

Item No. 1

Application Reference Number P/20/0089/2

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|--------------------------|--|--------------------|-------------------------------|
| Application Type: | Reserved Matters | Date Valid: | 23 rd January 2020 |
| Applicant: | Barwood Development Securities Ltd | | |
| Proposal: | Reserved matters (appearance, scale, layout and landscaping) in respect of Outline Application P/17/1578/2 for the conversion of the existing farmstead and construction of new buildings for use classes B1(a), D1 and D2 | | |
| Location: | Peashill Farm Ratcliffe Road Sileby LE12 7QB | | |
| Parish: | Sileby | Ward: | Sileby |
| Case Officer: | Lewis Marshall | Tel No: | 01509 634691 |

This item has been called in to be determined by the Plans Committee at the request of Cllr Paling who states that “for the development to go ahead we need all the benefits for the village”.

Description of the Application

The application site comprises a parcel of land within the wider development site of Peashill Farm that extends to 13.32 hectares, with access to be obtained from Ratcliffe Road. The site is located within the development limits of Sileby as defined by the recently adopted Sileby Neighbourhood Plan. The application site is located on the southeast side of Sileby. The site is bounded to the east by the rear of properties on Ratcliffe Road and Peashill Close, with Sileby Cemetery to the north, open fields and countryside to the south and trees/hedgerows to the east. The site is not in a Conservation Area and the nearest heritage asset is the Cemetery Building which is locally listed.

The site is currently in arable land use for the most part, and consists of four fields (or parts of fields). To the northwest of the site, adjacent to the cemetery chapel, an area that was formerly a quarry is now a local wildlife site and a small enclosure of meadow pasture. The site is accessed off Ratcliffe Road via a private lane to Peashill Farm. The farmstead is located in the southern part of the site adjacent to the access, within a rectangular curtilage bound by trees and hedgerows, and consists of a farm house, brick outbuildings and corrugated iron vaulted barn.

Outline planning permission was conditionally granted on the site for residential development for up to 170 dwellings, public open space, landscaping, extension to cemetery, new allotments, access, surface water attenuation and associated works including demolition of 94 Ratcliffe Road and conversion of existing farm buildings on 26th January 2018, (application P/17/1578/2 refers). That scheme included an indicative layout which had evolved from the Design & Access statement.

The application seeks reserved matters approval for the conversion of existing farm buildings and the construction of new buildings forming part of the site which was granted

permission for B1a, D1 and D2 uses. Materials proposed are mix of red brick, dark timber boarding and tiled roofs. The development parcel would be accessed via two access points from the main spine road within the wider development site with 63 parking spaces and 15 cycle stands. The proposal includes the demolition of some of the more contemporary farm buildings. The application, as originally submitted, proposed a new health centre as part of reserved matters which has subsequently been amended to provide a flexible office/community use.

The existing farm house and adjacent barns are to be retained and converted to B1 office use (407sqm). The submitted design and access statement confirms these will provide offices for small and start-up businesses. The courtyard arrangement and shared facilities will encourage interaction and collaboration between the businesses. Across the two building ranges the following will be provided:

- 5no. small offices of varying sizes to suit different businesses, providing office space for between 1 and 8 people;
- Shared meeting rooms located in the converted house;
- Shared media room providing printing facilities etc;
- WC and kitchenette facilities.

Two new buildings measuring a combined total of 975sqm will each provide;

- A security/reception desk and office;
- A shared seating/casual meeting area;
- 7/8no. small office spaces;
- 2no. shared meeting rooms;
- Shared kitchenette;
- WC facilities;
- A larger open plan office at first floor;
- Plant room.

The application is supported by the following plans and documents: -

- 3371-003J Proposed Site Plan
- 3371-08A Proposed Building 1 – GF
- 3371-09A Proposed Building 1 – FF
- 3371-10C Proposed Building 1 – Elevations
- 3371-11F Landscape Boundary Treatment Plan
- 3371-21 Proposed Building 2 – GF Plan
- 3371-22 Proposed Building 2 – FF Plan
- 3371-23 Proposed Building 2 – Elevations
- 3371-25A Peashill Farm – Visibility Splays
- 3371-12 - Site Location Plan
- Bat Mitigation Strategy

The layout, landscaping, scale and appearance of the wider development are under separate consideration (application P/19/1683/2). A further full planning application is under consideration (P/19/2162/2) which seeks to provide an additional 31 units within the site.

