

Reserved Matters Application

Grant Conditionally

Davidsons Developments
207 Wilson House,
Leicester Road
Ibstock
Leicestershire
LE67 6HP



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

Details of Application

APPLICATION NO: P/23/0499/2
Reserved matters application for 107 dwellings and associated infrastructure at Parcel 1, including discharge of condition 16 iii (housing mix), 16 iv (site wide affordable housing strategy) and condition 17 (programme of reserved matters) (P/22/0333/2 relates)

PROPOSAL:

LOCATION: Broadnook, Land North of Birstall, Leicestershire, Birstall,

APPLICANT: Davidsons Developments

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, hereby permitted, shall be begun not later than 2 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 approved plans listed in schedule 1.

REASON: To provide certainty and define the terms of the permission.

3. The development hereby permitted shall not be occupied until such time as the parking (and turning facilities) have been implemented in accordance with Highways Layout Sheet 1 of 2, Drawing 6010_101 Rev P03. Thereafter the onsite parking (and turning) provision shall be kept available for such use(s) in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

4. No dwelling shall be occupied until surface water drainage to serve that dwelling, which accords with the surface water drainage scheme for the phase has been completed and made available.

REASON: To ensure there is no risk of flooding within the development or surrounding areas as a result of approved drainage detail not being implemented in a timely manner and to ensure compliance with policies CS16 and CS20 of the Core Strategy and emerging Local Plan Policy LUA3.

5. Prior to commencement of works above slab level, and notwithstanding the provisions of Private Drainage and External Works (E6000-ENG-1350B, 1351A and 1352A) details of retaining walls are to be submitted to and agreed in writing by the Local Planning Authority. The agreed details are to be implemented in accordance with the approved details prior to occupation of the associated plot.

REASON: To ensure that suitable retaining walls are provided in keeping with the design and layout of the site in accordance with Core Strategy Policy CS20 and LUA3 of the emerging Local Plan.

6. Prior to commencement of works above slab level, and notwithstanding the provisions of Solar Panel & EV Plan (6010_103 Rev P01), details of roof integrated solar PV are to be submitted and agreed in writing by the Local Planning Authority. The agreed details shall be in broad accordance with the locations indicated in Solar Panel & EV Plan (6010_103 Rev P01) and implemented in accordance with the approved details prior to occupation of the associated plot.

REASON: To ensure that suitable solar PV is provided in keeping with the design and layout of the site in accordance with Core Strategy Policy CS20 and LUA3 of the emerging Local Plan.

7. Prior to commencement of works above slab level, details of lighting for shared drives shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details are to be implemented in accordance with the approved details prior to occupation of the associated plots.

REASON: To ensure that suitable external lighting is provided in keeping with the design and layout of the site in accordance with Core Strategy Policy CS20 and LUA3 of the emerging Local Plan.

8. The Bin Collection Points shall be laid out in accordance with approved plan referenced Planning Layout 6010_100 Rev P04 and made available prior to occupation of the associated plot. The Bin Collection Point shall be retained and made and permanent available in perpetuity.

REASON: To ensure that adequate space is provided to reduce the possibility of the bins restricting access in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

9. Notwithstanding the approved plans, all first-floor side facing windows serving bathrooms, WC or en-suites are to be obscure glazed and maintained as such in perpetuity.

REASON: To ensure that there is no overlooking of adjacent gardens in the interest of ensuring good standards of amenity for future occupiers in accordance with Core Strategy Policy CS2 of the development plan and emerging Local Plan policy DS5.

10. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Core Strategy Policies CS2 and CS11 and emerging Local Plan Policy EV7.

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. The Local Planning Authority acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. This approval should be read in conjunction with hybrid permission Ref. No. P/22/0333/2 dated 27/01/2023 of which it forms a part. The conditions on that outline planning permission remain in place and must be complied with.



Richard Bennett
Head of Planning and Regeneration

20 October 2023

NOTES: This notice grants approval only, it does not allow the demolition or work to a listed building, for which separate consent is needed. If you are carrying out building work, you should check whether you need approval under the Building Regulations. Tel: 01509 634924 / 634757 or Email: building.control@charnwood.gov.uk

If you are carrying out works on highway land, you should check whether you need the approval of Leicestershire County Council. Tel: 0116 232 3232 or Email: information@leics.gov.uk You are also advised to check whether any restrictive covenants apply to the application site.

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 for Communities and Local Government (DCLG) grants approval 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 approved.

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 reserved matters Grant conditionally 0212