

Item No. 2

Application Reference Number P/19/1369/2

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<b>Application Type:</b>	Reserved Matters	<b>Date Valid:</b>	26/06/2019
<b>Applicant:</b>	Commercial Estates Projects Ltd, Mr AJP Pochin & The Trustees of the Pochin 1997 Accumulation and Maintenance Settlement		
<b>Proposal:</b>	Reserved Matters, (access, appearance, landscaping and layout), for sustainable drainage, utilities, green infrastructure open spaces and roads and access elements of Phase 1 of Outline permission reference: P/13/2498/2, (excludes housing, primary school and local centre). Supported by the Environmental Statement submitted with Outline permission reference P/13/2498/2. (RMA1)		
<b>Location:</b>	Land to the North East of Leicester		
<b>Parish:</b>	Barkby Thorpe	<b>Ward:</b>	Queniborough
<b>Case Officer:</b>	Karen Brightman	<b>Tel No:</b>	01509 632520

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This item is brought to Plans Committee as it relates to a strategic housing site allocated in the Core Strategy and it is of significant public interest, as it comprises the first set of reserved matters for that site.

This report should be read in conjunction with associated reports relating to applications P/19/1457/2, P/19/1374/2 and P/19/1479/2 for the reasons set out in the overarching North East Leicester Phase 1 context note, which introduces these four items on the agenda.

### **Description of the Application site**

The site falls within a much larger area with hybrid permission for development of a Sustainable Urban Extension. This larger site comprises approximately 360 hectares of predominantly agricultural land located to the north and east of Leicester. The northern edge of the wider site abuts Barkby Lane between Syston and Barkby. The eastern edge is a mix of field boundaries near to Barkby and Barkby Thorpe. The southern boundary of the site adjoins the residential area of Hamilton and the Hamilton business park both within Leicester City Council's administrative area.

This current application, along with the three associated applications also on this agenda, comprise the majority of the first phase of the North East Leicester Sustainable Urban Extension.

The phase 1 area lies between Barkbythorpe Road and Hamilton Lane/King Street to the west and east respectively. The southern boundary is defined by Melton Brook and the northern boundary in part by a small planting belt that lies perpendicular to Hamilton Lane. It comprises approximately eight, (in whole or in part), agricultural fields divided by established field hedges. There are currently a number of field accesses onto both Hamilton Lane and Barkbythorpe Road, including a track/bridleway that joins Barkbythorpe Road in the south west corner of the site.

Existing vegetation within the site is largely limited to single mature trees within existing field hedges and a belt of mature trees alongside Melton Brook. The Hamilton Lane planting belt to the north is relatively recently established and comprises a mix of evergreen species and native rural planting. Directly to the west of the site is an established copse of trees that are highly visible from the surrounding landscape. Levels generally rise gently up from Melton Brook towards Barkby and Barkby Thorpe.

## **Description of the Proposal**

This application deals with some of the elements within phase 1 that support the housing development. These are:

- Green infrastructure including playing fields, play areas, natural green space and amenity open space
- Tree planting and landscaping to shared green areas
- Facilities to support sports uses within the phase
- Common boundary treatments and street furniture across the phase
- Drainage systems that comprise attenuation and retention basins, a remodelled drainage ditch, a swale that runs north/south along with traditional foul and surface water drainage systems.
- The Main Street that runs east west through the phase and that will eventually connect to the new Southern Access Road and to the A607 between Thurmaston and Syston
- Re-modelling of levels across the phase
- Storage of excess fill from the ground remodelling

The current phase 1 applications exclude the Primary School and Local Centre, and these will be subject to separate reserved matters applications once these details have been finalised. These elements of the development nevertheless remain subject to the trigger mechanisms set out the section 106 legal agreement, via the outline/hybrid planning conditions and within the approved site wide phasing plan.

The application includes the following supporting documents & plans:

- Application form
- Site location Plan – red line
- Secondary Site location Plan – areas to be implemented by applicant
- Existing Topography (6 plans)
- Supporting statement June 2019
- Landscape Design Statement rev P02
- Transport Statement November 2019
- Technical Note Phase 1 Accesses November 2019
- SuDs Technical Notes, (v1.0 and v1.6) & additional information (Nov 19)
- Specification for Engineered Fill
- Arboricultural Report

It includes the following **illustrative** plans:

- Illustrative Landscape Masterplan rev P07
- Indicative Composite Plan rev V
- Vehicle Tracking (3 plans) rev A

It seeks approval for the following plans:

- Soft Landscape strategy Plans (8 plans) rev P03
- Soft Landscape Strategy Plan for Main Street rev P05
- Public/private Boundary Treatment rev P04
- Site Sections A-D rev P02
- Site Sections E-F rev P01
- Site sections N-S A-A rev P02
- Site Sections N-S B-B rev P01
- Site Sections E-W A-A rev P01
- Site Sections E-W B-B rev P01
- Site Sections Plan rev P01
- Estate fencing and gate for drainage ditch Rev P03
- Hard Landscape Surface Treatment Strategy rev P05
- Phase 1 access Barkbythorpe Road South Rev G
- Phase 1 access Barkbythorpe Road North Rev G
- Phase 1 access Hamilton Lane North rev C
- Phase 1 access Hamilton Lane South rev F
- Drainage and levels Appraisal (3 plans) rev D, E, D
- Drainage Layout (3 plans) rev A
- Drainage Construction Details (3 plans)
- Cut and Fill Appraisal Plan rev C
- East Field Spoil Capacity Layout Plan rev A
- Highway Construction Details (2 plans)
- Kerbing and Surfacing finishes (3 plans)

## **Development Plan Policies**

The Development Plan for Charnwood currently consists of the Charnwood Local Plan Core Strategy 2006-2028, Saved Policies of the Borough of Charnwood Local Plan (2004), the Leicestershire Minerals Core Strategy and Development Control Policies Document (2009), and the Leicestershire Waste Core Strategy and Development Control Policies document (2009). Several neighbourhood plans relate to specific areas of the Borough also.

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

*Policy CS2 – High Quality Design* – requires developments to make a positive contribution to Charnwood, reinforcing a sense of place. Development should respect and enhance the character of the area, having regard to scale, massing, height, landscape, layout, materials and access, and protect the amenity of people who live or work nearby.

*Policy CS 11 Landscape and Countryside* - seeks to protect the character of the landscape and countryside. It requires new development to protect landscape

character, reinforce sense of place and local distinctiveness, tranquillity and to maintain separate identities of settlements.

*Policy CS 12 Green infrastructure* - seeks to protect and enhance Urban Fringe Green Infrastructure Enhancement Areas (of which this application site forms a part) by enhancing a network of green infrastructure assets. Strategic developments, such as this, are recognised as important in achieving this.

*Policy CS13 Biodiversity and Geodiversity* - seeks to conserve and enhance the natural environment and expects development proposals to consider and take account of the impacts on biodiversity and geodiversity, particularly with regard to recognised features.

*Policy CS14 Heritage* - seeks to conserve and enhance our historic assets for their own value and the community, environmental and economic contribution they make. This could include archaeological assets.

*Policy CS15 – Open Space, Sport and Recreation* –states that proposals should meet space standards set out within the Council's Open Space Strategy. For Sustainable Urban Extensions a Masterplan that delivers high quality spaces is required. The policy also states that development should contribute to open space sport and recreation provision and that long-term management and investment plans for open space should be secured.

*Policy CS16 Sustainable Construction and Energy* - supports sustainable design and construction techniques. It also supports developments which take opportunities to reduce flood risk elsewhere, requires developments to manage surface water run off with no net increase in the rate of surface water run off for Greenfield sites and supports development that protects environmental resources including local air quality.

