

Item No: 5c**Application Reference Number:** P/23/0499/2**Application Type:** Reserved Matters **Date Valid:** 19/04/2023**Applicant:** Davidsons Development**Proposal:** Reserved Matters application for 107 dwellings and associated infrastructure at Parcel 1, including discharge of Condition 16 iii (housing mix), Condition 16 iv (Site Wide Affordable Housing Strategy) and Condition 17 (Programme of Reserved Matters) (P/22/0333/2 relates).**Location:** Broadnook, Land North of Birstall, Leicestershire**Parish:** Wanlip **Ward:** Birstall Wanlip**Case Officer:** Mark Pickrell **Tel No:** 07852720913**1. Background**

- 1.1 This application is referred to Plans Committee in accordance with the scheme of delegation as it relates to the first Reserved Matters application for the Broadnook Sustainable Urban Extension development that is of strategic importance and hence in the opinion of the Head of Planning and Regeneration it is of significant public interest.

2. Description of the application site

- 2.1 The application site forms part of Phase 1 of the hybrid permission P/22/0333/2 for the Broadnook Sustainable Urban Extension (SUE), which is comprised of approximately 204 hectares of land located in open countryside, adjacent to, and immediately north of, the A46 between Birstall and Rothley and predominantly consists of intensively farmed arable land with tree belts, spinneys, copses and hedges forming distinctive field patterns. The Broadnook Centre will sit centrally within the wider site with an approximate area of 16.15 hectares.
- 2.2 The site of the overall hybrid permission includes 3 distinct areas: to the north, an extensive green area will run across the site, with integrated green infrastructure and a variety of sports and recreational facilities; a middle band which will run from west to east and be comprised of Phase 2 - 650 dwellings; Phase 1 - 725 dwellings, the Broadnook Centre and the Broadnook Enterprise Area; whilst a southern band will form Phase 3, and consist of a further 575 dwellings.

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



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

3. Description of the proposal

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



Proposed Site Layout (6000_p1_100 – Rev P03)

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

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

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

4. Development Plan Policies

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

4.2 The policies applicable to this application are as follows:

4.3 [Charnwood Local Plan Core Strategy \(2015\)](#)

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

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

4.5 Where they have not been superseded by Core Strategy Policies previous Local Plan Policies remain part of the Development Plan. In relation to this proposal, the relevant ones are:

- Policy ST/2 - Limits to Development
- Policy EV/1 - Design
- Policy TR/4 - Road and Highway Improvements
- Policy TR/18 - Parking in New Development

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

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

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

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

5. Other material considerations

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

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

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

5.3 [Planning Practice Guidance](#)

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

5.5 [National Design Guide](#)

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

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

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

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

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

- 5.11 Leicestershire Highways Design Guide
- 5.12 The purpose of the guidance is to help achieve development that provides for the safe and free movement of all road users, including cars, lorries, pedestrians, cyclists and public transport. Design elements are encouraged which provide road layouts which meet the needs of all users and restrain vehicle dominance, create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; as well as to help create quality developments in which to live, work and play. The document also sets out the quantum of off-street car parking expected to be provided in new housing development and advice regarding the design of parking courts and waste collection.
- 5.13 Landscape Character Appraisal
- 5.14 The Borough of Charnwood Landscape Character Assessment was prepared in July 2012. The purpose of the report was to assess the baseline study of the landscape character, at a sub-regional level that gives a further understanding of the landscape resource. The document 'provides a structured evaluation of the landscape of the borough including a landscape strategy with guidelines for the protection, conservation and enhancement of the character of the landscape, which will inform development management decisions and development of plans for the future of the Borough'.
- 5.15 Conservation of Habitat and Species Regulations 2010 (as amended)
- 5.16 The Council as Local Planning Authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed by the development) then the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England.
- 5.17 Equality Act 2010
- 5.18 Section 149 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality.
- 5.19 Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)
- 5.20 As the application proposals are for urban development on a site of more than 0.5 hectares, the proposals fall under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017. Such projects only require an EIA if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

5.21 The Draft Charnwood Local Plan 2021-37

5.22 This document sets out the Council's strategic and detailed policies for the Borough over the period 2021-37. The local plan was submitted for examination in December 2021 with hearings concluding in February 2023. It is anticipated that the Inspectors will issue a letter setting out the requirement for main modifications to be made to make the plan sound. These modifications will be published for six weeks of public consultation so that the responses can assist the Inspectors in preparing their final report. The precise timings of these events are dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in early 2024.

