

Item No. 4

Application Reference Number P/16/0987/2

Application Type: Full Planning Permission
Applicant: The Sisters of St Joseph of Peace & DCS 452 Ltd
Proposal: Conversion of nunnery to 8 dwellings, erection of 3 bungalows, 5 houses and associated access, parking and landscaping
Location: Sacred Heart Convent, 61 Station Road, Rearsby
Leicestershire
Parish: Rearsby
Case Officer: Karen Brightman **Tel :** 01509 632520

This application has been brought to Plans Committee for consideration as part of the site lies outside the settlement boundary for Rearsby as defined in Policy ST/2 and therefore is in part contrary to adopted development plan policy.

Site Location and Description

The site is approximately 5.73 Ha in size and lies to the north and west of the village of Rearsby. The site is currently occupied by a substantial and attractive convent building which includes living quarters, a chapel and communal areas. The convent is accessed via a long tree lined driveway from Station Road. The building itself is set within mature gardens which include a number of significant trees, some of which are protected by a Tree Preservation Order and walled formal elements to the south and east. The level of land drops to the north meaning that the convent and its gardens are visible from viewpoints in the surrounding countryside. A public footpath passes through the eastern portion of the site, running north to south. This passes through an open green area known locally as “the conker field”.

Surrounding land uses are as follows:

Boundary	Adjacent land use
North	Open countryside and railway line
South	Residential
East	Station Road and residential
West	Open Countryside

The application seeks full planning permission for the following elements:

- Conversion of the convent building into 8 residential units. The building would be vertically divided allowing its architectural integrity to remain intact. The largest unit, (Unit 1), would occupy the main three storey element of the convent and provide a seven bedroom property with a gym. The other units range from 2 – 4 bedrooms and, with the exception of unit 2, are all single or two storey in height.

The existing chapel, which was a more recent addition, is proposed for demolition. It should be noted that this is not a community chapel but an area used for prayer by the nuns and is used in association with and ancillary to the convent and is not therefore considered a community facility. This demolition would mean that units 5,6,7 and 8 become detached from the main building.

- The erection of 5 detached houses. Units 1- 3 would be set within the existing walled/formal garden area and are 5 bedroom properties with integral garaging. Plot 7 is again a 5 bedroom detached house and would be located to the north of the access drive a short distance from the convent building. Plot 8 is proposed to be located close to the entrance to the site and directly adjoining an existing pair of detached properties, (63 and 65 Station Road). It is also a detached 5 bedroom property.
- The erection of 3 two bedroom bungalows. These are grouped together and would be served by a new access drive which also provides separate access to the existing burial ground.
- A new access drive which leads from the main drive to the burial ground. This would allow former nuns to visit the burial ground without having to pass through the main part of the grounds. Plots 4,5,6 and 8 would also be accessed via this new drive.
- A small parking area to serve the burial ground.
- Demolition of the existing chapel and two small ancillary buildings within the visitor car parking area.
- Retention of the formal gardens to the north for use by residents. Small areas of these may be partitioned off using low railings but the open setting would be retained.
- The retention of the “conker field” area as open land and its possible transfer to the Parish Council to maintain as a linear open space and footpath.

The following documents are included with the application:

- Application Forms
- Proposed Site Plan RevisionL
- Proposed house types - floor plans and elevations
- Local Context Plan
- Heritage Statement
- Ecological Appraisal and Protected Species Survey
- Bat Survey Report
- Landscape Baseline Report
- Tree and Landscape Management Plan

- Planning Statement
- Design and Access Statement
- Arboricultural Survey Report and Method Statement
- Flood Risk Assessment
- Transport Assessment
- Viability Appraisal

The following is a summary of key points relating to the proposal:

- Plots 4,5,6,7 and 8 are outside limits to development defined in the Local Plan.
- The convent building is locally listed and the site is within an archaeological alert area
- Many of the trees are protected by TPO's
- No affordable housing is proposed due to the financial constraints of the convent conversion, although the mix includes smaller units and 3 bungalows. A commuted sum has been proposed in lieu of this.
- S106 monies have been requested in lieu of affordable housing and an agreement to ensure the retention of the Conker Field and its possible transfer to the Parish Council would be required
- The site lies in flood zone 1
- Bat roosts have been identified in the buildings and mitigation measures are needed.

Development Plan Policies

Charnwood Local Plan Core Strategy 2006- 2028 (Adopted 9th November 2015)

Policy CS1 – Development Strategy sets out the development strategy and directions of growth for the borough. In respect of “Other Settlements”, which include Rearsby, the plan makes provision for at least 500 new homes within settlement boundaries between 2011 and 2028. Currently there are completions, commitments and strategic sites amounting to 887 new homes. Additionally the policy states that local social and economic need for development in other settlements will also be met by:

- responding positively to small-scale opportunities within defined limits to development;
- responding positively to affordable housing developments in accordance with Policy CS3;
- safeguarding services and facilities; and
- responding positively to development which contributes to local priorities as identified in Neighbourhood Plans.

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; protect the amenity of people who live or work

nearby, provide attractive well managed public and private spaces; well defined and legible streets and spaces and reduce their impact on climate change.

Policy CS3 – Strategic Housing Needs seeks to secure an appropriate mix of types, tenures and size of home having regard to identified housing needs and the character of the area.

Policy CS11 – Landscape and Countryside seeks to protect the character of the landscape and countryside. It requires new development to protect landscape character, tranquillity and to maintain separate identities of settlements and supports rural communities by allowing housing development for local needs in accordance with Policy CS3

Policy CS13 – Biodiversity and Geodiversity seeks to conserve and enhance the natural environment and to ensure development takes into account impact on recognised features.

Policy CS14 – Heritage seeks to conserve and enhance historic assets. It supports proposals which protect heritage assets and their setting and which prioritise refurbishment and re use of underused buildings as part of sensitive regeneration schemes.

Policy CS15 – Open Spaces, Sport and Recreation deals with open space needs and requires new development to meet the standards in the Open Space Strategy. It also supports the retention of open space facilities and development which contributes to open space and recreational provision.

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

Policy CS17 - Sustainable Transport seeks a 6% shift from travel by private car to sustainable modes by requiring major developments to provide access to key facilities by safe and well-lit routes for walking and cycling that are integrated with the wider green infrastructure network and by securing new and enhanced bus services where new development is more than 400m walk from an existing bus stop.

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 12th 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 seeks to restrict development to within the existing Limits to Development boundaries of existing settlements to ensure that development needs can be met without harm to the countryside or other rural interests.

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 CT/1 - General Principles for Areas of the Countryside, Green Wedge and Local Separation. This policy restricts new development to that which is small-scale and where it meets one or more of 4 criteria, including: being essential for the operation of agriculture, facilitate diversification of rural economy, improve facilities for recreation, implement strategically important schemes such as for infrastructure.

Policy CT/2 – sets out the principle that development will be acceptable in countryside where it would not harm the character and appearance of the countryside and provided it can safeguard its historic, nature conservation, amenity, and other local interest.

