

Item No. 3

Application Reference Number P/19/2139/2

Application Type:	Full	Date Valid:	15/10/2019
Applicant:	Miller Homes Ltd & W & J Parker Ltd		
Proposal:	Erection of 105 dwellings with associated infrastructure, landscaping and public open space to include engineering works to un-named watercourse to permanently remove 450mm culvert to be replaced by open channel and re-profiling of existing watercourse to provide additional flood storage		
Location:	Loughborough Road Quorn Leicestershire		
Parish:	Quorn	Ward:	Quorn
Case Officer:	Lewis Marshall	Tel No:	07714 846497

Background

This application has been brought to plans committee as it relates to a major housing development and is considered a departure from the development plan and is recommended for approval.

Description of the Application Site

The application site is a parcel of agricultural land to the western edge of Quorn that measures 5.6 hectares which has, in part, been allocated for housing as part of the now adopted Quorn Neighbourhood Plan (2019). The site is partially located within flood zones 2 and 3 although the majority of the site falls within flood zone 1. The application proposes engineering works to the existing culvert that runs through the site to provide additional flood water storage capacity in preparation for the wider residential development that is allocated for as part of the Quorn Neighbourhood Plan. The site is bound by Loughborough Road to the south West, The A6 to the north, agricultural land to the northwest and Quorn Football club and existing residential development to the West.

Description of the Proposal

The application seeks full planning permission for the erection of 105 dwellings with associated infrastructure, landscaping and public open space. The proposal has been amended through the course of the application and now includes previously approved engineering works to the un-named watercourse to permanently remove 450mm culvert to be replaced by open channel and re-profiling of existing watercourse to provide additional flood storage. The proposed engineering works would redirect and redistribute the functional flood plain that cuts across the central section, unallocated segment of the application site.

The application includes the following supporting documents & plans:

- Application form
- Site location Plan – red line
- Site Layout Plan
- Detailed Soft Landscaping Plans
- Landscape Management Plan
- Detailed LEAP proposals
- Preliminary finished floor levels
- Site access plans and swept path analysis
- Materials Plan
- Boundary treatment plan
- Design and Access Statement
- Planning Statement
- Transport Assessment and Travel Plan + Addendum
- Flood Risk Assessment & Drainage Strategy
- Watercourse Works Site Plan and Sections
- Drainage Impact Assessment
- Ecological Appraisal and Biodiversity Impact Assessment (BIA)
- Archaeological Assessment
- Heritage Statement
- Geophysical Survey Report
- Acoustic Assessment

Development Plan Policies

Charnwood Local Plan Core Strategy (adopted 9 November 2015)

Policy CS1 – Development Strategy – Sets out a growth hierarchy for the borough that sequentially guides development towards the most sustainable settlements. This identifies Burton on the Wolds as an “other” settlement, (4th in a hierarchy of 5) where small scale development within limits to development is supported.

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 CS3 Strategic Housing Needs - supports an appropriate housing mix for the Borough and sets targets for affordable homes provision to meet need.

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 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 - sets out to conserve and enhance our historic assets for their own value and the community, environmental and economic contribution they make.

Policy CS16 Sustainable Construction and Energy - supports sustainable design and construction techniques.

Policy CS17 Sustainable Travel – Seeks to increase sustainable travel patterns and ensure major development is aligned with this.

Policy CS 18 – The Local and Strategic Road Network – Seeks to maximise the efficiency of the road network by delivering sustainable travel.

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 ST/2 Limits to Development – this policy sets out limits to development for settlements within Charnwood.

Policy CT/1 General Principles for areas of countryside... - This policy defines which types of development are acceptable in principle within areas of countryside.

Policy CT/2 – Development in the Countryside – Sets out how development that is within the countryside will be assessed to ensure there is no harm to the rural character of the area.

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

The Quorn Neighbourhood Plan (2019)

Policy H1 - allocates the site to provide approximately 75 dwellings. The policy seeks to secure a mix of new dwellings on the site priority given to 3 bedrooms or

fewer. The policy also requires the development to take account of surface water drainage and include sustainable drainage systems (SuDS), provide satisfactory access to the highway, retain the on-site badgers

Policy S1 – Settlement Boundary; Development proposals within the Neighbourhood Plan area will be supported on sites wholly within the settlement boundary as shown in Figure 2 (above) where the proposal fully complies with all of the policies in this Neighbourhood Plan. Land outside the settlement boundary is treated as open countryside, where development will be carefully controlled in line with the provisions of this Neighbourhood Plan, local and National strategic planning policies.

Policy S2 - requires new development to reflect the guidance in the Quorn Village Design Statement. The Village Design Statement, April 2008 includes a number of guidelines in relation to new development proposals. In relation to design Guidelines 4 expects new development to respect the diverse origins of the village and avoid uniformity, with variety and innovative contemporary design being encouraged. Housing developments should provide a mix of house types, sizes and affordability.

Policy H4 - Affordable Housing Provision seeks to secure 40% affordable housing provision with the tenure mix providing for 1/3rd social or affordable rent, 1/3rd for shared ownership and 1/3rd for low cost starter homes for sale.

Other material considerations

The National Planning Policy Framework (NPPF 2019)

The NPPF sets out the government's view of what sustainable development means. 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 5: Delivering a sufficient supply of homes

The NPPF requires local planning authorities to significantly boost the supply of housing and provide five years' worth of housing against housing requirements (paragraph 73). Where this is not achieved policies for the supply of housing are rendered out of date and for decision-taking this means granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, (paragraph 11d). Paragraph 14 sets out what the status of neighbourhood plans is where the presumption at paragraph 11d applies. Local planning authorities should plan for a mix of housing and identify the size, type, tenure and range of housing that is required and set policies for meeting the need for affordable housing on site (paragraph 61).

