of the Local Plan. Neither policy is a saved policy and thus not relevant.



Figure 3: Core Strategy 2015 policy CS21 Watermead Regeneration Corridor (extract from Core Strategy page 107)



- 9.1.5 The part of the site north of the A46 is not affected by this later allocation introduced by the Core Strategy. It therefore remains under the guidance of Policy CT/1 of the Local Plan 2004 as 'countryside', and CT/1 is considered to retain substantial weight. The proposals on this part of the site are compatible with that designation.
- 9.1.6 However, Policy CS21 of the Core Strategy is itself now considered to be out of date, as evidenced by proposals for its replacement by a fresh approach in the emerging Local Plan 2021-37 – Policy DS4 (site reference E10) and therefore cannot be given full weight in decision making. Therefore the provisions of paragraph 11dii) of the NPPF are employed, and permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits of the development, when assessed against the NPPF taken as a whole.
- 9.1.5 Emerging Policy DS1 of the Draft Charnwood Local Plan (2021-2037) adopts a similar approach and also proposes a focus of new development in Leicester Urban area generally, and to this site specifically under Policy DS4: Employment Allocations (site

reference ES9). The site is larger than the allocation under ES9 in that it includes a man made lake which is allocated as part of the Green Wedge under emerging Policy EV2, giving rise to a larger area (and greater floorspace capacity) than envisaged in the emerging Plan (allocation is for 12ha. and the proposal is 14.16ha developable area). The detailed requirement of these policies will be addressed later in this report. 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 at this time.

- 9.1.6 Being located close to a wide range of facilities and a range of good transport choices, it is considered that the principle of the development, to the extent of its general location, is acceptable and in accordance with the relevant policies as referred to above.
- 9.1.7 More emphatically, almost all of the site (with the exception of the lake within the part of the site to be developed) is subject to outline planning permission reference P/12/0003/2 for Business Park (comprising offices, research and development/light industry; erection of hotel and leisure facilities etc with a total combined floorspace of 46,692m²) which was approved in March 2015. This permission remains extant by virtue of both its allowance for reserved matters for a period of 10 years, and the commencement of development by means of an access road, and as such forms the background and the baseline for this application. This is a material consideration in favour of the proposal.
- 9.1.8 Core Strategy CS21 is 'criteria based' referencing aspirations for design quality, connectivity to the Country Park, regeneration potential, flood risk and use of sustainable drainage and physical impact on the Country Park and Green Wedge. These matters are addressed in following sections of this report. It specifically identifies this site (parcels A, B and C) as providing "up to 8,750sqm for offices and around 16ha for employment and a hotel accessed off Wanlip Road" from which this application deviates, the implications of which is addressed below. As stated above, it is considered that the Policy is out of date and so attracts reduced weight.

9.2 Scale, Design and Layout

- 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 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 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 Furthermore, the site specific policy within the Core Strategy (CS21) requires that development responds positively to the high quality tranquil setting of Watermead

Park, and in the emerging Local Plan Policy CS4 links directly to the design aspirations set out in Policy DS5. These matters are addressed in greater detail in section 9.10 'Impact on Watermead Country Park' of this report below.

- 9.2.4 The application is in outline and relies on 'reserved matters' to determine final layout, building design and size. However, it is supported by a parameters plan (see Figure 1 above) in which it is divided into several 'development zones' each with parameters regarding quantum and scale (see paragraph 3.5 above) and various illustrative design documents to explain its relationship, particularly, with Watermead Country Park and the role of landscaping.
- 9.2.5 The design draws from the recently completed development which comprise Phase 1 of the business park on the opposite side of the A607, and is inherently commercial in scale and character. However, whilst the Design and Access Statement (and Planning Statement) aspire to a better design approach it is considered that they lack the necessary detail to ensure consistency between building types, coherence by common design features and the materials employed and as such it is considered necessary that an overall Design Brief is required in order to secure such an approach. This can be achieved by the imposition of a condition.
- 9.2.6 The existing lake, a former gravel pit situated approximately centrally within the application site, is proposed to be partially infilled but would be retained and form a centrepiece and focal point of the site around which the buildings would be located. This, in itself, would give the development a strong and distinctive character of a quality higher than usually seen in a commercial setting (including those near to the site).
- 9.2.7 It is in this respect that the application deviates to an extent from the allocation provided in the emerging Local Plan under Policy DS4. The emerging Employment allocation 'wraps around' this lake on north, south and west sides, effectively separating it from the Country Park both visually and physically. It is however retained as a 'pocket' of allocated Green Wedge under emerging Policy EV3. The development will largely retain the feature, so it can largely fulfil the role anticipated under the Green Wedge designation within the context of the Local Plan employment designation, i.e. as 'relief' from the surrounding built form. The significance of this departure from the emerging Local Plan will be addressed within the conclusion of this report.
- 9.2.8 The north part of the site (to become 'Zone A') has, in particular, the prospect to be highly visible and tree cover along the A697 reduces as one travels north, and the design of the north-east corner of 'Zone A' will be of great importance. Elsewhere, the site benefits from quite robust screening provided within and outside the boundaries of the site.
- 9.2.9 The submitted documents including the parameters plan (to which specific reference is being made owing that it is a proposed plan rather than 'illustrative') show the areas of the site to be landscaped. These are principally along its boundaries (n.b visual impact and impact on the adjacent Canal and Country Park are addressed separately within this report) but also include internal space that will not be occupied by buildings, amongst which is the retained lake and an island within it. These have a role in the

bio diversity impacts of the scheme which are addressed later in this report, but also serve to add to the quality and distinctiveness of design of the development.

9.2.10 Finally, the site includes land north of the A46 which is strongly segregated from the remainder of the site by the A46 itself. It will have little or no functional relationship with the developed land and no new connections to it (from the remainder of the site) are proposed, though it is accessible from existing public footpaths. Within the application, its primary purpose is to provide a bio-diversity contribution (details addressed later in this report) but also has a role in considering design and layout and is considered to be positive contribution to overall quality that is unusual to see in applications of this nature.

9.2.11 On this basis it is considered the proposal, in architectural terms, would not give rise to harm to the character of the area and is compatible and accords with the NPPF, National Design Guide, policy CS2 of Charnwood Core Strategy, EV/1 of Local Plan and the Charnwood Design SPD and emerging Local Plan Policy DS5, subject to compliance with the Parameters Plan and a condition to secure the design approach presented by the application.

9.4 Impact on Residential Amenity

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

9.4.2 Emerging Local Plan policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. The policy can be given moderate weight.

Existing properties

9.4.3 The site does not contain any residential properties and there are none immediately adjacent to it except at its northern extremity which is the land to be left undeveloped. The site excludes and wraps around the Hope and Anchor Public House, along its west boundary, which is served by Wanlip Road which effectively divides the site into 2 parts (Zone A to its north, Zones B and C to its south). The parameters plan shows this to be protected by an area of undeveloped land and potential new pond, and it is considered will be adequately protected in amenity terms.

9.4.4 There are a number of residents who occupy canal boats as residences interspersed along this stretch of the canal. Where adjacent to the development zone, the environment will substantially change because at present the land is undeveloped (in the sense of buildings and infrastructure), and there is likely to be greater noise and activity from adjacent service roads, car parks and service areas. However, due to the outline nature of the application it is impossible to assess the full effects of the proposal as much will depend upon the final layouts and designs of buildings. These matters

will be the subject of reserved matters and considered at that stage, including the requirement for further noise and other impact assessments that may be prompted by the content of the details submitted. However, it is considered that the site (including its articulation provided by the Parameters Plan which includes a landscaped corridor between the canal and the developed area) is able to be configured in such a way as to maintain amenities at acceptable levels, and as such this is not regarded sufficient grounds for refusal.

9.4.5 Overall, therefore, it would not comply with the provisions of policies CS2 of Charnwood Core Strategy and EV/1 of Local Plan along with NPPF, National Design Guidance, Emerging Local Plan Policy EV5 and the guidance set out in the Design SPD to protect residential amenity.

9.5 Highway Matters

9.5.1 Policy CS2 of the Core Strategy requires new development to provide well defined and legible streets and spaces that are easy to get around for all. Policy CS18 of the Core Strategy requires network improvements where they are identified in Transport Assessments. Policy CS19 seeks a modal shift of 6% from the private car to sustainable travel modes. The policy requires major developments to sustainable travel access to services and facilities and routes integrated with the wider green infrastructure network and secure new and enhanced bus services from major developments where they are more than 400m walk from an existing bus stop. Policy TR/18 of the Saved Local Plan requires off-street parking to be provided for vehicles and cycles to secure highway safety and minimise harm to visual and local amenities. Adopted standards as set out in the saved Local Plan are provided as a starting point to assess the level of provision. These policies generally accord with the National Planning Policy Framework and do not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.

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

9.5.3 Emerging local plan policy T3 requires new development to provide car parking in accordance with the latest published guidance of the County and Borough Councils. Emerging policies INF1 and INF2 seek to secure appropriate infrastructure to mitigate the impacts of development. These policies are at an advanced stage and was discussed at the hearing sessions in June 2022 and is consistent with the NPPF so can be given moderate weight.

9.5.4 Emerging Local plan Policy CC5 seeks to promote development which is well located and accessible by means of public transport, walking and cycling. This policy is at an advanced stage and was discussed at the hearing sessions in June 2022 and is consistent with the NPPF so can be given moderate weight.

9.5.5 *Access*

The development shows that the development would be accessed via the existing Wanlip Road/site access roundabout, which would be amended to make it suitable for HGVs accessing Zones B and C. The junction would provide facilities for pedestrians and cyclists accessing the site. Hence, safe and suitable access can be provided.

9.5.6 *Traffic Flow*

Of great significance, the development compares favourably with the extant permission on the site because, whilst greater in floorspace, the prevalence in 'Class B8' warehousing in the current application is a less intense source of generation than the mix of land uses contained within the former permission. It will also bring a difference in the nature of the traffic with a greater proportion of HGV's, and off peak travel times as warehousing does not strongly follow the traditional peaks. The transport studies associated with the application have demonstrated a reduction in traffic flow when compared to the extant consent, and this conclusion has been supported by the Local Highways Authority, Highways England and the adjacent Leicester City Council Highways Authority. This, in turn, has resulted in there being no request lodged from relevant agencies for improvements to the highway network (beyond those contained within the application itself).

Sustainable travel, transport options and 'modal shift'

9.5.7 The site is accessible by a range of travel modes. It is well located for access to the local highway network via the A607 which links the site to the A46 to the north and Routes towards Leicester City Centre to the south. Wanlip Road provides direct access to Syston. The A46 is part of the Strategic Road Network and links the site to the M1, A6 and A50 to the west.

9.5.8 The site also benefits from its proximity to residential areas which allow for manageable cycling and walking opportunities, and there are bus services nearby at Wanlip Road, 500m and 800m away and served by the local 100 bus route. The Local Highway Authority has requested financial contributions from the developer towards the development of a service which provides an hourly, Monday to Saturday service that covers the whole of the day 7am -7pm (Monday-Friday) and 8-6pm Saturday. The applicant has responded to this with a formula previously employed and accepted by the Local Highways Authority at a site in nearby Syston, resulting in a developer contribution, but the Local Highways Authority favour a condition requiring a wider 'Public Transport Strategy'. In addition, the Travel Plan proposes that bus passes would be offered to employees at the expense of the development but limited to one third of expected employees (n.b. this exceeds expected take up rates and those experienced on other developments).

9.5.9 The application includes 3.0m wide footway/cycleways that would be provided alongside the internal carriageway with Zones A, B and C, with appropriate crossing points to ensure that each unit can be safely accessed on foot from the wider pedestrian network. Further, the existing Right of Way running through Zones B and C of the development site would be diverted such that it would run within the landscaped area parallel to the Grand Union Canal on the western side of the site. The diverted route would be designed such that it would be suitable for both pedestrians and cyclists, with connections made to the internal development spine road at

appropriate locations. The Local Highways Authority welcome these measures and their value towards encouraging sustainable travel choices, and advise that construction details are to be agreed during detailed design. Details including crossing provision will require consideration at detailed design stage.

- 9.5.10 In addition, the application is supported by a Framework Travel Plan (updated following comments from the Highways Authority). As well as setting out the locational advantages of the site in terms of transport choices and infrastructure for walking and cycling, it includes measures which are intended to become requirements imposed upon future occupants to reduce car dependency. This includes the appointment of Travel Plan Managers in each unit with a wide ranging remit to promote sustainable travel through encouragement of walking, cycling, public transport and car sharing, and responsibilities to set targets and monitor progress, with a stated ambition of 10% reduction over 5 years.
- 9.5.11 In conclusion, the means of access replicates that formerly approved and has met with the satisfaction of the appropriate Highways agencies. Traffic flow quantities and patterns compare favourably with the extant permission and do not give rise to the need for off-site improvements or to the wider road network. On this basis the application, subject to conditions to secure a Public Transport Strategy and S106 for bus passes and monitoring the effectiveness of the travel Plan (see comments of the Local Highways Authority in section 7 above), satisfies Policy CS18 of the Core Strategy and Policy TR/18 of the Saved Local Plan, and Emerging Local Plan policies T3, INF1 and INF2.
- 9.5.12 The site is located advantageously in order to benefit from sustainable travel options and these are to be enhanced by means of improved bus services, additional bus stops and footpath connection within and through the site. The development therefore accords with the expectations of Core Strategy Policy CS 17 and Emerging Local plan Policy CC5.

9.6 Flood risk and drainage

Flood Risk

- 9.6.1 Policy CS16 of the Core Strategy and the NPPF direct development away from areas at highest risk of flooding. The policy requires development to manage surface water run off with no net increase in the rate of surface water run off for green field sites. This policy generally accords with the NPPF and does not frustrate the supply of housing. It is therefore not considered there is a need to reduce the weight afforded to this policy.
- 9.6.2 Emerging policy CC1 of the Draft Local Plan requires major development to be supported by a Flood Risk Assessment, requiring a sequential approach to layout within the site, requiring development on greenfield sites to cause no net increase in the rate of surface water run off. Major development should, where appropriate, incorporate Sustainable Urban Drainage Systems (SuDS). Emerging policy CC2 states development will include appropriate measures to manage flood risk. This policy is at an advanced stage and was discussed at the hearing sessions in June 2022 and is consistent with the NPPF so can be given moderate weight.

- 9.6.3 The proposed development was accompanied by a detailed flood risk assessment and drainage strategy. The Assessment concluded that the different site areas should be classified as follows, with flood risk arising from a variety of sources:
- North Field (to contain only biodiversity creation and new pond) – Part Flood Zone 2 (Medium Probability) Part Flood Zone 3b (Functional Flood Plain)
 - Zone A – Flood Zone 2 (Medium Probability)
 - Zones B & C – Flood Zone 1 (Low Probability) being at low risk of fluvial flooding as identified by the Environment Agency flood maps and is not vulnerable to other forms of flooding.
- 9.6.4 The local area benefits from the Charnwood Borough Council Level 1 Strategic Flood Risk Assessment Final Report December 2018 and Level 2 Strategic Flood Risk Assessment Final Report January 2021. The Sequential Test is not required where a site has been allocated for development and subject to the test at the plan making stage. This provision is applicable to this development, following allocation as referred to in foregoing sections of this report in both the Core Strategy 2015 and the emerging Local Plan (the latter of greatest significance as based on the most recent data and evidence). The part of the site north of the A46 would be dedicated to new habitat creation and not include any buildings or infrastructure, and as such would not increase flood risk either within its boundaries or elsewhere.
- 9.6.4 However the Exception Test remains applicable as the northern part of the site (the proposed pond) was not considered at plan making stage. NPPF paragraph 164 requires that it should be demonstrated that the development would provide wider sustainability benefits to the community that outweigh flood risk; and that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 9.6.5 The former is addressed in Section 9.12 ‘economic benefits and regeneration’ towards the end of this report in term of employment opportunities, investment and regeneration properties, and the development would fulfil (part of) a site allocation in a highly sustainable location that has been stalled since its conception in 2015.. With regard to safety, the Flood Risk Assessment sets out a series of measures comprising site and floor levels, design requirements for the drainage system to ensure run off rates do not exceed existing, including in storm event conditions, flood warning and evacuation procedures. The Environment Agency have accepted these provisions and recommend conditions to secure them (see section 7 above) which alongside conditions securing flood resilience measure to address ‘residual flood risk’ would ensure compliance with paragraph 167 of the NPPF.

Drainage Strategy

- 9.6.6 The proposed surface water on each Zone A, B and C will drain to the proposed attenuation pond or take Discharge rates are to be restricted to the existing greenfield runoff rates and therefore will not cause or exacerbate any flooding problems in the local area.

9.6.7 The proposed surface water drainage and attenuation system includes the following properties to ensure its effective and flood risk issues referenced above:

- designed such that no flooding occurs in the 1:30 year storm and that no flooding of buildings occurs in the 1:100 year climate change storm.
- Flood water retained within the site for up to the 1:100 year climate change return period.
- An allowance in capacity of 40% to allow for the future effects of climate change.
- Consents for the foul and surface water drainage connections from Severn Trent Water, the LLFA and the EA as applicable.
- Overland flow to be included at design stage. This will require consideration of the proposed finished
- The main channel and siphon of the minor watercourses receiving the site drainage to be desilted and debris cleared to facilitate the drainage of the
- Liaison with Severn Trent Water at the early stage of the detailed designs to discuss the foul water strategy

9.6.5 Consequently, the proposal is considered acceptable having regard to Policy CS16 of Charnwood Core Strategy, emerging Local Plan policies CC1 and CC2 and the applicable component of paragraph 167 of the NPPF.

9.9 Impact on Biodiversity interests including trees

9.9.1 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.

9.9.2 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. Therefore, emerging Local Plan policy EV6 can be given moderate weight until the emerging policy is further progressed towards adoption but its expectation of 10% net gain can only be given limited weight at this time.

9.9.3 Policy EV7 of the Draft Charnwood Local Plan (2021-2037) seeks to protect and enhance our natural environment by increasing the number of trees in Charnwood and supports development that retains existing trees, where appropriate. The emerging Local Plan is 'well advanced' having been subject to Examination and policies are consistent with the NPPF. Policy EV7 is largely uncontested and can therefore be afforded moderate weight.

Biodiversity and net gain

- 9.9.4 The application site contains a range of habitats. However, when assessed against Local Wildlife Site criteria the site as a whole was not considered to qualify as a Local Wildlife Site but the main lake (Willow Farm Carp Pool) is considered to.
- 9.9.5 The application is accompanied by a BIA and ecological assessments based on up to date survey work from 2022. Amongst the habitats identified were the following main features:
- The main waterbody/marl lake
 - a number of other neutral grassland compartments which ranged between moderate and good condition.
 - Some areas of the grassland were of higher botanical value
 - Modified (amenity) grassland in poor condition was also recorded.
 - Ruderal habitat in poor condition

The 'value' of the site in terms of bio diversity units is calculated as 304 habitat units and the development (based on most recent masterplan) would result in a reduction to 183, a deficit of 121. This includes mitigation on site within the development zones and, more significantly, by management of the retained lake and creation of a new lake/water feature in land north of the A46. However, it is a net reduction in the order of approximately 40%.

- 9.9.6 The Council's Senior Ecological Advisor has examined these calculations and concluded that they are fair in terms of the values attributed to the habitat types and their respective scales, but has strong reservations that compensatory proposals will be feasible and adequate. Moreover, he has expressed strong concern that the measurement and comparison with the impact of the 2015 permission is inappropriate because, in common with this application, it is in outline and the true impact (including compensatory measures) cannot be defined until detailed reserved matters are settled. It is, therefore, an unreliable estimate.
- 9.9.7 The shortfall in units, some 121, could be compensated for off site in order to ensure no net loss of biodiversity but the financial equivalent of this would be prohibitive at some £4.719 million using the calculation methodology in the Council's adopted Biodiversity Guidance.
- 9.9.8 In common with other issues, such as the Highways as addressed above, the context and background of the application is an extant permission dating from 2015. This had limited biodiversity provisions owing to the legal and policy framework at the time being less mature than at present and as such creates a baseline which would generate a significant biodiversity degradation and very limited compensation (either off site or through financial mechanisms that are now more commonplace).
- 9.9.9 The applicant has submitted a BIA for the extant scheme and the current proposed scheme. A comparison undertaken against this 'fallback' position has calculated that the advancement of the current proposal as an alternative to that scheme would also generate a deficit, with an estimated difference between the two outline schemes of some 33.5 units. It should be noted that the extant scheme was also an outline planning permission and such exercises rely upon masterplans and illustrative layouts, as such can only be an estimation: a final definitive calculation cannot be undertaken

until full design details are finalised). This is a material consideration of significance to this topic (as it is to Highways issues and other matters) and it is considered can reasonably be taken into account to 'discount' the current application. Therefore, it is considered that, due to the fallback position of the extant scheme, an estimated deficit of 33.5 habitat units is the best measure available and the most reliable guide to calculate the relevant deficit arising from this proposal.

9.9.10 The resulting, sizeable, 'net' deficit under the above policies should be the subject of compensation. The applicant is investigating opportunities to create habitat in alternative locations that would address this deficit, but agreements have not been finalised. They recognise, however, that it may be necessary to provide a financial contribution to allow the Council to facilitate this compensation if it is not achievable by on site and off site measures (as it has with many other development proposals) and through application of the approach within the Council's adopted Biodiversity Guidance 2022, a sum of £1,308,450 is derived (i.e. 33.5 units at £39k per unit). The applicant has advanced an offer of up to £1,308,450 for this purpose, to cover the eventuality that the combined on and off site solutions cannot be secured (or if they are insufficient to address the entire deficit of 33.5 habitat units). This figure can only be an estimate as both calculations for loss and replacement (compensation) are dependent upon final design details of the detailed designs/layouts, both that of the build development in zones A -C and that of the 'land north of the A46.

9.9.11 Therefore, it is clear that the provisions of Core Strategy Policy CS13, emerging Local Plan Policy EV6 and the Council's Planning Guidance for Biodiversity June 2022 are not met by the development in terms of bio diversity if the development is viewed in isolation. However, planning history is a material consideration of great weight (and can become determinative depending on the circumstances) and once the extant permission is factored in it is considered that the proposed compensation is accurate, fair and justified.

9.9.11 In addition, ecological surveys and assessments have been carried out for the site examining the presence of protected species. The results of these are accompanied by proposed measures of mitigation which are summarised below:

- Bats : no confirmed roosts were found within the site but it does have value for foraging and commuting bats. The layout should not result in the fragmentation of such habitats, but good practice lighting is recommended to reduce light spill with appropriate buffer planting and bat boxes on trees also recommended.
- Birds : The assemblages associated with both the wetland and the grassland, hedgerows, and scrub-woodland were considered of Local conservation importance. The proposals are expected to have a significant impact on a number of the species recorded with significant adverse effects for a number of species. Mitigation measures are recommended to minimise disturbance impacts from construction and a range of enhancement opportunities have been suggested to achieve biodiversity gains including sensitive planting schemes and the provision of a range of nest boxes.
- Amphibians and Reptiles: great crested newt are not considered to represent a constraint to works, but a grass snake population was recorded on site and a mix of targeted trapping/translocation and passive displacement under good practice is proposed to mitigate for this loss. This will include creation of a receptor site and hibernacula/refugia and will require a licence from Natural England

- Watervole and Otter: there is no evidence of watervole or otter, though suitable habitat does exist. More notably the canal to the west has value for both groups and it is recommended it is protected from damage and disturbance through good practice (lighting, noise etc) and buffered with suitable planting.

