

Item 2

Application Reference Number P/21/2186/2

Application Type:	Full	Date Valid:	11/10/2021
Applicant:	Williams Builders		
Proposal:	Erection of 7 dwellings with carports and garage, landscaping and associated works following demolition of existing buildings.		
Location:	45 Beveridge Street Barrow Upon Soar LE12 8PL		
Parish:	Barrow upon Soar	Ward:	Barrow & Sileby West
Case Officer:	Deborah Liggins	Tel No:	07864 603401

This application is brought to Plans Committee at the request of Councillors Fryer and Ranson who have concerns about the impact of the proposal on the Conservation Area. Concerns are also expressed that the scheme is an over-development of the site and includes inadequate car parking.

Description of Application site

The application site is located on the northern side of Beveridge Street and is within the designated Conservation Area with several listed buildings adjacent to, opposite and within the vicinity of the site. No. 47 adjacent is a Grade 2 Listed 17th century brick and slate house and No. 22 opposite the access point is a late 16th century stone and slate dwelling, reputedly the birthplace and home of Bishop Beveridge. The character of this narrow historic street is of an assortment of domestic scale buildings utilising render, brick and stone, and set close to the highway boundary, giving the street an intimate residential character.

To the north of the site is Hall Orchard Primary School which is currently shielded from view by a 1.5-1.8m high stone wall and 3m+ high hedge. Immediately beyond this boundary wall is the access road to the school, leading from Melton Road and a small bank of parking spaces. To the north of these parking spaces is a small enclosed play area, with the principal play area for the school being located 65m to the east of this.

The existing dwelling on the site is a rather uncharacteristic 1960's 3-bedroom bungalow with a double garage to the side which is an adaptation of an earlier agricultural barn associated with what appeared to be a farm or small-holding on the site previously. The plot for this single dwelling is large and the application site extends to approximately 0.18 hectare. It is believed that the stone wall fronting the site is original and that a new vehicular access serving the existing dwelling was punched through this wall with the provision of brick piers to either side. Along the north-western boundary of the site is a single storey brick and slate (now disused) shop with a workshop to its rear and a gable to the highway boundary. Within the site and running adjacent to the front boundary wall is a rather dilapidated timber building (use or origin unknown). The site is also within an area of Archaeological Alert. A small historic round building occupies a position in the

north-east corner adjacent to the site and its origin and use is unknown but is associated with No. 47 Beveridge Street.

According to Environment Agency mapping, the whole of the site lies within Flood Zone 1 and is therefore land with a low probability of flooding.

Description of the Proposal

The proposal is for the erection of seven dwellings with associated garaging and carports, landscaping and associated works following the demolition of all existing buildings on the site. Vehicular access would be achieved using the existing access but with the provision of 1m x 1m visibility splays to either side and an increase in width to 4.3m.

The development would comprise the erection of six dwellings forming a continuous symmetrical terrace set towards the rear of the site all with private rear gardens ranging in depth between 8.43m to 12.96m. The central two dwellings would have a ridge height of 9.17m and a shared, forward-projecting gable; with all other dwellings having ridge heights of 8.58m and the dwellings either end of the row having half-hip rooves. These dwellings would front onto the private driveway with small landscaped front gardens with the aim of creating a courtyard setting framed with carports and open parking to either end of the driveway. A detached dwelling is also proposed toward the front of the site which will contribute to the street scene but will be set back from the retained historically important front boundary wall.

Accommodation would be provided as follows:

- Plot 1 - 4 bed 6 person detached house – 135sq.m. (standard is 97 sq.m.)
- Plot 2 - 2 bed 3-person end-terraced house – 74.31 sq.m. (standard is 70 sq.m.)
- Plot 3 - 3 bed 4-person mid-terraced house – 88 sq.m. (standard is 84 sq.m.)
- Plot 4 - 3 bed 3.5-person mid-terraced house – 102.2 sq.m. (standard is 84 sq.m.)
- Plot 5 - 3 bed 3.5-person mid-terraced house – 102.2 sq.m. (standard is 84 sq.m.)
- Plot 6 - 3 bed 4-person mid-terraced house – 88 sq.m. (standard is 84 sq.m.)
- Plot 7 - 2 bed 3-person end-terraced house – 74.31 sq.m. (standard is 70 sq.m.)

All of the dwellings would be of red brick construction with those to the rear of the site having tiled roofs, with the dwelling to be constructed on Plot 1 to have a natural slate roof. A full schedule of proposed materials for the dwellings and for areas of hard landscaping, doors and windows has been submitted for consideration now, rather than being required by planning condition. Details of proposed boundary treatments have also been submitted for consideration, including proposals for the amended front boundary wall at the site entrance.

A total of 15 car parking spaces would be provided within the development and this equates to two per terraced dwelling and three being provided for use by the occupiers of the detached house to be built on Plot 1.