Policy TR/18 - Parking in New Development - This seeks to set the maximum standards by which development should provide for off street car parking.

Material considerations

The National Planning Policy Framework

Whilst all proposals must be determined in accordance with the development plan The National Planning Policy Framework, (The Framework), is a material consideration in planning decisions. The Framework contains a presumption in favour of sustainable development and defines 3 roles a development must fulfil in order to be sustainable:

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

In addition the Framework offers the following advice that is particularly relevant to the consideration of this proposal:

- Paragraph 17 sets out general principles.

- Paragraph 49 states that all housing applications should be considered in the context of the presumption in favour of sustainability and that housing supply policies are out of date unless a 5 year supply can be demonstrated.
- Paragraph 50 seeks to secure a housing mix that meets the needs of the whole community.
- Paragraph 51 advises that empty homes and buildings should be brought back into residential use.
- Paragraph 58 lists a set of criteria that all development should seek to achieve, in order to ensure good design.
- Paragraph 66 states that applicants should work with local communities and that proposals that demonstrate this should be viewed more favourably.
- Paragraph 70 states that decisions should guard against the loss of valued facilities.
- Paragraph 75 advises that public rights of way should be protected and enhanced.
- Paragraph 109 seeks to minimise impacts on biodiversity and paragraph 118 states how this may be achieved in decision making.
- Paragraph 131 states that in determining applications the desirability of sustaining and enhancing heritage assets and putting them to viable use should be considered.
- Paragraph 135 advises that the effect of an application on the significance of a non designated heritage asset should be taken into account and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.
- Paragraph 140 says that authorities should consider whether the benefits of a proposal for enabling development, which would otherwise conflict with policies but which would secure retention of the asset, outweighs the disbenefits of departing from those policies.

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.

Leading in Design Supplementary Planning Document February 2006

This document encourages and provides guidance on achieving high quality design in new development.

Appendix 4 sets out spacing standards for new housing developments to ensure that overlooking and over dominance do not occur and that a good quality design is achieved.

Housing Supplementary Planning Document (May 2017)

This document suggests affordable housing is provided for sites of 11 units or more at a rate of 40% of the number of units. It aims to provide housing mix in line with Housing and Economic Development Needs Assessment (HEDNA). The SPD is currently subject to judicial review but is considered to carry full weight as no decision has yet been made.

Housing and Economic Development Needs Assessment (HEDNA)

HEDNA provides an up to date evidence base of local housing needs including 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. Whilst Objectively Assessed Need figure remains untested in a plan making environment and is therefore not to be relied upon at the current time, the housing mix evidence can be accorded significant weight as it reflects known demographic changes.

Building For Life

Is a national document which sets out criteria for assessing the quality of design that a proposal achieves.

Rearsby Village Design Statement (2002)

This document, prepared by residents, sets out guidelines for development within the village. These guidelines include advice that large scale development at the boundaries to the village which adversely affects the rural character of the four main approach routes should be avoided.

Rearsby Conservation Area Appraisal (July 2010)

This document examines the historical development of the Conservation Area and describes its present appearance in order to assess its special interest. It is intended to inform planning proposals and decisions within the area.

Rearsby Neighbourhood Plan

This document is in its formative stages and has recently been subject to an initial round of public consultation. It identifies the site as a housing site and proposes alterations to the settlement boundary to accommodate this. It shows the linear open space of the

conker field as a recreational facility. There were no specific objections raised with regard to the sites inclusion within the consultation.

The Community Infrastructure Levy (CIL) Regulations 2010 (As amended)

The Community Infrastructure Levy places the Government’s policy tests on the use of planning obligations into law. It is unlawful for a planning obligation to be a reason for granting planning permission when determining a planning application for a development, or part of a development, that is capable of being charged CIL, whether or not there is a local CIL in operation, if the obligation does not meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Environmental Impact Assessment Regulations

The development has been considered in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and it has been concluded that this is a proposal that would not be likely to have significant effects on the environment, within the meaning of the Regulations, given the scale and type of development. Accordingly the planning application for this development does not need to be accompanied by an Environmental Statement.

Relevant Planning History

There is little history of relevance although the following applications relate to the convent:

Ref.	Description	Decision	Date
P/99/0230/2	Erection of single storey extension to provide seven bedrooms, office prayer room and sitting room.	Approved	Mar 1999
P/01/1392/2	Single storey extension to rear of convent	Approved	Jul 2001

Responses of Statutory Consultees

The table below sets out a summary of the responses received from Statutory Consultees. The responses can be read in full on Charnwood’s website.

Response from	Comments
Rearsby Parish Council	The Parish Council do not object to the proposal on the condition that the “conker field” and spinney are retained

Response from	Comments
	as public open space. The Parish Council are prepared to take ownership of this land and to maintain it.
Severn Trent	No objection subject to the imposition of planning conditions relating to details of surface and foul water drainage being provided.
Leicestershire County Council (Education)	No educational contribution is sought as all sectors of local education currently have a surplus of spaces.
Leicestershire County Council (Civic Amenity)	No civic amenity contribution is sought as the nearest site at Mountsorrel is able to meet the demands of the proposal.
Environmental Health	No objection to the proposal on environmental health grounds
Leicestershire County Council (Rights of Way)	Do not object to the proposal providing there are no changes to existing boundary treatments, planting does not overhang and there is no danger to users during construction.
Leicestershire County Council (Libraries)	No contribution is sought as East Goscote library currently exceeds upper threshold in terms of standards for stock and will not be affected by the proposed development.
Leicestershire County Council (Highways)	Consider that the residual cumulative impacts of the development can be mitigated and are not considered severe. Conditions are suggested to ensure that the access is built in accordance with the plans and to deal with construction traffic.
Leicestershire County Council (Lead Local Flood Authority)	Does not object to the application subject to the attachment of conditions.
Environment Agency	Do not comment on the application as it is not considered to be high risk.

Other comments received

2 letters of objection have been received from local residents. These are as follows:

- 65 Station Road – The occupant objects to the design and siting of plot 8 due to concerns relating to nearby trees, harm to the landscape and drainage.
- 67 Station Road – objects to the application on the grounds of increased use and changes to the access, lack of detail regarding bin storage, drainage, loss of trees and precedent.

The responses can be read in full on Charnwood's website.

Consideration of the Planning Issues

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

- Principle of Development
- Impact on the landscape and the character of the area
- Design Quality
- Impact on amenity of adjacent properties
- Highway Safety and the capacity of the surrounding road network
- Impact on biodiversity and protected species
- Impact on trees
- Impact on heritage assets
- Impact on infrastructure
- Open Space
- Affordable Housing
- Drainage
- The Planning Balance.

Principle of Development

All planning applications must be decided in accordance with the development plan unless material considerations indicate otherwise. Policies CS1 and ST/2 are the development plan policies which define the strategy for housing growth.

