

Plans Committee Date:	27/07/2023
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Item No:

Application Reference Number: P/22/2223/2

Application Type: Reserved Matters **Date Valid:** 06/01/2023
Applicant: Persimmon Homes (North Midlands)
Proposal: Reserved Matters Application for the Hathern Road Access and link road to the Strategic Link Road and associated infrastructure and enabling works for Parcel E1 of the Employment Zone pursuant to outline planning permission reference P/14/1833/2, including the discharge of outline conditions 43 (Noise Assessment), 51 (Ecological Appraisal)
Location: Land at West of Loughborough, Garendon Park
Parish: Stonebow Village **Ward:** Dishley, Hathern and Thorpe Acre
Case Officer: Mark Pickrell **Tel No:** 07852720913

1. Background

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

2. Description of the application site

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

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

2.4 The proposed junction onto Hathern Road is located largely in the position of an existing access which serves the Hathern Waste and Recycling Centre, sewage treatment works and a solar farm. The access route is proposed to diverge from the existing access route, passing through agricultural land to the north of the retained solar farm to link with the route of the Strategic Link Road (SLR) (P/22/1918/2 relates). The proposals also include provision of a section of service road from the SLR to the access for parcel E1 of the employment zone (P/22/2188/2 relates).

- 2.5 Hathern Road is a classified road, linking Hathern and Shepshed, with the M1 passing over it approximately 100m south west of the proposed access.
- 2.6 The topography of the site for the access is relatively low, being parallel to the Black Brook river basin, with ground levels rising to the north, towards Hathern.
- 2.7 Shepshed Watermill is a grade II listed building located directly opposite the access, on the northern side of Hathern Road. Shepshed Watermill is a private residential property but is understood to hold informal open days on limited days out of the year and includes a private livery yard.
- 2.8 The general location of the link road was approved as part of the outline permission. Key plans which formed part of the outline permission (P/14/1833/2) include:
- Parameters Plan A - Application Boundary FPCR Drawing Reference No. 1005/L/201
 - Parameters Plan B - Land Use FPCR Drawing Reference No. 1005/L/202 Rev A
 - Parameters Plan C - Building Heights & Density FPCR Drawing Reference No. 1005/L/203 Rev A
 - Parameters Plan D - Access FPCR Drawing Reference No. 1005/L/204 Rev C
 - Parameters Plan E Green Infrastructure FPCR Drawing Reference No. 1005/L/205 Rev A
 - The Submitted Masterplan (FPCR Drawing Reference No. 1005/L/04 Rev E
- 2.9 The submission forms part of a suite of applications relating to land to the west of the SUE and the employment zone. Details of the associated applications are provided below.

3. Description of the proposal

- 3.1 The current reserved matters application relates to the appearance, landscaping, layout, access and scale of the access road linking Hathern Road to the Strategic Link Road (SLR) and to parcel E1 of the employment zone, along with associated infrastructure, including drainage basins and substation.
- 3.2 The proposed access route would provide a secondary vehicular link into the SUE, providing access from Hathern Road onto the SLR and would run alongside the allocated employment zone as well as providing a section of service road from the SLR to access the employment zone.

3.3 The submission also includes details to discharge conditions from the outline permission detailed below:

- Condition 43 – Phase specific noise assessment

“At each reserved matters stage a noise assessment shall be carried out for the relevant Phase or sub-phase and submitted to the local planning authority, and where necessary a noise mitigation scheme shall be submitted to and approved in writing by the local planning authority including details of mechanical or forced ventilation where necessary to ensure future occupiers are able to aerate properties without the need to open windows. The development shall be implemented in accordance with this approved scheme to ensure the following limits are achieved (assuming a windows-closed scenario);

30dB(A) Leq 8 hours in living rooms from 2300 to 0700hrs

35dB(A) Leq 16 hours in bedrooms from 0700 to 2300hrs

<45dB LA max in bedrooms from 2300 to 0700hrs

REASON: To protect the amenity of the occupiers of the proposed development”

- Condition 51 – Phase specific ecological survey update

“Prior to the commencement of each phase or sub phase of the development hereby approved all ecological survey work relevant to that phase or sub phase shall be updated where this is recommended in previously submitted or site wide ecology documents. Any change to the mitigation measures proposed for that phase or sub phase as a result of the updated survey work shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with any revised mitigation measures so approved.

REASON: To ensure that a rolling programme of ecological appraisal is followed as the site is developed and conditions on the ground change.”

3.4 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
- Biodiversity Metric 3.0
- Garendon Space 4 Biodiversity Net Gain Plan
- Landscape proposals – Road and drainage (10860-FPCR-XX-XX-DR-L-0008-0020-P02)
- Key Planning Layout (MA11509-SP4-1004 B)
- Drainage Layout (MA11509-SP4-2004 B, 2001A, 2002B, 2003B)
- 16.5m Articulated Vehicle Track Analysis (MA11509-SP4-1000 C)
- General Arrangement (MA11509-S278-HRJ-100 H)
- Hathern Road Junction – Pegasus Viability Report (MA11509-S278-HRJ-100G – Amended 09/05/2023)
- Primary Substation Elevations
- Planning Layout (MA11509-SP4-1001A, 1002B, 1003B)

- Hathern Road Access Location Plan
- Noise Assessment – Technical Note (21/02/2023)
- Noise Assessment – Technical Note (11/04/2023)
- Noise Impact Assessment (April 2023)
- Arboricultural Method Statement – Tree protection
- Garendon Space 4 Traffic Generations (MA11509)
- Ecological Appraisal
- Hathern Road Heritage Report

3.5 The application relates to those areas within the red line of the outline permission and includes details of the Hathern Road access which will also be subject of a separate S278 approval process by Leicestershire County Council (LCC) Highways Authority.