9.9.12 The proposal will not deliver net gain to the estimated loss of 121 habitat units. Biodiversity mitigation will be secured based upon the fallback position of the extant permission and thus off-site mitigation and compensatory payment, where necessary, will be secured based upon the loss of 33.5 habitat units (the estimated difference between the extant outline permission and proposed outline development). The proposal is therefore contrary to CS13 and emerging policy EV6 as it does not result in replacement provision that is of equal or greater value to that which will be lost. Balanced against the policy conflict is the material consideration of the extant permission as a fallback, which has also been shown to result in a significant biodiversity deficit. Therefore subject to conditions regarding provision within the development zones (albeit limited) including the dedication of the land to the north of the A46 (which forms part of the application site) as new, enriched, habitat, to secure on-site biodiversity enhancement and mitigation and a S106 obligation to secure details of off-site mitigation and up to £1,308,450 for off-site biodiversity mitigation (where off-site provision is insufficient to address the entire deficit), the policy conflict is considered to be negative within the overall planning balance

9.9.13 The site is comprised of a variety of habitats as well as a substantial area of 'legacy' previously developed with surfacing. Much of the scrubland and grassland within the site has a sparsity of trees and there is no hedgerow other than a section on the west edge of the 'land north of the A46' which is not intended to be developed for employment purposes. There are however trees on the periphery of the site, most notably the east boundary adjacent to the A607 and the north, adjacent to the A46. The canal is bordered by a number of trees but these lie principally outside the application site. The trees to east and south have a valuable role in screening views of the site from the busy roads and it is considered should be retained and enhanced.

9.9.14 There is reference in the submission documents that existing hedgerows and trees within the site will be removed but it is considered that this needs to be very selective, as retention and augmentation with new planting would represent a better solution, in line with applicable planning policies for tree retention *and* planting. Therefore, it is recommended that a condition is applied preventing their removal unless approved as part of approved 'landscaping' details at reserved matters stage alongside intentions for new planting.

9.9.15 The above approach will ensure that trees will be retained until and unless they form part of landscaping proposals incorporating retention where most important. On this basis it is considered the objective of emerging Local plan Policy EV7 will be met.

9.10 Impact on Watermead Country Park and wider landscape

9.10.1 Core Strategy Policy CS21 draws particular attention to the impact of the development on the tranquility of the adjacent Country Park and its role as (part of) a Green Wedge between Thurmaston and Birstall to the west. Policy CS11 of the Core Strategy aims to protect the character of our landscape and countryside by requiring new

developments to protect landscape character and to reinforce sense of place and local distinctiveness by taking account of relevant local Landscape Character Assessments and requiring new development to take into account and mitigate its impact on tranquillity, and CS12 aims to protect and enhance green infrastructure assets for their community, economic and environmental values.

- 9.10.2 Core Strategy Policy CS12 makes specific reference to the River Soar and Grand Union Canal Corridor, offering support to proposals which provide high quality walking and cycling links between the corridor and our towns and villages; deliver hubs and other high quality tourism opportunities linked to the River Soar at Loughborough, Barrow upon Soar, and Thurmaston; and protect and enhance water bodies and resources.
- 9.10.3 Emerging Local Plan Policies EV1 and EV3 express similar expectations regarding the impact of development on the countryside (generally) and on Green Wedges. 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.
- 9.10.4 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) which has been reviewed by the Council's Landscape advisor. These comments are reported in section 7 of this report above and consider the assessment adequate (in terms of methodology and findings) and note the reliance on landscaping to mitigate impact. These are based upon the information in the Parameters Plan regarding haunch and maximum heights of the buildings in each zone and it intended that the Parameters Plan is 'binding', which would be achieved by means of condition.
- 9.10.5 The site lies in the Soar Valley Landscape Character Area as described in the Borough of Charnwood Landscape Character Assessment (2012) and specific reference is made that LCA: "In the southern part of the valley at Syston and Thurmaston, there are large industrial estates, predominately for manufacturing and distribution. Development and redevelopment of earlier industrial sites is currently taking place there for mixed commercial uses and offices close to Watermead County Park and the canal."
- 9.10.6 The LVIA assessment concludes that the landscape value of the site itself is low, but that the local setting of the site is of medium to low landscape value, increasing to medium value moving west in the context of the Grand Union Canal and Watermead Country Park. It recognises minor to moderate adverse impacts as the currently open and undeveloped backdrop for the Country Park will be transformed in the immediate vicinity. The taller building heights at the southern extent of the site will result in the increased visibility of the proposal from within Watermead Country Park with short-term effect assessed as major to moderate adverse, reducing to moderate adverse in the long term following the establishment of landscaping. Similar visual effects are associated with the Grand Union Canal.
- 9.10.7 The LVIA notes that similar impact would arise from the implementation of the extant permission. These impacts are relatively contained and do not significantly ('minimal') affect the wider landscape, including parts of the Country Park further south. The LVIA has been reviewed by the Council's landscape officer who comments that the methodology is appropriate and the viewpoints, from which these conclusions are

drawn, are suitable. Though larger in scale and height than the permission on the site (P/12/0003/2), the site lies at the lowest level of the floor of the valley and the surrounding land form and intervening screening provide a degree of containment from wider viewpoints. Therefore, whilst likely to be more visible than the extant permission, the impact has been assessed as remaining within the description of 'minimal'.

9.10.8 The site does not physically intrude into the Country Park and as such its functional value and value of the Country Park as a Green Wedge would be unaffected, the central issue is considered to be in respect of its setting and tranquil qualities. The emerging Local Plan allocates part of the site itself (the existing lake) as Green Wedge under emerging Policy EV2 and the effect on this is addressed at paragraph 9.2.7 above.

9.10.9 Whilst there inevitably would be major difference to the setting in the immediate vicinity (from this proposal and/or implementation of the extant permission), it is considered that such a localised effect, within the context of the scale of the Country Park would not undermine its tranquil qualities to such an extent that its value would be undermined and visitors would be deterred. The overwhelming majority of the Country Park would remain unaffected, retaining its semi - natural, tranquil, and accessible qualities and would maintain its function in landscape and recreational terms.

9.10.10 On this basis it is considered that the development pays due regard to the quality and functional value of the Country Park and green wedge and satisfied the policies referenced above.

9.11. Impact on the Grand Union Canal

9.11.1 The adopted Policy framework for the Canal is set out in the previous section (paragraph 9.10.1 above) as it is combined with the Soar Valley Character Area under Policy CS11. However in the emerging Local Plan, Policy EV5: River Soar and Grand Union Canal Corridor is directly relevant and aims to protect and enhance the River Soar and Grand Union Canal Corridor by supporting development that:

- provides high quality walking, cycling and bridle path links, between the River Soar and Grand Union Canal Corridor and our towns and villages, including for people with reduced mobility;
- delivers hubs and other high-quality tourism opportunities linked to the River Soar and Grand Union Canal at Loughborough, Barrow upon Soar and Thurmaston;
- protects and enhances the biodiversity value of the River Soar and Grand Union Canal, and the strategically important links in the wildlife network between them;
- protects and enhances the water bodies and resources of the River Soar and Grand Union Canal; and
- actively seeks opportunities to enhance the River Soar and Grand Union Canal Corridor, links to it and its management including its wildlife and biodiversity.

9.11.2 The application site does not include the canal or its towpath but stands directly adjacent, to the east. It will provide links by means of footpath and cycleway to the towpath via the re-routed and improved Public Right of Way 158a and new internal footpaths, suitable for those with restricted mobility. This will create improved accessibility from Thurmaston by means of shared cycle/pedestrian footpaths through the site which would connect to the towpath.

9.11.3 The Canals and Rivers Trust have recognised the proximity of the development to the Canal and referenced its potential to affect the canal during construction and as a result of tree planting (see section 7 above). However, they do not oppose the development and suggest conditions to manage the construction methodology and the detail of planting to mitigate these concerns. The recommended condition can be applied to any permission granted and landscaping will form a ‘reserved matter’ at which time the detailed planting proposals will come forward and the Trust will have opportunity to scrutinise them and lodge further comment.

9.11.4 In terms similar to the Country Park, the environment (setting) of the Canal will be radically transformed along the length of the application site. However, it will not have wider impact and in the context of Canal and Canalside journeys which encounter changing environments and experiences, it is not considered that this should be viewed as adverse to users.

9.11.5 It is therefore considered, that with these provisions, the development would perform strongly against the expectations of emerging Local Plan EV5, insofar as they relate to the adjacency of the development as opposed to those directly affecting the Canal. The Policy anticipates proposals that directly affect the Canal and relate to its recreational functionality such as proposals for marinas or tourist attractions. Because the Canal is adjacent to rather than within the application site these elements of the Policy are not engaged. The application accords with the Policy so far as it is applicable to the development.

9.12. Economy and Regeneration

9.12.1 Whilst Core Strategy Policy CS21 identified the area as a direction of growth and specific to the application site, as a wider part of the area addressed by the Policy, a ‘regeneration area’ it also set out criteria by which proposals would be assessed:

- contribution to the regeneration of Thurmaston village centre, the Thurmaston waterfront and the Grand Union Canal;
- improvement of connectivity and accessibility between the Country Park, waterfront and the wider community;
- responding positively to the high quality tranquil setting of Watermead Park;
- meeting local employment needs and contributes to regeneration;
- encouraging development to exceed Building Regulations for carbon emissions
- deliver buildings and spaces that have been designed to be adaptable to future climatic conditions
- include appropriate Sustainable Drainage Systems and flood alleviation measures and reducing flood risk;
- designing development to protect and enhance water quality; and
- protect and enhance the wildlife corridor

9.12.2 Emerging Local Plan Policy DS4 does not make similar requirements and defines the proposed allocation in less complex terms than CS21 as an employment site (without specific definition, for example types or mixes of uses) that “is cohesive and integrated with other allocations set out in this plan including in relation to the provision of infrastructure; and is in accordance with the other policies in this plan”.

9.12.3 The economic and regeneration properties of the application need to be taken into account under the scope of Policy CS21, emerging Local Plan Policy DS4 and as material considerations in their own right. These have been identified as:

- direct and indirect construction-related employment which could support around 447 jobs over the expected two-year build programme and an additional £53.8million of gross value added (GVA) to the regional economy during construction period
- Employment: It is estimated that once operational the development will support up to 918 jobs.
- annual GVA generated by the Proposed Development in the region of £0.4billion over a ten-year period.
- Skills and employment opportunities across the entire skills spectrum.
- Wages: up to £28.9million per annum on salaries of staff employed on the site once the development is complete and operational.
- Business Rates could be in the region of £1.1million per annum.

Whilst the job generation projection is less than that of the former consent (P/12/0003/2) it still represents a significant key regeneration investment and neither Core Strategy Policy CS21 or emerging Local Plan Policy DS4 impose any quantifiable expectations in this regard. More importantly, the application has arisen because the nature of employment land supply is dynamic, which has resulted in lack of prospect of the configuration approved under P/12/0003/2 being implemented and, commensurately, its employment potential becoming realised. This is the basis upon which Policy CS21 is proposed to be replaced with a more flexible and adaptable approach under emerging Policy DS4.

9.12.4 The application documents express an ambition to follow sustainable construction guidelines as per the criteria of Policy CS21 (which applies Policy CS16 to the area addressed by the Policy) and emerging Local Plan Policy CC4. However, these are not firmly embedded and it is considered that imposition through conditions is necessary, in a manner similar to design quality referred to above (para 9.2.5).

9.12.5 The 'physical' requirements of Policy CS21- i.e those aspects relate to this application site - are addressed in the foregoing sections of this report and the development performs strongly in respect of connectivity, impact on the Country Park, flood risk, sustainable drainage systems and modern, low carbon, building opportunities.

9.13 Contamination

9.13.1 The application site has been the subject of investigation for contaminants and the reports have been examined by both the Councils Environmental Health team and the Environment Agency. In both cases, they request conditions to follow up the work already carried out to provide remediation, and to provide contingency should further contaminants be encountered during construction. These are acceptable as conditions.

9.13.2 With regard to controlled waters and the potential for contamination from historic landfill, the 'Phase II Ground Investigation Report' explained the significant amount of ground investigation and sampling that has been undertaken across the site, which included the assessment of controlled waters. The methodology included groundwater and surface water sampling visits which concluded a low risk (results of sampling etc). which were included in the relevant appendices of the report.

9.14 Planning Obligations/ S.106 Agreement

9.14.1 Policies CS13, CS17 and CS24 of the Core Strategy requires the delivery of appropriate infrastructure to meet the aspirations of sustainable development either on site or through appropriate contribution towards infrastructure off-site relating to a range of services. This expectation is reflected in emerging Local Plan Policies CC1 (limited weight), CC2 (moderate), CC3 (moderate), CC4 (moderate), EV6 (moderate), EV7 (moderate), EV11 (moderate) and INF1 (limited) also require the delivery of relevant infrastructure. As set out within related legislation such requests must be necessary to make the development acceptable in planning terms, directly related to the development and fairly related in scale and kind. Consultation regarding the application resulted in the following request to meet biodiversity deficits created by the development:

Biodiversity	<ul style="list-style-type: none">• To submit the Biodiversity Mitigation and Enhancement Scheme to the Council for its written approval with any Reserved Matters Application.• To submit an updated Biodiversity Impact Assessment with the reserved matters and Biodiversity Mitigation and Enhancement Scheme• To pay to the Council a sum of up to £1,308,450 for off-site biodiversity mitigation to compensate for any shortfall arising from on and off site measures (calculated at reserved matters stage including the 'on site' compensation at that stage).
Sustainable Transport	<ul style="list-style-type: none">• £510 per Centrebus bus pass to be made available for all employees• Monitoring Fee required for this site will be the sum of £11,337.50 for monitoring the effectiveness of the Travel Plan over the five-year duration of its life

9.14.2 The above contributions are would allow the necessary infrastructure to meet policies CS13, CS17 and CS24 and meet the statutory tests contained in Regulation 122 of the Community Infrastructure Levy, and the requirements of paragraph 57 of the NPPF.

Conclusion

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

10.2 The adopted development plan (Core Strategy 2015) and emerging Local Plan provide a broadly consistent approach to the site in terms of the principle of the use for

employment under Policies CS21 and DS4 respectively of the site, except the part lying north of the A46, to which Saved Local Plan Policies CT/1 and Core Strategy Policy CS11 continue to apply. Core Strategy Policy CS21 covers a significantly wider area, of which the application site forms only part, and as such its entire content is not applicable. However, for those parts that are, the application performs strongly, subject to conditions securing more detailed design and layout issues. Emerging Policy DS4 is less complex and is more closely aligned with the application site boundaries, and save for the inclusion of the lake within the site boundaries, which is to be largely retained, the development accords with its provisions. In addition the extant permission, P/12/0003/2 (March 2015) reinforces the principle of development for commercial/employment uses. For the land north of the A46, no development (in the sense of building or infrastructure) is proposed and as such it is appropriate form of development for the countryside in accordance with Saved Local Plan Policies CT/1 and Core Strategy Policy CS11 and emerging Local Plan policy EV1.

- 10.3 Policy CS21 specifies “up to 8,750sqm for offices and around 16ha for employment and a hotel accessed off Wanlip Road” in relation to the site. That was reflective of evidence of need for employment space at the time (2015) and the extant permission strongly reflects this. However, the intervening years have been particularly volatile, not least as a result of the pandemic, and the profile of demand for employment development has significantly changed. In particular, in both national and local contexts, demand for office space is radically contracted as remote working has become prevalent. The lack of progress on the 2015 permission demonstrates this point. This is reflected in the evidence base for the emerging Local Plan, which in turn has manifested itself in the less prescriptive policy content seen in Policy DS4. DS4 makes no specification regarding typology or floorspace limits.
- 10.4 The evolution towards less prescriptive and more flexible site allocations (and permissions) is also guided by the NPPF Section 6 ‘Building a strong, competitive economy’ which strongly emphasises the need to attract and nurture investment, to be flexible in order to accommodate evolving needs and to be responsive to rapid changes in economic circumstances. Against this (combined) background, it is considered that the revised mix of uses and scale of the development is acceptable in principle. Policy CS21 created a quite prescriptive range of uses for the site described as “up to 8,750m² for offices and around 16ha. for employment and a hotel” and the permission provided further specification with a mix of “offices, research and development/light industry; erection of hotel and leisure facilities, cafe/pub/restaurant, playing field/sports pitches, changing facilities and clubroom, canal footbridge and footpath diversion, alterations to car park and toilet facilities and associated landscaping” (with office floorspace limited to a maximum of 9000m²). However, this has proved to be unattractive to the market and, in the same manner that Local Plan policy is being amended to accommodate a more flexible approach as seen in emerging Local Plan Policy DS4 (which makes no prescription of floorspace, use or mix of uses) then it is considered appropriate that permission on the site should be similarly adaptable.
- 10.5 Although the application is in outline, the scale, quantum and appearance of the proposed buildings is informed by the Parameters Plan and illustrative masterplans and drawings. It is possible to assess impacts so far as these allow and there is opportunity for further consideration upon the submission of reserved matters. On the

basis of these, it is considered that there will be a limited degree of harm to Watermead Country Park arising from the backdrop and 'setting' they will form for a limited section of the Park's boundary, but from a wider landscape perspective, impacts are expected to be minimal. Within the context of the scale of the Country Park and its features, and the linear nature of the Canal, it is considered the effects would be limited in scope and would not be so severe as to undermine its important purpose and value. These relationships are the subject of Core Strategy Policies CS11, CS12 and CS21, and emerging Policies EV1, EV3 and EV5 and it is considered they are satisfied, subject to conditions as discussed in the report.

- 10.6 It should be noted that the application site does not protrude into the Country Park boundary. It is important that this is understood because several representations received appear to be submitted on the understanding that the development would be 'in the Park'. The site lies adjacent and is privately owned land and although traversed by public footpaths is not otherwise in the 'public realm'.
- 10.7 Following on from this, concerns raised about the adverse impact upon the environment and wildlife within the Park appear to have been made on an incorrect understanding. That is not to say it would have no impact, but naturally from its peripheral location these would be indirect, and can be controlled by means such as control of lighting etc. to be considered at Reserved Matters stage.
- 10.8 The impact in ecological and biodiversity terms has been examined (so far as is possible within the context of outline applications) and has been shown to result in a deficit in comparison to both the current state of the site and the extant permission which is free to proceed, despite the measures proposed to be introduced within the site (including the habitat in the land north of the A46) , and in accordance with relevant policies (Core Strategy CS13 and EV6 of the emerging Local Plan) the employment of the techniques within Council's adopted Bio-Diversity Guidance gives rise to compensatory measures of estimated equal value to this deficit, to allow for off site provision
- 10.9 The proposal would be served by a safe and suitable vehicular access approved under previous applications. Traffic calculations have demonstrated that the reconfiguration of the uses on the site would reduce the impact of the development on the Highway network at peak hours. A package of measures to encourage sustainable transport choices is proposed which will build upon the advantage that the site has by virtue of its proximity to the urban area, footpaths, bus and train services. These provisions satisfy the expectations of Core Strategy Policy CS17 and emerging Local Plan policy CC5 concerning sustainable travel.
- 10.10 The development represents the fulfilment of economic and regeneration aspirations for the site, albeit in a form different from that originally envisaged by the extant consent. It is important to recognise that Core Strategy Policy CS21 covered a very much wider area than this application site (see figure 3 at paragraph 9.1.4 above) and the aspiration of the Policy was anticipated from the whole 'direction of growth' rather than this site in isolation. Therefore, whilst the application is limited to essentially employment development, this is broadly consistent with the contribution anticipated from this particular site within the wider aspiration of Policy CS21. The site is key to the Borough's economic development as a strategic employment site, offering

opportunities in a location close to areas with economic challenges. Whilst it is recognised that there are aspects of the proposal that are not fully compliant with planning policy expectations, the deviation from them is limited (in several cases reflective of the antiquity of the policies as they become out of date with their replacement imminent, and their broader remit beyond the extent of this site,) and these benefits are considered to be material considerations of such importance that they significantly outweigh any harm arising.

10.11 Applying the presumption in favour of sustainable development through application of the tilted balance in paragraph 11dii), it is considered that the identified adverse impacts would significantly and demonstrably be outweighed by the benefits of the development when assessed against the NPPF taken as a whole.

11. RECOMMENDATION

11.1 RECOMMENDATION A:

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

Biodiversity	<ul style="list-style-type: none"> • To submit the Biodiversity Mitigation and Enhancement Scheme to the Council for its written approval with any Reserved Matters Application. • To submit an updated Biodiversity Impact Assessment with the reserved matters and Biodiversity Mitigation and Enhancement Scheme • To pay to the Council a sum of up to £1,308,450 for off-site biodiversity mitigation to compensate for any shortfall arising from on and off site measures (calculated at reserved matters stage including the 'on site' compensation at that stage).
Sustainable Transport	<ul style="list-style-type: none"> • £510 per Centrebus bus pass to be made available for all employees • Monitoring Fee required for this site will be the sum of £11,337.50 for monitoring the effectiveness of the Travel Plan over the five-year duration of its life

11.2 RECOMMENDATION B:

That subject to the completion of the S106 agreement in recommendation A above, grant outline planning permission conditionally subject to the imposition of the following

draft conditions and reasons and that the Head of Planning and Growth, in consultation with the Chair of the Plans Committee for amendments to the conditions and reasons, be given delegated authority to determine the final detail of planning conditions.

Conditions referred to in Recommendation B:

TIMETABLE FOR SUBMISSION OF RESERVED MATTERS

1. Application for approval of reserved matters shall be made within 10 years of the date of this permission and the development shall be begun not later than two years from the final approval of the last of the reserved matters.