*Policy CS17 Sustainable Transport* - seeks a 6% shift from travel by private car to sustainable modes by requiring major developments to provide access to key facilities by safe and well-lit routes for walking and cycling that are integrated with the wider green infrastructure network and by securing new and enhanced bus services where new development is more than 400m walk from an existing bus stop. CS17 also requires the sustainable urban extensions to secure contributions towards improvements to public transport corridors in accordance with, in this case, CS19. The policy confirms that the impact of major developments will be assessed through Transport Assessments and Travel Plans.

*Policy CS18 the Local and Strategic Highway Network* – requires strategic development North east of Leicester to deliver an appropriate and comprehensive package of transport improvements in accordance with Policy CS19 whilst promoting sustainable travel in accordance with Policy CS17.

*Policy CS 19 North East of Leicester Sustainable Urban extension* – establishes the principle of the urban extension. It in effects allocates it for the development permitted by the outline/hybrid application.

With regard to community facilities it supports primary schools as focal points within the community and seeks delivery of other community facilities within an early phase of the wider development.

For transport the policy requires well connected street patterns and walkable neighbourhoods with safe and direct walking, cycling and public transport routes. Cycling and walking routes should relate to the green infrastructure and connect to employment and transport. The policy establishes the principle of a new main road passing through the whole development.

Environmental aims of the policy include responding to the landscape and surrounding areas to create a locally distinctive environment, protecting, enhancing and creating wildlife corridors, reducing carbon emissions, designing spaces and buildings that are resilient to climate change, providing sustainable drainage, reducing flood risk and enhancing water quality. An extension to the Leicester Hamilton green wedge is sought along with appropriate provision of green space to serve the development and comply with CS15.

*Policy CS 24 Delivering Infrastructure* – is concerned with ensuring development is served by essential infrastructure. As part of this it seeks to relate the type, amount and timing of infrastructure to the scale of development, viability and impact on the surrounding area.

*Policy CS25 Presumption in favour of sustainable development* - echoes the sentiments of the National Planning Policy Framework in terms of sustainable development.

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

*Policy EV/31 Sewage Disposal Capacity* - Where existing sewage disposal facilities are at capacity planning permission for new development will not be granted unless it is phased to commence in accordance with a programme for the improvement or extension of those facilities

*Policy TR/4 Road and Highway Improvements* – This seeks to ensure that appropriate improvements are provided in association with new development.

*Policy TR/18 Parking in New Development* - This seeks to set the maximum standards by which development should provide for off streetcar parking.

## Other material considerations

### The National Planning Policy Framework (NPPF 2019)

The NPPF sets out the government's view of what sustainable development means in practice for the planning system. It is a material consideration in planning decisions and contains a presumption in favour of sustainable development. For planning decisions this means approving proposals that comply with an up to date development plan without delay. If the Development Plan is silent or policies most relevant to determining the application are out of date permission should be granted unless protective policies within the NPPF give a clear reason for refusal or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

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

*Section 8: Promoting healthy and safe communities.* This section seeks inclusive and safe places that enable healthy lifestyles. Access to a network of high-quality open spaces and opportunities for sport and physical activity are key to this.

*Section 9: Promoting Sustainable Transport.* This section seeks to encourage walking, cycling and public transport use. Patterns of movement, streets, parking and other transport considerations are supported as a way of creating high quality spaces. With specific regard to decision making, it states it should be insured that appropriate opportunities are taken to promote sustainable transport, that there is safe and suitable access to the site and that any significant effects on the transport network are effectively mitigated.

*Section 12: Requiring well-designed places:* This section recognises the importance of creating high quality buildings and places. It supports design that functions for the lifetime of the development, is visually attractive, sympathetic to the character of the area, creates a sense of place, creates safe inclusive spaces and maximises a sites potential to accommodate a mix of uses including green spaces and transport networks.

*Section 14: Meeting the challenge of climate change:* This section supports new developments which reduce greenhouse gas emissions and improve energy efficiency. There is advice that new development should be resilient to climate change and should that it should not increase flood risk.

*Section 15: Conserving and enhancing the natural environment:* This section seeks to contribute to and enhance the natural and local environment. This includes recognising and protecting natural assets, protecting and enhancing biodiversity and considering environmental impacts.

### 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.

### Leading in Design Supplementary Planning Document (February 2006)

This document encourages and provides guidance on achieving high quality design in new development. Appendix 4 sets out spacing standards for new housing developments to ensure that overlooking and over dominance do not occur and that a good quality design is achieved.

### National Design Guide

This document sets out advice relating to the 10 characteristics that give a place its physical character, create community and influence climate. These characteristics are context, identity, built form, movement, nature, public spaces, uses, homes & buildings, resources and lifespan. For each characteristic advice is offered along with good practice examples and future suggestions.

### Leicestershire Highways Design Guide

The Leicestershire Highways Design Guide deals with highways and transportation infrastructure for new developments. It replaces the former 6C's Guidance.

### Leicestershire County Council Local Transport Plan (LTP)

This sets out Leicestershire County Council's strategy for delivering improvement to accessibility, connectivity and for promoting social inclusion and equality.

### Leicestershire Housing and Economic Development Needs Assessment (HEDNA) – 2017

HEDNA provides an up to date evidence base of local housing needs including an objectively assessed housing need figure to 2036 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.

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

The Environmental Impact Assessment Regulations set out the parameters, procedures and Regulatory detail associated with the screening, scoping and preparation of an Environmental Statement and consideration of significant environmental impacts of development. The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process.

Where an outline application has been submitted with an Environmental Statement any subsequent applications that are submitted, such as reserved matters, are considered to be supported by the original Environmental Statement. However, the

decision making authority has to satisfy itself that the Environmental Statement remains pertinent and can ask for further information or an addendum to it if the subsequent application raises new matters or if there has been a material change that affects it.

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

These Regulations contain certain prohibitions against activities affecting European Protected Species, such as bats.

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.

#### Protection of Badgers Act 1992

Badgers are not European Protected Species but are subject to protection under the above Act. This Act includes various offences, including wilfully killing, injuring or taking a badger or deliberately damaging a badger sett. A license is required from Natural England where development proposals may interfere with badger setts.

#### Charnwood Landscape Character Assessment (2012)

The Charnwood Landscape Character Assessment identifies the distinct landscapes within Charnwood by describing their key characteristics and natural, historic and cultural features.

#### Design Supplementary Planning Document

Cabinet has approved the Design Supplementary Planning Document, but at the time of writing this report the document is within the call-in period. 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. In its draft form, the document carries some but not full weight. Members will be updated with regards to the document's status and weight in the Extras Report.