4. Development Plan Policies

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

4.2 The policies applicable to this application are as follows:

4.2.1 [Charnwood Local Plan Core Strategy](#)

- Policy CS1 – Development Strategy
- Policy CS2 – High Quality Design
- Policy CS6 – Employment and Economic Development
- Policy CS11 - Landscape and Countryside
- Policy CS12 – Green Infrastructure
- Policy CS13 – Biodiversity and Geodiversity
- Policy CS14 – Heritage
- Policy CS16 - Sustainable Construction and Energy
- Policy CS17 - Sustainable Travel
- Policy CS18 – The Local and Strategic Road Network
- Policy CS22 – West Loughborough Sustainable Urban Extension
- Policy CS24 - Delivering Infrastructure

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

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

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

4.2.3 Minerals and Waste Local Plan (2019)

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

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

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

5. Other material considerations

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

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

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

5.2 [Planning Practice Guidance](#)

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

5.3 [National Design Guide](#)

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

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

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

5.5 Design Supplementary Planning Document (January 2020)

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

5.6 Leicestershire Highways Design Guide

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

5.7 Landscape Character Appraisal

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

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

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

5.9 Equality Act 2010

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

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

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

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

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

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

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

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

- Policy DS1: Development Strategy
- Policy DS4: Employment Allocations
- Policy DS5: High Quality Design
- Policy LUC2: West of Loughborough Sustainable Urban Extension
- Policy E1: Meeting Employment Needs
- Policy CC5: Sustainable Transport
- Policy EV1: Landscape

- Policy EV6: Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV7: Tree Planting
- Policy EV8: Heritage

5.12 Planning Guidance for Biodiversity June 2022

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

6. Relevant Planning History

- 6.1 The application forms part of the Garendon Park SUE and has an extensive planning history with applications and associated detail available in full via Planning Explorer.
- 6.2 The key planning applications related to the consideration of this proposal are as follows:

Reference	Description	Decision and Date
P/14/1833/2	Outline planning permission for residential development up to 3,200 dwellings; up to 16 ha of employment land of B1/B2 and B8 uses; a mixed-use Community Hub of up to 4 ha comprising a local convenience retail unit (2,000 sqm); up to 1,000 sqm of other A1 retail, A2 financial and professional services, A3 food and drink, B1 business and D1 uses, sites for Gypsy, Travellers and Travelling Showpeople provision totalling 1 ha; 2 primary schools up to 2 ha each; strategic open space including allotments; access roads and new Strategic Link Road; open space/landscaping and associated works; principal means of access; restoration of Garendon Park and assets; all other matters to be reserved.	Approved July 2018
P/22/2188/2	Reserved matters application seeking approval of access, layout, scale, appearance and landscaping in respect of Parcel E1 of the Employment Zone, pursuant to outline planning permission reference P/14/1833/2, including the discharge of outline conditions 43 (Noise Assessment) and 50 (Odour Assessment), 51 (Ecological Appraisal)	Approved 30/06/23
P/22/2003/2	Discharge of conditions 10 (Development Framework) and 13 (Employment Parcel Design Brief) of P/14/1833/2	Pending

P/22/1994/2	Discharge of condition 9 (Phasing Plan) of P/14/1833/2 (Outline planning permission for residential development and associated infrastructure)	Pending
P/22/1918/2	Discharge of condition 20 (Strategic Link Road) of P/14/1833/2	Pending
P/22/2266/2	Discharge of condition 36 (Green Infrastructure Biodiversity Management Plan) of P/14/1833/2	Pending
P/22/2094/2	Discharge of condition 37 (Arboricultural Method Statement) of P/14/1833/2	Approved 17/03/23
P/22/2002/2	Discharge of condition 38 (Written Scheme of Investigation for Programme of Archaeological Works) of P/14/1833/2	Approved 17/03/23

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

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

6.4 Other applications relate to the wider SUE and discharge of conditions and are available via Charnwood's Planning Explorer [Planning Home \(charnwood.gov.uk\)](https://www.charnwood.gov.uk/planning-explorer).

7. Responses of Consultees & Other Comments Received

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

Consultee	Response
Leicestershire County Council – Highways	No objections subject to conditions
Leicestershire Lead Local Flood Authority - LLFA	No comment
Leicestershire County Council - Waste Management	No objections from a waste safeguarding perspective.
Leicestershire County Council Mineral Planning Authority	No objections in respect of mineral safeguarding.
Environment Agency	Raises no objection subject to conditions
Charnwood Borough Council Conservation and Design	No comment
Charnwood Borough Council Landscape	No comment
Charnwood Borough Council Biodiversity	No comment (note separate submissions in relation to condition 36 – Phase Green Infrastructure and Biodiversity Management Plan)
Charnwood Borough Council Environmental Health	<p>No objections subject to conditions on associated P/22/2188/2 to secure the following:</p> <ul style="list-style-type: none"> • Vehicle routing plan to direct HGVs, employment vehicles, deliveries etc away from Hathern Road • Commencement of use only when SLR available <p>and compliance with and agreement of details in relation to outline conditions:</p> <ul style="list-style-type: none"> • 17 (Employment Travel Plan), • 35 (CEMP), and • 42 (Demolition and Construction hours)
Ancient Monuments Society	No comment
Historic England	No advice to offer

The Gardens Trust	No comment
Bridleway Association	No comment
British Gas	No comment
Ramblers Association	No comment
Loughborough and District Cycle Users' Campaign	Comments received recommending a two-way cycleway, segregated from the footway, along the south side of the link road, and with priority over any side entrances.