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). The Sileby Neighbourhood Plan also forms part of the development Plan and is relevant to this application.

Charnwood Local Plan 2011-2028 Core Strategy

The Core Strategy is less than five years old, is positively worded and consistent with the aims and objectives of the NPPF. The policies within the Core strategy are therefore considered to carry full weight.

CS2 – High Quality Design – requires new developments to respect and enhance the character of the area, protect the amenity of people who live and work nearby and function well and add to the quality of the area.

CS6 – Employment and Economic Development – supports development that will promote growth, job opportunities and prosperity.

CS13 – Biodiversity and Geodiversity – supports development that protects, enhances, restores or recreates biodiversity.

CS14 – Heritage - seeks to conserve and enhance heritage assets and their settings.

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

CS25 – Presumption in favour of sustainable development – This policy reflects the NPPF and reinforces the positive approach the Council will take in respect of sustainable development.

Borough of Charnwood Local Plan

The saved policies of the Local Plan (2004) are more than five years old and therefore do not carry full weight. However, it is considered that those saved policies are still considered to be consistent with the aims and objectives of the NPPF and the more recently adopted core strategy and therefore carry significant weight.

Policy EV/1 - deals with all new developments and states that the amenity of adjacent residential properties should be protected particularly in terms of privacy and light.

Policy TR/18 - indicates that planning permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimize harm to visual and local amenities. The policy promotes standards that would require 3 parking spaces for a 4 or more bedroom dwelling, although it states that this will be used as the starting point in assessing the level of provision and represent the maximum level. The quantity of parking allowed should reflect the proposed use and the location of development, the availability of public off -street parking;

the current, or potential accessibility by non-car modes and the scope for practical measures to significantly reduce the use of private car trips to and from a site.

Sileby Neighbourhood Plan (2018-2036)

Policy G1: Limits to Development; supports development proposals within the settlement boundary as defined by the neighbourhood plan and where the proposal complies with the policies within the neighbourhood plan.

Policy G2: Design; sets out criteria for new development to ensure it enhances and reinforces local distinctiveness, character of the area and be sympathetic to any neighbouring properties and the surrounding area. Development which would have significant adverse effect on the street scene or the character of the countryside will only be permitted where any harm is clearly outweighed by the wider benefits of the proposal. Contemporary or innovative design will be encouraged and supported where it makes a positive contribution to the character of the area and is compatible with the surrounding historic context. Development proposals should aim to maintain and enhance biodiversity through measures such as integral bird boxes and bat roosting or breeding sites and providing permeable hedges or fences.

Policy ENV6: Biodiversity, Hedges and Habitat Connectivity; expects development proposals to safeguard locally significant habitats and species and to create new habitats for wildlife.

Policy ENV7: Protection of Important Views; identifies important views across the neighbourhood plan area, including one in close proximity to the application site at the top of Peas Hill on Radcliffe Road, northwest down the hill into the village.

Policy ENV10: Flood Risk and Brownfield Sites; Development proposals on Brownfield Sites should include measures to reduce the surface water run off rates to as close to the pre-development (greenfield) rate as possible

Policy CF2: New and Improved Community Facilities; supports proposals that improve the quality or range of community facilities.

Policy E1: Employment; proposals for new employment related development will be supported where it can be demonstrated that it will not generate unacceptable impacts, they respect and are compatible with the local character and surrounding uses and where appropriate, protect residential amenity.

Policy E2: Farm Diversification; The re-use, conversion and adaptation of rural buildings and the construction of well-designed new buildings for commercial use will be supported where the use is appropriate to the location, the development will not have an adverse impact on historic or environmental features, sufficient parking is provided and no significant adverse impact on neighbours.

Other Material Considerations

The National Planning Policy Framework (2019)

The National Planning Policy Framework (chapter 7) sets out a presumption in favour of sustainable development. The framework identifies the economic and social roles of the planning system, both to build a strong responsive economy by ensuring land (and presumably buildings) are available in the right place at the right time, and supporting the health of the community by ensuring housing for present needs that has a high quality built environment, which encompasses social and cultural well-being. One of the principles of planning is to seek a good standard of amenity for all existing and future occupants of land and buildings. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

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

Section 6: Building a strong, competitive economy

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth (paragraph 80).