### **Responses of Consultees**

The table below sets out the responses that have been received from statutory consultees with regard to the application. Please note that these can be read in full on the Council's website [www.charnwood.gov.uk](http://www.charnwood.gov.uk)



Consultee	Response
Sport England	Does not object to the principle of the facilities to be provided within these reserved matters. However, advice is offered with regard to the position of the pavilion and the final detailing of the proposals. Further detail in the form of a feasibility report is sought for the cricket pitch before the detailed design of this is assessed.
Environment Agency	Does not make formal comment providing the proposal complies with standing advice.
Leicestershire Police	No formal objection is made. General guidance for the development as a whole is offered. It is also advised, with regard to these reserved matters, that appropriate lighting of the walkways around the sports facilities and the associated parking facilities is provided. Alongside this provision for CCTV should be considered.
Lead Local Flood Authority	Do not object to the application on the basis of the additional information submitted during the course of the application. Standing advice is also issued.
Leicestershire County Council	Considers each of the four access points in detail and considers them in terms of both design and safety. It concludes that each of these access points is of adequate design and provides safe access and egress. Operational capacity assessments of the junctions are examined, and all are found to operate well within practical capacity along with the internal junction associated with access 2. updated strategic modelling was assessed during the application consideration period and LCCHA are content that this does not show a material change from the access strategy approved under the outline/hybrid application. The change in detailed strategy is not considered to alter the overall outcome. Future triggers for the bus service are noted. Conditions to secure pedestrian access to Hamilton and to ensure PRow's are dealt with are suggested.
Thurmaston Parish Council	Makes overall comment with regard to phase 1 – see context note
Natural England	Makes no observations on these reserved matters as the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.
Historic England	Offers no comment on the application
Network Rail	Makes no comment on the application
Barkby and Barkby Thorpe Parish Council	Makes overall comment with regard to phase 1 – see context note
Barkby and Barkby Thorpe Action Group, (BABTAG)	Makes overall comment with regard to phase 1 – see context note. Additional comments are also made on P/19/1369/2 following the submission of additional

	transport information. There are concerns that the SAR will not be completed prior to 575 units and reference is made to the flexibility offered by the outline. There are also concerns that construction traffic will use surrounding lanes when it was previously assumed that Hilltop Road would be used. There are also concerns about the lack of detail regarding closure of Hamilton Lane, bus provision and the timing of traffic calming in the villages.
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## Other Comments Received

### Local Residents

3 letters objecting or offering comment have been received from local residents. These concerns relate to phase 1 overall and are summarised within the context report. Please note that they can be read in full on the Council's website [www.charnwood.gov.uk](http://www.charnwood.gov.uk)

## Consideration of the Planning Issues

The reserved matters to be approved and the principle of developing the wider site for housing and associated infrastructure has been agreed at the outline/hybrid stage. In the case of this particular application what lies to be determined is whether the details of scale, layout, appearance and landscape submitted, with regard to drainage, utilities, green infrastructure open spaces and roads within Phase 1 are acceptable.

The main considerations are considered to be:

- Whether these reserved matters are within the terms of the outline/hybrid permission, (acceptability in principle)
- Do the reserved matters achieve a high quality of Design
- The impact of the reserved matters on landscape
- The contribution the Reserved Matters make to Strategic Green Infrastructure
- The quality, quantity and location of open space
- Biodiversity
- Traffic and Highways
- Drainage

Whether these reserved matters are within the terms of the outline/hybrid consent, (acceptability in principle)

There are plans and documents approved at outline/hybrid stage that this application for reserved matters must conform with to remain within the terms of the outline/hybrid permission. These are:

- The approved parameter plans
- The concepts outlined within the Design and Access Statement

- Relevant conditions of the outline consent

Planning permission was granted subject to the reserved matters applications complying with 6 parameters plans. The table below lists them and provides a brief assessment of whether the current application complies with them:

<b>Parameter Plan</b>	<b>Compliance</b>	<b>Verdict</b>
Development extent	These reserved matters do not contain built development, with the exception of facilities to serve recreational uses. Although these are generally within the maximum built extent there is provision for such facilities outside this area noted on the parameter plan.	Yes
Density	Not applicable to this application	N/a
Building Heights	The height of the ancillary buildings that would fall within the area of these reserved matters is not known but these types of buildings are generally single storey and extremely unlikely to exceed 11m above existing ground level. In any event this could be controlled by way future applications containing the detailed scale and design of them.	Yes
Access	The reserved matters show a section of the main road that is within the "main route corridor" identified within the parameter plan. There is a link through to the southern access depicted that corresponds with point A. A Pedestrian link is shown close to point 16 which constitutes one of the two links that have to be provided between this point and the eastern edge of Hamilton. Two public rights of way are within the area for this application for reserved matters. One runs north south and will need to be subject to diversion and alteration as it passes through the site. The second which runs east to west will again be subject to some alteration/diversion as it follows the green corridor along the brook.	Yes
Land Use	These reserved matters reflect the strategic landscape infrastructure shown on the land use parameter plan. They support the associated residential uses which also comply with the land use parameter plan. Landscape infrastructure along a corridor north of the brook is reflected within the submission as is the strategic green corridor which surrounds the cricket pitch.	Yes
Landscape Infrastructure	The reserved matters include parkland and a green corridor along the north of the brook. Green corridor 7 (M – N) is included as is the relevant part of green corridor 6 (K – L). The future cricket pitch area corresponds to the parks	Yes

Parameter Plan	Compliance	Verdict
	and outdoor sports allocation on the parameter plan. The edge of semi natural space to the north is recognised within the reserved matters. The width of green corridor 7 complies with the dimensions set out in the parameter plan note and the dimensions of the part of green corridor 6 that is included would not preclude the corridor complying in totality once the further details are established.	

The Design and Access Statement set out 7 design objectives which were used to inform the concept and masterplan for the Sustainable Urban Extension as a whole. From the Masterplan certain parameters were fixed, (see above), character areas were defined for place making purposes, and the principle a hierarchy of streets was set out. Additionally, Sustainability objectives were set out. Areas of the Design and Access Statement that are particularly relevant to these reserved matters are set out in the table below along with a simple assessment:

D & A Concept	Assessment
<b>Street Hierarchy</b>	
Main Street – Within hierarchy (6m- 8.5m wide, 1.5m off road cycle path, 2m footpath, landscaping, tree planting, landscaped verges, on street parking, bus stops and traffic calming.	This complies with the parameters set out within the design and access statement with regard to width, foot and cycle provision, hard and soft landscaping, parking, bus stop provision and traffic calming.
Road Types A and B – (A= 5,25m-6m wide, 1.8m-2m wide footway, hard verges, tree and shrub planting & direct Plot access. B= similar dimensions but with more variation in street width, soft verges and more frequent planting)	The Design and Access Statement defines these as similar street types with type B being more organic and having greater levels of tree planting. It says type B roads should be located within the north and south east of the masterplan area. There are no type A or type B roads within this reserved matters area as they fall within the housing areas.
Lanes/shared Surface areas	There forms the finest grain in the street hierarchy. There are none within this reserved matters area as they fall within the housing areas.
Cycleways/pedestrians	The Design and Access Statement sets out a suggested network of dedicated and safe cycle routes based on the illustrative masterplan. These reserved matters define a series of linear corridors that could contain cycleways but do not provide precise detail relating to this. A condition requiring these details would need to be attached but there

	<p>is nothing within the submitted information that would preclude appropriate provision.</p> <p>The Design and Access Statement suggests existing rights of way are integrated into a new network of leisure routes and paths alongside roads. The reserved matters show how this would be achieved and include routes along the main recreational corridors, existing public rights of way, diverted sections of existing routes and footpaths along the Main Street.</p>
<b>Character Areas</b>	
Village Housing	There are distinct character parcels of housing, (defined by different developers), which are connected by the linear open space. This application deals with that linear open space. As required, this is undulating and linear in nature. It includes recreational opportunities and foot and cycle links.
Southern Green	This is a crescent shaped that will act as an entrance feature once the southern access road has been completed. The area shown with this reserved matters application conforms to the design and access statement in terms of size, shape and location.
Southern Access	Only a small spur of this is included within this set of reserved matters applications as the majority of it falls within Leicester City and has full planning permission (by way of the hybrid application). That which is shown is within a green corridor with views northwards across open space as per the Design and Access statement.
<b>Sustainability</b>	
Sustainable transport	The development is based around a series of green corridors which provide transport choice. The Section 106 legal agreement also requires provision of a bus service which will link the development to nearby Leicester and other settlements in the area. As the wider SUE is developed facilities which are easily accessible to residents will be created within the immediate area that can be accessed by foot or cycle.
Healthy Communities	This reserved matters application provides outdoor sport and recreation linked by green routes. This encourages healthy transport choice and allows for integration of the wider community.
Climate Change	The individual buildings will be designed to meet increasingly stringent building regulations. There are opportunities, (beyond the scope of this application), to enhance the sustainability

	credentials of public buildings and this application does not impede that. These reserved matters include sustainable urban drainage for the whole of phase 1 which has been designed to meet climate change objectives.
Natural environment	There is ecological connectivity through the site by way of the green corridors and drainage infrastructure. Predominantly native planting is proposed throughout the reserved matters area with enhancement and retention of ecological features favoured.