The application is accompanied by the following supporting documents which are available to view in full on the Council's website:

- Design and Access Statement – prepared by rg&p – this report describes the proposed development and appraises the site and its surrounding context. This document also sets out the planning history of the site and explains how the proposal would accord with relevant policies and plans.
- A Transport Technical Note – prepared by M-E-C Consulting Development Engineers – this assesses the visibility splay requirements of any proposed access, based on vehicle speeds and traffic flows in both directions on Beveridge Street.
- A tree Survey – prepared by RJ Tree Services Ltd – this assesses existing trees on the site in terms of ascribing them retention categories. An existing Pear (T1) and Apple (T2) tree located along the north-western boundary of the site are recommended to be removed as both have been previously topped and have no merit in the landscape. A group of leylandii conifers (G3) also on this boundary assessed as having a low amenity value is proposed to be removed. A Crab Apple tree located on the south-eastern boundary of the site assessed as having a fair-poor structural condition is also proposed to be removed. The existing 3m screening Laurel hedge along 2 boundaries of the site and assessed as having poor structural condition and low amenity value is also proposed to be removed. All other trees are proposed to be retained.
- A Bat Survey – prepared by RammSanderson – this reports the findings of an inspection of the existing buildings and garden space to determine the presence or absence of protected or notable species and, identifies the impact of the proposed development on such creatures. It was found that one of the buildings on the site contained evidence of scattered bat droppings indicating that it was likely to have been used by a solitary bat or a small number of bats and is a confirmed day roost of low conservation significance. However, a protected species license will be necessary in respect of that building and the report also contains suggested mitigation. This includes a bat box situated a minimum of 3m high in one of the existing trees with a south-facing aspect. It is also recommended that post-construction mitigation be provided on both the northern and southern facing gables of the new quadruple carport via integrated bat boxes. The report concludes that the site is limited in ecological value for other terrestrial flora and fauna.
- A Heritage Impact Assessment – prepared by LOCUS Consulting Ltd – this assessment considers the known and potential historic environment resources within the site and describes the impact of the proposed development. It concludes that the overall archaeological potential of the site is moderate with a localized minor degree of less than substantial harm to the prevailing character and appearance of the Barrow-upon-Soar Conservation Area and nearby listed buildings. Identified harms pertain to the loss of vestigial elements of traditional building fabric which is to be weighed against the enhancements the scheme could bring to identified heritage assets.

Additional information and amended plans were submitted on 28th January 2022 and subject to a further round of consultation.

Development Plan Policies

The Development Plan for Charnwood currently consists of the Charnwood Local Plan Core Strategy 2011-2028, Saved Policies of the Borough of Charnwood Local Plan (2004), the Leicestershire Minerals Core Strategy and Development Control Policies Document (2009), and the Leicestershire Waste Core Strategy and Development Control Policies document (2009). The Barrow-upon-Soar Neighbourhood Plan (made 2018) also forms part of the development Plan and is relevant to this application.

The Core Strategy was adopted on 9th November 2015 and set out the overarching aims and objectives for development in the Borough. This included provision for 13,940 dwellings over the plan period, equivalent to 820 dwellings per annum (dpa). As of 9th November 2020, the Core Strategy became more than 5 years old. As required by the National Planning Policy Framework paragraph 74, where Local Plans are more than 5 years old local housing need is to be assessed based on the standard methodology set out in national planning guidance. The standard methodology requires delivery of 1,111 dpa. On that basis and as of March 2021 the Council has a 3.34 years' housing land supply. The implications of the housing supply position on the planning balance to be applied to this planning decision along with the weight to be given to policies is set out under the consideration of the planning towards the end of this report.

Development Plan policies relevant to the determination of this planning application are set out below.

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 Sileby as a “Service Centre” a settlements that has access to a good range of services or facilities compared to other settlements and where small scale development within and adjacent to settlement limits may be appropriate.

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. For Sileby it is expected that 30% of Affordable Housing will be provided on site.

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 – this requires development to conserve and enhance historic assets for their own value and the community, environmental and economic contribution

they make. This will be achieved by requiring development to protect heritage assets and their setting; supporting development which prioritises the refurbishment and re-use of disused or under-used buildings of merit; supporting development that is informed by and reflects relevant Landscape and Conservation Area Character Appraisals and Village Design Statements; and development that incorporates Charnwood's distinctive local building materials and architectural details.

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

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 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.

Barrow-upon-Soar Neighbourhood Plan (2016-2028)

It was declared on 2nd May 2018 that the Barrow-upon Soar Neighbourhood Plan was successfully approved by majority at referendum and 'made' and therefore now forms part of the development plan for Charnwood. The Policies considered to be of relevance to the proposal are:

Policy BuS1: Ecology and Diversity - Development should not harm the network of local ecological features and habitats listed below and shown on the Policies Maps, unless the need for and benefits of the development clearly outweigh the harm that would be done. New development will be expected to maintain and where possible enhance existing ecological corridors and landscape features (such as watercourses, hedgerows and tree-lines) for biodiversity thus demonstrating overall net gain.

Policy Bus3: Local Heritage Assets - The determination of planning applications which would affect the following heritage assets and features of historic interest will balance the need for or public benefit of the proposed development against the significance of the asset and the extent to which it will be harmed....(lists assets)

Policy BuS4: Design - New development will be required to reflect the guidance in the Barrow upon Soar Village Design Statement.

Policy BuS16: Housing Provision - The minimum housing provision, as it affects Barrow upon Soar, for the period 2011 to 2028 has been met. Permission for housing development within the Barrow upon Soar Limits to Development, as defined on the Policies Maps, will be only be supported if the development:

1. Is in keeping with the scale, form and character of its surroundings;
2. Does not significantly adversely affect the amenities of residents in the area, including daylight/sunlight, privacy, air quality, noise and light pollution; and
3. Has safe and suitable access to the site for all people.

Policy BuS17: Meeting the Housing Needs of Older People - New housing development shall provide for a mix of housing types that will be informed by the most up to date evidence of housing need. In particular, applicants will need to demonstrate how the housing needs of older households will be met.

Leicestershire Minerals and Waste Local Plan (Up to 2031)

This plan was adopted in 2019 and forms part of the Development Plan for Charnwood. The document includes the County Council's spatial vision, spatial strategy, strategic objectives, and core policies which set out the key principles to guide the future winning and working of minerals and the form of waste management development in the County of Leicestershire over the period to the end of 2031.