Ward Councillor and Parish Council Response

Hathern Parish Council	<ul style="list-style-type: none"> No comment
Shepshed Town Council	<ul style="list-style-type: none"> No comment

Responses to publicity

From	Comments
34 letters of objection received from 29 addresses	<ul style="list-style-type: none"> Issues with location of Pegasus crossing on original proposals Impact on road safety for horses and riders Impact on access to bridleway K70 Inaccuracies with assessments and technical data, including crash map data Misrepresentation of proximity and layout of Shepshed Watermill and its relationship with the proposed access Impact on road safety for visitors to open days held at Shepshed Watermill Impact on listed building Impact from noise pollution on occupant of Shepshed Watermill Examples of accidents and traffic incidents in the locality Significant increase in impact from existing HWRC which operates 3 days per week to 24 / 7 use Recommends reverting to route shown as part of Core Strategy, with access provided to north of current proposals Recommends an alternative access layout with rerouting of Hathern Road away from Shepshed Watermill and provision of new roundabout within the site Noise assessment shows that the proposals would be above WHO levels for night time noise Access is within Flood Zone 2 and 3

	<ul style="list-style-type: none"> • The proposals would cause air and light pollution • Street lights would impact bats • Junction splays are inadequate for large vehicles • Impact on horse livery and open days at the Mill would affect the town • Access is recommended to be located closer to Hathern • Loss of green fields
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8. Consideration of the Planning Issues

8.1 The starting point for decision making on all planning applications is that they must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise. The most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Core Strategy (2015), those “saved” policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy (2011-2028), and the Minerals and Waste Local Plan (2019).

8.2 The Core Strategy and Charnwood Local Plan are over 5 years old, and it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. As this application relates to provision of highway and associated infrastructure, the relevant policies listed above are up to date and compliant with national guidance and as such that there is no reason for them to be given reduced weight.

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

- Principle of Development
- Environmental Impact Assessment
- Design & Layout
- Highway Matters
- Heritage and Archaeology
- Impact on Residential Amenity
- Landscape & Visual Impact
- Flood Risk and Drainage
- Impact on Trees
- Ecology and Biodiversity

9. Key Issues

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). Policy CS1 outlines the development strategy for the borough and the distribution of sustainable growth. Policy CS1 includes provision for approximately 3,000 homes on land west of Loughborough (now known as Garendon Park) and up to 16ha of employment land by 2028. Policy CS1 aims to respond positively to sustainable development which contributes towards meeting development needs, supports the strategic vision, makes effective use of land and is in accordance with the policies elsewhere in the Charnwood Core Strategy.
- 9.1.2 Core Strategy Policy CS22 allocates the Garendon Park site for development and makes specific provision for a new road link from the SLR to Hathern Road as part of the Garendon Park SUE.
- 9.1.3 The allocation of the Garendon Park SUE is reiterated in the emerging Local Plan policy LUC2. The policy requires the SUE to provide a comprehensive package of transport improvements in accordance with CS5 and INF2, including “a new road link from the distributor road [referred to as the SLR] to Hathern Road”.
- 9.1.4 In addition to the requirements of the Core Strategy and emerging Local Plan, outline permission has been granted for the Garendon Park SUE (P/14/1833/2). The supporting detail that informed that decision included provision of a road link between the SLR and Hathern Road.
- 9.1.5 Condition 4 of the outline permission (P/14/1833/2) is as follows:

“The development hereby approved shall not be carried out other than in accordance with the following plans and approved documents and provisions therein:

- *Parameters Plan A - Application Boundary FPCR Drawing Reference No. 1005/L/201*
- *Parameters Plan B - Land Use FPCR Drawing Reference No. 1005/L/202 Rev A*
- *Parameters Plan C - Building Heights & Density FPCR Drawing Reference No. 1005/L/203 Rev A*
- *Parameters Plan D - Access FPCR Drawing Reference No. 1005/L/204 Rev C*
- *Parameters Plan E Green Infrastructure FPCR Drawing Reference No. 1005/L/205 Rev A*

The development hereby approved shall also not be carried out other than in accordance with the following documents/plans, unless otherwise agreed in writing by the local planning authority:

- *Design and Access Statement August 2014*
- *The Submitted Masterplan (FPCR Drawing Reference No. 1005/L/04 Rev E*

- Oxley Gutter - Illustrative Cross Sections FPCR Drawing 1005/L/301
- Recreational Facilities March 2015
- WYG drawing A084018-35-12-100 to 104, 105 Rev A, 106 Rev A and 107 to 109, (or as amended by Road Safety Audit)
- FPCR document Securing the Design of West of Loughborough July 2015

Notwithstanding the notation on Parameter Plan C, 1 and 1.5 storey residential bungalows may be constructed.