There are several planning conditions attached to the outline/hybrid permission that the reserved matters must comply with. Some of these relate to the phasing of the development and the programme for submitting further information and are dealt with later in this report. Others seek to guide the details of the development and include conditions ensuring compliance with approved plans and documents, meeting with highway guidance and ensuring appropriate finished floor levels. This set of reserved matters does not conflict with the provisions of these conditions.

To conclude the reserved matters are compliant with the broader parameters set out within the outline consent and as such are acceptable in principle.

#### Do the Reserved matters achieve a high quality of Design?

Policy CS2 seeks high quality design for all new development and sets out general design principles that should be used to achieve this. Policy CS19 builds upon this in the context of North east Leicester and envisages a locally distinctive development that responds to landscape context. With particular regard to these reserved matters this involves protecting and enhancing wildlife corridors, delivering climate resilient multi-functional green spaces and securing sustainable drainage systems.

Part 12 of the NPPF attaches great importance to achieving good design and seeks to promote development, which is appropriate in terms of overall scale, massing, height, landscaping, layout, materials and access in relation to neighbouring buildings and the local area more generally.

The National design guide sets out important design characteristics which are integral to any development. Whilst this proposal must sit within the framework of the approved Design and Access statement which predates this document it is useful to briefly look at the proposal in terms of the 10 characteristics. The table below provides a short summary:

Characteristic	Assessment
Context	The proposal relates to its immediate rural context by virtue of the open green network of spaces that it creates. Those green spaces which are closest to surrounding countryside and parks have a less formal feel and are often semi natural.

Identity	The development achieves an identity which comes from the interaction of the elements within it. The green corridors and open space that comprise this application are a key element of this identity. They have been designed as a hierarchy of spaces with their character determined by their function. Street furniture and boundary treatments that are coordinated across the open space network provide local identity and character.
Built Form	There is limited built form within this reserved matters area. These reserved matters provide walkable development with a system of footways/cycleways and public transport. They form the “backbone” to the built form.
Movement	The development has a clearly defined hierarchy for movement. There are distinct road types and transport choice is offered. Undulating linear spaces which include play facilities, foot and cycle ways and allow for biodiversity provide for transport choice.
Nature	Within the reserved matters there are high quality greenspaces which perform a number of functions, including play. There is an undertaking to enhance biodiversity and provide net gain. Sustainable urban drainage systems within the green infrastructure also offer the potential for biodiversity gain.
Public Spaces	This set of reserved matters provides the public spaces which serve phase 1. The spaces have been designed to support a variety of activities and to be inclusive. There is planting to provide shading, improve air quality and help mitigate climate change.
Uses	As this relates to a small area of the SUE it does not contain a wide variety of uses. It acts as a support system for surrounding uses.
Homes and Buildings	This application contains a system of shared spaces that are conveniently located and function well. They have been designed to be fit for purpose and incorporate appropriate planting. Buildings within adjacent reserved matters face onto the spaces to provide surveillance and active frontage where this is appropriate.
Resources	The spaces within this reserved matters application will make the development more resilient to climate change. They will help reduce heat by increasing shading, improve air quality and provide social wellbeing. Sustainable drainage systems are integral to the application and will improve flood resilience.
Lifespan	The areas subject to this reserved matters application are shared spaces that will be managed by a management company. This will ensure longevity of the uses.

The outline/hybrid application was approved on the basis that the design principles set out within the Design and Access Statement were adhered to as they achieved the aims of the then emerging policy CS2 and its forerunner, policy EV/1. The main reserved matters features set out above, all reflect the principles set out within the approved Design and Access Statement and accordingly are of an appropriate and high-quality design which accords with the development plan. New national guidance, that has emerged since the original Design and Access Statement was approved, does not introduce any new material considerations that would override these policies.

### The impact of the reserved matters on landscape

Policy CS11 is concerned with protecting the character of the landscape and countryside. In order to comply with this new development must take into account landscape context and mitigate impacts where appropriate.

Landscape is a key component of this particular reserved matters application. The green landscape infrastructure that surrounds the housing parcels is designed not only to have a place making function but also to soften and mitigate the impact of the development on surrounding open land.

The western and eastern boundaries of the phase will ultimately adjoin further development and any impact on the existing rural landscape will be a relatively temporary one. During phase 1 it is proposed that hedgerow to the east, (fronting Hamilton Lane), will largely be retained with the exception of sections that are removed to incorporate the new access points. Later phases (east of Hamilton Lane), will involve road widening but it is noted that the access drawings show this to largely take place to the west of the hedge. This will ensure impacts during this initial phase are minimised. To the west the proposed amenity area will soften impacts on Barky Thorpe Road, although once again, there will be some transitional impact on this rural area as a result of the two new access points. This impact will rapidly diminish as development progresses westwards and the character of the area changes.

The area to the south will ultimately merge with enhanced green infrastructure surrounding the Southern Access Road. This area, within phase 1, comprises natural open space and drainage features. Existing trees along Melton Brook are also proposed for retention and will be supplemented by appropriate wetland planting. This soft edge to the development will allow for integration with the surrounding landscape context.

The northern boundary of the phase is the most sensitive one particularly as it brings areas of housing close to open land even over the longer term. During phase 1 this interface is direct with open countryside but during phase 2 parks and woodland will replace the open land. The reserved matters propose an area of transitional planting at this northern boundary to supplement an existing planting belt.

Cut and fill operations are associated with the development in order to achieve relatively level parcels for development and to accommodate transport infrastructure. The cut and fill plan shows that there is band of significant cut through the centre of



the site with areas of fill to the north of this. The southern part of the site contains areas of cut to construct the drainage systems and areas of fill around the sports pitches. Overall there will be a surplus of material with temporary storage proposed within a field to the east of the football pitches. It is proposed that this is seeded with a wildflower mix in the short term.

A series of sections through the open space areas show how the interface between different levels will work across the site. These allow for more gradual level changes whilst incorporating interesting topographical features. The proposed changes in levels are not considered to give rise to landscape harm to the surrounding area and will add interest and character to the development itself.

The outline/hybrid application was approved on the basis that any landscape or visual harm to the surrounding area could be mitigated to an acceptable level that ensured compliance with the development plan. A key part of this mitigation was the inclusion of a strong green infrastructure with planting acting as a transition to surrounding countryside. These reserved matters follow the principles & mitigation measures set out within the outline/hybrid and the details within them do not give rise to landscape harm. As a result, the proposals are considered to accord with development plan policy CS11 and other material considerations.

#### The contribution the Reserved Matters make to Strategic Green Infrastructure

Policy CS12 defines structural green space on a borough wide basis. This includes an urban fringe, (where connecting green infrastructure is to be enhanced), around Leicester City, a green wedge at Hamilton and green infrastructure corridors within the development. Policy CS 19 builds upon this seeking enhanced parkland at Hamilton and a network of multi-functional green spaces.

The outline/hybrid permission reflected this policy in the approved parameter plans relating to land use and landscape infrastructure. It also set out a landscape framework for the development which was included within the approved Landscape Framework Plan.