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

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

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

- Policy DS5: High Quality Design
- Policy LUA3: North of Birstall Sustainable Urban Extension
- Policy H1: Housing Mix
- Policy H2: Housing for Older People and People with Disabilities
- Policy H3: Internal Space Standards
- Policy CC4: Sustainable Construction
- Policy CC5: Sustainable Transport
- Policy EV6: Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV7: Tree Planting
- Policy T3: Car Parking Standards

5.24 Planning Guidance for Biodiversity June 2022

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

6. Relevant Planning History

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

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

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

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

6.2 Other applications related to the Broadnook SUE are available via Charnwood's Planning Explorer.

7. Responses of Consultees & Other Comments Received

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

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

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

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

Ward Councillor and Parish Council Response

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

Responses to publicity

No letters of objection, comment or support have been received.	N/A
---	-----

8. Consideration of the Planning Issues

- 8.1 The starting point for decision making on all planning applications is that they must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise. The most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Core Strategy (2015) and those “saved” policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy (2011-2028) and the Minerals and Waste Local Plan (2019).
- 8.2 The Core Strategy and Charnwood Local Plan are over 5 years old, and it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. The relevant policies listed above are up to date and compliant with national guidance and as such there is no reason for them to be given reduced weight.
- 8.3 The principle of development on this site is already established by Core Strategy Policy CS20 and emerging Local Plan Policy LUA3 and through the approved hybrid consent which established the principle of residential development on this parcel of land. The matters for consideration of this application are those reserved matters where detailed consent is sought, comprising scale, appearance, layout and landscaping, and those specific conditions that are sought to be discharged. Therefore, the consideration of the proposal falls under NPPF para 11 (d) (i) – to approve development proposals that accord with an up-to-date development plan without delay.
- 8.4 Amongst the material considerations are the emerging Charnwood Local Plan 2021-37 (ELP) and the National Planning Policy Framework (NPPF).

- 8.5 The main planning considerations applicable to this application are considered to be:
- Principle of Development
 - Environmental Impact Assessment
 - Housing Numbers, Density, Mix and Phasing
 - Highway and Transportation Matters (including road layout)
 - Visual Impact, Design & Layout
 - Landscaping
 - Heritage and Archaeology
 - Residential Amenity
 - Ecology and Biodiversity
 - Flooding and Drainage

9. Key Issues

9.1 Principle of the Development

- 9.1.1 The principle of development is guided by Local Plan Policies CS1 and CS20 of the Charnwood Core Strategy (2015) and Saved Policy ST/2 of the Borough of Charnwood Local Plan (2004).
- 9.1.2 The approved hybrid permission (P/22/0333/2) provides outline planning permission for 1,950 dwellings at the overall site, including residential development at the parcel of land to which these reserved matters application relates to.
- 9.1.3 The submitted Local Plan 2021-37 is a material consideration. Its Policy DS1 defines a future development strategy for the Borough and DS3 allocates housing development, including provision for land North of Birstall (including this site) to provide 1,950 dwellings, as per the provisions of LUA3. LUA3 and the associated text sets out the expectations for delivery of this site to achieve a garden suburb. At this date the emerging Local Plan carries limited weight due to the nature and extent of unresolved representations made during the Independent Examination. Policy LUA3 of the emerging Local Plan can be given limited weight.
- 9.1.4 The matters for consideration as part of this application are the proposal's appearance, landscaping, layout, access, and scale. This includes consideration of these aspects against various parameter plans of the outline permission and the approved documents including the Design and Access Statement and Planning Brief.
- 9.1.5 In addition to reserved matters (landscaping, scale, design, and layout) of the residential parcel, the submission includes the submission of details to discharge the requirements of conditions 16 iv) and 17 of P/22/0333/2, relating to a Site Wide Affordable Housing Strategy and phasing strategy for submission of reserved matters applications. The detail of these submissions is assessed below.

