

Pegasus Planning Group
4 The Courtyard
Church Street
Lockington
DE74 2SL



Charnwood Borough Council
Development Management, Southfield Road,
Loughborough, Leicestershire, LE11 2TN

Details of Application

APPLICATION NO: P/22/0333/2

PROPOSAL:

Variation of conditions 13 (compliance with plans), 15 (phasing and delivery), 18 (Broadnook Centre in accordance with Planning Brief), 21 (Development Framework Planning Brief for resi phase 2 and 3), 22 (Planning and Design Brief for employment area), 23 (landscape principles), 24 (surface water drainage), & 40 (approved drawings) of hybrid application P/16/1660/2 to amend the Illustrative Masterplan and Parameter Plans in order to transpose an employment parcel with a residential parcel to allow for a first phase of residential development.

LOCATION: Land North of Birstall, Birstall, Leicestershire

APPLICANT Barwood Homes and Davidsons Homes

Details of Decision Please Read All the Information in this Decision Notice.

Charnwood Borough Council has considered this application under the Town and Country Planning Act, 1990, and grants permission for the development described in the submitted documents and on any accompanying plans and drawings.

This permission is granted subject to the following Conditions and Reasons why they have been imposed

1. The development shall commence by 5th November 2023, or before the expiration of two years from the date of the approval of the last of the reserved matters, whichever is the later.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The first application for approval of reserved matters for the first phase or parcel of development in that part of the site hereby granted outline permission shall be submitted no later than 5th November 2023 and all subsequent reserved matters applications shall be submitted by no later than 5th November 2035.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. No development shall commence, other than development approved in detail as part of this application, until details of the appearance, landscaping, layout, access to and scale ("the reserved matters") of the relevant phase or parcel of development have been submitted to and approved in writing by the local planning authority. The reserved matters detailed shall be in accordance with the approved parameter plans listed in Condition 13. The development shall be implemented in accordance with the approved details.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. No part of the development hereby permitted shall commence until improvement works at the A46/A6 Junction as shown in principle in ADC Drawing No. ADC1684-DR-002 Rev. P5 and LWL Drawings No. LWL-600-012 Rev. D8 and LWL-600-013 Rev. D8 (or as amended by a Road Safety Audit or Detailed Design) have been submitted to and approved in writing by the local planning authority in consultation with Highways England. The scheme shall comply with the design requirements and procedures of the Design Manual for Roads and Bridges, including those relating to road safety and non-motorised user audits, as required by Highways England. The approved scheme shall be implemented and completed in full, in accordance with the approved details, prior to the occupation of the 300th dwelling..

REASON: To ensure that the A46 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the motorway resulting from traffic entering and emerging from the application site and in the interests of road safety.

5. No part of the development hereby permitted shall commence until details of all drainage matters relating to the works to upgrade the A46 Trunk Road, have been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England. The development shall be carried out in accordance with the approved scheme.

REASON: To ensure that the A46 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

6. Prior to the commencement of development, unless otherwise agreed in writing, the A6 access arrangements and highway works shown as on drawing number LWL/600/002 Rev D28 shall have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety, for construction traffic and in accordance with the National Planning Policy Framework (2021).

7. Prior to the occupation of the 300th dwelling, the A6/ A46 Birstall Interchange works as shown on ADC drawing number ADC1684-DR-002 Rev P5 shall be implemented in full.

REASON: To mitigate the severe impacts of development traffic in accordance with the National Planning Policy Framework (2021).

8. Prior to the occupation of the 1st dwelling the Hallfields Lane/Cossington Lane works as shown on Drawing ADC1684 -DR-001 Rev P2 shall be implemented in full.

REASON: To mitigate the severe impacts of development traffic in accordance with the National Planning Policy Framework (2021).

9. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum detail of the routing of construction traffic, wheel cleansing facilities, location of construction compounds, construction access, 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.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

10. No part of the development hereby permitted shall be occupied until a Site Wide Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets including the appointment of a Travel Plan Coordinator has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2021).

11. 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 5 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.

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).

12. No development shall be occupied until a scheme for the provision of Rights Of Way and Access Improvements has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority as generally

indicated on drawing number BNA 1b dated September 2019. Such a scheme shall include provision for the treatment of the existing Public Rights of Way, their surfacing, width, structures, signing and landscaping and a timetable for their delivery. Also included should be details regarding proposed access improvements including permissive routes.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2021).

