

Item No. 5

Application Reference Number P/21/1516/2

Application Type: Full **Date Valid:** 12/08/2021
Applicant: Vewd Ltd
Proposal: Proposed erection of two detached dwellings
Location: Land adj 160 Main Street,
Swithland
Leicestershire
LE12 8TJ
Parish: Swithland **Ward:** Rothley and
Thurcaston
Case Officer: Wendy Lewis **Tel No:** 07709 400993

This application has been brought to plans committee as it relates to a housing development, outside the current limits to development and is considered a departure from the Development Plan since it is recommended for approval.

Description of the Site

The application site lies to the south of Main Street and west of The Griffin Public House, and currently forms part of the land ownership of 160 Main Street to the east. However, it has recently been separated from No. 160 by a 2m high close-boarded fence. The site consists of grassland and is bisected by Swithland Brook which runs across the site from east to west. The land beyond the Brook is woodland which includes markers of ancient woodland. The frontage of the site onto Main Street is set behind a low stone wall and a variety of vegetation including trees set to the rear of the grass verge along the road frontage. The eastern side boundary is marked by a low stone wall whilst the western boundary is marked by a 2m high close boarded fence between the application site and the dwelling at 160 Main Street.

The site as originally submitted was entirely bounded by a red line and measured 0.7ha. however, a revised location plan (drg ref 2046/PL07) was submitted on 29th November 2021 which shows the woodland to the south of Swithland Brook, the Brook, the land 2m north of the brook and the land to the east of site now outlined in blue. The total application site outlined in red on the site location plan now measures 1617 sq m whilst the adjacent land outlined in blue measures 1890 sq m.

Surrounding land uses are as follows:

Boundary	Adjacent land use
North	Main Street and opposite western part of Swithland Primary school, access to dwelling at 165 Main Street the front elevation of which is set back at least 50m from the highway.
South	Track to farm and outbuildings at rear
East	Track and side elevation of The Griffin PH. (Site boundary along track marked by low stone wall)
West	Garage and dwelling at 160 Main Street

The site is located within the Limits to Development of the village identified in the adopted Borough of Charnwood Local Plan. The site is also within the Archaeological Alert Zone, Charnwood Forest Landscape Character Area and Swithland Conservation Area. The site sits nearly opposite Swithland Primary School which is a Grade II Listed Building, as is the neighbouring dwelling at 160 Main Street. The front 19m or so of the site is within Flood Zone 1 but the part around the Brook and the rear of the site lies within Flood Zone 2 and 3.

Planning permission was approved on this site in 2014 for 2 no. detached dwellings (app P/14/0332/2 refers) and it is noted that a Certificate of Lawfulness was granted in 2018 (app P/18/1367/2 refers) that confirmed that the works undertaken on site have begun and means that the planning permission remains extant. That application showed the strip of land to the east excluded from the development since it was designated as 'Open Space of Special Character'. Whilst the policy in the Local Plan under which this site was designated has been superseded the applicant has chosen to continue to leave this land undeveloped and has proposed its use as a wildlife meadow, matching the layout of the previously approved application.

Description of the Application

The application seeks permission for the construction of 2 detached dwellings.

Each dwelling has 2 elements, with a gable element that projects towards the front of the site each measuring approx. 6m wide with a wider part to the rear. Both dwellings have a wide element to the rear with projecting gables coming forward. The design concept that the applicant has chosen is that of a farmhouse at Plot 1 with an attached barn with Plot 2 having the form of converted barns so that in its entirety the development follows the design of a farmstead.

Each dwelling is 5 bedroomed with a variety of ensuite and dressing room accommodation at first floor level above 3 reception rooms, open plan kitchen diner and integral double garage on the ground floor. Plot 1 has its front gable elevation along the street frontage whilst the gable elevation at Plot 2 is set slightly further back although its rear elevation is slightly forward of plot 1. Both dwellings have small lean-to single storey elements adjacent to the gabled elevations.

It is proposed that the dwellings are constructed using bricks and stone with a slate roof. The proposed layout of the site has been drawn so that no part of the dwellings themselves are set within Flood Zones 2 or 3. Car parking is proposed for each dwelling with the dwellings each having separate accesses onto Main Street.

The proposal also includes the maintenance of a wild flower meadow in perpetuity to the east of Plot 2 on the site. The new eastern boundary to Plot 2 will be planted as a native hedgerow from the rear edge of the gable of Plot 2 to the southern extremities of the site beyond the brook.

The existing derelict dry stone walls on the front and east of the property are to be restored and the existing memorial bench is to be retained. A mature cherry tree towards the front of the western part of the site, adjacent to the mutual side boundary with 160 Main Street, is

shown to be removed. Two new extra heavy specimen trees will be planted in locations to be agreed within the development to mitigate the loss of this tree.

The following documents accompany the application:

- Application Form
- Planning Statement dated July 2021
- Arboricultural Report rev A prepared by Don Munro Consultancy dated 14th May 2021
- Design and Access Statement prepared by LaunchPadd Architects
- Flood Risk Assessment Ramm Sanderson prepared by dated July 2021
- Heritage Statement prepared by Trigpoint Conservation and Planning Ltd dated May 2021
- Ecology report and Biodiversity Metric 3.0 Calculation Tool
- Ecological Impact Assessment prepared by Don Munro Consultancy dated August 2021
- Plans and drawings:
 - Drg ref 16133-16-01 Topographic Site Survey
 - Drg ref 2046/PL01 Location Plan
 - Drg ref 2046/PL02 Site Plan
 - Drg ref 2046/PL03 Floor Plans rev A
 - Drg ref 2046/PL04 Elevations Plot 1
 - Drg ref 2046/PL05 Elevations Plot 2
 - Drg ref 2046/PL06 Main Street Scene
 - Drg ref 2046/PL07 Revised red line drg.

