

Item No. 1

Application Reference Number P/20/2383/2

Application Type:	Outline	Date Valid:	15/2/2021
Applicant:	Gladman Developments Ltd		
Proposal:	Outline planning application for the erection of up to 270 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Melton Road. All matters reserved except for means of access		
Location:	Land off Melton Road East Goscote Leicestershire		
Parish:	East Goscote	Ward:	East Goscote
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, outside current limits to development and is considered a departure from the development plan and is recommended for approval. The application has also been called in by Ward Cllr Needham for the following reasons:

- The development would have a detrimental impact on character and appearance of the village
- Additional traffic would have adverse impact on road safety
- Adverse impact on local services
- The application is identical to that which was refused and dismissed at appeal in 2019

Description of the Application Site

The site is situated on the eastern edge of East Goscote, on the Western side of the A607 and Melton Road, is approximately 17.33 ha in size. The site is currently used for agricultural purposes. The site comprises part of an arable field, a grazing field and a small field parcel adjacent to Melton Road which was safeguarded for ecological mitigation as part of the adjacent Rearsby Roses development. The western edge of the site is bound by modern residential development, including the Rearsby Roses scheme and land to the north of the site is arable farmland.

The site is partially located within an area of local separation between Rearsby and East Goscote. There are no other specific landscape designations for the site. The site is located within the Wreake Valley Landscape Character Area.

Description of the Proposal

This outline planning application seeks permission for the erection of up to 270 dwellings, with all matters reserved other than the access onto Melton Road. It is proposed that the access would be taken from a new roundabout on Melton Road which would also serve Broome Lane on the other side of Melton Road.

The proposed density of the residential areas would be an average of 34 dwellings per hectare, with 30% affordable housing proposed. The submitted Development Framework Plan shows how a road layout could provide a primary road around the site, with areas for housing, open space, structural landscaping and drainage infrastructure.

The plans show the retention of the existing boundary treatments and hedgerows within the site other than where the access road would break through the existing hedgerows. Areas of natural open space would be concentrated to the northern areas of the site to preserve the function of the area of local separation between the proposed the development and the settlement of Rearsby.

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 East Goscote 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 CS11 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.

Other material considerations

The National Planning Policy Framework (NPPF 2021)

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 75). 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 62).

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 113). Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable modes maximised (paragraph 105). 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 106). 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 111).

Section 12: Requiring well-designed places.

The NPPF recognises that good design is a key aspect of sustainable development and that high quality, beautiful, sustainable and inclusive design should be planned for positively (paragraph 126).

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 153). It should also take account of layout, landform, building orientation, massing and landscaping to minimise energy consumption (paragraph 157) and renewable and low carbon energy development should be maximised (paragraph 158).

Planning Practice Guidance

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

National Design Guide

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

The Planning (Listed Buildings and Conservation Areas) Act 1990.

This Act provides special controls over developments to or effecting Listed Buildings or Conservation Areas.

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.

Leicestershire Highways Design Guide

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.

Landscape Character Appraisal

The Borough of Charnwood Landscape Character Assessment was prepared in July 2012. The purpose of the report was to assess the baseline study of the landscape character, at a sub-regional level that gives a further understanding of the landscape resource. The document 'provides a structured evaluation of the landscape of the borough including a landscape strategy with guidelines for the protection, conservation and enhancement of the character of the landscape, which will inform development management decisions and development of plans for the future of the Borough'.

Technical Housing Space Standards (2015)

Seeks to encourage minimum space standards for housing. This document has not been adopted for the purposes of Development Management at Charnwood Borough Council, it is however a material consideration.

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.

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.

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

As the application proposals are for urban development on a site of more than 0.5 hectares, the proposals fall under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017. Such projects only require an EIA if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. Given the nature of the application proposals, it is not considered that the application would constitute EIA development.

The Draft Charnwood Local Plan 2021-37

The Draft Charnwood Local Plan is at an early stage in its preparation and underwent a six-week pre-submission consultation period that ran from Monday July 12 until Monday August 23, 2021. This document carries only very limited weight at this time, however, the site has been proposed as a residential allocation of 223 homes under policy DS3 (HA60).

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	Leicestershire County Council as Lead Local Flood Authority (LLFA) advises the Local Planning Authority (LPA) that the proposals are considered acceptable. A number of conditions are recommended to be attached to any grant of planning permission. Confirms that the site is within Flood Zone 1.
Housing Strategy & Support CBC	Seeks 30% (81 Homes) affordable housing on the site at an appropriate mix and with 77% for affordable rent and/or social rent and 23% shared ownership.
Leicestershire County Council – Highways	Does not object to the proposal in principle subject to a number of conditions to provide the following: <ul style="list-style-type: none"> • Provision of the access arrangements • A construction traffic management plan • Provision and maintenance of pedestrian visibility splays • Submission and approval of Travel Plan <p>The following contributions are also sought:</p> <ul style="list-style-type: none"> • Raised kerb provision at the nearest northbound bus stop on Melton Road at a cost of £4,000 • A Travel Plan monitoring fee of £6,000 • Travel pack for the first occupation of each new dwelling • Six month bus passes (two per dwelling) for the first occupation of each new dwelling
Leicestershire County Council - Education	<ul style="list-style-type: none"> • Confirms that there are no early years childcare provisions within 1 mile of the site radius. Seeks a contribution of £204,415.65 to fund provision of additional early years places required to meet needs of the development. • Confirms that Broomfield Primary School has a net capacity of 226 and 272 pupils are projected