13. The development hereby approved shall be carried out in accordance with the following plans and documents:

- Application Boundary Plan which also defines the Area Subject of Detailed Proposals.
- Define Drawing Reference DE096.008 Rev D
- Development Framework Parameter Plan. Define Drawing Reference DE096.001 Rev P
- Green Infrastructure Parameter Plan. Define Drawing Reference DE096.003 Rev N
- Land Use and Scale Parameter Plan. Define Drawing Reference DE096.004 Rev P
- Movement Parameter Plan - Street Typologies. Define Drawing Reference DE096.002 Rev K
- Movement Parameter Plan - Pedestrian/Cycle Strategy. Define Drawing Reference DE096.005 Rev F
- Design and Access Statement 1 "A Framework for Broadnook Garden Suburb" dated June 2016.
- Design and Access Statement 2 "Delivery of the Broadnook Garden Suburb" dated June 2016.
- Design and Access Statement Addendum (including Street Typologies Revision I) dated January 2019.
- Green Infrastructure Addendum - Allotments, Outdoor Sports and Play dated January 2019.
- Broadnook Centre Planning Brief dated December 2018.

REASON: For the avoidance of doubt and to ensure the scheme follows the form of development agreed by the authority.

14. Floorspace for mixed employment uses to be provided within the area indicated as "Employment" on the approved Land Use and Scale Parameter Plan - Define Drawing Reference DE096.004 Rev P shall be limited within Use Classes as follows:

- B1(a) office - up to 7,500m²
- B1(c) light industry - up to 17,500m²
- B2 general industry - up to 10,000m²
- B8 storage and distribution - up to 15,000m²

REASON: To make sure the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development.

15. The phasing and delivery of development shall take place in accordance with the following plans unless otherwise agreed in writing by the local planning authority.
- Phasing Plan - Housing and Employment Define Drawing Reference DE096.006 Rev F
 - Landscape Phasing Munro Whitten Drawing Reference 0638.040 Rev C
 - Phase 1 Illustrative Masterplan Define Drawing Reference DE096.010 Rev H
 - Comprehensive Phase 1 Landscape Masterplan Munro Whitten Drawing Reference 0638-055 Rev C
 - Housing Numbers Per Development Parcels and By Phase WDA Planning Drawing Reference WDA-BGS 48A
 - Housing Densities Per Development Parcels WDA Planning Drawing Reference WDA-BGS 49A

REASON: To assist determination of reserved matters and to ensure that necessary infrastructure provision and environmental mitigation is provided in time to address the impact and needs of the development.

16. Further to the requirements of condition 3, development on any phase, sub-phase or development parcel within the area hereby granted outline permission shall not commence until the following details relevant to that phase, sub phase or development parcel have been approved in writing by the local planning authority:
- (i) development area including range of residential unit numbers and/or floorspace of non-residential uses;
 - (ii) site accesses, internal infrastructure including spine road, pedestrian and cycle crossings, footpaths, cycleways, bridleways;
 - (iii) the housing mix including the range of housing type, tenure and size to be delivered across each phase or sub-phase of the development that includes parcels of housing;
 - (iv) a site wide affordable housing strategy;
 - (v) confirmation of the timescale for the implementation of any associated off-site highway infrastructure including highway improvements/traffic management measures;
 - (vi) green infrastructure including open space, play space, informal and/or formal sports and recreation facilities, allotments;
 - (vii) Details of the integration of bat roosting and bird boxes for the residential units;
 - (viii) updated badger and bat emergence surveys, including any required mitigation and any other protected species surveys as required;
 - (ix) external lighting;
 - (x) public transport infrastructure;
 - (xi) links to existing rights-of-way;
 - (xii) timing and sequencing of development;
 - (xiii) interface zones where development areas or parcels adjoin.

Where responsibility for an interface zone is to be shared, landscape (hard and/or soft) design principles of the whole zone shall be approved by the local planning authority prior to commencement of any adjoining development parcel. The development shall not be carried out other than in accordance with the approved details.

REASON: To make sure that the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development.

17. In conjunction with the submission of the first reserved matters application a Reserved Matters Programme setting out the strategy for the phase-by-phase submission of reserved matters applications across that part of the site hereby granted outline permission shall be submitted to and approved in writing by the local planning authority. The Reserved Matters Programme shall be in accordance with the Phasing Plans approved under Condition No. 15 above and reserved matters applications shall thereafter be made to the local planning authority in accordance with the approved Reserved Matters Programme unless otherwise agreed in writing by the local planning authority. The Reserved Matters Programme shall include a Plan that indicates the boundary of each reserved matters application and a boundary for a Transition Zone between each reserved matters site and the immediate adjacent reserved matter site.

REASON: To provide clarification on how the development will be delivered to assist determination of reserved matters and to ensure the development is delivered in an acceptable manner.