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

PLAN SPECIFICATION

2. The following plans are hereby approved:
 - (i) 22-005-SGP-ZZ-XX-DR-A-101001-Location Plan-P03
 - (ii) ADC2945-DR-002-P1 (Proposed Site Access Layout)
 - (iii) 22-005-SGP-ZZ-XX-DR-A-101002-Parameters Plan-P07
 - (iv) 22-005-SGP-ZZ-XX-DR-A-001001-Illustrative Masterplan-P08-plan ref. 10866-E-02 Habitat Proposed (11.04.23)
 - (v) ADC2945-RP-F-v4 (Framework Travel Plan
 - (vi) Drainage Strategy Plan - WMPS-BSP-XX-XX-D-C-0100 version
 - (vii) WMPS-BSP-XX-XX-D-C-0102-P01_ZONE-A-PROPOSED-SW-AREAS-22-0601
 - (ix) WMPS-BSP-XX-XX-D-C-0105-P01-ZONE-B-PROPOSED-SW-AREAS-22-0601.
 - (x) WMPS-BSP-XX-XX-D-C-0108-P01-ZONE-C-PROPOSED-SW-AREAS-22-0601
 - (xi) WMPS-BSP-XX-XX-D-C-0100-P01-ZONE-A-DRAINAGE-STRATEGY-22-0601
 - (xii) WMPS-BSP-XX-XX-D-C-0103-P01-ZONE-B-DRAINAGE-STRATEGY-22-0601
 - (xiii) WMPS-BSP-XX-XX-D-C-0106-P01-ZONE-C-DRAINAGE-STRATEGY-22-0601
 - (xiv) WMPS-BSP-XX-XX-D-C-0101-P01-ZONE-A-PRELIMINARY-LEVELS-PLAN-22-0601
 - (xv) WMPS-BSP-XX-XX-D-C-0104-P01-ZONE-B-PRELIMINARY-LEVELS-PLAN-22-0601
 - (xvi) WMPS-BSP-XX-XX-D-C-0107-P01-ZONE-C-PRELIMINARY-LEVELS-PLAN-22-0601.
 - (xvii) WMPS-BSP-ZZ-XX-RP-C-0001-P01-Flood-Risk-Assessment-22-0601
 - (xviii) WMPS-BSP-ZZ-XX-RP-C-0002-P01-Drainage-Strategy-22-0601
 - (xix) Watermead Business Park - Paragon Phase 2 Ground Investigation Report FINAL
 - (xx) 6525r1 - Air Quality Assessment - Watermead Park Leicester.
 - (xxi) 22-005 - Watermead Design and Access Statement-A—2
 - (xxii) FPCR Badger Report – Confidential - April 2023
 - (xxiii) FPCR Herpetofauna Report - April 2023

- (xxiv) FPCR Bat Survey Report - April 2023
- (xxv) FPCR Bird Survey Report - April 2023
- (xxvi) FPCR Ecological Appraisal - April 2023

REASON: To define the scope of this permission.

RESERVED MATTERS

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

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

SITE WIDE CONDITIONS

4. Prior to the submission of any applications for 'reserved matters' the following plans shall be submitted to and approved by the Local Planning Authority:

- (i) a phasing plan covering the entire application indicating the sequence for the delivery of each zone and the works to the land north of the A46;
- (ii) a design brief establishing clear design principles of the buildings to be accommodated within the site, with reference to:
 - Coherent and consistent use of a limited palette of materials
 - Common design features
 - Lighting strategy
 - Fencing and other boundary treatment
 - Surfacing materials for car parking and servicing areas
 - The use of trees and hedges to delineate individual plots
 - Sustainable construction principles
- (iii) a scheme that includes the following components to deal with the risks associated with contamination of the site
 - A site investigation scheme, based on the provided preliminary risk assessment The Phase 2 Ground Investigation Report by Paragon Building consultancy Ltd (Ref. 22.0089/AM/LC) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

- (iii) a scheme for the treatment of the Public Rights of Way has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for management during construction, surfacing, width, structures, signing and landscaping in line with Cycle Infrastructure Design LTN 1/20, together with a timetable for implementation.
- (iv) a Public Transport Strategy for the site including the provision of service(s) and associated infrastructure which will be operational from first occupation and which shall operate for a minimum of five years.
- (v) A Construction Environment Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highways Authority and National Highways, and shall include:
 - a Construction Traffic Management Plan (CTMP) including construction phasing
 - HGV routing plans
 - construction traffic arrival and departure times
 - delivery times to avoid peak traffic hours
 - parking and delivery arrangements
 - clear and detailed measures to prevent debris, mud and detritus being distributed onto the Strategic Road Network (the A46).
 - assurance that all construction vehicles exit the site in a forward gear
 - details of visual assessments, dust monitoring and dust suppression techniques to be employed during the development
- vi) details of the timetable for the creation of the new lake and other biodiversity features within the land referred to as 'Land north of the A46'
- vii) an amended Framework Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets

Thereafter each reserved matters application shall be submitted in accordance with the terms of the approved plans as listed above and the development shall subsequently be developed in accordance with the approved plans and approved 'reserved matters'.

REASON : To ensure the proper phased implementation of the development and associated infrastructure in accordance with Government guidance contained within the National Planning Policy Framework.

CONDITIONS FOR EACH ZONE

5. Prior to the commencement of development hereby approved within any zone identified within Parameters plan Ref. 22-005-SGP-ZZ-XX-DR-A-101002 Rev P07, a phasing plan covering all components of the development within that zone shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved phasing plan for the zone and each reserved matters application shall be submitted in accordance with the terms of the approved phasing plan or the zone concerned.

REASON : To ensure the proper phased implementation of the development and associated infrastructure in accordance with Government guidance contained within the National Planning Policy Framework.

6. The reserved matters required under condition 3 above shall include, for each zone identified within Parameters plan Ref. 22-005-SGP-ZZ-XX-DR-A-101002 Rev P07:
- Design in accordance with the design principles set out in the Design and Access Statement submitted with the application (SGP March 2023 - Rev.A)
 - Landscaping proposals to show the full extent of tree and hedge removal and details of new planting
 - Details in accordance with 22-005-SGP-ZZ-XX-DR-A-101002-Parameters Plan-P07 including the quantum (floorpace), the Use Class of development as annotated, the identified developable areas and landscaping illustrated on the Plan.
 - Details in accordance with plan ref. 10866-E-02 Habitat Proposed (11.04.23).

REASON: To ensure that the development is constructed in a satisfactory manner. and in accordance with Policy CS21 of the adopted Core Strategy 2015 and Policy DS4 of the emerging Charnwood Local Plan 2021 -37.

7. No occupation of any part of the permitted development for each zone identified within Parameters plan Ref. 22-005-SGP-ZZ-XX-DR-A-101002 Rev P07 under condition 4 above shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation within that zone has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved

REASON: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

8. No development approved by this planning permission shall take place within any zone identified within Parameters plan Ref. 22-005-SGP-ZZ-XX-DR-A-101002 Rev P07 until such time as details in relation to the management of surface water on within that zone during construction of the development has been submitted to, and approved in writing by the Local Planning Authority in accordance with the Drainage Strategy hereby approved. The construction of the development must be carried out in accordance with these approved details. REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase.

9. No occupation of the development approved by this planning permission shall take place within any zone identified within Parameters plan Ref. 22-005-SGP-ZZ-XX-DR-A-101002 Rev P07 until such time as details in relation to the long-

term maintenance of the surface water drainage system within that zone have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

REASON: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.

10. No trees or hedgerows shall be removed until such time as the reserved matters for 'landscaping' required by condition 2 above, relating to the relevant zone identified within Parameters plan Ref. 22-005-SGP-ZZ-XX-DR-A-101002 Rev P07, have been approved. The removal of trees and hedges shall then take place in full accordance with the approved landscaping reserved matter(s) applicable to the zone.

REASON: To maximise the potential to retain existing trees and consolidate the planting of new trees, in accordance with Policy EV7 of the emerging Charnwood Local Plan.

LIMITATIONS

11. The development shall be carried out in accordance with the submitted flood risk assessment (ref WMPS-BSP-ZZ-XX-RP-C-0001

P01_Flood_Risk_Assessment, dated 28th March 2023, compiled by BSP Consulting) and the following mitigation measures it details:

- There shall be no raising of ground levels within flood zone 3b or 3a.
- Finished floor levels in zone A shall be set no lower than 49.95 metres above Ordnance Datum (AOD)
- Finished floor levels in zones B and C shall be set no lower than 49.17 m AOD.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON : To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that flood volumes are not displaced.

12. If, during development, contamination not previously identified is found to be present within any zone identified within Parameters plan Ref. 22-005-SGP-ZZ-XX-DR-A-101002 Rev P07 then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out within that zone until the developer has submitted and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is

complete, in accordance with paragraph 170 of the National Planning Policy Framework.

13. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
REASON: Piling or any other foundation using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater in accordance with National Planning Policy Framework paragraph 109. Where deep foundations are proposed we recommend the developer follows the guidance set out within our document 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination' which is available on our website at the following address:
<http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>
14. No infiltration of surface water drainage into the ground on land affected by contamination is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
REASON: To protect the water environment and comply with the National Planning Policy Framework.
15. No development shall be carried out within 25m of the western site boundary until a method statement detailing all excavation works to form any ponds, all works to infill and remodel the existing lake within the site, and the design and construction of any foundations within this area, together with any earthmoving and excavations and all operations to construct roadways and hardstandings, has been submitted to and approved by the Local Planning Authority. The method statement shall include measures to ensure the risk of instability of the Grand Union Canal and its towpath are prevented both during and after construction and shall include a vibration monitoring regime for any piling works. The development shall proceed in accordance with the approved method statement.
REASON : To ensure the structural integrity of the adjacent canal structure, including the towpath and lands stability issues in accordance with NPPF paragraphs 174 and 183.
16. Barriers shall be included along the access road alongside the canal indicated within Parameters plan Ref. 22-005-SGP-ZZ-XX-DR-A-101002 Rev P07 hereby approved, so that vehicles will be prevented from entering the canal. Details of the barriers shall be submitted to and approved by the Local Planning Authority

prior to the construction of the access road and shall be retained thereafter on a permanent basis

REASON: To ensure the structural integrity, water quality and biodiversity interest of the adjacent canal structure, including the towpath and lands stability issues in accordance with NPPF paragraphs 174 and 183.

17. The development shall be carried out in accordance with the recommendations of each of the following documents, submitted with the application:

- FPCR Badger Report – Confidential - April 2023
- FPCR Herpetofauna Report - April 2023
- FPCR Bat Survey Report - April 2023
- FPCR Bird Survey Report - April 2023
- FPCR Ecological Appraisal - April 2023

REASON: to ensure that the biodiversity interest within and in close proximity of the site is sufficiently safeguarded, in accordance with Policy CS13 of the Core Strategy and emerging Local Plan Policy EV6.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that Order with or without modification), no change of use from B1 Office to C3 residential shall take place without the prior consent on application to the Local Planning Authority

REASON: To ensure that development includes a satisfactory mix of employment uses to meet the Borough's needs, in accordance with Policy CS21 of the adopted Core Strategy 2015 and Policy DS4 of the emerging Charnwood Local Plan.

19. Prior to its implementation, details of all external lighting shall be submitted to and agreed in writing with the Local Planning Authority including details of hours of operation, luminance and light spillage. These shall provide for minimal illumination of the adjacent Canal and Country Park The lighting shall be implemented as approved.

REASON: To make sure the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings and to ensure that the biodiversity interest within and in close proximity of the site is sufficiently safeguarded, in accordance with Policy CS13 of the Core Strategy and emerging Local Plan Policy EV6.

20. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on the 'Proposed Site Access Layout' (drawing reference ADC2945-DR-002-P4) dated 15th August 2023 have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2023).

21. The development hereby permitted shall not be occupied until such time as the Public Footpaths I58 and I58a and Connect2 cycleway have been provided in

full as per the 'Proposed Parameters Plan' (drawing reference 22-005 SGP-ZZ-XX-DR-A-101002 Rev. P07) dated 22nd July 2023.

REASON: To provide an all-weather route in the interests of amenity, safety and security of users of the Public Right of Way in accordance with the National Planning Policy Framework (2023).

22. No development shall take place until a scheme for the treatment of the Public Rights of Way has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for management during construction, surfacing, width, structures, signing and landscaping in line with Cycle Infrastructure Design LTN 1/20, together with a timetable for its implementation. Thereafter, the development shall be carried out in accordance with the agreed scheme and timetable.

REASON: In the interests of amenity, safety and security of users of the Public Right of Way in accordance with the National Planning Policy Framework (2023).

SITE LOCATION AND PARAMETERS PLAN



Appendix B

Extract from Extras Report 28 September 2023

Item No. 5c

Planning Application Number: P/23/0668/2

Site Address: Land at Watermead Business Park, Thurmaston

Updates

Item 1

Applicant makes the following requests:

- (i) to clarify the onsite BNG, making it clear that further information was submitted by the applicant following initial responses and that the Council Ecologist considers the proposal to be acceptable in the circumstances.
- (ii) the extant permission could be built (as referred to elsewhere in the report) so deleting the reference to “a lack of prospect” in para 9.12.3.
- (iii) In Recommendation A that bus passes are limited to one third of expected employees (as noted in Para 9.5.9 of the report).

Item 2

A petition received 26.9.2023 containing 2217 signatories with names and postcodes provided, ‘say no to Warehouses around Watermead Country Park’ opposing the development on the following grounds:

- The building work will cause much disruption to surrounding land and lakes, heavy construction traffic ensuing noise and dust;
- The tranquil nature of the Park will be transformed; and
- The Country Park is a haven for wildlife in the urban area. It is home to hundreds of species and rare Cetti’s Warbler. Leicestershire has amongst the poorest sites for conservation values and it is madness for development to take place around Watermead.

Officer Response

Item 1: The requests of the applicant

- (i) The Council’s Senior Ecologist’s response to the revised BNG is reported at para. 7.1, page 11 and further referred to at para. 9.9.6. This is correct and relates to the most recent (final) submission. Assessment of it as a material consideration, taking into account other factors including the extant permission on the site, is addressed in subsequent paragraphs 9.5.7 – 9.9.11

and is concluded upon in the 'planning balance' at para 10.8. No further update is intended.

- (ii) In para 9.12.3 amend the wording "a lack of prospect" to "has not progressed since the granting of the permission".
- (iii) The reference to "all employees" regarding bus pass provision is intended and follows the advice of the Local Highways Authority reported at para. 7.1, page 10. No amendment is proposed.

Item 2: Petition

The application is accompanied by reports addressing wildlife implications both within the site itself and in the Park, separated by the canal. These include mitigation for species within the site, but 'off site' implications were found to be largely avoidable and limited to light spillage, which can be controlled by the design of the scheme and associated lighting at 'reserved matters' stage (recommended conditions 4, 17 and 19 refer). No amendment is proposed.

The potential for dust and other forms of pollution during construction is recognised and conditions therefore require a Construction Environment Management Plan be submitted for approval for the entire development (condition 4 refers). No amendment is proposed.

The impact on the Country Park, including tranquillity is addressed at section 9.10 of the report and within the 'planning balance' and conclusion at 10.5 No amendment is proposed.

Recommendation

No change to recommendation

Plans Committee Report	14 December 2023
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Application Reference Number: P/23/0805/2

Application Type:	FULL	Date Valid:	2 nd October 2023
Applicant:	Fusion Loughborough Devco Ltd		
Proposal:	Demolition of existing buildings and development of purpose-built student accommodation (sui generis) with associated amenity facilities, landscaping, parking and external works.		
Location:	Land at Limehurst Avenue, Loughborough, Leicestershire LE11 1PA		
Parish:	Loughborough		
Case Officer:	Linda Walker		

1.0 Background

1.1 This application is referred to Plans Committee as Councillor Jones has raised concern in relation to:

- The size of the building being totally out of keeping with the local area.
- The impact on residents' privacy and access to sunlight.
- The lack of provision for car parking.
- The submission does not make a strong case for there being a need for such a surge in student places.
- Concerns over the increased demand on health facilities.
- The detrimental impact on traffic access to Limehurst Avenue.
- Concerns over a potential increase in anti-social behaviour.
- Flood Risk.
- Not sufficient visual representations of the development in the context of the existing townscape.

2.0 Description of the application site

2.1 The site is situated directly north of Loughborough Town Centre boundary and comprises a collection of buildings formerly used as the Borough Council Depot and is approximately 0.67Ha in area. The Grand Union Canal is to the west of the site and Derby Road (A6) lays further to the west, that becomes Bridge Street, the main thoroughfare to the town centre and where Limehurst Avenue is accessed from. Bus stop links to the town centre are along the A6.

2.2 The northern area of Limehurst Avenue is prominently residential in character, where the buildings are traditional in form, generally two storey on elongated plots. A large open green amenity space with playing courts is situated to the north of Limehurst Avenue associated with Limehurst Academy.

- 2.3 Commercial properties lay to the south of Limehurst Avenue (including the site) where it meets Bridge Street. The wider area to the west and further south is a vibrant busy area consisting of a mix of retail, commercial and leisure uses, as it meets with the town centre and the university campus.
- 2.4 The site is not in a designated Conservation Area, nor are there any listed buildings in close proximity to the site, it is however noted as being in an area of archaeological interest.
- 2.5 The majority of the site lays in flood zone 1, apart from the north-eastern boundary that sits in flood zone 2, with the grand union canal and basin laying directly south of the site's boundary. The site is noted on the Council's Brownfield Register and in an area for consultation with East Midlands Airport.
- 2.6 The site is allocated for housing under the emerging policy DS3 (HA26) of the Draft Local Plan 2021-37 to provide for 138 units.

3.0 Description of the proposal

- 3.1 This FULL planning application proposes a purpose-built student accommodation scheme for 541 beds, following the demolition of the existing former Council Depot Buildings.
- 3.2 The proposed buildings are formed in two blocks. Building A is proposed adjacent to the canal bank and consists of a mix of 6 and 8 storeys. Building B is proposed to sit adjacent to Limehurst Avenue and consists of a lower 3 storey block, with the northern part of this element reaching 4 storeys high. The proposed elevations indicate the two buildings with a contemporary appearance and external materials.
- 3.3 The buildings' main pedestrian access will be taken from the canal bank that takes access from Bridge Street. A modest length of the existing wall will be removed and the existing concrete slab across the brook will be reinforced to make way for the main pedestrian access.
- 3.4 A further two gated entrances are proposed from Limehurst Avenue. The external and internal entrances are proposed to be secured entrances that require a key card entry, in order to provide more security for students living at the accommodation.
- 3.5 The central area is proposed to accommodate amenity spaces and landscaped areas, with a minor road (managed) to be used by students when moving in and out of the building only. Internal amenity spaces are shown on the ground floor and include gyms, cinema, saunas, laundrettes, lounges and study spaces, and parking for disabled residents.
- 3.6 The managed gated entrance is proposed to be accessed from Limehurst Avenue and is set within the site, as are the four disabled parking bays. There are two bin storage areas totalling 91 m² within the site, at either side of Building B to allow for ease of access. A drop off point is proposed further to the south of Limehurst Avenue. The number of secured bicycle parking amounts to 140 spaces.

3.7 It has been confirmed that the applicant, Fusion Loughborough Devco Ltd, plan to manage the site once constructed, if approved. The management plan submitted with the application confirms that the wellbeing of the students will be met by:

- Providing well-designed accommodation that is fully maintained and inclusive of utility bills.
- Providing a 24-hour on site resident management team.
- There will always be a point of contact, on-site and available at any time, to assist students and deal with any incidents.
- Ensuring the building is secure, which shall include CCTV in strategic locations, including the entrance areas.
- Taking in post and parcels securely at the reception area for students to retrieve.
- Ensuring all communal and external areas are cleaned regularly, and that maintenance in all areas including the accommodation is undertaken in accordance with health and safety legislation.
- Working closely with university student services, with staff trained in mental health awareness and having guidance in place to recognise any students who may be struggling with their wellbeing.
- Offering a Mental Health Portal, accessed via app and covering a range of social wellbeing issues, including students' thoughts, feelings, bodily issues and behaviours. This facility can also assist any students with issues related to drug dependency or recreational use.
- Creating on-site wellbeing events and activities; these can include cooking, art and motivational classes, as well as health and beauty services.
- Offering free bike hire to students, with the ability to increase the quantity of bicycles on-site if required to meet demand. Each bike is offered with a full safety and maintenance check.
- Providing an on-site gym, cinema room, dining areas and public and private study spaces, and access to an attractively landscaped courtyard.

3.8 It has also been confirmed that students will enter into a tenancy agreement contract that amongst other things, restricts vehicles being parked in the surrounding area.

3.9 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
- Design and Access Statement
- Planning Statement
- Existing elevations
- Proposed section and elevation drawings
- Proposed mezzanine plan
- Floor plans
- Basement sketch plans
- Ecology Appraisal
- Bat Report
- Student Need Assessment

- Air Quality Screening Assessment
- BREEAM Pre-Assessment
- Travel Plan
- Transport Assessment
- Demolition Plan
- Townscape and Visual Appraisal
- Residence (student) management plan
- Daylight and Sunlight Amenity report
- Phase I and II Ground Investigation
- Fire Statement
- Roof Plan
- Heritage Statement
- Landscape Master plan
- Utilities survey
- Flood Risk Assessment

3.10 Full consultation with local residents and consultees was carried out on the 28th September 2023. The application has been amended through the planning process in response to the Health and Safety Executive (H&SE) consultation response in relation to the need for two internal staircases for fire escape. The changes to the internal layout have resulted in an increase of 16 units on the upper floor space with an increase in footprint on the upper floor of building A.

3.11 Points of clarification have also been supplied by the applicant to address further comments being received from the H&SE in terms of the **internal layout only** and safe escape in the event of a fire. No objections are now raised to the development from a fire risk perspective.

3.12 Further consultation has been carried out with the Local Highway Authority following points of clarification being received from the applicant in relation to the site access, visibility, personal injury collision data, and the dimensions of the disabled parking spaces..

3.13 The developers have carried out engagement with the Loughborough University and established an ongoing relationship with the University to ensure student needs are met in the future. In addition, a meeting was held with Ward Councillor Jones, whereby a presentation was held to explain and respond to the concerns raised.

4.0 **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 – Housing Strategic Housing Needs
- Policy CS4 – Houses in Multiple Occupation
- Policy CS7 – Regeneration of Loughborough
- Policy CS12 – Green Infrastructure
- Policy CS13 – Biodiversity and Geodiversity
- Policy CS15 – Open Space, Sports and Recreation
- Policy CS14 – Heritage
- Policy CS15 – Open Spaces, Sports and Recreation
- Policy CS16 – Sustainable Construction and Energy
- Policy CS17 – Sustainable Transport
- Policy CS24 – Delivering Infrastructure
- 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 H/12 – Student Halls of Residence
- Policy TR/18 - Parking Provision in New Development

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 (SPD) (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 The Draft Charnwood Local Plan 2021-37

5.20 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.

5.21 In accordance with NPPF paragraph 48, the relevant emerging policies in the plan may be given weight in determining applications, according to:

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

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

- Policy DS1 - Development Strategy
- Policy DS5 - High Quality Design
- Policy H8 - Campus and Purpose-Built Student Accommodation
- Policy EV5 - Historic Environment
- Policy EV6 - Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV9 - Open Spaces, Sport and Recreation
- Policy T3 - Parking Standards
- Policy CC1 - Flood Risk Management
- Policy CC2 - Sustainable Drainage Systems
- Policy CC4 - Sustainable Construction

- Policy CC5 - Sustainable Transport
- Policy EV6 - Conserving and Enhancing Biodiversity and Geodiversity
- Policy INF1 - Infrastructure and Developer Contributions
- Policy INF2 - Local and Strategic Network

5.22 Planning Guidance for Biodiversity June 2022

5.23 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.

6.0 Relevant Planning History

6.1 There is no recent or relevant planning history recorded for the site, although the past land use is the former Council Depot.