Other material considerations

The Charnwood Local Plan: Pre-submission Draft (July 2021)

The local planning authority is in the process of preparing a new local plan for the Borough for the period up to 2037. The new local plan will include strategic and detailed policies for the period 2019-37 and was approved by Council on 21 June 2021 for consultation and then submission to the Secretary of State for an Examination in Public. 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 12th July to 23rd August 2021. The Plan was submitted for Examination on 3 December 2021 although its policies carry limited weight at the current time.

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 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 policies of particular relevance to this proposal include:

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 74). 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 and inclusive design should be planned for positively (paragraph 124).

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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).

Section 15: Conserving the natural environment - This section sets out how planning policies and decisions should contribute to and enhance the natural and local environment. Development plans should distinguish between the hierarchy of international, national, and locally designated sites. The NPPF sets out a hierarchical approach to the significance of landscape designations and their settings including heritage coastline. Development plan policies should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks and promote the

conservation, restoration and enhancement of priority habitats and secure measureable net gains for biodiversity.

Section 16 – Conserving and enhancing the historic environment. - This section sets out how heritage assets (conservation areas, listed buildings and archaeology) should be considered in the assessment of proposals for development affecting them. Great weight should be given to an asset's conservation and the more important the asset, the greater this weight should be. Harms to heritage assets should be weighed against the public benefits of the scheme. Opportunities should also be sought for development which enhances or better reveals the significance of heritage assets.

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.

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.

National Design Guide

This document sets out the Government's design guidance to support the NPPF and seeks to inspire higher standards of design quality in all new development.

Building for Life 12

This document provides a framework by which to consider the quality of housing proposals to enable a conclusion to be reached of their overall design quality.

Leicestershire County Council Local Transport Plan (LTP)

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

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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 (2018)

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

Relevant Planning History

Reference	Description	Decision & Date
P/20/0713/2	Erection of 5 No. dwellings following the demolition of existing buildings	Refused 04/09/2020

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

Consultee	Responses
Charnwood Borough Council – Environmental Health	Has no objection to the proposal but recommends the applicant be advised to minimize the potential for nuisance arising from demolition and construction works.
Leicestershire County Council – Highway Authority	Advises that an access drive serving 6-25 dwellings should be a minimum of 4.8m wide and the proposed access does not meet this standard. It recommends that more of the historic wall is removed in order to provide an access which accords with LHDG standards. The applicant has also not provided raw data to the LHA relating to the speed surveys which justify the provided visibility splays. The LHA also notes that the proposed carports do not meet minimum dimensions for garages as set out in the LHDG. However, as the access would not be adopted by the LCC, the overhang of vehicles would occur away from the public highway and the local highway authority does not seek to resist the application on this basis.
Charnwood Borough Council – Senior Ecologist	Comments that there would not be significant increase in built footprint and consequently a BIA would not be required. One of the buildings on the site is a confirmed bat roost and a planning condition should be imposed to require the submission of a mitigation strategy to compensate this loss. The development should also be carried out in full accordance with the ecological assessment.
Council for the Protection of Rural England (CPRE)	Objects to the proposal stating the development would be out of character with the area. Parking within the scheme is also considered to be inadequate and there are no visitor spaces included. The development lacks chimneys to each property and does not accord with Policies CS2 or CS14. The provision of a 5 bedroom 9-person home is inconsistent with the need for smaller homes identified within the Neighbourhood Plan.
Barrow upon Soar Parish Council	Objects stating the proposal is over-development of the site and there are insufficient car parking spaces provided. Access into and out of the site is also a concern
Historic England	Points the local planning authority to its published guidance on how to consider this application and suggests the views of the Council's own conservation advisors is sought.

Other comments received

Objection letters have been received from the following interested third party residents:

- Beveridge Street – 3, 4, 10-12, 13, 17, 23, 22/24, 28, 47, 51
- High Street – 66
- The Banks - 43
- Head Teacher of Hall Orchard CE Primary School
- Lead Minister, Barrow Baptist Church.
- + two others (address not supplied)

Please note that resident's comments can be read in full on the Council's website. The residents raise the following areas of concern with regard to the application:

- Increases in traffic and associated pollution and lack of parking within Beveridge Street combined with school and church parking demands would be hazardous
- Construction traffic will need to be carefully managed
- Inadequate parking provided within the scheme
- Demolition works would cause disruption and should be properly managed
- 7 dwellings on the site is excessive
- The development is out of character with the area
- The architecture of the scheme should reflect the dominance of properties within the area dating from between the 16th and 19th centuries.
- Poor design should not be allowed to continue
- The wall to the front of the site is over 150 years old and should not be demolished
- The village sewage system is problematic – Severn Trent is aware
- The submitted documents contain errors and understates the significance of the original farmstead at the site
- Remnants of the original farm buildings should be integrated into the development
- The proposal fails to accord with the Neighbourhood Plan
- The proposal would harm the setting of Bishop Beveridge House
- There have been archaeological findings of historic items at the site in the past
- The dwelling on Plot 1 would be overbearing to properties opposite the site & cause loss of privacy and light
- The dwellings on plots 5, 6 and 7 would contain windows which would overlook the rear elevation of No. 47 Beveridge Street.
- Disturbance and disruption to neighbours throughout the construction period
- Loss of privacy to school grounds and safeguarding concern
- Noise and in particular more traffic noise would become a permanent feature
- The development of new housing in Barrow on Soar is unnecessary
- Loss of habitat, biodiversity and a large green garden space.
- The proposal does not contribute to the local community

Ward Councillors Ranson and Fryer are concerned about a lack of car parking within the scheme which is considered to be an over-development of the site within the Conservation Area.