18. Reserved Matters applications for the Broadnook Centre area identified on the approved Land Use and Scale Parameter Plan - Define Drawing Reference DE096.004 Rev P shall be generally in accordance with the approved Broadnook Centre Planning Brief (January 2019). The Planning Brief presents a framework for the mix and disposition of uses, access and circulation, public realm, parking, layout, urban design principles, massing and scale.

REASON: For the avoidance of doubt and to ensure the scheme takes the form agreed by the local planning authority and thus results in a satisfactory form of development.

19. Within the Broadnook Centre the supermarket hereby permitted shall not exceed 3,000 (gross floor area) sq.m and 1,600 (net floor area). No more than 480 square metres of the net floor space within this food store shall be used for the sale and display of comparison goods at any time.

REASON: To make sure the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development.

20. Within the Broadnook Centre, excluding the supermarket, there shall be no more than 2,200 sq.m. of other A1 retail, A2 financial and professional services, A3-A5 food and drink, B1 business, D1 non-residential institutions and D2 assembly and leisure uses (cumulative total) and a town centre impact assessment for all the stated uses above shall be submitted prior to the first reserved matters application at the Broadnook Centre.

REASON: To make sure the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development.

21. Prior to the submission of the first reserved matters application for each of housing Phases 2 and 3 identified on the Phasing Plan - Housing and Employment - Define Drawing Reference DE 096.006 Rev F, a Development Framework Planning Brief shall be submitted to and approved in writing by the local planning authority. The Development Framework Planning Brief for each of residential Phases 2 and 3 will include the following details:
- i. housing and other land use disposition;
 - ii. the character, mix of uses and density established through the parameter plans hereby approved to include the block principles and the structure of public spaces;
 - iii. the definition and characteristics of transition zones;
 - iv. access(es)
 - v. movement corridors (including strategic and principal primary, secondary roads, public transport corridors, pedestrian and cycle routes, greenways etc.);
 - vi. street hierarchy including street types and street materials, the principles of adopting highway infrastructure, typical street cross-sections and bus penetration;
 - vii. block principles to establish use, density and building typology. In addition, design principles including primary frontages, pedestrian access points, front and back and perimeter of building definition;
 - viii. key groupings and other key buildings including information about height, scale, form, level of enclosure, building materials and design features;
 - ix. relationship between proposed and existing landscaping and built form;
 - x. hard and soft landscaping and the approach to the character and treatment of both structural planting and other landscaping within and around each reserved matters area;
 - xi. green and public open spaces;
 - xii. key infrastructure (including SuDs and significant utility provision);
 - xiii. the conceptual design and approach to green open space and the public realm to include hard and soft landscaping, materials, lighting, street furniture, signage, boundary treatment and public art;
 - xiv. details of waste and recycling provision for all building types;
 - xv. measures to demonstrate how opportunities to maximise resource efficiency and climate change adaptation in the design of the development will be achieved through external passive means, such as landscaping, orientation, massing and external building features;
 - xvi. details of the approach to vehicle parking and cycle parking across the sub-area/development parcel;
 - xvii. urban design and architectural principles and palette of materials (including colour and texture of external materials and facing finishes for roofing and walls

of buildings and structures).

Reserved Matters applications shall be submitted in accordance with the approved Phase 2 and Phase 3 Development Framework Planning Briefs.

REASON: To ensure consistency with the Design and Access Statements and Addendum and the Parameter and Phasing Plans; to ensure a satisfactory form of development and in the interest of the character and appearance of the area.

22. In conjunction with the submission of the first reserved matters application for the area identified as "Employment" on the Land Use and Scale Parameter Plan - Define Drawing Reference DE096.004 Rev P, a Planning and Design Brief for the overall employment area shall be submitted to and approved in writing by the local planning authority. The Brief shall be consistent with the Parameter Plans approved at Condition No. 13 above and include the mix and disposition of employment uses, access and circulation, public realm, layout, urban design and landscaping principles, massing and scale, materials and parking. Further reserved matters application(s) for this employment area shall be submitted in accordance with the approved Broadnook Employment Area Planning and Design Brief.

REASON: To ensure a satisfactory form of development and in the interests of the character and appearance of the area.