7.0 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

7.2

Consultee	Response
Leicestershire County Council – Highways	No Objection subject to conditions being imposed and S106 contributions, for travel plan monitoring, travel packs, 6 month bus passes, and financial contributions towards traffic regulation order.
Leicestershire County Council Local Lead Flood Authority (LLFA)	Leicestershire County Council as Lead Local Flood Authority (LLFA) raises no objection to the scheme following the Environment Agency removing their objection. This is subject to conditions being imposed: <ul style="list-style-type: none"> • Surface water drainage scheme • Management of surface water during construction • Long term maintenance of surface water drainage With informatives also to be added to a decision notice.
Environment Agency	No objection – subject to a condition being imposed in relation to the infrastructure to be positioned in the basement, and a number of informatives to be added to a decision notice.
Canal and River Trust	No objection – subject to conditions being imposed for: <ul style="list-style-type: none"> • A method statement detailing the means of demolition of the existing buildings and the construction of building A. • A Construction Environmental Management Plan (CEMP) to prevent dust, waste other material entering the River Soar Navigation. • Samples of external facing materials for Building A.

Consultee	Response
	<ul style="list-style-type: none"> • Hard and Soft Landscaping scheme. • Lighting scheme. <p>Informatives relating to the development being close to the canal bank are also advised to be added to advise the applicant on certain issues.</p>
Charnwood Borough Council Environmental Health Team (contamination)	No objection – to the contamination reports submitted, subject to conditions being imposed for a remediation strategy to be submitted.
Charnwood Borough Council Environmental Health Team (noise and air pollution)	No objection – subject to a condition requiring the development to be carried out in accordance with the noise report submitted, and a Construction Management Plan to be submitted for approval.
Charnwood Borough Council Open Space Team	<p>No objection to the scheme, due to sports facilities being proposed within the site/building and agreement by the applicant for off-site obligations.</p> <ul style="list-style-type: none"> • S106 agreement to secure the minimum floor space of the facilities indicated within the site (as indicated on the submission plans). <p>Off- site Contributions to be secured via S106 of £36,028.00 to provide provision or enhancement of amenity green space within Loughborough in accordance with Charnwood’s Open Spaces Strategy and Action Plan recommendations e.g. Southfields Park, Queens Park.</p>
Health and Safety Executive (PGO) fire safety for high buildings.	<p>Acknowledges amendments to the upper floor and no objections raised in this regard – further information requested in relation to internal layout in blocks A1/A2 for fire safety.</p> <p>Further consultation has been carried out following receipt of points of clarification.</p> <p>It is confirmed that following receipt of the point of clarification, the H&SE have no objections to the scheme.</p>
Charnwood Borough Council Landscape and Urban Design/heritage	<p>Further information required in relation to landscaping therefore conditions will be imposed for a detailed landscaping scheme, that also indicates further planting close to the canal basin.</p> <p>No objections raised from Urban Design.</p>
Charnwood Heritage	No Objections
Charnwood Archaeology	No Objections
Charnwood Biodiversity	<p>No objections – subject to conditions:</p> <ul style="list-style-type: none"> • Bat mitigation • Proposals to include swift bricks/boxes • Construction management plan to avoid contamination into adjacent canal
East Midlands Airport	No objections subject to conditions:

Consultee	Response
	<ul style="list-style-type: none"> • Construction management plan identifying how smoke and dust will be managed during construction • Permitted development rights to be removed to ensure no reflective, inc. solar panels are added to the building without consent from the LPA • Permitted development rights removed all exterior lighting to be submitted for approval – all exterior lighting shall be capped with no upward spill <p>Informative The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/</p>
Charnwood Planning Policy	No objections – further updated comments received on the 17 th November 2023,
Leicestershire County Council Contributions	Contributions to be secured via a S106 agreement towards Loughborough Library £7,926.90.
NHS	Contributions to be secured via S106 agreement for £173,120.00 towards the three closest surgeries.
Charnwood Borough Student Support Scheme	Contributions to be secured via a S106 agreement for the installation of CCTV and ongoing maintenance of £10,500.00.

Ward Councillor and Parish Council Response	
<p>Cllr Louise Jones – objection raised and called in to Plans Committee</p>	<ul style="list-style-type: none"> • The size of the building being totally out of keeping with the local area. 9 storeys is considerably larger than almost anything in the town, let alone in the immediate vicinity of the site, which on one side is almost completely terraced housing. It will completely dominate the area. • The impact on residents' privacy and access to sunlight. The sheer size of the building will impact almost along the whole of Limehurst Avenue. The relevant document on the portal does not load so I cannot comment on its provisions but it is clear that a 9 storey building will have a huge impact. • The lack of provision for car parking that will inevitably be generated by so large a block. This will lead to significant disruption in a neighbourhood already short on carparking spaces. • The submission does not make a strong case for there being a need for such a surge in student places. The bed to student ratio is already better than the average for the country, as detailed in the documents submitted.

	<ul style="list-style-type: none"> • Concerns over the increased demand on health facilities such as dentist and GP access, which are already difficult in the area. • The detrimental impact on traffic access to Limehurst Avenue- the increase in cars will inevitably cause a shift in traffic at what is already a difficult junction. • Concerns over a potential increase in ASB, with the plans for the building management team not strong enough to police over 500 student residents should issues occur.
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Responses to publicity	
33 letters of objection have been received	<ul style="list-style-type: none"> • Number of units (increased not indicated on amended plans) • Adverse impact on amenity • Loss of light • Loss of privacy • Noise • Waste • Anti-social behavior • Distance of building from existing houses • Noise during construction • Asbestos/gases • Market Town not a student town • Loughborough overpowered by students • Highway safety/traffic flow • Congestion during moving in and out • Parking/traffic generation • Access point (where is it) • Pressure on local services • Large building out of keeping with surrounding area • Better use of site for social housing • Flood risk/drainage

8.0 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) and the Minerals and Waste Local Plan (2019). 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. Development proposals that accord with an up-to-date Development Plan must be determined without delay.

8.2 Amongst the material considerations are the emerging Charnwood Local Plan 2021-37 (ELP) and the National Planning Policy Framework (NPPF).

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

- Principle of Development
- The need for student accommodation
- Design and impact on the townscape
- Heritage
- Landscaping
- Open space
- Ecology and Biodiversity
- Residential Amenity
- Flooding and Drainage
- Sustainable Construction
- Environmental Health Matters
- Highway and Transportation Matters (including road layout)
- S106 Contributions

Key Issues

9.0 Principle of the Development

9.1.1 The NPPF makes it clear that the purpose of the planning system is to contribute towards achieving sustainable types of development through economic, social and environmental objectives. In terms of meeting the need for new homes, it is clear the framework promotes the effective use of land, while safeguarding and improving environments and healthy living conditions, it is expected that Local Planning Authorities should plan to make as much use as possible of previously developed or brownfield land, in achieving sustainable patterns of development.

9.1.2 The application proposes to regenerate a brownfield site to provide a housing development for purpose-built student accommodation close to the town centre of Loughborough and at the edge of Grand Union Canal. The principle of this development is guided by Local Plan Policy of the Charnwood Core Strategy (2015) that acknowledges the majority of growth will be met in Loughborough in terms of housing delivery and supports sustainable development that makes effective use of land. In terms of the delivery of housing, the Core Strategy also acknowledges that to meet the Borough's housing needs, the Borough needs to respond to the changes in demand for student homes arising from the successful university and college. It goes on to acknowledge the significant economic, social and cultural contribution the student population brings to Loughborough.

9.1.3 In terms of Planning policies contained in the Core Strategy that relate to the principle of development, Policy CS1 defines a hierarchy of settlements for the Borough. After the Leicester Principal Urban Area Loughborough and Shepshed are expected to

provide for the majority of the remaining growth. The Strategy aims to provide approximately 3,000 new homes to the west of Loughborough, plus sustainable development which contributes towards meeting development needs, supports the strategic vision, makes effective use of land and is in accordance with the policies elsewhere in the Charnwood Core Strategy. This application will deliver new homes that contribute towards the greatly needed housing supply, particularly at time when the Planning Authority cannot currently demonstrate a 5-year supply of deliverable housing land (4.27 years on 1st April 2023) and therefore, Paragraph 11dii of the NPPF is engaged. Para 11dii advises that in such circumstances, where the proposal involves the provision of housing, the most important policies for determining the application are out-of-date. The policies which directly relate to the supply of housing are out of date and cannot be afforded full weight.

- 9.1.4 Planning Policy CS7 supports developments that contribute towards the regeneration of Loughborough, particularly those that re-use vacant or derelict sites, that offer a significant opportunity to deliver new housing. The policy criteria relating to this regeneration explains the importance of sites close to the canal and that the Grand Union Canal Strategy prioritises Loughborough as a hub on the canal network and expects development to contribute to an active waterfront with public access. As explained above, the pedestrian access will be taken from Canal Bank, at a point close to the junction with Bridge Street. The site access points, along with the large amenity spaces and building frontage, will provide for a significant improvement in in terms of visual amenity, contributing towards the vibrancy of the canal bank, whilst retaining the public access to the canal along the canal path
- 9.1.5 Policy H/12 is a saved policy contained in the Local Plan (2004) and is positive in its approach to proposals for student accommodation. It explains that Planning permission will be granted for new buildings or the re-use of non-residential properties specifically for student accommodation at locations on, or readily accessible by cycle, public transport or on foot to, the university and college campuses. It goes on to express that planning permission will be granted for developments which include reduced parking standards where it can be shown that there would be no adverse impact in the vicinity of the site.
- 9.1.6 The application proposes a purpose-built student accommodation (PBSA) housing development, that seeks to regenerate a brownfield site (noted on the Council's Brownfield register) located adjacent to the Grand Union Canal, the vacant former Council Depot, that has fallen into disrepair. The site is located adjacent to the town centre boundary as defined on the policy maps contained in the Core Strategy, with ease of access to the facilities in the town centre and to the university either on foot or by public transport. The principle of developing the site for student accommodation is therefore in accordance with the adopted Development Plan.
- 9.1.7 The submitted Local Plan 2021-37 is a material consideration. Its Policy DS1 defines a future development strategy for the Borough. At this date the emerging Local Plan carries limited weight due to the nature and extent of unresolved representations made during the Independent Examination. It is supportive of sustainable development within the limits to development and allocated in the plan.

- 9.1.8 The site is allocated for housing under draft Policy DS3 (HA26) of the Draft Local Plan 2021-37. Whilst the development proposes more units than the allocation suggests, the proposed units are of a modest size and will assist in the delivery of housing. The allocation policy advises that any application for housing should be accompanied by a flood risk assessment, that demonstrates how flood risk mitigation can be secured, support measures to mitigate flood risk including contributions towards flood alleviation. Matters relating to flooding are addressed later in the report.
- 9.1.9 Policy H8 (campus and purpose-built student accommodation) of the draft Local Plan is currently given limited weight in the determination of planning applications. However, it is positive in its approach to proposals that are well related to the town centre and to the campuses, has good bus access routes, or is in walking distance, to the campuses, minimises vehicle traffic generated by the development and avoids social and physical character and amenity. The policy also seeks to secure financial contributions towards the Loughborough Student Support scheme.
- 9.1.10 The site will contribute towards the further economic, social and cultural growth of Loughborough, in that it makes the best use of land and regenerates a brownfield site, providing for student homes, in a sustainable location. The regeneration of this site will provide a vibrant and active visual frontage to the canal edge that has fallen into disrepair, with the public pedestrian links to the canal bank retained. Therefore, the proposal is acceptable in principle as it meets the aims of Policies CS1 and CS7 of the Core Strategy, H/12 of the Saved Local Plan Policy (2004), Policies DS1, DS3 and H8 of the emerging Local Plan, and policies contained in the NPPF that encourage the best use of land and the re-use of brownfields sites in sustainable locations.

9.2 The Need for Student Accommodation

- 9.2.1 Whilst the above planning policies are positive in their approach in supporting student accommodation, the criteria contained in the adopted and emerging planning policy, or in the NPPF does not identify that planning applications for purpose-built student accommodation should demonstrate a need for this type of accommodation. However, a needs assessment compiled by Cushman & Wakefield accompanies the application and this point has been raised by the local community.
- 9.2.2 The needs report explains that in 2021 the university received 34,255 applications from students, which has grown by 17% over the past five years and the demand for student housing is set to increase, given the continued expansion of Loughborough University, which is ranked at a height of 7th place by the University Guide. It is also noted in the report that Loughborough University received research excellence framework 91% that was rated 'world-leading' or 'internationally excellent' and the demand for student accommodation can only increase, given the excellent reputation Loughborough University has nationally and internationally.
- 9.2.3 In terms of supply of purpose-built accommodation, the report advises all University provided bed spaces are either located on campus or within a 10 minute walk of the campus. There is no University accommodation (purpose built) located near the town centre, in contrast to private sector supply. It is reported that in contrast, the amount of students living in HMO accommodation in the town in 2019/2020 reached

approximately 5,470 and the supply of purpose built accommodation in the pipeline is 267 beds, therefore the report confirms there is an identified need.

- 9.2.4 Following an updated response from the Local Plans Team it is confirmed that the lack of supply for purpose-built student accommodation is further evidenced in the 2020 Housing Needs Assessment (para 9) where it is explained that Student houses are concentrated in Loughborough, the home of the Borough's University and College. This is because of a limited amount of purpose-built student accommodation and a desire of many students to live off campus in private housing. Data extracted from the Higher Education Statistics Agency (HESA) shows that student numbers at the University have grown from 15,590 in 2014/15 to 18,025 in 2018/19, an increase of around 16%. The data also confirms that the majority of students at the University are full-time and all of the growth in student numbers is accounted for by those attending full-time. They have grown from 14,025 in 2014/15 to 16,825 in 2018/19, an increase of 2,800, or 20% (rounded). Conversely, the number of part-time students has fallen over the period from 1,565 to 1,200, a fall of 23%, therefore the need for students to be accommodated in Loughborough in purpose-built housing is considered to be essential for the university's continued success.
- 9.2.5 It is acknowledged in the Housing Needs Assessment (2020), as with the related planning policies, that the Borough values the University and College, and the significant economic, social, and cultural contribution the student population brings to Loughborough.
- 9.2.6 However, it is also evident that a negative impact has been experienced in some neighbourhoods because of the over concentration of houses in multiple occupation (HMO). These impacts have affected some community facilities, the character and appearance of the area and caused disturbance and parking problems, whereby as indicated in the relevant sections of this report, purpose-built student accommodation can be effectively managed in relation to the impacts on the existing communities of Loughborough. Furthermore, the development will, if supported by Members, provide for student accommodation providing 541 beds, that could result in some of the houses currently in use as HMO's being brought back into use as general housing stock (C3) further contributing towards the Borough's housing supply, whereby under planning policy CS3 the borough needs to deliver a mix of housing type and tenures of 13,940 homes between 2011-2028.
- 9.2.7 The Housing Needs Assessment (HNA) report concludes that a criteria-based policy rather than anything more proactive to meet demand is therefore sufficient, as such those policies are set out above. The policies contained in the new emerging Draft Local Plan have a more restrictive approach to granting permissions for new HMOs and this may also increase the need for Purposed Built Student Accommodation, if other elements of supply and demand remain the same.
- 9.2.8 Furthermore, the PPG clearly states that plan-making authorities are required to plan for "sufficient student accommodation whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus". To do this they are advised: "to engage with universities and other higher educational establishments to ensure they understand their student accommodation requirements in their area". In this regard, a letter provided by the applicant confirms

a close working relationship with the university has been established, to understand the needs of the students, in terms of living spaces and facilities provided with the accommodation and ongoing discussions will take place with the university in terms of growth plans that cater to the evolving needs of the student body.

9.3 Design and Townscape Matters

- 9.3.1 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.
- 9.3.2 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 appropriate materials. It seeks positive and attractive built frontages to existing or proposed public spaces including roads, footpaths and areas of public open space.
- 9.3.3 These policies generally accord with the NPPF and National Design Guide and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.
- 9.3.4 Emerging Local Plan Policy DS5 requires development to make a positive contribution to Charnwood by responding positively to local distinctiveness. The emerging Local Plan is at an advanced stage and this policy can be given moderate weight.
- 9.3.5 In terms of scale of the building, the application has been amended to allow for a second staircase, for ease of escape in a fire emergency situation, in response to the Health and Safety Executive (PGO). The amended scheme indicates a modest extended area on the upper floor layout to provide for the staircase, that has resulted in a further 16 units provided from 525 to 541 units. All third parties have been consulted in relation to the extended footprint of the upper floor (the Health and Safety considerations are fully considered under other matters section of the report below).
- 9.3.6 The site is located adjacent to residential properties in Limehurst Avenue, that abut the street and are generally formed of properties dating back to the Edwardian era. The current land use of the site is commercial, being the former Council Depot that has fallen into disrepair and the buildings and overall site do not contribute to the character and appearance of the area.
- 9.3.7 To the west of the site significantly higher and more modern buildings are evident that form the edge and basin of the canal bank. These are the mixed use student and retail scheme, gym and the Travelodge. To the south and southwest is a busy, vibrant commercial and retail area that feeds into Loughborough Town Centre to the south. Core Strategy Policy CS7, as noted above, supports the regeneration of the site and is clear in highlighting the importance of the site close to the canal. The Grand Union Canal Strategy prioritises Loughborough as a hub on the canal network and expects developments to contribute to an active waterfront with public access.

- 9.3.8 The application proposes to demolish the existing unsightly former Council Depot buildings and associated large area of hardstanding, replacing it with two blocks of buildings with amenity space and landscaped areas provided within the blocks, forming a courtyard.
- 9.3.9 The blocks have a mix of heights throughout the development, the taller block being 8 storeys and adjacent, but set into the site from the canal bank and set back into the from Bridge Street (for reference on the layout plan as building A1/A2). The 4-5 storey building located to the north of the site is proposed to be set into the site, with an access internal roadway (for site management purposes) separating the built form from the residential properties further north (building reference B1). The lower building block, set at 3 storey fronts Limehurst Avenue, with a narrow defensible space abutting the highway (building reference B2).
- 9.3.10 The site is proposed to be secured by gated access points, one for vehicles, and the other two are pedestrian. The main pedestrian access is taken from the Canal Bank side of the site, off Bridge Street on the corner of building A1/A2, with two further pedestrian gated entrances leading to the outdoor amenity spaces adjacent and to the front of Building A1 and A2. A further pedestrian access is taken at the southern end of building B2. This access also acts as a drop off point for students and for deliveries and it is gated with a secured keypad entrance lock (building B2). The northern access is taken adjacent to building B1 from Limehurst Avenue and indicated as an internal road for vehicles to access the site associated with the use only. This is proposed to be a managed gated access point with the gates set into the site from Limehurst Avenue.
- 9.3.11 Two large communal bin stores are shown on the layout plan to be within the footprint of the buildings, one on the southern end of building B2 and the other is indicated on the northern elevation of building B2 facing the internal access road. A large covered and secured bicycle shed is provided and abuts the northern boundary of the site.
- 9.3.12 In terms of the accommodation, the ground floor of building A1 and A2 will comprise a mix of quiet and shared study areas, games room, private shared dining area, recording studio, meeting rooms, staff break out area, and a large gym area. The external treatment on the ground floor is proposed to be glazed to ensure an active street frontage with the canal basin and Bridge Street. The other ground floor areas and upper floors will facilitate the mix of studio flat accommodation.
- 9.3.13 The application is accompanied by a Townscape and Landscape Visual Appraisal, that assesses the long distance views of the building in its setting as well as the localised views. The localised views appraisal has been updated 28th September 2023, based on the need to increase the upper floor to provide for the further internal staircase for fire safety.
- 9.3.14 The Council's Urban Design Officer has considered the proposals from a townscape and design perspective and the assessment is as follows:

Layout

Urban Structure

9.3.15 The site is located on the edge of the town centre within an area of Loughborough that has a very contrasting urban structure. Suburban 2 storey semi-detached housing including some workshops along Limehurst Avenue, with some commercial 2 storey development fronting Bridge Street and Canal Bank. In stark contrast are the six storey apartment and hotel buildings surrounding the canal basin to the south, and the tall rear façade of the shopping centre on the south side of Bridge Street. The site occupies a transition zone between the taller buildings of the town centre and the predominantly 2 storey town beyond. The Townscape and Visual Appraisal Appendix demonstrates how the proposed building will integrate successfully into the existing urban structure.

9.3.16 The urban structure is characterised by perimeter blocks, but these become perforated and fragmented closer to the town centre, either as a result of gaps in the built form or the desire for permeability through the block. The proposed arrangement of buildings creates a perimeter block structure that relates well and reinforces the characteristics of the existing buildings around the canal basin and the contrasting perimeter block characteristics of Limehurst Avenue.

9.3.17 There are well-used routes for local access to and from the town centre along the north and south sides of the site. Proposed buildings are orientated to face these routes and provide direct access to these routes from within the site.

Urban Grain

9.3.18 The pattern of blocks and plots forming the urban grain varies significantly from the north to the south side of the site. Small plots with a distinct rhythm and form on the north side, and to the south larger plots with less rhythm, with a fragmented urban grain between. The Townscape and Visual Appraisal Appendix demonstrates how the proposed building strengthens the visual quality of the differing townscape characteristics to the north and south of the site, and address the issues of an existing fragmented urban grain.

Scale

Height & Massing

9.3.19 All Saints Church and Carillion Tower with their distinctive architectural forms are the prominent buildings that distinguish the Loughborough skyline and visual competition between these features and the proposed structures need to be avoided. The site is located on low laying land to the west of the town centre which has provided the opportunity to create a built form of significant mass and height without compromising the distinct characteristics of the Town's skyline.

The height and massing of proposed buildings varies significantly in order to address the relationship between existing development. To the south a similar height and massing to the existing buildings around the canal basin, and to the north a terrace with garden frontages which relates well to the suburban characteristics of Limehurst Avenue.

Building Type

- 9.3.20 The proposed building facing Limehurst Avenue derives its characteristics from the existing suburban built form, front doors facing the street, a rhythm of architectural façade features similar to the existing semi-detached houses, elements of the proposed façade breaking the line of the roof similar to the visual punctuation provided by existing chimneys.
- 9.3.21 Proposed buildings facing Canal Bank are similar in height and form to those existing around the canal basin, Both existing and proposed buildings display similar architectural characteristics of rhythmical fenestration, clearly defined ground floor and principal entrance. Together they will form a distinct visual group of buildings enclosing the canal basin.

Appearance

Façade & Interface

- 9.3.22 Façade of building 'A' facing Canal Bank provides a glazed ground floor elevation and a distinctive easily recognisable main entrance, allowing for good visual connection between activity within the building, and immediate outside spaces and the public realm beyond. The top storey is set back to reduce visual overbearing.
- 9.3.23 Façade of building 'B' is setback from the street to allow for small front gardens, defined by railings along the street frontage, and gates providing access to front doors. These features reflect distinctive built form characteristics of Limehurst Avenue.