Non-planning matters that have been raised:

- The developer is not local to Barrow so local character may not be so appreciated
- Bungalows are preferred for the site
- The Council should buy the site and create a resident car park with electric charging points for use by Beveridge Street and Warner Street residents.
- The site should be developed to cater for the needs of the elderly
- The site should be purchased by the Council and made into a wilderness for use by school pupils.
- Damage may occur to the boundary wall of No. 47 Beveridge Street during construction and the proposal may result in long-term maintenance difficulties for the wall.
- Beveridge and Warner Street should be made 'one-way' streets
- The closure of the former electrical shop detracts from the character of the conservation area.

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 and the Barrow-upon-Soar Neighbourhood Plan (2018). It is acknowledged that the Core Strategy and the Local Plan 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 11(d) of the NPPF), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits, for planning permission to be refused. In situations where paragraph 11(d) of the presumption applies consideration should be given to paragraph 14 in relation to neighbourhood plans in the context of the authority having more than three years supply of deliverable housing sites and good housing delivery. The Barrow upon Soar Neighbourhood plan (SNP) was made in 2018 and is more than 2 years old from the date of the referendum and does not therefore meet the criteria of paragraph 14.

Part i) of paragraph 11d sets out that where there are NPPF policies that protect landscape areas or wildlife and heritage assets this can be a clear reason to refuse an application. In this case although this brownfield site is within the defined limits to development inside the designated Conservation Area and an Area of Archaeological Alert, it does not benefit from any designations to qualify as an area or asset of particular

importance as set out in the NPPF. For these reasons it is not considered that in this instance paragraph 11(d) (i) would apply. Therefore, 11(d) (ii) applies and planning permission should be granted unless 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.

The main issues are considered to be:

- Principle of the Proposed development
- Design and Amenity
- Heritage
- Highway Impact
- Ecology and Biodiversity
- Flood Risk and Drainage
- Other matters

Principle of the proposed development

The application site is located within the Development Limits to the settlement of Barrow-upon-Soar, as established under “saved” Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026.

The proposal accords with Policy CS1 of the Core Strategy. This policy outlines the development strategy for the borough and the distribution of sustainable growth. Within the settlement hierarchy, Barrow-upon-Soar is defined as a Service Centre where there is a good range of services and facilities to meet the day to day needs of its residents and where new small scale development within and adjoining the settlement boundary is considered acceptable to maintain these things. It is the case that 4,460 homes have been committed in service centres since 2011 although it should be noted the policy requirement for 3,000 homes in service centres is not a maximum figure.

Policy BuS16 of the Barrow-upon Soar Neighbourhood Plan states that development inside the limits to development will only be supported if the development:

1. Is in keeping with the scale, form and character of its surroundings;
2. Does not significantly adversely affect the amenities of residents in the area in the area, including daylight/sunlight, privacy, air quality, noise and light pollution; and
3. Has safe and suitable access to the site for all people.

The policies identified in this section are those that are the most important for establishing whether development of the site is acceptable in principle. Given the current lack of a 5 year supply of housing land, the above housing supply policies must be considered out of date. In these circumstances, 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.

In this assessment it should be recognised the proposal would result in the provision of a net addition of 6 houses at a time then there is not a five-year supply and that these

dwellings would be sustainably located, close to the village centre. Given the 5-year supply position of the Borough Council and the age of policies CS1 and ST/2, the weight that can be ascribed to them and to BuS16 would be reduced. Nevertheless, the proposal is in accordance with Policy CS1 and ST/2, which directs growth towards the largest settlements in the borough and provides for small scale residential development within Service Centres, and the general locational principle of policy BuS16. It is therefore not considered that there are any strategic policy conflicts insofar as the principle of development is concerned. The criteria of Policy BuS16 will remain to be considered further below.

Whilst Policy Bus16 of the Neighbourhood Plan is less than 5 years old, Footnote 8 to paragraph 11 of the NPPS makes it clear that in situations where a local planning authority cannot demonstrate a 5 year supply of deliverable housing sites, the policies most relevant to the determination of the application will be regarded as 'out of date'. In conclusion, Barrow-upon-Soar is considered to be a sustainable location for new housing development and the housing figures expected to be delivered within and adjoining Service Centres are expressed as minimum figures. As such, it is not considered the impacts of the development adversely and significantly outweigh the benefits of this proposed housing development. Accordingly, the proposal is considered to be acceptable in principle and this is a positive of the scheme to be weighed in the planning balance

Design and Amenity

Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved Policy EV/1 supports development that is of a design, scale, layout and mass compatible with the locality and uses materials appropriate to the locality. Policy BuS4 Barrow-upon Soar Neighbourhood Plan requires new development to reflect the guidance of the Barrow-upon-Soar Village Design Statement, which identifies the principles of scale, design and materials alongside other matters which this development should reflect. These policies generally accord with the National Planning Policy Framework and do not directly prevent the supply of housing. As a result, it is considered that there is no need to reduce the weight that should be given to the policies in this regard. Policy BuS16 of the Neighbourhood Plan only supports housing development within the Limits to Development where it is in keeping with the scale, form and character of its surroundings and does not significantly adversely affect the amenities of residents in the area, including daylight/sunlight, privacy, air quality, noise and light pollution.

Section 12 of the National Planning Policy Framework states that the creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve and good design is a key aspect of sustainable development, creates better places in which to live and work. Paragraph 134 of the National Planning Policy Framework 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.