This particular application for reserved matters deals with strategic green elements for phase one. They include:

- Multi-functional green space corridors that criss-cross the phase
- Semi natural green space along Melton Brook
- Sports pitches and Cricket green open space at the edges of the phase
- A transitional planting area to the north of the phase

The location and nature of these spaces complies with the framework set out by the outline/hybrid permission which was designed to reflect the principles in Core strategy policies CS12 and CS19. Namely that there is an interlinked network of strategic space to connect new and existing residents and link the countryside with the city.

#### The quantity, location and quality of open space

Policy CS15 seeks to provide appropriate levels of open space and opportunities for sport and recreation within new development. Policy CS19 specifically sets out how this to be achieved for the North East Leicester development as a whole. To do this the policy lists minimum areas by typology. Open and recreational space will not be located in a uniform way across the development. There are clearly larger concentrations around the future district centre and in locations as suggested by the masterplan. As a result, it is not possible to simply assign an appropriate proportion of the overall figure to a phase. As a result the outline/hybrid permission is subject to a section 106 planning agreement which secures levels of provision prior to certain levels of development and to planning conditions that require the approval of strategies for the delivery of open space and recreational facilities, (across the site and per phase), before any of the houses are occupied.

There is nevertheless the need to ensure that while the development progresses appropriate open space is provided to meet resident’s needs in the shorter term. These reserved matters include the following:

- Linear parks/corridors
- Semi natural open space around Melton Brook
- An amenity space that will be converted to a cricket pitch as the development progresses.
- 3 sports pitches (1 full size, 2 training)
- A locally Equipped children’s play area, (LEAP)
- A Neighbourhood Equipped Children’s play area, (NEAP)
- Other incidental amenity space

The quantity and location of this space is as shown on the approved parameter plan for the development as a whole.

Turning to quality, the reserved matters documents set out a strategy and planting palette relating to each open space typology. In summary the main principles are:

<b>Area</b>	<b>Principles</b>
Green Corridors	<ul style="list-style-type: none"> <li>• Heavily planted with a wide range of planting</li> <li>• Ground modelling at intersections to create interest</li> <li>• Frequent breaks in planting to allow views between housing areas across corridors</li> <li>• 3m wide compacted gravel paths</li> <li>• Trim trail equipment</li> <li>• Markers/play bollards</li> </ul>
Melton Brook	<ul style="list-style-type: none"> <li>• Ecological focus</li> <li>• Water bodies at the western end to retain water and act as gateway feature</li> <li>• Slopes on water bodies to be 1:3 or 1:4 gradients</li> <li>• Trees and hedgerow along the brook to be protected &amp; retained</li> </ul>

	<ul style="list-style-type: none"> <li>• Range of planting including water loving species</li> <li>• 3m wide compacted gravel paths</li> </ul>
Cricket/amenity area	<ul style="list-style-type: none"> <li>• Wildflower edges</li> <li>• Oak or lime trees framing the space</li> <li>• Clear views to the cricket area and trees</li> <li>• Cricket area has interim function as amenity space in phase 1</li> <li>• Appropriate turf mixes</li> </ul>
Sports pitches	<ul style="list-style-type: none"> <li>• set within a framework of native planting</li> <li>• Clear perimeter area</li> <li>• Appropriate turf mixes</li> </ul>
LEAP	<ul style="list-style-type: none"> <li>• Naturalistic setting with six play items</li> <li>• Seating</li> <li>• Sensory planting</li> <li>• Boundary planting and low fencing</li> <li>• Opportunities for sustainable play</li> </ul>
NEAP	<ul style="list-style-type: none"> <li>• Naturalistic setting surrounded by native planting</li> <li>• Area for play with at least 9 pieces of equipment and space for running around</li> <li>• Soft landscaped zone with a play trail</li> <li>• Seating</li> <li>• Zone for young people</li> <li>• Railings to enclose playable space</li> </ul>
Northern planting belt	<ul style="list-style-type: none"> <li>• Transient function linking with countryside in phase 1 and then with parkland</li> <li>• Retained swale/ditch</li> <li>• Informal access</li> <li>• Thinning of cover around swale to increase light and improve biodiversity</li> </ul>
Planting along the road network	<ul style="list-style-type: none"> <li>• Formal tree planting within 3m wide verge between footway and road for Main street</li> <li>• Main street palette includes lime, chestnut, cedar, maidenhair, pine and oak</li> <li>• Occasional informal street trees within A and B street types that respond to gaps in built form, provide focal points and define open spaces</li> <li>• Smaller trees within A and B street types other than where larger feature trees can be used</li> <li>• Countryside edge and Lane street types to include large native trees within adjacent space</li> <li>• Specimen trees at end of lane viewpoints to be used</li> </ul>

These principles suggest a hierarchy of quality spaces that are in general accordance with the approved details and accordingly with the development plan. The reserved matters do not, however, define the precise amounts and locations of planting and are

based upon an illustrative plan and an overarching planting palette. It will be necessary to secure detailed planting plans for the areas by way of a condition attached to this application. Where there are key principles on the illustrative plan that need to be secured these should also be clarified by way of a condition.

### Biodiversity

Policy CS13 requires new development to conserve and enhance the natural environment and to mitigate for any loss of biodiversity, if this loss is unavoidable. Policy CS19 makes specific reference to development at North East Leicester enhancing existing wildlife corridors and where appropriate providing new corridors to create a coherent biodiversity network.

The ecological value of the whole site was assessed as part of the Environmental Statement submitted to support the outline/hybrid permission and which continues to support this subsequent application. The ecological survey information, which informed the Environmental Statement, continues to be updated on a rolling programme in line with ecological best practice. The latest updates to this, relating to this phase, have been provided to support the current reserved matters applications. These updates show limited habitat of value within the area that would be affected by the development. The exceptions to this are semi-improved grassland which would be lost (but mitigated for by better management of retained grassland) and an area of species rich hedgerow at the south west boundary for the site, which would be impacted by the Southern Access Road and Barkbythorpe Road Southern junction. Woodland and water habitats would both be retained and improved as part of the phase 1 proposals.

Badger and bats use the site for foraging and commuting. Although the updated survey work does not show new evidence of badger setts within the phase 1 area it recognises the potential for bat roosts within oak tree T12 and suggests this tree is retained. The study confirms that the site is currently used by birds in a way that is typical for lowland farmland but does not find any other evidence of protected species within the phase 1 area.

With appropriate mitigation (i.e. creation of new habitat, retention of appropriate features), the updated phase 1 survey does not suggest any new impacts that were not foreseen within the existing ES and ecological assessments for the outline/hybrid application. In this respect providing the mitigation measures outlined within the Environmental Statement and the more recent phase 1 document are secured it is considered there would be no harm to biodiversity resulting from these reserved matters and the proposal would comply with CS13, CS19 and relevant material considerations.

### Traffic and Highways

Policy CS17 seeks to secure sustainable transport patterns and policy CS18 aims to secure efficient use of the road network by way of delivering sustainable travel and transport improvements. Policy CS19 sets out specific ways in which the North East Leicester development (as a whole) should achieve the aims of the two earlier policies. Many of these are strategic objectives which relate to the overall development

although there are overall themes, such as walkable neighbourhoods, which all parts of the developments need to provide. A key strategic principle of the policy is the provision of a new road linking Barkbythorpe Road in the north with the Leicester outer ring road at Sandhills Avenue. The spur linking the development to the Leicester ring road is known as the Southern Access Road, (SAR), and its delivery is governed by condition 19 of the outline/hybrid consent. This condition seeks its completion before 575 dwellings are occupied unless a different trigger is agreed following a review of junction capacity assessments.

The outline/hybrid application was accompanied by a Transport Assessment which was updated during the determination of the application to reflect revised traffic modelling methodology. This concluded that, providing a suitable package of mitigation measures is secured, residual adverse impacts on the surrounding road network would be negligible. The original Transport Assessment was based on an assumption of how the development might proceed at that time. This derived from an indicative phasing plan within the Design and Access Statement which suggested the first phase would straddle Barkbythorpe Road with connections to Hamilton Lane achieved in later phases, once the Southern Access Road was open.