	<p>on the roll should this development proceed; a deficit of 46 pupil places. The overall deficit including all schools within a two mile walking distance of the development is 36 pupil places. The 81 pupil places generated by this development can therefore be partly accommodated at nearby schools but a claim for an education contribution of 36 pupil places (£525,312.00) in the primary sector is justified.</p> <ul style="list-style-type: none"> • Confirms that Wreake Valley Academy has a net capacity of 1,482 and 1,054 pupils are projected on roll should this development proceed; a surplus of 428 places after taking into account the 54 pupils generated by this development. No request for the secondary is justified. • Confirms that all Special Schools in Leicestershire are full, and have a deficit of available spaces, and are forecast to remain so. The Council therefore seeks developer contributions towards the cost of expanding Special school provision for developments of 100 dwellings or more. The closest school to this development is the Birch Wood (Melton Area Special School). The school currently has capacity for 187 pupils and 221 pupils are projected on roll should this development proceed, a deficit of 34 pupil places. The County Council requests a total contribution for the special school sector (primary and secondary) of £152,410.77
Leicestershire County Council - Libraries	Seeks a £8,150 contribution towards the enhancement of East Goscote Library.
Leicestershire County Council - Waste Management	The County Council's Waste Management Team considers the proposed development is of a scale, type and size which would not be able to be accommodated at the existing waste facility in Mountsorrel. As such a developer contribution of £13,951.00 is required.
Environment Agency	Raises no objection subject to conditions. Advises that an Environmental permit may be required for the development. Suggests that a ground contamination remediation strategy and verification report be submitted and approved prior to the development being occupied.
CBC Environmental Health	Raises no objection subject to conditions that require noise mitigation measures to be approved as part of the detailed design of the dwellings. Recommends that

	<p>further contaminated land survey work be undertaken and if necessary, remediation and verification. Conditions are recommended to control dust and approval of a construction method statement.</p>
<p>East Goscote Parish Council</p>	<p>Strongly oppose the application on the following grounds:</p> <ul style="list-style-type: none"> • The proposal would increase the size of the village by 25% and represents disproportionate growth at one location for all “other settlements” • The land is contaminated by war time waste disposal • The site is adjacent to a major hazard pipeline. • Unsustainable development • Lack of infrastructure capacity and additional pressure on local services • Erosion of area of local separation • Access to the site restricted for HGVs
<p>Rearsby Parish Council</p>	<p>Objects to the application for the following reasons:</p> <ul style="list-style-type: none"> • Impact on the area of local separation and coalescence of the two villages • Importance of remaining ALS identified in draft Rearsby Neighbourhood Plan • The land is contaminated • Poor transport sustainability • Amount of development in the local area is unsustainable and unneeded
<p>Queniborough Parish Council</p>	<p>Objects to the application for the following reasons:</p> <ul style="list-style-type: none"> • Contrary to policy CS1 of the Core Strategy as the village is an ‘other settlement’ and only required to provide small amounts of infill development • Lack of capacity in the highway network • Impact on the area of local separation and coalescence of the two villages • Impact on local services and infrastructure • Increased risk of flooding
<p>Campaign for the Protection of Rural England</p>	<p>Objects to the proposal on the grounds that it is unsustainable development in the countryside, outside of the settlement boundary, is not allocated within any draft or made local plan. The development would lead to increased car use due to its location and access to facilities/services/public transport. The development does not meet local housing needs. Loss of agricultural land and potential for increased flooding.</p>

Charnwood Open Spaces	<p>Seeks the following contributions:</p> <ul style="list-style-type: none"> • An on-site multi-function green space (minimum 0.21ha) • An on-site natural and semi open space (minimum 1.3ha) • An on-site amenity green space (minimum 0.30ha) • An on-site LEAP facility • On-site provision for young people • 1.68ha on-site provision or a £88,829.00 contribution towards off-site outdoor sports facilities • 0.21ha on-site provision or a £30,489.00 contribution towards off-site provision or enhancement of allotment facilities in East Goscote • An indoor sports contribution to consist of £122,630.00 towards swimming pool facilities, £118,490.00.00 towards indoor court facilities and £17,495.00 towards indoor bowls rink facilities
NHS CCG	Seeks a contribution of £75,036.45 towards the provision and enhancement of facilities at Jubilee Medical Practice and The County Practice.
Leicestershire Police	Raises no objection. Makes design suggestions to limit opportunities for crime.
Cadent Pipeline	Raises no objection. It is requested that the applicant is advised by informative that Cadent own and operate a High-Pressure Gas Pipeline within the potential area of works, the gas pipeline has a legal easement of 12m which would prevent any works of any kind being carried out without written permission.
Health and Safety Executive	Does not advise, on safety grounds, against the granting of planning permission
Edward Argar MP	<p>Reiterates concerns raised by residents;</p> <ul style="list-style-type: none"> • Scale of the proposed development is out of character with the village • Loss of area of local separation and landscape/visual harm • Potential for increased flood risk through loss of green field land • Adverse impact on local services and highway infrastructure • Loss of residential amenity to immediate

	<p>neighbours and wider area</p> <ul style="list-style-type: none"> • Impact on wildlife • The application is identical to that which was refused previously and urges the committee to refuse the application
Cllr Needham	<p>Requests that the application be referred to Plans Committee for the following reasons:</p> <ul style="list-style-type: none"> • Development would have a detrimental impact on character and appearance of the village • Additional traffic would have adverse impact on road safety • Adverse impact on local services • The application is identical to that which was refused and dismissed at appeal in 2019
Cllr Gerrard	<p>Objects to the application in capacity as a Parish Council member for the following reasons;</p> <ul style="list-style-type: none"> • The land is completely flat, which is very unusual for this part of the County • The Area of Separation is already very minimal, it will link up with other villages in the immediate area. • Lack of doctors surgeries • Lack of school places • Believes that the site is within the flood zone
Cllr Poland as County Councillor	<p>Objects to the application in capacity as a County Councillor for the following reasons;</p> <ul style="list-style-type: none"> • Scale of development too large and out of character with the village • Harm and loss to area of local separation • Unsustainable development due to lack of services and facilities within the village • Additional pressure of local services

Other Comments Received

176 letters of objection have been received from local residents. Objections raised are summarised as follows:

- The development is in an unsustainable location
- The adverse landscape impact
- Highway safety
- Traffic congestion
- Pressure on existing infrastructure and services
- Scale and design
- Loss of a greenfield site/agricultural land

- Impact on ecology
- Loss of trees
- There is no need for extra housing in the village
- Impact on the countryside
- Flooding/drainage
- Loss of privacy
- Lack of services and facilities in the village to accommodate the new residents
- Lack of employment opportunities for the new residents
- There is no proven need for affordable housing
- Contaminated land and risk to public health/safety
- Underground pipeline danger to public safety

Relevant Planning History

P/18/0709/2 – Outline planning application for the erection of up to 270 dwellings with public open space/community park, landscaping and sustainable drainage system (SuDS) and vehicular access point from Melton Road. All matters reserved except for means of access.