Details & Materials

- 9.3.25 Contemporary details for windows and doors are mixed with more traditional approach to the detailing the means of enclosure of front gardens and the shape and proportion of window apertures. This is married with the use of traditional brickwork facades which lack a uniformity of colour, helping to provide visual texture. This is in contrast to the uniformity of the materials of existing buildings but will enhance the architectural quality of the new development.

Bin and cycle storage

- 9.3.26 The bin storage areas are proposed to be facilitated within the footprint of the buildings and if members are minded to support the application, the external appearance of this element of the proposal will be controlled by a planning condition.
- 9.3.27 Whilst the layout plan indicates the position and footprint of the cycle store, there are no elevational treatment to assess in this regard. Therefore, a condition will be imposed to ensure the external appearance of the cycle, including the materials to be used in its construction will be imposed by a suitably worded planning condition.

9.3.28 Based on the above assessment the proposed layout and design of the scheme including scale, appearance and the chosen materials will provide a high quality, legible and coherent scheme that will be locally distinctive and in keeping with the character of Charnwood, and as also requested from the River and Canal Trust. The details therefore accord with the relevant provisions of Policies CS2 of the Core Strategy, Saved Policy EV/1 of the Local Plan, Emerging Policy DS5 the NPPF and the Design SPD. However, if members are minded to support the proposal a planning condition will be imposed to ensure large scale drawings are submitted to the local planning authority for approval to include external construction detailing of all external surfaces.

9.4 Heritage

9.4.1 Section 66(1) 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.

9.4.2 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.

9.4.3 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.

9.4.4 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.

9.4.5 The application is accompanied by a heritage assessment addressing the settings of nearby heritage assets. NPPF chapter 16 provides national guidance on consideration of heritage assets.

9.4.6 The heritage assets that have the potential to be impacted upon by this proposal are clearly identified in the submitted heritage statement. The assets themselves and their settings are on the whole visually separated from the site and include:

- The listed Carillon Tower in Queen's Park, which is situated 1.3 miles in a southerly direction to the site.
- the Church of All Saints situated 0.5 miles also in a southerly direction
- the locally listed building ATS site fronting Bridge Street to the south east of the site

These assets have a wider setting given their prominence within the Loughborough skyline. The proposal has sought to mitigate any impact on the contribution these statutorily listed and locally listed buildings make to the Loughborough skyline so that any impact will be minimal, as the site is set at a lower level than the listed properties and the orientation and relationship of the proposal with the listed buildings assists in mitigating undue harm to the setting of listed properties.

- 9.4.7 In relation to archaeological interests of the site, no objections are raised from the Council heritage team, given the previous invasive use of the site. However, a planning condition is proposed to request a written scheme of investigation to ensure the level of detail required to safeguard any historic artifacts are preserved,
- 9.4.7 It is therefore concluded that this proposal will have minimal if any impact and this will result in no harm to the identified heritage assets or their setting.
- 9.4.8 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.

9.5 Landscaping

- 9.5.1 Policy CS2 of the Core Strategy seeks to ensure high quality design including landscaping. This policy generally accords with the National Planning Policy Framework and does not conflict the supply of housing.
- 9.5.1 Emerging Local Plan Policy DS5 makes similar requirements. These policies are at an advanced stage following hearing sessions in June 2022 and they are consistent with the NPPF and can, therefore, be given moderate weight.
- 9.5.2 The site does not currently contribute positively to the street scene and wider area given the condition and appearance of the existing buildings and the large areas of hardstanding within the site. Whilst the site is located in an urban area, where the expectation of planting differs from rural areas, soft planting that contributes to the high quality design and appearance of the site is encouraged by planning policy and the NPPF.
- 9.5.3 The application is accompanied by a proposed landscape and open space plan and a landscape master plan. The submitted drawings are (Proposed Landscaping and Open Space Plan – Drawing no 22407-CWA-ZZ-A-0116 Corstorphine & Wright and Landscape Masterplan – Drawing no 7774-L-2000 Park Hood Chartered Landscape Architects).
- 9.5.4 Whilst the soft planting indicated on the above plans indicates planting along on the perimeter of the site and further planting in the amenity areas within the courtyard area and this is welcomed, in terms of softening the urban form and offering a more permeable solution to the site's surfaces, the landscape scheme does not offer the level of detail in relation to the soft planting proposed along Limehurst Avenue.
- 9.5.5 Some concern is also raised from the Council's Landscape Officer in relation to the landscape detail next to the Brook as this is indicated as being predominantly hard landscaped and the Landscape Officer considers the small geometric shaped

planting beds may struggle to thrive. There have been previous discussions regarding this space and how the hard and soft landscaping will interface with the existing Brook, potentially sweeping down to the Brook. These discussions need to be fully explored with cross sections submitted to demonstrate how the level change will work in practice, and a full detailed hard and soft landscaping scheme will need to be submitted prior to the first occupation of the development, if members are minded to approve the application.

- 9.5.6 Subject to these planning conditions being imposed, 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, DS5 and Policy EV1.

9.6 Open space

- 9.6.1 Policy CS15 of the Core Strategy and emerging policy EV9 of the draft Local Plan seek to ensure adequate open space is provided to serve the needs of new development. This policy generally accords with the NPPF and does not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to the policy.

- 9.6.1 The applicant engaged with the University to assist in identifying the needs of students that attend the University in terms of open space and amenity areas. The development generates a need for young people's facilities in relation to open space. It has been confirmed by the Council's Open Spaces Team that the facilities to meet the needs of young people will be provided on-site and no objections are raised in this regard. The on-site facilities as indicated on the landscaping/open space plan, to include gym areas and outdoor landscape amenity spaces contributing towards the young people's facilities shall be secured via the S106 legal agreement or a planning condition will be imposed, following further comments requested from the open spaces team.

- 9.6.2 An off-site contribution towards the provision/enhancement of amenity green space is also requested to meet the need of the development. The sum of £36,028.00 is therefore required to be secured in a S106 legal agreement to meet the offsite need. The scheme to be secured in the S106 agreement will be confirmed to members prior to the plan committee meeting.

- 9.6.4 The Open Space Officer has raised no objections subject to the open space indicated on the layout plan following good design principles to create a space that is visually attractive and encourages active lifestyles and an off-site contribution towards amenity greenspace, which the applicant has agreed to. The proposal therefore accords with Policy CS15 of the Core Strategy and emerging policy EV9 of the draft Local Plan, which seek to ensure adequate open space is provided to serve the needs of new development. This policy generally accords with the NPPF and does not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to the policy.

Ecology and Biodiversity

- 9.7.1 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.

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

9.7.3 The Council's Ecologist confirms the ecological appraisal identifies a number of buildings with high potential to support bat roosts and proposes emergence surveys. These are particularly important because, according to the appraisal, it has not been possible to conduct internal inspections because of asbestos within the buildings. A further bat survey prepared in August 2023 by RammSanderson confirms that the buildings to be demolished have been surveyed and the recommendations contained in the report suggest:

- such as timing of the development in the active season (March to October)
- work at night using artificial light should be avoided

these recommendations should be subject to a planning condition, and the development should be carried out with those recommendations.

9.7.4 Whilst the results of a BIA are reported in the submitted appraisal, it has been confirmed by the Council's ecologist that the BIA is not considered necessary for this site because it is for the redevelopment of a brownfield site with no existing biodiversity value.

9.7.5 The ecological appraisal also proposes surveys for black redstart. Whilst there are records locally, the application site (based on its known characteristics) is unlikely to have important site characteristics. However, the inclusion of extensive green roofs would represent an enhancement for the local population of this species as well as contributing to urban cooling, building insulation and runoff attenuation, and this roof design is welcomed.

9.7.6 Having said this, some concern is raised in relation to potential contamination of the adjacent water course during construction, it is therefore considered that a construction environmental management plan (CEMP) is submitted prior to any development taking place to address this matter.

9.7.7 In terms of the construction of the development, it is considered that the site would represent a good location for swift boxes to be included as integrated features on

suitable elevations (away from opening windows), and a condition will be imposed to ensure details of the swift boxes are agreed as well as how they can be integrated into the buildings.

- 9.7.8 It is therefore considered that, subject to conditions requiring a CEMP, swift boxes to be integrated into the development and the development to be carried out in accordance with the bat survey, the development can be considered as acceptable, to both ensure accordance with Policy CS12 of the Core Strategy and Policy EV6 of the Draft Charnwood Local Plan.

9.8 Residential amenity

- 9.8.1 Policies CS2 of the Core Strategy and EV/1 of the Local Plan seek to protect the amenity of existing and future residents. They require high quality design that does not impact on the amenity of adjacent properties or create poor standards of amenity for future occupiers.
- 9.8.2 Emerging Local Plan Policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development. The policy is at an advanced stage following hearing sessions in June 2022 and it is consistent with the NPPF but is subject to objections and can therefore only carry limited weight.

Existing residents

- 9.8.3 A sunlight and daylight amenity report has been submitted with the application in response to the significant number of concerns raised by local residents in relation to the development.
- 9.8.4 It is fully acknowledged that the development will change the existing living environments in Limehurst Avenue, but it should also be acknowledged that improvements to the outlook and character of the area will be made compared to the existing situation. In relation to amenity, an assessment is necessary in this regard according to planning policy.
- 9.8.5 In relation to the daylight and sunlight assessment it is confirmed that properties that may be affected by the development are in the main situated in Limehurst Avenue, with the exception of 2 properties in Bridge Street and 1 in William Lyon Court, (adjacent to the ATS building) and it is these properties that are assessed in terms of daylight and sunlight potential loss impacts. Other commercial properties in the locality are excluded from the assessment as the exception of amenity issues differ in this regard.
- 9.8.6 It is confirmed in the report that the majority of the residential properties will not be overshadowed by the development and the detailed analysis confirms the BRE standards are met in this regard.
- 9.8.7 It is acknowledged in the report that some impacts may occur on 14 Limehurst Avenue and 23-29 Derby Road. However, the 2 windows that fall only marginally short of the BRE guidelines to No. 14 Limehurst Avenue are located to the rear of

the property overlooking the development site. Whilst some reduction in sunlight and daylight to the rear of this property, it is confirmed that it will only fall materially short of the BRE 0.8 time former value recommended. It is No. 14 Limehurst Avenue that marginally falls short of the loss of light to the amenity area, however the study confirms, 39% of the space will remain adequately sunlit when tested in March 2021, and this falls short of the 50% recommended by BRE. It is acknowledged that there is some conflict with the amenity policies, CS2, EV/1 and emerging policy DS5 and this considered in the planning balance.

- 9.8.8 The one window that will fall marginally short of the BRE guidelines, at 23-29 Derby Road, is at the rear and on the upper floor, however, the levels of light remaining at the rest of the windows are broadly in line with the BRE recommendations, as the rooms are served by multiple windows and will not fall materially short of the recommended 0.8 form value.
- 9.8.9 It is recorded in the report, that of the 603 rooms assessed for loss of sunlight using illuminance method E 557 92% of the rooms will meet the target levels as set out in BRE Guidelines. Context drawings are provided in the Daylight and Sunlight Assessment (2.0), to assist members in quantifying the above.
- 9.8.10 In terms of loss of privacy, Building B2 is proposed to sit opposite to the existing residential properties along Limehurst Avenue. It is proposed to be a 3 storey high block that fronts Limehurst Avenue, and it is acknowledged that the proposal is one storey higher than those buildings found opposite the site in Limehurst Avenue. It is also acknowledged the properties along Limehurst Avenue are currently not overlooked by any residential properties; however, it is normal practice in terms of urban design for properties to sit either side of the highway. In this regard, Limehurst Avenue (the highway and pathway) itself creates a suitable distance of approx. 15 metres from the residents opposite and the loss of privacy is not considered to be significant, given this separation distance. The separation distance along with orientation and relationship of the new building here will also contribute to the new building not being significantly overbearing or creating a situation of loss of natural light.
- 9.8.11 Building B1 (north west) is proposed to be four storey high and sits at the north western edge of the site with an internal roadway separating the building with the neighbouring properties. A bicycle store is proposed to abut the boundary with No. 14 Limehurst Avenue, along with four disabled parking spaces. The internal roadway will be used for management of the site only, as the site is a parking free zone, therefore the use of the road is considered to be minimal in terms of unacceptable levels of noise causing harm to No. 14 Limehurst Avenue. The windows directly facing No. 14 will give rise to some amounts of overlooking into the garden space, however, the other windows along building B will in the main face the side elevation of No. 14, apart from those situated at the southern end of proposed building, where whilst they may be a perception of overlooking, the due to oblique angles of the windows with No 14. The loss of privacy will not be significant to refuse the application on this basis. The separation distance of approx. 14.2 metres will also contribute to the new building not being overbearing or creating a situation of loss of natural light.

- 9.8.12 Building A1, the larger building to be positioned on the canal side of the development, whilst being between 6 and 8 storeys high, it is positioned at the shortest distance of 42.7 metres away from the adjacent properties in Limehurst Avenue and building A2 is separated from these properties by 71.4 metres. Therefore, the development meets the expectations of privacy as set out in the Design Guide SPD.
- 9.8.13 In relation to the issue of noise and anti-social behaviour, the main entrance to the site will be from the canal side, where it is expected most students will enter and leave the site. In addition, the application is accompanied by a resident management plan, that explains amongst other things, the site will have a 24 hour management oversight of the premises, the continuous presence will serve as a point of contact for residents and for the local community.
- 9.8.14 A number of objections have also been raised in regard to noise and disturbance when students are moving in and out of the accommodation. Whilst it is acknowledged that this will be a busier time than the usual proposed living environment, it has been confirmed in the management plan (to be secured by condition) that the moving will be by appointment only and this will be managed by the operators of the site, who are also the applicants.
- 9.8.15 In relation to the need for student accommodation and the impacts on the wider town, this point is covered by the relevant paragraphs (9.2.1 – 9.2.8) above.
- 9.8.16 In relation to the issues raised about potential noise during construction, it is acknowledged that some noise and disturbance will be evident during construction, however this will be temporary disruption to neighbours. It is proposed to impose a planning condition to ensure the building operation times will be controlled to aid the noise and disturbance caused.
- 9.8.17 The objections to the application in relation to lack of parking is considered below in the highway section.
- 9.8.19 The details contained in the application submissions confirm that CCTV cameras will be secured for safety purposes; however, no details of the positioning or type of cameras are submitted to understand any potential impacts upon amenity and privacy, therefore a planning condition will be imposed for a scheme to be submitted for approval to ensure the development does not result in privacy related issues.

Response to other matters raised not relating to amenity

- 9.8.20 Some concern is also raised about the pressure on local services, in this regard the NHS has requested a financial contribution from the applicant to upgrade/provide sufficient services at the local doctor surgery, to be secured by a S106 legal agreement. In relation to concerns about asbestos, this is covered by environmental health legislation and the applicant will be required to gain a license to remove any asbestos from the site.

Future occupiers

- 9.8.21 The site is proposed to accommodate students in a purpose-built establishment, that will provide safe and secure living environments for the students, along with on-site indoor and outdoor facilities to aid studies and contribute to the general well-being of the students, the site is also within walking distances of the town centre for the use of the facilities and services provided.
- 9.8.22 In terms of fire safety for safe egress if an emergency occurs, the Health and Safety Executive have confirmed that the amended layout on the upper floor that introduces a further escape stairwell is acceptable.
- 9.8.23 Whilst it is acknowledged that there is a conflict with the amenity standards set out in the BRE guidelines, the conflict is considered to be marginal, and this point will be weighed in the planning balance. The proposal would, therefore, comply with the provisions of policies CS2 of Charnwood Core Strategy and EV/1 of Local Plan along with NPPF, National Design Guidance and the guidance set out in the Design SPD to protect residential amenity and H3 and DS5 of the Draft Local Plan.

9.9 Flooding and drainage

- 9.9.1 Core Strategy Policy CS16 and the NPPF direct development away from areas at the highest risk of flooding. Emerging Local Plan Policy CC1 (Flood Risk Management) and Policy CC2 (Sustainable Urban Drainage Systems) require that development proposals are assessed for their risk of being flooded, and the risks arising from the proposals themselves. Policy CC1 can be afforded limited weight at this date. The Examination Inspectors have requested further submissions following publication of the PPG on Flood Risk and Coastal Change published in August 2022. Policy CC2 can be afforded moderate weight as the discussions on representations to that policy have concluded, and the policy is consistent with NPPF paragraphs 167 and 169.
- 9.9.2 The site is allocated for housing under the emerging policy DS3 (HA26) of the Draft Local Plan 2021-37 to provide for 138 units, the emerging policy makes it clear that any application for housing will need to address the flood risk issues. The application has therefore been accompanied with a flood risk assessment.
- 9.9.3 The Environment Agency (EA) have confirmed the whole the development sits within flood zones 1 and 2 on the flood map for planning, (see image below) The flood maps are based on the latest hydraulic model data, the Environment Agency's Wood Brook 2021 model. The EA have raised no objection to the application based on the submitted FRA. Concerns were raised in relation to the plant (the drinking water and fire sprinkler system pumps and associated electrics) being located in the basement; however it has been confirmed that a number of safeguards to prevent the basement being affected by flooding such as a basement plantroom entrance flood door, the plant being lifted 200mm from the flood, flood 'bunds' and an emergency evacuation plan and the EA have removed their objection, however, it has been requested that to ensure the methods are safe that further consultation is carried out with the flood emergency team. Further consultation has been carried out and members will be updated prior to the plans committee meeting. It is however confirmed that from a

flood risk perspective the development meets the criteria in the NPPF, subject to a planning condition being imposed, to ensure the development is carried out in accordance with the submitted flood risk assessment (ref S01-P02-0001; Flood Risk Assessment, Limehurst Avenue, Loughborough complied by JBA Consulting and the email correspondence from Sean Andrews, Associate Director of Faithful Gould Project Management, Dated 24/20/2023 and the Building B-Basement Section 02 drawing, uploaded 19/10/2023.

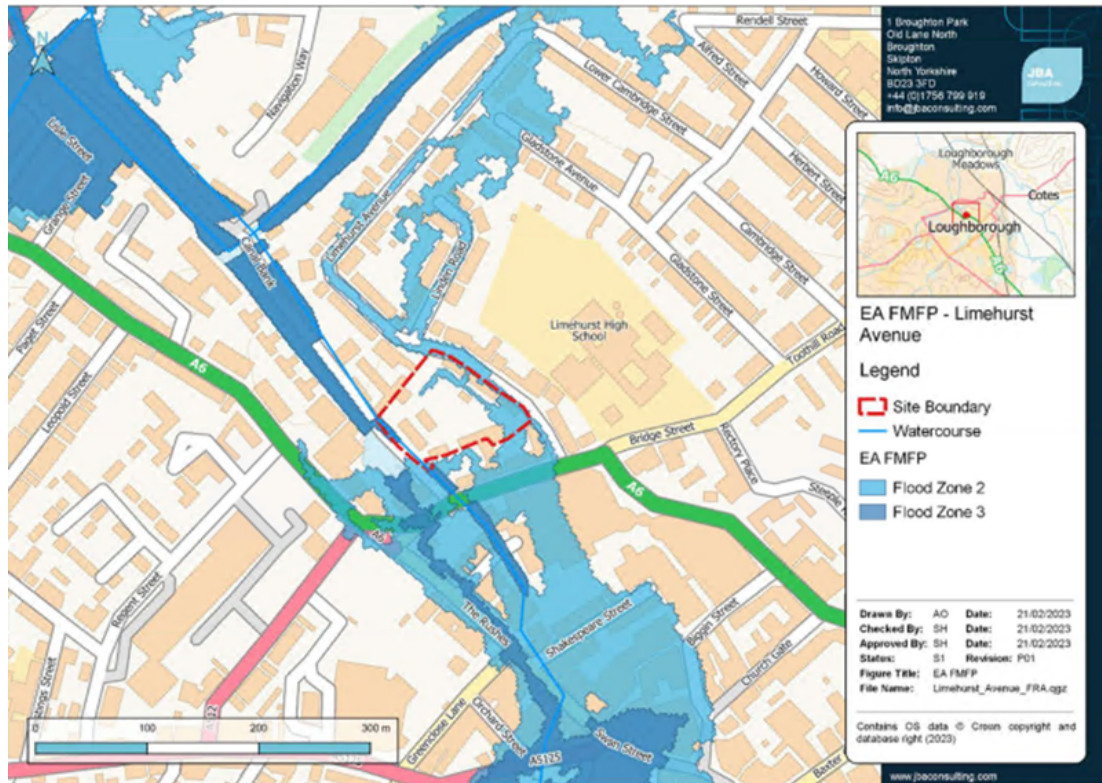


Figure 3-1: Environment Agency Flood Zone Map (February 2023)

- 9.9.4 In terms of flood risk mitigation The Flood Risk Assessment and Drainage Strategy submitted confirm the finished floor levels will be set no lower than 600mm above the maximum water level, and it is proposed the development will have a green roof and it will be connected to the sewers rather than stored on site, and permeable paving is proposed in the amenity areas with attenuation tanking.
- 9.9.5 The previous Lead Local Flood Authority (LLFA) responses stated that, since part of the development appears to be located within Flood Zone 3b (functional floodplain), a response from the Environment Agency (EA) would be required prior to a substantive response from the LLFA being submitted. The EA have subsequently reviewed the proposals and have set a planning condition relating to floor levels. No objections are raised from the LLFA in terms of drainage. Whilst a surface water drainage scheme has been submitted with the application, the LLFA have suggested conditions are imposed for a surface water drainage scheme, management of surface water on site during construction of the development and a long-term maintenance of the surface water drainage system to be submitted for approval.

9.9.6 The Canal and River Trust have confirmed that the application site is located on the north-east side of Loughborough Basin and is separated from the basin by an access road (Canal Bank which incorporates the canal towpath and a separate canalised watercourse (Wood Brook) running parallel to the canal and the Canal bank is owned by the Canal and River Trust. Whilst no objections are raised from the Canal and River Trust, planning conditions are suggested to be imposed for:

- A method statement for the construction of building A to ensure the structural integrity of the canal is maintained.
- A Construction Environmental Management Plan (CEMP) is submitted to the LPA for approval
- The materials, landscaping and boundary treatment are submitted for approval.
- A lighting scheme is submitted proposed along the canal bank

9.9.6 The EA, LLFA and the River and Canal Trust, who are statutory consultees in the determination of planning applications, raise no objection to the scheme, and subject to the planning conditions being imposed, it is considered that the scheme does comply with Core Strategy Policy CS16 and emerging Local Plan Policy CC1 and the NPPF.

9.10 Sustainable Construction and Energy efficiency

9.10.1 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. Emerging Local Plan Policy CC4 requires sustainable construction practices. This policy is at an advanced stage and was discussed at the hearing sessions in June 2022 and is consistent with the NPPF so can be given moderate weight.

9.10.2 The application is accompanied by an Energy Strategy Report that has demonstrated sustainable measures can be used in the construction of development, as it has reviewed and proposed low and zero carbon technologies and presented the results from an initial BRUKL assessment. The strategy seeks to reduce the carbon emissions for the building using a 'lean, mean and green' approach, by amongst other things, maximising passive measures to reduce the initial load of the building in terms of heating and anticipated lighting loads and the use of air source heat pumps will be used to generate heating and hot water for the building. The proposals presented also support the government's and local authorities' policy on phasing out fossil fuels and, as the grid decarbonises further, it will offer more carbon reduction towards the net zero carbon target. The detail in the energy strategy will be secured by a planning condition. The proposal in the interest of air quality and climate change would comply with policy CS16 of Charnwood Development Plan.