Policies for the supply of housing are regarded as being out of date if there is no 5 year supply of housing land. In such circumstances the presumption in favour of development in paragraph 14 of the Framework is engaged. At present, the Council does have a 5 year supply of housing land meaning that the weight given to CS1 and ST/2 is not reduced by virtue of this.

Policy CS 1 sets out a settlement hierarchy for the Borough and the criteria for considering proposals within individual tiers of settlements. It defines Rearsby as being an “other settlement”. CS1 suggests that at least 500 new homes should be provided within the “other settlements”, (of which Rearsby is 1 of 12). This figure has already been exceeded, (Figure 1 of the Core Strategy shows 887 houses had already been built or committed in locations outside of the Leicester Principal Urban Area, Loughborough, Shepshed and the Service Centres). Whilst this suggests the “other settlements” have already provided more than the amount of housing needed within them to meet planned provision it should be noted that the figure of 500 is not a cap.

The Development Strategy set out in Policy CS1 seeks to respond positively to small-scale development proposals within settlement boundaries for “Other Settlements” which contribute towards meeting local social and economic needs. It also seeks to support proposals for affordable housing, those which safeguard services and facilities and those

which respond positively to priorities identified in neighbourhood plans. Addressing these in turn:

- **Small scale within Limits.** Whilst the development exceeds 10 units in total, and therefore meets the statutory definition of a major housing development, it is not of a large scale. Half of the units result from the conversion of an existing residential institution and the amount of new build is relatively low. Limits to development have yet to be updated by way of accompanying documents to the Core Strategy but it is not likely that they will be substantially varied for the village given that this is not required to meet the growth target for this tier of settlements set out in CS1. In this respect the proposal must be considered to be partly contrary to policies CS1 and ST/2 as 4 of the plots lie outside the settlement boundary in the countryside.
- **Affordable Housing.** The proposal does not provide any affordable housing for which there is a need on a Borough wide basis. However, this would be difficult to achieve economically at the same time as safeguarding the semi-rural parkland setting. The applicants have undertaken to provide a commuted payment in lieu of onsite provision in recognition of this.
- **Local Services.** There is no evidence the proposal is needed to retain local services but the proposal would secure the retention and long term management of the “conker field” which is a local green asset.
- **Neighbourhood Plans.** There is no neighbourhood plan adopted for the village as yet. However, a draft has have been prepared which shows the site as a possible site for housing, defines the conker field as a linear open space and suggests amendments to limits to development to include the site. Whilst this can be given limited weight at present it is nevertheless a material consideration.

Given the site’s location, straddling the settlement boundary, it is also important to consider how it relates to the village and how sustainable a location it is overall.

The site itself lies on the edge of the village and the table below shows the approximate distance between a range of everyday facilities and the site with an indication of whether these are within the village or not:

Facility	Distance (Km)	In Village?	Notes
Primary school	0.7	Yes	St Michael & All Angels Cof E
Church	0.6	Yes	St Michaels & All Angels
Community Hall	0.6	Yes	
Secondary School	3.2	No - Syston	Wreake Valley (11-18)

Local Shops	1.5	No – East Goscote	
Supermarket	3.5	No - Syston	
GP (single practitioner)	1.5	No – East Goscote	Larger practice in syston
Larger centre (Leicester)	11	No	
Bus Stop	0.8	Yes	Half hourly service between Melton and Leicester Mon - Sat. No services Sunday.
Railway Station	4	No - Syston	

This snapshot suggests that the site is within reasonable distance of the relatively limited facilities within the village and that there is a wider range of provision in nearby East Goscote. Distances to some facilities within the village would also be shortened considerably with the inclusion of the proposed footpath link to Church Leys. Public transport links to larger centres are reasonably good and it must be acknowledged that this would allow residents some alternative to car travel. Whilst there are more sustainable locations in other villages in the Borough the site relates reasonably well to Rearsby itself and could not be held to be in an isolated unsustainable location.

In summary the proposal complies in part with CS1 and its counterpart ST/2. It fails to comply in full because an area of the site, (5 units), fall outside limits to development within the countryside where housing development is ordinarily strictly controlled contrary to Policy CT/1 and CT2. This needs to be weighed within the planning balance as a negative but the weight that should be given to this incompatibility should be tempered by the proposals compliance with other elements of CS1, the scale of the new build element and the proposals in the emerging neighbourhood plan . It nevertheless remains significant given that planned provision has already been met.

Impact on the landscape and the character of the area

Policies CS2, CS11 and EV/1 require development to respect the character of the area and protect landscape character and countryside.

The Charnwood Landscape Character Assessment places the site within the Wreake Valley Character area. Within this area the guidelines favour the conservation and enhancement of the “tranquil and self contained rural area east of Broome Lane”. Emphasis is also placed on the need to preserve the openness of the Wreake Valley and to enhance tree planting to soften the edges of larger settlements.

The proposal lies within the area to the east of Broome Lane but, as it includes retention and management of the existing well-treed setting, it is not considered that it would have an adverse landscape impact. New build elements of the proposal have been carefully placed within this existing setting and also make use of the contours of the land and

existing buildings to minimise impact. This form, combined with the scale of the development, means that the self contained tranquil character of the area will not be harmed nor the openness of the Wreake valley lost.

At a more localised landscape level the extensive tree cover on the site, the locally listed building associated gardens to the north and the mature boundary treatments, including the conker field, are all an important part of the sites setting. This is recognised in the landscape baseline report. These factors directly contribute to the character of the immediate area. The proposals retain these features and as a result would not have an adverse impact on the local character of the area.

The table below gives a short plot by plot appraisal of the landscape and visual impacts of the new build dwellings and the access drive to the burial ground:

Plot/s	Notes
1 - 3	These plots are within limits to development and sit within the existing walled garden. This garden area does not form a key part of the convents' setting as it is separated from the main building by hard landscaped elements and because it is of lower visual quality than the more open gardens to the north and west. Views from the adjacent footpath would be screened by the existing wall which would remain.
4 - 6	These plots fall outside limits to development. They would be located on a paddock area to the north of the existing access drive. Due to ancillary buildings, topography and landscaping this area does not form part of the setting to the convent itself. In terms of visual impact this is one of the least sensitive areas of the site as it is located close to existing buildings and away from the important landscape elements identified above. Added to this all three dwellings are bungalows which reduces their height and impact considerably.
7	This plot is outside limits to development. It is located within a paddock area to the north of the access drive but close to the existing convent buildings and structures. As it would read against the backdrop of these existing buildings visual impact would be reduced.
8	This plot is located outside limits to development in a field adjacent to 63 Station Road. Whilst it is the most remote from the existing buildings it lies adjacent to an existing two storey property and reflects the scale and proportions of this. As with plots 4-6 this is one of the least sensitive areas of the site as as it located close to

	existing buildings and away from important landscape elements identified above.
Access drive to burial ground	The access drive lies outside limits to development. Hard landscaping would be kept to a minimum and comprise of the access driveway and parking to the properties. No footpath is proposed with the access driveway being a shared surface. This shared access will incorporate permeable paving & ‘soft edge smaller kerbing’ . The low key treatment of the access would be essential to minimise impact and a condition requiring its precise details is suggested.