- 9.1.6 As a separate matter, Condition 17 of the hybrid permission requires the submission of a Programme of Reserved Matters with the first reserved matters application, detailing the order and timing of subsequent reserved matters applications for that part of the Broadnook site with outline rather than full permission (application phasing). Such a programme forms part of this reserved matters application. It has been carefully assessed and is deemed appropriate, and can, therefore, be approved. It accords with the general phasing approved by the hybrid permission with development generally moving from north to south and the early delivery of components of the Broadnook Centre, as required by the Section 106 Agreement.
- 9.1.7 The proposed phasing for submission of reserved matters is agreed and presents a logical progression for delivery of the site, including provision of the local centre and open space at an early stage of the development and in line with the trigger points set out in the Section 106 and relevant conditions.

9.2 Environmental Impact Assessment (EIA)

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

9.3 Housing Numbers, Density and Mix

- 9.3.1 Core Strategy Policy CS3 outlines a requirement to secure an appropriate housing mix having regard to the identified housing needs. Policy CS20 regarding the Broadnook development seeks, amongst other things, the provision of a range of tenures, types and sizes of homes in accordance with Policy CS3, including a suitable level of affordable homes. These policies generally accord with the NPPF and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that it should be given.

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

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

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

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

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

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

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

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

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

9.4 Highway and Transport Matters

9.4.1 Policy CS2 of the Core Strategy requires new development to provide well defined and legible streets and spaces that are easy to get around for all. Policy CS17 makes provision to achieve a 6% shift from travel by private car to walking, cycling and public transport. Policy CS18 of the Core Strategy requires network improvements whilst Policy CS20 relates to the whole of the Broadnook SUE and requires well-connected streets and walkable neighbourhoods, high quality, safe and direct walking, cycling and public transport routes in accordance with Policy CS17 and the provision of new and improved cycling and walking routes.

9.4.2 Policy TR/18 of the Saved Local Plan requires off-street parking to be provided for vehicles and cycles to secure highway safety and minimise harm to visual and local amenities. Adopted standards as set out in the saved Local Plan are provided as a starting point to assess the level of provision.

9.4.3 The above policies generally accord with the National Planning Policy Framework and do not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.

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

9.4.5 Emerging Policy INF2 seeks to secure appropriate highway infrastructure for developments. Emerging Local Plan Policy T3 requires new development to provide car parking in accordance with the latest published guidance of the County and Borough Councils. Emerging Policy CC5 support provision of sustainable transport options. Policies INF2 and T3 are at an advance stage but subject to objections and can be given limited weight at this stage. Policy CC5 is at an advanced stage and modifications to the policy agreed such that it can be given moderate weight.

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

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

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

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

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

9.5 Visual Impact, Design & Layout

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

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

9.5.3 Saved Policy EV/1 of the Local Plan supports development that is of a design, scale, layout and mass compatible with the locality and which uses materials appropriate to the locality. It seeks positive and attractive built frontages to existing or proposed public spaces including roads, footpaths and areas of public open space.

9.5.4 These policies generally accord with the NPPF and National Design Guide and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.

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

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

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

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

9.6 Sustainable Construction and Energy efficiency

- 9.6.1 Core Strategy Policy CS16 seeks to encourage sustainable design and construction and the provision of renewable energy (including exceedance of Building Regulations), where this will not make the scheme unviable. Policy CS20 regarding the Broadnook SUE similarly encourages exceedance of the Building Regulations and the delivery of buildings designed to be adaptable to future climatic conditions including heat and flooding. It also requires applications to include details of the development's response to carbon emissions reduction and climate change resilience.
- 9.6.2 Emerging Local Plan Policy CC4 requires sustainable construction practices. It is at an advanced stage and was discussed at the hearing sessions in June 2022 and is consistent with the NPPF so can be given moderate weight. Emerging Local Plan Policy CCS6 relates to electric charging points but is proposed to be deleted from the emerging Local Plan and is therefore given limited weight. Emerging Local Plan Policy LUA3 largely reiterates the provisions of CS20 and carries moderate weight.
- 9.6.3 The approved DAS Addendum for of the hybrid permission for the Broadnook SUE states that for Phase 1 (of which the who application site is part) the Council's two key sustainability aims are encouraging cycling and walking and the provision of electric vehicle charging points. As discussed above, the submitted scheme will suitably achieve the former. Additionally, revised plans show an electric vehicle charging point for each property in accordance with Building Regulations.