REASON: For the avoidance of doubt and to ensure the scheme takes the form agreed by the authority and thus results in a satisfactory form of development.”

- 9.1.6 In particular, approved Parameters Plan D - Access (FPCR Drawing Reference No. 1005/L/204 Rev C) sets the general approach to delivery of roads and access points for the site and includes provision of a link road in the location of the route subject of this application and with an access point located in the same location as the existing access which currently served the Shepshed Waste and Recycling Centre.
- 9.1.7 The outline permission includes condition 24, which relates to the delivery of the Hathern Road access point, approval of which was withheld at the time of the outline permission, sets the timescale for which the route is required to be provided.
- 9.1.8 Condition 24 states:

“Notwithstanding the detail shown on drawings A084018/038 & A084018/043 [the junction layout onto Hathern Road and link road], as part of any Reserved Matters Application, for the associated phase of development full details of the access on to Hathern Road and associated link road shall be provided for approval by the local planning authority. This access point onto Hathern Road shall be completed in accordance with these approved details and available for use as public highway prior to occupation of the 2040th dwelling.

REASON: To ensure an acceptable layout in the interests of highway safety”

- 9.1.9 The principle of employment development and a link road between the SLR and Hathern Road has been established by the outline permission (P/14/1833/2) and its delivery is required by conditions, the adopted Core Strategy and emerging Local Plan.
- 9.1.10 Early delivery of employment land has been supported by approval of Parcel E1 (P/22/2188/2) and, in accordance with the provisions of condition 24 of the outline permission with the employment parcel being the first reserved matters to be considered on the western part of the site, the details of the link road are presented to Committee for consideration of early delivery of highway infrastructure to serve the SUE.

9.1.11 The principle of a road link between Hathern Road and the SLR in this location has been established by the outline permission and its delivery is supported by the adopted and emerging Development Plan. The proposals present early delivery of this section of highway infrastructure to support the SUE, the details of which are presented to committee for consideration.

9.1.12 The matters for consideration as part of this application are the appearance, landscaping, layout, access and scale.

9.2 Environmental Impact Assessment (EIA)

9.2.1 As there is an Environmental Statement (ES) attached to the original outline application, the reserved matters are regarded as subsequent 'EIA applications'. Regulation 8 of the 2011 Environmental Impact Assessment Regulations and Regulation 9 of the 2017 Environmental Impact Assessment Regulations both state that where a subsequent application is submitted and an Environmental Impact Assessment has previously been provided that the planning authority must consider whether the previously submitted information is adequate to assess the significant effects of the development on the environment. This assessment should cover:

- Whether the reserved matters accord with the provisions of the parameters in the outline/hybrid planning permission
- Relevant updates to policy/legislation by topic
- Whether any topic baseline assessments have changed
- Whether there are any effects which were not identified, or which weren't identifiable by topic

9.2.2 These matters have been assessed and it is considered that the reserved matters are in compliance with the parameters in the outline permission and that there are no changes to policy and legislation that would have a material impact on the findings of the Environmental Impact Assessment.

9.3 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 supports development that is of a design, scale, layout and mass compatible with the locality, and which uses materials appropriate to the locality. Core Strategy Policy CS22 and the supporting vision sets out aims for the overall character of the SUE, including that the design of Garendon Park will be strongly informed by the unique local character and the historic setting provided by the Charnwood Forest and The Garendon Registered Park and Garden. The general urban design of the SUE is expected to weave the local style into the development as well as introducing new innovative and creative solutions. These policies generally accord with the NPPF and National Design Guide and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them. Similar to the adopted Core Strategy, emerging Local Plan policies DS5 and LUC2 make specific reference to require the development of the site to respond to the landscape and surrounding areas to create a locally distinctive development.

- 9.3.2 The proposed details relate to the design and layout of a highway linking existing and proposed routes and includes details of drainage arrangements to serve the road and adjacent employment zone. The principles of the design and layout of the route are also considered as part of details submitted separately to discharge conditions 10 and 13 of the outline permission (discharge of condition referenced P/22/2003/2).
- 9.3.3 The general design and layout of the highway is relatively standard for a road of this scale and meets the intentions for the route to serve as a secondary access to the SUE. The route makes provision for a 3m wide shared cycleway / footpath which will link with existing routes on Hathern Road and the cycleway / footway proposed as part of the SLR and allowing access to new and existing pedestrian and cycleways within the wider SUE and local area.
- 9.3.4 It is considered a proposal that complies with NPPF, National Design Guide, policies CS2, CS11, CS13 and CS22 of Charnwood Core Strategy, EV/1 of Local Plan, and emerging Local Plan policies LUC2 and DS5 would be achieved.