Development Plan Policies

Charnwood Local Plan Core Strategy (adopted 9 November 2015)

The following policies are relevant to this application:

Policy CS1: Development Strategy – this policy sets the spatial strategy for sustainable growth with new housing and employment being primarily focussed on the towns such as Loughborough and Shepshed and the Leicester Urban Area. Swithland is designated within the policy as a Small Village and Hamlet.

Policy CS2: High Quality Design – requires developments to make a positive contribution to Charnwood Borough, 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 - seeks to manage the delivery of the Borough's housing need and ensure a good mix of house types, tenures and size of properties, having regard to identified housing needs and the character of the area.

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 CS25: Presumption in Favour of Sustainable Development - sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It pledges to work proactively with applicants to jointly find solutions to approve development wherever possible to secure improvements to the economic, social and environmental conditions in an area. Planning applications that accord with the policies in the Core Strategy will be approved without delay unless material considerations indicate otherwise.

Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies)

The saved policies relevant to this proposal include:

Policy ST/2 Limits to Development - states that built development will be confined to allocated sites and other land within the Limits to Development identified on the proposals map, subject to specific exceptions.

Policy EV/1 - Design - seeks to ensure a high standard of design for developments, which, inter alia, respects and enhances the local environment, is of a design, layout, scale and mass compatible with the locality and utilises materials appropriate to the locality.

Policy TR/18 – Parking provision in new development - indicates that planning permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimize harm to visual and local amenities. The quantity of parking allowed should reflect the proposed use and the location of development, the availability of public off-street parking; the current or potential accessibility by non-car modes and the scope for practical measures to significantly reduce the use of private car trips to and from a site.

Material considerations

National Planning Policy Framework (NPPF)

The National Planning Policy Framework 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. It confirms that planning applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. The Framework requires that planning decisions

should, inter alia, ensure that developments are visually attractive as a result of good architecture and layout, are sympathetic to local character and maintain a strong sense of place through use of materials, and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity of existing and future users.

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are 3 dimensions to this;

- An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support growth and innovation
- A social role – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built development with accessible local services;
- An environmental role – contributing to protecting and enhancing our natural, built and historic environment.

The following sections of the NPPF are considered to be particularly relevant to the determination of this application:

Paragraphs 7-10 (Achieving sustainable development);
Paragraphs 11 and 12 (Presumption in favour of sustainable development);
Paragraphs 38 and 47 (Decision-making);
Paragraphs 60–79 (Delivering a sufficient supply of homes);
Paragraphs 104-113 (Promoting sustainable transport);
Paragraphs 119-125 (Making effective use of land);
Paragraphs 126-136 (Achieving well designed places);
Paragraphs 174-187 (Conserving and enhancing the natural environment);
Paragraphs 189-208 (Conserving and enhancing the built environment).

Paragraph 11 sets out the presumption in favour of sustainable development and makes it clear that where there is an under-supply of housing land, the most important policies for the determination of housing proposals would be considered out of date. The policy sets out that for decision taking where there are no relevant development plan policies or that the most important policies for determining the application are out of date planning permission should be granted unless:

- i. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Department for Communities and Local Government – Technical Housing Standards – nationally described space standard (March 2015)

These standards deal with internal spaces within new dwellings and sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling heights. The standard sets out the minimum space requirements dependent on different combinations of single and double/twin bedrooms. These standards are not yet

embodied within any Charnwood development plan policies and are regarded as guidance at present. However, the standards have some weight in the planning balance.

The National Design Guide

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This design guide, the National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

As well as helping to inform development proposals and their assessment by local planning authorities, it supports paragraph 130 of the National Planning Policy Framework which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

National Planning Practice Guidance

The PPG is a web-based resource that is continually updated. This document provides additional guidance to ensure the effective implementation of the planning policy set out in the NPPF.

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 Crime and Disorder Act 1998

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

Planning (Listed Building and Conservation Areas) Act 1990 (as amended)

This consolidates previous legislation relating to special controls in respect of buildings and areas of special architectural or historic merit and sets out what alterations can be carried out to listed buildings and within Conservation Areas without the formal consent of the local planning authority. The Act also sets out the procedure for local authorities to consider compiling a list of properties considered to be of special architectural or historic interest and how applications affecting such assets are to be advertised. The legislation gives Local Planning Authorities a statutory duty to give special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

The Swithland Conservation Area Character Appraisal

The Appraisal describes the special character of the village which takes a linear form which has been emphasised and retained through both infill and ribbon development in the last 2

centuries. The appraisal examines the historical development of the Conservation Area and describes its present appearance in order to assess its special architectural and historic interest. The appraisal is then used to inform the consideration of management and development proposals within the area. The character of the conservation area identified in the Appraisal document is such that the following general principles should be noted when considering any development in all parts of the conservation area.

The appraisal describes the main contributions to the special character of Swithland Conservation Area:-

- the contribution of the estate cottages and their distinctive architecture to the overall charm and atmosphere of the village;
- the retention of features and details which link the village with the family and estate which shaped it;
- the consistency and style of the front boundaries with the use of granite and slate rubble stone walls mixed with hedging, planting and trees reflecting the surrounding area;
- the character afforded by the prevalence of trees along the streetscene, reinforcing the connection of the village with Charnwood Forest;
- the quality and survival of historic fashions, forms and features which still dominate the built fabric of the village.

Design Supplementary Planning Document (2020)

This document seeks to encourage, promote and inspire higher design standards in new development.

Leicestershire Highways Design Guidance

Leicestershire County Council Highways are no longer part of the 6 Cs Design Guide arrangements; however, the provisions within that guide will continue to be applied. The guide will now be referred to as Leicestershire Highways Design Guide. It deals with infrastructure requirements for new developments.