Paragraph 83 states that planning decisions should enable;

- A) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings
- B) *The development and diversification of agricultural and other land-based industries*
- D) *The retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

Section 8: Promoting healthy and safe communities

Planning decisions should promote a sense of community and deliver the social, recreational and cultural facilities and services that such a community needs.

Section 9: Promoting Sustainable Transport

All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and a Travel Plan (paragraph 111). Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable modes maximised (paragraph 103). Developments should be designed to give priority to pedestrian and cycle movements and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians and within large scale developments, key facilities should be located within walking distance of most properties (paragraph 104). Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or where the residual cumulative impacts would be severe (paragraph 109).

Section 12: Requiring well-designed places.

The NPPF recognises that good design is a key aspect of sustainable development and that high quality and inclusive design should be planned for positively (paragraph 124).

Paragraph 127 states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The role of design review arrangements that assess, support and ensure high standards of design are recognised (paragraph 129) and the NPPF notes that great weight should be given to innovative designs which help raise the standard of design (paragraph 131) and that poor design should be refused (paragraph 130).

Section 14: Meeting the challenge of climate change, flooding and coastal change

New development should help reduce greenhouse gas emissions and energy efficiency improvements in buildings should be actively supported (paragraph 149). It should also take account of layout, landform, building orientation, massing and landscaping to minimise energy consumption (paragraph 153) and renewable and low carbon energy development should be maximised (paragraph 154).

The National Design Guide (2019)

This document sets out the Central Government's design guidance which is intended to encourage, promote and inspire a higher standard of design in respect of development proposals.

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

The HEDNA provides an integrated assessment of future housing needs, the scale of future economic growth and the quantity of land and floorspace required for B-class employment development across Leicester and Leicestershire.

Charnwood Design SPD (2020)

The adopted Design Supplementary Planning Document is a working document intended to encourage, promote and inspire higher design standards in development throughout Charnwood.

The Leicestershire Highways Design Guide (2018)

This is a guide for use by developers and published by Leicestershire County Council, the local highway authority, and provides information to developers and local planning authorities to assist in the design of road layouts in new development. 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 required to be provided in new housing development.

The Crime and Disorder Act 1998

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

National Planning Practice Guidance (PPG)

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

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.

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.

The Draft Local Plan

The local planning authority is in the process of preparing a new local plan for the borough for the period up to 2036. The new local plan will include strategic and detailed policies and will be prepared to provide for a longer plan period than the adopted Charnwood Core Strategy which provides the strategy up to 2028. Taking into account its stage in the plan making process, at this time, the Draft Local Plan carries only limited weight.

Relevant Planning History

| Reference | Description | Decision & Date |
|-------------|--|-----------------------|
| P/17/1578/2 | Outline application for up to 170 dwellings with associated open space, landscaping, extension to cemetery, new allotments, access, surface water attenuation and associated works including demolition of 94 Ratcliffe Road and conversion of existing farm buildings. (Access only to be considered at outline stage). | Approved 26/1/2018 |
| P/19/2162/2 | Erection of 31 dwellings and associated infrastructure | Pending consideration |
| P/19/1683/2 | Reserved matters (appearance, scale, layout and landscaping) in respect of Outline Application P/17/1578/2 for the Erection of 170 dwellings | Pending consideration |

Responses of Statutory Consultees

Leicestershire County Council as Highway Authority raises no objection and advises that, in its view, the residual cumulative impacts of development can be mitigated and are not considered severe in accordance with the National Planning Policy Framework (NPPF), subject to a number of planning conditions be attached to any permission granted.

NHS Northwest Leicestershire CCG confirms that they would not support a health centre on this site and would instead be requesting the financial contribution agreed as part of the outline planning permission which will be used towards improving capacity at the two other health centres in Sileby.

Other Comments Received

Cllr. Paling has raised an objection to the application on the following grounds: -

- He believes for this development to go ahead we need all the benefits for the village.
- He states that planning condition 3 requires that the Reserved Matters submission shall be in accordance with the principles set out in the indicative masterplan and shall include the retention and conversion of the existing farm buildings to Use Classes B1(a), D1 or D2 uses. The reserved matters application indicates that all the existing farm buildings are to be demolished.
- He requests that the application is determined by the Plans Committee.