9.4 Highway Matters

- 9.4.1 Policies CS2 and CS18 of the Core Strategy and TR/18 of the Local Plan seek to ensure safe access is provided to new development and policy CS17 of the Core Strategy is concerned with encouraging sustainable transport patterns. Similarly, CS22 makes provision for particular transport matters to be considered in relation to the Garendon Park SUE, including provision of a link road between the SLR and Hathern Road. Paragraph 111 of the NPPF seeks to ensure new development does not result in an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network. Paragraph 112 of the NPPF seeks to promote sustainable travel choices.
- 9.4.2 Emerging Local Plan policy LUC2 requires provision of a road link between Hathern Road and the SLR. Emerging Local Plan policy CC5 requires new development to support sustainable modes of transport, including provision of pedestrian and cycle routes and well-designed infrastructure. Emerging policies INF1 and INF2 seek to secure appropriate infrastructure to mitigate the impacts of development. These policies are considered to be well advanced, commensurate with the NPPF and attracted little contention as a such, under paragraph 48 of the NPPF, can be afforded moderate weight.
- 9.4.3 The outline permission established the principle for development of the SUE based on a transport assessment of the proposals and the permission specified approved parameter plans, as referenced in condition 3 of the outline permission (P/14/1833/2). The approved parameter plans include Parameters Plan D - Access FPCR Drawing Reference No. 1005.L.204 Rev C which includes provision for an access road between Hathern Road and the SLR in the location detailed in the current submission.
- 9.4.4 It is noted that representations have been received in relation to highway safety and the impact of the junction on existing dwellings, particularly Shepshed Watermill which is located directly opposite the proposed access.

- 9.4.5 Shepshed Watermill is a private residential property which is grade II listed and includes stables. It also holds occasional show days, which may be supported by tea-room facilities. Although show days are not a permitted use of the property it is understood that events are held on a limited number of days in the year. Similarly, there is no record of a consented use for the site to be used as a commercial livery yard, but it is understood that there is private stabling and paddock provision for up to 10 horses. There is no planning permission for the use of the site as a tea room. The impact of the proposed development is based on the consented use of the site as a residential property with associated access, however, consideration has also been given to equestrian uses and access to the bridleway east of Hathern Road and the northern side of Black Brook from the application site.
- 9.4.6 Full details of comments are available via Charnwood's Planning Explorer and are summarised above. The material considerations raised in representations have been taken into account as part of the consideration of this application.
- 9.4.7 Trip generation, including wider assessment of the SUE and junction capacity on the local highway network was established as part of the outline permission and has been taken into account by LCC Highways as part of this application. LCC Highways have been consulted on various iterations of the proposals and their comments have informed the final proposals (S278 – Hathern Road Junction General Arrangement ref. MA11509/S278/HRJ/100H).
- 9.4.8 In recognition of the nearby equestrian use, the original submissions included a Pegasus crossing (traffic light system designed to support horse crossing), to support access from Shepshed Watermill Stables to the bridleway east of Hathern Road and north of the application site. However, considering the limited scale of equestrian use, the character of this section of the highway network and the likelihood of infrequent use of a Pegasus crossing LCC Highways objected to its inclusion on the basis that the need was not justified by the scale of equestrian use in the area and that its infrequent use would lead to drivers becoming inured to it and not being prepared to stop on the limited occasions that it is needed, increasing the potential for incidents. The application is to be determined without inclusion of a Pegasus crossing.
- 9.4.9 Based on the final submitted plans, there are no objections from LCC Highways on highway safety grounds for the proposed access arrangements, impact on traffic levels on the surrounding highway network, visibility splays, highway alignment. This includes the detailed design and layout of the junction, link road and provision of the service road to parcel E1 of the employment zone.
- 9.4.10 It is noted that there are outstanding conditions of the outline permission which relate to highway matters which will require details to be agreed at various stages of the development. These are summarised below and included in the decision notice for the outline permission (P/14/1833/2):

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

- Condition 29 (phase SUDS)
- Condition 30 (phase disposal of surface water)
- Condition 31 (phase filter of surface water during construction)
- Condition 33 (foul sewage drainage plans)
- Condition 35 (phase CEMP)
- Condition 36 (phase Green Infrastructure and Biodiversity Management Plan)

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

- Condition 17 (employment travel plan)

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

- Condition 42 (Demolition / construction hours limited to 0700 to 1800 Monday to Friday and 0700 to 1300 on Saturdays and at no time on Sundays or Bank Holidays)
- Condition 46 (Access to the civic amenity site to be unrestricted during construction)

9.4.11 Consequently, the proposed development is considered to be in accordance with Policies CS2, CS18 and CS22 of the Core Strategy and TR/18 of the Local Plan, which seek to ensure safe access is provided to new development, and policy CS17 is concerned with encouraging sustainable transport patterns and emerging local plan policy LUC2, policy CC5 and policies INF1 and INF2

9.5 Heritage Assets & Archaeology

9.5.1 Planning policy CS14 (Heritage) seeks development to conserve and enhance historic assets in the Borough for their own value and the community, environmental and economic contribution they make, developments are expected to not only protect the assets, but also their setting. Policy CS22 provides further context in specific relation to the Garendon Park SUE and requires that development of the site will protect and mitigate impacts on historic and archaeological features including Garendon Registered Park and Garden, the scheduled monument and listed buildings within the Park in accordance with CS14.

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

9.5.3 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.