This application was refused by the Local Planning Authority under delegated powers and was the subject of a subsequent appeal that was heard by way of a Public Inquiry in June 2019 (Planning Inspectorate reference APP/X2410/W/18/3214382). The Appeal was dismissed. It is relevant to note this was based solely on the principle of development and the planning circumstances and material considerations that prevailed at the time.

P/18/2123/2 - Outline planning application for the erection of up to 270 dwellings with public open space/community park, landscaping and sustainable drainage system (SuDS) and vehicular access point from Melton Road. All matters reserved except for means of access. This application was an identical resubmission of the application above submitted alongside the appeal which was refused for the same reasons.

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 (3.34 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. These are set out in footnote 6 and are generally nationally designated areas such as SSSI's although Local Green Space and areas of archaeological interest demonstrably equivalent to ancient monuments can be included. In this case although the greenfield site is outside of the defined limits to development and within the open countryside it does not benefit from any designations to qualify as an area or asset of particular importance as set out in footnote 6. For these reasons it is not considered by officers that in this instance paragraph 11d i) would apply

The main issues are considered to be:

- The Principle of Development
- Housing Mix
- Landscape and Visual Impact
- Design and Layout
- Open Space
- Impact on residential amenity
- Highway Matters
- Flooding and drainage
- Ecology and Biodiversity
- Contaminated Land and Public Safety
- S106 Contributions

The Principle of the Development

The application site is located outside but partially adjacent to, the Development Limits to the settlement of East Goscote, as established under "saved" Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026. For land outside these Development Limits policies CT/1 and CT/2 apply which seek to control development outside of a relatively narrow set of criteria. Policy CS1 of the Core Strategy outlines a development strategy for the Borough, including a settlement hierarchy. Within the settlement hierarchy, East Goscote is identified as an "other" settlement where a limited level of housing growth which is predominantly small scale and within limits to development is acceptable. Its place in the hierarchy is due to the relatively low level of services and facilities within the village and because of limited public transport

access to higher order settlements and employment.

These policies are those that are the most important for establishing whether development of the site for housing is acceptable in principle.

The development is at odds with these housing supply policies as it comprises a large-scale development that is outside the limits to development. However, given the current lack of a 5 year supply of housing land, these policies must be considered to be out of date and the presumption in favour of sustainable development requires an assessment to be made as to whether there are any adverse impacts of granting permission that would significantly or demonstrably outweigh the benefits of the proposal.

Within this assessment, it should be recognised the proposal would result in the provision of 270 new houses at a time when the Local Planning Authority cannot demonstrate a five-year supply of housing land. Weighed against this benefit would be the conflict with the above policies which can be considered as an adverse impact. However given the 5 year supply position of the Borough Council and the age of policies CS1, CT/1, CT/2 and ST/2, the weight that can be ascribed to them would be reduced. Accordingly although there is some harm resulting from conflict with the development approach set out in policies CS1, CT/1, CT/2, and ST/2, which seeks to direct growth away from smaller settlements. This weighs against the proposal, however it is not considered this would significantly and demonstrably outweigh the benefits, insofar as the principle of development is concerned. Accordingly, the proposal is considered to be acceptable in principle. The conflict with the Development Plan can however be considered within the overall planning balance for the proposal.

The Draft Charnwood Local Plan is at an early stage in its preparation and underwent a six-week pre-submission consultation period that ran from Monday July 12 until Monday August 23, 2021. This document carries only very limited weight at this time, however, the site has been proposed as a residential allocation of 223 homes under policy DS3 (HA60). Whilst not a decisive factor, it is a material consideration in the determination of the planning application, that the Council has considered the site as a suitable location for housing growth.

Housing Mix

Policy CS3 outlines a requirement to secure an appropriate housing mix having regard to the identified housing needs and the character of the area and suggests 30% of the 270 units should be affordable. The Housing Supplementary Planning Document provides further guidance in support of this relating to how these units should be provided.

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 proposal is in outline form and includes an undertaking to provide 81 affordable homes (30%). The size, type, tenure and design of these are not currently known

although it is anticipated that much of this detail would be established by later reserved matters. It would, however, be important to set down parameters relating to, for example, the size of units, and it is suggested that this could be controlled and secured by a condition for both Market and Affordable housing. The tenure for affordable housing can be secured through the s.106 agreement.

The Leicestershire Housing and Economic Development Needs Assessment (HEDNA) 2017 outlines a recommended housing mix for the Borough in respect of both market and affordable housing. This includes the following housing mix:

Affordable	
1 bed	40-45%
2 bed	20-25%
3 bed	25-30%
4+ bed	5-10%
Market	
1 bed	0-10%
2 bed	25-35%
3 bed	45-55%
4+ bed	10-20%

It is suggested that a size, mix and profile to reflect this could be accommodated on site. Locally identified need and the character of the area could be achieved although care would need to be taken, (as per Policy CS3), to ensure the character of this edge of village location was not harmed by this.

With regards to housing mix, it is considered that a proposal which complies with policy CS3 could be achieved. The provision of 81 affordable units is also a significant benefit of the scheme which should be given weight within the planning balance.

Landscape and Visual Impact

Policies CS2 and EV/1 seeks to require high quality design where people would wish to live through design that responds positively to its context. Policies CS11 and CT/2 seek to protect landscape character and countryside. These policies generally accord with the NPPF and do not directly frustrate the delivery of housing. As a result, it is not considered that there is a need to reduce the weight given to these policies.

There are no specific landscape designations for the site other than being within the East Goscote and Rearsby Area of Local Separation (ALS) as defined by saved local plan policy CT/4. This policy seeks to keep Areas of Local Separation substantially free of development. Development in these areas will only be permitted where the predominantly open and undeveloped character of the area is retained and the already narrow gap between settlements is not reduced. The site is located within The Wreake Valley Landscape Character Area, an area noted for its flat bottomed river valley with gently sloping sides. It is an area of mixed arable and pasture farming with areas to the east of Broome Lane, East Goscote being rural in character. The area has low woodland cover. The strength of the landscape

character is of moderate quality, and the landscape condition is moderate with a moderate sensitivity to change. The guidelines are to generally conserve and enhance the rural character of the area and maintain views across the valley.