23. Further to the requirements of condition 3 all reserved matters applications for that part of the Broadnook application site hereby granted outline permission full regard will be given to the landscaping principles and details shown on the following Munro-Whitten drawings hereby approved:

- Landscape Framework Plan Ref:0638.009 Rev D
- Landscape Phasing Plan - Existing Site Ref: 0638.036 Rev B
- Landscape Phasing Plan Phase 1 Ref: 0638.037 Rev C
- Landscape Phasing Plan Phase 2 Ref: 0638.038 Rev C
- Landscape Phasing Plan Phase 3 Ref: 0638.039 Rev C
- Landscape Phasing Ref: 0638.040 Rev C
- The Northern Landscape Ref: 0638.005 Rev E
- Location of Illustrative Landscape Sections - Context Plan Ref: 0638.034 Rev C
- The Western Landscape Ref: 0638.035 Rev B
- Illustrative Landscape Sections - Western Slopes Ref: 0638.026
- Acoustic Mounding Exercise to Southern Boundary Section A-A Ref: 0638.029 Rev C
- Acoustic Mounding Exercise to Southern Boundary Section B-B Ref: 0638.030 Rev E
- Acoustic Mounding Exercise to Southern Boundary Section C-C Ref: 0638.031 Rev C

The full landscaping details, including transition zones, to be included within each reserved matters application in accordance with Condition No.3 shall accord with the agreed structural landscaping scheme defined by the drawings listed above. The approved site-wide structural landscaping scheme shall be implemented in accordance with the Phasing Plans approved under Condition No. 15.

REASON: To ensure a satisfactory form of development and in the interests of the character and appearance of the area.

24. No phase or sub phase of development approved by this planning permission shall take place until such time as a surface water drainage scheme based on the principles contained within the approved Flood Risk Assessment Reference 10822 FRA01 Rv1 dated 11.02.2022 compiled by Brookbanks Consulting Ltd and that includes details of prevention of surface water drainage on to the public highway, has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with these approved details before the development in that phase is first brought into use.

REASON: To make sure that the development is provided with a satisfactory means of drainage and to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

25. No phase of development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.

REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase.

26. No occupation of any phase or sub-phase of development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the local planning authority. The maintenance scheme shall be implemented as approved.

REASON: To establish a suitable maintenance regime that may be monitored over time that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.

27. No phase or sub-phase of development approved by this planning permission shall take place until such time as drainage plans for the disposal of foul sewage have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON: To ensure that the development is provided with a satisfactory means of drainage and to minimise pollution.

28. No phase or sub-phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the local planning authority) shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.

- A site investigation scheme based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- The results of the site investigation and detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 183 of the National Planning Policy Framework.

29. Notwithstanding the submitted Landscape and Biodiversity Management Plan dated January 2019 no development shall commence until a site-wide Landscape and Biodiversity Management Strategy has been submitted to and agreed in writing by the local planning authority. The submitted Strategy will include further details on:
- i. aims and objectives of management;
 - ii. the retention of existing features and habitats;
 - iii. the protection and enhancement of biodiversity including measures to mitigate against the impact of the development;
 - iv. the phased implementation of mitigation measures in accordance with the phasing proposals pursuant to Condition No. 15;
 - v. the retention of agricultural land;
 - vi. additional protected species surveys if required;
 - vii. site preparation and earth modelling/re-grading;
 - viii. above ground structures including boundary treatment and outdoor lighting;
 - ix. management and maintenance of all aspects of Green Infrastructure;
 - x. a programme of works and implementation;
 - xi. monitoring.

Development work will be carried out in full accordance with the approved Strategy unless previously agreed in writing with the local planning authority.

REASON: To ensure that the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development and to ensure the protection of biodiversity.

30. Prior to the commencement of each phase or sub-phase of the development hereby approved a Green Infrastructure Biodiversity Management Plan (GIBMP) for that phase which shall conform to the Strategy approved under Condition No.29 shall be submitted to and approved in writing by the local planning authority. The GIBMP shall include the following:

- description and evaluation of features to be managed;
- ecological trends and constraints on site that might influence management;
- appropriate management options for achieving aims and objectives;
- prescription for management actions;
- preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5 year period);
- bird strike assessment including a report of the findings, together with any mitigation measures deemed necessary;
- details of outdoor lighting of the Green Infrastructure for that phase, sub-phase or development parcel, designed to minimise impacts on biodiversity;
- details of the body or organisation responsible for implementation of the Plan;
- ongoing monitoring and remedial measures.

The approved GIBMP shall be implemented in accordance with the approved details in perpetuity unless agreed in writing with the local planning authority.

REASON: To ensure that the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development and to ensure the protection of biodiversity.

