

Plans Committee Date:	18 April 2024
------------------------------	----------------------

Item No: 1

Application Reference Number: P/22/2309/2

Application Type:	Outline	Date Valid:	03/01/2023
Applicant:	David Wilson Homes, East Midlands		
Proposal:	Application for approval of reserved matters relating to appearance, landscaping, layout and scale of Outline Permission APP/X2410/W/3287864 (P/21/0491/2) for the erection of up to 170 dwellings with associated access, landscaping and infrastructure.		
Location:	Land East of Cossington Road Sileby Leicestershire		
Parish:	Sileby/Cossington	Ward:	Sileby/Wreake Villages
Case Officer:	Susan Garbutt	Tel No:	07864 603389

1. Background

- 1.1 The application has also been called in at the request of Ward Councillor Naomi Bottomley under the Council's call-in procedure on 2/6/23, for the following reasons:
- The revised plan does not take into account the Sileby Neighbourhood Plan, and its policy on the size of clusters of affordable housing
 - Loss of privacy to residents on Chalfont Drive, due to proximity of proposed new dwellings
 - The development is more than 800m from the nearest bus stop due to change to the number 2 bus service
 - The S106 should be amended to require the reinstatement of the number 2 bus service/ extension of the planned service from Broadnook estate

2. Description of the application site

- 2.1 The application site comprises 10.17 hectares of agricultural land located to the east of Cossington Road, and south of Chalfont Drive, to the south of Sileby. The topography of the site is varied, and the site rises from west to east from Cossington Road to the Midland Mainline railway line. The highest point of the site is the northern corner.
- 2.2 The site abuts the rear and side boundaries of existing properties on Chalfont Drive and Molyneux Drive on the northern boundary. The properties along Chalfont Drive are mainly single storey and their gardens abut the site. The Midland Mainline railway line forms the eastern boundary, and to the south is agricultural land and Derry's Garden Centre. Brook Farm (including the farmhouse which is a locally listed

building) and Cossington Road form the western boundary. There are existing properties on the opposite side of Cossington Road, opposite part of the site and these include two-storey terraces properties and bungalows.

- 2.3 The site has existing hedgerow boundaries to the northern and western boundaries; adjacent to the existing properties and along Cossington Road. There are existing trees within the site boundaries. There is a watercourse to the southern boundary.
- 2.4 The site is outside of but adjacent to the defined limits to development of Sileby, within countryside and a defined area of local separation between Cossington and Sileby. The site is within flood zones 1, 2 and 3 and within a mineral consultation area. The majority of the site is at low risk of surface water flooding with a small portion at a medium to high risk of surface water flooding on the eastern boundary of the site along the ordinary watercourse.

3. Description of the proposal

- 3.1 The proposal is for the approval of all the reserved matters (appearance, landscaping, layout and scale) of outline planning permission APP/X2410/W/3287864 (P/21/0491/2) for up to 170 dwellings (including affordable housing) with all matters reserved other than access / means of access together with associated landscaping and other infrastructure. The outline was granted on appeal in a decision dated 13 June 2022.
- 3.2 During the course of the application, the proposal has been revised, and re-consultation undertaken. The changes to the proposal have included amendments to the site layout to revise the affordable housing clustering, separation distances to existing properties, and the building line to the southern edge of the built development. The proposal has also been revised to address highways comments in relation to layout and vehicle tracking. The soft landscape proposals have been revised to accord with the revised layout and allow retention and maintenance of the northern hedgerow. The affordable housing mix has been revised during the application, and now includes two bungalows.
- 3.3 The Council met with the applicant in late 2023 to discuss further amendments to the proposal. Following those discussions, the applicant submitted a revised proposal in February/March 2024, including additional new information, which has been consulted upon for 21 days. The applicant and the Council agreed that the application would then be presented to the next available Plans Committee meeting. Details of the amendments to the proposal are discussed in the report below.

3.4 Following Local Highways Authority comments in response to the above consultation, the applicant has submitted a revised Site Layout (Rev N) and further formal comments have been received from the Local Highways Authority.

3.4 The application is accompanied by the following supporting information:

- Design and Access Statement Addendum (February 2021)
- Site Layout (Rev N)
- Soft Landscape Proposals (Rev J)
- Landscape Management Plan (Issue 4)
- Boundary Treatment Plan (Rev E)
- Street Scenes (Rev G)
- Materials Layout (Rev F)
- Surface Treatment Plan (Rev F)
- Dwelling Separation Distance Plan (Rev E)
- Construction Management Plan (Rev E)
- Refuse Vehicle Tracking (Rev D)
- Bin Storage and Refuse Collection Plan
- Open Space Typology and Areas Plan
- Chimney and Eaves Plan
- EV Car Charging Plan
- Cross Sections Plan
- Topographical Survey (Rev C)
- Acoustic and Overheating Assessment (Feb 2024)
- House Type Plans/garage plans
- Fence/Wall/Gate details
- Substation Plan
- Traffic Management Plan (Jan 23)
- Road and Sewer Layout General Arrangement (Rev A)

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) and the Sileby Neighbourhood Plan made on 15/12/2022.

4.2 The policies applicable to this application are as follows;

4.2.1 [Charnwood Local Plan Core Strategy](#)

- Policy CS1 – Development Strategy
- Policy CS2 – High Quality Design
- Policy CS3 - Strategic Housing Needs

- Policy CS11 - Landscape and Countryside
- Policy CS13 – Biodiversity and Geodiversity
- Policy CS14 – Heritage
- Policy CS16 - Sustainable Construction and Energy
- Policy CS17 - Sustainable Travel
- Policy CS 18 – The Local and Strategic Road Network
- Policy CS 24 - Delivering Infrastructure
- Policy CS25 - Presumption in favour of sustainable development

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

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

- Policy ST/2 - Limits to Development
- Policy 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 [Sileby Neighbourhood Plan \(Made: 15/12/22\)](#)

- Policy G1 – Limits to Development
- Policy G2 - Design
- Policy H4 - Housing Mix
- Policy H5 - Affordable Housing
- Policy ENV6 - Biodiversity, Hedges and Habitat Connectivity
- Policy ENV8 – Biodiversity Protection in New Development
- Policy T2 - Highway Safety
- Policy T5 - Walking & Cycling

4.2.4 [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.

5. **Other material considerations**

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

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

- Section 2: Achieving sustainable development
- Section 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 and beautiful 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 Leicestershire Housing and Economic Needs Assessment (HENA) – 2022

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

5.6 Housing Supplementary Planning Document (SPD) (adopted May 2017 – updated December 2017)

The SPD provides guidance on affordable housing to support Core Strategy Policy CS3.

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

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

5.8 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.

5.9 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'.

5.10 Technical Housing Space Standards (2015)

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

5.11 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.

5.12 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.

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

This document sets out the Council's strategic and detailed policies for the Borough over the period 2021-37. The local plan was submitted for examination in December 2021. Following Examination Hearings, a letter from the Inspectors was received dated 22 March 2024 and was published 30 March 2024. The letter set out that key matters from the hearing sessions will need to be addressed through Main Modifications, these relate to;

- The amended definition of gypsies and travellers,
- the Sustainability Appraisal of the Main Modifications in relation to the reasonable alternatives assessed to deliver Leicester's unmet need,

- A main modification will be required to delete the requirement from policy H2 that a proportion of affordable homes meet M4(3) standard, unless necessary evidence is submitted to the examination,
- Consultation on the updated housing land supply to 31/3/24 should be undertaken alongside the main modifications,
- Clarity and security on the approach to securing developer contributions to transport infrastructure via a DPD or SPD,
- A modification to INF1 to reflect the priorities for infrastructure.

The letter states that after the above points have been addressed, the Examination should progress to the formal consultation on the proposed main modifications/updates to the Proposals Map. 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 determined by the Inspectors and, subject to their report, it is anticipated the Local Plan will be adopted by the Council towards the end of 2024.

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

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

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

- Policy DS5: High Quality Design
- Policy SC1: Service Centres
- Policy C1: Countryside.
- Policy H1: Housing Mix
- Policy H2: Housing for Older People and People with Disabilities
- Policy H3: Internal Space
- Policy H4: Affordable Housing
- Policy EV1: Landscape
- Policy EV3: Areas of Local Separation
- Policy EV6: Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV7: Tree Planting
- Policy EV8: Heritage
- Policy EV9: Open Spaces, Sport and Recreation

5.15 Planning Guidance for Biodiversity June 2022

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

5.16 Environment Act 2021

The Act inserted Schedule 7A into the Town and Country Planning Act 1990 (as amended) and introduced mandatory 10% biodiversity net gain for major proposals from 12th February 2024, and for minor proposals from 2nd April 2024. This reserved matters application is exempt from mandatory 10% biodiversity net gain because the outline permission to which it relates was granted prior to its introduction and this application was submitted prior to the effective date of 12th February 2024.

6. **Relevant Planning History**

6.1

Reference	Description	Decision & Date
-----------	-------------	-----------------

The following is the relevant planning history for the site.