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).

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).

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.

National Design Guide

This document sets out the Government's design guidance to support the NPPF.

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.

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

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

Design Supplementary Planning Document (January 2020)

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

The Quorn Village Design Statement.(2008)

Includes a number of guidelines in relation to new development proposals. In relation to design Guidelines 4 expects new development to respect the diverse origins of the village and avoid uniformity

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.

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. As this application is for a site of less than 5 hectares and is for less than 150 dwellings it does not stand to be screened for an Environmental Impact Assessment.

Conservation of Habitat and Species Regulations 2010 (as amended)

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

Protection of Badgers Act 1992

Badgers 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 licence is required from Natural England where development proposals may interfere with badger setts.

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 Charnwood Local Plan 2019-36

This document has reached the Preferred Options Consultation stage, and went out for public consultation between 4 November 2019 and 16th December 2019. This document sets out the Council's draft strategic and detailed policies for the plan period 2019-36. This document carries very limited weight at the current time.

Consultation Responses

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

Consultee	Response
Leicestershire Lead Local Flood Authority - LCC	Does not object to the proposal and suggests conditions.
Housing Strategy & Support CBC	Seeks 40% affordable housing on the site at an appropriate mix and with 74% for rent and 26% for shared ownership. The layout and clustering broadly complies with the housing SPD.
Environmental Protection - CBC	Does not raise any objections to the application subject to a condition requiring the noise mitigation and sound insulation measures proposed to be fully implemented.
Open Spaces - CBC	Raises no objection and requests contributions towards off site open spaces to meet needs of the development
Environment Agency	Does not object to the application and confirms submitted documents have been submitted to satisfy the sequential test as the flood zones have been altered due to the undertaking of the removal of the land drainage culvert on this land. Suggests conditions related to finished floor levels and undertaking of the flood alleviation works.
Leicestershire County Council, (LCC) - Highways	Does not object to the proposal. The impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Conditions are recommended and financial contributions requested.
LCC Education	Seeks contributions of £289,573.32 towards improving, remodelling or enhancing existing facilities at Rawlins Academy or any other school within the locality of the development. £61,865.73 is requested for Post 16 education to accommodate the capacity issues created

	by the proposed development by improving, remodelling or enhancing existing facilities at Rawlins Academy or any other school within the locality of the development.
LCC Libraries	Seeks a contribution of £3,050 towards library facilities at Quorn Library.
LCC Civic Amenity	Confirms that the nearest existing Household waste and Recycling Centre can meet the additional demands created by the development.
Quorn Parish council	<p>Supports the principle of development as it is in line with the Quorn Neighbourhood Plan Policy H1 as the allocated site, however it notes that policy is for approximately 75 homes. Should the application be granted the Parish Council expects that the relevant policies contained in the Quorn Neighbourhood Plan be applied including that the housing design and materials should be in line with the Neighbourhood Plan Appendix E (Village Design Statement). It does have concerns about the application and these, based upon its local knowledge are as follows:</p> <ul style="list-style-type: none"> • that the increase from 75 to 105 homes further increases the pressures on the local infrastructure including the need for the council to upgrade its community buildings for which funding is sought • that there will be an impact on the local schools which are already at or near capacity • although residents have a choice of GP surgeries the natural tendency is to enrol at the local Quorn Medical Centre which is currently working at full capacity • the safety of the access onto Loughborough Road which is particularly busy during the rush hour periods and it will be difficult to join the Loughborough Road from the side which has been exasperated by the siting of a new substation within the splay area • flooding is an issue in the area and the Parish Council believes the mitigations contained in the application supporting documentation must be applied • the village centre car park is at maximum capacity and residents should be provided with encouragement to utilise public transport, cycling and walking wherever possible. The proposed Quarry on Quorn Lodge Farm may also impact the flooding in the area
Leicestershire Police	Do not object to the development in principle but makes suggestions relating to detailed design.
Ward Councillor Shepherd	Does not raise any objections but wished to support the comments made by the Parish Council
NHS CCG	Seek a contribution of £53,141.88 towards improving the capacity of Quorn Medical Practice.
Natural England	Confirmed that it has no comment to make.

Highways England	Raises no objections
Campaign to Protect Rural England	Considers that the site should not be developed until the new local plan is adopted and cites concerns in terms of flooding and proposes more houses than is allocated within the Quorn Neighbourhood Plan.
Quorn Football Club	Objects to the application as the club considers that the housing development could undermine the functioning of the football club due to complaints over the football clubs use of flood lights.

Other Comments Received

39 objection letters have been received from local residents. The list below summarises the areas of concern that have been raised by residents with regard to the application. Please note that residents' comments can be read in full on the Council's website www.charnwood.gov.uk

- Lack of need for additional housing in Quorn
- Existing infrastructure cannot cope with demands of additional housing
- Unsustainable location
- The development is too early in the neighbourhood plan period
- Impact on the road network and additional congestion
- Flood risk
- Exacerbates climate change
- Loss of green space
- Loss of village identity and coalescence of settlements
- Housing mix does not meet needs
- Fails to provide enough affordable housing
- Affordable housing results in social problems
- Noise impact from roads will result in poor living conditions
- The application proposes more homes than the neighbourhood plan allocates

Planning History

The following planning history is that which is most recent and relevant to the proposal:

Reference	Application	Decision
P/19/0981/2	Engineering works to un-named watercourse to permanently remove 450mm culvert to be replaced by open channel, permanent re-profiling of existing watercourse to provide additional flood storage capacity and temporary works to prevent migration of silt/pollutants	Approved 16/08/2019

Consideration of the Planning Issues

The starting point for decision making on all planning applications is that they must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise. The most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Charnwood Local Plan 2011-2028 Core Strategy (2015), those “saved” policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy. It is acknowledged that several of these plans are over 5 years old; therefore it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. With the exception of those policies which relate to the supply of housing, the relevant policies listed above are up to date and compliant with national advice. Accordingly there is no reason to reduce the weight given to them.