31. Prior to the commencement of each phase, sub-phase or development parcel of the development hereby approved, a Construction Environmental Management Plan (CEMP) for that phase, sub-phase or development parcel, which shall conform to the submitted Framework CEMP (June 2016) and the Landscape and Biodiversity Management Strategy approved under Condition No.29 shall be submitted to and approved in writing by the local planning authority. The CEMP shall include details on the following:

- risk assessment of potentially damaging development activities;
- practical measures to avoid or reduce impacts on biodiversity during site preparation and construction;
- identification and protection of biodiversity protection zones (as identified in the biodiversity management strategy for condition 29);
- timing of sensitive works;
- responsible persons and lines of communication;
- protective fencing, wildlife exclusion barriers and warning signs;
- bird strike risk assessment, including a report of its findings together with any mitigation measures deemed necessary.

The CEMP shall also include details of:

- the means of access and routing for construction traffic;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- locations of contractor compound(s);
- wheel washing facilities;
- management of surface water run-off on site during construction including details of any temporary localised flooding management system and a scheme to treat and remove suspended solids from surface water run-off during construction;
- temporary highway works;
- hours of operation;
- screening and hoarding details;
- details of a soil handling strategy in accordance with mitigation measures proposed in the applicant's Environmental Statement and Framework CEMP submitted with the application;
- a contact line and communications strategy for local residents and interested parties.

Development work shall be carried out in full accordance with the approved CEMP unless previously agreed in writing with the local planning authority.

REASON: To ensure appropriate mitigation for the impact caused by the construction phases of the development; to prevent an increase in flood risk; to maintain the existing surface water run-off quality; to prevent damage to the final surface water management systems through the entire development construction phase; to ensure the protection of biodiversity and to reflect the scale and nature of development assessed in the Environmental Statement.

32. Prior to the commencement of each phase or sub-phase of the development hereby approved an Arboricultural Method Statement, prepared in accordance with BS 5837 : 2012 Trees in Relation to Design, Demolition and Construction, shall be submitted to and approved in writing by the local planning authority. Works shall thereafter be carried out only in accordance with the approved details. The Arboricultural Method Statement shall include the specification, location and phasing for the installation of tree and hedge protection measures and a schedule of all proposed tree and hedge works including the reason for such works.

No trees or hedges on the application site shall be willfully damaged, cut down, uprooted, pruned, felled or destroyed except for the trees and hedges to be removed to facilitate the development, without the prior written consent of the local planning authority.

REASON: In the interests of the health and amenity value of the trees and hedgerows and to ensure that any works to trees and hedgerows is in accordance with the approved development of the site.

33. The programme of archaeological work shall be carried out in accordance with the approved Written Scheme of Investigation for Archaeological Excavation prepared by University of Leicester Archaeological Services dated 12/03/2021 (version 21-056).

REASON: To ensure that any features of archaeological interest are protected and recorded.

34. If, during development of any phase or sub-phase, contamination not previously identified is found to be present at the site then no further development within that phase or sub-phase (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that there are no risks to the long-term health of future occupiers of the site.

35. Demolition or construction works shall not take place outside 0700 hours to 1800 hours Monday to Friday and 0700 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays unless otherwise agreed in writing with the local planning authority.

REASON: To protect the amenity of the occupiers of nearby properties.

36. Prior to the first occupation of the first dwelling provided in each phase or sub-phase of the development details of the siting, design and programme for the provision of children's play areas defined by the Green Infrastructure Addendum (January 2019) approved under Condition No. 13 above shall be submitted to and approved in writing by the local planning authority. The children's play areas shall be laid out in accordance with the details and programme agreed under this condition.

REASON: To make sure that adequate play facilities are provided within the development in the interests of general amenity; are properly laid out and accord with the requirements of Policy CS15 of the Core Strategy.

37. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revoking or re-enacting that Order with or without modifications the following development shall not be undertaken without express planning permission first being obtained from the local planning authority:

- extension to the dwelling;
- free-standing building within the curtilage of the dwelling;
- addition or alteration to the roof;
- erection of a porch;
- satellite antenna;
- fences, gates or walls;
- any windows or dormer windows.

REASON: To enable the local planning authority to control the development and so safeguard the character and visual amenities of the area and to ensure, where necessary, that adequate private open space is retained within the curtilage of the building.

38. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revoking or re-enacting that Order with or without modifications, no demolition of buildings or boundary walls, fences or other means of enclosure shall take place without the prior written consent of the local planning authority.

REASON: To enable the local planning authority to control the development and so safeguard the character and visual amenities of the development.

39. Prior to the commencement of each phase or sub-phase of the development full details of earthworks and site levels shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the development takes the form agreed by the local planning authority and thus results in a satisfactory form of development.