Sileby Parish Council raises concerns about the validity of this submission for the following reasons;

- Concerns that demolition of some existing buildings and construction of new buildings deviates from the terms set out in the outline application and the issues debated during the decision-making process.
- The retention and conversion of the farm buildings was made out to be a benefit of this scheme, something to weigh against the negative impact of development in the open countryside.
- The subsequent reserved matters submission is based on the premise that parts of the brick outbuildings and the distinctive black corrugated iron barns will be demolished and replaced with new buildings. This is significantly adrift from the development proposal that the local community expected to be delivered by the outline proposal.

- Raises questions about the viability and deliverability of a new healthcare facility and await comments on this from the West Leicestershire Clinical Commissioning Group.
- In the event this application progresses then the Parish Council support the Borough Councillors call-in request and would like the opportunity to speak at the Plans Committee Meeting.

Charnwood Borough Council Environmental Protection Officer confirms that no objection to the application is raised.

There has been 1 letter of objection received from a nearby resident raising the following concerns: -

- The proposed development isn't in line with the original application and subsequent permission.
- The applicants at the time overpromised and have failed to deliver.
- The applicants shouldn't have been given permission in the first place believes this was forced through by the Charnwood Authority.
- The applicant is wanting to increase the housing numbers in another separate application

One further letter of comment has been received querying if the proposed health centre will be open to all Sibley residents or just those that will live in the new development.

Consideration of the Planning Issues

The principle of development was established following the granting of outline planning permission P/17/1578/2. Through the granting of the outline application, the principle of the development, the impact on flooding, road congestion and local wildlife were considered and addressed.

The main issues to be considered in the determination of this application are:

- Compliance with the Outline Planning Permission
- Design and Layout and the impact on the character of the area
- The Impact on Residential Amenity
- Impact on Ecology
- Highway Safety
- Conditions of the Outline Planning Permission
- Other Matters

Compliance with the Outline Planning Permission

The Parish Council and Cllr. Paling have raised concerns that the proposed reserved matters within this part of the site is not in accordance with the approved outline planning permission and therefore question its lawfulness as a valid reserved matters application. Specific concerns are raised in respect of the demolition of some existing farm buildings and the construction of new buildings.

The outline permission does not specifically or explicitly mention the demolition of any existing buildings. However, this could be incorporated under the umbrella term "associated

works” as set out in the description of the approved development. Furthermore, the permission does not impose limitations or conditions to safeguard buildings within the site from demolition. It is a matter of judgement as to the accordance with any outline consent and officers consider the demolition and replacement of the modern agricultural buildings to accord with the spirit of the outline planning permission which was to preserve farm buildings of local historic interest. There are two key reasons for this set out below.

The ‘Reason’ stated for the imposition of condition 3 on the outline planning permission makes reference to “*ensuring that the development is in keeping with the character of the area, is designed for the site and appropriately integrates the affordable and market housing.*” Retention/conversion of the large, modern metal-clad farm buildings would be wholly contrary to what this condition is trying to achieve. The proposed new buildings that would replace the large modern agricultural shed (which is not worthy or capable of conversion) would be more appropriate within what will be a residential context, whilst the older traditional farm buildings to be converted ensure there is reference to the sites’ history.

Furthermore, the indicative masterplan submitted as part of the outline permission makes reference to “*mixed uses – new buildings and refurbished farmstead*” within the Reserved Matters site area. It is officers view that it is sufficiently clear that the permission provides scope to provide new buildings in addition to converting the more historic farmstead buildings, which are more worthy of retention. The outline permission provides choice and flexibility in this regard whilst still having regard for the condition mentioned above.

Design and Layout and Impact on the character of the area

Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved policy EV/1 supports development that is of a design, scale, layout and mass compatible with the locality and which uses materials appropriate to the locality. Policy G2 of the Neighbourhood plan seeks to reinforce local distinctiveness and supports contemporary or innovative design where it makes a positive contribution to the character of the area and is compatible with the surrounding historic context.

The indicative layout approved as part of the outline planning permission includes the retention of the farm buildings and creation of new buildings for community/employment uses. In this regard, the proposal shows the retention of the more historic farmhouse and attached farmstead together with the creation of two new buildings following the demolition of the larger more contemporary barns.