The site lies in open country outside of the settlement limits. Its characteristic as a flat open field is consistent with the Character of the Wreake Valley landscape area. The site is partially screened from the existing built form to the west and south. The site is more visible from the north and from the A607 to the east, albeit views broken with some mature trees and hedgerow cover.

It is necessary to consider whether the development would be harmful to the overall purpose, integrity or character of the ALS. The indicative development framework plan shows the proposed access road and green infrastructure within the ALS. The 8 hectares of housing development would be located between the existing housing to the west and the A607, outside of the ALS.

At the narrowest point approximately 240 metres of open countryside separates East Goscote from Rearsby. Broome Lane, on the western side of Melton Road defines the northern edge of East Goscote. The application proposes a new roundabout and the access into the development site would extend no further north than Broome Lane. It would extend development on the eastern side of Melton road approximately 40 metres closer to Rearsby, reducing the gap at this point to about 200 metres. However, because it would align with Broome Lane, the overall width of the gap between the villages would not be reduced.

Permission for the Rearsby Roses development was granted on appeal (P/12/1709/2) on the basis that this retained gap would be kept open and undeveloped. The Inspector concluded that the gap would be sufficiently wide to prevent any demonstrable merging of the two villages. In the determination of the 2019 appeal for the previously refused application, the Inspector concluded in this case that adequate separation between settlements would be retained by the proposal.

Whilst there would be some significant changes to the immediate appearance of the landscape through the construction of the formalised access road through the hedgerow that fronts Melton Road, and development of housing on an area of somewhat open undeveloped pasture, these effects overall would be relatively localised and of limited overall landscape impact. This could be mitigated with additional planting to be secured as part of the reserved matters application.

It is concluded that the overall long term impact on the landscape character of The Wreake Valley would not be so significant as to change the overall character of the area or fail to comply with the guidelines of the landscape character appraisal. Furthermore, having regard for the distribution of the built and open areas shown on the submitted development framework plan, it is not considered that the proposal would significantly reduce the perceptible gap between East Goscote and Rearsby. The proposal is therefore concluded to comply with policies CS11 and CT/4.

Whilst it should be acknowledged that there would be some limited landscape impacts at the site level, it is considered that the visual impact of the development

from the public areas identified could be mitigated following careful consideration of design at the reserved matters stage if outline consent were to be granted. It is therefore considered that that a scheme could be designed which accords with policies CS2, EV/1 and CT/2 in this regard.

Design and Layout

Policy CS2 seeks high quality design for new development. 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.

As this proposal is in outline, approval of the design and layout is not currently sought. However, a Development Framework Plan has been submitted which shows how the site could be developed and design principles are also set out within the Design and Access Statement.

If the application were to be considered acceptable, a planning condition securing specific design details could be attached to secure compliance with the design aspirations of the relevant policies and the NPPF (2021). Accordingly, it is considered a proposal that complied with Policies CS2 and EV/1 of the Development Plan and national guidance in terms of design could be achieved for the site.

Open Space

Policy CS15 seeks to ensure adequate open space is provided to serve the needs of new development. This policy generally accords with the NPPF and does not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to the policy.

The indicative plan and the Design and Access Statement suggest that within the site there will be areas green space incorporating amenity open space, play space and provision for older children. There is, however, no provision for older sports or allotments. Given the size of the site it is unlikely that these typologies could all be provided for within the site but a commuted sum to improve facilities elsewhere within the area could be secured.

Overall, it is considered that the development would provide good quality open space proportionate to its size and that shortfalls in open space provision could be mitigated against through appropriate contributions. Accordingly, the proposal is considered to comply with policy CS15 of the Development Plan.

Impact on 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 to ensure an adequate level of amenity.

Objections have been received with concerns raised over the potential loss of

privacy and amenity from the development.

The development would be visible from the existing housing occupiers to the west of the site. However, it is concluded that whilst these residents would see the proposed development there are no specific concerns that the development has to take account of these to protect residential amenity. It will however be necessary at reserved matters stage to ensure that there would be no significant overbearing impact or overlooking from the new dwellings to existing dwellings adjacent to the site. Any future developer of the site will need to design the layout, scale and appearance of the reserved matters having regard for the separation distances contained within the Design SPD (2020). It will also be necessary to ensure the position of any LEAP or NEAP play areas are sufficiently distant from existing and proposed dwellings to prevent undue noise disturbance. The potential for noise and disturbance to the existing dwellings as a result of the new roads within the development is also a consideration. However it is considered that the site can be suitably designed at the reserved matters stage to ensure no such loss of existing amenity occurs.

The amenities of the future occupiers of the development would be a consideration in the assessment of a future reserved matters application for the development if outline permission was granted. Whilst only indicative plans are submitted at this stage, it is considered that a suitably designed scheme could be provided which complied with the provisions of the Development Plan in this regard. The Environmental Protection Officer has recommended planning conditions that require noise mitigation measures to be approved as part of the detailed design of the dwellings due to the site's proximity to the A607.

The proposal could, therefore, following careful design, comply with the provisions of policies CS2 and EV/1 along with the guidance set out in the Design and Housing SPD's to protect residential amenity.

Highway Matters

Policies CS2 and CS18 of the Core Strategy and TR/18 of the Local Plan seeks to ensure safe access is provided to new development and policy CS17 is concerned with encouraging sustainable transport patterns. These policies generally accord with the National Planning Policy Framework and do not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them

Paragraph 112 of the NPPF seeks to promote sustainable travel choices. Paragraph 111 of the NPPF seeks to ensure new development does not result in an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network.

A large number of the objection letters have been received with reference to highway safety and congestion as a concern.

The Highway Authority has assessed the Transport Assessment and proposed Access plan submitted in support of the application. Their views are set out below;

Site Access

The proposed four arm roundabout will replace the existing priority junction between Melton Road and Broome Lane. Melton Road and Broome Lane are both C classified roads with a 7.5 tonne weight restrictions and a speed limit of 30mph in the vicinity of the proposed development. The site also shares a boundary with A607 Rearsby bypass, which is subject to the national speed limit (60mph). However, no access is proposed from the A607.