Housing Supplementary Planning Document (July 2018)

This document sets out the Council's goals for the delivery of housing and how it will deal with applications for new development. The document seeks to provide clarity for those who live in the Borough and for the developers who deliver the new homes. The SPD will be a material consideration in the determination of planning applications in the Borough. It should be noted that the SPD cannot and does not propose new policy; rather it explains how Policies CS3, CS4, H/12 and CS23 will be used.

Housing and Economic Development Needs Assessment (HEDNA)

The Housing and Economic Development Needs Assessment (HEDNA) has looked at a wealth of evidence, including population, household and economic growth projections, to assess the need for housing and employment land over the next 20 years. The study is an important part of the evidence base for the Strategic Growth Plan. It will also form part of

the evidence base for Local Plans and will feed into the Strategic Economic Plan being revised by the LLEP.

The HEDNA looks at projections based on past population and demographic trends, with adjustments made (where necessary) for higher migration to support economic growth, and/or to address affordability issues, responding to an analysis of market signals and evidence of the need for affordable housing. The HEDNA also identifies the appropriate mix of homes of different sizes needed in the market and affordable sectors and concludes that the ideal mix of market housing in Charnwood should be as follows

- 1 bed – 0-10%
- 2 bed – 25-35%
- 3 bed – 45-55%
- 4 bed – 10-20%

Charnwood Borough Council Housing Needs Assessment (Sept 2020)

This was produced as an update to the HEDNA report and provides information at a smaller area level than previously available and has been produced as part of the evidence required for the Charnwood Local Plan.

The Draft Charnwood Local Plan 2021-37

This document has been approved by Council on 21 June 2021 for consultation and has now been submission to the Secretary of State for an Examination in Public. This document sets out the Council's draft strategic and detailed policies for the plan period 2019-37. This document carries limited weight at the current time. The Plan proposes a revision to the Limits to Development around this part of Swithland with the Brook forming the line of the village envelope so that the Brook and the woodland to the southwest of the site would be the subject of countryside policies.

Relevant Planning History

Ref.	Description	Decision	Date
P/14/0332/2	Erection of two dwellings	Conditional Approval	27/06/2014
P/17/0290/2	Discharge of conditions 3, 5, 7, 8, 11, 13 and 14 of P/14/0332/2. Materials. Tree protection details. Hedge details. Traffic management plan. Construction Method Statement. Window details. Landscaping details.	Conditions part discharged	31/03/2017
P/18/1367/2	Certificate of lawfulness existing for the use or operation or activity for confirmation of commencement of development	Unconditional Approval	06/09/2018

Responses from Statutory Consultees

Environment Agency – Have confirmed they raise no objections as the plans confirm that the extent of the proposed dwellings' fall entirely within Flood Zone 1.

Leicestershire County Council Highways Authority – has confirmed that 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. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021), subject to conditions.

Other Comments Received

Cllr Leon Hadji-Nikolaou (Ward Member) has confirmed that he has no specific comments for this planning application.

No other representations have been received.

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) and 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 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 in this regard.

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.

The key issues in considering this application are considered to be:

- The Principle of the Development
- Design, landscape and visual amenity
- The impact on the significance of heritage assets
- The impact on the amenity of neighbouring residential properties
- Impact on trees
- Impact on biodiversity and ecology
- Impact on flooding
- Impact on highway safety and the highway network.

The principle of the development

The application site is located within Main Street, Swithland. Policy CS1 of the Charnwood Local Plan (2011-2028) sets out the strategic hierarchy for development within Charnwood Borough and designates Swithland as a 'small village and hamlet'. The policy seeks, amongst other things, to respond positively to development within Development Limits whereby it meets a specific local, social or economic need, and the need is identified by a Neighbourhood Plan or other appropriate community-led strategy. The location therefore represents an unsustainable location for new development, unless the terms of policy CS1 are met.

The development is at odds with the Council's policies relating to housing supply policies since it seeks the construction of new dwellings within a small village or hamlet and where no identified specific or local need has been identified. Accordingly, the proposal conflicts with policy CS1 of the Development Plan, which seek to control development within the countryside outside of a relatively narrow set of criteria.

This policy is the most important for establishing whether development of the site for housing is acceptable in principle. However, given the current lack of a 5 year supply of housing land, this policy 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 2 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 policy which can be considered as an adverse impact. However, given the 5-year supply position of the Borough Council and the age of policy CS1 the weight that can be ascribed to them would be reduced.

It is also a significant material planning consideration that there is an extant planning permission in place for 2 dwellings on the application site and this represents a fallback position for the applicant.

Accordingly, although there is some harm resulting from conflict with the development plan's spatial strategy set out in policies CS1 which seeks to direct growth away from smaller settlements, given the extant planning permission on the site, 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.

Design, Landscape and Visual Impact

Policies within the saved Charnwood Local Plan and Core Strategy, notably Policies CS2, CS11 and EV/1 and national guidance advise that in order to meet the objectives of sustainable development new development should be well-designed and provide a safe built environment. Policies require that developments should function well and add to the overall quality of the area, that they are visually attractive as a result of good architecture,

layout and appropriate and effective landscaping, and that they are sympathetic to local character and history, including the surrounding built environment and landscape setting.

The application site is located within the Limits to Development to the settlement of Swithland. It is also located within the Charnwood Forest Landscape Character Area. The 2012 Character Assessment notes that the built fabric of Charnwood Forest often features locally quarried stone, such as field walls and houses of Mountsorrel granite with Swithland slate roofs. The use of local stones in buildings and dry-stone walls gives the area a unique identity. One of the key characteristics of the Swithland sub-area is 'Small settlements nestled low in the landscape and large farmsteads scattered across the landscape.' The Landscape Character Assessment for this area was reviewed for the Council by FPCR in 2019 which identified a series of sub-areas of which Swithland/ Woodhouse Farmland is one. The findings of this are similar to the earlier assessment and points out that any new development within the villages should be appropriate in scale and vernacular style to preserve the pattern and form of these villages. It describes Swithland as a small linear settlement where properties are generally large detached or semi-detached and set back from the road within large, mature plots. Stone and slate are common materials with stone walling common to property boundaries.