In respect of the new buildings proposed, they are to be for flexible business or community uses and are large brick and timber clad structures which are designed to emulate the appearance of a barn, therefore responding to its setting within the area of the historic farmstead and on the edge of the countryside. The proposed new buildings are two storey in scale and sited appropriately with sufficient distance from the more historic converted farmstead and nearby dwellings. The proposed buildings are also outwards facing providing interaction with the main service road ensuring the complex of buildings integrates as part of the wider development with service areas and parking located at the rear. It is considered that the design and layout of the proposed new buildings accords with policies CS2, EV/1 and G2.

In respect of the conversion of the existing farmhouse and attached buildings to be retained, the conversion would result in minimal intervention and new openings and would respect

the historic form and character of the buildings. The use proposed would be for B1 office use and would be intended to provide office accommodation for small start-up businesses focused around a central courtyard arrangement facilitating interaction and collaboration between businesses. In addition to the above mentioned policies, Policy E2 of the Neighbourhood Plan supports development that will not have an adverse impact on historic or environmental features in respect of farm conversions. It is considered that the proposed conversion works and the surrounding layout and landscaping accords with policy E2 in this regard for the above reasons. The submitted plans show the location and type of landscaping and surfacing materials proposed, however they do not include precise species, densities or specifications. A condition is therefore recommended to require the developer to provide such details within three months of the commencement of development.

It is therefore concluded that the proposed reserved matters in respect of the layout, appearance, landscaping and scale of the proposed development accords with policies CS2, EV/1 and E2 and the NPPF.

Residential Amenity

Core Strategy Policy CS2 and saved local plan policies EV/1 promote high quality design and layouts to preserve residential amenity for both occupiers of existing neighbouring properties and the future occupiers of proposed development. Further guidance on residential amenity is set out in the Design SPD.

The parcel of land subject to this reserved matters application is situated centrally within the site and away from existing and proposed residential areas. The principle of the proposed B1a, D1 and D2 uses has been accepted by virtue of the granting of the outline planning permission. Furthermore, no objections have been raised on grounds of residential amenity in respect of the uses proposed or the layout of buildings within the site.

It is therefore considered that the proposal would not result in unacceptable adverse impact on amenity of residential properties within the sites locality and therefore does not conflict with policies CS2 and EV/1 in respect of residential amenity. Furthermore, the proposal is acceptable having regard for the guidance and separation distances contained within the Design SPD and accords with the principles granted as part of the outline planning permission.

Ecology

Policy CS13 seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. Policy G2 and ENV6 of the Sileby Neighbourhood Plan seek to encourage the use of integrated nesting and roosting features and safeguard locally significant habitats and species and to create new habitats for wildlife. The application is supported by a bat mitigation strategy as it relates to the conversion and demolition of buildings which may be suitable for the roosting of bats.

To inform the outline planning application a suite of ecological surveys of the Site was undertaken in 2016. These included a desk study, Extended Phase 1 survey and further Phase 2 surveys in relation to roosting bats, foraging/commuting bats and great crested newts. The results of which were submitted with the outline application within an Ecological Appraisal. In June 2020 at the request of the local planning authority, the applicant carried out an updated ecological walkover survey, external bat roost assessment of the buildings

and visual assessment of the trees within the Site, in order to ascertain whether there has been any change in the baseline conditions of the Site since the previous surveys were submitted as part of the outline planning application. Accordingly, a Bat mitigation Strategy has been completed and submitted to support this reserved matters application.

All British bat species, and their roosts, are fully protected under EU and UK law under Annex IV(a) of the *European Communities Habitats Directive* 1992. This is transposed in the UK into the *Conservation of Habitats and Species Regulations* 2017 (as amended), and under Schedule 5 of the *Wildlife and Countryside Act* 1981 (as amended), respectively. This legislation protects bats from harm, capture or disturbance, and protects their roosts from damage, destruction and obstruction. Therefore, for any works to commence lawfully that impacts any buildings (or trees) that are confirmed to support current bat roosts, an appropriate licence will need to be obtained from Natural England.