APP/X2410/W/21/3287864 (Local Planning Authority ref P/21/0491/2)	Outline planning application for up to 170 dwellings (including affordable housing) with all matters reserved other than access together with associated landscaping and other infrastructure.	Allowed at Appeal following Public Inquiry Decision dated 13.06.22 with S106 dated 10.05.22
P/23/1199/2	Discharge of Conditions 9 (Written Scheme of Archaeological Investigation), 10 (Noise Attenuation Measures), 15 (Travel Plan), 16 (Speed reduction Measures), and 17 (Landscape and Biodiversity Management Strategy) of Planning Permission APP/X2410/W/21/3287864 (LPA ref: P/21/0491/2).	Not discharged 18/10/23
P/23/1346/2	Discharge of Conditions 9 (Written Scheme of Archaeological Investigation), 10 (Noise Attenuation Measures), 15 (Travel Plan), 16 (Speed reduction Measures), and 17 (Landscape and Biodiversity Management Strategy) of Planning Permission APP/X2410/W/21/3287864 (LPA ref: P/21/0491/2).	Withdrawn 18/9/23

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 (28/3/24)	The development does not conflict with paragraph 115 of the NPPF subject to conditions regarding access, parking and turning and site drainage in relation to the public highway.
Leicestershire Lead Local Flood Authority – LCC (20/9/23)	Leicestershire County Council as Lead Local Flood Authority (LLFA) advises the LPA that the application documents as submitted are sufficient for the LLFA to support the application, subject to off-site flood risk being addressed through the provision of appropriate maintenance prior to the developer starting on site.
LCC Mineral Planning Authority (10/7/23)	No comments.
Environment Agency (6/3/24)	No comments , will provide comments at discharge of condition stage.
Charnwood Open Spaces (4/12/23)	Requested amendments to the open space area to meet the outline permission requirements. Final comments awaited – to be reported to Plans Committee.
Charnwood Housing Strategy & Support (8/3/23)	Based on the proposals provided by the applicant, there needs to be an uplift in one-bed provision, in lieu of 3 bed provision and the inclusion of 2 wheelchair accessible bungalows. The affordable housing should meet Lifetime Homes Standards (M4(2) of building regulations) and NDSS, as per the SPD. The Sileby NP requires clusters of no more than 4. Final comments awaited – to be reported to Plans Committee.
Charnwood Landscape (7/12/23)	Concerns raised regarding the landscaping proposals (Rev G). Final comments awaited – to be reported to Plans Committee.
Charnwood Conservation and Design (12/3/24)	Comments made regarding the latest layout; frontage of Cossington Road, road surfacing, open space path, hedgerow position closer to the road and the need for footway along the northern and southern road edges.
Charnwood Biodiversity (29/3/24)	The BIA submitted has significant problems, however once adjusted for errors, the BIA shows that net gain would be delivered on site. Landscape management plan required to explain how on site habitats will be

	<p>maintained according to the standards in the BIA, including condition assessment, as the basis for clear and objective monitoring.</p>
<p>Charnwood Borough Council Environmental Health (18/3/24)</p>	<p>No objection, subject to conditions to secure noise boundary screening, and glazing and ventilation requirements as set out in section 8.8 of the MEC Consulting Group Ltd (Report Ref: 26128-ENV-0401 Rev B) with relevant plots identified in Appendix G.</p> <p>Advice given on the electrical sub-station. Risk of noise can be mitigated by locating HV substations at least 5m away from dwellings in general, and from bedrooms in particular. It is therefore recommended that the developer designs any new transformer building to mitigate the 100Hz and 200Hz tonal noise from reaching any residential property and the building be located at least 5m away from existing and proposed dwellings.</p>
<p>Natural England (15/3/24)</p>	<p>No objection, subject to appropriate mitigation of water quality to be secured to protect the Loughborough Meadows SSSI.</p>
<p>Severn Trent</p>	<p>No comments received</p>
<p>Network Rail (26/3/24)</p>	<p>The proposed planting scheme still includes species that we would not wish to see planted within proximity to the railway (for example Acer Pseudoplatanus on sheet GL1989 05J Soft Landscape Proposals). We require that such species are removed from the planting plan for this section of landscaping adjacent to the railway due to the problems that they can cause in relation to operational railway safety.</p> <p>It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail.</p> <p>Where lighting is to be erected adjacent to the operational railway, the potential for train drivers to be dazzled must be eliminated. In addition, the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.</p> <p>Every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst-case scenario there could be</p>

	trains running 24 hours a day and the soundproofing should take this into account.
--	--

Ward Councillor and Parish Council Response

Cllr Naomi Bottomley (2/6/23)	<p>Call-in to Plans Committee for the following reasons:</p> <ul style="list-style-type: none"> • The revised plan does not take into account the Sileby Neighbourhood Plan, and its policy on the size of clusters of affordable housing • Loss of privacy to residents on Chalfont Drive, due to proximity of proposed new dwellings • The development is more than 800m from the nearest bus stop on Brook Street due to change to the number 2 bus service • The S106 should be amended to require the reinstatement of the number 2 bus service/a demand responsive service or an extension of the planned service from Broadnook estate
Sileby Parish Council (22/3/24)	<p>Comment that they support the comments regarding the re-siting of the electrical sub-station. The original position should be reinstated, in other developments they are away from houses on the edge of open spaces. Support the comments made regarding the siting of new water run-off drainage systems.</p>

Responses to publicity

From	Comments
55 letters of objection received from 23 addresses (at 1/4/24)	<ul style="list-style-type: none"> • Close proximity of new dwellings on the northern site boundary to the existing dwellings, overbearing and intrusive, contrary to Human Rights Act 1998 • At least a 2.0m tall boundary should be provided along the northern boundary, concern about the maintenance of the boundary and potential access to existing dwellings • Noise and vibration disturbance during construction, request a Vibration Impact Assessment • Traffic Management Plan required • The development extends into the Area of Local Separation to a greater extent than was approved at the Public Inquiry. • The bus service, discussed at the Public Inquiry, has been cancelled, a new Inquiry would consider this, and the further developments that have been permitted since. • Noise and disturbance once completed

- Overbearing on local community and its services
- Increase traffic
- Loss of privacy to windows and conservatory
- Reduction to the Area of Local Separation
- The SUDS basin has been expanded reducing the Area of Local Separation
- We have a very real flooding problem
- The development footprint is larger than shown in the outline plan, taking up more green space, and cross the limits shown in the Sibley Neighbourhood Plan
- 2 storey properties are close to the boundary of existing bungalows, some have limited gardens
- Overbearing impact to property on Chalfont Drive
- No direct bus route to Leicester, leads to reliance on car
- Loss of agricultural land
- Loss of privacy to 235 Cossington Road, which has 6 windows facing plot 1
- No garden to plot 1 to separate it from 235 Cossington Road
- Trees and hedges should be retained
- Concern about light spill from new dwellings onto existing along the northern boundary
- Concern that levels of dwellings and boundaries will be 60cm higher than shown
- Traffic Management Plan shows build routes along the northern boundary
- Overlooking to existing dwelling to the northern corner
- Overlooking onto 149 Charles St, and adjacent property
- Concern that there is only 1 entry/exit
- Fire/emergency access
- Concern about the access to the easement adjacent to 235 Cossington Rd
- Impact on 122 Cossington Rd (350m from the site) as the surface water drainage strategy sows a 300mm sewer leaving the development to join the existing 225mm surface water drainage network and outfall to the rear of 124-126 Cossington Rd. During periods of heavy rainfall, the current surface water drainage network becomes overwhelmed and highway gullies are unable to cope with the volume of water due to the downstream network not being maintained for many years with the ditch line now sitting 500mm above the existing surface water outfall. Severn Trent agree that maintenance of the surface water drainage ditch is required. No

	<p>development should take place until the surface water drainage and downstream maintenance of the existing surface water drainage outfall has been carried out.</p> <ul style="list-style-type: none"> • Concern that flood water could escape out of the manhole 2302 causing flooding to the driveways of 122/124 Cossington Rd. • Concern about future maintenance of the drainage ditch by 124-126 Cossington Rd • It is good that the developer acknowledges the drainage issue and has engaged with the third party landowner to look at carrying out the maintenance of the ditch • Request a condition to secure clearance of the surface water drainage ditch, and to secure a maintenance regime for it • The site and its access and adjacent footpath flooded in Jan 2024 • Not all properties have 21m distance to existing dwellings • There are gaps in the 2m fencing on the northern boundary • Poor housing delivery on SUEs has led to housing at Service Centres • The Road and Sewer Layout General Arrangement (with preliminary FFL) H8449-001-02 Rev A shows the proposed 225mm surface water drainage network routes terminating outside 215 Cossington Road, with no manhole or connecting route to MH2302 on the existing surface water network which is their intended surface water discharge point for the development • Noise from sub-station 7m from 235 Cossington Rd • Health impact of sub-station electro-magnetic fields • Concern that the sub-station been moved from previous proposed location • Sub-station is now close to the cadent gas installation • Request hedgehog holes in the fencing
<p>3 letters of comment from 1 address</p>	<ul style="list-style-type: none"> • Request that hedgerow boundaries are retained, protected during construction, to protect wildlife • Why are the affordable homes clustered • Concern about impact on light and privacy

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), Minerals and Waste Local Plan (2019) and the content of the Sileby Neighbourhood Plan (2022).
- 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 weight that can be given to the relevant policies listed above is therefore discussed in the report below.
- 8.3 The main planning considerations applicable to this application are considered to be:
- The outline planning permission
 - Housing mix
 - Landscape, Visual Impact and Open Space
 - Design & Layout
 - Impact on trees
 - Ecology and biodiversity
 - Impact on residential amenity
 - Heritage Assets and Archaeology
 - Highway matters
 - Flood risk and drainage
 - Sustainable construction and energy efficiency
 - Other matters

9. Key Issues

9.1 The outline planning permission

- 9.1.1 The principle of up to 170 dwellings on the site, including the means of access together with associated landscaping and other infrastructure, has been determined by the outline permission granted at appeal, under reference APP/X2410/W/3287864 (Council reference P/21/0491/2). The appeal decision is attached to this report at **Appendix A**. The outline permission was granted subject to conditions, and with a section 106 that secured the following:

	Terms of the signed S106
Affordable housing	30% affordable housing, mix of affordable rented and shared ownership to accord with the Affordable Housing Scheme to be submitted
Allotment contribution	£112.92 per dwelling for provision at Sileby
Bus Display contribution	£120
Bus flag contribution	£170

Bus passes	2 adult bus passes per dwelling for 6 months
Bus pass contribution	£860 per dwelling
Bus stop improvement contribution	£7,000
Bus shelter contribution	£4,500
Education contributions	Early Years £89,070.00 maximum Primary years, secondary and SEN contribution based upon dwelling sizes
Healthcare contribution	£125,269.76 maximum
Library contribution	Per dwelling contribution dependent upon dwelling size
On-site public open space	Minimum of: <ul style="list-style-type: none"> • 0.13ha parks • 0.82ha natural and semi-natural open space • 0.19ha amenity green space • A combined LEAP/LAP • One young persons facility <p>To accord with the On Site Public Open Space Scheme to be submitted</p>
Outdoor sports facilities contribution	£329.36 per dwelling towards Sileby facilities
Primary transport contribution	£220,400.00 towards transporting pupils from the development to primary school
STARS highways contribution	£6,000.00
Travel packs	For each dwelling at £52.85 per dwelling

9.1.2 This application seeks to determine the remaining reserved matters of appearance, landscaping, layout and scale of the approved development and these matters are considered in the sections below. The reserved matters must accord with the conditions on the outline permission and the terms of the signed S106 agreement. These are discussed within the report where applicable.