The results of a speed survey undertaken in 2018, set out in the Transport Assessment report, show speeds of 39.3mph and 42.1mph on Melton Road northbound and southbound respectively in the vicinity of the site. Whilst these are in excess of the speed limit, the proposed roundabout may have a positive effect on speed reduction in the vicinity. It can also be noted that the Highway Authority has installed vehicle actuated signs (VAS) in the vicinity since the speed surveys were undertaken to reinforce the 30mph speed limit. The Highway Authority has reviewed Personal Injury Collision (PIC) data for the period between October 2012 and October 2020 and considers that it is unlikely that the proposed development would exacerbate any existing road safety issues.

The Highway Authority has reviewed the proposed site access roundabout against the design standards set out in CC116 'Geometric Design Roundabouts' from the Design Manual for Roads and Bridges. Whilst there is insufficient detail at this stage to provide a comprehensive response to the design of the proposed roundabout, the outline principle of the design is acceptable. The site access is proposed to be a width of 6.75m on the approach to the roundabout, which exceeds the required carriageway width of 5.5m for a residential access road which is set out in the Leicestershire Highway Design Guide (LHDG). However, this is acceptable in this case given it will be possible to narrow it down to a width of 5.5m as it proceeds further into the site when a future Reserved Matters planning application is submitted for the site layout. Due to the width of the access and as the internal layout is likely to include a loop road, the need for a secondary emergency access is not required in this instance. The Highway Authority has confirmed that the site access is suitable for larger vehicles such as refuse vehicles.

Concerns have been raised by local residents that the surrounding roads are restricted by a 7.5 tonne weight limit and therefore will not be accessible for larger construction delivery vehicles that will be required during the construction phase. However, it is considered this would not amount to a reason to refuse the planning application and it will be for the developer to consider how they can access the site for construction purposes having regard for the weight restrictions and their duty under The Construction (Design and Management) Regulations 2015 and the Highway Code.

Junction Capacity and Trip Generation

The capacity of the site access junction has been undertaken using the AM and PM peak hour assessment flows. A maximum traffic count is identified for the use and suggests a maximum increase of 146 two-way vehicle movements during the

morning and evening peak. It is not considered that the proposed development would give rise to capacity issues on the surrounding highway network. The local highway authority raises no objection to the submitted assessment and considers the site access and surrounding junctions can operate without significant queuing or delay. The Highway Authority is content that the development would not have a significant traffic impact on the local highway network.

Internal Layout

As the access to the site is the only matter to be determined in detail at this stage, the submitted indicative site layout and internal layout including parking provision, are not for consideration at this time. However, the local highway authority advises that the proposals are required to be designed in accordance with the prevailing Leicestershire Highways Design Guide and local parking standards. It is considered that this can be secured through a future reserved matters application.

Sustainability

The site is located in excess of 650m from the village centre and associated amenities such as schools, the post office and local shops. However, there are good footway and cycle links both to the village centre and to the surrounding area. The development proposal includes the provision of a shared use foot/cycle way connecting the site to the existing pedestrian/cycle infrastructure on Melton Road. There are both northbound and southbound bus stops within approximately 75m of the site access and the southbound stop has recently been upgraded by way of raised kerbs and shelters. These stops are served by frequent services operating between Melton Mowbray and Leicester. The Highway Authority would require the northbound bus stop to be improved by the addition of a raised kerb in connection with the planning application.

In conclusion the proposal is considered to comprise a safe and suitable access for the amount of development proposed. Although site layout details are currently unknown, it is considered it would be possible to provide internal roads and parking for the scheme to an acceptable design and safety. The proposal would not lead to severe residual cumulative impacts on the highway and would provide reasonable transport choice for its location. Accordingly the proposal is considered to comply with relevant development plan policies and national guidance, and not to give rise to transport related harm.

Flooding and Drainage

Policy CS16 of the Core Strategy seeks to ensure that new development is not at risk of flooding and that it does not cause flood risk elsewhere. This policy generally accords with the NPPF and does not frustrate the supply of housing. It is therefore not considered there is a need to reduce the weight afforded to this policy.

The site itself is not subject to fluvial flooding being located within zone 1 of the flood zone as identified by the Environment Agency flood maps. The Environment Agency has not raised specific objections to the proposal. In relation to this proposal, the

main issue is whether development at this site would exacerbate any current flooding situation and cause additional concerns regarding the control of run-off water.

The submitted Flood Risk Assessment concludes that the site will not be at risk of flooding from either flows generated on site or from overland flows from off site. The Leicestershire Lead Local Flood Authority has assessed the submitted information and considers that the scheme in principle is acceptable at this outline stage, subject to the imposition of appropriate planning conditions to further define the components of the Sustainable Drainage Scheme at the Reserved Matters stage. It is concluded therefore that, in principle, the proposed development can be accommodated on the site without causing or exacerbating flooding to other properties subject to the imposition of appropriate conditions requiring further details. The proposal is therefore concluded to be compliant with policy CS16 of the Core Strategy and the Framework.

Ecology and Biodiversity

Policy CS13 seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. The application is supported by an Ecological Appraisal.

The Borough Council's Senior Ecologist has confirmed that the proposal's effects on biodiversity could be satisfactorily addressed by detailed measures secured by approval of planning conditions and approved as part of the detailed reserved matters application. In the light of the submitted Ecological Appraisal which shows a potential net gain for biodiversity on the site, there is no objection to the application. This is consistent with the conclusions of the inspector in the determination of the previously dismissed appeal. It is recommended that a mechanism be included within the Section 106 agreement that requires the reserved matters scheme to be BIA tested using an appropriate metric which can secure an off-site mitigation contribution in the unlikely event that the scheme does not protect against a net loss of biodiversity.

Overall, it is considered that a carefully considered reserved matters application could result in a development which can ensure there is not a biodiversity net loss. Policy CS13 supports development which protects biodiversity or enhances, restores or creates biodiversity, and which does not harm ecological networks. It is concluded that the proposal could be made acceptable with regards to biodiversity at the reserved matters stage and secured via the S106 agreement, in compliance with policy CS13 of the Charnwood Local Plan 2006-2028 Core Strategy.

Contaminated Land and Public Safety

Objections have been received from local residents and the Parish Council raising concerns that the site has been used historically for disposal of potentially hazardous material. Concerns have also been raised that the development will be situated above the route of a gas pipeline.