- 9.6.4 In response to Core Strategy Policies C16 and C20 the applicant has submitted a Sustainability Statement. This sets out how the carbon emissions will be reduced primarily through a passive design/fabric first approach based on high quality insulation and increased air tightness and including thermally efficient glazing.
- 9.6.5 Other stated measures include integrated solar panels for each dwelling, a targeted consumption rate of 110 litres of water per person per day for each dwelling, buildings designed to be adaptable by future occupiers, sustainably constructed tiles, blocks and plasterboard i.e. made with less energy and/or recycled materials.
- 9.6.6 The proposal is designed in the interest of climate change including limiting carbon emissions and suitably accords with the relevant aims of Policies CS16 and CS20 of the Core Strategy and Emerging Local Plan Policy LUA3 and CC6.

9.7 Residential Amenity

- 9.7.1 Policies CS2 of the Core Strategy and EV/1 of the Local Plan seek to protect the amenity of existing and future residents. They require high quality design that does not impact on the amenity of adjacent properties or create poor standards of amenity for future occupiers.
- 9.7.2 To assist in the application of the above policies the Charnwood Design SPD (2020) provides spacing standards and guidance to ensure an adequate level of amenity is achieved.
- 9.7.3 Emerging Local Plan Policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. The policy can, therefore, be given moderate weight. Emerging Local Plan Policy H3 relates to internal space standards. This policy is at an advanced stage and hearing sessions in February 2023 considered the policy and it is consistent with the NPPF but is subject to objections and can therefore be given limited weight.
- 9.7.4 With regard to residential amenity of future residents, the scheme provides a relatively dense layout but as discussed above, this accords with the density parameter plan of the hybrid permission for a parcel close to the local centre, employment land and primary vehicular access. Moreover, the occupiers of all dwellings have access to private amenity space of various sizes and all occupiers (including those occupying apartment style units without any private garden space) will live within close walking distance of excellent Public Open Space and Green Infrastructure, which will be provided as an integral part of the Broadnook SUE.
- 9.7.5 The floor layouts do not accord with the proposed minimum standards in the Emerging Local Plan Policy H3, but all homes are well proportioned internally and, as noted above, the policy cannot be afforded significant weight at the present time.

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

9.8 Landscaping

- 9.8.1 Policy CS2 of the Core Strategy seek to ensure high quality design including landscaping. The preamble to Core Strategy Policy CS20 regarding Broadnook refers to tree lined streets and green space and the policy refers to well linked green infrastructure.
- 9.8.2 These policies generally accord with the National Planning Policy Framework and do not conflict the supply of housing.
- 9.8.3 Emerging Local Plan Policies DS5 and LUA3 make similar requirements and EV7 encourages tree planting. These policies are at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF and can, therefore, be given moderate weight.