40. In so far as this decision grants full permission for the area edged blue on the Application Boundary Plan - Define Drawing Reference DE096.008 Rev D, the development shall be carried out only in accordance with the details and specifications included in the submitted application as amended by revised drawings received by the local planning authority on the 24th January 2019 unless otherwise agreed in writing by the local planning authority. The approved drawings are as follows:

Drawing Title		Drawing Reference
1. Junctions 1 and 2 A6 Site Access		LWL/600/002 Rev D28
2. On Site Access Drawings:		
(i)	General Arrangement Sheet 1	ADC-1684-DR-101 Rev P5
(ii)	General Arrangement Sheet 2	ADC-1684-DR-102 Rev P4
(iii)	General Arrangement Sheet 3	ADC-1684-DR-103 Rev P5
(iv)	General Arrangement Sheet 4	ADC-1684-DR-104 Rev P4
(v)	General Arrangement Sheet 5	ADC-1684-DR-105 Rev P5
(vi)	General Arrangement Sheet 6	ADC-1684-DR-106 Rev P5
3. Barwood Homes Detailed Proposals		
(i)	Proposed Site Layout	2930-01 Rev AF
(ii)	Parcel Information Drawing	2930-03 Rev K
(iii)	Phase 1 Housetypes Key Plan	2930-06 Rev E
(iv)	Phase 1 Materials Plan	2930-07 Rev A
(v)	Phase 1 Boundary Treatments Plan	2930-08 Rev A
(vi)	Phase 1 Hard Landscaping Plan	2930-09 Rev A
(vii)	Bournville Housetype	2930-101 Rev B
(viii)	Unwin Housetype	2930-102 Rev C
(ix)	Barnett Housetype	2930-104 Rev A
(x)	Earswick Housetype	2930-105 Rev C
(xi)	Earswick + Housetype	2930-106 Rev B
(xii)	Harbourne Housetype	2930-107 Rev B
(xiii)	Harbourne + Housetype	2930-108 Rev B
(xiv)	Brentham Housetype	2930-109 Rev B
(xv)	Hampstead Housetype	2930-110 Rev B
(xvi)	Hampstead + Housetype	2930-111 Rev B
(xvii)	Cadbury Housetype	2930-112 Rev B
(xviii)	Edwin Housetype	2930-113 Rev B
(xix)	Lutyens Housetype	2930-114 Rev B
(xx)	Howard Housetype	2930-115 Rev B
(xxi)	Rowntree Housetype	2930-116 Rev B
(xxii)	Letchworth Housetype	2930-117 Rev B
(xxiii)	Swithland Housetype	2930-118 Rev B
(xxiv)	Swithland + Housetype	2930-119 Rev B
(xxv)	Welwyn Housetype	2930-120 Rev B
(xxvi)	Welwyn + Housetype	2930-121 Rev B
(xxvii)	Rothley Housetype	2930-122 Rev B
(xxviii)	Kingston Housetype	2930-123 Rev B
(xxix)	Proposed Garages	2930-124

4. Davidsons Homes Detailed Proposals		
(i)	Planning Layout	1070-100 Rev P09
(ii)	Materials Plan	1070-200 Rev P05
(iii)	Boundary Treatment Plan	1070-800 Rev P04
(iv)	House Types	DH205 RE-2 (AS)