The application has been supported by the submission of a ground investigation report. The Council's Environmental Protection Team have been consulted in

connection with the proposal and has suggested planning conditions to require further survey work and mitigation/remediation measures as necessary. Information has been provided by a resident/Parish councillor drawing attention to concerns about previous use of the site as a munitions factory during the Second World War and potential contamination arising from this use. This information has been assessed and the Council's Environmental Health Officers raise no concerns that lead them to object to the proposed development subject to conditions being applied.

The Health and Safety Executive and Cadent have also been consulted in connection with the proximity to the gas pipeline that is situated below ground within the northern part of the site where it is proposed the large open area of public open space be located. Given that no significant below ground development will take place within the easement of the pipeline, no objections are raised. A separate consenting process outside of the planning process may be required and the applicant is advised of this within the information notes below.

The concerns of residents and the Parish Council in these regards were also considered extensively during the public inquiry that took place in respect of the previous appeal. The Inspector concluded in the determination of the 2019 appeal that *"There is at best inconclusive evidence to support the Parish Council's concern that the site might have been used for tipping or burning of waste from the former ordnance factory on whose site the village is built. The balance of the evidence, including the interpretation of historic photographs, tends to support use for sand and gravel extraction rather than for the factory. However, the expert written submissions and oral evidence to the Inquiry give confidence that satisfactory remediation would be possible in any event, without risk to nearby residents. A Stage 2 investigation, secured by a planning condition, would provide a precautionary approach. There is no evidence of any significant unconsidered risk arising from the gas pipeline crossing the northern part of the site."* given the inspector's conclusions on this matter that it would not preclude the site from residential development, it would be unreasonable to form a differing view. Furthermore, the evidence that has been submitted in the course of this application by local people raising concerns over the historic use of the site has been considered by the Council's Environmental Health Officer who have not raised any additional concerns that would justify an objection to the application on such grounds.

Having regard for all of the above, it is not considered that there would be any risk to existing or future residents that cannot be adequately mitigated and therefore the application is considered to accord with Paragraph 174 of the NPPF.

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. As set out within related legislation such requests must be necessary to make the development acceptable in planning terms, directly related to the development and fairly related in scale and kind. Consultation regarding the application resulted in the following requests to meet infrastructure deficits created by the development:

Education	<ul style="list-style-type: none"> • £204,415.65 to fund provision of additional early years places required to meet needs of the development. • £525,312.00 to fund expansion of Broomfield Primary school to partially meet needs of the development. • £152,410.77 to fund the additional Special school places generated by the large scale of this development
Libraries	£8,150 contribution towards the enhancement of East Goscote Library.
Open Space	<ul style="list-style-type: none"> • An on-site multi-function green space (minimum 0.21ha) • An on-site natural and semi open space (minimum 1.3ha) • An on-site amenity green space (minimum 0.30ha) • An on-site LEAP facility • On-site provision for young people • 1.68ha on-site provision or a £88,829.00 contribution towards off-site outdoor sports facilities • 0.21ha on-site provision or a £30,489.00 contribution towards off-site provision or enhancement of allotment facilities in East Goscote • An indoor sports contribution to consist of £122,630.00 towards swimming pool facilities, £118,490.00.00 towards indoor court facilities and £17,495.00 towards indoor bowls rink facilities
Affordable Housing	30% of the dwellings to be affordable housing with 77% for affordable rent and/or social rent and 23% shared ownership.
NHS	£75,036.45 towards the provision and enhancement of facilities at Jubilee Medical Practice (49%) and The County Practice (51%).
Highways	<ul style="list-style-type: none"> • Raised kerb provision at the nearest northbound bus stop on Melton Road at a cost of £4,000 • A Travel Plan monitoring fee of £6,000 • Travel pack for the first occupation of each new dwelling • Six month bus passes (two per dwelling) for the first occupation of each new dwelling
Civic Amenity	£13,951.00 towards increasing capacity at the existing waste facility in Mountsorrel.
Biodiversity mitigation	The submission of a Biodiversity Mitigation Strategy which includes a new BIA assessment with agreed baseline for site, at reserved matters stage. Mitigation will be provided

	<p>in order of the following preference to achieve no net biodiversity loss.</p> <ol style="list-style-type: none"> 1) Mitigation on site 2) Offsite contribution using cost model ECCv19.1 for a project within the vicinity of the development (to be agreed by all parties)
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These contributions (with the exception of indoor sport) are considered to be CIL compliant and would allow the necessary infrastructure to meet policy CS24. There are concerns regarding the contributions requested towards indoor sports. This is because they are based on a national threshold that does not consider existing provision, local need and/or circumstances. As a result, it has not been fully demonstrated that the contribution towards indoor sport provision is necessary to make the development acceptable in planning terms in accordance with the requirements of CIL regulation 122.

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.

As there is currently an insufficient supply of deliverable housing sites (3.34 years), this application would have to be determined on the basis of para 11d of the presumption in favour of sustainable development in the NPPF. This means that there must be adverse impacts which would significantly and demonstrably outweigh the benefits for planning permission to be refused.

In this case the development would provide 270 new units of which 30% would be affordable homes, at a time when there is an acute need for these. This is a significant benefit of the scheme. These would not be provided in the most sustainable type of settlement in the Borough but nevertheless in one where there are some local facilities and services and a regular bus service to higher order centres. It is also a material consideration of limited weight that the council has identified the site as a suitable location for housing growth of significant scale within the Draft Local Plan 2021-2037. The site offers the potential for high quality design and an acceptable mix of housing. There are no technical constraints relating to highways, or flooding that cannot be mitigated, no net loss of biodiversity and landscape compensation can be secured by way of detailed landscape design. There would be no harm to heritage assets. Impacts on infrastructure and public services can be offset within the site or via commuted payments to improve facilities in the area.

Weighed against this is the conflict with Development Plan policies which set out the spatial strategy for the Borough. There would be some limited harm to the landscape as set out above.