The submitted mitigation strategy confirms that there are four buildings on the site. In addition, there are three trees present on-site that are to be lost to the development that have been identified as having bat roost potential. The submitted mitigation strategy therefore makes a series of recommendations to secure mitigating measures as part of the conversion works, to include raised bat tiles, bat bricks, bat boxes, martin nest cups and swift bricks. Appropriate mitigation measures in relation to tree felling are also provided within the mitigation strategy. The submitted mitigation strategy confirms that the site is of low value/potential for amphibians', reptiles or badgers.

It is therefore considered that providing a condition is imposed requiring the development to be carried out in accordance with the submitted mitigation strategy; the development will be acceptable in terms of its impact on wildlife and therefore accords with policies CS13, G2, ENV6 and the NPPF. Furthermore, it is considered likely that Natural England would grant a licence for these works should one be required.

Highway Safety, Parking and Access

"Saved" Policy TR/18 of the Charnwood Local Plan sets out parking standards in respect of development proposals. Paragraph 108 of the National Planning Policy Framework outlines that development proposals should ensure that safe and suitable access to the site can be achieved for all users. Paragraph 109 of the National Planning Policy Framework outlines that development should only be prevented or 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.

The principle and design of the main site access off Ratcliffe Road has already been approved under planning application P/17/1578/2. Notwithstanding this, the proposal includes two points of access directly from the service road that are to be provided to serve the wider development.

Leicestershire County Council (Local Highways Authority) was consulted in connection with this planning application. The consultation response originally received requested for vehicular and pedestrian visibility splays to be demonstrated on a scaled drawing. The applicant has since submitted drawing no: 3371-025 Rev A which demonstrates vehicular visibility splays of 2.4m by 25m and 2m by 2m pedestrian visibility for both access A and B. The Local Highway Authority is satisfied the visibility splays mentioned can be achieved

within the applicant's land and are in accordance with standards contained in the Leicestershire Highway Design Guide.

The Local Highways Authority has also reviewed the proposed parking provision and is satisfied there is sufficient parking associated with the proposed uses and is in general accordance with Highway Requirements Part 4 of the Leicestershire Highways Design Guide. It is confirmed therefore that the Local Highways Authority raises no objection in respect of the proposed development, although it has recommended a number of conditions. A condition is recommended to include details of construction traffic management plan. However, a condition to this effect is imposed on the outline planning permission and therefore it is not necessary to impose this condition on the reserved matters approval for this part of the site.

Overall, given the site specific circumstances outlined above, and the low volume of traffic that would be generated by the use, the Local Highway Authority does not consider the proposals would lead to a 'severe' impact on the safe operation of the highway in accordance with the NPPF. Therefore, subject to the imposition of conditions recommended by the Local Highway Authority, the Local Planning Authority does not consider this development will have a severe impact on the highway in accordance with Paragraph 109 of the NPPF and therefore a reason for refusal on such grounds could not be sustained.

Conditions of the outline planning permission

As a Reserved Matters submission, it is necessary to consider the conditions attached to the outline planning permission as to whether any further conditions are necessary:

| No. | Wording of outline Condition | Discharged by the Reserved Matters |
|-----|--|--|
| 1 | The final application for approval of the remaining Reserved Matters shall be made within 2 years of the date of this decision. The Reserved Matters approval must be begun not later than 2 years from the date of approval of the final Reserved Matters approval. | In part Yes. Development will need to commence within two years following approval of final reserved matters. |
| 2 | The development of land shall not be commenced until details (the "Reserved Matters") of all of the following for that phase or parcel have been submitted to and approved by the Local Planning Authority | Yes. For this parcel only. |
| 3 | The Reserved Matters submission shall be in accordance with the principles set out on the indicative masterplan on drawing number EDP3418/06f. The Reserved Matters shall include the following principles: - A development of up to 170 dwellings in a housing mix to be agreed. - Retention and conversion of the existing farm buildings to Use Classes B1(a), D1 or D2 uses. | Yes For this parcel only & subject to commentary above. |