		DH205 RE-2 (OP) DH205 RI-2 (OP) DH302 RE-3 (AS) DH302 RE-3 (OP) DH313 RD-2 (AS) DH313 RD-2 (OP) Rev A DH314 RDB-3 (AS) Rev A DH314 RDB-2 (OP) DH330 V-3 (AS) DH343 B-2 <i>and</i> DH344 B-2 (AS and OP) DH343 B-3 <i>and</i> DH346 B-3 Rear Elevation and Floor Plan (AS and OP) Rev A DH343 B-3 <i>and</i> DH346 B-3 Front and Side Elevations (AS and OP) Rev A DH380 BN-3 <i>and</i> DH381 BN-3 <i>and</i> DH382 BN-3 (AS) Rev A DH380 BN-3 <i>and</i> DH381 BN-3 <i>and</i> DH382 BN-3 (OP) Rev A DH404 V-2 (OP) DH412 R-3 (AS) DH412 R-3 (OP) DH413 W-3 (AS) Rev A DH413 B-3 (AS) DH413 B-3 (OP) DH418 W-2 (OP) DH422 R-3 (AS) DH424 S-2 (AS) DH430 W-3 (AS) DH430 W-3 (OP) DH431 B-3 (AS) DH431 B-3 (OP) DH432 T-2 (AS) DH432 T-2 (OP) DH450 BN-3 (AS) DH450 BN-3 (OP) DH451 BR-3 (OP) DH451 BR-3 (AS) DH460 W-3 (AS) DH460 W-3 (OP) DH507 BN-2 (AS) DH509 V-3 (AS) DH509 V-3 (OP) DH522 S-2 (OP)
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		DH531 W-2 (AS) DH531 W-2 (OP) DH532 V-3 (OP) Garages and Enclosures Sheets 1 (Rev A) and 2
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5. Northern Boulevard Gatehouses		
(i)	Elevations Sheet 1	BMP-FEA-BI-XX-DE-A-3701 Rev P2
(ii)	Elevations Sheet 2	
(iii)	Gatehouse – Proposed Plans	BMP-FEA-BI-XX-DE-A-3702 Rev P2
(iv)	Gatehouse – Context Elevation	BMP-FEA-BI-XX-DP-A-2200 Rev P2 BMP-FEA-SI-XX-DE-A-3459 Rev P2
6. Foxfield Park Pavilion		
(ii)	Elevations	BMP-FEA-S3-XX-DE-A-3700 Rev P4
(ii)	Floor Plans	BMP-FEA-SI-ZZ-DP-A-2200 Rev P3
7. Green Infrastructure and Landscaping		
(i)	Landscape Infrastructure (1 of 5)	0638.010 Rev K
(ii)	Landscape Infrastructure (2 of 5)	0638.011 Rev Q
(iii)	Landscape Infrastructure (3 of 5)	0638.012 Rev J
(iv)	Landscape Infrastructure (4 of 5)	0638.013 Rev F
(v)	Landscape Infrastructure (5 of 5)	0638.014 Rev H
(vi)	Woodland Planting Matrix	0638.025 Rev D
(vii)	Sections through SuDs	0638.043 Rev A
(viii)	Davidsons Housing Area: Plot Soft Landscaping (two drawings)	0638.015 a) and b) Rev L
(ix)	Barwood Housing Area: Plot Soft Landscaping (two drawings)	0638.017 Rev F and 0638.019 Rev E
(x)	Landscape Types	0638.045 Rev H
(xi)	Landscape and Biodiversity Management Zones	0638.052 Rev B

REASON: To ensure that the scheme takes the form agreed by the local planning authority and thus results in a satisfactory form of development and in the interest of the character and appearance of the area.

41. The landscaping schemes approved under Condition No.40 shall be fully completed in accordance with the details agreed under that 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 ensure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

42. No construction above damp proof level shall be commenced until such time as details of the type, texture and colour of the materials including make and manufacturer to be used on the external surfaces of the proposed development 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 ensure that the appearance of the completed development is satisfactory.

43. No dwelling shall be occupied until such time as details of the way in which the children's play areas are to be laid out and landscaped including details of boundary treatment and any structures to be erected and a programme of implementation have been submitted to and agreed in writing by the local planning authority. The play areas shall be provided in accordance with the approved details and programme.

REASON: To ensure such areas are properly laid out and landscaped in the interests of general amenity.

44. Other than site enabling works, no development shall begin on site until such time as full details of the way in which foul sewage and surface water are to be disposed of from the site have been submitted to and agreed in writing by the local planning authority.

REASON: To ensure that the site can be drained in a satisfactory way.

45. No dwelling or building shall be occupied or used until such drainage works as are needed for that dwelling or building have been completed in accordance with the details agreed under Condition No. 44.

REASON: To ensure that the drainage works are completed in a satisfactory way.

46. The car parking and any turning facilities shown serving each dwelling including any associated visitor parking shall be provided, hard surfaced and made available for use before the dwelling is occupied and shall thereafter be permanently so maintained.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems.

47. Before first occupation of any dwelling, its access drive and any turning space shall be surfaced with a hard bound material (not loose aggregate) for a distance of a least 5 metres behind the highway boundary and shall be so maintained at all times.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.).

48. Prior to the occupation of any dwelling full details of the allotments and maintenance depot/recycling area shown on approved Drawing Reference 0638.011 Rev Q shall be submitted to and approved by the Local Planning Authority. The submitted scheme shall include details of:

- proposed buildings, storage areas and infrastructure;
- surfacing and boundary treatments;
- a programme for implementation;

The scheme shall be implemented in accordance with the approved details.

REASON: To ensure the development takes the form agreed by the local planning authority and thus result in a satisfactory form of development.

49. Prior to the occupation of the first dwelling the following details will be submitted to and approved in writing by the local planning authority following consultation with Sport England:

- a detailed assessment of ground conditions (including drainage and topography) of the areas identified on approved Landscape Infrastructure Drawings References 0638.010 Rev K and 0638.011 Rev Q for playing pitches which identifies any constraints which could adversely affect playing field quality;
- a detailed Scheme for the establishment of the playing pitches which also addresses any constraints identified by the assessment carried out under (i) above. The scheme shall include a Written Specification of the proposed soil structure, proposed drainage, cultivation and other operations consistent with the standards and methodologies set out in the Technical Guidance Note "Natural Turf for Sport" (Sport England 2011) and the design guidance of the relevant National Governing Bodies for Sport;
- a phased programme of implementation;
- a Schedule of playing field maintenance allied to the programme of implementation and for a minimum period of five years in relation to each phase.