The test from the Framework is whether the detrimental impacts of the proposal, described above would significantly and demonstrably outweigh the benefits of making a significant contribution to the supply of housing or whether specific policies

within the Framework indicate that development should be restricted. With the Council's current position on housing land supply, it is not considered that these identified harms, (when taken together), would significantly and demonstrably outweigh the benefits of the additional housing. Accordingly, it is recommended planning permission should be granted conditionally subject to a S.106 agreement as set out below

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	<ul style="list-style-type: none"> • £204,415.65 to fund provision of additional early years places required to meet needs of the development. • £525,312.00 to fund expansion of Broomfield Primary school to partially meet needs of the development. • £152,410.77 to fund the additional Special school places generated by the large scale of this development
Libraries	£8,150 contribution towards the enhancement of East Goscote Library.
Open Space	<ul style="list-style-type: none"> • An on-site multi-function green space (minimum 0.21ha) • An on-site natural and semi open space (minimum 1.3ha) • An on-site amenity green space (minimum 0.30ha) • An on-site LEAP facility • On-site provision for young people • 1.68ha on-site provision or a £88,829.00 contribution towards off-site outdoor sports facilities • 0.21ha on-site provision or a £30,489.00 contribution towards off-site provision or enhancement of allotment facilities in East Goscote
Affordable Housing	30% of the dwellings to be affordable housing with 77% for affordable rent and/or social rent and 23% shared ownership.
NHS	£75,036.45 towards the provision and enhancement of facilities at Jubilee Medical Practice (51%) and The County Practice (49%).
Highways	<ul style="list-style-type: none"> • Raised kerb provision at the nearest northbound bus stop on Melton Road at a cost of £4,000 • A Travel Plan monitoring fee of £6,000

	<ul style="list-style-type: none"> • Travel pack for the first occupation of each new dwelling • Six month bus passes (two per dwelling) for the first occupation of each new dwelling
Civic Amenity	£13,951.00 towards increasing capacity at the existing waste facility in Mountsorrel
Biodiversity mitigation	<p>The submission of a Biodiversity Mitigation Strategy which includes a new BIA assessment with agreed baseline for site, at reserved matters stage. Mitigation will be provided in order of the following preference to achieve no net biodiversity loss.</p> <p>3) Mitigation on site</p> <p>4) Offsite contribution using cost model ECCv19.1 for a project within the vicinity of the development (to be agreed by all parties)</p>

RECOMMENDATION B:

That subject to the completion of the agreement in recommendation A above, planning permission be granted subject to the following conditions and notes:

1.	<p>Application for approval of reserved matters shall be made within three years of the date of this permission and the development shall be begun not later than two years from the final approval of the last of the reserved matters.</p> <p>REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>No development shall commence until details of the appearance, landscaping, layout and scale, (“the reserved matters”), have been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.</p> <p>REASON: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p>
3.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Proposed Access Strategy - P20053-001A Site location Plan - 8187-L-07 B</p> <p>REASON: To provide certainty and define the terms of the permission</p>
4.	The reserved matters shall comprise a mix of market and affordable

	<p>homes that has regard to both identified housing need for the borough and the character of the area and includes an appropriate level of smaller 2/3 bedroom units and single storey units.</p> <p>REASON: To ensure that an appropriate mix of homes is provided that meets the Council's identified need profile in order to ensure that the proposal complies with Development Plan policies CS3, and the advice within the NPPF.</p>
5.	<p>The landscaping details submitted pursuant to condition 2 above shall include:</p> <ul style="list-style-type: none"> i) the treatment proposed for all ground surfaces, including hard surfaced areas; ii) planting schedules across the site, noting the species, sizes, numbers and densities of plants and trees; including tree planting within the planting belt to the east of the site; iii) finished levels or contours within any landscaped areas; iv) any structures to be erected or constructed within any landscaped areas including play equipment, street furniture and means of enclosure. v) functional services above and below ground within landscaped areas; and vi) all existing trees, hedges and other landscape features, indicating clearly any to be removed. <p>REASON: To make sure that a satisfactory landscaping scheme for the development is provided so that it integrates into the landscape and surrounding area and complies with policies CS2 and CS11 of the Development Plan.</p>
6.	<p>The details submitted pursuant to condition 2 above shall include full details of existing and proposed ground levels and finished floor levels of all buildings relative to the proposed ground levels.</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 and of the Development Plan and associated national and local guidance.</p>
7.	<p>The details submitted pursuant to condition 2 above shall include a façade noise map to determine noise levels at each dwelling and provide a detailed glazing and ventilation schedule to control noise within dwellings, and a schedule of external boundary treatments to limit external noise levels within private gardens.</p> <p>REASON: to ensure that appropriate external and internal noise criteria is achieved having regard for the amenity of those that will live in the development in accordance with Policy CS2 of the Core Strategy</p>
8.	<p>The details submitted pursuant to condition 2 above shall include the following minimum amounts and typologies of open space:</p>

	<ol style="list-style-type: none"> i. An on-site multi-function green space (minimum 0.21ha) ii. An on-site natural and semi open space (minimum 1.3ha) iii. An on-site amenity green space (minimum 0.30ha) iv. An on-site LEAP facility v. On-site provision for young people <p>REASON: To ensure that the open space needs of future residents are met at a level that complies with Development Plan policies CS15</p>
9.	<p>No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Prime Transport Planning drawing number P20053-001A 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 Planning Policy Framework (2021).</p>
10.	<p>No development shall commence on the site until such time as a construction method statement and traffic management plan has been submitted to and approved in writing by the Local Planning Authority. this shall include as a minimum:</p> <ul style="list-style-type: none"> • Details of the routing of construction traffic • Wheel cleansing facilities • Vehicle parking facilities • Dust control measures • Hours of work on site, including deliveries and removal of materials • Location of temporary buildings and associated generators, compounds, structures and enclosures, • A timetable for their provision. <p>The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.</p> <p>REASON: to protect the amenity of nearby residents and To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.</p>
11.	<p>No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 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.</p> <p>REASON: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2021).</p>
12.	<p>No part of the development hereby permitted shall be first occupied until an amended Travel Plan which sets out actions and measures</p>

	<p>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 (2021).</p>
13.	<p>No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:</p> <p>A. A preliminary risk assessment which has identified:</p> <ul style="list-style-type: none"> • all previous uses; • potential contaminants associated with those uses; • a conceptual model of the site indicating sources, pathways and receptors; and • potentially unacceptable risks arising from contamination at the site. <p>B. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.</p> <p>C. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.</p> <p>D. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.</p> <p>Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.</p> <p>REASON: To prevent pollution of controlled waters and new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground or water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person is presented.</p>