The development has been designed as a farmstead which is considered to reflect the local character of the area and is considered appropriate to its location within the village. The front gable of Plot 1 is level with the front elevation of the neighbouring dwelling at 160 Main Street and the design approach taken is considered to reflect the shape of the building at the Griffin Inn.

The massing and the design of the proposal as a farmstead and the choice of materials for the dwellings reflects its location within the Conservation Area and the landscape character of Charnwood Forest. The linear form, density and layout of the proposal is in keeping with surrounding developments within Swithland village. The retention of the land to the side nearest to the Griffin Inn and its enhancement as a wildlife meadow gives a spacious layout, in keeping with surrounding dwellings and provides glimpses of the open countryside to the rear which is common with other nearby properties within Main Street. In addition, the refurbishment of the currently derelict low stone walls on the southern and eastern boundaries will enhance the appearance of the site within the area.

The proposed dwellings are larger (having 2 x 5 bedroom) than those approved previously as part of the extant permission (1x 3 bed and 1x 4 bed), however it should be recognised that policy CS3 of the development plan seeks an appropriate housing mix having regard for both the identified housing need and the character of the area. On this occasion it is considered that the proposal is comparable with other dwellings within Main Street and would be in keeping with the character of the area. Whilst there is some conflict with the identified housing need, the HEDNA report undertaken by the Council is guidance and not planning policy and it is considered that the harm resulting from this would not significantly and demonstrably outweigh the benefits of the proposal.

It is therefore considered that the proposal would comply with the Council's Development Plan policies in relation to design, impact on the character and appearance of the street scene, notably Policies CS2, CS3 and CS11 of the Charnwood Core Strategy and saved Policy EV/1 of the adopted Local Plan. It also accords with the Landscape Character Assessment for this location within Charnwood Forest.

The impact on the significance of heritage assets

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Paragraphs 196 – 202 of the NPPF set out guidance as to how planning applications need to consider the potential impacts of heritage assets and states that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset's conservation. Where there is less than substantial harm to the significance of a heritage asset, the harm should be weighed against the public benefits. Policy CS14 of the Core Strategy states that we will conserve and enhance historic assets for their own value and requires that proposals protect heritage assets and their settings.

The application site lies within Swithland Conservation Area and is adjacent to 160 Main Street which is a Grade II Listed Building. Swithland Primary School building which is also grade II listed is also in close proximity, located opposite the proposed wildlife site and the edge of Plot 2. The site also lies within the Archaeological Alert Zone. The applicant has submitted a Heritage statement as part of the application. This highlights how the proposal has been designed to reflect the setting of the site.

Conservation Area

Swithland Conservation Area incorporates the majority of the village of Swithland which is focused primarily around Main Street which runs through the village. Main Street forms the backbone of the village with dwellings located to both the north and south of the road. The older buildings found in Swithland are generally located on or close to the street, whilst the majority of recent development is visible from the road but generally makes use of driveways or front gardens. The Swithland Conservation Area Appraisal (July 2013) describes the linear rigidity of the west whilst the east feels more relaxed. The site is near the centre of the village and the entire site, including the woodland to the rear, sits within the Conservation Area. The Appraisal refers to the open space next to the Griffin Inn which is included within the application site. It also refers to the importance of the rare breaks in housing which add to the context and interest to the street scene. Mention is also made of the agricultural traces that are within the village.

The Conservation Area Appraisal makes mention of Rose Cottage, 160 Main Street, Swithland which was the original village smithy until 1928 and the School and explains that these buildings were part of a programme of restoration, repair and rebuilding that was carried out by the owner of the Swithland Estate in the 1840s, 50s and 60s. Many of the surviving older buildings in Swithland are the result of his efforts. The school is one of a few remaining public buildings within the village. Both buildings are Grade II Listed with the statutory listing descriptions referring to the significance of the buildings being their architecture.

The proposed development will result in the development of part of the open space next to the Griffin Inn. However, the low density form of the proposal and the retention of the woodland to the rear and the space next to the Griffin Inn as a wildlife meadow will help to reflect the character of this part of the Conservation Area.

The design reflects the agricultural heritage of the village and includes features such as the use of mullion and transom windows within the design of the dwellings that recognise the importance of this feature at the Griffin Inn and its prominence within the village. The provision of the wildflower meadow and the retention of this strip of land without development will enable the brook to be seen along Main Street and give glimpses of the open countryside beyond which is recognised as a key view and vista within the Swithland Conservation Area Appraisal.

Whilst there will be some harm to the Conservation Area with the loss of part of the open space that is specifically mentioned in the Swithland Conservation Area Appraisal the site is the subject of an extant planning permission. The Senior Conservation Officer has been consulted on the proposals and has advised that in his professional opinion, it is an improvement on the consented scheme (P/14/0332/2). The previously approved scheme, although attempting to reference the local characteristics and vernacular of the village, does not translate this in a successful way and draws on a largely 'estate' housing typology which could be anywhere. The design of the new proposals evolves from a more considered analysis of the existing settlement pattern and the agricultural nature of the village, taking the form of a farmstead, with plot 1 representing a large farmhouse and block 2 reminiscent of an adjoining converted barn. The units are somewhat larger and are higher than the previous scheme but this is considered acceptable given the immediate context. Therefore, whilst the proposal will involve development of open land and green space within the village and the Conservation Area it will have less impact than the previously approved scheme which could be built without any need for further planning permission. In addition, enhancement works are proposed to the woodland at the rear of the site which, together with the provision of the wildlife meadow, would improve the character of the area.