The current reserved matters application includes the delivery of the first phase of the strategic road network for the development. This includes a section of Main street between Barkbythorpe Road and Hamilton Lane and four access points which initially serve the phase but evolve as the wider development takes place. These access points are:

- Barkbythorpe Road South, (BRS), a temporary ghost island T junction which will ultimately form part of the main strategic route through the development.
- Barkbythorpe Road North, (BRN), a temporary T junction which will ultimately form part of the internal road network.
- Hamilton Lane South, (HLS), a T junction which only requires minor amendment as the development progresses.
- Hamilton Lane North, (HLN), a T junction which only requires minor amendment as the development progresses

In addition to these new access points changes to signage and speed limits are proposed within the vicinity of the accesses. This is to ensure appropriate visibility, (without landscape harm), can be achieved and that the access points are safe. The reserved matters differ from the original outline/hybrid in that phase 1 is located entirely to the east of Barkbythorpe Road and is served by the four access points listed above rather than by the two originally envisaged (1 off Barkbythorpe Road and one via either Hilltop Road or the new Southern Access Road). As a result, an assessment of the specific impact of phase 1 based on current phasing and scope has been made. Additional to the revised location and access strategy the new assessment also includes 29 additional dwellings located around the primary school which have been included within phase 1 for design reasons. It is important to note that these additional dwellings do not alter the provisions of condition 19. The occupation trigger of 575 units stands unless there is an agreed review and, in the absence of this, Southern Access Road delivery simply moves into phase 1.

The phase 1 assessment looks at the interim impact on both Barkbythorpe Road and Hamilton Lane and concludes that, with the introduction of programmed traffic calming in Barkby and Barkby Thorpe, there would be no significant additional traffic impacts that require further mitigation. This is largely because traffic flows remain similar to those forecast within the Transport Assessment and because the predicted pattern of trips generated is predominantly to the north with the greatest impacts at a point where Barkbythorpe Road and Hamilton Lane have already converged. Additionally, now that the likely build programme is known, it has become apparent that only a single housebuilder (William Davis) will gain access from Hamilton Lane during the very earliest part of the phase. As the three housebuilders will build out concurrently the 575-unit trigger for condition 19 is likely to be reached before there is widespread connectivity across the phase. The primary school itself would also necessitate access to Hamilton lane but again this trigger, (approx. 500 units for form 1), is close to the Southern Access Road trigger. It is also important to note that the outline/hybrid suggested a primary school accessed off Hamilton Lane with an agreed trigger lower than that for the Southern Access Road.

Accordingly, it is not considered that the revisions to anticipated phasing would have a strategic impact on the highway network (as mitigated). Levels of anticipated traffic remain similar and there is no identified harm to the road network arising from the changes to the way this traffic is distributed. As the road network included within this phase 1 reserved matters application are considered to comply with the provisions of the outline/hybrid consent.

The development plan policies also require the proposal to be walkable, well connected and to offer transport choice. For this phase there is a network of linear

green space and footpaths across the site which make the phase walkable. Connectivity to surrounding areas is relatively limited due to the location of the phase – it does not adjoin existing development. However, as set out above there is a pedestrian access point to the south through to Hamilton Country Park which is what is required by way of the approved parameter plan.

Public transport provision is by way of a bus loop through the site. Initially this will take the form of a shorter loop gradually expanding out to incorporate Hamilton lane as the phase grows. It is planned that this will start as an “on demand” service until the trigger point set out within the Section 106 legal agreement of 175 dwellings is reached. From this point onwards the service must be provided on a half hourly frequency, rising to four buses per hour by the time 575 dwellings are occupied.

Leicestershire County Council Highway Authority have considered the application and have looked at the implications of the changed access strategy and whether this conflicts with assumptions the outline/hybrid permission was based on. It concludes:

- There is no material strategic impact on the Leicestershire highway network as a result of the changes and that no further strategic modelling is require.
- That the four junctions are safe and of a design that would cope with the vehicles which would use them on the proviso that the changes set out on the road signage plans and relating to speed limit changes are carried out.
- That the junctions would operate within capacity
- That bus access will be in accordance with the terms of the existing s106 legal agreement
- That footpath provision needs to be subject to a planning condition to ensure a sustainable development

The City Council raises concerns regarding its own highway network, and these are noted. However, the concerns relate to a scenario where the Southern Access Road is not delivered as per condition 19. It is not considered that this is a reason to refuse this application (or those associated with it) as the trigger within condition 19 can only be varied with full agreement of the City Council. Should that review mechanism be triggered, appropriate mitigation measures could be agreed at that point should they be required.

It is considered that this application for reserved matters is in compliance with the hybrid/outline permission in terms of Transport provision, and by extension, with the Development Plan.

### Drainage

Policy CS16 requires appropriate management of surface water run off within new development and policy CS19 reiterates this. Condition 8 of the outline/hybrid permission requires the submission and approval of a surface water drainage scheme for each phase of the development before any development takes place. This application does not seek to discharge that condition although it contains details of surface water drainage which must be considered. These measures are based on discharging at mean annual greenfield rate (QBAR) into Melton Brook. They include:

- A series of attenuation and detention basins in the area north of the brook, with the two westernmost ones permanently holding water.
- Diversion of a drainage ditch to run north/south through the phase discharging via one of the permanent basins into the brook.

The basins themselves provide for a volume of surface water in excess of that required for the development as a whole. This is to address the possibility that later phases exceed current surface water discharge estimates as the design of them becomes finalised. In this respect the current phase is considered to provide adequate surface water drainage in accordance with the outline/hybrid consent and the development plan.

### Conclusion

This application for reserved matters is considered to be in compliance with the terms of the approved parameter plans and Design and Access Statement set out within outline/hybrid permission. This means that they are acceptable in principle and that they comply with the Development Plan in this regard.

With regard to layout, scale, appearance and landscape the application achieves a high-quality design and does not give rise to material landscape harm. Contributions to strategic green infrastructure are made and there is no residual significant harm in terms of biodiversity, traffic or other environmental impacts that falls outside that recognised within the outline/hybrid consent. The development supports the delivery of housing in accordance with Charnwood’s core strategy policies and would bring economic and social benefits. On balance it is considered to be a sustainable development that accords with the development plan and it is recommended that these reserved matters be granted subject to planning conditions.

### **Recommendation:**

This permission is granted subject to the following planning conditions and Reasons:

1.	The development, hereby permitted, shall be begun not later than <b>18 months</b> from the date of this permission.  REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2.	The development hereby permitted shall be carried out in accordance with the approved plans listed in <b>schedule1</b> .  REASON: To provide certainty and define the terms of the permission
3.	No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees and hedges, detailed in the Arboricultural Survey and Plans and listed within the amended landscape design statement, has been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees and hedges shall accord with British Standard BS 5837. The agreed protection measures shall be carried out prior to any site clearance,