The proposed site layout shows a development served by a principal private drive which is not to be offered for adoption. It shows the provision of a principal detached dwelling to the site frontage and a terraced row of dwellings, resembling worker cottages to the

rear of the site. The dwellings would all be easily accessible on foot to facilities and services within the village centre and, notwithstanding the comments of local people preferring bungalow development, the design and layout of the proposed scheme represents a density of development which is comparable to the area. The dwellings are considered to be of good quality design and if carefully executed would have an acceptable and appropriate appearance within the Conservation Area where two storey dwellings prevail. The revised details of the proposed materials as received on 23rd March 2022 are considered appropriate and acceptable for use in the scheme.

Suggested separation distances for privacy and to avoid overbearing impact as set out in the adopted SPD on Design are met. For example, the separation between the rear elevation of No. 47 Beveridge Street and the opposing front elevation of the dwellings situated on Plots 5, 6 and 7 is 22.86m. Between the rear principal windows in No. 43 Beveridge Street and the opposite (slightly oblique) front elevation of the dwelling proposed for Plot 2 would be a separation of 20.67m which falls slightly short of the required 21m. However, there is a double carport proposed in the intervening space which will assist in screening direct views into the rear of No. 43.

Whilst a number of representations have been made concerning the impact to the amenities of individual properties, it is considered that the proposed scale and layout of the proposed development has due regard for the privacy and outlook of occupiers of the existing neighbouring dwellings and accords with Policies CS2, EV/1 and BuS16 in regard to the protection of existing residential amenities. Although Councillors Fryer and Ranson consider the proposal is an over-development of the site, it has been demonstrated that the layout of the proposal would meet adopted separation and space standards and would not harm the amenities of neighbouring occupiers. Whilst there have been representations from the adjacent school to the north of the site relating to overlooking of playground areas, and this creating a safeguarding concern, it is clear from the proposed layout plan that there would be no overlooking of these areas from principle living areas within the new dwellings because of existing boundary treatments and trees to be retained. However, there may be opportunities for overlooking to the school site from first floor bedroom windows, but this is a situation which exists in any residential rear garden setting adjacent to schools and is not unusual particularly in a village setting such as this.

In terms of the amenity of potential occupiers, the proposed dwellings meet and exceed the internal minimum standards set out in Technical Housing Standards.

The mix of house types proposed, as identified in the description of the proposal above, includes a mix of 2-4 bedroomed properties of differing scales and are considered to meet the needs and the character of the area in accordance with Policy CS2 of the Core Strategy.

In summary, the scale of the development, the mix of house types and use of materials, together with indicated landscaping are considered to provide generally good quality housing development that would accord with national and local design policies CS2, CS3, EV/2 and BuS4 and it is considered that the proposal also accords with the criteria of Policy BuS16 of the Neighbourhood Plan in that the proposal is in keeping with the scale, form and character of its surroundings, does not significantly affect the amenities of

residents in the area. Final details of proposed soft landscaping could be secured by planning condition.

Heritage

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Section 16 of the NPPF (2021) states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance with the aim of sustaining and enhancing the significance of all heritage assets. In determining planning applications, local planning authorities are required to take these into account and also recognise the positive contribution that the conservation of heritage assets can make to sustainable communities, including their economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness.

In considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given the asset's conservation and the more important the asset, the greater that weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm.

Policy CS14 sets out how we will conserve and enhance our historic assets for their own value and the community, environmental and economic contribution they require. The applicant has undertaken a desk top analysis of the historic significance of the site and this concludes that the degree of harm the proposal would cause to heritage assets would be less than substantial.

The heritage significance of the site is primarily set out in the Conservation Area Character Appraisal:

Church Street and Beveridge Street are much quieter with a greater variety of houses, many of them listed. The streets curve gently and they have a strong sense of enclosure. In general the buildings come right up to the edge of the pavement.

The WEA Guide (1985) refers to the large number of framework knitters' workshops in Beveridge Street (known as Industry Street until 1922) and a number of these workshops may still survive behind existing frontage properties throughout the village. For example there are two pantile-roofed sheds off Shooting Close Lane to the rear of nos. 8-10 Beveridge Street and small workshops alongside no. 45 Beveridge Street and to the rear of no. 35 Beveridge Street.

Charnwood stone has also been extensively used in the construction of boundary walls throughout the village and these make a significant and distinctive contribution to the local street scene and the Conservation Area generally. Some of the most notable are those around the churchyard and the Old Vicarage but there are extensive boundary walls along High Street, Beveridge Street and Shooting Close Lane.

The impact of the proposal on this significance is mitigated by the retention of the front boundary wall, the setting back of the dwelling proposed for Plot 1 to maintain the important characteristics of the street scene and by minimising the width of the access and the creating of a boundary wall where the shop building will be removed to retain the

sense of enclosure along the street. Access points along Beveridge Street are narrow and an access with a significant width is uncharacteristic of the street scene and would impact the sense of enclosure along the street. It is therefore important that the access width is minimised to ensure the harm to the Conservation Area would not result in significant. The proposed layout and design of the scheme considers local character by replacing the existing garage/workshop building to the south east of the site, with a similar built form at right angles to the street; introducing an overall form of development that has minimal impact on the character and appearance of the Conservation Area.

No. 47 Beveridge St is listed Grade II and was the former farmhouse associated with the outbuildings contained within the proposal site. The significance of any heritage connection to the outbuildings has almost entirely diminished due to the way in which land has been repropotioned, together with the previous redevelopment of the proposal site and its associated uses. The heritage significance of No 47 Beveridge St is in its intrinsic architectural appearance and the contribution it makes to the character of the street scene. It is one of a number of listed buildings close to the site which collectively provide visual dominance that contribute to one another's setting. The development would not impact the listed buildings value to the street scene. Therefore, it is concluded that the impact of this proposal upon this listed building is neutral.