The proposed development reflects the agricultural nature of the village whilst the design and use of materials is in keeping with the nature of the village and its setting within Charnwood Forest. The overall design of the dwellings and their form will at least preserve the appearance and character of the Conservation Area since the layout maintains the linear grain of development along Main Street. The proposal therefore reflects the pattern of development within the Conservation Area and will enhance this heritage asset, both in terms of its design and materials

Setting of Listed Buildings

The site sits adjacent to Rose Cottage, 160 Main Street, Swithland and Swithland Primary School, both of which are Grade II Listed Buildings. The dwelling at 160 Main Street is described in the statutory listing:

“Cottage of early C19. Slate and granite rubble stone, red brick right gable, with Swithland slate roof and red brick end stacks. Two storeys of two 3 light casements with brick cambered lintels. C20 central door with slated hood. On left end outshut with door and 2 light casements above. On right end a one storey extension with 4 light casement. A lower extension further right with garage doors.”

The statutory listing for Swithland Primary School reads:

“School and house of early C19, enlarged 1843. Red brick with granite and slate rubble stone on left end and rear. Swithland slate roof with coped brick gables and ridge stack centre left. Three further stacks to rear. Long one storey range in Tudor style of four 2 light casements with hoodmoulds either side of coped gabled projecting porch. Arch with carved

Griffin crest and 1843 in tablet over. 1 light in sides. House to left and school to right. One storey extension on right end with 1 light to front and door with 1 light either side and hoodmoulds over on end. Extension and C20 one storey extensions to rear.”

Both buildings are listed for their architectural significance. The size and height of the new dwellings proposal is not considered to adversely impact on the setting to the listed buildings and, despite the increase in height, the proposals are more in keeping with the street scene than the consented scheme. The proposed development will not impact on any key views of 160 Main Street or Swithland School and will not diminish their position within the streetscene. The proposed development will therefore not result in harm to their setting.

The site is also within an Archaeological Alert Zone due to its proximity to the historic core of the village and its conservation area, however the consultant when preparing the Heritage Statement has examined the Heritage Environment Record and has found that there is no reference to archaeology within this area. The proposal will therefore have no significant impact on archaeology.

In conclusion then it is considered that the proposed development will not result in harm to the significance of the Conservation Area and the setting of nearby listed buildings. It is therefore considered that the proposal therefore meets the heritage tests set out in the 1990 Act and the NPPF, and accords with Policy CS14 of the Charnwood Core Strategy.

The impact on the amenity of neighbouring residential properties

Policies CS2 and EV/1 of the Development Plan seek to protect the amenity of existing and future residents. The Charnwood Design SPD (2020) sets out spacing standards and guidance to ensure an adequate level of amenity.

The proposed dwelling on Plot 1 extends further back than the neighbouring dwelling at 160 Main Street, however it is noted that that dwelling is separated from the mutual side boundary by a driveway and that there are no windows within the single storey lean-to to the side of the dwelling. There is a detached double garage set further back than the rear elevation of the dwelling at 160 Main Street and the properties are also separated by a 2m high close boarded fence. The proposed dwelling for Plot 1 will be at least 9.9m from the nearest window to a habitable room at No.160. Given this distance it is not considered that there will be any material loss of light or overbearing impact to the occupants of the dwelling at 160 Main Street.

Three first floor bedroom windows are proposed in the side elevation of the gable projection facing the neighbouring dwelling at 160 Main Street. The rear elevation of the dwelling Plot 1 extends approx. 13m beyond the rear of the dwelling at 160 Main Street however the existing dwelling does not have any principal windows in the side elevation facing the proposed dwelling and is largely open plan internally so that the rear windows are secondary to the main windows at the front. The dwelling at 160 Main Street is at least 9m from the side elevation of the new dwelling and has a detached garage and parking area to the side of 160 Main Street which already extends approx. 8m beyond the rear of the actual dwelling. The proposal will therefore meet the tests set out in the Council's SPD on Design in terms of overlooking, loss of light and over dominance.

The dwelling proposed as Plot 2 is 15m from the side elevation of the buildings at the Griffin Inn and is separated by the existing track as well as the proposed wildflower meadow. The relationship between the dwelling and the buildings to the side at Griffin Inn meet the relevant tests in terms of residential amenity and there is therefore unlikely to be any material impact to the residential amenities of either the existing or proposed buildings as a result.

The proposed dwellings have an internal space that meets the minimum space standards as set out within government guidance and each dwelling has amenity space to the rear. The proposal therefore provides an acceptable level of residential amenities for the future occupiers.

It is therefore considered the proposal would be unlikely to significantly impact on the amenities of the occupants of neighbouring properties and would accord with Policy CS2 of the Core Strategy, saved Policies EV/1 and H/17 of the adopted Local Plan, the SPD and the National Planning Policy Framework in terms of residential amenity.

Impact on Trees

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 in a linear form along Main Street with a variety of trees. Trees are an integral part of the street scene and are protected by virtue of the site being located within the Conservation Area. No trees are separately protected by Tree Preservation Order. A Tree Survey has been submitted as part of the application and the impact of the proposal on trees has been considered by the Council's Senior Landscape Officer.

There are a variety of trees within the site, including trees along the front boundary of the site and mature woodland to the rear. Only one tree is shown to be removed, a mature cherry on the street frontage near to the western boundary with the dwelling at 160 Main Street. The tree report indicates that this has large pruning scars and sections of standing dead wood in the crown, and may have a further 10 years life expectancy. The tree does contribute to the appearance and character of the street scene, however the Council's Senior Landscape Officer has advised that the protection of this tree would frustrate the current proposed footprint for this plot and can be mitigated against. The applicant has agreed that this will be replaced by two extra heavy standard trees within the frontage of the development. The works to trees are therefore considered appropriate subject to a condition that the tree be replaced.