As the Core strategy is now five years old the Authority must use the standard method to calculate a housing requirement. In light of this, the Authority cannot currently demonstrate a 5 year supply of housing land (4.1 years), and as a result, any policies which directly relate to the supply of housing are out of date and cannot be afforded full weight.

The shortfall in the supply of deliverable housing sites also means that, in accordance with the presumption in favour of sustainable development (at paragraph 11d), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits, for planning permission to be refused.

Part i) of paragraph 11d sets out that where there are NPPF policies that protect areas or assets this can be a clear reason to refuse an application.

In situations where para 11d of the presumption applies consideration should be given to paragraph 14 in relation to Neighbourhood Plans in the context of the Authority having more than three years supply of deliverable housing sites and good housing delivery. As the Quorn Neighbourhood Plan is less than two years old and provides for an unreserved housing allocation to meet an identified need, Paragraph 14 states that any harm arising from conflict with the Neighbourhood Plan is likely to be significant and demonstrable.

The main issues are considered to be:

- The principle of the proposed development;
- Design, Layout and Landscape & Visual Impact
- Open space
- Residential Amenity
- Housing Mix
- Transport and Highway Impact
- Ecology and Biodiversity
- Flood risk/drainage
- Infrastructure
- Other matters

Principle of the proposed development

The vision for the Borough as set out in the Charnwood Local Plan 2011-2028 Core Strategy (2015) confirms that by the end of the plan period Charnwood will be one of the most desirable places to live, work and visit in the East Midlands. To achieve this development will have been managed to improve the economy, quality of life and the environment.

CS1 represents the strategic vision of the borough and is an expression of a sustainable growth pattern. It takes the form of a hierarchical, sequential approach guiding development first to the northern edge of Leicester, then to Loughborough and Shepshed before directing development to the smaller villages. In doing so it provides for at least 3000 new homes within or adjoining Service centres such as Quorn. The local planning authority can currently demonstrate 4.1 years housing land supply and the Core Strategy is more than five years old. Accordingly, policy CS1 carries only moderate weight. At the last full monitoring period (March 2020) there had been 4363 commitments and completions within and adjoining Service centres which is significantly more than the planned provision within Policy CS1. An additional 105 homes as proposed would therefore create a degree of conflict with Policy CS1.

The Quorn Neighbourhood Plan allocates the site to provide at least 75 homes within the plan period 2018-2036. Policy S1 also includes the site within the newly defined settlement limits of Quorn. Earlier versions of the Neighbourhood Plan sought to allocate a larger number of homes on the site, however through the Neighbourhood Plan making process, the Parish Council failed to sequentially test the site in accordance with the NPPF and as such the central segment of the site that falls within flood zones 2 and 3 was discounted from the allocation following independent examination by an Inspector. This therefore reduced the number of units that the allocation could reasonably provide having regard to the site's constraints and the character and density of the surrounding area. Notwithstanding this, Policy H1 is an allocation that does not seek to restrict the supply of housing, is consistent with the NPPF and goes beyond the basic housing requirement set out by the Core Strategy as it seeks to meet the increased housing need identified by the emerging local plan. Policy H1 is considered to carry significant weight in the determination of the application and as such the principle of development is considered acceptable and in accordance with policies S1 and H1 of the Neighbourhood Plan. As part of the application the site has been subject to a sequential test and when taking into account the circumstances outlined above which has reduced the number of units the site could provide as part of the allocation, together with the flood remediation works which have been approved previously and are also now proposed as part of this application, it is considered that deviation from the allocation in terms of housing numbers would not undermine the Neighbourhood Plan that would evolve into material harm that would justify a refusal of planning permission. Whilst the proposal would provide 30 homes more than policy H1 sought to allocate and is therefore not strictly in accordance with policy H1, given the specific circumstances outlined above, the more efficient use of the land and the benefits the additional housing would bring should be given significant positive weight in the determination of the application.

In summary the site is located within the newly defined settlement limits as defined by Policy S1 of the neighbourhood plan and is allocated to provide at least 75 homes by Policy H1. These policies are the most important in the determination of the application which carry significant weight. Whilst an additional 105 homes within the service centre of Quorn would result in further undermining of the spatial strategy defined by Policy CS1 of the Core Strategy as another important policy, this policy carries only moderate weight due to its outdatedness in terms of housing need and the subsequent shortfall in housing land supply (4.1 years). Overall and in the case of this application, the presumption in favour of development as triggered by paragraph 11d would apply. There is a small degree of conflict with policy H1 of the neighbourhood plan as the proposal seeks to provide more homes than the policy allocates, however there are no material harms that would arise from this deviation from policy H1 that would undermine the neighbourhood plan making process or justify a refusal of planning permission in accordance with paragraph 14 of the NPPF. Furthermore, Paragraph 12 of the NPPF does make allowance for departing from the adopted development plan where material considerations indicate that the plan should not be followed.

Given the above context, it is considered that the principle of development is acceptable.