The significance of any archaeological remains forms part of the assessment of the planning proposals. Whilst there has been no invasive study as to the archaeology of the site, and a neighbour reports finding historical artefacts, the significance of these features is in their discovery and recording within the archives of the Leicestershire Museum Service. The site is previously developed land with a dwelling and a history of various commercial uses, and it is likely that any artefacts of higher significance would have already been discovered or destroyed. It is therefore considered that there is no need for a more detailed archaeological investigation of the site and that there are no archaeological reasons why the development of the site should be prevented.

Whilst it is acknowledged there is some harm arising from the loss of the evidential value of the workshops, which results to its use rather than historic fabric, and a small section of the front boundary wall to provide an improved site access, it is considered that this harm would equate to less than substantial harm, which is on the lower end of the scale, which is to be weighed in the overall planning balance. Whilst neighbours and Ward Councillors consider the proposal would be incompatible with the Conservation Area setting, it is demonstrated that this harm would be less than significant in heritage impact terms. It is considered that the proposal provides no direct heritage benefits, but, in accordance with Paragraph 202 of the NPPF, this harm is also to be weighed against the public benefits of the scheme. These benefits are set out in the conclusions section of this report.

It is also noted that the bungalow which is on site is uncharacteristic of the Conservation Area and does not provide a positive contribution. Notwithstanding the harm identified above the redevelopment of the site internally would result in an improvement of the sites contribution to the Conservation Area due to the design of the dwellings and the layout respecting the location of historic buildings which have been demolished many years ago. This would result in a benefit which should be considered in the planning balance.

In summary, it is considered that the development accords with Policy CS14 and the requirements of the National Planning Policy Framework.

Transport and Highway Impact

Policy TR/18 of the Borough of Charnwood Local Plan sets out parking standards in respect of development proposals. Paragraph 111 of the National Planning Policy Framework states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy BuS16 of the Neighbourhood Plan sets out that housing development within the limits to development will only be supported (inter alia) if it has safe and suitable access to the site for all people.

A large number of objection letters were received referencing highway safety and congestion as concerns and the historic Beveridge Street is not unique in experiencing difficulties coping with modern-day car usage.

In response to the proposal, the local highway authority commented that it considers the application as submitted does not fully assess the highway impact of the proposed development and made initial observations relating to the proposed access, however it has confirmed that the comments relate to the fact that the applicant has not demonstrated an access in accordance with the Leicestershire Highways Design Guide rather than information is outstanding. The local highway authority advises that for an access serving between 6 and 25 dwellings, the access width is required to be 4.8m for a minimum distance of 5m from the highway boundary. Where an access is bound at one side by a wall/hedge/fence or similar obstruction, an additional 0.5m should be added to the initial access width requirements and 1m added where the access is bound on both sides. Further discussions have been held with the Highway Authority it is acknowledged that there are parked cars on Beveridge Street which would reduce speeds, access pedestrian visibility splays are acceptable and there is an extant position with previous buildings and use on the site which would have generated trips using a sub-standard access. Notwithstanding this the LHA believe that a suitable access designed to the Leicestershire Highways Design Guide could be provided on site and a suitably worded condition to secure this. It is acknowledged that by the LHA that the weight of this argument will clearly be balanced against other planning matters for which the LHA couldn't determine.

From the submitted plans, the access width would be 4.29m at its narrowest point and this widens into the site itself. Whilst the access falls short of the usual standards in terms of its width it is important to also consider the context of the site within the Conservation Area and the impact on the historic wall fronting the site which is a significant feature within the street scene and intrinsic to the character and appearance of the Conservation Area. On this occasion, it is considered that the loss of historic fabric should be kept to a minimum and because of this, a narrower access point is provided. Additionally, whilst there is a loss of a frontage building which could result in the extension of the access, the building currently provides a significant frontage along Beveridge Street and therefore it's loss and replacement of a boundary wall would maintain the sense of enclosure. The access has been widened to a maximum which is considered acceptable limiting the impact a wider access point would have on this part of the Conservation Area. It is considered that the proposed access is an improvement

on the existing even narrower driveway and there is some visibility now proposed to both sides where there is currently no provision. Additionally, there are parked cars along Beveridge Lane which would limit the speeds in these areas and would limit the length of visibility splays needed for this access. As discussed pedestrian visibility is achieved with the design and therefore the access would not have any detrimental highway safety impacts to pedestrians.

A bin collection area is provided towards the front of the site for use on the householder waste and recycling collection days and a refuse vehicle will not therefore be required to enter the site.

The failure to comply with the Leicestershire Highways Design Guide and the comments from the LHA results in conflict with Policy BuS16 of the Neighbourhood Plan. However, given the likely traffic speeds along Beveridge Street where motorists already have to safely negotiate parked vehicles within the street, the acceptable pedestrian visibility splays and a betterment of the existing access, albeit additional trips will be experienced with the proposal, it is considered that the access and the proposed visibility splays would not result in severe residual impacts to highway safety as described in Paragraph 111 of the NPPF. This harm will be assessed in the overall planning balance.

In terms of the proposed parking provision within the scheme, the number of parking spaces accords with standards which seek the provision of 2 car parking spaces for dwellings with 3 or less bedrooms and 3 car parking spaces for dwellings with more than 3 bedroom. Six of the dwellings are allocated 2 spaces each within the proposed layout and the dwelling on Plot 1 (being a larger house) is provided with 3 spaces. The local highway authority comments that the proposed car ports are less than the dimensions for a standard garage space and this is acknowledged. However, these structures are open sided and any overhang of vehicles would be away from the public highway. The local highway authority does not therefore object to the application on this basis.