It is therefore considered that the proposal complies with Core Strategy policies CS2 and CS11.

Impact on Biodiversity and Ecology

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

The impact of biodiversity, ecology and protected species will need to be considered in relation to Policy CS13 of the Charnwood Local Plan (Core Strategy) which outlines that development proposals will be expected to consider and preserve features of biodiversity, to restore or create biodiversity and to ensure that new development will not harm ecological networks. Development will only be supported that results in the loss of ecological features in exceptional circumstances where the benefit of development clearly outweighs the impact on ecology.

Ecology reports and a biodiversity impact assessment have been included as part of the application submission. Enhancement works are proposed to the woodland at the rear through the removal of a non-native invasive species and the installation of bat and bird boxes. The enhancement works have been discussed with the Council's Senior Biodiversity Officer who has advised that the woodland, brook banks and grassland (between the houses and the Griffin) enhancements should be removed from the residential curtilage to ensure their appropriate management. Their inclusion within the garden areas could potentially result in their loss. To ensure the retention and appropriate management of these biodiversity areas in perpetuity, it is recommended that their management be subject to a legal agreement.

Swithland Brook runs through the site within the ownership of the applicant which is known to support protected species. The boundary of the application site has been redrawn so that the watercourse is no longer part of the rear gardens of the proposed dwellings and the rear boundary of each dwelling is 2m from the brook. This means that the land with biodiversity interest is not within the application site and is not within the residential curtilage of the proposed dwellings. However, a condition is suggested to be imposed on any planning approval for this development to ensure that the building works do not cause any pollution or importation of silt into the watercourse and accordingly the submission and agreement of a construction method statement will be required to prevent this.

The proposals show that there will be a net gain in the biodiversity value of the site through enhancements to the wildlife meadow and the woodland at the rear of the site. It is necessary to ensure that an adequate mechanism is in place to ensure that the enhancement works are undertaken and the area is appropriately maintained. Given that the proposed enhancement works will affect land within the applicant's ownership but not within the application site and that these biodiversity sites should be kept undeveloped in perpetuity, it is recommended that the approval be subject to the completion of a Unilateral Undertaking to ensure that the proposed enhancements do take place and that the protection of the wildlife meadow and woodland is kept in perpetuity.

It is also recommended that a condition be added to require the submission of lighting details for the proposal to ensure that the development of dwellings on this site will not result in harm to wildlife at the rear. Furthermore it is also recommended that Permitted Development Rights be removed to ensure that no building takes place in the future that would harm biodiversity near to the site.

Overall, it is considered that the proposal would result in a development which can ensure there is not a biodiversity net loss. In order that the proposal meets the requirements of Policy CS13 which supports development which protects biodiversity or enhances, restores or creates biodiversity, and which does not harm ecological networks the applicant has advised that enhancement work will be undertaken on the adjoining land marked in blue that is also within their ownership. Since the blue land is not within the application site it is

necessary to ensure the enhancement work through a legal agreement. This is considered to be CIL regulation 122 compliant since the works are necessary to ensure a satisfactory development on this site. This mitigation proposal has been agreed between the Council's Senior Ecologist and the applicants and could be secured by a s106 Unilateral Undertaking or Agreement

Impact on Flooding

The rear of the site lies within Flood Zones 2 and 3 but the footprint of the dwellings falls entirely within Flood Zone 1. A Flood Risk Assessment has been submitted as part of the application which shows that the proposal will not increase flood risk elsewhere. Since the built development will be entirely within Flood Zone 1 the proposal complies with relevant planning policies and guidance at local and national level.

The impact on the highway network and highway safety

The proposal needs to be considered against Development Plan and national planning policies relating to highway safety and the impact on the highway network. Consultation has taken place with Leicestershire County Council Highway Authority to ensure that the proposal meets relevant highway standards.

The site is in a relatively sustainable location in terms of transport choice, having footway links to local amenities including a primary school and public house all located within 100 metres of the site. In addition, the site is located within 440 metres of bus stops with hourly (approximate) services to Loughborough and Leicester.

The Highway Authority has checked its Personal Injury Collision (PIC) database and there have been no recorded PICs in the vicinity of the proposed site access within the last five years.

The submitted plans for the proposal show 8 spaces and the highways authority has identified the provision of turning space and 3 usable car parking spaces within each site, two of which will be provided within integral double garages at both dwellings and the other on the drive to each property. The proposed dwellings would comprise of 5 bedrooms each, for which Policy TR/18 of the adopted Local Plan and the Highways Design Guidance would require a maximum standard of 3 car parking spaces on each plot. Following revisions to the internal layout of the garages the Highway Authority is satisfied that the double garages would have internal dimensions and door widths that comply with their design requirements which mean that they can be counted towards the required number of parking spaces for each dwelling. With two vehicles in each garage and one on each driveway, each plot provides adequate car parking and sufficient space within each plot to allow for turning so that vehicles could exit their respective sites in a forward gear.

The application proposes to create two new accesses to serve each dwelling, both of which would connect to Main Street which is a class C road subject to a 30mph speed limit. St. Leonard's C of E Primary School lies within close proximity of the accesses on the opposite side of the road. The local highway authority is satisfied that both proposed accesses accord with Figure DG20 of Part 3 of the Leicestershire Highway Design Guide (LHDG). The Floor Plans drawing reference 2046/PL03 Rev A indicates that both access drives would have a width of 4.5 metres as a minimum, more than the minimum 2.75 metres required for a drive serving a single dwelling.

