

## Item No.

### Application Reference Number P/23/0035/2

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

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## 1.0 Background

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

## 2.0 Introduction and Description of the Site

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

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

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

### **3.0 Description of the Application**

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

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

#### **4.0 Development Plan Policies**

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

The following policies are relevant to this application:

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

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

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

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

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

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

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

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

The saved policies relevant to this proposal include:

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

Policy EV/1 – This seeks to ensure a high standard of design and developments which respect the character of the area, nearby occupiers, and which are compatible in mass, scale, layout, whilst using landforms and other natural features. Developments should meet the needs of all groups and create safe places for people.

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

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

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

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

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

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

#### 4.3 Queniborough Neighbourhood Plan (2019-2028)

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

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

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

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

### **5.0 Material considerations**

#### 5.1 National Planning Policy Framework (NPPF)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 5.2 National Planning Practice Guidance

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

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



### 5.3 The Equality Act 2010

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

### 5.4 The Crime and Disorder Act 1998

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

### 5.5 National Design Guide (2019)

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

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

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

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

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

Provides an up to date evidence base of local housing needs including an objectively assessed housing need figure based on forecasts and an assessment of the recommended housing mix based on the expected demographic changes over the same period. The housing mix evidence can be accorded significant weight as it reflects known demographic changes.

5.8 Planning Guidance for Biodiversity

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

5.9 Landscape Character Assessment (2012)

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

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

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

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

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

## 5.12 Draft Charnwood Local Plan 2021-2037

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 6.0 Relevant Planning History

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

## 7.0 Responses of Statutory Consultees

7.1 Queniborough Parish Council has no objection to the proposal.

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

## 8.0 Other Comments Received

8.1 None received.

## **9.0 Consideration of the Planning Issues**

9.1 The key issues in considering this application are:

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

### The Principle of the Development & Impact to Countryside

- 9.2 The starting point for decision making on all applications is that they must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise. The most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Charnwood Local Plan (2011-2028) Core Strategy, and those 'saved' policies of the Borough of Charnwood Local Plan which have not been superseded by the Core Strategy.
- 9.3 The Core Strategy and Borough of Charnwood Local Plan are over 5 years old and it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. With the exception of policies which relate to the supply of housing, the relevant policies listed above are up-to-date and compliant with national advice. Accordingly, there is no reason to reduce the weight given to them.
- 9.4 As the Core strategy is now five years old, the Planning Authority cannot currently demonstrate a 5-year supply of housing land (4.27 years) and therefore, as a result, any policies which directly relate to the supply of housing are out of date and cannot be afforded full weight. The shortfall in the supply of deliverable housing sites also means that, in accordance with the presumption in favour of sustainable development (at paragraph 11d), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits, when assessed against the policies of the Framework taken as a whole, for planning permission to be refused.
- 9.5 Part i) of NPPF paragraph 11d) sets out that where there are NPPF policies that protect areas or assets this can be a clear reason to refuse an application. These are generally nationally designated areas such as SSSI's, designated Local Green Space, AONBs and designated heritage assets. In this case, the site is not in an area specifically protected by the NPPF such that the NPPF's presumption in favour of sustainable development and the 'tilted balance' applies.

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

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

### Housing Mix

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

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



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

#### Amenity and street scene

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

#### Highways Considerations

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

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

#### Impact on Trees

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

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

### Biodiversity

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

### The Planning Balance

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

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

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

## 10.0 Conclusion

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

## RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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