It is therefore concluded that the application proposals are acceptable and in accordance with Paragraphs 110 and 111 of the National Planning Policy Framework and policy TR/18 subject to the imposition of planning conditions relating to the access and parking provision as shown on submitted drawing 101-480/(P)013J received on 15th February 2022.

Ecology and Biodiversity

Policy CS13 seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. Policy BuS1 of the Barrow-upon Soar Neighbourhood Plan requires development proposals to not harm identified features and habitats, unless the need for and benefits of the development clearly outweigh the harm that would be done. The site is not identified on the list of features but the policy goes on to state that new development will be expected to maintain and where possible, enhance existing ecological corridors and landscape features for biodiversity thus demonstrating overall net gain.

The application is supported by Ecological Assessment which has been evaluated by the Borough Council's Senior Ecologist. It is observed that there would be no significant net increase in the footprint of the built development and it is therefore considered that a Biodiversity Impact Assessment would not be required in this instance. It is acknowledged that one of the buildings on the site currently supports a day time bat roost and it is recommended that the development be carried out in full accordance with the mitigation set out in that report, with the details to be secured by planning condition. A derogation licence will also be required under the Conservation of Habitats and Species Regulations (2017) but this is a separate process to be undertaken by the applicant and is not itself determinative to the application.

In addition, an appropriate on-site landscaping scheme can be secured by condition. Provided appropriate off-site mitigation is also secured, it is considered that the proposal would accord with Policy CS16 and ENV6 and BuS1 of the Barrow-upon-Soar Neighbourhood Plan.

Flood Risk 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 considered there is no need to reduce the weight afforded to this policy.

The site is wholly within Flood Zone 1 (low risk of fluvial flooding). The site is also at very low risk of surface water flooding and the proposed development is defined within the technical guide to the NPPF as being suitable development for the Flood Risk category. The site also falls below the threshold that requires consultation with the Lead Local Flood Authority.

Information submitted with the application indicates foul and surface water drainage would be disposed to the existing mains sewer which serves the existing dwelling on the site.

It is concluded therefore that the proposed development can be accommodated on the site without causing or exacerbating flooding to other properties and the proposal is therefore considered to be compliant with Policy CS16 and the National Planning Policy Framework.

Other Matters

A number of respondents to the application state a preference for the application site to cater for the needs of older people in accordance with Policy BuS17 of the Barrow-upon-Soar Neighbourhood Plan. The supporting text to this policy sets out that housing demand to meet the needs of older people is likely to increase substantially over coming years and that whilst meeting the needs of older people can include bungalows, suitable housing may also include retirement complexes, extra-care housing, and homes designed with features to appeal to older people, i.e. step free access, downstairs bathrooms and wider hallways and doorways.

The proposal includes no bungalows but represents a mix of 2, 3 and 4 bedroom dwellings with level thresholds and downstairs w.c's. It is therefore considered that the

proposed development would be suitable for older occupiers or could be readily adapted to meet specific occupier needs. The location of the development, close to facilities and services within the village centre may also appeal to an older generation.

In these ways, it is considered that the proposal has due regard to the needs of older people and accords with Policy BuS17 of the Neighbourhood Plan.

Conclusion and the Planning Balance

This application seeks to provide 7 new dwellings at a time when there is a demonstrable shortfall against borough wide need. The supporting information and consultation responses have established that there are no technical reasons in relation to flooding and biodiversity that indicate planning permission should be refused.

The adopted Core Strategy, saved Policies of the Local Plan and the Barrow-upon-Soar Neighbourhood Plan are the starting point for the consideration of these proposals. The site is located within the settlement limits of Barrow-upon-Soar and Policy CS1 provides for proposals for new homes in such locations. Policy BuS16 of the Barrow-upon-Soar Neighbourhood Plan supports new housing development within the village limits to development provided it meets design related criteria. However, the policies most important for determining the application are out of date and as such, the presumption in favour of sustainable development of NPPF paragraph 11(d)(ii) applies.

The provision of 7 dwellings (6 net) in an accessible location would make a useful contribution to housing needs and housing supply within the Borough and would support the Government's objective of significantly boosting the supply of homes. The proposal is considered to be small scale in the context of the overall scale of Barrow-upon-Soar. At a time where there is a Borough wide housing shortfall and the Council can demonstrate only 3.34 years supply, the benefits of this housing provision are afforded significant positive weight.

The proposal would provide some economic benefit in terms of construction, local spend, council tax and home bonus but these are standard for all development proposals and are afforded only limited weight.

Although the proposed access does not fully accord with the geometrical standards set out in the Leicestershire Highway Design Guide and this is a harm of the development. Whilst there is harm identified this is limited due to the consideration of existing parking arrangements on street reducing speeds and acceptable pedestrian visibility splays. The reduction of the width of the highway access is considered necessary to reduce the detrimental impact upon the Conservation Area due to loss of historic fabric and also loss of the strong characteristics of enclosure along Beveridge Street. In this case, it is considered that this minor harm of the scheme is outweighed by the desire to conserve the fabric of the historic wall and in terms of minimizing the impact of the development on the appearance of the street scene and the significance of the Conservation Area.