- 9.5.4 Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- 9.5.5 The outline permission (P/14/1833/2) and associated approved parameters plans established the principle for development of the SUE, including an agreement of principles of heritage impact arising from large scale residential development of a site that includes a range of heritage assets, including a scheduled monument, grade I, grade II* and grade II buildings and a park and garden which is grade II listed in its own right. The permission included provision for repair and enhancement assets and established the principle of the SLR running through the registered park as well as an access point onto Hathern Road in the general location shown in the current submissions.
- 9.5.6 The outline permission makes provision for wider protection, repair and access to heritage assets as well as provision of access in the location subject of this application. However, consideration remains to be given in relation to these details and their particular impacts on heritage assets, particularly Shepshed Watermill (grade II listed) located directly opposite the proposed link road.
- 9.5.7 It is noted that representations have been made in relation to the impact of the development on the heritage value of Shepshed Watermill. Full details of comments are available via Charnwood's Planning Explorer and are summarised above. The material considerations raised in representations have been taken into account as part of the consideration of this application.
- 9.5.8 The proposals require no physical changes to Shepshed Watermill or its curtilage. However, the access would be located directly opposite and would have an impact on its setting.
- 9.5.9 The existing setting of Shepshed Watermill includes the existing route of Hathern Road, the M1 bridge 100m west and the existing access to the Hathern HWRC.
- 9.5.10 The proposals would replace the existing access with an adopted highway, including removal of some sections of hedgerow to achieve the increased road width and associated visibility splays. The proposals would also replace the existing access road to the HWRC with a larger, more formal, highway arrangement. With this would come associated street furniture and road markings, subject to separate approval of details between the applicants and LCC Highways as part of the S278 process. The general route of Hathern Road would be unchanged.
- 9.5.11 It is acknowledged that the proposed development would increase the scale and capacity of a junction compared to the existing situation and would result in a features more typically urban in character within the setting of a listed building due to the increased scale and its appearance with associated signage, however, it is not considered that this would constitute substantial harm and it is noted that this is in keeping with the principles established by the outline permission and would provide new highway infrastructure to support the SUE.

- 9.5.12 As a designated heritage asset, less than substantial harm should be avoided if possible and, under para 202 of the NPPF a balanced judgement is required having regard to the scale of any harm upon the significance of the heritage asset and any public benefits accrued. It is considered that the benefits of the scheme include realising the development potential of the site, the fulfilment of Development Plan policies (adopted and emerging) and delivery of a significant growth and employment opportunity.
- 9.5.13 The proposal is therefore considered to conflict with the detailed requirements of Policy CS14, emerging policy EV8 and this is considered to be a harmful impact of the proposal to be weighed in the planning balance. However, the requirements in respect of Listed Buildings set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 are met and the proposal is considered to comply with National Policy requirements under NPPF para. 202 in respect of the setting of Shepshed Watermill (grade II listed).

9.6 Impact on Residential Amenity

- 9.6.1 Policies CS2 of the Core Strategy and EV/1 of the Local Plan seeks to protect the amenity of existing and future residents. The Charnwood Design SPD (2020) also provides spacing standards and guidance to ensure an adequate level of amenity. Saved policy EV/1 of Local Plan and policy CS2 of Core Strategy requires 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.
- 9.6.2 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.
- 9.6.3 A noise assessment has been undertaken as part of this application and supports assessments made as part of the outline permission. This considers the potential impact on residential properties from the proposed development compared to the existing situation and finds that background noise levels are affected by the existing highway arrangement in the area, including Hathern Road and the M1 overpass. It recognises that the proposed access and associated employment use could result in significant noise to residents of the adjacent dwelling from HGVs accessing the employment zone via the proposed access during the night.
- 9.6.4 Charnwood's Environmental Health Team have been consulted in relation to the details of the proposals and associated proposals for the employment zone and have provided comment on the proposals and supporting information. In summary, it is recognised that there would be potential impacts on residential amenity, firstly, during the construction phase of the proposed development and, subsequently, during the operational phase of the associated employment area with night-time noise events potentially being above WHO standards from HGVs using the Hathern Road junction.

- 9.6.5 In recognition of the potential harm to residents from HGV movements during the night associated with use of the employment zone, permission has been granted for the employment use subject to a condition that HGVs would be routed via the SLR, not the Hathern Road junction.
- 9.6.6 It is also recognised that the proposals would make provision for general traffic to route between Hathern Road, the SUE and the surrounding area. However, this is not considered to present a noise issue significantly beyond the existing situation which includes an existing highway, access to the HWRC and the M1 overpass.
- 9.6.7 Condition 43 (Phase noise assessment) has also been sought to be discharged as part of these submissions for this phase and relates to how future occupiers will achieve stated internal noise levels, including a mitigation strategy where necessary. This specific phase includes the highway and associated infrastructure and therefore is not a sensitive receiver.
- 9.6.8 On the basis of the above, and considering the existing situation with vehicles using Hathern Road and the nearby M1 and the diversion of HGV traffic to the SLR in future, it is not considered that this link road would result in significant harm to residential amenity and the proposal would, therefore, comply with the provisions of policies CS2 and CS22 of Charnwood Core Strategy and EV/1 of Local Plan, emerging Local Plan DS5 along with NPPF, National Design Guidance and the guidance set out in the Design SPD to protect residential amenity. Similarly, the submissions in relation to discharge of condition 43 are appropriate and it is recommended that this condition be discharged.

9.7 Landscape and Visual Impact

- 9.7.1 Policies CS2 and CS11 of Charnwood Core Strategy are concerned with protecting the landscape and ensuring new development does not result in visual harm. These policies generally accord with the National Planning Policy Framework and do not directly impact on the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.
- 9.7.2 In terms of environment, Policy CS22 requires the SUE to respond to the landscape and surrounding areas to create a locally distinctive development, in accordance with CS2 and CS11. Policy CS22 makes specific provision for a link road between the SLR and Hathern Road.
- 9.7.3 Emerging Local Plan Policy EV1 requires new development to protect landscape character and to reinforce sense of place and local distinctiveness. And maintain separate identities of settlements. This policy is at an advanced stage and was discussed at the hearing sessions in June 2022 and are consistent with the NPPF so can be given moderate weight. The above requirements are also reiterated by emerging Local Plan Policy LUC2 which, for the same reasons, also carries moderate weight.