The proposal is considered to relate sensitively to the wider landscape character of the area and to have a minimal impact on the more immediate character of the locality due to the retention of vital landscaping and the retention of vital landscape features.

The application includes a Landscape and Visual Assessment (LVA) which sets out perceived impacts on the surrounding landscape (as above) and its visual impact. The LVA examines visual impact on the surrounding area from 12 viewpoints. These points can be grouped into key areas which are summarised and discussed in the table below:

View	Comments
Local Views from the footpath and surrounding roads	Views into the developed part of the site are heavily filtered by vegetation from the immediate area. Glimpses of the five properties proposed on the south side of the access road would be possible from near to the access itself but the buildings would not be prominent and views of them would be experienced against the backdrop of the existing settlement. From the footpath that passes through the site glimpses through tree cover of plots 5 – 8 would be possible but relatively limited. Plots 1-3 would be closer and again visible. However, they would be partly screened by the wall and viewed against the backdrop of the convent buildings.
Views from middle distance footpaths to the south	From viewpoints along both footpath 118 and 166 there would be filtered views of some of the plots as there currently are of the convent. The proposal would have a limited visual impact on users of these paths.
Views from middle distance footpaths to the north	From these viewpoints the treed setting of the site reads as part of the settlement of Rearsby. More modern development at Wreake Drive is

	prominent with views of the convent screened by tree cover. The arable field to the north and west of the burial ground is more open and visible but this would not be altered by the development. The proposed new units would alter these views to an extent but would not be prominent or out of character.
Distance views from the Wreake valley and the west	From these locations the treed setting of the site is clearly visible on the east facing valley slopes. However existing buildings are heavily filtered and this combined with distance makes them hard to discern. The proposed development would have a limited visual impact due to the same factors.
Views from the railway	There would be fleeting views of the development, (in terms of time), from the railway line which passes relatively close to plot 8. However, this would be seen as part of an existing group of dwellings along with 63 and 65. Views of the bungalows behind would be lessened due to scale, topography and tree cover.

It is clear from this that, providing existing tree cover is retained, the generous proportions of open land, (including the conker field area), are retained and the development remains low density and within this wooded garden setting that there would be no significant and adverse visual impact from the development. In conclusion it is considered that the proposal would not have an adverse impact on the landscape or an adverse visual impact. The plot by plot analysis together with landscape and visual assessment of the site indicates the proposal will not result in landscape or visual harm. In this respect there would be no significant harm to the countryside, landscape or the character of the area and the proposal would comply with these elements of policies CS2, CS11 and EV/1.

Design Quality

Policies CS2 and EV/1 seek to ensure that good quality design is achieved. Elements of this (area context and amenity) are specifically considered in other sections of his report. Policy CS2, as the most recent reflection of Charnwood's design policy suggests that proposals are measured against national design assessments to achieve the aims it lists. Building for Life is a recognised national document used for assessing design quality. The proposal is briefly assessed under the 12 Building for Life criteria below:

Building for Life Summary		
1	Connections	The proposal connects to the surrounding area by utilising the existing and improved access. There is also a link to the footpath to the south which provides a shorter mostly traffic free route to the primary school, church and a play area. Positive
2	Facilities and Services	The proposal is reasonably close to existing services and facilities in the village and wider services in the surrounding area. Positive
3	Public Transport	There is a reasonable public transport in the village but the nearest bus stop is over the recommended 400m walking distance away on Melton Road. Neutral/negative
4	Local Housing requirements	The proposal would provide a unique mix of housing types for the village ,including bungalows and conversions. However there is no affordable housing proposed within the proposal and housing mix is not in line with the borough wide advice in the SPD. Neutral
5	Character	The proposal comprises a mixture of a sensitive conversion project and individually designed houses and bungalows located in a parkland setting. It would have a unique and pleasant character. Positive
6	Site and Context	The proposal responds to the existing context particularly well. The existing mature gardens and building have been used to drive the design. Positive
7	Well defined streets and spaces	The scheme by its nature is self-contained and low key but there are clear spaces for vehicles and for residents to use. Positive
8	Finding a way round	The development is small and as a result easy to navigate. Positive
9	Streets for all	It is difficult to apply this criteria internally to a proposal of this scale and type. The roads and spaces within the site have active frontage and could be designed as shared surfaces with low vehicle speeds. Positive
10	Car Parking	There is ample parking/garage provision and this does not overdominate the design and layout. Positive.
11	Public and private spaces	Most of the new build plots have good sized private gardens although some of these, (3 and 6 in particular), are dominated by tree cover . However, there is an extensive formal shared garden which provides a bespoke opportunity for residents. Important linear space within the site is also retained for community use. Positive/neutral.
12	External storage and Amenity space	There is space for external storage although the need to retain the open garden setting may necessitate restriction as to siting. Bin collection arrangements

Building for Life Summary		
		have been secured – there are collection points for the two driveway areas and the small vehicle (that currently attends the site), will continue to serve the convent. Positive/neutral

This suggests that the proposal offers a good level of design quality in terms of its layout.

The application is also accompanied by a Design and Access Statement which explains the design philosophy behind the layout. This clarifies that the existing surroundings for the convent have been at the forefront of the design process. Integral to this is the retention of the tree lined access, the mature landscaped garden setting to the north and west and the linear open space, including the wall, surrounding the footpath to the east. Of lesser landscape importance is the walled garden area to the east which is dominated by ornamental planting and fragmented from the convent setting. The scheme takes the quality and importance of these elements into account positioning dwellings accordingly. Dwellings have also been carefully placed to take into account root protection areas, canopy spread of the trees and to reflect existing contours of the land. The type of dwellings selected for the site reflects the character of existing dwellings in the village. The new build house types proposed are predominantly two storey with eaves and ridge heights lowered to minimise impact, and plot 8, in particular, designed to reflect the scale of the adjacent property, 63 Station Road.

It should be noted that the design approach to the development is a bespoke one which reflects the characteristics of the setting and seeks to keep the character of the area intact. It is considered that the proposal complies with policy CS2 and EV/1 in terms of design.