	<p>preparatory work or development commencing within the protection area for that tree or hedge so defined within the agreed protection scheme.</p> <p>REASON: To ensure that those trees and hedges indicated for retention are protected during construction. This is to ensure compliance with the objectives set out within the Design and Access statement, to protect biodiversity assets and to ensure compliance with policies CS2, CS11, CS13 and CS19 of the Development Plan. The condition has to be discharged pre commencement as it relates to measures that must be implemented before construction or site clearance start.</p>
4.	<p>Notwithstanding condition 2. no development across the phase, (as covered by this application and associated applications P/19/1457/2, P/19/1374/2 and P/19/1479/2), until a scheme for the treatment of the Public Rights of Way has been submitted to and approved in writing by the local Planning Authority. Such a scheme shall include provision for their management during construction, surfacing, width, structures, signing and landscaping. It shall also include a timescale and a mechanism for the stopping up, diversion and reclassification of any Rights of Way affected by the development. The development shall be carried out in accordance with the approved scheme and thereafter so retained.</p> <p>REASON: To protect existing Rights of Way and ensure permeability through the site in accordance with the approved parameter plans, policies CS2 and CS19 of the Development Plan and paragraph 98 of the National Planning Policy Framework. The condition has to be discharged pre commencement as it relates to measures that must be implemented before construction starts.</p>
5.	<p>Notwithstanding condition 2. No more than 25 dwellings shall be occupied across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until details of the layout, equipment, planting, surfacing and street furniture within the <b>LEAP and NEAP</b> play areas have been submitted to and approved in writing by the local planning authority. No more than 244 dwellings across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2) shall be occupied until the development is carried out in accordance with these approved details. The play areas as per the details so approved shall thereafter be so retained.</p> <p>REASON: To ensure that play areas of sufficient quality to meet with development plan policies CS2, CS15 and CS19 are provided and that these are supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
6.	<p>Notwithstanding condition 2. no dwelling shall be occupied; across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until details of the two <b>outdoor sports pitches and supporting facilities</b> have been submitted to and approved in writing by the local planning authority. These details should include:</p> <ul style="list-style-type: none"> <li>• means of enclosure</li> </ul>

	<ul style="list-style-type: none"> <li>• car parking amount, layout and surfacing</li> <li>• changing/storage/social facilities (scale, appearance and layout)</li> <li>• any external lighting,</li> </ul> <p>No more than 604 dwellings; across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2) shall be occupied until the playing pitch and supporting facilities have been provided in accordance with these approved details. The facilities and pitches shall thereafter be so retained.</p> <p>REASON: To ensure that playing pitch facilities of sufficient quality to meet development plan policies CS2, CS15 and CS19 are provided and that these are visually acceptable and safely accessible. Furthermore, the condition seeks to ensure that they are supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
7.	<p>Notwithstanding condition 2. no dwellings shall be occupied across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until details of the precise routings, (including links through to any adjacent paths or rights of way); widths; surface treatments, and any external lighting of the <b>off road footways and cycleways</b> have been submitted to and approved in writing by the local planning authority.</p> <p>No more than 244 dwellings shall be occupied, across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until the footways and cycleways within phasing parcels 1.1 and 1.8, ( as defined on the site wide phasing plan), have been provided in accordance with the approved details.</p> <p>No more than 604 dwellings; across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2) shall be occupied until the footways and cycleways within phasing parcel 1.2, ( as defined on the site wide phasing plan), have been provided in accordance with the approved details.</p> <p>The approved footways and cycleways shall thereafter be so retained.</p> <p>REASON: To ensure that a useable network of off-road cycle and walkways is provided throughout the development to meet sustainability and design objectives of the Design and Access Statement and development plan policies CS2, CS17 and CS19. Furthermore, the condition seeks to ensure these are supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
8.	<p>Notwithstanding condition 2, no dwellings shall be occupied across the phase, (as covered by this application and associated applications P/19/1457/2, P/19/1374/2 and P/19/1479/2) until details of the type, quantity and location of street furniture, trim trail equipment, signage and lighting within the <b>green corridors</b> has been submitted to and approved in writing by the local planning authority. No more than 244 dwellings across the</p>

	<p>phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2) shall be occupied until the development is carried out in accordance with these approved details. The details of facilities within the green corridors as approved shall thereafter be so retained.</p> <p>REASON: To ensure that good quality multi-functional green corridors are provided to meet with the sustainability aims of the Design and Access statement and development plan policies CS2, CS15 and CS19. Furthermore, the condition seeks to ensure these are supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
9.	<p>Notwithstanding condition 2, no dwellings shall be occupied across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until detailed <b>planting plans for the whole site</b>, (for the avoidance of doubt to include the boulevard planting and greens within P/1479/2 and P/1457/2), have been submitted to and approved in writing by the local planning authority. These details shall build on the Landscape Strategy Plans by showing the precise location, type and amount of planting proposed and setting out a programme for its implementation. The planting shall be provided in accordance with the agreed programme of implementation and shall thereafter be so retained.</p> <p>Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.</p> <p>REASON: The reserved matters contain a planting palette but do show the detail of how this will be provided. This condition is to ensure that an appropriate quality and quantity of planting is provided within the green spaces in accordance with the strategy and that this is planted in a timely manner to ensure residents of the development have access to quality green space. It is also to ensure the provisions of policies CS2, CS11 and CS19 of the Development Plan are met.</p>
10.	<p>Notwithstanding condition 2, no dwellings shall be occupied across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until details of the interim amenity use on the <b>cricket green</b> have been submitted to and approved in writing by the local planning authority. These details shall include; a planting plan, (pursuant to condition 9), any means of enclosure, surfacing, street furniture and any outdoor lighting. No more than 244 dwellings across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2) shall be occupied until the development is carried out in accordance with these approved details. The details as approved shall be retained until the area is converted to a cricket green during phase 2 of the wider development as set out in the site wide phasing plan or as subsequently agreed.</p>

	<p>REASON: To ensure that good quality amenity space is provided in order to meet the design objectives within the Design and Access Statement and the provisions of Development Plan policies CS2, CS15 and CS19. Furthermore, the condition seeks to ensure these are supplied within the timeframe set out within the section 106 agreement and the approved site wide phasing plan.</p>
11.	<p>Notwithstanding condition 2, no dwellings shall be occupied across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until details of position, type, angle and illumination levels of <b>external lighting</b> across the site have been submitted to and approved in writing by the local planning authority. No dwelling; across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2) shall be occupied until the agreed outdoor lighting serving the vehicular access route to it has been provided. The agreed external lighting across the site shall thereafter be so retained.</p> <p>REASON: To ensure that the site is adequately lit in order to ensure highway safety and reduce opportunities for crime but to ensure that lighting levels are such that there is no harm to the surrounding landscape or biodiversity. This is to ensure compliance with development plan policies CS2, CS11, CS13 and CS19.</p>
12.	<p>The detailed planting plan for the Main Street, (required as part of condition 9), shall include <b>boulevard trees</b> of a species in accordance with the landscape strategy planting palette. The trees shall be located within the verge on both sides of the Main Street and planted at regular intervals. The standard interval for planting should be 10m or less and in general accordance with the principles shown on the illustrative landscape masterplan. There should be no individual instance where spacing is greater than 20m.</p> <p>The trees shall be planted in accordance with the timetable so approved under condition 9 and thereafter so retained.</p> <p>REASON: To ensure that the status of this main transport route is reflected and that the corridor also functions as a green link in accordance with the design objectives set out in the Design and Access Statement and policies CS2 and CS19 of the Development Plan.</p>
13.	<p>Notwithstanding condition 2, no dwellings shall be occupied across the phase, (as covered by this application and associated applications; P/19/1457/2, P/19/1374/2 and P/19/1479/2), until details of the <b>planting pits</b> for the boulevard trees pursuant to conditions 9 and 12 have been submitted to and approved in writing by the Local Planning Authority. The trees shall be planted in full accordance with these approved details.</p> <p>REASON: To ensure that the status of this main transport route is reflected and that the corridor also functions as a green link in accordance with the design objectives set out in the Design and Access Statement and policies CS2 and CS19 of the Development Plan.</p>
14.	<p>No dwellings shall be occupied within the area covered by associated application P/19/1457/2 until the <b>access arrangements</b> shown on</p>