9.1.3 It is noted that since the appeal decision that granted the outline permission (13/6/22), the Development Plan has changed in that the revised Sileby Neighbourhood Plan (SNP) has been made (15/12/22). The new policies in the SNP are considered in this report, where relevant.

9.1.4 A further change to the planning context of the site since the outline permission was granted is that application P/20/2393/2 was granted permission to the south of the site, on the eastern side of Cossington. The permission is an outline permission for up to 130 dwellings, provision of land for school expansion, open space and children's play area, with all matters reserved except access. The majority of the site of P/20/1293/2 is an emerging allocation HA59 in the submitted Local Plan.

9.2 Housing Mix

- 9.2.1 Housing mix is a matter that is usually secured at outline stage, but in this instance the mix of affordable and market dwellings was not secured in the outline permission. In terms of market mix, the Council and the applicant agreed in the Statement of Common Ground submitted to the outline appeal, that the market mix would be determined at reserved matters stage. The S106 terms secure 30% affordable dwellings (in accordance with Policy CS3 of the Core Strategy and Policy H5 of the Sileby Neighbourhood Plan), and that a mix of affordable rented and shared ownership will be provided.
- 9.2.2 The Housing Supplementary Planning Document supports Policy CS3 and provides further guidance relating to affordable units and supports a mix of 67% affordable social rent and 33% shared ownership. Policy H4 of the Neighbourhood Plan states new housing proposals should provide a mix of house types and size to reflect up to date published evidence of local need in Sileby, or a larger area including Sileby. Policy H5 of the Neighbourhood Plan seeks to provide affordable housing in maximum clusters of 4. 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 should be given to them.
- 9.2.3 Emerging Local Plan policy H1 seeks to provide a housing mix of an appropriate range of tenures, types and sizes. Emerging Local Plan Policy H4 seeks to secure 30% affordable housing on major housing proposals. These policies are at an advanced stage, were considered in the hearing sessions and are consistent with the NPPF. Notwithstanding this it is considered that these policies can only be given limited weight at the present time.
- 9.2.3 The Leicestershire Housing and Economic Needs Assessment (HENA) 2022 outlines a recommended housing mix for the Borough in respect of both market and affordable housing. This includes the following housing mix:

		Current proposal (% are rounded)
Affordable social/affordable rented		34 units
1 bed	35%	24% (8)
2 bed	35%	41% (14)
3 bed	25%	29% (10)
4+ bed	5%	6% (2)
Affordable home ownership		17 units
1 bed	20%	0%
2 bed	40%	47% (8)
3 bed	30%	41% (7)
4+ bed	10%	12% (2)
Market		119 units
1 bed	5%	0%
2 bed	30%	30% (36)
3 bed	45%	45% (53)
4+ bed	20%	25% (30)

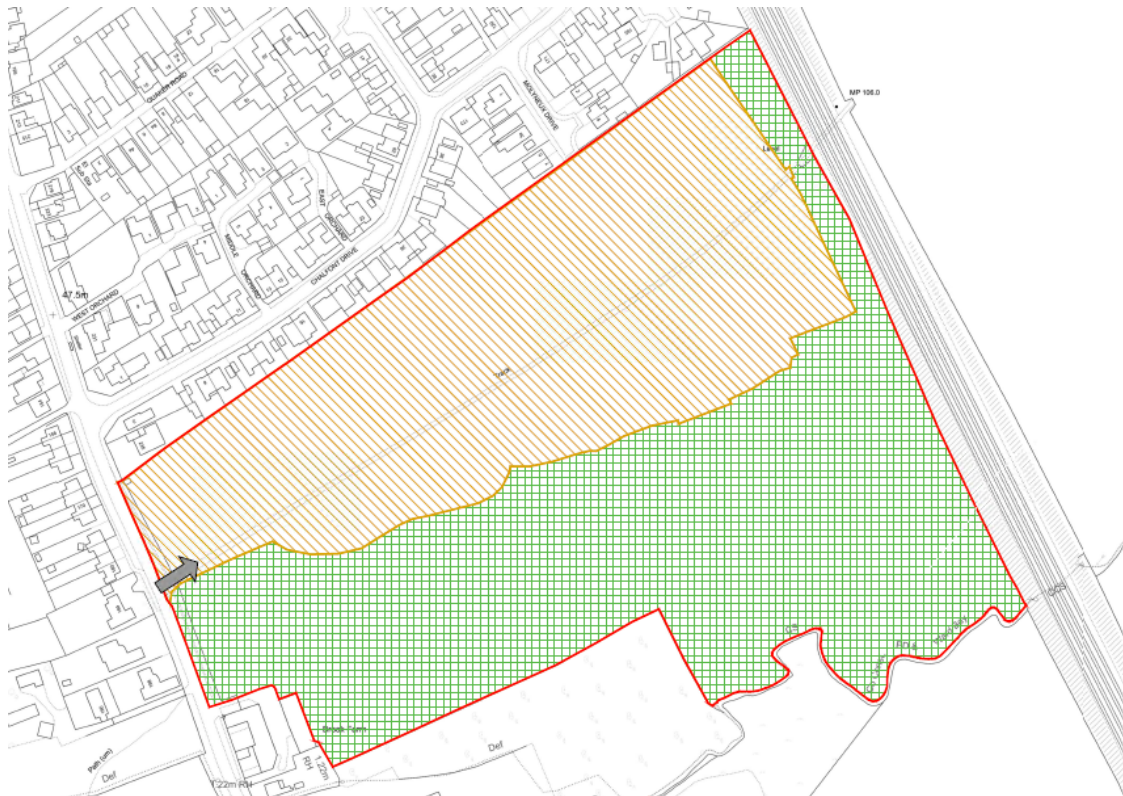
- 9.2.4 51 of the 170 units will be affordable, which is the required 30%. The affordable housing mix has been revised during the application to address comments from the Housing team. The mix now includes two bungalows (plots 58/59), and it can be secured by condition that these are built to Building Regulations M4(3) wheelchair accessible standards and include a level access shower. Informal comments from the housing officer are that the proposed affordable units are acceptable, and a registered provider has been identified to take on the units. The final comments of the Housing team on the proposed affordable housing provision are awaited and will be reported to Plans Committee.
- 9.2.5 The layout has been amended to revise the clustering of the affordable units, and the latest layout (Rev N) shows clusters of 4 units and below. This accords with policy H5 of the Sileby Neighbourhood Plan and the Council's adopted SPD on such matters.
- 9.2.6 In terms of the market mix proposed, this closely reflects the latest evidence of housing need in the HENA (2022). There is no provision of 1 bed units, but 75% of units are 2/3 bedrooms (exactly reflecting HENA and the greatest need in the Borough) and a small (5%) over-provision of 4+ bed units. This is considered to satisfy Policy H4 of the SNP and CS3 of the Core Strategy, and emerging local plan policy H1.

9.3 Landscape, Visual Impact and open space

- 9.3.1 Policies CS2 of the Core Strategy and Neighbourhood Plan Policy G2 seek to require high quality design where people would wish to live through design that responds positively to its context. Policies CS11 of the Core Strategy and saved policy CT/2 of the Local Plan seek to protect landscape character and countryside to ensure that the predominantly open and undeveloped character of the area is protected and maintained. Policy CT/4 of the Local Plan states that in Areas of Local Separation (ALS) development acceptable in principle will only be permitted where the location, scale and design of the development would ensure that, i) the predominantly open and undeveloped character of the area is retained; and ii) the already narrow gap between settlement is reduced. The ALS in this case is Sileby/Cossington, and the principle of the development has been accepted by the grant of the outline permission.
- 9.3.2 The Core Strategy policies generally accord with the NPPF and do not directly frustrate the delivery of housing. As a result, it is not considered that there is a need to reduce the weight given to these policies. Policies CT/2 and CT/4 are not restrictive to development that is acceptable in principle (in this case the principle is established as the site has outline permission) and thus can be considered to have full weight.
- 9.3.3 Emerging Local Plan Policy DS5 requires new development to respect and enhance the character of the area, including landscape. Emerging Policy EV1 seeks to protect landscape character and Policy EV3 only supports development in Areas of Local Separation which preserves settlement hierarchy and maintains the physical and perceptual separation between settlements. The emerging Local Plan is now at an advanced stage and these policies can be given moderate weight.

9.3.4 Landscape and visual character was one of the main issues considered at the appeal where outline permission was granted. The outline application was supported by a Landscape and Visual Impact Assessment (Golby and Luck, Feb 2021) (LVIA) at outline stage, which informed the submitted illustrative masterplan with the outline application, and which informed the Parameters Plan the Inspector requested during the Inquiry. Within condition 18 of the outline permission, the Inspector secured that the development shall be carried out 'in general accordance' with the Parameters Plan (see Figure 1 below). The Inspectors decision noted that the Parameters Plan showed the extent of the built development and provided greater clarity in assessing the proposed development (paragraph 3).

Figure 1: Extract of the Parameters Plan secured by condition 18 of the outline permission



9.3.5 The Inspector considered landscape and visual character in paragraphs 18 to 32 of the appeal decision (see Appendix A). The decision clearly states that the parameters plan indicates that the built development would be confined to the northern half of the site, with a vegetation buffer between the housing and the railway line (paragraph 29). The Inspector noted that the public open space could allow for a greater mix of grassland and meadow planting than the existing field, with the reintroduction of historic field boundaries. It would also increase public access to green space (paragraph 32) as the site does not currently have any public access. The Inspector concluded that the perceptual reduction in the ALS would be limited to relatively short sections of different routes, while the public open space would retain a meaningful break in built form (paragraph 43).