9.11 Land Contamination, Noise and Air Quality

9.11.1 Policy EV/1 of the saved policies from the Charnwood Local Plan 2004 requires that new development respects and enhances the local environment, utilises materials appropriate to the locality, and uses the landform and existing features as the focus around which any new development is designed.. Policy CC4 in the emerging Local

Plan, dealing with sustainable construction, would support the use of previously developed land, provided that it is not of high environmental value, and that it protects environmental resources. Policy CC4 is consistent with paragraph 157 of the NPPF.

9.11.2 Policy DS5 (High Quality Design) in the Emerging Local Plan requires new development to, amongst other considerations, to protect the amenity of those who will live in the development. Policy DS5 carries moderate weight at this date. No further discussion is planned during the Examination and the policy is consistent with NPPF paragraph 130. The development is considered compliant with this Policy so far as contamination is concerned.

9.11.3 A phase I and phase II Ground Investigation Report (ref 27669-GEO-0401) compiled by MEC GEO Environmental and prepared in February 2023 is submitted with the application. The ground contamination report submitted recommends at section 14 that:

- Additional ground gas monitoring to determine the required gas protection measures for residential development,
- Production of a detailed Remediation Method Statement,
- Production of a Piling Risk Assessment to identify potential vibration impacts on nearby residential properties and industrial premises,
- Further investigation around the location of underground tanks and their subsequent removal,
- Further investigation of the historical pumps and associated wells requiring infilling and capping,
- Groundwater monitoring.
- Implementation of a clean cover system within soft landscaped areas- the proposed chemical analysis suite and validation rates given in Table 13.1 is recommended,
- Incorporation of ground gas and volatile vapour protection measures within the proposed structures, in compliance with Table 13.2 of the report, and
- Verification/validation of the approved remedial works.

9.11.3 The report also states that during the monitoring programme, methane was consistently recorded at the WS01 location, and any excavation works undertaken at the site, in particular around the underground storage tank shall adopt appropriate measures to mitigate the risk of fires and explosions. This could include continuous gas monitoring and use of intrinsically safe plant. If, during the development, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed in an appropriate remediation scheme to be imposed by a planning condition approved in writing by the local planning authority.

Noise

9.11.4 Based on the Acoustic Report prepared by Apexacoustics dated 3rd November 2022 (Report No. 10321.1A) the development site is impacted by road traffic noise. The acoustic performance requirements for glazing and ventilators are summarised in Table 1 within that report. In addition, the plant noise limits at this stage and exact mechanical plant specifications are unavailable. Plant noise limits for the cumulative impact of all proposed plant at the nearest noise sensitive location are proposed in

Table 2 of the submitted report. It is therefore recommended the Acoustic report is conditioned to ensure the development is constructed in accordance with these details.

Air Quality

9.11.5 Based on the Air Quality Assessment compiled by Wardell-Armstrong (Ref: GM12565/DRAFT OCTOBER 2022), site-specific dust mitigation measures will be necessary to ensure dust effects from demolition and construction activities are not significant to existing receptors. It is recommended that the measures identified in section 5.1.15 of the report be incorporated into a Construction Management Plan. Therefore, a construction management plan should be submitted for approval prior to the first occupation of the development and this will be imposed by a suitably worded planning condition.

9.11.6 The proposal will comply with policies EV1 and CC4, and policy DS5 of the emerging local Plan with the imposition of the conditions as suggested in the above assessment.

9.12 Highway and Transport Matters

9.12.1 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 CS17 and the provision of new and improved cycling and walking routes.

Background

9.12.2 It is confirmed that a pre-application response was provided by the Highway Authority to the applicant on 14th November 2022. In its pre-application response, the Highway Authority identified that the following documents would be required:

- Transport Statement (TS);
- Travel Plan (TP);
- Stage 1 Road Safety Audit (RSA) and Designer's Response; and,
- Car Park Management Plan (CPMP).

9.12.3 In initial observations dated 25th August 2023, the Highway Authority requested further information with regard to:

- Site Access
- Highway Safety
- Trip Generation
- Internal Layout
- Transport Sustainability
- Travel Plan

9.12.4 In secondary observations dated 9th October 2023, the Highway Authority requested further information with regards to:

- Site Access
- Highway Safety
- Internal Layout
- Travel Plan

9.12.5 The Highway Authority observations are based on the submission by the applicant of the following document: Calibro 'Limehurst Avenue - Letter of response' - dated 17th October 2023.

Site Access

9.12.6 The Highway Authority notes that the Applicant has stated that the development will be 'car-free' with access to the site restricted for private vehicles and provided for servicing, emergency and disabled parking access only. The north-eastern access will form a simple priority junction onto Limehouse Road. The width of the access road in this location is 6.0m with 6.0m junction radii.

9.12.7 Limehurst Avenue is an adopted unclassified, non-weight restricted road subject to a 30mph speed limit enforced by street lighting. The Highway Authority notes that the carriageway comprises a mix of double yellow lines and formal, permitted on-street parking bays.

9.12.8 The south-eastern access will be provided via the existing shared access junction in the south-eastern corner of the site. The existing junction onto Limehurst Avenue will be retained, given that it also provides access for adjacent businesses outside the proposed development. At present, the access junction comprises a wide bellmouth of approximately 18.0m in width and opens onto an informal, tarmacked parking area. The proposals will look to formalise the arrangement, with a gated entrance provided into the main area of the development.

9.12.9 The Highway Authority point out that, as a general rule of thumb, it seeks to minimise the number of accesses on to the highway in the interests of safety.

9.12.10 The Highway Authority note that there are signs, double yellow lines and gullies in close proximity to the access. The main pedestrian access for the proposed development will be at the southwest corner of the site, connecting directly onto Canal Bank via a bridge over the adjacent canal. In this way, the non-car access will facilitate movement onto the footway in place on the western side of the carriageway and also the stepped access to the pedestrianised plaza at the Canal Basin.

9.12.11 The Applicant has provided a review of the pedestrian and cycle infrastructure within close proximity to the site and along key desire lines as discussed within the relevant sections below.

9.12.12 A Stage 1 Road Safety Audit (RSA) and Designer's Response have been provided. The RSA raised four problems including surface water drainage, carriageway markings, dropped kerb provision and visibility splays. The first three

problems the designer has suggested can be resolved at the detailed design stage. The Highway Authority have countered this and recommended that the dropped kerb provision is detailed within the application. A dropped kerb extent measuring in excess of 23.5m at the southern access is therefore shown and the Highway Authority are satisfied that its extent meets the minimum requirements.

- 9.12.13 It was agreed that surface water and carriageway markings can be dealt with at a later date, via a s278 legal agreement between the applicant and the Highway authority under the Highway Act.
- 9.12.14 The Highway Authority say the vehicular visibility at the site accesses will need to be in line with Part 3, Table DG4 of the Leicestershire Highway Design Guide (LHDG), available at 'resources.leicestershire.gov.uk/lhdg'. The Highway Authority previously advised the Applicant to undertake a speed survey in the vicinity of the site access in order to demonstrate that appropriate visibility, in line with the 85th percentile speeds of passing traffic, can be achieved. Surveys were undertaken from 7th to 14th September 2023. The north-western access had 85th percentile speeds of 21.8mph southeast-bound and 24.0mph northwest-bound. The south-eastern access had 85th percentile speeds of 28.0mph southeast-bound and 18.0mph northwest-bound. The recorded 85th percentile speeds require visibility splays of 2.4 x 33.0m in either direction at the northwest access. For the southeast access, visibility splays of 2.4 x 43.0m and 25.0m and required to the northwest and southeast respectively. Visibility splays in accordance with the above, measured to a 1.0m offset from the kerb line are shown on Drawing 22-391 20-100 Rev. 04 and therefore the Highway Authority are satisfied that appropriate visibility splays can be achieved.

Highway Safety

- 9.12.18 As per the previous observations, an assessment of Personal Injury Collisions (PIC) undertaken for a study area should of a *minimum* of 500m from the proposed site access and include any junctions that are subject to junction capacity assessments. As per industry-standard practice, the assessment should provide data for the most recently available five-year period, not four.
- 9.12.19 The Highway Authority noted the PICs in a length along Bridge Street and the clusters at the junctions of Derby Road / Regent Street and Derby Road / Alan Moss Road should be investigated following the provision of a complete five years worth of data. In the absence of a complete data set. the Highway Authority have undertaken their own review of PIC data and draw the following conclusions:

Six (6) PICs took place along Bridge Street between the junctions with Derby Road and Fennel Street within the most recent five-year period.

- Of which, two were recorded as 'serious' and four recorded as 'slight'.
- Two PICs involved pedestrian crossing movements but in separate locations.
- Two PICs involved vehicles disobeying a red light.

Four (4) PICs took place at the Derby Road and Regent Street junction within the most recent five-year period.

- Of which, one was recorded as 'serious' and three recorded as 'slight'.
- Three PICs involved cyclists. Each of these PICs involved motorised vehicle turning right from Derby Road in to Regent Street colliding with a cyclist heading north west along Derby Road.
- The LHA have reviewed the site and consider that sufficient forward visibility is available and therefore it is considered that the PICs are the result of 'driver error' and that no mitigation measures would therefore be required in this instance.

Six (6) PICs took place at the Derby Road and Belton Road junction within the most recent five-year period.

- Of which, one was recorded as 'serious' and five recorded as 'slight'.
- One PIC had no report received.
- Upon review of the collision reports, there are no discernible trends in the collision data

9.12.20 Based on the data above, the Highway Authority consider that the proposed development would not exacerbate any known highway safety concerns subject to the planning conditions in the relevant section below.

Trip Generation

9.12.21 In pre-application advice, the Highway Authority advised that a trip generation exercise be completed for each use type of the development in order to determine the likely number of two-way trips during the AM (08:00-09:00) and PM (17:00-18:00) peak periods. The trip generation should be based on person trips given the proposed car-free approach. The Highway Authority would add that person trips should be factored by local census data.

9.12.22 In the initial observations, the Highway Authority reviewed the submitted trip generation within the Calibro Transport Statement and noted that the trip rates were notably lower than previously approved schemes in Loughborough.

9.12.23 The Highway Authority noted that there are committed developments of student accommodation buildings within Charnwood Borough. Trip rates from planning permissions (reference: P/18/2067/2 & P/18/0250/2) relating to the development of student accommodation ranging from 3-7 storeys and including circa 520 student bedrooms in Loughborough were suggested as comparators to be considered.

9.12.24 The two-way pedestrian rates in the submitted Transport Statement were 0.063 and 0.142 in the AM and PM peak periods respectively. The Applicant has adopted the approved trip rates from P/18/0250/2 with pedestrian two-way rates of 0.186 and 0.255 in the AM and PM respectively. For a development of now 541 units, this could generate 101 and 138 two-way movements in the AM and PM respectively.

- 9.12.25 The Highway Authority welcome that the newly submitted Technical Note and updated Residence Management Plan have a cohesion regarding staffing numbers.
- 9.12.25 The Highway Authority note that there are a total of 14 full-time equivalent staffing roles that would result in a trip demand. It is noted that the Applicant has put forward a series of measures to ensure that staff do not travel via private car to/from the site.
- 9.12.26 The applicant has detailed that these roles are likely to result in 11 arrivals and 3 departures in the AM peak and 3 arrivals and 11 departures during the PM peak. With no more than 14 two-way private car trips in any peak period, the Highway Authority would require no further information with regards to trip generation, as this the information provide is considered to be acceptable.

Internal Layout

- 9.12.26 Internally, the Highway Authority note that the site seeks to provide a car-free development. The Highway Authority consider that whilst this may be supported, a level of parking should still be provided to ensure the start of term arrivals and end of term departures can be completed without spilling over to the highway. The details contained in the residence management plan confirm that during term arrivals and end of term departures an appointment system will be in place using the internal roadway, whereby onsite parking is provided and this will be managed by the site operators from the gated access point. It is considered necessary, however, to condition the details contained in the residence management plan to ensure parking demands do not over spill onto the highway.

Vehicle Parking

- 9.12.27 The Highway Authority note that four vehicle parking bays are shown on the submitted drawings. It is understood that the bays will be reserved for use by disabled students only. The Highway Authority would add that it would be preferable for the bays to be marked as such to limit the potential for contraventions. The Highway Authority note that disabled parking bays should measure 4.8m x 2.4m with a 1.2m hatched buffers space to the side and rear. The bay dimensions are shown to be acceptable.

Cycle Parking

- 9.12.28 The use class of the site within the submitted application form is 'Sui Generis'. The Highway Authority do not maintain cycle parking standards for this use class. As such, reference should be made to national design guidance. In this instance, the Highway Authority would consider LTN 1/20 to be the most recent, adopted national guidance.
- 9.12.29 In accordance with consented planning applications P/18/2067/2 and P/18/0250/2, cycle parking is proposed to be provided in accordance with 'flats' at a 1:5 ratio.

9.12.30 As previously mentioned, two-tier stands and Sheffield stands proposed are supported by the Highway Authority. The Highway Authority have requested further information in this regard as set out in the bullets points below and a planning condition will be imposed for the following:

- As be secure and normally with weather protection provided;
- be conveniently located at entrances to buildings;
- enjoy good natural and/or CCTV observation;
- be well lit; and
- be located so it does not obstruct pedestrian and cycle routes.

9.12.31 In addition, the Highway Authority have requested, due to the 'car-free' nature of the proposals, cycle parking facilities to include charging points for electric bikes and a bike repair station. As not details have been provided in this regard, it is considered appropriate to impose a planning condition to ensure this detail is submitted for approval by the Highway Authority.

Moving In and Out Periods

9.12.32 The Highway Authority noted that it has been suggested that the NCP Rushes Car Park will be utilised for the moving in and out periods. It has now been confirmed that moving in and moving out procedure will be managed from within the development red line only. The Highway Authority note that a welcome pack will be provided for residents which will indicate the location of the car park. The Highway Authority consider that the welcome pack should be secured via a S106 obligation.

9.12.33 The Highway Authority also note that arrival times will be staggered to limit demand. The Highway Authority welcome detail that there are spaces for four users within the site to park at any one time and that 15 minutes will be allotted. The Highway Authority note the idea of pre-arranged times which have been proposed on other sites within Leicestershire. The Highway Authority consider that such proposals should allow for an overlap period and ensure a reasonable amount of time for residents to be dropped off and picked up given the additional items they are likely to be moving.

9.12.34 The Highway Authority also note the measures outlined to restrict students and staff from utilising a car. The Highway Authority welcome new information that the applicant has confirmed that the moving in procedure typically takes place over a 6-week period depending on the teaching and travel requirements for individual residents and that each resident must complete a mandatory pre-induction process via a residents' online portal.

9.12.3 The drop off and pick up arrangements should be considered in greater detail within a future Travel Plan (TP) and Car Park Management Plan (CPMP) as per the conditions outlined in the relevant section below. The Highway Authority considers that the focus of the CPMP would be term change over days (i.e. end of term pick-up / start of term drop off) as well as avoiding on-street parking connection with students.

Refuse Collection

- 9.12.35 The Highway Authority have noted the location of bin stores shown on the submitted drawings and the submitted refuse vehicle tracking. Whilst it is the Highway Authority confirm that it would ordinarily seek to resist movements including reversing in the highway, it is also noted that this movement is only required for a refuse vehicle which is an infrequent movement, that typically takes place outside of the network peak hour and that the operators will function as banksmen to aid the reversing movement. Therefore, on balance, the refuse collection proposals are accepted, in this instance.

Transport Sustainability

- 9.12.36 The Highway Authority have confirmed they are aware that Bridge Street severs the site from the town centre of Loughborough.

Pedestrian and Cycling

- 9.12.37 The Highway Authority have noted that cycle routes are located along Canal Bank, Bridge Street and Alan Moss Road, in close proximity to the site.
- 9.12.38 The Applicant has provided a detailed review of the pedestrian and cycle infrastructure within close proximity to the site and along key desire lines. The review concluded that all crossings within the vicinity of the site are illuminated to modern standards and well-maintained allowing for and facilitating pedestrian and cyclist movements throughout. Given the site is for student accommodation, the Highway Authority expect a clear desire line to Loughborough University and potentially Loughborough College. As per any user, the Highway Authority would also expect to see desire lines accommodated to key retail, leisure and health facilities. These are most prominently within Loughborough Town Centre (Derby Square / The Rushes), Regent Place Retail Park, Loughborough Hospital and Willowbrook Retail Park.
- 9.12.39 The Highway Authority have therefore conducted its own review of current infrastructure and desire lines. In all scenarios, the Highway Authority would expect users to travel via the Bridge Street / Derby Road / The Rushes signalised junction and for all locations except Loughborough Town Centre, the Highway Authority expect a proportion of users to utilise Derby Road. The Highway Authority note that, in particular, cycle users heading to the university would likely utilise Derby Road and Alan Moss Road.
- 9.12.40 The Highway Authority note that the Bridge Street / Derby Road / The Rushes junction requires up to three phases for pedestrian users to cross. The Highway Authority note that the pedestrian refuge locations comprise no more than 50sqm. The Highway Authority also note that cycle provision along Derby Road ceases circa 85.0m north of the Bridge Street / Derby Road / The Rushes with users onboarded onto the carriageway following the toucan crossing facility.
- 9.12.41 With due regard to the level of trips expected by a car-free development of 541 student beds, the Highway Authority consider that addition of more than 2

pedestrians every 60 seconds at the junction alongside cycle users is likely to impact the existing pedestrian and cycle infrastructure. Should the infrastructure become overwhelmed by the number of users, the Highway Authority would expect the infrastructure to not be used correctly potentially resulting in highway safety concerns. The Highway Authority therefore consider it necessary to the development for improvements along Derby Road and at the Bridge Street / Derby Road / The Rushes signalised junction to be made and a planning condition to be imposed to ensure the off-site works are carried out prior to the first occupation of the development.

- 9.12.42 In addition to the above, it is noted that the Loughborough Cycling and Walking Infrastructure Plan (LCWIP) was adopted by Leicestershire County Council on 24th November 2023. The Highway Authority note from the LCWIP that Derby Road comprises Route IDs 4A, 4B and 4C, in close proximity to the site. The Highway Authority consider that improvements in accordance with Route ID 4C would be specific to the development providing improvements to the Bridge Street / Derby Road / The Rushes signalised junction and along Derby Road to provide a comprehensive cycle network to Loughborough University via Alan Moss Road. Route ID 4C comprises of Derby Road for the extent between Clifford Road and Swan Street.
- 9.12.43 Whilst no scheme is yet developed, the adopted LCWIP describes the improvements involving 'segregated cycleways, upgraded segregated crossings, two-stage right turn junction arrangement, priority side road crossing and low-level vegetation'. The Highway Authority have requested a planning condition as set out below in recommendation B, to secure improvements to Derby Road and the Bridge Street / Derby Road / The Rushes signalised junction. The description provided should form the starting point for the development of a scheme and it is considered that contact should be made with the Highway Authority at the earliest opportunity via its free of charge pre-application advice service to discuss proposals prior to submission to the Local Planning Authority. This would allow the Applicant to establish whether any schemes had been developed prior to the time of submission.
- 9.12.44 The Highway Authority consider that a condition should be imposed to mitigate potential highway safety concerns and to provide a cohesive cycle route to Loughborough University, a key trip attractor for a car-free student accommodation development.

Bus Provision

- 9.12.45 The proposed development site is located circa 190m from the Fennel Street Stand FA stop, 230m from the Derby Road Stand DA and DB stops and 250m from The Rushes Stand RA, RB and RC stops. The stops are served by the 3, 5, 11, 12, 16, 16A, 126, 127, 866, Skylink Derby, Sprint and National Express 440 services which provide frequent services to locations including Leicester, Derby, Coalville and London.

- 9.12.46 The Highway Authority consider that the Applicant may wish to consider measures to increase bus travel as part of establishing the site as 'car-free' in the travel plan to be submitted, as suggested below.

Travel Plan

- 9.12.47 The Highway Authority have considered the details contained the travel plan and have requested amendments from their observations made on 25th August 2023. The development proposal is not supported by an amended travel plan as requested; therefore, a planning condition will be imposed to ensure a travel plan that sets out the actions and measures with quantifiable outputs and outcome targets is submitted for approval prior to the development being first occupied.

9.13 Other Matters

Safeguarding Authority for East Midlands Airport

- 9.13.1 The site is located in a safeguarded area that requires consultation with East Midlands Airport. Whilst no objections are raised, the Safeguarding Authority for East Midlands Airport have recommended that planning conditions are imposed to remove permitted development rights to ensure no reflective materials are used on the building, all lighting on the exterior on the building shall be capped, and a detailed plan be submitted for the management of smoke and dust during demolition. These planning conditions will support air travel safety as requested by East Midlands Safeguarding Authority, and comply with the Strategic Objectives in the Core Strategy Policy SO1 and the NPPF to meet the aims of sustainable Development.

Health and Safety Executive – Fire Safety in higher risk buildings)

- 9.13.2 As proposal is for a high building, (over 7 storey's) the Health and Safety executive are required to be consulted, to ensure that fire risk escape measures are considered in the design of the building. The original consultation response from the H&SE expressed concern about safe egress from the higher Block A1 / A2 in a fire emergency situation, as only one emergency staircase was proposed. The scheme was therefore amended in response to the comments received and a second staircase is now proposed in Black A1/A2. Following further points of clarification being provided from the applicant in terms of the internal layout, the H&SE have confirmed the design meets the standards for fire safety and no further objections raised.

9.13 Section 106 Contributions

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

Consultee	Response
Open Spaces	<p>To secure the minimum floor space of the facilities for indoor and a minimum outdoor amenity as indicated to be provided within the site (as indicated on the submission plans).</p> <p>Off-site Contribution to be secured of £36,028.00 to provide provision or enhancement of amenity green space to meet the need of the development</p>
Highways	<p>Travel Plan Monitoring Fee via MODESHIFT STARSfor. The Applicant is advised that the required for this site will be the sum of £6,000.00.</p> <p>Travel Packs - to inform new residents/ employees from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which would attract an administration charge of £500.</p> <p>Six month bus passes, one per employee and two per residential apartment (application form to be included in Travel Packs and funded by the developer); to encourage new employees and residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (approximately) £510.00 per pass (cost to be confirmed at implementation).</p> <p>The Applicant is required to pay a sum of £7,500.00 for the submission of a Traffic Regulation Order (TRO) consultation, in accordance with the Road Traffic Regulation Act 1984, for the proposed amendments of double yellow line provision.</p>
County Council Contributions Team	Contributions are sought to be secured via a S106 towards Loughborough Library £7,926.90 .
NHS	Contributions are sought to be secured via S106 for £173,120.00 towards the three closest doctor surgeries.
Charnwood Borough Student Support Scheme	Contributions to be secured via a S106 for the installation of CCTV and ongoing maintenance of £10,500.00 .