- 9.7.4 In terms of landscape and visual impact, these proposals are considered on the basis of them including details of a highway forming part of the SUE with associated landscaping and infrastructure. In the context of the SUE the scale and layout of the access road subject of this application would be limited when perceived in the context of wider development and is in keeping with the provisions of policy and approved parameter plans.
- 9.7.5 In the short term, views of the access road would be in the context of an existing access route serving the Household Waste and Recycling Centre, Sewage Treatment Plant, Shephed Watermill, solar farm and nearby route of the M1. The proposals would retain existing hedgerow and planting where feasible and includes proposed new planting along the road.
- 9.7.6 In the longer term, and subject to details to be considered as part of reserved matters for future development parcels, the proposed highway and infrastructure would be viewed as part of the wider SUE with limited individual prominence.
- 9.7.7 Considering the scale and layout of the access route and infrastructure, the overall development would accord with policies CS2, CS11, CS12 and CS22 of the Adopted Core Strategy and the Landscape Character Appraisal (2012)

9.8 Flood Risk and Drainage

- 9.8.1 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.
- 9.8.2 Emerging policy CC1 of the Draft Local Plan directs development to areas with the lowest risk of development and encourages development to incorporate Sustainable Urban Drainage Systems (SuDS). Major developments in flood zone 2 and 3 (with higher risk of flooding) will be required to provide a site-specific Flood Risk Assessment. 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.
- 9.8.3 The development, as assessed at the time of the outline permission, is parallel to the Black Brook and part of the link road is situated within Flood Zone 2 and 3. A Flood Risk Assessment was submitted as part of the outline permission and further assessment has been undertaken as part of the current reserved matters application. Based on the ground levels for the road and provision of flood attenuation areas, the Environment Agency are content that the development would not be at significant risk of flooding and would not increase the likelihood of flooding elsewhere.
- 9.8.4 Consequently, the proposal is considered acceptable having regard to Policy CS16 of Charnwood Core Strategy, emerging Local Plan policies CC1 and CC2 and the NPPF.

9.9 Impact on Trees

- 9.9.1 Policies CS2, CS11 and CS22 of the Core Strategy seek to ensure high quality design that reflects the character and context of the area, which in this location comprises an emerging SUE on what is currently agricultural land with mature trees and hedges and informed by an approved structural landscape scheme, approved parameter plans and illustrative masterplan.
- 9.9.2 Emerging Local Plan policy DS5 makes similar requirements and EV7 encourages the protection of trees and tree planting. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF, and can therefore be given moderate weight.
- 9.9.3 The details of the proposed development would result in the loss of sections of existing hedgerow in order to facilitate the proposed layout, however, the majority of existing trees and hedgerow in the area would be retained and supplemented by additional planting, as shown on the submitted landscaping scheme, including new hedgerows and street trees and planting around the drainage basins.
- 9.9.4 An arboricultural impact assessment has been approved in relation to condition 37 of the outline permission under a separate discharge of condition application (P/22/2094/2). This sets out adequate measures to protect retained trees.
- 9.9.5 Consequently, the proposed development accords with the approved site wide structural landscaping plans and is in general accordance with the illustrative masterplan to the extent that the impact on trees in relation to policies in the Core Strategy are acceptable, particularly Policy CS11 (Landscape and Countryside), Policy CS2 (High-Quality Design) and CS22 (West of Loughborough Sustainable Urban Extension).

9.10 Ecology and Biodiversity

- 9.10.1 Policy CS13 seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats.
- 9.10.2 Emerging policy EV6 of the Draft Local Plan seeks 10% biodiversity net gain and the protection and enhancement of habitats, species and networks. Emerging policy EV7 supports the retention of existing trees and new tree planting. Although the Environment Act 2021 makes provision for 10% biodiversity net gain, the relevant sections of the Act have not yet been brought into force to make it a legal requirement and is not currently required by national policy. Therefore, emerging Local Plan policy EV6 can be given only limited weight until the emerging policy is further progressed towards adoption.

- 9.10.3 Submissions include details to discharge condition 51 of the outline permission (Phase ecological survey update). CBC's Ecologist has not raised any objection to the details submitted in relation to discharge of condition 51. While there are no objections from CBC's Ecologist in relation to condition 51, it is noted that details have also been submitted separately to discharge condition 36 (Phase Specific Green Infrastructure and Biodiversity Management Plan) (P/23/2266/2) which allows for consideration of how any impacts on ecological interests arising from these details are accounted for as part of the wider site's ecological mitigation strategy.
- 9.10.4 Consequently, the proposal is considered acceptable and would comply with policy CS13 of the Charnwood Local Plan 2006-2028 Core Strategy and emerging Local Plan Policy EV6 and EV7 and condition 51 is recommended to be discharged.