Extent of built development and Area of Local Separation (ALS)

9.3.6 The extent of the loss of the ALS was considered in the appeal decision and the

Inspector concluded that “the proposed area of built development would extend the edge of Sileby southwards by around 60m along the eastern side of Cossington Road and around 160m along the western side of the railway line” (paragraph 39). The Inspector concluded that the harm caused to the ALS and the intrinsic character and beauty of the countryside would be moderate (paragraph 43).

- 9.3.7 The proposed layout is required (by condition 18) to be in general accordance with the Parameters Plan. The applicant acknowledges in their Condition Compliance Statement that the proposed layout is a breach of the Parameters Plan, in that the built development extends further southwards than shown on the Parameters Plan. The applicant considers that the layout is in overall compliance of general conformity with the Parameters Plan.
- 9.3.8 The layout has been revised during the application. The revisions follow discussions with the applicant regarding the original proposal, which was considered to not be in general accordance with the Parameters Plan, as it had a limited green buffer to the railway and the extent of built development was considered to extend further south into the Area of Local Separation.
- 9.3.8 The Parameters Plan defined the extent of the built development for various reasons, as explained in the Landscape and Visual Impact Assessment (LVIA). The LVIA assessed key views of the development and considered the views from the public right of way I47, where it joins Cossington Road, as a key view across the site. This is an open view across the site, across the railway and to the edge of Sileby and the wooded edge of Ratcliffe Road. The LVIA clearly states that the view “should be retained” (paragraph 5.6). The LVIA clearly stated that to maintain the open views from I47, the southern edge of the built form has been aligned with the mature tree on the railway line, roughly central to the eastern boundary. Also, the LVIA noted the view from Humble Lane railway bridge and Blackberry Lane (the Leicestershire Round) and noted that this should be softened by new planting along the eastern site boundary, as shown in the Parameters Plan. In addition, the LVIA noted that this would retain 57% of the site as open space/ALS and set development back from Cossington Road and maintain the open setting to Brook Farm. The LVIA stated that the development would not extend any further south than the semi-detached properties along Cossington Road. The LVIA recommended a landmark building to define the gateway to Sileby and a high-quality landscaped frontage to Cossington Road. The southern edge of the built development was recommended to be low density, of loose structure with high levels of native tree planting to the edge.
- 9.3.9 The approved Parameters Plan shows approximately 53% of the site as open space. The latest layout proposal (Rev N) shows that the built development is largely confined within the built development area defined on the Parameters Plan. The retained area of ALS contains no built development as the sub-station has been removed from within the ALS. The large open space/ALS area proposed is approximately 47% of the site.. The built development has been extended into the ALS along the southern edge, past the tree on the railway boundary, which will impact on the key view identified in the LVIA. The building line of dwellings that front onto the ALS do not extend as far into the open area as the previous layout and would not extend as far as the final bungalow on Cossington Road. On the Cossington Road frontage, the view will be of 6 dwellings fronting onto Cossington Road, and the other

dwellings have been set back from the road with the sense of openness retained by the open aspect into the site, across the proposed SUDS basin and tree planting. The line of built development is set back behind roads that run adjacent to the retained ALS. The southern edge of the site facing the ALS will be characterised by 2 storey dwellings. This is in contrast to current edge of the village, which is characterised by bungalows. But this is considered to be an appropriate new edge to define the village, overlooking the retained ALS. The current southern edge of Sileby is a strong linear boundary of back gardens. The new curved edge of the site that abuts the ALS will be softened by appropriate hedge and tree planting (see below). The layout includes dwellings along the eastern boundary that are set back from the railway line, behind the access road and green space, in general accordance with the Parameters Plan. There will be a trespass proof fence within this area, and potentially an acoustic fence to mitigate the railway noise, which reduces the space available for landscaping.

9.3.10 In summary, the extent of built development and ALS is considered to be generally as was recommended in the LVIA, and the amended layout (Rev N) is considered to be in general accordance with the Parameters Plan.

Proposed landscaping

9.3.11 The Inspector noted in the decision conclusion that “it is intended to mitigate the effect of the development in terms of the ALS and landscape character” (paragraph 79). At outline stage the LVIA recommended the following:

- Space for structural landscaping at the eastern and western boundaries to soften and filter both the development and existing settlement in wider views from the countryside
- Open space setting to Brook Farm
- Open views from I47 should be retained
- High quality landscaped frontage along Cossington Road
- Open space set out as accessible meadows. Play areas, trim trails and footpaths to be sympathetically incorporated.

9.3.12 The landscape proposals have been revised during the application, following discussions regarding the layout and its associated landscaping. The revised Soft Landscape Proposals are plans GL1989 1 to6 Rev J. The open setting to Brook Farm has been retained, as the extent of built development is in general accordance with the Parameters Plan. The western boundary retains the existing hedgerow and trees will be added to soften views into the site. The eastern boundary to the railway will include trees and a native hedgerow. The required play/fitness equipment has been re-located to be close to the housing and to maintain the open character of the ALS.

9.3.13 The ALS area includes trees in small groups and within the new native hedgerows. The hedgerows proposed create smaller areas within the ALS, to reflect the previous historic field boundaries, as proposed at outline stage, to re-create the open meadow character.

9.3.13 The proposed native hedge along the southern edge of the built development is set

back from the road edge by 5 metres into the open space, rather than abutting it, reducing its open character. The applicant has stated that this is because the site sub soils are defined as medium volume change potential in the ground investigation. This means they have potential to shrink and swell depending on how much moisture is present. The applicant states that the Hawthorn species in the native mix is recognised as a high water demand plant and will therefore draw moisture from soils and cause them to shrink. This will influence any structures adjacent, in this case the private driveways, highway turning heads and nearby foundations. The applicant states that they have experienced tarmac driveways crack and fail due to an adjacent Hawthorn hedge causing ground shrinkage. Ultimately the short term risk is low, as the small whips usually planted won't draw a great amount of water immediately. As they mature however the likelihood of issues increases and therefore customer care costs. The applicant acknowledges that it is technically possible to locate the hedge closer to the built development of the scheme, but that additional costs would be incurred in facilitating root barriers and other foundation protections.

9.3.14 The Council's Landscape Officer considers that the hedgerow would be best to be located close to the road along the boundary with the open space, to maximise its open nature, in accordance with the LVIA. The tree officer advises that the perceived risk has not been evidentially demonstrated by the applicant. Even where such a risk is clearly demonstrated, the use of various options to achieve good design can reduce risk to an acceptable level. Within the species mix provided, only hawthorn is reported as a high water demand species and the hedge is proposed to be clipped on a regular basis. Regular cutting of a hedge will mitigate water demand and the omission of hawthorn or replacement with another species may further mitigate any concerns, warranted or otherwise. The use of permeable surfacing and open soil can allow rehydration so that shrinkage is minimised and so that lateral growth is preferential away from highway surfacing. The use of root barriers may also limit the spread of roots into the sub-base and further reduce the risk of movement. Therefore, it is considered that the hedgerow should be positioned along the edge of the road.

9.3.15 Final comments from the landscape officer are awaited, but informal comments are that the soft landscaping proposals are generally acceptable. However, points of concern include clarity around the extent of hedgerow removal/retention along Cossington Road, the 5m set back position of the hedgerow and lack of detail to the planting plans. Final landscape comments will be reported to Plans Committee.

9.3.16 Network Rail has commented that the tree species proposed adjacent to the railway are not appropriate and should be revised. Therefore, the landscaping plans although largely acceptable, will need to be revised to amend the hedgerow location and update the tree species. This can be secured by condition.

Proposed open space

9.3.17 Policy CS15 seeks to ensure adequate open space is provided to serve the needs of new development. This policy generally accords with the NPPF and does not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to the policy. Emerging Local Plan Policy EV9 supports major residential development which provide on-site open

space, sport and recreation facilities in accordance with standards, having regard to the latest assessment of needs and priorities, the quantity, accessibility and quality of existing provision and viability; and/or contribute towards off site provision in accordance with our standards, where on site provision is not possible or desirable. This policy accords with the NPPF and is considered to carry moderate weight.

9.3.18 The S106 secured the following minimum amounts and types of open space:

- 0.13ha parks
- 0.82ha natural and semi-natural open space
- 0.19ha amenity green space
- A combined LEAP/LAP
- One young persons facility

9.3.19 The revised layout shows the village green as well as the large area of open space which is ALS. A LEAP is provided and young persons play equipment. As the green space is ALS, the strategy for the open space has been revised to be more natural in appearance and retain a sense of openness, rather than all be for play and recreation. The Open Space Typology and Areas Plan shows the LEAP/LAP and the village green and area adjacent to the LEAP as the park area. The amenity green space is provided along the edge of the housing. The majority of the open areas are natural/semi-natural open space including around the SUDs basin. The landscaping strategy now has a clear distinction between areas prioritised as amenity space, and the majority of the site is defined for natural accessible meadow space retaining its natural character. Soft Landscaping Plan 06J shows details of the proposed LEAP/LAP equipment.

9.3.20 The open space officer advises that the typology plan will need to be revised to reflect the required amended position of the hedgerow (i.e. closer to the road on the southern edge of the built up area) and that the currently unclassified areas (shown as white on the plan) can be incorporated into the amenity provision. This can be secured by condition. Final formal comments of the open space office will be reported to Plans Committee.

9.3.21 In summary, the landscaping and open space strategy, subject to condition to secure that the Soft Landscaping Plans are revised to move the hedgerow location to be alongside the southern road, to define the edge of the ALS, and to revise the tree species adjacent to the railway line, (and the Open Space Typology and Areas Plan updated to reflect this) secures the predominantly open and undeveloped character of the ALS, and the landscaping plans will secure an appropriate strategy, with sufficient detail. The proposal is therefore considered to meet Policies CS2 and CS11 of the Core Strategy, Neighbourhood Plan policy G2, saved Policies CT/2 and CT/4 of the Local Plan and Policies DS5, EV1, EV3 and EV9 of the emerging Local Plan.

9.4 **Design and Layout**

9.4.1 Policies CS2 and, EV/1 seek high quality design for new development which is compatible with the locality in terms of scale, layout massing and materials. New development should provide positive and attractive built frontages to existing or proposed public spaces including roads, footpaths and areas of public open space.