10 Consideration and Planning Balance

- 10.1 Section 70(2) of the Town and Country Planning Act 1990 requires the decision taker to have regard to the Development Plan, so far as it is material to the application. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that: "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 10.2 The application proposes a purpose-built student accommodation building on a site allocated for housing in the emerging Local Plan, that will deliver much needed housing at a time when the Council cannot demonstrate a 5 year land supply. The site currently does not offer social or economic benefit to the local area. The delivery of the student accommodation will regenerate a brownfield site, close to the town centre, following the demolition of unsightly buildings situated on a former council depot. The proposal is considered to contribute towards the continued economic growth of Loughborough and the continued expansion and growth of Loughborough.
- 10.3 The proposed new building has been through a rigorous design process and whilst it is acknowledged that there will be an inevitable change to the overall townscape and more localised character of the area, it will provide a high quality, legible and coherent scheme that will be locally distinctive and in keeping with the character of Charnwood.
- 10.4 The proposal will result in a larger/higher building compared to current situation, and there will be an inevitable change to the outlook of the local residents and whilst some harm has been identified in terms amenity to the local residents, the harm is not considered to be significant and this is outweighed by the benefits the proposal brings in regenerating a site that currently brings no benefit to the character of the area.
- 10.5 There are no technical constraints relating to highways, drainage or flooding that cannot be mitigated. The development will not result in a loss of biodiversity on site, but any mitigation requirements for protected species can be secured by way of planning condition.
- 10.6 The impacts of the proposed development on local infrastructure can either be offset within the application site or otherwise secured via commuted payments to improve facilities in the area secured under s106 of the Planning Act.
- 10.7 In conclusion, it is considered that there are no impacts of the development of this site that cannot be mitigated and that would be so significant and demonstrably harmful as to outweigh the benefits of providing a regeneration scheme that provides for purpose-built student accommodation in this sustainable location. The benefits relate to the contribution of the proposal to the Council's housing land supply deficit and deliverability, sustainable location, the economic growth of Loughborough and the continued growth of the University and other infrastructure provision. The application should therefore be supported subject to appropriate conditions being attached and contributions being secured to support local infrastructure as part of a S106 Legal Agreement as set out below.

10.8 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. It is therefore considered that planning permission of this full application should be granted.

11 **Recommendation**

RECOMMENDATION A

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

<p>Open Spaces</p>	<p>To secure the minimum floor space of the facilities for indoor and a minimum outdoor amenity as indicated to be provided within the site (as indicated on the submission plans). Off-site Contribution to be secured of £36,028.00 to provide provision or enhancement of amenity green space to meet the need of the development</p>
<p>County Highway Authority</p>	<p>Travel Plan Monitoring Fee via MODESHIFT STARSfor. The Applicant is advised that the required for this site will be the sum of £6,000.00.</p> <p>Travel Packs - to inform new residents/ employees from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which would attract an administration charge of £500.</p> <p>Six month bus passes, one per employee and two per residential apartment (application form to be included in Travel Packs and funded by the developer); to encourage new employees and residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (approximately) £510.00 per pass (cost to be confirmed at implementation).</p> <p>The Applicant is required to pay a sum of £7,500.00 for the submission of a Traffic Regulation Order (TRO) consultation, in accordance with the Road Traffic Regulation Act 1984, for the</p>

	proposed amendments of double yellow line provision.
County Council Contributions Team	Contributions are sought to be secured via a S106 towards Loughborough Library £7,926.90 .
NHS	Contributions are sought to be secured via S106 for £173,120.00 towards the three closest doctor surgeries.
Charnwood Borough Student Support Scheme	Contributions to be secured via a S106 for the installation of CCTV and ongoing maintenance of £10,500.00 .

RECOMMENDATION B

11.2 That subject to the completion of the S106 agreement in recommendation A above, grant outline planning permission conditionally subject to the imposition of the following draft planning conditions and reasons and that the Head of Planning and Growth be given delegated authority to determine the final detail of these planning conditions, in consultation with the Chair of the Plans Committee:

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 approved plans and documents listed in as:

- 22407-0110-P01 Proposed Site Location Plan
- 22407-0115-P01 Proposed Site Plan
- 22407-0100-P01 Proposed Basement Level Plan
- 22407-0101-P01 Proposed Ground Floor Plan
- 22407-0102-P01 Proposed Mezzanine Plan
- 22407-0103-P01 Proposed Levels 01-02
- 22407-0104-P01 Proposed Level 03
- 22407-0105-P01 Proposed Level 04 - 05
- 22407-0106-P01 Proposed Level 06
- 22407-0107-P01 Proposed Level 07
- 22407-0108-P01 Proposed Level 08
- 22407-0109-P01 Roof Level
- 22407-0116-P01 Proposed Landscaping and Open Space Plan
- 22407-0120-P01 Proposed Ground Floor Plan with Amenity Layout
- 22407-0121-P01 Proposed Mezzanine Plan with Amenity Layout
- 22407-0212-P01 GA Site Sections
- 22407-0222-P01 Proposed GA Sections 01 & 02
- 22407-0223-P01 Proposed GA Sections 03 & 04

- 22407-0224-P01 Proposed GA Sections 05 & 06
- 22407-0225-P01 Proposed GA Sections 07 & 08
- 22407-0250-P01 Proposed Section A and B
- 22407-0230-P01 Proposed Elevation - Building A - South
- 22407-0231-P01 Proposed Elevation - Building A - North
- 22407-0232-P01 Proposed Elevation - Building A - East and West
- 22407-0233-P01 Proposed Elevation - Building B - North and East
- 22407-0234-P01 Proposed Elevation - Building B - South and West
- 22407-0240-P01 Proposed Elevation - Building A - Proposed Bay Study 01
- 22407-0241-P01 Proposed Elevation - Building A - Proposed Bay Study 02
- 22407-0242-P01 Proposed Elevation - Building A - Proposed Bay Study 03
- FW2253-C-500 [A2] Engineering Layout prepared by Farrow Walsh
- Flood Risk Assessment (S01-P02-0001) prepared by JBA Consulting
- Management Flood Response Plan for Limehurst Avenue, Loughborough v1 prepared by JBA Consulting
- Residents Flood Response Plan for Limehurst Avenue, Loughborough v1 prepared by JBA Consulting
- 22407-8001-01 Refuse, Delivery and Servicing Strategy
- FSE2241 - Helios Gateway 1 Fire Statement - Fusion Loughborough - 20.09.23 - 02
- FSE2241 - Helios Stage 2 Fire Safety Strategy - Fusion Loughborough - 02 - 20.09.23
- Bat Survey Report (RSE_6797_R1_V1_BR) prepared by RammSanderson
- Highways Technical Note Report 22-391-20 Response to LHA V01 – Final (002) prepared by Calibro
- 10-19 Residence Management Plan – Loughborough, September 2023 prepared by Fusion
- BREEAM Pre-Assessment Rev A prepared by CPWP
- Phase I and II Ground Investigation V1 prepared by MEC
- Noise Impact Assessment Rev A prepared by Apex Acoustics
- Energy Statement Report 5020028-RDG-XX-XX-MEP-RP-500000 prepared by Ridge

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

3. Notwithstanding the details shown in the submission of the application, the development hereby permitted shall not reach past slab level until full details of the materials to be used in the construction of the external surfaces and drawings at a scale of 1:10 (including sections) or at another scale agreed by the Local Planning Authority showing external construction detailing of all key elements have been submitted to and approved by the Local Planning Authority in writing. The drawings shall include details of:

- a) windows, cills, reveals, doors and louvers;
- b) wall vents;
- c) copings, parapets, soffits and upstands;
- d) decorative brick detailing;
- e) roof structure (including decorative features)
- f) rain water goods;
- g) soffits and railings);
- i) lighting of communal spaces and buildings;
- j) building signage;
- k) art installations;
- (l) mail boxes;
- (m) elevations of entrance gates
- (n) elevations of bin storage

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

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area in accordance with Policies CS2 of the Charnwood Core Strategy, Policy EV/1 of the Local Plan, Emerging Policy DS5 the NPPF and the local and national design guide.

4. Notwithstanding the landscaping master plan submitted, prior to the first occupation of the development a soft and hard landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submission details shall include:
- the treatment proposed for all ground surfaces, including hard surfaced areas;
 - planting schedules across the site, noting the species, sizes, numbers and densities of plants and trees; including tree planting within the planting belt to the east of the site;
 - finished levels or contours within any landscaped areas;
 - any structures to be erected or constructed within any landscaped areas including street furniture and means of enclosure;
 - All other boundary treatments;
 - functional services above and below ground within landscaped areas.

The landscaping scheme shall thereafter be implemented in complete accordance with the approved details and within the first available planting season following approval of the detail and the boundary treatment provided prior to the first occupation of the development.

REASON: To ensure that a satisfactory landscaping scheme for the development is provided so that it integrates into the landscape and surrounding area and complies with policies CS2 and CS11 of the Development Plan.

5. Prior to the first occupation of the development a 10 year landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all public open spaces, ecological mitigation areas and surface water drainage systems, shall be submitted to and approved in writing by the Local Planning Authority.

The approved landscape management plan shall then be fully implemented.

REASON: To ensure that public open spaces are maintained so that they are of good quality, in the interests of flood risk and to ensure that drainage systems retain full function. This is to make sure the development remains in compliance with Development Plan policies CS2, CS11 of the Core Strategy, Policy C1 and Policy EV1 of the Emerging Draft Local Plan.

6. The development shall be carried out in complete accordance with recommendations contained in the Bat Survey Report prepared by RammSanderson in August 2023.

REASON: To ensure any harm to the protected species is fully mitigated against as recommended, in accordance with Policy CS12 of the Core Strategy and Policy EV6 of the Emerging Local Plan.

7. No development shall commence until a scheme indicating the number, position and how swift boxes will be integrated into development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme prior to the occupation of the development hereby permitted and shall thereafter be retained and maintained for the lifetime of the development.

REASON: To ensure the scheme for swift boxes agreed in a timely manner and to encourage enhancements to biodiversity, in accordance with Policy CS13 of the Core Strategy and emerging Policy EV6 of the Draft Charnwood Local Plan.

8. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. To include and not limited to

- minimum details of the routing of construction traffic,
- wheel cleansing facilities,
- vehicle parking facilities,

The CEMP shall include a detailed timetable for the provision of the above

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

REASON: To ensure the development accords with Policy CS13 of the Core Strategy and Policies, EV6 of the Draft Charnwood Local Plan and safeguards highway safety during construction.

9. No development shall commence until a detailed scheme for the installation of the proposed external CCTV cameras has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the position and type of cameras to be provided and details of how privacy of residents in and surrounding the development can be secured. The development shall thereafter be carried out in accordance with the approved details prior to the occupation of the development hereby permitted and shall thereafter be retained and maintained in perpetuity.

REASON: In the interests of neighbour amenity in accordance with CS2 of the Core Strategy and 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.

10. The development shall be carried out and managed in accordance with the residence management plan prepared by Fusion Group in perpetuity.

REASON: In the interests of neighbour amenity in accordance with CS2 of the Core Strategy and 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.

11. No demolition or development shall commence until a construction management plan is submitted to and approved in writing by the Local Planning Authority. The management plan will provide details on the control of dust and smoke during the demolition of the existing buildings and the construction of the proposed building, and proposed times of construction, to be agreed with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved construction management plan.

REASON: To ensure the demolition and the construction of the development hereby approved does not unduly impact upon the local residents to comply with policy DS5 of the emerging local Plan, and to support air travel safety as requested by East Midlands safeguarding authority, having regard to the Strategic Objectives in the Core Strategy Policy SO1 and the NPPF to meet the aims of sustainable Development.

13. The development hereby permitted shall be carried out in accordance with the noise report prepared by Apexacoustics dated 3rd November 2022 (Report No. 10321.1A). The noise mitigation measures contained in the report shall be fully implemented prior to occupation and subsequently maintained in perpetuity.

REASON: In the interests of neighbour amenity in accordance with CS2 of the Core Strategy and Emerging Local Plan Policy DS5 states that new development will be required to protect the amenity of future occupiers and the people who live or work nearby and those who live in the new development.

12. No development shall commencement until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of the positioning of all external lighting and specification

manufacturing details of the proposed lighting. All exterior lighting shall be capped at the horizontal with no upward light spill. The development shall thereafter be carried out in accordance with the approved lighting scheme and shall remain and be maintained as approved in perpetuity.

REASON: In the interests of neighbour amenity and to ensure the lighting to be provided sympathetic to the character of the canal and the wider area, in accordance with CS2 of the Core Strategy and Emerging Local Plan Policy DS5 states that new development will be required to protect the amenity of future occupiers and the people who live or work nearby and those who live in the new development to support air travel safety as requested by East Midlands safeguarding authority, having regard to the Strategic Objectives in the Core Strategy Policy SO1 and the NPPF to meet the aims of sustainable Development.

13. Notwithstanding the details contained in the surface water drainage strategy, no development shall commence until a surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the drainage strategy and prior to the first commencement of the development.

REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, in accordance with the Core Strategy Policy CS16 and emerging Local Plan Policy CC1 and the NPPF.

14. No development shall take place until a management of surface water on site during construction of the development has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details.

REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase, in accordance with the Core Strategy Policy CS16 and emerging Local Plan Policy CC1 and the NPPF.

15. Prior to the first occupation of the development hereby approved the long-term maintenance of the surface water drainage system within the development shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

REASON: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, in accordance with the Core Strategy Policy CS16 and emerging Local Plan Policy CC1 and the NPPF.

16. The development shall be carried out in accordance with the submitted flood risk assessment (ref S01-P02-0001; Flood Risk Assessment, Limehurst Avenue, Loughborough compiled by JBA Consulting; Dated September 2023), the email correspondence from Sean Andrews, Associate Director of Faithful + Gould Project

Management, Dated 24/20/2023 and the Building B-Basement Section 02 drawing, uploaded 19/10/2023 and the following mitigation measures they detail:

- Finished floor levels of shall be set no lower than 40.44mAOD (buildings A2 and B1) and 40.65mAOD (buildings A1 and B2).
- BSI certified flood door installed at basement entrance
- 'tanked' construction and waterproofing in accordance with the Building Regulations and BS 8102
- Basement plantroom floor level at 36.65mAOD
- Threshold of basement plantroom entrance flood door at 36.80mAOD
- Water and sprinkler tanks built off plinths at 36.85mAOD
- Pumps set on plinths at 37.85mAOD, Electrical switchgear serving basement pump sets at 37.85mAOD
- LLS and Substation floor level at 40.35mAOD
- LSS and Substation plant plinths at 40.55mAOD
- Ground level at 40.50mAOD
- Generator and LV switchroom floor level at 40.50mAOD
- Top of 300mm freeboard on entrances to LSS and Substation at 40.65mAOD
- Generator and LV switchroom plant plinths at 40.70mAOD
- entrances to generator and LV switchroom at 40.80mAOD
- Ground level entries to basement accessed over raised waterproof threshold at 40.95mAOD

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON: To reduce the risk of flooding to the proposed development and future occupants in accordance with Core Strategy Policy CS16 and emerging Local Plan Policy CC1 and the NPPF.

17. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no reflective materials other than clear or obscure glass, including solar PV, shall be added to the building without the express consent of the local planning authority in consultation with the aerodrome safeguarding authority for East Midlands Airport.

REASON: In the interests of flight safety and to prevent distraction and ocular hazard to pilots using East Midlands Airport No reflective materials to be used in the construction of these buildings.

18. Prior to the commencement of development, a method statement for the construction of building A that indicates how the construction of the building will ensure the structural integrity of the canal is maintained shall be submitted to and agreed in

writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

REASON; To reduce the risk of flooding to the proposed development in accordance with Core Strategy Policy CS16 and emerging Local Plan Policy CC1 and the NPPF.

19. Prior to each phase of development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of land/ground gas/controlled waters, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:
1. A preliminary risk assessment which has identified:
all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways receptors potentially unacceptable risks arising from contamination at the site
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To protect the health of future occupiers of the site and the environment from any possible effects of contaminated land in the interests of neighbour amenity in accordance with CS2 of the Core Strategy and Emerging Local Plan Policy DS5 states that new development will be required to protect the amenity of future occupiers and the people who live or work nearby and those who live in the new development.

22. Prior to each phase of development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON: To ensure that the site does not pose any further risk to human health and environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

23.If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the site does not pose any further risk to human health and environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

24.No development shall take place until a programme of archaeological work which includes a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:

- The programme and methodology of site investigation and method
- The programme for post investigation assessment
- Provision to be made for analysis of the site investigation and recording
Provision to be made for the publication and dissemination of the analysis and records of the site investigation
- Provision to be made for archive deposition of the analysis and records of th site investigation
Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

All works including site clearance shall be carried out in accordance with the Written Scheme of Investigation.

REASON: To make sure that any heritage assets are appropriately recorded and/or protected to allow compliance with policies CS14 of the Development Plan and the advice within the NPPF.

25. Notwithstanding the submitted plans, the proposed northern access shall have a width of a minimum of 6.0 metres and shall be surfaced in a bound material with a 6.0 metre kerbed radii. The access once provided shall be so maintained at all times.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2023).

26. No part of the development hereby permitted shall be occupied until such time as the southern access arrangements shown on Drawing 22-391 20-100 Rev. 04 have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general

highway safety and in accordance with the National Planning Policy Framework (2023).

27. The new vehicular accesses hereby permitted shall not be used for a period of more than one month from being first brought into use unless any existing vehicular accesses on Limehurst Avenue and Canal Bank that become redundant as a result of this proposal have been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

REASON: In the interests of highway and pedestrian safety in accordance with the National Planning Policy Framework (2023).

28. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 33.0 metres in either direction at the northern access and visibility splays of 2.4 metres by 43.0 metres north and 25.0m south at the southern access have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2023).

29. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

REASON: In the interests of pedestrian safety and in accordance with the National Planning Framework (2023).

30. The development hereby permitted shall not be occupied until such time as the parking and facilities have been implemented in accordance with Drawing FW2253-C-500 Rev. A2. Thereafter the onsite parking and turning provision shall be kept available for such uses 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).

31. The development hereby permitted shall not be occupied until such time as secure and under cover cycle parking shall be provided in accordance with details first submitted to and agreed in by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such uses in perpetuity.

REASON: To promote travel by sustainable modes in accordance with the National Planning Policy Framework (2023).

32. The development hereby permitted shall not be occupied until such time as a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan must include mitigation measures that would be undertaken during periods of high demand in order to prevent congestion on the local highway network.

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, to encourage sustainable modes of travel, in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

33. No part of the development hereby permitted shall be first occupied until an amended full Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2023).

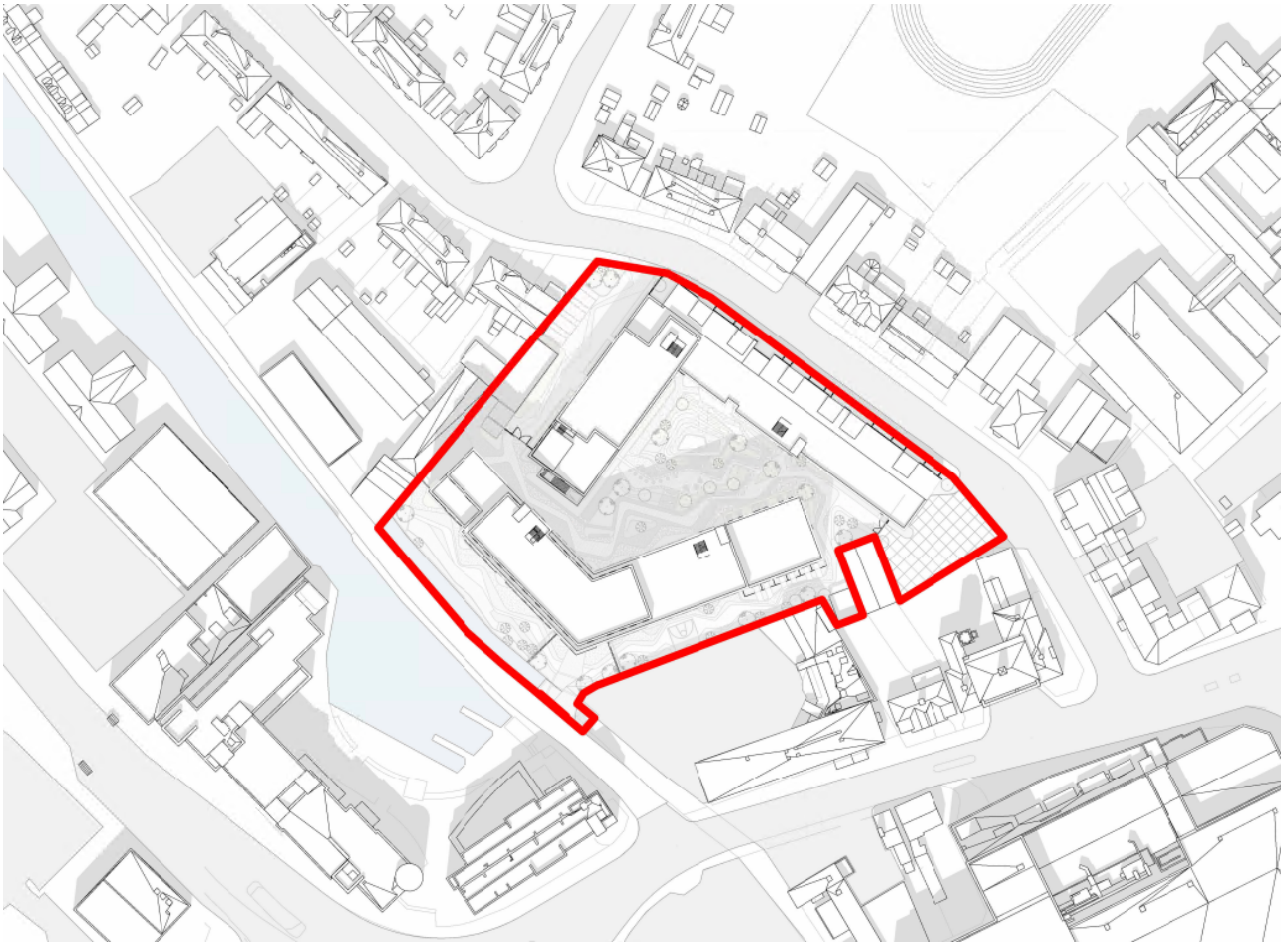
34. No part of the development shall be occupied until such time as a scheme of off-site works providing pedestrian and cycle improvements along Derby Road between Clifford Road and Swan Street, including the the Bridge Street / Derby Road / The Rushes signalised junction, has been implemented in full. The scheme shall be provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2023) and to reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2023).

35. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any orders revoking and re-enacting those Orders), the development site shall not be used for any purpose other than car-free student accommodation use.

REASON: In the interests of general highways safety and in accordance with the National Planning Policy Framework (2023) as a more traffic-intensive development at this site would be inappropriate due to the limitations of the vehicular access and the local road network.