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| | <ul style="list-style-type: none"> - Bungalows of 1-1.5 storeys on the boundary with existing residential properties (with a minimum of 50% being single storey bungalows) - The provision and delivery of cemetery and allotment space - Sustainable Drainage provision including ponds and swales - The use of long gardens giving space for existing hedgerows. - Appropriate stand-off, landscaping and mitigation to the Chapel building in the cemetery | |
| 4 | As part of the landscaping Reserved Matters submission, identified under Condition 2, details of hard and soft landscaping works in that phase or parcel will be submitted for the approval of the Local Planning Authority. | Yes For this parcel only. Drawing 3371-011 shows layout of landscaped areas but precise details needed regarding species, densities of plants and surface materials. Further condition recommended to secure these precise details. |
| 5 | No site clearance shall be commenced until a detailed tree protection scheme approved under Condition 4 has been implemented to protect all trees and hedgerows to be retained in or immediately adjacent to the boundary of the application site in accordance with BS5837: 2005 'Trees in relation to construction'. Any tree works shall be carried out by a recognised tree surgeon, or a person who is appropriately insured and competent in such operations. | No. |
| 6 | No development shall commence on the site (including any demolition and clearance works) until such time as a construction traffic management plan, including as a minimum, details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable. | No. |
| 7 | Prior to the commencement of development, including site works, until a Phase II ground investigation shall be undertaken to establish | No. |

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| | the full nature and extent of any contamination of the site and the results of the investigation together with details of any remediation strategy necessary to render the site safe shall be submitted to the local planning authority for their assessment and written approval. Any remediation works required by the approved strategy shall be carried out in accordance with the approved remediation strategy. | |
| 8 | Prior to the commencement of development drainage plans for the disposal of foul sewage for the phase shall be submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. | No. |
| 9 | Prior to the commencement of development, a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. | No. |
| 10 | Prior to built development commencing a schedule of the facing materials to be used has been submitted to and approved in writing by the Local Planning Authority. | No. Precise details and specifications required. |
| 11 | Prior to first occupation of any dwelling hereby permitted details of the design for off-site highway works being a speed reduction scheme on Ratcliffe Road, Sileby shall be approved and implemented to the satisfaction of the Local Planning Authority. Any street furniture or lighting that requires relocation or alteration shall be carried out entirely at the expense of the Applicant, who shall first obtain the separate consent of the Highway Authority. | No. |
| 12 | No part of the development shall be occupied until such time as the site access arrangements shown on PBA drawing numbered 39052/5501/006 Rev B has been implemented in full. | No. |
| 13 | Prior to first occupation, a Green Infrastructure Biodiversity Management Plan, including long | No. |

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| | <p>term design objectives, management responsibilities and maintenance schedules, including ecological measures for all landscape areas, other than domestic gardens, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed Green Infrastructure Biodiversity Management Plan shall then be fully implemented in accordance with the agreed recommendations.</p> | |
| 14 | <p>Prior to the commencement of development details of any associated lighting and boundary treatment to the proposed emergency, pedestrian and cycle way to Ratcliffe Road shown on PBA drawing numbered drawing ref: 39052/5501/021 shall be submitted to and approved in writing by the Local Planning Authority. The access shown on PBA drawing numbered drawing ref: 39052/5501/021 and associated approved works shall be implemented prior to first occupation.</p> | No |
| 15 | <p>Prior to the commencement of development a Construction Traffic Routing Agreement shall be submitted to and approved in writing by the Local Planning Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.</p> | No. |
| 16 | <p>No part of the development hereby permitted shall be first occupied until a Public Transport Strategy has been submitted to and agreed in writing by the Local Planning Authority.</p> | No. |
| 17 | <p>Prior to the occupation of each dwelling, the parking areas which relate to that dwelling shall be made available for the parking and maneuvering of motor vehicles. The areas shall be retained for such purpose at all times thereafter.</p> | No. Further conditions recommended by the LHA for this parcel only. |
| 18 | <p>No demolition, construction or engineering works, (including land reclamation, stabilisation, preparation, remediation or investigation), shall take place on any Sunday, Bank Holiday or Public Holiday, and otherwise such works shall only take place between the hours of 07.00 to 18.00 weekdays and 08.00 to 13.00 Saturdays. No plant, machinery or equipment associated with such works shall be</p> | No. |

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| | started up or operational on the development site outside of these permitted hours. | |
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Other matters

Residents and the Parish Council have raised concerns that the development will not provide a health centre as was indicated at the time of the approval of the outline planning permission.