Impact on amenity of adjacent properties

Policies CS2 and EV/1 are concerned with amenity and require all new development to achieve a good standard of amenity for existing and future occupiers. A basic assessment of the main relationships, based on the submitted plans, is set out below:

Property	Relationship	Guide (if applicable)	Notes
63 Station Road/Plot 8	Side to Side - 7m	45 degree assessment of rear elevation for light	There would be no material loss of light due to distance and the lower building height of the adjoining garage element of plot 8. There is currently one 1 st floor window in plot 8 which is 4m from the boundary. A condition could be attached ensuring this was opaque glazed, (is a bathroom),

Property	Relationship	Guide (if applicable)	Notes
			and that no additional windows were added.
65 Station Road/Plot 8	Side to Side across adjacent plot – 20m	None	There would be no material loss of amenity to this property and all space standards are met.
53/55 Station Road	Back to Back, Oblique and across public space –70m+	None	There would be no material loss of amenity to these properties and all space standards are met.
Church Leys	Back to Back – 70m+	21m	There would be no material loss of amenity to these properties and all space standards are met.
Within Site	Various – 30m is tightest relationship	21m between rear elevations 12.5m between blank gable and habitable room	Good standards of amenity that comply with space standards are provided throughout. Units 1 and 2 are three storey but are 40m+ distant from plots 1-3

This assessment shows that there are no adverse impacts on existing residential amenity and that a good standard of amenity is achieved within the scheme. This means that the proposal complies with development plan policies CS2 and EV/1 with regard to impact on existing amenity of residential properties adjoining the site.

Highway Safety and the capacity of the surrounding road network

Policy CS2 requires developments to result in safe public spaces and legible streets that are easy to get around. The Highway Authority does not consider that the residual cumulative impacts of the development would cause severe harm and it is satisfied that this level of development could be accommodated in principle.

Improvements were requested to the existing access to provide visibility splays commensurate with the speed of the road and to improve the junction radii. These changes have been made and are shown on the proposed site plan drawing. Alterations to improve pedestrian access were also requested and again these have been made and incorporated on the site plan drawing.

The Highway Authority does not object to the proposals on the basis of the amendments that have been made and it is considered that CS2 is met.

Policy TR/18 is concerned with parking and sets out appropriate levels of provision for new development. Parking levels per plot are as follows:

Plot	Bedrooms	Requirement	Spaces
1 Newbuild	5	3	6+
2 Newbuild	5	3	5+
3 Newbuild	5	3	4
4 Newbuild	2	2	2 + garage 5.3m x 3.1m- (under LCC standard size)
5 Newbuild	2	2	2 + garage 5.6 m x 5.6m- (under LCC standard double garage size)
6 Newbuild	2	2	2 + garage 5.6m x 5.6m (under LCC standard double garage size)
7 Newbuild	5	3	6+
8 Newbuild	5	3	3 + garage 5.6m x 5.2m (under LCC standard for double garage)
1 Conversion	5	3	3
2 Conversion	4	3	3
3 Conversion	2	2	2
4 Conversion	3	2	2
5 Conversion	3	2	2
6 Conversion	2	2	2
7 Conversion	2	2	2
8 Conversion	3	2	2

This illustrates that parking in accordance with the levels suggested in TR/18 has been provided.

Biodiversity and Protected Species

Policy CS13 is concerned with biodiversity and offers support for developments that protect biodiversity or that enhance, restore or recreate it. Development proposals are expected to take account of wildlife allocations, protected species and ecological networks. The policy also requires impacts on biodiversity to be mitigated and makes it clear that where biodiversity would be lost development is only acceptable if benefits clearly outweigh this loss.

The application is accompanied by an ecological appraisal and also by a further bat survey, due to the former document finding bat roosts to be present in two of the buildings. Aside from the bat roosts the ecological survey finds limited biodiversity value and identifies relatively low key opportunities for enhancement across the site.

Bat roosts were identified within the hanging tiles and roof voids of the main convent building and within the two storey former coach house building. The further survey work concludes the main building and associated outbuildings contain maternity colonies of common pipistrelle and brown long eared bats with 30 access points. None of the roof void areas which contain roosts are to be altered and work will take place using appropriate licences. In this respect there should be no harm to roosts.

The proposals do, however, have the potential to impact upon habitat, foraging areas for bats and on trees that could support roosts. The survey work identifies several trees that could support bat activity and shows widespread commuting and foraging by a variety of species of bat across the site. As a result of this it is recommended that the impact of lighting across the site is strictly controlled and that no external lighting is attached to units 4-7 as these are closest to the habitat supporting trees. These properties could be lit by low level bollard lighting or infra red lights if necessary. A detailed outdoor lighting strategy can be secured by way of a planning condition if members are minded to approve the application.

Providing the mitigation measures outlined within the application are adhered to it is considered that the proposal complies with Policy CS13.

Impact on Trees

Policy CS11 is concerned with ensuring that character of the landscape and countryside is protected. As highlighted above a vital part of the character of the immediate area results from the mature and extensive tree cover on the site. Many of these trees are protected by tree preservation orders which gives a further element of protection.

The application includes an arboricultural survey and a method statement which shows four trees to be removed in the area around plots 1 to 3. These are shown on the plan entitled "Site Plan showing new trees and trees to be removed".

The trees to be removed are not significant in scale and nature and are not subject to Preservation Orders. Of the remaining trees those which are close to the works will be subject to those protection measures set out within the Arboricultural Method Statement. These measures are considered to be satisfactory.

Providing the trees are retained and as depicted as protected the proposal would comply with Policy CS11 in terms of protection of area character.

Heritage Assets

Policy CS14 deals with heritage and states that historic assets should be conserved and enhanced. The convent building on the site is not on the statutory list or within a conservation area but it is locally listed.

The local listing describes it as follows:

“Originally, Private House known as Church Leys House. Commissioned by Hollingworth. Built 1883, confirmed by stone plaque on garden facade. Stable block added by Fitzherbert, 1911. Now a Convent, purchased by The Sisters of St Joseph of Peace, 1945. House and stables little altered. Essentially Arts & Crafts / Domestic Revival in character. Well preserved interior including staircase and terrazzo floor to entrance hall. Generally, red brick with tile hanging to square gables and stone string courses. Half timbered gables. Multi-pitched and gabled plain clay tile roofs with terra cotta ridge and finials. 2 & 3 storeys with dormers. Tall ridge, gable and side wall stacks. Generally stone dressed openings with casement windows. Extensive C20 additions”

The Heritage Statement submitted with the application assesses the significance of the asset. It recognises that the prime heritage asset is the original building with the stable block of secondary importance and the post 1945 elements of no heritage value or significance.

The Heritage Statement considers alterations to each building in turn (there are 48 alterations in total) and assesses the impact of each of these. 33 of the alterations would have an adverse impact of some degree although it should be noted that the impacts are graded and that only 3 would be “moderately adverse”, which is the highest level of impact recorded. In summary, the greatest adverse impacts are considered to be:

- Opening up of the east wall of the lobby/hall and alterations to the adjacent room. These are considered to have a moderate adverse impact as they involve altering the proportion of rooms at the unaltered core of the house and removal of a primary marble shelf.
- The merging of two rooms and a corridor area to the right of the entrance lobby. Although these rooms have been partially altered they are generally true to their earlier origins and as a result this is considered to be a moderately adverse impact.
- The merging of 4 small rooms/areas opposite the current kitchen. As this is a fairly significant reordering of primary internal space it is considered to have a moderately adverse impact. The original WC contained within this area is proposed for reassembly elsewhere in the house to mitigate this alteration.
- Demolition of the dividing walls in the former stable block and other alterations. As this will significantly alter the interior of the 1911 stable block and result in the loss of early C20th fabric the impact is considered to be slightly/moderately adverse.