The approved Scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the approved Schedule and made available for playing field use in accordance with the approved Scheme.

REASON: To ensure that the playing fields are designed, established and maintained

to the appropriate standard and are fit for purpose.

The requirements of these conditions must be complied with.

Note:-

A fee is payable where a written request is made for written confirmation that one or more conditions imposed on the same planning permission have been complied with.

Please visit our website for more information.

<http://www.charnwood.gov.uk/pages/planapps>

The following notes should be taken into account when carrying out the development

1. DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS3, CS9, CS11, CS12, CS13, CS14, CS15, CS16, CS17, CS18, CS23, CS24 and CS25 of the Charnwood Local Plan (2011-2028) Core Strategy and Policies ST/2, EV/1, CT/1, CT/2 and TR/18 of the Borough of Charnwood Local Plan and the relevant provisions of the Thurstaston and Cropston Neighbourhood Plan have been taken into account in the determination of this application. The proposed development complies with the requirements of these policies and there are no other material considerations which are of significant weight in reaching a decision on this application.
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 'Leading in Design' and, therefore, no harm would arise such as to warrant refusal of planning permission.
3. Discussion was undertaken with the applicant to seek an acceptable solution in making this decision. The Local Planning Authority has therefore acted pro-actively 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.
4. The highway mitigation works associated with this consent involves works within the public highway, which is land over which you have no control. Highways England therefore requires you to enter into a suitable legal Section 278 agreement to cover the design check, construction and supervision of the works. Contact should be made with the Highways England Section 278 Business Manager David Steventon to discuss these matters on david.steventon@highwaysengland.co.uk.
5. The applicant should be made aware that any works undertaken to Highways England network are carried out under the Network Occupancy Management policy, in accordance with Highways England procedures, which currently requires notification/booking 3 months prior to the proposed start date.

Exemptions to these bookings can be made, but only if valid reasons can be given to prove they will not affect journey time reliability and safety. The contact email for these matters is Area7networkoccupancy@highwaysengland.co.uk

6. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations. Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change storm events.
7. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
8. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual householder ownership
9. The applicant is advised that the definition of development and enabling works sits within the associated S106 Agreement but the preparation of the site (other than engineering works) and the installation of security fences and signs would not be development.
10. Transition zones relate to communal areas of landscaping, hedgerows, site footpath and cycle ways between the development plots.



Richard Bennett
Head of Planning and Regeneration

27 January 2023

NOTES:

This notice grants outline planning permission only. A separate application will be needed for any matters reserved in this outline permission.

You can appeal to the Secretary of State for Communities and Local Government (SoSCLG) against our decision to include conditions on this permission. You must appeal within six months of the date of this notice, using a form which you can get from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN. Telephone: 0303 444 5000, website: <https://www.gov.uk/planning-inspectorate>

The SoSCLG can allow a longer period for making an appeal, but he will not normally do so unless there are special circumstances to justify any delay.

The SoSCLG need not consider an appeal if it seems to him that we could not have granted planning permission for the proposed development without the conditions we have imposed, having regard to planning law, to the provisions of any development order and to any directions given under a development order. In practice, the SoSCLG does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either we or the Secretary of State grants permission conditionally, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Access and provision for disabled persons.

If your proposal involves shops, offices, factories, educational buildings & buildings to which the public are to be admitted, you should check the requirements of the Chronically Sick & Disabled Persons Act 1970 (Sections 4,7,8 and 8A) requiring the provision of access facilities, car parking and toilets for the disabled and the provision of signing indicating what provision has been made for Disabled persons within the building. You should also check the Code of Practice B.S. 5810 : 1979, "Access for the Disabled to Buildings" available from the British Standards Institution, 2, Park Street, London, W1A 2BS and (in so far as educational buildings are concerned), to Design Note 18" Access for the Disabled to Education Buildings".

Access for fire brigade.

Where you make an application for approval under the Building Regulations for the erection or extension of a building, the Council will have to reject the plans unless, after consulting the Fire Brigade, they are satisfied that the plans show:

- (a) that there will be adequate means of access for the Fire Brigade; and
- (b) that the proposed works will not make inadequate any existing means of access for the Fire Brigade to a neighbouring building.

Notes for Outline Grant Conditional Permission 0212