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

9.9 Ecology and Biodiversity

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

- 9.9.2 Emerging Policy EV6 of the Draft Local Plan seeks 10% biodiversity net gain and the protection and enhancement of habitats, species and networks. Although the Environment Act 2021 makes provision for 10% biodiversity net gain, the relevant sections of the Act have not yet been brought into force to make it a legal requirement and is not currently required by national policy, additionally it has been confirmed that the legislation will not apply to reserved matters applications where the outline permission proceeds the date that the legislation is enacted. Therefore, emerging Local Plan Policy EV6 can be given only moderate weight until the emerging policy is further progressed towards adoption and the national 10% BNG requirement would not relate to this reserved matters application in any event.
- 9.9.3 Emerging Policy EV7 supports the retention of existing trees and new tree planting. Policy EV7 is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. It, can, therefore be given moderate weight. Emerging Policy LUA3 largely replicates the provisions of Core Strategy Policy CS20 and can be given limited weight.
- 9.9.4 Matters regarding ecology and biodiversity have been resolved at the outline stage including the imposition of various planning conditions to secure suitable mitigation and enhancement works and updated surveys as appropriate and which are to be considered separately. The provision of trees has been considered above in terms of the submitted landscaping reserved matter details and found to be acceptable in terms of visual amenity. They will also provide valuable new habitat over time.
- 9.9.5 Condition 16 of the hybrid permission requires the submission of details of integrated bat roosting and bird boxes for the residential units, which have not been submitted as part of this application. The required provision can, however, be resolved through the submission of a Discharge of Condition. Importantly, the required modest additions will not require the wholesale revision of the plans hereby considered.
- 9.9.6 Based on the above, it is considered that the proposals make adequate contribution towards achieving the site wide aims for ecology and biodiversity such that the provisions of Core Strategy Policies CS13 and CS20, emerging Local Plan policy EV6 and LUA3 and the NPPF are satisfied.

9.10 Flooding and Drainage

- 9.10.1 The hybrid permission contains conditions to secure suitable drainage for the site including the sustainable management of surface water drainage. These matters are considered separately to the reserved matters details of this application. However, the Lead Local Flood Authority has commented that it raises no objections to the proposed hard surfacing given the provision of filter drains across shared drives (as ground conditions do not support infiltration drainage). In this respect Policy CS16 of Charnwood Core Strategy and the NPPF are suitably complied with regarding minimising localised flood risk.
- 9.10.2 The proposals are considered to comply with the requirements of Core Strategy policies CS16 and CS20 and emerging Local Plan policy CC1 and LUA3.

9.11 Heritage Assets & Archaeology

- 9.11.1 Core Strategy Policy CS14 (Heritage) seeks development to conserve and enhance historic assets in the Borough for their own value and the community, environmental and economic contribution they make, developments are expected to not only protect the assets, but also their setting.
- 9.11.2 Emerging Local Plan Policy EV8 seeks to protect and enhance heritage assets and prevent harm to their significance and setting. Policy EV8 is largely uncontested and can therefore be afforded moderate weight.
- 9.11.3 The Planning (Listed Buildings and Conservation Areas) Act 1990 provides a statutory duty for local authorities to have special regard to Listed Buildings and Conservation Areas. Section 66 (1) of the Act refers to the desirability of preserving Listed Buildings, the setting of Listed Buildings and the features of special architectural and historic interest which it possesses whilst Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 9.11.4 Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation.
- 9.11.5 The hybrid permission established the principle of development for the SUE and approved various parameter plans to guide the appropriate delivery of the site and future detailed submissions. The outline permission included an assessment of heritage impact and made provision for wider protection and mitigation of heritage assets.
- 9.11.6 There are no above ground heritage assets at the application site and the site is not within the setting of any above ground heritage assets. A condition of the hybrid permission ensures that any required archaeological work will be undertaken across the wider Broadnook SUE site and has been discharged in relation to phase 1, including this parcel.
- 9.11.7 The reserved matters proposal, therefore, meets the requirements of Policy CS14 of the Core Strategy and EV8 of the emerging Local Plan, and the requirements in respect of Listed Buildings and Conservation Areas set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. The relevant sections of the NPPF are also suitably addressed.

10 Conclusion

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

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

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

11 Recommendation

RECOMMENDATION

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

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

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

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

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

3. The development hereby permitted shall not be occupied until such time as the parking (and turning facilities) have been implemented in accordance with Highways Layout Sheet 1 of 2, Drawing 6010_101 Rev P03. Thereafter the onsite parking (and turning) provision shall be kept available for such use(s) in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Schedule 1 – Approved Plans

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

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

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

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

Site Wide Affordable Housing Plan	1070-SWAHP_100	
--------------------------------------	----------------	--

APPLICATION SITE