- Merging the community room and bedroom on the first floor and the two bedrooms directly above on the second floor. This would alter proportions of original rooms and lead to loss of original fabric which would be slightly/moderately adverse.
- Blocking off the first floor corridor to the right of the landing and a new door to the adjacent bedroom and similar in the rooms directly above on the second floor. This is considered to be slightly/moderately adverse as it alters the primary layout, loses the sense of corridor and due to loss of original fabric when the door is broken through.
- Merging of a bedroom and corridor area on the second floor. This is considered to be slightly/moderately adverse it involves a major alteration to the primary building plan.

Whilst these impacts are all internal in nature they nevertheless represent harm to a heritage asset, albeit a non-designated one. The Framework offers advice on non-designated heritage assets in paragraph 135. It states that a balanced judgement must be made which has regard to the scale of any harm or loss and the significance of the asset.

In this instance the scale of the adverse alterations would be relatively small in terms of the building overall. Although it is acknowledged that some original fabric would be lost and that the primary layout of the original building would be partly altered, the two internal features individually referenced in the local listing would remain, (the staircase and tiling). External changes would also be minimal. The alterations to the stable block also need to be viewed within the context of the reduced historical significance that this part of the building has.

On balance it is not considered that the alterations give rise to effects that would justify the refusal of planning permission.

Although the convent is a non-designated asset the impact that the new build elements would have on its setting also stand to be considered. Due to the design philosophy, which seeks to develop at low density between existing trees, there would be a limited impact. The key part of the buildings setting derives from the mature gardens to the north and west which would be unaltered by the proposal, from the sweeping tree lined drive which would also remain and from the pleasant, green and long established public route through the grounds known as the conker field . Plot 7 is close to the driveway element but would be well screened and is immediately adjacent to an existing service area rather than the main building. Plots 1, 2 and 3 are also close to the footpath but would be screened by the historic garden wall. It is not considered that there would be an adverse impact on the setting of the building as a result of the new build elements of the proposal.

Added to this, policy CS14 offers support for development which allows refurbishment and reuse of under used buildings of historic merit. The convent building is currently in the process of being vacated and is under occupied. Its conversion would allow it to remain in active use in a way that is not considered to result in overall harm to it as an

asset. In this respect the proposal is considered to comply with both policy CS14 and the advice in the Framework. In terms of the planning balance the proposal is neutral in terms of impact on the non designated asset but positive with regard to the potential to retain and use the building.

Impact on infrastructure

Assessments have been made regarding the ability of the existing infrastructure serving the village to service the development. There are no identified shortfalls and as a result no requests for new infrastructure have been made.

Open Space

Policy CS15 seeks the provision of public open space to meet strategic open space needs identified in the Open Space Strategy. It also advocates a positive response to development that contributes to open space identified within a community lead strategy.

In terms of the quantity of open space, the small number of units proposed means that the development only triggers the need for natural open space and amenity green space at any meaningful level. The amounts needed are 0.08 Ha of natural open space and 0.017 Ha of amenity green space. Both these are provided for within the site.

The policy also seeks facilities for children and young people within 480m of each home. There is an existing play area and a small sports pitch close to St Michaels Church. Whilst these are currently approximately 600m distant the opening up of a footpath link to the adjacent footpath network will mean both of these facilities would be well within the 480m distance the policy suggests.

Finally the policy suggests that indoor sports provision should be calculated using the Sport England Facility Calculator. However, this tool is only designed for developments in excess of 300 houses and smaller sites, such as this one, are unlikely to generate significant shortfalls that can be viably mitigated.

In terms of the provision of open space to meet need the proposal meets with this element of CS15.

Criteria 3 and 4 are also relevant to this development. These offer support for retention and enhancement of open space. A fundamental element of the proposal is the long term retention for community use of the open space surrounding the footpath – “the conker field”. It is intended that this land will continue to be maintained in its current form. This element of the proposal has strong local support and is included within the emerging neighbourhood plan. The benefits in respect of this would be twofold; providing open space for recreational use and also allowing for an important character feature to be retained. Whilst the conker field as an area of open space provision is relatively large in relation to the scale of development proposed, it is considered that any reduction in the field would result in a loss of value as an important landscape feature. Its retention and transfer to an appropriate managing body would need to be secured by way of a Section

106 legal agreement. This would be CIL compliant as it would be necessary to make the development acceptable in planning terms (it is key in the planning balance), it relates directly to the development; and is fairly and reasonably related in scale and kind to the development.

In this respect the proposal meets these criteria of Policy CS15 and as such must be factored into the overall planning balance as a positive benefit of the proposal.

Affordable Housing

Policy CS3 is concerned with ensuring that housing development meets the strategic needs of the borough. It seeks to do this by way of tenure – requiring a proportion of affordable housing on sites above a certain threshold. For Rearsby 40% affordable housing is required for sites of 5 or more houses. As this site is above this and thenational 10 unit threshold 40%, or 6 of the units, should be affordable to meet with the policy.

The applicant has submitted viability details which suggest that achieving this would mean that the proposal would no longer be viable. These details have been assessed by the District Valuer and it has been concluded that it would be viable to provide a commuted sum towards off site provision in lieu of affordable housing on site. The final figure for this was subject to extensive negotiations but it has been agreed that a figure of £75K should be provided. It is intended that this be secured by way of the section 106 legal agreement as detailed in the recommendation below.

Policy CS3 also requires an appropriate housing mix in terms of size and type of home. The policy also states that these factors should be considered with regard to housing needs and character of the area.

The table below shows the housing mix for the proposal in terms of **size** and how this measures against the Council’s Adopted SPD relating to housing, which provides an indicator of housing need across the borough:

Bedroom	% on site (rounded)	Housing SPD %	Deficit/Surplus
1	0%	0-10%	Deficit of 0-10% **
2	37%	30-35%	Deficit of 2 - 7%
3	19%	45-55%	Deficit of 26 - 36 %
4+	43%	10-20%	Surplus of 23%

** SPD identifies the main area of demand is for 2 and 3 bedroom properties

The table reveals that two bedroom properties are broadly being provided in line with the SPD but that there is a deficit of approximately five units in terms of 3 bedroom properties with an equivalent surplus of 4+ bedroom properties. Policy CS3 also states that size profile needs to be considered with reference to area character. The SPD expands upon this and lists several factors which should inform such a judgement. These include nature of

the development site, character of the wider area and detailed design considerations. In this case the unique character of the site and its surroundings is of particular importance. In order to maintain tree cover density needs to be low, retention of the locally listed convent is vital and yet the site needs to remain financially viable and the edge of settlement location needs to be taken into account. In this instance it is considered that the particular characteristics of this site lend support to size and mix that does not conform with the profile suggested in the SPD.