10. Conclusion

- 10.1 This application relates to reserved matters for a link road between Hathern Road and the SLR within the Garendon Park SUE, along with a section of service road to access a parcel of employment land and associated infrastructure, including drainage and substation.
- 10.2 Provision of a link road is a requirement of adopted and emerging planning policy with the details to be considered in the context of an outline permission and approved parameter plans, which any future details are required to be in accordance with. Notwithstanding this, the details of the link road are to be considered as part of associated development parcels, the first of which on the western side of the site is the associated employment land (P/22/2188/2) and comes with the opportunity to secure highway infrastructure to support the delivery of the SUE at an earlier stage than was originally expected.
- 10.3 The impact of these proposals are considered in particular relation to highway safety, impact on heritage assets, residential amenity, landscape, biodiversity, trees, drainage and design.
- 10.4 Considering the detailed junction layout and access route, there are no technical constraints relating to highways, heritage, amenity or its appearance that cannot be mitigated, either by conditions on this application, through conditions on the associated reserved matters (P/22/2188/2) or through conditions of the original outline permission (P/14/1833/2).
- 10.5 In addition to reserved matters for the access road, details have also been submitted to discharge conditions specifically for this phase. Details include noise and ecology survey updates. There are no objections from statutory consultees arising from these submissions.

10.6 In conclusion, it is considered that there are no impacts from the development of this site that are unacceptable or which cannot be mitigated except with the conflict with Heritage Polices at the local level referred to above, arising from the impact on the setting of the Watermill. However, that conflict is considered to give rise to low levels of harm and would not be so significant and demonstrably harmful as to outweigh the public benefits of facilitating the early delivery of highway infrastructure in general accordance with the approved parameter plans. The benefits relate to the integration of the wider SUE with the surrounding area, including early delivery of additions to the highway network and supporting early delivery of employment uses. The application is considered to comply with the Development Plan with this exception, and there are material considerations of such importance to outweigh this finding. The application should therefore be supported subject to appropriate conditions being attached as set out below.

11. Recommendation

11.1 That planning permission be granted subject to the following planning conditions and reasons and that conditions 43 and 51 are discharged:

Recommended conditions:

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

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

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

- Landscape proposals – Road and drainage (10860-FPCR-XX-XX-DR-L-0008-0020-P02)
- Key Planning Layout (MA11509-SP4-1004 B)
- Drainage Layout (MA11509-SP4-2004 B, 2001A, 2002B, 2003B)
- 16.5m Articulated Vehicle Track Analysis (MA11509-SP4-1000 C)
- General Arrangement (MA11509-S278-HRJ-100 H)
- Primary Substation Elevations
- Planning Layout (MA11509-SP4-1001A, 1002B, 1003B)
- Hathern Road Access Location Plan
- Noise Assessment – Technical Note (21/02/2023)
- Noise Assessment – Technical Note (11/04/2023)
- Noise Impact Assessment (April 2023)
- Black Brook Flood Plain Extents (MA11509-HLR-2112 Rev A)

REASON: To provide certainty and define the terms of the permission in accordance with Development Plan policy CS2 of Charnwood Development Plan (2011-2028), Saved Policies EV/1 of Charnwood Local Plan (2004), Design SPD and the NPPF.

3. The Hathern Link Road shall not be opened to public traffic until its junction with Hathern Road shown on MCE drawing number MA11509/S278/HRJ/100 Revision H has been implemented in full.

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

4. The Hathern Link Road's junction with Hathern Road shall not be opened to traffic until such time as vehicular visibility splays of 4.5 metres by 130.66m and 119.72m have been provided to the left and right respectively. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway / verge / highway.

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

5. The Hathern Link Road (between Hathern Road and the Garendon Strategic Link Road) shall not be opened to public traffic until it has been fully constructed in accordance with MCE drawings numbers MA11509/SP4/1001 Revision B and MA11509/SP4/1002 Revision B.

REASON: In the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

6. The Industrial Estate Road (linking the first employment parcel with the Garendon Strategic Link Road) shall not be opened to public traffic until it has been fully constructed in accordance with MCE drawing number MA11509/SP4/1003 Revision B.

REASON: In the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

7. The development shall be carried out in accordance with the submitted document referenced MA11509-HLR-2112 (dated 20/06/2023, compiled by Millward Consulting Engineers) and the following mitigation measures it details:

- Finished levels of the road carriageway shall be set no lower than the maximum modelled flood heights (as per drawing referenced MA11509-HLR-2112, dated 20.06.23).
- Compensatory storage shall be provided as per drawing referenced MA11509-HLR-2112, dated 20.06.23).

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; to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

8. Notwithstanding condition 2, a programme for implementation of the landscaping scheme shall be submitted to the Local Planning Authority and agreed in writing. The planting shall be provided in accordance with the agreed programme of implementation and shall thereafter be so retained. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

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

9. Notwithstanding condition 2, the use of the site shall not commence until details of the planting pits for trees detailed on landscape proposals have been submitted to and approved in writing by the Local Planning Authority. The trees shall be planted in full accordance with these approved details.

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

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

REASON: To ensure that the development respects the character and appearance of the area, in accordance with CS2, CS11 and CS22.

11. Prior to the commencement of development, details of drainage basin infrastructure, including any headwall, barrier, access route, outfall design and associated landscaping shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in accordance with the approved details.

REASON: To ensure that the development respects the character and appearance of the area, in accordance with CS2, CS11 and CS22.

APPLICATION SITE