Design, Layout and Landscape Impact

Policies CS2 and CS11 of the Core strategy seek to ensure high quality design that reflects the character and context of the area, which in this location comprises low density development and agricultural land with mature trees and hedges. These policies generally accord with the National Planning Policy Framework and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.

The site lies to the north of the settlement of Quorn and is separated from the wider landscape to the north by the A6 bypass. New housing development has taken place between the bypass and Farley Way, and urban fringe uses such as the Quorn Football Club are located in the area.

Quorn as a settlement straddles two Landscape Character Areas (LCAs); Charnwood Forest LCA (south-west) Soar Valley LCA (north-west) as defined within the Borough of Charnwood Landscape Character Assessment (2012). The site sits close to the A6 dual carriageway which contains the settlement from the wider Soar Valley and the area does not make a notable contribution to the setting of existing development. Masts and floodlights are associated with the adjacent football pitch form skyline features above the trees and large signage along the adjacent roads is also prominent in views. The site itself is relatively flat and also lies at a lower level than the adjacent Loughborough Road. The Borough of Charnwood Landscape Character Assessment concludes that the location has low to medium sensitivity to development. When taking into account the existing landscape characteristics and the layout, landscaping and scales proposed, it is not considered that the proposal would result in unacceptable harm to landscape character in accordance with policy CS11.

There are examples of modern development in the immediate area, namely at Farley Way, which predominantly comprises of two storey dwellings and at land adjacent to the application site on Loughborough Road, currently being constructed by McCarthy and Stone, comprises bungalow style dwellings and a three storey 'Retirement Living' facility. The surrounding context is therefore distinctly mixed in terms of its built forms.

The proposal proposes a wide ranging mix of house types and styles with the use of locally distinctive materials such as granite stone detailing, red brick and render with use of timber porches and distinctive chimneys and slate style roof coverings. It is considered that the mix of house types proposed accords with policy S2 of the Neighbourhood Plan and the Quorn Village Design Statement.

Conversely the proposal would necessitate the removal of up to 11 lime trees along Loughborough Road to ensure adequate visibility splays in the interests of Highway Safety. On site planting as part of the landscaping scheme would go some way in mitigating the harm that would arise from the loss of the Lime Trees, nonetheless, there would remain a degree of harm in the short to medium term. However, it is not considered that when quantifying the harm in the context of the schemes deliverability and the wider public benefits derived from that, that it would justify a refusal of planning permission. Negatively, the proposal would also result in the loss of agricultural land. However, in allocating the site for residential development, the loss of agricultural land is acceptable in principle.

It is therefore considered that the proposal would not result in adverse or unacceptable landscape or visual impact in accordance with policy CS11. It is also considered that the proposed house types and layout broadly respects the location at this edge of village location and therefore accords with policy CS2 of the Core Strategy, EV/1 of the Local Plan, Policy S2 of the Neighbourhood Plan and the Design SPD.

Open Space

Policy CS15 seeks to ensure adequate open space is provided to serve the needs of new development. The proposal would satisfy policy CS15 in terms of onsite provision of Parks, Natural & Semi Natural Open Space, Amenity Green Space and provision for children (LEAP). The precise design and enhancement of the proposals will be secured through a detailed landscaping and planting scheme to be approved as part of the discharge of a landscaping condition as recommended. Provision for Young People, Outdoor Sports Facilities and Allotments will be secured by way of an off-site financial contribution as requested by the councils Open Spaces team and the Parish Council.

Overall it is considered that the development would provide good quality open space proportionate to its size and accordingly the proposal is considered to comply with policies CS15 of the Core Strategy. A condition is recommended in terms of securing the long term management responsibilities of all public spaces.

Residential Amenity

Policy CS2 of the Core strategy and EV/1 of the Local Plan seeks to protect the amenity of existing and future residents. The Charnwood Design SPD (2020) also

provides spacing standards and guidance in order to ensure an adequate level of amenity.

The site is located adjacent to Quorn Football club and therefore the impact on future residents that occupy those dwellings proposed in close proximity to the club should be taken into account in terms of noise and light spillage from flood lighting. The application is accompanied by a Noise Survey Report. This report looked at existing noise levels around the site and recommended that, providing the building envelope has the recommended minimum acoustic ratings, noise from football matches would not be disturbing to residents. In terms of lighting, the application is supported by an external lighting impact assessment which considers that two plots may be marginally impacted by light spillage from flood lighting that can be on until 11pm. These plots are 13 and 18 with only a first floor landing side facing window that would be impacted by the light spillage. Given this context, it is not considered that the future occupiers of these plots would be adversely affected by the existing external lighting environment. It is therefore concluded that subject to conditions, future residents would not be adversely affected by the operations of the football club nor is it considered that the club's operations would be under threat from residential use of the application site.

When considering the design of the dwellings, the size of the units and gardens and the spacing between opposing elevations with habitable room windows, the proposal would comply with the guidance and standards set out within the Design SPD (2020).

Overall, it is considered that the development would comply with policy CS2 of the Core Strategy and the Design SPD and would not have a detrimental impact on residential amenity in terms of loss of light, over dominance or loss of privacy to existing residents. Subject to conditions in respect of noise from the nearby A6 and the football club, the proposal would also be acceptable in terms of the amenity of those that will live in the new development.