Policies CS11 and CT/2 seek to protect landscape character and countryside. These policies generally accord with the National Planning Policy Framework 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.

- 9.4.2 Policy G2 of the Sileby Neighbourhood Plan requires development to enhance and reinforce local distinctiveness and character and states that contemporary or innovative design will be encouraged, where compatible with the area. The policy requires provision for household waste storage, and charging for electric vehicles.
- 9.4.3 Emerging Local Plan Policy DS5 requires development to make a positive contribution to Charnwood by responding positively to local distinctiveness, new developments are required to respect and enhance the character of the area with regard to scale, density, massing height, layout, materials, access and heritage assets and their setting. The emerging Local Plan is at an advanced stage and this policy can be given moderate weight.
- 9.4.4 The NPPF seeks the creation of high quality, beautiful and sustainable buildings and places. Development that is not well designed should be refused.
- 9.4.5 The outline permission includes condition 18 which states that the development shall be carried out in general accordance with the location plan, site access drawing and the Parameters Plan. The location plan submitted matches that approved at outline stage. The site access shown on the latest Planning Layout (Rev N) accords with the approved site access (and this has been formally confirmed by LCC Highways 28/3/24). The Parameters Plan secured at outline stage is shown earlier.
- 9.4.6 The Parameters Plan was requested by the Inspector during the Inquiry and reflects the indicative layout submitted with the outline application. That layout was informed by the documents submitted in support of the outline application, including the LVIA, as discussed above.
- 9.4.7 The context of the site should be a key consideration to the design. The west side of Cossington Road, opposite the site, is characterised by bungalows and 2 storey terraces of 4 dwellings of largely red brick with render elements and hipped roofs. Each dwelling has a horizontal emphasis, and limited design features, but chimneys are prominent. Chalfont Drive, Molyneux Drive and Charles Street to the north are characterised by hipped roof bungalows with projecting gables and 2 storey red brick semis with porch features. Again, chimneys are a common feature. Low level hedges/brick walls are typical boundary features to front gardens, and parking is usually on plot. There are very few examples of dormers, although the dormer bungalow of 235 Cossington Road is prominent from Cossington Road. The adjacent Brook Farm buildings are red brick with slate roofs and are of limited height.
- 9.4.8 The application is supported by a design and access statement addendum (Feb 2024). It states that there is a balance between built development and open space. Development is set back from Brook Farm so that its setting is not encroached upon. The southern edge has been redesigned to be more varied in design and orientation and with a more consistent ridge height. Tree lined streets have been introduced. The frontage parking has been broken up by landscaping features. The highway to

the southern edge is less formal, via the use of block paving and private drives. The properties along Cossington Road have been revised to better reflect the character of the existing street. Landmark buildings have been introduced in prominent locations, such as corners and the end of streets. The separation distances in the Design SPD have been achieved. The hedgerow to the northern boundary of the site is retained and will be enhanced as a landscape strip and maintained by the Management Company. Footpaths are provided within the housing area and through the open space. A mix of 1, 2 and 2.5 storey dwellings are proposed. The materials proposed are red and red/buff brick, with red or grey tile and elements of ivory render.

9.4.9 As set out above, the submitted layout is considered to be in general accordance with the approved Parameters Plan. The Inspector chose to secure the Parameters Plan at outline stage to define to what extent the built development was to be permitted to extend. The latest layout (Rev N) shows that the built development will extend approximately 17m further into the ALS (approximately 30m if the road is included), along part of the southern boundary of the development.

9.4.10 The latest layout (Rev N) has been improved during the application. The improvements include:

- The main street is now tree lined as advocated in the NPPF paragraph 131
- The northern boundary with the railway line, which will face the railway boundary fence, is now softened by additional green space and landscaping
- The frontage parking has been reduced and/or softened by landscaping or other features
- Vehicular cut through removed due to the larger re-designed village green
- Parking spaces belonging to dwellings removed from the ALS
- All parking spaces meet the 2.4m x 5.5m size (plus extra 0.5m/1.0m width if adjacent a wall/fence)
- The small amenity spaces for the 1 bedroom dwellings have been removed (they were unusable due to their size/shape and enclosed nature) and replaced by just bin store areas.
- The building line to the southern edge of the built up area of the site has been revised to be set further back and is less uniform in design and spacing. The 2.5 storey dwellings have been minimised in this edge of village location, as the settlement edge is currently defined by bungalows along Cossington Road and Chalfont Drive.
- The site frontage plots facing Cossington Road have been revised to reflect the character of the existing in terms of house style/design
- Feature buildings have been added to key sightlines such as bends in the road and ends of the streets, to highlight key points within the site layout

9.4.11 The layout is not supported by a detailed levels plan to show how the dwellings will follow the levels of the sloping site. (The outline permission condition 6 requires certain levels to be achieved to mitigate against flooding). The submitted Road and Sewer Layout General Arrangement plan (Rev A) shows preliminary floor levels only, which could vary by +/-600mm. Final levels details will need to be secured by

condition to ensure that the street scene visual impact and the relationship between the proposed dwellings, and to neighbouring existing dwellings is appropriate.

3.4.12 The dwelling designs have been revised to take design cues from the context of the site. The proposed house types include window cill and lintel detailing, eaves details, chimneys on landmark plots, bay windows and porches. A selection of the proposed house types are shown below.

Figure 2: Selection of the proposed house types



3.4.12 The dwelling designs are considered to be appropriate in style for the edge of Sileby. The 2.5 storey dwellings are within the site, around the village green, and along sightlines with the site. The southern edge has been re-designed to be a softer edge to the village, with a mix of dwelling types, more spaced and only 2 storey in height.

Figure 3: Cossington Road frontage



Figure 4: Part of the proposed southern edge of the development



- 3.4.13 The boundary treatment plan (Rev E) shows that public boundaries are largely to be brick walls with piers and integrated fence panels, and private boundaries between gardens are to be 1.8m fencing. The landscape strip to the northern boundary (between the existing and proposed dwellings) is to be secured by 1.8m fencing, and where open to parking areas, the landscaping plans show meadow grass and hedgerow boundary planting. The open space and village green are to be defined by 0.45m high timber posts. The plan is considered to be generally acceptable (some public areas could benefit from brick boundaries e.g. plots 74, 81, 39, 42/43 etc and fences do not include hedgehog gaps), but as the levels are yet to be finalised, the boundary treatment cannot be finalised as yet. Final boundary treatment details will be secured by condition. No boundary treatment is shown to the railway boundary as details of a trespass proof fence are required to be approved by condition 12 of the outline permission.
- 3.4.14 The Materials Plan (Rev F) shows that 4 bricks are proposed (a colour palette of red, red/brown and buff) and both red and grey roof tiles and render will be ivory. Doors and garages are to be black, and fascias/soffits white. The buff brick is not a prominent local material but is only proposed around the village green only, along with render, and will not be prominent from Cossington Road. These details can be secured by condition.
- 3.4.15 Plans have been submitted to show waste storage and collection details and electric vehicle charging points. These can be secured by condition.
- 3.4.16 The Surface Treatment Plan (Rev F) shows a mixture of tarmac and block paving for road surfaces. Each dwelling will have a paved area for access and bin storage. This can be secured by condition.
- 3.4.17 In summary, the layout is considered to be in general accordance with the approved Parameters Plan because the extent of built development generally accords with that of the Parameters Plan and retains an area of local separation to Cossington. The layout is considered to be high quality design and the dwelling designs reflect the local context. The submitted plans can be secured by condition, to secure design, materials, hard surfaces, boundary treatment details etc. Subject to those details secured by condition, the proposal is considered to accord with condition 18 of the outline permission and policies CS2 and CS11 of the Core Strategy, EV/1 and CT/2 of the Local Plan, policy G2 of the Sibley Neighbourhood Plan, emerging Local Plan Policy DS5 and the NPPF, National Design Guide and the Design SPD.

9.5 Impact on Trees

- 9.5.1 Policies CS2 and CS11 of the Core Strategy seek to ensure high quality design that reflects the character and context of the area, which in this location comprises low density development and agricultural land with mature trees and hedges. These policies generally accord with the National Planning Policy Framework and do not conflict the supply of housing. Emerging policy EV7 supports the retention of existing trees and new native tree planting. The policy has been examined and can be given moderate weight at this time.
- 9.5.2 The outline permission included a Tree Survey which identified 3 hedges, 7 trees and 7 tree groups on site. The northern hedge boundary is to be retained in the landscaping strip outside of dwelling gardens, and the western hedgerow is retained (save for the site access). Outline condition 8 requires an Arboricultural Method Statement to be submitted an approved and approved prior to development commencing but that is a separate requirement and not part of this 'reserved matters' application..
- 9.5.3 Concern has been raised regarding the tree species proposed adjacent 235 Cossington Road. The landscape officer has not raised any concerns regarding the tree proposed nearest to that property. 9.5.4 Consequently, the proposed development accords policies CS2, CS11 and emerging policy EV7.

9.6 **Ecology and Biodiversity**

- 9.6.1 Policy CS13 of the Core Strategy along with policies ENV6 and ENV8 of the Neighbourhood Plan seek to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. Policy ENV6 of the SNP seeks at least 10% biodiversity net gain from major developments. Policy G2 of the SNP requires development proposals to maintain and enhance biodiversity, and where appropriate include hedgehog gaps in fences/hedges, integral bird/.bat boxes, lighting appropriate for bats.
- 9.6.2 Emerging policy EV6 of the Draft Local Plan seeks 10% biodiversity net gain and the protection and enhancement of habitats, species and networks. The Environment Act 2021 makes provision for mandatory 10% biodiversity net gain and has been brought into force. As a reserved matters proposal, this is not a grant of planning permission and so is exempt from mandatory net gain. The outline permission was granted prior to mandatory net gain and therefore is not subject to mandatory net gain. Therefore, emerging Local Plan policy EV6 can be given only moderate weight until the emerging policy is further progressed towards adoption.
- 9.6.3 A Biodiversity Impact Assessment was submitted at outline stage which concluded that the site could deliver net gain of around 39% for habitats and 74% for hedgerows. This was considered to be acceptable by the Inspector (paragraph 79 of the appeal decision refers). Condition 17 of the outline planning permission requires the submission of a Landscape and Biodiversity Management Strategy for the development.
- 9.6.4 The current reserved matters proposals make provision for retention of trees and hedges and increased hedgerow planting and green infrastructure provision which will result in habitat retention and creation at the site. The applicant has submitted

a BIA assessment of the revised layout. The Council's Principal Ecologist considers that the submitted matrix contains significant problems, but that once adjusted to remove errors, the overall net gain is reduced, but it is considered that net gain can be achieved. Therefore, it is accepted that a biodiversity net gain will be achieved in excess of 10% for habitats and hedgerows.