There is no housing need data, relating to housing **type**, which is relevant in this instance. However, there is a borough wide demand for bungalows and single storey properties which is reflected in Charnwood's Housing Strategy. Three bungalows are provided on the site, (just under 20%), along with detached two storey new build units and two and three storey conversion units. This is considered to be an appropriate mix of house types and one which reflects the character of the area well.

Overall the mix does not reflect borough wide need in terms of house size, although it does provide for a key need in the form of two bedroom properties. It also relates well in terms of type, it providing a variety of house types and single storey properties.

On balance it is considered that the proposal meets with the provisions of policy CS3 in terms of housing mix that reflects area character and the nature of the development site.

Flood Risk

Policy CS16 supports development that is not at risk from flooding and which manages surface water run off effectively. The site is within flood zone 1 and as such is not at risk from flooding in itself.

Drainage proposals for the site have been outlined within the Flood Risk Assessment and illustrated as a general concept in the proposed drainage strategy. These documents suggest water harvesting using water butts, soakaways, porous paving and an attenuation pond with a capacity of 220 cubic metres close to the western boundary of the site, (downhill from the development). At this stage a detailed infiltration survey has not been done and it is important to note that although SUD's are proposed the effectiveness and nature of these would be informed by site specific field tests. These tests have not been carried to date out due to cost constraints and the risk that planning permission may not be received.

The Lead Flood Authority does not object to the proposal on the basis of the details provided but suggests that several conditions are attached.

Given the financial constraints and the relatively low number of actual new build units, (8 as the convent building itself is already drained), it is considered that it would be acceptable to deal with this issue by way of a pre commencement planning condition requiring a more detailed drainage strategy. Providing this is secured and approved policy CS16 would be met in this regard.

Planning Balance and Conclusion

The NPPF has at its heart a presumption in favour of sustainable development which local authorities are advised should lead to them quickly approving applications which are in accordance with the NPPF and any up to date plan policies. Paragraph 8 of the NPPF makes it clear that the needs of the planning system to perform an economic, social and environmental role in achieving sustainability are mutually dependent and can't be looked at in isolation. The table below summarises how the proposal measures against these roles:

	Benefits	Neutral	Adverse impacts
Economic Role	Limited benefits during construction period		
	Support for Local Services		
	Contribution to 5 Year Housing Land Supply	No need for additional housing to meet planned provision	
Social Role	Supply of single storey units		No affordable housing on site but Commuted sum payment in lieu of onsite affordable housing
	Retention of public Open Space in line with an emerging Neighbourhood Plan		
	Sustainable location in terms of location within village		Not PUA, Loughborough/Shepshed or service centre
	Community support	No harm to amenity	
	Accessible by bus route		
Environmental Role	Good quality design	No adverse impact on Landscape character	
	Site in Flood Zone 1	Visual Impacts can be mitigated	

	Enables retention of soon to be vacated locally listed building	No highway harm	Loss of some historic fabric
	Not a brownfield site		

In support of the proposal there would be the standard economic benefits that all new housing development brings albeit on a proportionate scale. Added to this the development would provide bungalows for which there is demand on a borough wide basis. The proposal has strong local support and allows for an area of open space around the public footpath to be retained and managed in the long term both integrating the development better and enhancing open space provision, It would also secure the future of a locally listed building, which is currently under occupied and soon to be vacant, and would allow the preservation of the most important aspects of its setting. The site relates well to the settlement of Rearsby and there is scope to enhance pedestrian links and improve this further.

The development would not cause harm in terms of impact on the landscape, visual harm could be mitigated against and the ecological value of the site could be retained. The site could be adequately drained and is not within an area prone to flooding. There are no concerns with regard to highway safety and capacity and overall the design quality is good with no harmful impacts on amenity.

Balanced against this though must be the adverse impacts that the development would bring. Whilst it is already partly in residential use it is also partially located outside defined limits for the village in the countryside where housing development is subject to strict controls. The housing mix is not a match for the SPD profile (as informed by evidence in HEDNA) in terms of housing size and mix and some of the historic fabric of the convent would be lost or altered.

On balance it is considered that the totality of the harm is not sufficient to significantly and demonstrably outweigh the benefits and it is recommended that planning permission be granted.

Recommendation A

That authority is given to the Head of Planning and Regeneration and the Head of Strategic Support to enter into an agreement under section 106 of the Town and Country Planning Act 1990 to secure improvements, on terms to be finalised by the parties, as set out below:

- A commuted payment of £75K towards affordable housing provision off site.
- An agreement that the land known as “the conker field” is offered for public use to an appropriate adopting body and that this land is thereafter retained and maintained by the appropriate adopting body.

Recommendation B

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

General/standard Conditions

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 shall be carried out only in accordance with the details and specifications included on the following plans:
 - 7393 150 L Site Layout
 - 7393 152 Proposed Drainage Plan
 - 7393 452 Plot 1 elevations
 - 7393 252 Plot 1 plans
 - 7393 253 Plot 2 plans
 - 7393 453 Plot 2 elevations
 - 7393 254 Plot 3 plans and elevations
 - 7393 255 Plot 4 plans and elevations
 - 7393 256A Plot 5 plans and elevations
 - 7393 257A plot 6 plans and elevations
 - 7393 258 Plot 7 plans
 - 7393 453 Plot 7 elevations
 - 7393 259A Plot 8 plans and elevations
 - 7393 250 Proposed Ground Floor
 - 7393 251 Proposed first and Second floor
 - 7393 461 proposed elevations 1
 - 7393 462 proposed elevations 2

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

Pre commencement Conditions

3. No development shall commence until a detailed landscaping scheme, to include the below, has been submitted to and agreed in writing by the local planning authority:
 - the treatment proposed for all ground surfaces, including hard areas;
 - full details of any tree planting;
 - Site

- boundary treatment details
- Details of plot boundary treatments within the site;
- planting schedules, noting the species, sizes, numbers and densities of plants;
- finished levels or contours;
- any structures to be erected or constructed;
- functional services above and below ground; and
- all existing trees, hedges and other landscape features, indicating clearly any to be removed.

The approved landscape details shall be implemented within 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.

REASON: To make sure that a satisfactory landscaping scheme for the development is agreed. These details are necessary prior to commencement as the impact of the proposal is reliant upon achieving a suitable landscape scheme and whilst the submitted concept plan is acceptable in principle it is likely that revisions to the indicative proposals may be needed to achieve a satisfactory detailed scheme

4. No development shall commence until the following drainage details have been submitted to and approved in writing by the Local Planning authority:
 - a detailed Surface Water Drainage Scheme which includes full details of the drainage systems to be used including attenuation measures informed by infiltration testing,
 - a Construction Surface Water Management Plan
 - a SUD's Maintenance Plan

The scheme shall be fully implemented and subsequently maintained in accordance with these approved details.