Housing Mix

Policy CS3 seeks an appropriate mix of housing having regard for identified housing need. Housing need in Charnwood is identified by the Housing and Economic Development Needs Assessment 2017 (HEDNA). This forms the evidence base for the policy, is up-to-date and should be given significant weight in the determination of planning applications. When seeking an appropriate mix, regard should be had for a number of factors which include the nature of the development site and the character of the wider area, as well as economic viability. Policy CS3 also requires that 40% of dwellings within new developments at Quorn be affordable dwellings. Policy H1 of the Quorn Neighbourhood Plan seeks to ensure that the development provides for a range and mix of new dwellings and priority should be given to dwellings of 3 bedrooms or fewer in line with policy H3.

The site is located at the edge of the settlement and the surrounding area consists of a low density mix of dwellings in terms of size and type of housing. The mix proposed within the site should therefore reflect this. The open market housing mix as proposed is set out below:

Open Market Housing

No. of beds	Proposed scheme %	HEDNA suggested %
1	0%	0%-10%
2	25.4%	25%-35%
3	54%	45%-55%
4+	20.6%	10%-20%

The proposed open market housing mix is therefore in accordance with policy CS3 and the needs identified by HEDNA. However, Policy CS3 also requires that regard be given to the character of the area. It is considered that broadly speaking, the proposed open market housing mix is acceptable on account of the sites location and that the mix represents the right balance between meeting identified needs and respecting the character, density and pattern of development in the surrounding area. The majority of new dwellings proposed are 2 and 3 bedroom (79.4%) and therefore also accords with the aspirations of policy H1 and H3 of the Neighbourhood Plan.

Affordable Housing

No. of beds	Proposed scheme %	HEDNA suggested %
1	19%	40-45%
2	45%	20-25%
3	31%	25-30%
4+	5%	5-10%

The application proposes 40% affordable housing (42 units) in accordance with policy CS3 of the Core Strategy. The mix proposed is to be 31 units for affordable rent and 11 units for shared ownership. The proposed housing mix provides a range of affordable housing types and sizes, including flats, houses and bungalows across the site and is broadly in line with housing need. In terms of the location and distribution of the affordable housing, the housing SPD seeks to ensure the affordable housing is not distinguishable from the open market housing and should be in contiguous groups of no more than 10. The proposal complies with the housing SPD in this regard. The Councils Affordable Housing Strategy Manager has been consulted on the proposals and supports the mix, distribution and tenure proposed.

In conclusion, overall, when considering policy CS3, the Housing SPD and it is considered that the proposal accords with the development plan in respect of housing mix.

Transport and Highway Impact

In accordance with Policies CS17 and CS18 of the Core Strategy and Policy TR/18 of the Local Plan, applicants need to demonstrate sustainable travel options and demonstrate that a safe and suitable access can be provided. Paragraph 108 and 109 of the NPPF seek to ensure safe and suitable access and states that development should only be refused on highway grounds if there is unacceptable or severe impact.

The Arriva Midlands Service 127 operates along Loughborough Road past the site connecting Quorn with Loughborough. The Kinchbus Service 2 also operates along this route. The site is located in close proximity to existing cycle routes along

Loughborough Road and the A6, providing safe cycling routes to both Loughborough Town Centre and Quorn Village Centre. The site is some 1.3km from the village centre, offering easy cycling and walking routes to the range of services and facilities in the village.

The Highway Authority has assessed the Transport Assessment and Travel Plan submitted in support of the application together with further additional information and evidence requested and submitted throughout the course of the application. In order to secure the required 2.4m x 120m visibility splay the proposed will require the relocation of an electricity substation and up to 11 lime trees that are situated on Loughborough Road. The exact number of trees removed will be determined through the Section 278 detailed design process undertaken with the Local Highway Authority which has indicated that financial compensation to be used for tree planting elsewhere will be sought. It is considered that the number of dwellings proposed would not cause severe or unacceptable impact on the highway network and that the proposed access from Loughborough Road is acceptable. Furthermore, there is sufficient parking provided commensurate with the number and size of dwellings proposed. The Local Highway Authority raises no objection to the application subject to conditions. The Local Highway Authority has recommended details of surface water be submitted and approved by condition to prevent water from draining on to the highway, However such details will be captured by the drainage conditions recommended by the Local Lead Flood Authority and therefore it is not recommended this condition be applied.

It is considered that subject to appropriately worded conditions the proposal would accord with Paragraphs 108 and 109 of the NPPF, policy CS17 of the CS and saved policy TR/18 of the Local Plan in respect of parking, access and highway safety. Financial contributions requested by the local highway authority to mitigate the impacts of the development are considered below.

Ecology and Biodiversity

Policy CS13 seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. This policy generally accords with the National Planning Policy Framework and does not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to it.

The application site is located adjacent to the Morley Quarry Local Wildlife Site. The application is supported by an Ecological Appraisal and Biodiversity Impact Assessment. The scheme has been amended to mitigate impact on biodiversity as much as possible on site and it is considered that with the use of conditions to secure appropriate landscaping and management and the submission of a mitigation strategy, there would be a no net loss of biodiversity on site. In accordance with Policy H1 of the Neighbourhood plan, the on-site unused badger sett is to be retained and provided appropriate buffering off and foraging areas. The extensive areas of water attenuation will provide opportunities for enhanced biodiversity subject to details of planting number and species which is to be approved as part of any details landscaping scheme. The proposal would accord with Policy CS13 and Paragraph 175 of the NPPF.

Drainage

Policy CS16 of the Core Strategy seeks to ensure that development is not at risk of flooding and that it does not cause flood risk elsewhere. This policy generally accords with the National Planning Policy Framework and does not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to it.