- 9.6.5 Condition 17 of the outline requires a Landscape and Biodiversity Management Strategy to be submitted and agreed, via the discharge of that condition. The applicant has submitted a Landscape Management Plan, but this does not detail ecology matters or reflect the latest revised BIA. The condition 17 has not yet been discharged and would secure management of the green space on site.
- 9.6.6 Natural England raise no objection subject to appropriate mitigation of water quality to be secured to protect the Loughborough Meadows SSSI. The Council's Principal Ecologist confirms that the site is hydrologically connected to the SSSI, and that the drainage design mitigates any potential impacts upon water quality.
- 9.6.7 Overall, it has been demonstrated that the proposal will deliver net gain on site in compliance with policy CS13 of the Core Strategy, and more than 10% as required by policy ENV6. The proposal also accords with policies ENV8 and G2 of the Neighbourhood Plan and emerging Local Plan Policies EV6 and EV7.

9.7 **Impact on Residential Amenity**

- 9.7.1 Policies CS2 of the Core Strategy and EV/1 of the Local Plan seeks to protect the amenity of existing and future residents and require high quality design that does not impact on the amenity of adjacent properties or create poor standards of amenity for future occupiers. The Charnwood Design SPD (2020) also provides spacing standards and guidance to ensure an adequate level of amenity is achieved. This includes separation distances of 21m between 2 storey dwellings for privacy between habitable rooms, and 12.5m separation distances between ground floor habitable room windows and 2 storey flank walls to avoid overbearing impacts.
- 9.7.2 Policy G2 of the neighbourhood plan seek to protect the amenity of existing and future residents. Emerging Local Plan policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development. The policy is at an advanced stage and hearing sessions in June 2022 considered the policy and it is consistent with the NPPF. The policy can be given moderate weight.

Existing properties

- 9.7.3 Objections have been received from existing residents, raising concerns regarding overlooking and overbearing. The application includes a Dwelling Separation Distance Plan (Rev E) which demonstrates separation distances of 21 to 24.04 metres between the rear of the single storey dwellings on Chalfont Drive and the rear of the new dwellings that will back onto them. Flank to flank distances of 12.5m are demonstrated between the new and existing dwellings. The side of plot 58 faces the garden of 7 Molyneux Drive, but this proposed dwelling is a bungalow so will not overlook the garden. The rear gardens of plots along the northern boundary do not

directly abut the existing properties and are separated by a landscape strip and retained/enhanced hedgerow.

- 9.7.4 Concerns have been raised regarding the noise and potential health impact of the proposed sub-station in the north-western corner of the site, on the closest existing dwelling 235 Cossington Road. The sub-station is to be approximately 5m from the site boundary with number 235 (at the closest point). It is understood that habitable rooms face the site boundary. The Environmental Health officer advises as follows “the noise is characterised by a 100Hz hum that is present at all times (except when de-energised) together with a usually smaller 200Hz component. Low frequency noise can be very difficult to attenuate. Whilst transformer manufacturers endeavour to make their product as quiet as possible, a certain amount of noise emission is inevitable. Although the noise level does not present a hazard as such, it can give rise to complaints. Transformer noise is generally most noticeable during the night, when the background noise level abates. This risk can be mitigated by locating HV substations at least 5m away from dwellings in general, and from bedrooms in particular. It is therefore recommended that the developer designs any new transformer building to mitigate the 100Hz and 200Hz tonal noise from reaching any residential property and the building be located at least 5m away from existing and proposed dwellings.” Therefore, the sub-station is to be at least 5m from number 235, and a condition can be imposed to secure further details of the noise mitigation within the sub-station building.

Future occupants

- 9.7.5 The new dwellings would all have acceptable separation distances between them, largely in accordance with the standards recommended in the SPD.
- 9.7.6 The majority of proposed garden spaces are well located and of sufficient size and usable shape. Some proposed dwellings have no garden amenity space and are only provided with small external areas for bin storage (plots 75/76, 61/63, 56/57 and 50-53). Some of these units are affordable units and no objection has been received from the housing officer to the lack of private external space and such arrangements have been accepted for house types of this nature on other layouts. The site also has good access to the proposed public outdoor space, so in this instance this is acceptable.
- 9.7.7 Plot 1 is to be located approximately 3.6m from the sub-station. The plot would have no habitable room windows facing the sub-station. Therefore, with the condition as suggested above, it is considered that the impact on this plot will be acceptable.

Building Regulations standards and national space standards

- 9.7.8 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 H3 relates to national internal space standards. Neighbourhood Plan Policy H4 encourages this standard of new homes also. The emerging policies are at an advanced stage with hearing sessions in February 2023 considering them, however they are subject to objections and Policy H2 may also be subject to main

modifications and can therefore be given limited weight at this time.

9.7.9 The applicant states that as these policies do not require compliance, or are not yet adopted, compliance has not been provided. Non-compliance with the emerging policies can be given limited weight. As Policy H4 only encourages the national space standards, the policy has not been breached.

9.7.9 Overall, the proposal would, subject to the conditions, accords with the provisions of policies CS2 of Charnwood Core Strategy and EV/1 of the Local Plan along with the NPPF, National Design Guidance and the guidance set out in the Design SPD to protect residential amenity.

9.8 **Heritage Assets & Archaeology**

9.8.1 Planning policy CS14 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. This policy generally accords with the NPPF and does 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.

9.8.2 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.

9.8.3 Paragraph 203 of the NPPF states that when considering the impact of a proposed development on the significance of a non-designated heritage asset, great weight should be given to the asset's conservation.

9.8.4 There are no designated heritage assets within the vicinity of the site, however Brook Farm to the south of the site is on the Charnwood Local List and is therefore classed as a non-designated heritage asset (Locally Listed Building). The significance of the Brook Farm Locally Listed Building can be described as follows:

- 19th Century Cottage style Farmhouse.
- Constructed from red brick with stone label mouldings to window openings. Hipped slate roof. Squat ridge stack with corbelled head and stone pots.
- Associated built form is a cluster of Barns constructed from red brick with pitched slate roofs. Entrance gable also features five expressed brick courses tiered above first floor gable opening and finishing under apex.

9.8.5 The proposed built development generally accords with the Parameters Plan and therefore the setting of Brook Farm remains open and free from built development. The sub-station previously proposed in the green space to the south of the access, has been removed and re-sited away from Brook Farm. The open space will contain a large SUDs basin adjacent to Brook Farm. The final design of the SUDs drainage

feature is not known as it will be secured via the discharge of conditions of the outline permission, separately from this reserved matters application. The SUDS design should be a naturalistic feature rather than engineered so as to retain the open rural setting of Brook Farm.

9.8.6 The setting of Brook Farm will not be detrimentally impacted by the proposal and therefore accords with the provisions of Policies CS14 and EV8, the NPPF and the Act in this regard.

9.9 **Highway Matters**

9.9.1 Policies CS2 and CS18 of the Core Strategy and TR/18 of the Local Plan seek to ensure safe access is provided to and around new development. Neighbourhood Plan Policy T2 requires new development to provide suitable car parking in accordance with the Leicestershire Highways Design Guide. Neighbourhood Plan Policy T5 supports walking and cycling provision. The 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.

9.9.2 Paragraph 115 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. 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 113-115).

9.9.3 Emerging Local Plan Policy T3 requires new development to provide car parking in accordance with the latest published guidance of the County and Borough Councils. Emerging Policy CC5 supports provision of sustainable transport options. Policy T3 is at an advanced 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.

9.9.4 The outline planning permission approved the location of the main vehicular access point off Cossington Road opposite number 184 (conditions 13 and 18 of the outline planning permission). A scheme for speed reduction measures along Cossington Road is secured under condition 16 of the outline planning permission. The submission of a Travel Plan for the development is also secured via condition 15 of the outline planning permission.

9.9.5 Local concern has been raised over highway safety in the locality arising from additional traffic. However, the principle and the quantum of the development in relation to the safe operation of the highway network has been established at the outline application stage and is not for consideration at the current reserved matters stage.

9.9.6 The current reserved matters application seeks permission for the detailed internal highways layout along with off-street parking for the dwellings. The submitted proposals have been amended throughout the application process following

consultation with the Leicestershire County Highway Authority (LHA). The LHA confirm that the site access generally accords with the site access approved at outline stage. The internal layout shown in layout Rev M was not acceptable and the Applicant has submitted Rev N to address this. Overall, the LHA raise no objection to Rev N subject to conditions to secure the access implementation, parking and turning provision and site drainage details.

9.9.7 The Highways Authority have confirmed that various plans need to be updated to accord with the latest Rev N site layout. These plans are awaited and details will be reported to Plans Committee.

9.9.8 The LHA confirm that the proposed development is considered to be in accordance with Policies CS2 and CS18 of the Core Strategy and TR/18 of the Local Plan, Neighbourhood Plan Policies T2 and T5 and the Leicestershire Highways Design Guide, and emerging policies T3 and CC5 of the emerging Local Plan.

9.10 **Flood risk and drainage**

9.10.1 Policy CS16 of the Core Strategy supports developments that take the opportunity to reduce flood risk elsewhere. Policy CS16 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. Neighbourhood Plan policy ENV10 seek to ensure that new development is not at risk of flooding and that it does not cause flood risk elsewhere.

9.10.2 Emerging Local Plan Policy CC1 directs development to areas with the lowest risk of development and encourages development to incorporate Sustainable Urban Drainage Systems (SuDS). Emerging policy CC2 states development will include appropriate measures to manage flood risk. These policies are at an advanced stage and are consistent with the NPPF so can be given moderate weight.