	<p>Brookbanks drawing 10214HL-11 rev G have been provided and made available for use. The proposed access shall be retained in this form until such time as it is varied by way of approval in writing by the Local Planning Authority associated with later phases of the development overall.</p> <p>REASON: To ensure that there is safe access and egress of the development parcel for future occupiers in the interests of highway safety and to ensure compliance with policies CS2, CS18 and CS19.</p>
15.	<p>No dwellings shall be occupied within the area covered by associated application P/19/1479/2 until the <b>access arrangements</b> shown on Brookbanks drawing 10214HL-10 rev G or on Brookbanks drawing 10214HL-13 rev F have been provided and made available for use. No more than 150 dwellings within this area shall be occupied until such time as both the above sets of access arrangements have been provided and made available for use. The proposed access shall be retained in this form until such time as it is varied by way of approval in writing by the Local Planning Authority associated with later phases of the development overall.</p> <p>REASON: To ensure that there is safe access and egress of the development parcel for future occupiers in the interests of highway safety and to ensure compliance with policies CS2, CS18 and CS19.</p>
16.	<p>No dwellings shall be occupied within the area covered by associated application P/19/1374/2 until the <b>access arrangements</b> shown on Brookbanks drawing 10214HL-12 rev C have been provided and made available for use. The proposed access shall be retained in this form until such time as it is varied by way of approval in writing by the Local Planning Authority associated with later phases of the development overall.</p> <p>REASON: To ensure that there is safe access and egress of the development parcel for future occupiers in the interests of highway safety and to ensure compliance with policies CS2, CS18 and CS19.</p>
17.	<p>No dwellings shall be occupied within the area covered by associated applications P/19/1457/2 and P/19/1479/2 until the <b>offsite highway works</b> shown on Brookbanks drawings 10214-1200-01 Rev D and 10214-1200-02 rev F have been provided and made available for use.</p> <p>REASON: To mitigate the impact of the development on the surrounding area in the interests of highway safety and to ensure compliance with policies CS18 and CS19 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>
18.	<p>No dwellings shall be occupied within the areas covered by associated applications P/19/1374/2 and P/19/1479/2 until the <b>offsite highway works</b> shown on Brookbanks drawings 10214-1200-03 Rev F and 10214-1200-04 rev D have been provided and made available for use.</p> <p>REASON: To mitigate the impact of the development on the surrounding area in the interests of highway safety and to ensure compliance with policies CS18 and CS19 of the development plan and paragraph 109 of the National Planning Policy Framework.</p>
19.	<p>Within 1 month of any of the new vehicle accesses permitted by conditions</p>

14, 15 and 16 being first brought into use any **currently existing access(es)** onto that same highway that become redundant as a result of this proposal shall be closed and reinstated in accordance with details submitted to and approved in writing by the Local Planning Authority. The redundant accesses shall thereafter be so retained.

REASON: In the interests of Highway and to ensure compliance with policies CS18 and CS19 of the development plan and paragraph 109 of the National Planning Policy Framework.

## Schedule 1

<b>Drawing</b>	<b>Reference</b>	<b>Revision</b>	<b>Author</b>
Site Location Plan 1	A512152 04 007	C	Lichfields
Site Location Plan 2	CS087253-I-106	P02	Capita
Public/Private Boundary Treatment	087253-L-102	P04	Capita
Hard landscape Surface Treatment Strategy	087253-L-103	P03	Capita
Soft Landscape strategy – Linear Park	087253-L-200	P03	Capita
Soft Landscape strategy – Melton Brook	087253-L-201	P03	Capita
Soft Landscape strategy – Outdoor Sports	087253-L-202	P03	Capita
Soft Landscape strategy – Cricket Green	087253-L-203	P03	Capita
Soft Landscape strategy – Forest Garden	087253-L-204	P03	Capita
Soft Landscape strategy – Residential	087253-L-205	P03	Capita
Soft Landscape strategy – Main Street	087253-L-206	P05	Capita
Soft Landscape strategy – Street Types A/B	087253-L-207	P03	Capita
Soft Landscape strategy – Street Type B	087253-L-200	P03	Capita
Site Sections A-D	087253-L-300	P02	Capita
Site Sections E-F	087253-L-301	P01	Capita
Site Sections N-S A-A	087253-L-302	P02	Capita
Site Sections N-S B-B	087253-L-303	P01	Capita
Site Sections E-W A-A	087253-L-304	P01	Capita
Site Sections E-W B-B	087253-L-305	P01	Capita
Site Sections Location Plan	087253-L-310	P01	Capita
Estate Fencing & Gate to ditch	SK191031	P03	Capita
Cut & Fill Appraisal Plan	HXXXX-002-01	C	DDS
East Field Soil Capacity Layout	HXXXX-005-01	A	DDS
General Arrangement (infrastructure)	HXXXX100-01	-	DDS
General Arrangement (infrastructure)	HXXXX100-02	-	DDS
General Arrangement (infrastructure)	HXXXX100-03	-	DDS
Drainage & Levels Appraisal 1	HXXXX-001-01	D	DDS
Drainage & Levels Appraisal 2	HXXXX-001-02	E	DDS
Drainage & Levels Appraisal 3	HXXXX-001-03	D	DDS
Drainage Layout 1	HXXXX-101-01	A	DDS
Drainage Layout 2	HXXXX-102-01	A	DDS
Drainage Layout 3	HXXXX-103-01	A	DDS
Surface Finishes Layout 1	HXXXX-102-01	-	DDS
Surface Finishes Layout 2	HXXXX-102-02	-	DDS
Surface Finishes Layout 3	HXXXX-102-01	-	DDS
Drainage Construction Details 1	HXXXX-300-01	-	DDS
Drainage Construction Details 2	HXXXX-400-02	-	DDS
Drainage Construction Details 3	HXXXX-400-03	-	DDS
Highway Construction Details 1	HXXXX-400-01	-	DDS
Highway Construction Details 2	HXXXX-400-02	-	DDS
Phase 1 Access 1 Barkbythorpe Rd North	10214-HL-11	G	Brookbanks
Phase 1 Access 2 Barkbythorpe Rd South	10214-HL-10	G	Brookbanks

Phase 1 Access 3 Hamilton Lane South	10214-HL-13	F	Brookbanks
Phase 1 Access 4 Hamilton Lane North	10214-HL-12	C	Brookbanks
Road sign strategy 1	10214-1200-01	D	Brookbanks
Road sign strategy 2	10214-1200-02	F	Brookbanks
Road sign strategy 3	10214-1200-03	F	Brookbanks
Road sign strategy 4	10214-1200-04	D	Brookbanks



## Information notes

1.	The Local Planning Authority has acted pro-actively through early engagement with the applicant at the pre-application stage. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
2.	Planning permission has been granted for this development because the Council has determined that it is generally in accord with the terms of the following development plan policies: CS2, CS3, CS11, CS12, CS13, Cs15, CS16, CS17, CS18, CS19, CS25, EV/1, TR/18 There are no other material considerations which would indicate that planning permission should be refused.
3.	This planning application forms part of consent P/13/2498/2 and it should be noted that it does not override the need to comply with conditions or legal obligations attached to that consent.
4.	Drainage must be provided within the site so that surface water does not drain into the public highway from any private driveways or other hard surfaces, in the interests of highway safety.
5.	All roads, footpaths and verges together with all drainage works must be constructed in accordance with the Leicestershire County Council current guidance for adoption purposes. This is to ensure that the roads to be constructed are to adoptable standards and appropriate for a Section 38 Agreement between the developer and the highway authority.
6.	Please note the minimum visibility splay size for the proposed site accesses is 2.4m by 43m. These shall be kept clear of any obstruction which exceeds 0.6m above the level of the adjacent footway/verge/highway.