The site lies within flood zones 1, 2 and 3. However, the application proposes to re-profile parts of the site that fall within higher flood risk zones 2 and 3 through already approved ground engineering works which in turn will release more land for the additional housing units proposed beyond what has been allocated by Policy H1 of the Neighbourhood Plan. The Environment Agency has been consulted on the proposals and raises no objection subject to conditions to ensure the approved works are undertaken alongside the development.

The application includes a drainage strategy to ensure that drainage problems are not created in the surrounding area. The strategy suggests that surface water would be collected within a detention basin at the lowest part of the site and discharged at a controlled rate into the onsite drainage channel. The Lead Local Flood Authority does not object to the submitted drainage strategy although it does suggest a number of planning conditions.

Accordingly it is considered that the proposal can be satisfactorily drained and that there would be no flood risk to future or existing residents. As a result it would comply with Development Plan policies CS16 and Policy H1 of the Quorn Neighbourhood Plan.

The application is therefore considered to accord with policy CS16 in respect of drainage subject to conditions to secure implementation and maintenance of the drainage scheme, in the event that planning permission is granted.

Section 106 Contributions

Policies CS3, CS13, CS15, CS17 and CS24 of the Core Strategy requires the delivery of appropriate infrastructure to meet the aspirations of sustainable development either on site or through appropriate contribution towards infrastructure off-site relating to a range of services. This would be in accordance with the Framework and Community Infrastructure Levy (CIL) Regulations to mitigate to the impact of the proposals. The following contributions have been requested;

Organisation requesting a contribution	Amount	Location of spend	CIL assessment
Affordable Housing	40% requested (31 units to be affordable rent and 11 units to be shared ownership.)	On site	The requested provision on site is in compliance with Policy CS3. Recommendation: CIL compliant

West Leicestershire Clinical Commissioning Group (Healthcare)	£53,141.88	The proposed site is within the practice boundary Quorn Medical Centre. The Off-site contribution would contribute towards healthcare enhancement at the practice in order to meet the demands of the development.	The requested funds are needed to improve capacity at nearby primary healthcare services in order to mitigate the impacts of the development. Recommendation: CIL compliant
Leicestershire County Council Education	£351,439.05	£289,573.32 towards improving, remodelling or enhancing existing facilities at Rawlins Academy or any other school within the locality of the development. £61,865.73 is requested for Post 16 education to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Rawlins Academy	The schools fall within the catchment of the application site and therefore is directly related in scale and kind to the development proposed. Recommendation: CIL compliant
Leicestershire County Council Library Services	£3,050	The contribution is sought for research e.g. books, audio books, etc. for loan and reference use to account for additional use from the proposed development.	The development will impact on local library services in respect of additional pressures on the availability of local library facilities Recommendation: CIL compliant
Leicestershire County Council Highways	Travel Packs: one per dwelling at	Travel packs: Provision for new	The contributions would contribute towards sustainable

	<p>£52.85 per pack</p> <p>Bus Passes: 6 month bus passes, two per dwelling at £360 per pass</p> <p>A Travel Plan monitoring fee of £6,000 for LCC's Travel Plan Monitoring System</p>	<p>residents of the development</p> <p>Bus passes: Provided to new residents of the development</p>	<p>travel choices in accordance with Policy CS17 of the CS and the</p> <p>Recommendation: CIL compliant -</p>
Charnwood Borough Council Open Spaces	On site provision and £246,745.25 for off-site improvements	<p>Parks, Natural and Semi Natural Open Space and Amenity Green Space.</p> <p>Provision for Children (LEAP) is to be met on site</p> <p>The remaining typologies (provision for young people outdoor sports and allotments are being met off site with contributions totalling £161,664.25</p> <p>Indoor sport contributions are requested totalling £110,700.00</p>	<p>In accordance with policy CS15 of the CS, on site public open space is to be provided. The Councils Open Spaces Team has confirmed a number of projects which the contribution could fund and it would be within the vicinity of the site. The contribution requested for indoor sport is based on a national calculator and does not take into account local need or circumstances.</p> <p>Recommendation: Partially CIL compliant</p>
Quorn Parish Council	£14,575.00	Off site improvements to community facilities at Quorn Old School	Recommendation: CIL compliant

		Community Centre	
The University Hospitals of Leicester NHS Trust	£46,758.00	Sought will go towards the gap in the funding created by each potential patient from this development.	Recommendation Not CIL compliant

In respect of the request made by NHS University Hospitals Leicester, there are two main issues which arise in the context of the request for a contribution; Whether the contribution sought makes up funding which is intended to be provided through national taxation and therefore can lawfully be made subject to a valid s106 obligation having regard to the requirement such payments must serve a planning purpose and have a substantial connection to the development, and whether the contribution sought is in any event meets the requirements of reg. 122 of the Community Infrastructure Levy Regulations 2010 by reference to the requirements of whether they are (a) necessary to make the development acceptable in planning terms (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development.

In considering whether the contribution would make up a funding gap, in the case of this site, it is considered that the site has been allocated for development since the adoption of the Quorn Neighbourhood Plan in May 2019. Even when taking into account the additional 30 units proposed beyond what the allocation sought to provide, these additional units are to be delivered as part of the wider development that is likely to take several years from construction commencing to completion. It is not therefore considered that it has been demonstrated that this development would result in a shortfall in funding in the short term or medium term. Therefore, it is also not considered that the request made by NHS University Hospitals Leicester would be CIL Regulation compliant, in that it would not make an otherwise unacceptable development acceptable and therefore cannot be requested.

Work has commenced on the scope of a draft section 106 Agreement and the applicant has agreed to the contributions requested or required by the relevant planning policies. The proposed development does therefore mitigate the impacts of the development or make an otherwise unacceptable development acceptable in planning terms.