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/22/0832/2	Full	The Waterside Inn Sileby Road Mountsorrel Leicestershire LE12 7BB	Retention of marquee to rear of Public House and additional car parking area for pub use constructed using rubber paving and gravel hard landscaping.	REF, Permission be refused for the following reasons:	01-Dec-2023	Barrow & Sileby West Quorn & Mountsorrel Castle
P/23/1641/2	Householder	8 Buttermere Way Barrow Upon Soar Leicestershire LE12 8PG	Erection of single extension to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	14-Nov-2023	Barrow upon Soar
P/23/1234/2	Householder	2 Iliffes Close Barrow Upon Soar Leicestershire LE12 8AN	Erection of single storey extension to side and rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	27-Nov-2023	Barrow upon Soar
P/23/1330/2	Householder	16 Ellis Close Barrow Upon Soar Leicestershire LE12 8PT	Erection of single storey side and rear extension (following demolition of existing outbuilding)	GTDCON, Permission be granted subject to the following conditions:	30-Nov-2023	Barrow upon Soar
P/23/1246/2	Householder	249 Wanlip Lane Birstall Leicestershire LE4 4GP	Erection of single storey front porch extension	GTDCON, Permission be granted subject to the following conditions:	17-Nov-2023	Birstall East and Wanlip
P/23/1570/2	Householder	131 Harrowgate Drive Birstall Leicestershire LE4 3GS	Erection of single storey side and rear extension.	GTDCON, Permission be granted subject to the following conditions:	14-Nov-2023	Birstall West
P/23/1718/2	Householder	6 Walker Road Birstall Leicestershire LE4 3BN	Conversion of garage/storage into habitable space with pitched roof and changes to fenestration (Resubmission of Planning Application ref: P/23/0385/2)	GTDCON, Permission be granted subject to the following conditions:	15-Nov-2023	Birstall West

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1757/2	Householder	78 Queensgate Drive Birstall Leicestershire LE4 3JR	Hip to gable roof extension with dormer to rear(GTDCON, Permission be granted subject to the following conditions:	16-Nov-2023	Birstall West
P/23/1713/2	Householder	4 Went Road Birstall Leicestershire LE4 3BG	Erection of two storey side and single storey side and rear extension.	REF, Permission be refused for the following reasons:	21-Nov-2023	Birstall West
P/23/1870/2	Householder Prior Notification - Class A (Rear Extensions)	6 Poplar Avenue Birstall Leicestershire LE4 3DU	The erection of a single storey rear extension extending beyond the rear wall of the original house by 4.50m, with a maximum height of 4.00m, and height to the eaves of 3.00m.	PRINOT, Prior approval from the Council is not required	21-Nov-2023	Birstall West
P/23/1737/2	Householder	19 Wellgate Avenue Birstall Leicestershire LE4 3HS	Erection of front porch	GTDCON, Permission be granted subject to the following conditions:	22-Nov-2023	Birstall West
P/23/1791/2	Householder	74 Elmfield Avenue Birstall Leicestershire LE4 3DF	Erection of first floor side extension	GTDCON, Permission be granted subject to the following conditions:	28-Nov-2023	Birstall West
P/23/1890/2	Householder	29 Anchor Lane Hathern Leicestershire LE12 5HR	Erection of replacement garage (Resubmission of Planning Application ref: P/23/0793/2)	GTDCON, Permission be granted subject to the following conditions:	24-Nov-2023	Dishley, Hathern and Thorpe Acre
P/23/1747/2	Householder	25 Wide Lane Hathern Leicestershire LE12 5LN	Relocation of retaining wall and provision of vehicle hardstanding (Retrospective Application)	GTDCON, Permission be granted subject to the following conditions:	24-Nov-2023	Dishley, Hathern and Thorpe Acre
P/23/0084/2	Householder	35 Hill Rise Woodhouse Eaves Leicestershire LE12 8QX	Proposed alterations to garage (Retrospective)	GTDCON, Permission be granted subject to the following conditions:	15-Nov-2023	Forest Bradgate

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1830/2	Householder	2A Mill Road Woodhouse Eaves Leicestershire LE12 8RD	Erection of single storey side and rear extension	GTDCON, Permission be granted subject to the following conditions:	22-Nov-2023	Forest Bradgate
P/23/1736/2	Householder	515 New Ashby Road Loughborough Leicestershire LE11 4EU	Erection of first floor extension above garage	GTDCON, Permission be granted subject to the following conditions:	17-Nov-2023	Loughborough Ashby
P/23/2008/2	Householder Prior Notification - Class AA (Additional Storey)	Haslegrave Building University Road University Campus Loughborough Leicestershire	Prior Notification of the extension of existing university building (housing a generator)	PRIGRA, The prior approval of the Council is granted	27-Nov-2023	Loughborough Ashby
P/23/1808/2	Full	68 Gracedieu Road Loughborough Leicestershire LE11 4QG	Change of use from dwellinghouse (Use Class C3) to HMO (Use Class C4) with associated off-street parking and dropped kerb (Resubmission of P/23/0832/2)	REF, Permission be refused for the following reasons:	30-Nov-2023	Loughborough Ashby
P/23/1739/2	Full	43A Church Gate Loughborough Leicestershire LE11 1UE	Shopfront alterations (Retrospective)	GTD, Permission be granted unconditionally	29-Nov-2023	Loughborough East
P/23/1696/2	Householder	197 Nanpantan Road Loughborough Leicestershire LE11 3YD	Erection of single storey rear extension	GTDCON, Permission be granted subject to the following conditions:	21-Nov-2023	Loughborough Nanpantan
P/23/1735/2	Householder	21 Brookside Road Loughborough Leicestershire LE11 3PQ	Retention of single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	14-Nov-2023	Loughborough Outwoods and Shelthorpe
P/23/1533/2	Householder	35 Beacon Drive Loughborough Leicestershire LE11 2BD	Erection of first floor extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	14-Nov-2023	Loughborough Outwoods and Shelthorpe

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1755/2	Full	6 Pulteney Avenue Loughborough Leicestershire LE11 2NA	Change of use of outbuilding to an annexe for use of occupiers of ground floor flat	REF, Permission be refused for the following reasons:	21-Nov-2023	Loughborough Outwoods and Shelthorpe
P/23/2038/2	Consultation from another authority	Land East and West of Shepshed Road Charley Leicestershire	Consultation form NWLDC - Retention of natural flood management scheme including ponds, field bund, wetland extension, scrapes and bank re-profiling (NWLDC ref 23/01430/FUL)	RNO, No objections be raised to the proposal.	28-Nov-2023	Loughborough Outwoods and Shelthorpe
P/23/0776/2	Full	23 A Ling Road Loughborough Leicestershire LE11 2LW	Partial flat roof replacement to rear.	GTDCON, Permission be granted subject to the following conditions:	15-Nov-2023	Loughborough Shelthorpe
P/23/0640/2	Full	Loughborough College Radmoor Road Loughborough Leicestershire LE11 3BT	Erection of three storey sports teaching building following demolition of existing sports pavilion building.	GTDCON, Permission be granted subject to the following conditions:	23-Nov-2023	Loughborough Southfields
P/23/1402/2	Full	Queen's Park 54 Frederick Street Loughborough LE11 3BJ	Erection of a commemorative monolith memorial, bell memorial structure, associated landscaping and erection of a canopy to serve adjacent cafe	GTDCON, Permission be granted subject to the following conditions:	24-Nov-2023	Loughborough Southfields
P/23/1880/2	Full	8, Adam Dale Loughborough LE11 3HD	Change of use from dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) with associated cycle store and bin store	REF, Permission be refused for the following reasons:	27-Nov-2023	Loughborough Southfields
P/23/1692/2	CL (existing)	60A Wards End Loughborough Leicestershire LE11 3HB	Certificate of Lawfulness (Existing) for use of the property as a bar.	REF, Permission be refused for the following reasons:	29-Nov-2023	Loughborough Southfields

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1323/2	Full	4 Goldfinch Close Loughborough Leicestershire LE11 3HG	Change of use from 6-bedroom House in Multiple Occupation (Use Class C4) to 8-bedroom House in Multiple Occupation (Sui Generis), with associated alterations to fenestration to the rear elevation comprising a new secondary window at first floor level	GTDCON, Permission be granted subject to the following conditions:	30-Nov-2023	Loughborough Southfields
P/21/1191/2	Full	Development Site At Former 146 Knightthorpe Road Loughborough LE11 5JU	Amendment to P/16/2208/2 (Conversion and extension of commercial outbuilding to form 1. no dwelling and erection of two semi-detached dwellings to rear of site). Removal of conditions 7 and 9 and variation of conditions 1, 8, 10 and 11 of P/18/1667/2.	GTDCON, Permission be granted subject to the following conditions:	27-Nov-2023	Loughborough Storer
P/23/0817/2	Full	Land adj Granite Way Mountsorrel Leicestershire LE12 7TZ	Variation of Conditions 12 (Construction Management Plan) and 13 (Surface Water Management) of Planning Permission ref: P/19/1363/2 Erection of nine dwellings and two commercial offices.	GTDCON, Permission be granted subject to the following conditions:	27-Nov-2023	Quorn & Mountsorrel Castle
P/23/1573/2	Householder	14 Pepper Drive Quorn Leicestershire LE12 8TT	Erection of single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	17-Nov-2023	Quorn and Mountsorrel Castle
P/23/1528/2	Householder	2 Thompson Close Quorn Leicestershire LE12 8UY	Installation of replacement boundary fence	GTDCON, Permission be granted subject to the following conditions:	21-Nov-2023	Quorn and Mountsorrel Castle
P/23/1486/2	Householder	2 Deeming Drive Quorn Leicestershire LE12 8NF	Erection of single storey side/rear extension	GTDCON, Permission be granted subject to the following conditions:	24-Nov-2023	Quorn and Mountsorrel Castle

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/22/2088/2	Full	Land between 2 and 4 Sandham Bridge Road Cropston Leicestershire LE7 7GS	Erection of bungalow with associated works	REF, Permission be refused for the following reasons:	17-Nov-2023	Rothley & Thurcaston
P/23/1058/2	Full	The Bradgate Arms 15 Station Road Cropston Leicestershire LE7 7HG	Installation of second floor window to side of Public House	GTDCON, Permission be granted subject to the following conditions:	14-Nov-2023	Rothley Brook
P/23/1903/2	Householder	Bybrook Hall Leicester Lane Swithland Leicestershire LE12 8TD	Erection of single garage	GTDCON, Permission be granted subject to the following conditions:	21-Nov-2023	Rothley Brook
P/23/1751/2	Householder	2 Rushey Lane Rothley Leicestershire LE7 7SD	Erection of single storey extensions to front and rear, hip to gable conversion and alterations to roof, insulation and render to external walls, 3 no. dormer windows to rear, landscaping and 1.8m high fencing to front of house (resubmission of permission ref P/21/1919/2)	GTDCON, Permission be granted subject to the following conditions:	21-Nov-2023	Rothley Brook
P/23/1458/2	Householder	32 Grangefields Drive Rothley Leicestershire LE7 7NB	Erection of two storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	30-Nov-2023	Rothley Brook
P/23/1883/2	CL (Proposed)	Land at Bull Ring Shepshed LE12 9QD	Proposed new seating, cycle parking, landscaping, street furniture and replacement bus shelter (Lawful Development Certificate)	CLDPGRANT, Certificate of Lawful Proposed Development	17-Nov-2023	Shepshed East
P/23/1936/2	Advert Consent	Land at Fairway Road South Shepshed Leicestershire LE12 9HA	Installation of 7no. illuminated and non-illuminated advertisement signs to foodstore (Advertisement Consent)	GTDCON, Permission be granted subject to the following conditions:	22-Nov-2023	Shepshed East

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1708/2	Full	7-8 Market Place Shepshed Leicestershire LE12 9RT	Erection of single storey timber storage outbuilding associated with existing class E use of the site and the erection of signage to both the street elevation and to the timber storage out-building and existing building frontage.	GTDCON, Permission be granted subject to the following conditions:	28-Nov-2023	Shepshed East
P/23/1850/2	Advert Consent	7-8 Market Place Shepshed Leicestershire LE12 9RT	Installation of 3no. fascia signs	GTDCON, Permission be granted subject to the following conditions:	28-Nov-2023	Shepshed East
P/23/1835/2	Householder	19 Garendon Road Shepshed Leicestershire LE12 9NU	Erection of single storey rear extension	GTDCON, Permission be granted subject to the following conditions:	01-Dec-2023	Shepshed East
P/22/1293/2	Outline Planning Permission	Mill Close 20 Tickow Lane Shepshed Leicestershire LE12 9LY	Outline Planning Application for erection of 1 dwelling and detached garage on land adjacent to existing dwelling and dropped-kerb access from public highway, with matters relating to appearance reserved.	REF, Permission be refused for the following reasons:	15-Nov-2023	Shepshed West
P/23/1222/2	Householder	73 The Meadows Shepshed Leicestershire LE12 9QL	Erection of two storey extension at side of house (Resubmission of Planning Application ref: P/23/1177/2)	GTDCON, Permission be granted subject to the following conditions:	15-Nov-2023	Shepshed West
P/23/0500/2	Full	Unit 1 Davey House Gelders Hall Road Shepshed Leicestershire LE12 9NH	Section 73 Application for Variation of Condition 5 (Hours of Operation) of P/17/2467/2	GTD, Permission be granted unconditionally	17-Nov-2023	Shepshed West
P/23/0859/2	Householder	1 Lansdowne Road Shepshed Leicestershire LE12 9RS	Erection of two storey extension to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	17-Nov-2023	Shepshed West

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/0384/2	Householder	47 Springfield Road Shepshed Leicestershire LE12 9QW	Erection of single storey extension to front and side of dwelling, erection of detached garage.	REF, Permission be refused for the following reasons:	23-Nov-2023	Shepshed West
P/23/1820/2	Full	54 The Meadows Shepshed Leicestershire LE12 9QN	Proposed change of use from C3a (dwellinghouse) to C3b (Care Home) to accommodate a maximum of 1 child with associated off-street parking	GTDCON, Permission be granted subject to the following conditions:	01-Dec-2023	Shepshed West
P/23/1853/2	Householder	64 Paterson Place Shepshed Leicestershire LE12 9RY	Erection of two storey extension to side of dwelling. (Resubmission of Planning Application ref: P/23/1388/2)	GTDCON, Permission be granted subject to the following conditions:	04-Dec-2023	Shepshed West
P/23/1459/2	Householder Prior Notification - Class A (Rear Extensions)	19 Hanover Drive Sileby Leicestershire LE12 7PL	Erection of single storey rear extension extending beyond the rear wall of the original house by 4.00m, with a maximum height of 3.15m and height to the eaves of 2.85m.	PRINOT, Prior approval from the Council is not required	21-Nov-2023	Sileby and Seagrave
P/23/0759/2	Full	adj to 60 Wellbrook Avenue Sileby Leicestershire LE12 7QQ	Erection of 1no, two-bedroom detached dwelling (Revised scheme to Planning Application ref: P/23/0724/2)	REF, Permission be refused for the following reasons:	27-Nov-2023	Sileby and Seagrave
P/23/1372/2	Householder	2 Hall Farm Court Seagrave Leicestershire LE12 7NZ	Erection of single storey rear extension and fenestration change	GTDCON, Permission be granted subject to the following conditions:	27-Nov-2023	Sileby and Seagrave
P/23/1597/2	Change of Use Prior Notification	Unity Hall 109 Swan Street Sileby Leicestershire LE12 7NN	Prior Notification under Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - schedule 2, Part 3 (Change of Use), Class T: Proposed change of use of existing office building (Use Class E) to a state funded educational facility (Use Class F1(a))	PRINOT, Prior approval from the Council is not required	30-Nov-2023	Sileby and Seagrave

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1811/2	Householder	15 Peashill Close Sileby Leicestershire LE12 7PT	Erection of single storey extension to side and rear of dwelling. (Resubmission of Planning Application ref: P/23/0991/2)	GTDCON, Permission be granted subject to the following conditions:	30-Nov-2023	Sileby and Seagrave
P/23/0830/2	Full	Land On Barkbythorpe Road Barkby Thorpe Barkby Leicester LE7 3QH	Change of use from agricultural land to a secure dog walking/exercising field (Use Class Sui Generis) and erection of 1.83m high fencing and formation of hardstanding area for use as associated car parking.	GTDCON, Permission be granted subject to the following conditions:	15-Nov-2023	South Charnwood
P/23/1648/2	Householder	185 Barkby Road Syston Leicestershire LE7 2AJ	Partial demolition of existing dwelling, construction of extensions and alterations to materials and fenestration.	GTDCON, Permission be granted subject to the following conditions:	14-Nov-2023	Syston
P/23/1474/2	Householder	12 Goodes Lane Syston Leicestershire LE7 2JJ	Erection of single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	16-Nov-2023	Syston
P/23/0776/2	Householder	1018 Melton Road Syston Leicestershire LE7 2NN	Erection of single storey extension to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	21-Nov-2023	Syston
P/23/1848/2	Full	Land at Broad Street and St Peter's Street Syston LE7 1GJ	Section 73 Variation of Condition 2 (Approved Plans) of Planning Application ref: P/21/0706/2 (The construction of two low rise industrial buildings to accommodate 5.No light industrial units incorporating landscaping, external service areas and car parking). Variation to consist of external material amendments	GTDCON, Permission be granted subject to the following conditions:	21-Nov-2023	Syston
P/23/1272/2	Householder	25 Gorse Lane Syston Leicestershire LE7 1YL	Erection of two storey side extension	GTDCON, Permission be granted subject to the following conditions:	22-Nov-2023	Syston

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1723/2	Householder	29 Wanlip Road Syston Leicestershire LE7 1PA	Erection of single storey rear extension	GTDCON, Permission be granted subject to the following conditions:	22-Nov-2023	Syston
P/23/1611/2	Full	46 Wanlip Road Syston Leicestershire LE7 1PA	Change of use from Use Class C4 (6 person HMO) to Sui Generis (8 person HMO).	GTDCON, Permission be granted subject to the following conditions:	01-Dec-2023	Syston
P/23/1742/2	Householder Prior Notification - Class A (Rear Extensions)	6 Priory Close, Syston, Leicestershire, LE7 1RY	Erection of single storey rear extension extending beyond the rear wall of the original house by 5.10m, with a maximum height of 3.50m and height to the eaves of 3.00m.	PRINOT, Prior approval from the Council is not required	22-Nov-2023	Syston West
P/23/0903/2	Full	The New Barn, Trueline Midlands Rempstone Road Wymeswold Leicestershire LE12 6UE	Proposed change of use from horticultural use to agricultural use with associated external storage, wash bay area, part change of use of adjacent agricultural field for vehicular turning area, fencing to entire site and retention of 2no. storage containers, fuel tanks, CCTV system and access barrier	GTDCON, Permission be granted subject to the following conditions:	21-Nov-2023	The Wolds
P/23/1580/2	Householder	12B New Lane Walton On The Wolds Leicestershire LE12 8HY	Erection of part two storey and part single storey extension to front of dwelling, with render to dwelling and associated works.	GTDCON, Permission be granted subject to the following conditions:	22-Nov-2023	The Wolds
P/23/1704/2	Full	Lodge Farm 255 Narrow Lane Burton On The Wolds Leicestershire LE12 6SD	Installation of 14no. ground mounted solar panels.	GTDCON, Permission be granted subject to the following conditions:	30-Nov-2023	The Wolds

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1596/2	Change of Use Prior Notification	Ashbrook Farm 222 Melton Road Burton On The Wolds Leicestershire LE14 3PU	Class Q Prior Notification - Change of use and building operations to convert an agricultural barn to single a dwellinghouse with associated parking	PRIREF, The prior approval of the Council is refused	23-Nov-2023	The Wolds The Wolds
P/23/0450/2	Full	Old Park Farm Melton Road Burton On The Wolds Leicestershire LE14 3PU	Demolition of existing farmhouse and associated outbuildings and erection of a replacement dwelling, with associated works (Revised scheme to planning application ref: P/20/0048/2)	GTDCON, Permission be granted subject to the following conditions:	27-Nov-2023	The Wolds The Wolds
P/23/1394/2	Householder	923 Melton Road Thurmaston Leicestershire LE4 8EF	Erection of single storey outbuilding with 2no. lean-to side extensions and erection boundary fence up to 2.5m tall to rear of dwelling. (Retrospective Application)	GTDCON, Permission be granted subject to the following conditions:	14-Nov-2023	Thurmaston
P/23/1649/2	Householder	35 Manor Road Thurmaston Leicestershire LE4 8AH	Erection of single storey side and rear extension, conversion of roofspace into habitable room, new roof, single storey outbuilding and associated alterations	GTDCON, Permission be granted subject to the following conditions:	16-Nov-2023	Thurmaston
P/23/1697/2	Householder	45 Highway Road Thurmaston Leicestershire LE4 8FR	Erection of one and a half storey side/rear extension, single storey rear extension, mansard roof extension and dormer windows with associated alterations	REF, Permission be refused for the following reasons:	23-Nov-2023	Thurmaston
P/23/0829/2	Full	adjacent 39 Church Street Thurmaston Leicestershire LE4 8DQ	Erection of detached bungalow with associated amenity space, landscaping works and car parking, following demolition of existing garage. (Revised scheme - refusal P/21/0436/2 refers)	REF, Permission be refused for the following reasons:	27-Nov-2023	Thurmaston
P/23/1231/2	Householder	6 Winster Drive Thurmaston Leicestershire LE4 8GH	Erection of single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	27-Nov-2023	Thurmaston

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/23/1832/2	Householder	23 Silverdale Drive Thurmaston Leicestershire LE4 8NJ	Erection of single storey rear extension, with render to dwelling.	GTDCON, Permission be granted subject to the following conditions:	30-Nov-2023	Thurmaston
P/23/1712/2	CL (Proposed)	4 Gloucester Avenue Syston Leicestershire LE7 2EL	Lawful Development Certificate for Proposed rear dormer roof extension and installation of 2no. rooflights to front roofslope of dwelling.	CLDPGRANT, Certificate of Lawful Proposed Development	14-Nov-2023	Wreake Valley
P/23/1693/2	Householder	11 Keepers Croft East Goscote Leicestershire LE7 3ZJ	Conversion of garage to habitable space with roof and fenestration alterations.	GTDCON, Permission be granted subject to the following conditions:	14-Nov-2023	Wreake Valley
P/23/1139/2	Householder	50 Long Furrow East Goscote Leicestershire LE7 3ZL	Erection of single storey front and side extension, two storey side extension, and single storey rear and side extension (Revised Scheme ref: P/22/1093/2)	GTDCON, Permission be granted subject to the following conditions:	21-Nov-2023	Wreake Valley
P/22/1821/2	Full	Land to Northwest of Old Mill Hoby Road Thrussington Leicestershire LE7 4TJ	Change of use of agricultural to agricultural and B8 Storage Use for siting of 5No Storage Containers (retrospective)	REF, Permission be refused for the following reasons:	27-Nov-2023	Wreake Villages

Total Delegated Decisions: 82