For the reasons set out above, it is concluded that the proposal would result in less than substantial harm, towards the lower end of the scale, to the identified heritage assets due to the loss of historic fabric at the front of the site and impact upon the character of Beveridge Street. In accordance with Paragraph 202 of the NPPF requires this harm to

be weighed against the public benefits of the scheme. It is identified that there is a heritage benefit to the scheme such as the removal of a bungalow which is not in keeping with the character of the area and is a negative asset. Whilst views of this are only at certain points it is still a negative aspect of the Conservation Area. The redevelopment of the site with buildings that reflect the character of the Conservation in a more sympathetic way, following historic development lines of previously demolished buildings would be a benefit of the scheme. Additional homes at a time when they are most needed and the short term and long-term but small scale economic benefits arising from the construction phase and upon occupation of the dwellings would also be a benefit. The proposal would also result in a more efficient use of land in accordance with NPPF paragraph 124. These benefits would outweigh the acknowledged less than substantial harm to the Conservation Area.

The application site is not considered to have any significant ecological value although there is an active bat roost within one of the buildings to be demolished. There is, however, an opportunity to ensure no net biodiversity loss and some gains, through the imposition of a planning condition requiring a mitigation scheme to be submitted and implemented. All development proposals are required to provide biodiversity benefits and therefore only moderate weight can be given to this as it is required to mitigate the effects of the development.

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 at a time when it is most needed. For the reasons set out above, it is considered that the identified harms when taken together, would not significantly or demonstrably outweigh the benefits of the additional housing. Accordingly, it is recommended that planning permission be granted conditionally, subject to the conditions set out below

RECOMMENDATION:

Grant Conditionally

- 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 The development hereby permitted shall be carried out in accordance with the following approved plans:

101-480/(P)003D - Proposed Floor Plans - Plots 2-7

101-480/(P)004F - Proposed elevations Plots 2-7 - revised plan received 28th January 2022

101-480/(P)005A - Existing Plans and Elevations

101-480/(P)006B - Site location plan - revised plan received 28th January 2022

101-480/(P)011C - Proposed floor plans - Plot 1 - revised plan received 28th January 2022
101-480/(P)012C - Proposed elevations - Plot 1 - revised plan received 28th January 2022
101-480/(P)013J - Proposed site layout - revised plan received 15th February 2022
101-480/(P)018B - Proposed single garage plans and elevations - revised plan received 28th January 2022
101-480/(P)019D - Proposed double car port plans and elevations - revised plan received 5th April 2022
101-480/(P)020D - Proposed Quad Car port plans and elevations - revised plan received 5th April 2022
101-480/(P)022 - Proposed boundary treatments and hard-surfacing details - plan received 22nd February 2022
01 - Tree Survey and Constraints Plan (RJ Tree Services)
Proposed materials schedule - received 23rd March 2022

REASON: To define the terms of the planning permission.

- 3 Only those materials specified in the application shall be used in carrying out the development hereby permitted.

REASON: To ensure the satisfactory appearance of the completed development.

- 4 No use or occupation of the dwellings hereby permitted shall take place until the scheme for boundary treatments shown on approved drawing number 101-480/(P)022 received on 22nd February 2022 has been fully completed.

REASON: To ensure the satisfactory, overall appearance of the completed development.

- 5 Notwithstanding the submitted details, 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:

- i) full details of tree planting;
- ii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iii) functional services above and below ground; and
- iv) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

REASON: To make sure that a satisfactory landscaping scheme for the development is agreed.

- 6 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.

REASON: To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

- 7 No demolition shall take place on the site until such time as a detailed ecological mitigation strategy has been submitted to, and approved by the local planning authority. The development shall then be carried out in full accordance with the mitigation strategy as may be approved.

REASON: To ensure that important features of ecological interest are protected.

- 8 No dwelling hereby permitted shall be occupied until the access visibility splays as shown on drawing number 101-480/(P)013J received 15th February 2022 have been provided on the highway boundary on both sides of the access. The splays as provided in accordance with that plan shall therefore be retained, with nothing placed or allowed to grow within the splay areas exceeding 0.6m in height.

REASON: To make sure that drivers leaving the access have adequate visibility of vehicles already on the highway.

- 9 None of the dwellings hereby permitted shall be occupied until such time as the access drive, parking and turning facilities shown on the approved plan have been completed in accordance with the submitted details. Thereafter, the parking and turning facilities shall not be obstructed in any way that would prevent such use.

REASON: To make sure vehicles can enter and leave the site in a forward direction and to provide off-street parking, in the interests of road safety.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS3, CS13, CS14, 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 and Policies BuS1, BuS3, BuS4, BuS16 and BuS17 of the Barrow-upon-Soar Neighbourhood Plan have been taken into account in the determination of this application. The proposed development complies with the requirements of these policies.
- 2 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policies and the Council's adopted Supplementary Planning Document 'Design' (adopted 2020).and, therefore, no harm would arise such as to warrant refusal of

planning permission.

- 3 In addition, as the proposed development is located within a conservation area, the Council has considered whether it would enhance or preserve its character and appearance. Planning permission has been granted on the basis of the Council's opinion that the development would, at least, preserve that character.
- 4 The Local Planning Authority acted pro-actively through positive engagement with the applicant 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.
- 5 In order to arrange for the delivery of the necessary equipment for participation in the refuse and recycling service and to ensure that the properties receive a collection service as appropriate, please contact Environmental Services on 01509 634538 or recycle@charnwood.gov.uk, before the first property is completed.
- 6 All bats species and their roosts are legally protected under the Conservation of Habitats and Species Regulations 2010 (as amended). Should bats be found during the course of development work, work should immediately stop and advice from Natural England should be obtained and fully implemented before work can resume. Natural England's Batline can be contacted on 01509 672772.
- 7 The applicant should take all relevant precautions to minimise the potential for disturbance to the occupiers of neighbouring properties in terms of noise and dust during the demolition and construction phases of the development. This should include not working outside regular daytime hours, the use of water suppression for any stone or brick cutting. No burning of waste should take place on site and the applicant is advised to notify neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information, please contact the environmental health service.