Planning Balance and Conclusion

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

The application would contribute 105 dwellings to the Council’s Housing Land Supply, including 40% affordable housing. Without a 5 year housing land supply this should be attributed significant positive weight.

The development would support jobs and the local economy, during construction and with lasting benefits of expenditure and employment of residents. This should be given limited positive weight.

The proposed green infrastructure, which includes open spaces would contribute to the health and well-being of existing and new residents. This should be given limited positive weight.

Negatively, the proposal would result in loss of countryside and agricultural land. However, the site is allocated for residential development within Policy H1 of the Quorn Neighbourhood Plan (2019) for 75 dwellings. The additional dwellings proposed would make more efficient use of the land which should be given positive weight at a time when there is a borough wide shortfall in housing land supply. The impacts of flooding and drainage have been considered and adequately mitigated on site.

It is therefore concluded that the adverse impacts of granting planning permission would not significantly outweigh the benefits that the scheme would offer at a time whereby the Council is not able to demonstrate a five year supply of housing land and Policy CS1 of Core Strategy is considered to be out of date. The proposal would therefore constitute sustainable development as defined by paragraph 8 of the NPPF.

The application is therefore recommended for approval subject to conditions.

RECOMMENDATION A:-

That authority is given to the head of Planning and Regeneration and the Head of Strategic Support to enter into an agreement under section 106 of the Town and Country Planning Act 1990 to secure improvements, on terms to be finalised by the parties, as set out below:

Education	£351,439.05 towards secondary school and post 16 provision in the area
Affordable Housing	40% of units to be affordable (31 (74%) to be affordable rent and 11 (26%) to be shared ownership)
Open Space	<ul style="list-style-type: none"> • Provision of Parks, Natural and Semi Natural Open Space and Amenity Green Space. Provision for Children (LEAP) is to be met on site • ££161,664.25 for off-site improvements (provision for young people Outdoor sports and allotments)
Sustainable Transport	<ul style="list-style-type: none"> • Travel packs for each dwelling • Two application forms for 6 month bus passes • Travel Plan Monitoring contribution
NHS W Leicestershire CCG	£53,141.88 towards improving capacity at Quorn Medical Centre
Libraries	£3,050 towards additional materials for Quorn Library

Quorn Parish Council	£14,575.00 for off site improvements to community facilities at Quorn Old School Community Centre
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RECOMMENDATION B:-

That subject to the completion of the S106 legal agreement in Recommendation A above, planning permission be granted for the development subject to the following Conditions and Reasons why they have been imposed:

1.	<p>The development, hereby permitted, shall be begun not later than 3 years from the date of this permission.</p> <p>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.</p>
2.	<p>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:- Site Location Plan (P16-0991_002, Rev.B) Coloured Site Plan (P16.0991_109_D) Detailed Planning Layout (LRQ/DLP01, Rev. E) Access Arrangement Proposed Realignment (9695M/TA11, Rev. E) Proposed Road Layout (9519H/116, Rev. A) Detailed Soft Landscape Proposals Sheet 1 of 8 (P16-0091_100-F) Detailed Soft Landscape Proposals Sheet 2 of 8 (P16-0091_101-F) Detailed Soft Landscape Proposals Sheet 3 of 8 (P16-0091_102-E) Detailed Soft Landscape Proposals Sheet 4 of 8 (P16-0091_103-E) Detailed Soft Landscape Proposals Sheet 5 of 8 (P16-0091_104-E) Detailed Soft Landscape Proposals Sheet 6 of 8 (P16-0091_105-E) Detailed Soft Landscape Proposals Sheet 7 of 8 (P16-0091_106-E) Detailed LEAP Proposals Sheet 8 of 8 (P16-0091_107-D) Affordable Housing Plan (LRQ/AHP) Boundary Treatments Plan (LRQ/BTP01, Rev. B) Materials Layout (LRQ/MAT01, Rev. B) Proposed Stone Wall Visual (LRQ-SW_SK01) Swept Path Analysis (9519H/115, Rev. A) Flood Channel Indicative 3D View Housetype Pack (LRQ/HTP01, Rev. A), December 2019 Close Coupled Substation GA (GTC-E-SS-0012_R2_1_1of_1)</p> <p>REASON: For clarity and the avoidance of doubt and to define the terms of the permission</p>
3.	<p>Prior to the occupation of each dwelling, the boundary treatments for that dwelling shall be completed in accordance with approved drawing</p>

	<p>“LRQ/BTP01, Rev. B”. All other means of enclosure shall be completed in accordance with the above plan prior to the occupation of the final dwelling.</p> <p>REASON: To ensure the satisfactory appearance of the completed development and to protect the amenity of those that will live in the development in accordance with Policy CS2 of the Core Strategy</p>
4.	<p>The external facing materials used in carrying out the development shall be in complete accordance with approved drawing “Materials Layout LRQ/MAT01, Rev. B” unless otherwise approved in writing by the local planning authority.</p> <p>REASON: To ensure the satisfactory appearance of the completed development in accordance with Policy CS2 of the Core Strategy</p>
5.	<p>The development shall be carried out in accordance with the submitted flood risk assessment ref 2016s5087 FRA for Loughborough Road, Quorn by JBA Consulting dated October 2019 and the following mitigation measures it details:</p> <ul style="list-style-type: none"> - Finished floor levels shall be set no lower than 600mm above the nearest 100-year (30% climate change allowance) peak water levels, and as detailed in drawing reference SK02 Preliminary Finished Floor Levels dated September 2019 by JPP Consulting; - The culvert crossing the site shall be opened up and compensatory flood storage provided in accordance with Consented Works Appendix D of the FRA. <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme’s timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>REASON: To reduce the risk of flooding to the proposed development and future occupants; to reduce the risk of flooding from blockages to the existing culvert; to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.</p>
6.	<p>The landscaping scheme approved under condition 2 shall be fully completed, in accordance with the approved details, in the first planting and seeding seasons following the completion 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.</p> <p>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</p>