9.10.3 Conditions are attached to the outline planning permission which require the submission of a surface water drainage scheme (including management and maintenance) and foul sewage disposal scheme along with the provision of flood mitigation measures.

9.10.4 The reserved matters application is supported by a Road and Sewer Layout General Arrangement plan (Rev A). Local concern has been expressed regarding the potential impact on flooding in the locality. In response to this concern investigations have been undertaken to identify the origins of this concern. The local flooding concern relates to an existing ditch to the rear of No.122 Cossington Road (circa 285m from the site to the north) which receives flows from an adopted Severn Trent Water surface water system and discharges through third party land. This ditch has been poorly maintained by the third-party landowner and, at the present pre-development time, overflows during periods of heavy rainfall. It is understood that if maintained properly however, the ditch is capable of draining surface water run-off.

9.10.5 The latest Lead Local Flood Authority (LLFA) consultation response (21/3/24) notes that the applicant is seeking options to undertake the maintenance work themselves to resolve this issue and the LLFA support this. The LLFA recommend that this

existing off-site flood risk is addressed through provision of appropriate maintenance prior to the developer starting on site (i.e. prior to relevant surface water drainage conditions being discharged). Public comments have suggested that this could be secured via condition, but it is considered that such a condition would not meet the 6 tests needed for planning conditions (NPPF paragraph 56). Such a condition would be relevant to planning and to the development. However, a condition is not suggested by the LLFA in their latest response, nor was it suggested at outline stage and so is not considered necessary to make the development acceptable in planning terms. The works required are on third party land and so the condition is not within the control of nor enforceable against the applicant. The applicant has stated that they have in principle agreement with the landowner to remedy the drainage issues, however it is understood that no formal legal agreement is in place. In addition, the condition would rely upon the approved details of condition 5 of the outline permission, which the LLFA advise should not be discharged until the maintenance work is undertaken. Therefore, it is considered that such a condition is not appropriate within the scope of this reserved matters application.

9.10.6 Public comments have also suggested that a condition should require the ongoing maintenance of the off-site ditch. Such a condition would not meet the 6 tests needed for planning conditions for this development (NPPF paragraph 57).

9.10.7 Therefore, it is considered that an informative on the reserved matters decision notice is the best way to address the concern raised. The informative would advise that the LLFA recommend that the existing off-site flood risk is addressed through provision of appropriate maintenance prior to the developer starting on site (i.e. prior to relevant surface water drainage conditions being discharged). Evidence of that appropriate maintenance should be submitted with any application to discharge condition 5 of the outline planning permission P/21/0491/2 (APP/X2410/W/21/3287864).

9.10.7 The Leicestershire Lead Local Flood Authority (LLFA), Severn Trent Water and the Environment Agency have been consulted on the reserved matters proposals with no formal objections raised. It is considered by these statutory consultees that the drainage proposals are acceptable subject to the submission of further details to discharge conditions 5, 6 and 7 of the outline permission.

9.10.8 Subject to no concerns being raised by the LLFA, it is concluded therefore that the proposed development can be accommodated on the site without causing or exacerbating flooding to other properties. The proposal is therefore concluded to be compliant with policy CS16 of the Core Strategy, ENV10 of the Neighbourhood Plan, emerging local plan policies CC1 and CC2 and the Framework.

9.11 **Sustainable construction and energy efficiency**

9.11.1 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.

9.11.2 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.

9.11.3 The application includes very limited detail as to the use of sustainable construction and how the layout, orientation and design of the dwellings have been designed to minimize energy use and maximise solar gain. The applicant states that the development will meet building regulations, meets or exceeds domestic water use and waste production levels as this is standard practice. The applicant advises that SAPS calculations will be prepared on grant of permission to understand the dwellings subject to solar photovoltaics.

9.11.4 This major proposal has not demonstrated how the need to reduce emissions has influenced the design, layout and energy source used. The adopted policy encourages but does not specifically require sustainable design measures. Therefore, despite this deficiency, the proposal is considered to meet policy CS16 of the Core Strategy and emerging policy CC4 of the Local Plan.

9.12 **Other matters**

9.12.1 Noise attenuation measures to mitigate the impact of the railway line and Cossington Road was secured via condition 10 of the outline planning permission. The Noise and Vibration Assessment accepted at outline stage, suggested two options to deal with the noise level. One option was careful site layout design to Cossington Road and the Midland Main Line Railway, using dwelling frontages to provide screening to gardens behind. (This was demonstrated by the Illustrative layout at outline stage). The second option is for a 2.5m high acoustic fencing, on the boundary adjacent to the Midland Main Line Railway, which allows greater flexibility in the layout adjacent to the rail line.

9.12.2 The applicant has submitted an Acoustics and Overheating Assessment (Feb 2024) with this reserved matters layout. The Assessment is based upon the superseded Rev L of the site layout, and a survey undertaken in August 2022. The Assessment concludes that the plots most exposed to the noise sources will require noise mitigation measures, in addition to a 2.5m high acoustic fence along the northern boundary with the railway. Also, overheating ventilation will be required to some plots.

Figure 4: Extract of the Acoustics and Overheating Assessment (Feb 2024), the location of proposed acoustic fence is shown in black



9.12.2 The applicant has indicated that a 2.5m high acoustic fence will be required along the boundary with the railway opposite the housing to the east of the site. The fence will be at the highest point of the site and will impact on the visual amenity of that part of the site. However, the revised site layout (Rev N) includes additional landscaping space between the dwellings and the railway line, and increased planting which will soften the appearance of the fence boundary and reduce its visual dominance to those nearest dwellings, and its landscape impact.

9.12.3 The Borough Council's Environmental Health Officer has reviewed the submitted Assessment and raises no objections, and states that its recommendations will need to be secured by condition. However, the final details of the noise attenuation measures are required by condition 10 of the outline permission, and a discharge of condition application is therefore required. Details are therefore not approved as part of this reserved matters application and so no conditions are proposed.

9.12.2 Local concern has also been raised regarding potential noise, disturbance and vibration damage to nearby occupiers. The outline planning permission requires the submission of a construction management plan for the development which will restrict working hours and lighting etc (condition 4). This will prevent undue noise and disturbance throughout the construction process. Any potential damage to existing properties would be a private matter and outside of the planning legislation. The applicant has submitted a Construction Management Plan (Rev E) but this is a discharge of condition requirement, and I therefore not approved as part of this reserved matters application.

9.12.3 The outline permission includes compliance conditions relevant to this application and also other conditions that will need to be discharged. The relevant conditions have been discussed within the report.

- 9.12.4 External lighting has been raised as a concern by existing residents. Condition 11 of the outline permission requires external lighting details to be submitted and approved.
- 9.12.5 Concern has been raised regarding the submitted plans indicating different separation distances between existing and proposed properties. The Cross Section plan and the Dwelling Separation Distance Plan (Rev E) show the same figures. The final levels details are not yet finalised, and so the Cross Sections plan, which shows potential levels between the existing bungalows and proposed dwellings is not a plan that is to be approved.
- 9.12.6 Comments have been received regarding the number 2 bus service serving Sileby. The S106 agreement secured improvements to the 2 nearest bus stops and a new bus shelter on Cossington Road. The Highways Authority have not commented on the change to the bus service.

10. Conclusion

- 10.1 The proposal for 170 dwellings is acceptable in principle and has outline planning permission. The reserved matters application seeks approval of the outstanding matters of appearance, landscaping, layout and scale.
- 10.2 Overall, it is considered that the submitted proposal is in general accordance with the Location Plan, Proposed Site Access Junction and the Parameters Plan as required by condition 18 of the outline planning permission, and incorporates those elements of the s106 that are relevant to the design and layout.
- 10.3 The submitted plans and details are considered to meet the relevant adopted policy as discussed above, subject to the imposition of conditions. The NPPF, emerging Local Plan policies, the Design SPD and Housing SPD are material considerations that also weigh in favour of approval.
- 10.4 The recommendation below is made subject to the final comments awaited from the housing and landscape officers, which will be reported to Plans Committee.

11. Recommendation

11.1 RECOMMENDATION A:

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

11.2 Recommended conditions:

1. Except where required by subsequent conditions, the development shall not be carried out otherwise than in complete accordance with the following approved plans:
 - Site Layout H8449-001-01Rev N (received 27/3/24)

- Wilford brick Plot 11 P204XEH7.B.01 Rev A (received 6/3/24)
- Wilford brick Plot 12 P204XEH7.B.02 Rev A (received 6/3/24)
- Plot 107 brick SH55.XEG7.B.01 Rev A (received 6/3/24)
- Plot 138 brick SH55.XEG7.B.02 Rev A (received 6/3/24)
- Plots 54,55,60&61 floor plans brick P232/233XEG7.B.01 Rev A (received 6/3/24)
- Plots 54,55,60&61 elevations brick P232/233XEG7.B.02 Rev A (received 6/3/24)
- Plots 56&57 floor plans brick P232/233XEG7.B.03 Rev A (received 6/3/24)
- Plots 56&57 elevations brick P232/233XEG7.B.04 Rev A (received 6/3/24)
- Plots 62&53 floor plans brick P232/233XEG7.B.05 Rev A (received 6/3/24)
- Plots 62&53 elevations brick P232/233XEG7.B.06 Rev A (received 6/3/24)
- Shenton Render Plot 47 H331XH7.R.01 Rev A (received 4/3/24)
- Shenton Render Plot 42 H331XH7.R.02 Rev A (received 4/3/24)
- Shenton Plots 48,117,124 H331XH7.B.01 Rev A (received 4/3/24)
- Ingleby brick plots 46,49,98,146 H303XF7.B.01 Rev A (received 29/2/24)
- Ingleby Plots 8,10,17,106&155 H303XF7.B.02 Rev A (received 29/2/24)
- Hertford render Plot 37 H370.PL37.01 Rev A (received 29/2/24)
- Kirkdale brick plots 78,79,128,131 H442XH7.B.01 Rev A (received 29/2/24)
- Kirkdale brick plots 101,102,105 H442XH7.B.02 Rev A (received 29/2/24)
- Buckingham render plot 126 H597.PL126.01 Rev A and 02 Rev A (received 29/2/24)
- Plot 4 brick P282XI.B.01 Rev A (received 29/2/24)
- Plot 26 brick SH50XEG7.B.01 Rev A (received 29/2/24)
- Plots 91,136 brick SH54XEH7.B.01 Rev A (received 29/2/24)
- Plots 90,135 brick SH54XEH7.B.02 Rev A (received 29/2/24)
- Plots 50-53 brick SH80D7.B.01 Rev A (received 29/2/24)
- Plot 71 brick T310XI7.B.01 Rev A (received 29/2/24)
- Hertford brick plot 41 H370XG7.B.01 Rev A (received 29/2/24)
- Exeter render plot 163 H418XH7.R.01 Rev A (received 29/2/24)
- Exeter render plots 170 H418XH7.R.02 Rev A (received 29/2/24)
- Buckingham brick plots 39&40 H597XG7.B.01 Rev A and B.02 Rev A(received 29/2/24)
- Buckingham brick plots 125,127,132 H597XG7.B.03 Rev A and B04 Rev A (received 29/2/24)
- Plot 122 render P231XDH7.R.01 Rev A (received 29/2/24)
- Plot 123 render P231XDH7.R.02 Rev A (received 29/2/24)
- Plot 18&24 render P282.06SG.R.01 Rev A and R.02 Rev A (received 29/2/24)
- Plot 19&25 render P282.06SG.R.03 Rev A and R.04 Rev A (received 29/2/24)
- Hadley render plot 77 P341XDG7.R.01 Rev A (received 29/2/24)
- Plots 66,68,83,89,108&142 brick SH52XEH7.B.01 Rev A (received 29/2/24)
- Plots 67,69,82,88,137&141 brick SH52XEH7.B.02 Rev A (received 29/2/24)