14	<p>Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.</p> <p>REASON: To prevent pollution of controlled waters and new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground or water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person is presented.</p>
15	<p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.</p> <p>REASON: To prevent pollution of controlled waters and new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground or water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person is presented.</p>
16	<p>No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.</p> <p>REASON: To prevent pollution of controlled waters and comply with the NPPF. Infiltration through land contamination has the potential to impact on groundwater quality.</p>
17.	<p>The development shall be carried out in accordance with the submitted flood risk assessment (Enzygo Limited, Ref. SHF.1132.126.HY.R.001.C, November 2020) and the following mitigation measures it details:</p> <ul style="list-style-type: none"> • The site developable area will be limited to areas above the 0.1% annual exceedance probability (AEP) event floodplain level of 57.53m above Ordnance Datum (AOD). • No land raising will take place within the extent of the modelled 0.1% AEP event.

	<ul style="list-style-type: none"> • Finished floor levels will be set no lower than 150mm above external ground levels. • An 8 metre easement will be left alongside Gaddesby Brook <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 prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, to reduce the risk of flooding to the proposed development and future occupants and to allow Environment Agency access to the Gaddesby Brook which is a main river, and prevent damage to the river in accordance with policy CS16 of the Core Strategy and the National Planning Policy Framework (2021)</p>
18.	<p>No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.</p> <p>REASON: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (2021).</p>
19.	<p>Prior to the occupation of any dwelling a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all public open spaces, ecological mitigation areas and surface water drainage system, shall be submitted to and approved in writing by the local planning authority. The approved landscape management plan shall then be fully implemented.</p> <p>REASON: To ensure that public open spaces are maintained so that they are of good quality and that drainage systems retain full function. This is to make sure the development remains in compliance with Development Plan policies CS2, CS11, CS15 and CS16.</p>
20.	<p>The existing hedges and trees located within the application site boundaries, other than at the point of the new access and internal roads shall be retained and maintained at all times. Any part of the hedges removed, dying, being severely damaged or becoming seriously diseased shall be replaced, with hedge plants and trees of such size and species as previously agreed in writing by the local planning authority, within one year of the date of any such loss.</p> <p>REASON: The hedges and trees are an important feature in the area and its retention is necessary to help screen the new development</p>

21.	<p>No development, including site works, shall begin until the hedges and trees located within the application site boundaries that are to be retained, have been protected, in a manner previously agreed in writing by the local planning authority. The hedges shall be protected in the agreed manner for the duration of building operations on the application site.</p> <p>REASON: The hedges and trees are an important feature in the area and this condition is imposed to make sure that it is properly protected while building works take place on the site.</p>
22.	<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 must be carried out in accordance with these approved details and completed prior to first occupation.</p> <p>REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.</p>
23.	<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, and approved in writing by the Local Planning Authority. The construction of the development must be carried out in accordance with these approved details.</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>
24.	<p>No dwelling approved by this planning permission shall be occupied 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 surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.</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>
25.	<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 December 2020 (section 5 Discussion). As a minimum these details shall include;</p> <p>1) Badger Mitigation Strategy</p>

	<p>2) Lighting Strategy 3) Construction Ecological Management Plan (CEMP) to protect features during the construction phase. 4) Post-construction, a Biodiversity Management Plan (BMP) will be prepared and implemented. The development shall be carried out and retained thereafter in accordance with the approved details.</p> <p>REASON: To ensure the design and construction of the development does not result in the loss of any biodiversity features, habitats or protected species in accordance with Policy CS13 and the NPPF.</p>
26.	<p>No development shall take place until a programme of archaeological work which includes a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:</p> <ul style="list-style-type: none"> • The programme and methodology of site investigation and method • The programme for post investigation assessment • Provision to be made for analysis of the site investigation and recording • Provision to be made for the publication and dissemination of the analysis and records of the site investigation • Provision to be made for archive deposition of the analysis and records of the site investigation • Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. <p>All works including site clearance shall be carried out in accordance with the Written Scheme of Investigation.</p> <p>REASON: To make sure that any heritage assets are appropriately recorded and/or protected to allow compliance with policies CS14 of the Development Plan and the advice within the NPPF.</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 CS1, CS2, CS3, CS11, CS13, CS14, CS16, CS24, CS25, ST/2, CT/1, CT/2, EV/1, 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. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001). A minimum of 6 months' notice will be required to make or amend a Traffic Regulation Order of which the applicant will bear all associated costs. Please email road.adoptions@leics.gov.uk to progress an application.
5. 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. Care should be taken during site works to make sure that hours of operation, methods of work, dust and disposal of waste do not unduly disturb nearby residents.
7. This permission has been granted following the conclusion of an agreement under Section 106 of the Town & Country Planning Act 1990 relating to the provision of infrastructure contributions necessary to make the development acceptable in planning terms.
8. The 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.

9. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
10. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual householder ownership.
11. The following points should be noted wherever infiltration drainage (such as soakaways) is proposed at a site: Appropriate pollution prevention methods (such as trapped gullies or interceptors) should be used to prevent hydrocarbons draining to ground from roads, hardstandings and car parks. Clean uncontaminated roof water should drain directly to the system entering after any pollution prevention methods. No infiltration system should be sited in or allowed to discharge into made ground, land impacted by contamination or land previously identified as being contaminated. There must be no direct discharge to groundwater, a controlled water. An unsaturated zone must be maintained throughout the year between the base of the system and the water table. A series of shallow systems are preferable to systems such as deep bored soakaways, as deep bored soakaways can act as conduits for rapid transport of contaminants to groundwater.
12. The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
13. Cadent own and operate a High-Pressure Gas Pipeline within the potential area of works, the gas pipeline has a legal easement of 12m which would prevent any works of any kind being carried out without written permission. For any road or carriageway developments to be enabled Cadent may require further protection criteria meeting to protect the integrity of the High-Pressure

Gas pipeline. For any potential civils works to be enabled an enquiry must be submitted to Cadent and written permission granted.