	Policy CS2 and CS13 of the Core Strategy.
7.	<p>No development, including site works, shall begin until the trees to be retained within the application site have been protected, in a manner previously agreed in writing by the local planning authority. The trees shall be protected in the agreed manner for the duration of building operations on the application site.</p> <p>REASON: The trees and hedgerows are an important feature in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site in accordance with policies CS2, CS11 and CS13</p>
8.	<p>No dwelling or building on the site shall be occupied until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than domestic gardens, has been submitted to and agreed in writing by the local planning authority. The agreed landscape management plan shall then be fully implemented.</p> <p>REASON: To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.</p>
9.	<p>Prior to the commencement of development, full details of existing and proposed ground levels and finished floor levels of all buildings relative to the proposed ground levels shall be submitted and approved by the local planning authority. The development shall thereafter be carried out in strict accordance with the approved details.</p> <p>REASON: To make sure that the development is carried out in a way which is in character with its surroundings and ensure compliance with policies CS2 of the Development Plan and associated national and local guidance.</p>
10.	<p>No part of the development hereby permitted shall be first occupied until a framework residential Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.</p> <p>REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2019).</p>
11.	<p>No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on JPP drawing number 9695M/TA11 Revision E, 'Access Arrangement proposed Realignment', have been implemented in full.</p> <p>REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National</p>

	Planning Policy Framework (2019).
12.	<p>No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 120 metres have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.</p> <p>REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2019).</p>
13.	<p>The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Miller Homes drawing number LRQ/DPL01 revision E, 'Detailed Planning Layout'. Thereafter the onsite parking provision shall be so maintained in perpetuity.</p> <p>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).</p>
14.	<p>No development shall commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. This shall include the following:</p> <ul style="list-style-type: none"> • Details of construction vehicle parking • Details of wheel washing facilities • Details of construction traffic routeing • Hours of operation for construction and delivery of materials <p>The development shall be carried out in accordance with the approved details for the duration of the construction period.</p> <p>REASON: To ensure that the development does not cause harm to amenity or the environment during the construction phase and ensure compliance with Development Plan policies CS2, CS16 and WV5.</p>
15.	<p>No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and completed prior to first occupation of the development.</p> <p>REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.</p>
16.	<p>No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to,</p>

	<p>and approved in writing by the Local Planning Authority. The approved scheme shall be implemented as approved for the duration of the construction phase of the development.</p> <p>REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.</p>
17.	<p>No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The maintenance scheme shall thereafter be implemented as approved over the lifetime of the development.</p> <p>REASON: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.</p>
18.	<p>No development approved by this planning permission shall commence until an Ecological Mitigation Strategy is submitted that accords with the recommendations contained within the submitted and approved Ecological Appraisal by FPCR dated July 2019. The development shall be carried out and retained thereafter in accordance with the approved details.</p> <p>REASON: to mitigate the impacts of the development during the construction phase and over the lifetime of the development in accordance with Policy CS13 of the Core Strategy and to ensure that there is no net loss of biodiversity on site.</p>
19.	<p>Use of the development shall not commence until such time as noise mitigation and sound insulation measures outlined in the supporting acoustic assessment (Prepared by AECOM Infrastructure & Environment UK Limited. Project number 60539633 and dated 29 August 2019) have been fully implemented in accordance with a detailed scheme previously agreed in writing by the local planning authority.</p> <p>REASON to safeguard the living conditions of those that will reside in the development in accordance with policy CS2</p>

Informative Note(s):

1. Planning Permission has been granted for this development because the Council has determined that it is generally in accordance with the terms of Development Plan policies H1, S1, CS1, CS2, CS3, CS11, CS13, CS14, CS16, CS24, CS25, ST/2, CT/1, CT/2, EV/1 and TR/18. Because the benefits of the proposal are not significantly and demonstrably outweighed by the

harm identified. There are no other issues arising that would indicate that planning permission should be refused.

2. The Local Planning Authority has acted pro-actively through early engagement with the Applicant at the pre-application stage and throughout the consideration of this planning application. This has led to improvements with regards the development scheme in order to secure a sustainable form of development in line with the requirements of Paragraph 38 of the National Planning Policy Framework (2019), and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
3. 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>
4. If the roads within the proposed development are to be offered for adoption by the Local Highway Authority, the Developer will be required to enter into an agreement under Section 38 of the Highways Act 1980. Detailed plans will need to be submitted and approved, the Agreement signed and all sureties and fees paid prior to the commencement of development. 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> If an Agreement is not in place when the development is commenced, the Local Highway Authority will serve Advanced Payment Codes in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please email road.adoptions@leics.gov.uk in the first instance
5. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001). All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

6. The drainage scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.

Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change storm events.

7. The LHA will seek to recover the amenity value of highway trees where they are removed to facilitate developments. In this case, the Capital Asset Value of Amenity Trees (CAVAT) value for the removal of 11 trees has been calculated as £119,116.00.
8. Any works to highway trees will require separate consent from Leicestershire County Council as Local Highway Authority (telephone 0116 305 0001). Where trees are proposed to be removed, appropriate replacements will be sought at the cost of the applicant.