- Plots 33&167 render T310XE7.R.01 Rev A (received 29/2/24)
- Plots 34&166 render T310XE7.R.02 Rev A (received 29/2/24)
- Plots 129&162 brick H357XH7.B.01 Rev A and B.02 Rev A (received 29/2/24)
- Plot 7 brick H357XH7.B.02 Rev A (received 29/2/24)
- Exeter brick plot 152 H418XH7.B.01 Rev A and B.02 Rev A (received 29/2/24)
- Exeter brick plot 158&159 H418XH7.B.02 Rev A (received 29/2/24)
- Avondale render plot 161 H456.PL161.01 Rev A (received 29/2/24)
- Plot 80 brick P231XDH7.B.01 Rev A and B.02 Rev A (received 29/2/24)
- Plots 81&130 brick P231XDH7.B.02 Rev A (received 29/2/24)
- Plots 1,3,87,93,140,154&157 render P282.06FG.R.01 Rev A and R.02 Rev A (received 29/2/24)
- Plots 2,5,86,92,139,153,156 render P282.06FG.R.03 Rev A and R.04 Rev A (received 29/2/24)
- Hadley render plot 6 P341.PL6.01 Rev A (received 29/2/24)
- Plots 14,95,120 brick SH50X1.B.01 Rev A (received 29/2/24)
- Plot 16 render SH55.PL16.01 Rev A (received 29/2/24)
- Plot 97 render SH55.PL97.01 Rev A (received 29/2/24)
- Plots 31,35,113,115,150,165&169 brick T310XEG7.B.01 Rev A (received 29/2/24)
- Plots 32,36,112,114,149,164&168 brick T310XEG7.B.02 Rev A (received 29/2/24)
- Plots 20,22,64&70 T310XEG7.B.03 Rev A (received 29/2/24)
- Plots 21,23,65&72 T310XEG7.B.04 Rev A (received 29/2/24)
- Ingleby render plots 111&116 H303XF7.R.01 Rev A (received 29/2/24)
- Bradgate brick plots 38,103,104&160 H417XH7.B.01 Rev A and B.02 Rev A (received 29/2/24)
- Bradgate brick plots 100&133 H417XH7.B.02 Rev A (received 29/2/24)
- Avondale brick plots 134&147 H456X.G7.B.01 Rev A (received 29/2/24)
- Avondale brick plots 9,43&151 H456X.G7.B.02 Rev A (received 29/2/24)
- Plot 44 brick P282.06FG.B.01 Rev A and B.02 Rev A (received 29/2/24)
- Plot 45 brick P282.06FG.B.03 Rev A and B.04 Rev A (received 29/2/24)
- Hadley brick plots 99&145 P341XDG7.B.01 Rev A (received 29/2/24)
- Hadley brick plot 148 P341XDG7.B.02 Rev A (received 29/2/24)
- Plots 13,29,73,85,96,110,121&144 (brick) SH50XE7.B.01 Rev A and B.02 Rev A (received 29/2/24)
- Plots 15,30,84,109,119,143 (brick) SH50XE7.B.02 Rev A (received 29/2/24)
- Plot 118 brick SH55D7.B.01 Rev A (received 29/2/24)
- Plots 28,27,75&76 brick SH80E7.B.01 Rev A (received 29/2/24)
- Plots 58&59 bungalows brick X106D7.B.01 Rev A and B.02 Rev A (received 29/2/24)
- Double Garage SDG1H8.01 Rev A (received 29/2/24)
- Single Garage LSG1H8.01 Rev A (received 29/2/24)

- Attached Single Garages LDG2H8.01 Rev A (received 29/2/24)
- Shared Double Garage LDG2H-SG-01 (received 29/2/24)
- Sub-Station GTC-E-SS-0012_R2-2_1_of_1 (received 6/3/24)
- Materials Layout H8449-002-01 Rev F (received 1/3/24)
- Topographical Survey S2974/01 Rev C and S2974/02 Rev C (existing levels) (received 1/3/24)
- Bin Storage and Refuse Collection Plan H8449-051-01 Rev E (received 29/2/24)
- Refuse Vehicle Tracking H8449-322-02 Rev D (received 29/2/24)
- Chimney and Eaves Plan H8449-005-01 (received 29/2/24)
- Electric Vehicle Charging Plan H8449-024-01 Rev A (received 29/2/24)
- Road Layout Visibility Splays (with Preliminary FFL) H8449-001-03 Rev A (received 29/2/24)
- Road and Sewer Layout General Arrangement (with Preliminary FFL) H8449-001-02 Rev A (received 29/2/24)
- Surface Treatment Plan H8449-004-01 Rev F (received 29/2/24)
- Dwelling Separation Distance Plan H8449-023-01 Rev E (received 29/2/24)
- Street Scenes H8449-009-01 Rev G (received 29/2/24)

REASON: To clarify the permission and for the avoidance of doubt.

2. Notwithstanding the submitted Soft Landscaping Proposals (GL1989-01,02,03,04,05 and 06 Rev J and Open Space Typology and Areas Plan H8449-001-03) received 29/02/24, revised soft landscaping proposals for the site shall be submitted to and approved in writing prior to the development progressing above slab level. The approved revised soft landscaping proposals shall be implemented in accordance with the approved plans.

REASON: To ensure that a satisfactory landscape scheme is provided in the interest of landscape character, visual amenity and biodiversity and provide appropriate species on the railway line boundary and to accord with policies CS2, CS11, CS13 and CS15 of the Core Strategy (2015), policies EV/1 and CT/4 of the Local Plan (2014) and emerging policies DS5, EV1, EV3, EV6 and EV7 of the submitted Local Plan 2021-37 and the NPPF 2023.

3. Planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or on the completion of the development, whichever is the sooner, or in accordance with any other program of landscaping works previously approved in writing by the Local Planning Authority and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season

with others of similar size and species, unless the Local Planning Authority gives written consent for any variation

REASON: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and biodiversity to accord with policies CS2, CS11, CS13 and CS15 of the Core Strategy (2015), policies EV/1 and CT/4 of the Local Plan (2014) and emerging policies DS5, EV1, EV3, EV6 and EV7 of the submitted Local Plan 2021-37 and the NPPF 2023.

4. Notwithstanding the levels details shown on Road Layout Visibility Splays (with Preliminary FFL) H8449-001-03 Rev A and Road and Sewer General Arrangement (with Preliminary FFL) H8449-001-02 Rev A, no development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed in accordance with the approved levels.

REASON: In order to safeguard the visual amenities and character of the area and the amenity of neighbouring dwellings in accordance with policies CS2 and CS11 of the Core Strategy (2015), policies EV/1 and CT/4 of the Local Plan (2014) and emerging policies DS5, EV1 and EV3 of the submitted Local Plan 2021-37 and the NPPF 2023. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme

5. Notwithstanding the boundary treatment details shown on Boundary Treatment Plan H8449-003-01 Rev E, and associated details (plans RD-SD13-153 Rev A, RD/SD13/114, RD-SD13-100, RD-SD13-141, DB-SD13-014, RD-SD13-139RevB, DB-SD13-006RevB and RD-SD13-136) full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of those works. Such approved means of enclosure, in respect of those dwellings which are intended to be screened, shall be erected prior to the first occupation of those dwellings.

REASON: To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with policy CS2 of the Core Strategy (2015), policy EV/1 of the Local Plan (2014) and emerging policy DS5 of the submitted Local Plan 2021-37 and the NPPF 2023.

6. A scheme for the soundproofing of the sub-station building hereby approved, to mitigate the 100Hz and 200Hz tonal noise from reaching any residential property, shall be submitted to and approved in writing by the Local Planning Authority prior to the erection of the sub-station building. The sub-station shall be implemented in strict

accordance with the approved scheme prior to the occupation of the development and shall thereafter be retained as such.

REASON: In order to safeguard the amenity of neighbouring dwellings in accordance with policy CS2 of the Core Strategy (2015), policy EV/1 of the Local Plan (2014) and emerging policy DS5 of the submitted Local Plan 2021-37 and the NPPF 2023.

Informative:

1. The Lead Local Flood Authority recommend that the existing off-site flood risk is addressed through provision of appropriate maintenance prior to the developer starting on site (i.e. prior to relevant surface water drainage conditions on the outline planning permission being discharged). Evidence of that appropriate maintenance should be submitted with any application to discharge condition 5 of the outline planning permission P/21/0491/2 (APP/X2410/W/21/3287864).

APPLICATION SITE