Whilst no vehicle to vehicle visibility splays or driver to pedestrian visibility splays have been detailed on a plan, the LHA is satisfied that vehicle to vehicle visibility splays of 2.4 metres by 43 metres, and driver to pedestrian visibility splays of 2 metres by 2 metres could be provided and secured by way of a condition. Likewise, the LHA is satisfied that surfacing and gradient can be secured by condition.

The Highway Authority has advised that given that the site is within close proximity of St. Leonard's C of E Primary School, a Construction Method statement should be provided by the developer which should include details of parking for construction traffic, restrictions of deliveries at school opening and closing times and details of routing for construction traffic. A planning condition is therefore recommended to ensure that this is provided prior to any further work taking place on the development.

The County Highway Authority has confirmed that 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. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021), subject to recommended conditions.

It is therefore considered that the highway implications of the current proposal are acceptable and that the proposal accords with Development Plan policy and national guidance, notably Policy TR/18 and para.111 of the National Planning Policy Framework.

Planning Balance

As there is currently an insufficient supply of deliverable housing sites, this application would have to be determined on the basis of para 11d of the presumption in favour of sustainable development in the National Planning Policy Framework. 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 an additional two residential units at a time when there is an acute need for housing within the Borough. This is a significant benefit of the scheme. However, weighed against this there is conflict with the spatial strategy set out within the adopted Development Plan.

Within this balance it should also be recognized there is an extant permission for 2 dwellings within the site. This is a material planning consideration which should be given significant weight.

The applicant has shown that through management and enhancement proposals that the site will result in a net gain in terms of biodiversity, which will be secured through a Unilateral Undertaking which has been agreed in principle by the applicant.

The design of the proposal is considered preferable to that approved previously and will enhance the character and appearance of this part of the street scene and the Conservation Area, and will not harm the setting or significance of nearby Listed Buildings, namely the Grade II Listed Buildings at 160 Main Street to the west and Swithland School opposite. The proposal accords with highway requirements and will not result in severe harm to highway safety and the highway network. The proposal will not materially harm the amenities of

neighbouring residential properties, including those of 160 Main Street nor the amenities of future residents of the proposed dwellings.

The test from the Framework is whether there are detrimental impacts of the proposal, which would significantly and demonstrably outweigh the benefits or whether specific policies within the Framework indicate that development should be restricted. Given the extant planning permission and the benefits that can be secured through this proposal, as identified above, it is not considered that there are identified harms which would significantly and demonstrably outweigh the identified benefits. It is therefore recommended that the application be approved conditionally subject to the completion of a unilateral undertaking and subject

RECOMMENDATION A:-

That authority is given to the Head of Planning and Regeneration and the Head of Strategic Support to enter into an agreement or accept a unilateral undertaking under section 106 of the Town and Country Planning Act 1990 to secure the delivery, appropriate long term management and maintenance, details of which shall first be agreed in writing by the local planning authority, and retention in perpetuity of the proposed off-site biodiversity enhancements within the wildlife meadow and woodland areas adjacent to the site, identified by the blue land on the site location plan.

RECOMMENDATION B:-

That subject to the receipt of the appropriate Unilateral Undertaking 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.	The development, hereby permitted, shall be begun not later than 3 years from the date of this permission. REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2.	No materials shall be placed on the site until such time as samples of the facing bricks and any other materials to be used on the external walls and of the roofing slates, tiles and any other materials have been submitted for the agreement of the local planning authority. Only materials agreed in writing by the local planning authority shall be used in carrying out the development. REASON: To make sure that the appearance of the completed development is satisfactory.
3.	No part of the development hereby approved, including site works, shall begin until each tree shown to be retained on the approved plan has been protected in a manner which shall have first been submitted to and agreed in writing by the local planning authority. Each tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the

	<p>protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.</p> <p>REASON: The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.</p>
4.	<p>The works hereby granted consent shall be carried out in accordance with British Standard Recommendations for Tree work - BS 3998:2010</p> <p>REASON: To make sure that the works are carried out in a way which safeguards the health and amenity of each tree.</p>
5.	<p>Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 6 metres of the highway boundary, nor shall any be erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.</p> <p>REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2021).</p>
6.	<p>No part of the development hereby approved shall commence on the site until such time as a construction traffic/site traffic management plan, including as a minimum details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.</p> <p>REASON: To reduce the possibility of deleterious material (mud, stones etc) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.</p>
7.	<p>The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Floor Plans drawing number 2046/PL03 Rev A. Thereafter the onsite parking provision shall be so maintained in perpetuity and shall not be used for any purpose other than the turning and parking of vehicles.</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 (2021).</p>
8.	<p>Before first occupation of any dwelling, its access drive and any turning space shall be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and shall be so maintained at all times.</p>

	<p>REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)</p>
9.	<p>No part of the development hereby approved shall take place until a Construction Method Statement designed to prevent the import of any contaminated runoff and silt into the adjacent watercourse and disturbance to the watercourse ecology has been agreed in writing with the local planning authority. Development work shall proceed in full accordance with the agreed Construction Method Statement.</p> <p>REASON: In order to protect the watercourse and associated biodiversity.</p>
10.	<p>No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 43 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 (2021).</p>
11.	<p>No part of the development hereby permitted shall be occupied until such time as 2.0 metre by 2.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.</p> <p>REASON: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2021).</p>
12.	<p>Notwithstanding the submitted plans for the scheme hereby permitted, the proposed accesses shall have a width of a minimum of 2.75 metres, a gradient of no more than 1:12 for a distance of at least 5.0 metres behind the highway boundary and shall be surfaced in a bound material for a distance of at least 5.0 metres behind the highway boundary with a 3.7 metre dropped crossing. The access once provided shall be so maintained at all times.</p> <p>REASON: To ensure a safe and suitable form of access to the site in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).</p>
13.	<p>Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking and re-enacting that Order, with or without modifications), no enlargement, improvement or other alteration of the dwelling shall be carried out and no building, enclosure or other structure shall be erected within its curtilage.</p>