In terms of the Section 106 agreement tied to the outline planning permission; the S106 gives a choice of providing a sum towards improving existing healthcare facilities within the village or the developer can provide a healthcare facility on site within a converted building as part of the development. The sum required is forfeited on occupation of any converted building as a surgery/health centre.

The Northwest Leicestershire CCG have been consulted as part of application P/20/0089/2 and they have recently confirmed that they would not be supporting the provision of a new health facility on site and instead would be seeking the financial sum agreed which can be used to improve existing GP surgeries in the village (of which there are two). The outline planning permission does provide flexibility in terms of the uses within this part of the site i.e. B1a, D1 or D2 uses. There is no requirement that the applicant must provide a D1 health centre and accordingly is not providing a health centre in accordance with the consultation response from the CCG.

Conclusion

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

Overall, the proposals have been carefully assessed against the comments and consultation responses received and the policies of the Development Plan and the National Planning Policy Framework.

The principle of development in terms of the uses proposed on this part of the site and the impact on the wider highway network, flooding and wildlife has been considered and deemed acceptable through the approval of the outline planning permission.

It is considered that the proposals relate to the built form and settlement character of this area of Sileby and would preserve amenity for existing residents and create a high-quality environment for future residents. It is also considered that the proposed conversion works respect the historic form and character of the existing farmstead buildings, whilst the proposed new buildings respect and enhance the setting of the existing converted farmstead buildings.

The validity of the reserved matters application and its consistency with the outline planning permission has been carefully considered and it is concluded that the proposal accords with the indicative principles and conditions approved as part of the outline planning permission.

Accordingly, it is recommended having regard to the above considerations that planning permission is granted conditionally.

RECOMMENDATION:

Planning permission be granted for the development subject to the following Conditions and Reasons why they have been imposed:

1. The development hereby permitted shall be carried out and the use operated only in accordance with the details and specifications included in the submitted application and as shown on the drawings below;
Approved Drawings:- [ADD]

REASON: For clarity and the avoidance of doubt and to define the terms of the permission

2. Within three months of the commencement of development, including site works, a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the local planning authority:
 - i) the treatment proposed for all ground surfaces, including hard areas;
 - ii) full details of tree planting;
 - iii) planting schedules, noting the species, sizes, numbers and densities of plants;
 - iv) finished levels or contours;
 - v) any structures to be erected or constructed (including areas for bin storage)
 - vi) functional services above and below ground; and
 - vii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

REASON: To make sure that a satisfactory landscaping scheme for the development is agreed in accordance with policy CS2 and CS13

3. The landscaping scheme shall be fully completed, in accordance with the approved details, in the first planting and seeding seasons following occupation of the development or in accordance with a programme previously agreed in writing by the local planning authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

REASON: To make sure that the appearance of the completed development is satisfactory, to mitigate the impacts on biodiversity and to help assimilate the development into its surroundings in accordance with Policy CS2 and CS13 of the Core Strategy.

4. Notwithstanding what is shown on the approved plans, within three months of commencement of development, exact details of the location, scale, appearance and material of all boundary treatments and fencing shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and

completed prior to the occupation of any dwelling and maintained thereafter in the approved form.

REASON: To ensure the satisfactory appearance of the development and to protect the amenity of existing and future residents in accordance with policy CS2

5. The development hereby permitted shall be carried out in full accordance with recommendations contained within the approved ecological mitigation strategy and all measures shall be complete prior to the buildings being brought into use.

REASON: To mitigate the impacts of the development on protected species and their habitats in accordance with policy CS13 and G2.

6. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Drawing 3371-025 Rev A have been implemented in full. Visibility splays once provided shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network in the interests of general highway safety and in accordance with the National Planning Policy Framework (2019).

7. No part of the development hereby permitted shall be occupied until such time as 2.0/2.0 metre by 2.0/2.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

REASON: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2019).

8. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019)

9. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with drawing

number 3371-003. Thereafter the onsite parking provision shall be so maintained in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).

The following advice notes will be attached to a decision

- 1 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policies and, therefore, no harm would arise such as to warrant refusal of planning permission.
2. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
3. You are reminded that the development remains subject to the conditions imposed on outline planning permission P/17/1578/2. You must ensure that pre-commencement conditions are discharge prior to commencing the development and that all conditions are complied with.