REASON: To ensure there is no flooding of nearby land as a result of the development. These details are required prior to commencement of the development as they may necessitate ground and engineering works before construction starts and because elements relate to how the construction itself takes place.

5. No development, including site clearance/demolition, shall take place until a Construction Management Plan which includes the following has been submitted to and agreed in writing by the Local Planning Authority:
 - Construction traffic routeing
 - Construction traffic parking

- Number and location of wheel washing facilities
- Proposed hours of construction
- A timetable for the provision of the construction traffic parking and wheel wash

REASON: To ensure that the construction process is not harmful to amenity or highway safety. This information is required before development commences as it relates to the construction process.

6. No development shall take place, including site clearance or storage of materials on site until a tree protection plan, specific to the site, has been submitted to and approved in writing by the Local Planning Authority. This shall include the following:

- Full details of protective barriers including the positioning of these
- Full details of no dig construction areas including extent, finished and existing ground levels, constructional sections and an accompanying assessment of these works
- Full details of pile and beam construction areas including extent, root investigation details, location of piles and an accompanying assessment of these works.
- Ground protection measures
- Movement areas for construction vehicles and machinery within the site
- Areas for storage of materials
- Location of site facilities
- Protection of soils for future landscaping
- A detailed programme of arboricultural site monitoring
- A plan for future arboricultural management including timescales and implementation responsibilities. The development shall be carried out in accordance with these approved measures unless otherwise agreed in writing.

REASON: To ensure that retained trees and hedgerows on the site are protected during construction.

7. No development shall take place until a site wide phasing plan has been submitted to and approved in writing by the Local Planning Authority. The phasing scheme shall include provision for the conversion of the convent building to occur alongside construction of the newbuild units. The proposal shall be constructed in accordance with the approved phasing plan and no occupation of the final new build unit shall take place until the conversion of the convent building has been completed.

REASON: The conversion of the convent building would secure the long term future of this locally listed building and this is a key positive in the planning balance. This condition is intended to ensure that the new build element of the proposal does not occur in isolation.

8. No development shall take place until a programme of implementation for archaeological has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with these approved details.

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

Pre Occupancy Conditions

9. No occupation of any of the units shall take place until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all shared ownership landscape areas, has been submitted to and agreed in writing by the local planning authority. The agreed landscape management plan shall then be fully implemented.

REASON: To make sure that the appearance of the completed development is satisfactory, to protect the parkland/garden setting and to help assimilate the development into its surroundings.

10. No occupation of the buildings shall take place until details of any external lighting have been submitted to and approved in writing by the Local Planning Authority.

REASON: to ensure that there is no harm to the suitable foraging/commuting habitats for bats that exist on the site.

11. No occupation of the building shall take place until the parking and turning facilities shown have been provided and made available for use. The parking and turning facilities shall thereafter be permanently kept available.

REASON: To ensure adequate off street parking is provided in the interest of highway safety.

12. No occupation of the building shall take place until the proposed access improvements shown on site layout plan 7393 150 L have been carried out

REASON: In the interest of highway safety.

Other Conditions requiring further approval of details

13. No above ground construction work shall commence on any plot until details of the external facing materials proposed for that plot have been submitted to and approved in writing by the Local Planning Authority. The approved materials shall thereafter be used unless a suitable alternative is agreed in writing.

REASON: To make sure that the appearance of the completed development is satisfactory

14. No work shall start on the construction of the burial ground access drive and the parking area for the burial ground until details of the surfacing and construction of these areas have been submitted to and approved in writing by the Local Planning Authority.

REASON: To make sure that the appearance of the access drive and parking area are in keeping with the rural character of the area.

Ongoing Conditions

15. The development shall be carried out in full accordance with the recommendations and mitigation measures set out within the following Biodiversity Assessments, unless otherwise agreed in writing with the Local Planning Authority:
- Bat Survey report December 2015
 - Ecological Appraisal & protected Species Survey June 2015
 - Ecology Comments by letter RSE_291_03_V1 March 2017
 - Supplementary Bat Survey data April 2017

REASON: To ensure the development is not harmful to habitats or protected species within the area.

16. The open space delineated on the proposed site plan as the conker field shall be permanently retained as open space.

REASON: The retention of this open space is important both in terms of the setting of the development and in terms of the retention of local open space.

17. Other than plot 8 and its associated curtilage, no buildings or structures, other than in association with surface water drainage shall be erected within the area to the north and west of the burial ground and access.

REASON: To ensure that land between the railway line and the burial ground access road (other than plot 8) remains undeveloped to avoid adverse landscape harm.

Plot Specific Conditions

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking or re-enacting that Order, with or without modifications, no fencing or means of enclosure exceeding 1m in height shall be erected to enclose the curtilage areas of the converted convent buildings (**Conversion plots 1-8**)

REASON: To ensure that the open garden setting of the convent buildings is retained to ensure there is no adverse impact on landscape.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking or re-enacting that Order, with or without modifications, no extensions at roof level, including dormer windows shall be erected to **newbuild plots 5 and 6**.
REASON: To ensure that the scale and character of these dwellings is not altered in the interest of preserving the character of the area.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking or re-enacting that Order, with or without modifications, no building, enclosure or other structure shall be erected within the shared curtilage of the converted convent building, **(Conversion plots 1-8)**

REASON: The carrying out of development of this type may create difficulties in terms of the overall appearance and character of the area.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking or re-enacting that Order, with or without modifications, the bathroom window in the east elevation of **newbuild plot 8** shall be glazed with obscure glass which shall thereafter be retained at all times. No change shall be made to this window and no additional windows be inserted in this elevation thereafter at first floor or roof level.

REASON: To prevent undue overlooking of nearby dwellings, in the interests of the privacy of nearby residents.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking or re-enacting that Order, with or without modifications, no exterior lighting or CCTV cameras shall be installed within **newbuild plots 4,5,6 and 7** unless it is low level bollard safety lighting with no upward light spill and no upward facing velux rooflights shall be installed within these properties.

REASON: These plots are close to trees which provide good habitat for bats and these measures are necessary to protect this habitat.

The Following Advice notes will be attached to the decision:

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 (paragraphs 186 and 187) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. All works should comply with BS3998:2010 Recommendation for Tree Work, in the interests of good arboricultural practice. Please contact Ms Nola O'Donnell, the Council's Landscape Officer on 01509 634766 for further advice.
3. Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended), therefore should nesting birds be present in the trees / existing buildings subject to the consent, felling / surgery / clearance work should be deferred until the young birds have fledged. The nesting bird period is considered to take place between March to August inclusive, but may start earlier and extend later.
4. The County Director of Highways, Transportation and Waste Management states that drainage must be provided within the site so that surface water does not drain into the public highway from any private driveways or other hard surfaces, in the interests of highway safety.
5. All details of the proposed development shall comply with the design standards of the Leicestershire County Council as contained in 'Highways, Transportation and Development'. Such details must include parking and turning facilities, access widths, gradients, surfacing and visibility splays.