	<p>REASON: The carrying out of development of this type may create difficulties in terms of the overall appearance and character of the area and in the interest of biodiversity.</p>
14.	<p>No part of the development hereby approved shall begin until details of the design, materials of construction and finish of all new window openings have been submitted to and agreed in writing by the local planning authority. The works shall be carried out only in accordance with the agreed details.</p> <p>REASON: To ensure the satisfactory appearance of the completed development.</p>
15.	<p>Notwithstanding the submitted details of the scheme hereby permitted, within two months of the commencement of development, a landscaping scheme, to include those details specified below, shall be submitted in writing to the local planning authority for approval:</p> <ul style="list-style-type: none"> i) the treatment proposed for all ground surfaces, including hard areas; ii) full details of tree planting, including the detail of the size and species of the replacement trees to replace the mature cherry tree on the street frontage T4 which is indicated to be felled, which shall be planted during the first available planting season following the removal of the existing mature cherry tree and, should it fail, it shall itself be replaced within the first available planting season following such loss; iii) planting schedules, noting the species, sizes, numbers and densities of plants; iv) finished levels or contours; v) any structures to be erected or constructed; vi) functional services above and below ground; and vii) all existing trees, hedges and other landscape features, indicating clearly those to be removed. <p>REASON: To make sure that a satisfactory landscaping scheme for the development is agreed.</p>
16.	<p>The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting and seeding seasons following the first occupation of any part 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 and to help assimilate the development into its surroundings.</p>
17.	<p>Prior to the occupation of the scheme hereby permitted details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb or prevent bat species using key corridors,</p>

	<p>forage habitat features or accessing roost sites. The details shall include, but not limited to, the following:</p> <ul style="list-style-type: none"> i. A drawing showing sensitive areas and/or dark corridor safeguarding areas ii. Description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate. iii. A description of the luminosity of lights and their light colour iv. A drawing(s) showing the location and where appropriate the elevation of the light fixings. <p>All external lighting shall be installed in accordance with the specifications and locations set out in the approved details. These shall be maintained thereafter in accordance with these details. Under no circumstances shall any other external lighting be installed.</p> <p>REASON: To safeguard rural character from increased light pollution, visual amenity and maintain the existing value of biodiversity on and adjacent to the site.</p>
18.	<p>Notwithstanding the submitted details, prior to above ground works of the development hereby approved a scheme for biodiversity enhancement, such as incorporation of permanent bat roosting feature(s) and or nesting opportunities for birds, shall be submitted to and agreed in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme. The scheme shall include, but not limited to, the following details:</p> <ul style="list-style-type: none"> i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken. ii. Materials and construction to ensure long lifespan of the feature/measure iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken. iv. When the features or measures will be installed and made available. <p>REASON: To provide net gains for biodiversity and ensure that the proposal will result in a sustainable development.</p>
19.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <ul style="list-style-type: none"> Drg ref 16133-16-01 Topographic Site Survey rec'd 6th July 2021 Drg ref 2046/PL01 Location Plan rec'd 12th August 2021 Drg ref 2046/PL02 Site Plan rec'd 12th August 2021 Drg ref 2046/PL03 rev A Floor Plans 12th January 2022 Drg ref 2046/PL04 Elevations Plot 1 6th July 2021 Drg ref 2046/PL05 Elevations Plot 2 6th July 2021 Drg ref 2046/PL06 Main Street Scene 6th July 2021 Drg ref 2046/PL07 Revised red line drg rec'd 29th November 2021 Planning Statement dated July 2021 rec'd 6th July 2021 Arboricultural Report rev A prepared by Don Munro Consultancy dated 14th May 2021 rec'd 6th July 2021 Design and Access Statement prepared by LaunchPadd Architects rec'd 6th July 2021

	<p>Flood Risk Assessment Ramm Sanderson prepared by dated July 2021 rec'd 6th July 2021</p> <p>Heritage Statement prepared by Trigpoint Conservation and Planning Ltd dated May 2021 rec'd 6th July 2021</p> <p>Ecology report and Biodiversity Metric 3.0 Calculation Tool rec'd 9th November 2021</p> <p>Ecological Impact Assessment prepared by Don Munro Consultancy dated August 2021 rec'd 12th August 2021.</p> <p>REASON: To define the terms of the planning permission.</p>
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The following advice notes will be attached to a decision

The following notes should be taken into account when carrying out the development	
1.	DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS11, CS13, CS14, CS16 and CS25 of the Charnwood Local Plan (2011-2028) Core Strategy and saved Policies ST/2, EV/1 and TR/18 of the Borough of Charnwood Local Plan (adopted 12th January 2004) has been taken into account in the determination of this application. The proposed development complies with the requirements of this Development Plan policy and there are no other material considerations which are of significant weight in reaching a decision on this application.
2.	The Local Planning Authority acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
3.	Planning permission has been granted for this development because the Council has determined that it is generally in accord with the terms of the above-mentioned policies and the Council's adopted Supplementary Planning Document 'Design' (adopted 2020).
4.	The provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 have been taken into account in the assessment of this application.
5.	Please contact the Council's Landscape Officer on 01509 634766 to discuss details of an appropriate replacement species.
6.	Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring. All works within the limits of the highway with regard to access shall be carried out to the satisfaction of the County Council's Highway Manager on 0116 305 0001.
7.	The Construction Method Statement subject to condition 11 should include details about the installation of physical protection measures of a suitably wide

<p>protection zone between the development site and the watercourse, where no storage of material and equipment and movement of machinery shall occur during construction; sensitive working practices during construction in accordance with the Environment Agency Pollution Prevention Guidelines for Works & Maintenance in or near Water.</p>
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