

Item No 1

Application Reference Number P/16/1183/2

Application Type:	Full	Date Valid:	31/05/2016
Applicant:	Charles Church North Midlands		
Proposal:	Substitution of 23 plots and erection of 12 dwellings.		
Location:	Land off West Cross Lane, Mountsorrel, Leicestershire		
Parish:	Mountsorrel	Ward:	Rothley & Thurcaston
Case Officer:	Nigel Wright	Tel No:	01509 632545

This application has been brought before planning committee under the old ward referral process at the request of Councillor Hadji-Nikolaou who has concerns about the need for the additional 12 units and their impact on community services and highway safety and considers the application should be considered by the Plans Committee.

Councillor Capleton considers that contributions should be made for three community projects following the same approach as that taken in December 2014 when application P/14/0058/2 was determined.

Site Location and Description

The site lies immediately adjacent to West Cross Lane and the settlement edge of built development in Mountsorrel. It is physically and visually separated from the built up edge of Rothley by further open agricultural land. Between the site and the existing residential dwellings to the north situated off Grange Lane is an area of trees and shrubs that currently encloses properties on Grange Lane separating them from the surrounding open countryside.

Outline planning permission for 130 dwellings was granted on 24th December 2014 (P/14/0058/2). Reserved matters approval was subsequently granted on 28th May 2015 (P/15/0013/2). The approved development has commenced.

The Proposal

This is a full application for the substitution of house types relating to 23 plots, which would result in a net increase of 12 additional new dwellings. This would increase the total number of dwellings on the site to 142. The increase in numbers is, in the main, due to a number of the previously approved larger detached houses being replaced by smaller semi-detached properties. It is understood that the reason for the proposed change is due to current market difficulties for the larger house types.

The proposals are assimilated into the existing pattern of housing as shown on the approved layout. As such, the road layout remains unchanged, as does play and open space provision (LEAP and MUGA) and landscaping. In respect of the affordable

housing provision within the proposal, the scheme provides for 30% affordable equating to four units. This includes three social rent units (2 x 2 bedroom units) and (1 x 3 bedroom unit) and one intermediate unit (1 x 2 bedroom).

The application is accompanied by the following documents:

- Design and Access Statement;
- Supplemental section 106 Deed of Variation.

It should be noted that a discrepancy in the annotation of the originally submitted drawings appeared to indicate that 13 new dwellings were being proposed instead of 12. However, this has been corrected in subsequently submitted amended drawings. The amount of additional contributions contained in the originally submitted Supplemental Deed are also to be adjusted, to similarly reflect the correct number of new dwellings (i.e.12 no.).

Development Plan Policies

Charnwood Local Plan 2011 to 2028 Core Strategy

Policy CS1 – Development Strategy - sets out the development strategy for the Borough.

Policy CS2 - High Quality Design - requires developments to make a positive contribution to Charnwood, reinforcing a sense of place.

Policy CS3 - Strategic Housing Needs - sets out affordable housing requirements and an appropriate mix of types, tenures and sizes of home. For developments at Mountsorrel there is a target of 30% on sites of 10 dwellings or more.

Policy CS11- Landscape and Countryside - seeks to support and protect the character of the landscape and countryside

Policy CS12 – Green Infrastructure - protects and enhances green infrastructure assets including addressing the identified needs in open space provision.

Policy CS13 - Biodiversity and Geodiversity - supports development that protects biodiversity and geodiversity.

Policy CS15 - Open Spaces Sports and Recreation - requires new development to meet the standards set out in the Council's Open Space Strategy and to provide for long term management and investment plans for existing and new facilities.

Policy CS16 - Sustainable Construction and Energy - encourages sustainable design and construction.

Policy CS17 - Sustainable Transport - requires 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 CS24 – Delivering Infrastructure - seeks to ensure that development contributes to the reasonable costs of on site, and where appropriate off site, infrastructure, arising from the proposal through the use of Section 106 Agreements. This is so the local impacts of developments will have been reasonably managed and mitigated.

Policy CS 25 – Presumption in Favour of Sustainable Development – sets out a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Borough of Charnwood Local Plan 1991-2006 (saved policies).

Where they have not been superseded by Core Strategy policies, the saved policies of the Local Plan remain part of the development plan. The relevant policies in this case are:

Policy ST/2 – Limits to Development – Built development will be confined to allocated sites and other land within Limits to Development.

Policy EV/1 – Design – This seeks to ensure a high standard of design and developments that respect the character of the area and nearby occupiers and which are compatible in mass, scale and 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 Countryside, Green Wedge and Local Separation - Development within these areas of generally open land will be strictly controlled.

Policy CT/2 - Development in the Countryside – Developments acceptable in principle will be permitted, where it would not harm the character and appearance of the countryside.

Policy CT/4 – Local Areas of Separation – seeks to maintain the predominantly open and undeveloped character between settlements

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

Other Material Considerations

National Planning Policy Framework 2012 (NPPF)

The NPPF is a material consideration in planning decisions.

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three dimensions to this: an economic role, a social role and an environmental role.

Paragraph 50 advises local planning authorities to plan for a mix of housing and paragraph 58 lists criteria that all development should achieve, in order to ensure good design.

Leading in Design Supplementary Planning Document February 2006

This encourages and provides guidance on achieving high quality design in new development. It indicates that the Council will approach its judgments on the design of new development against the main principles of Places for People, Accessible Places, Safe Places, Sustainable Places and Distinctive Places It includes Space Standards for Residential Development.

Developer Contributions Supplementary Planning Document

Sets out the circumstances which might lead to the need for a contribution to the provision of infrastructure, community services or other facilities. Appeal decisions have confirmed that inspectors will not support obligations (even if agreed by the appellant) unless the planning authority can demonstrate that they are specifically related to the proposed development. Regulation 122 of the CIL Regulations introduced on the 6th April 2010 prescribes the limitations on the use of planning obligations. Accordingly, it is unlawful for a planning obligation to be reason for granting planning permission for development that does not meet all of the following tests.

- It is necessary to make the development acceptable in planning terms;
- It is directly related to the development; and
- It is fairly and reasonably related in scale and kind to the development.

The advice is that local planning authorities should ensure that the policy tests are set out in the committee report or delegated reports where a Section 106 agreement is to be negotiated. The obligations should be reasoned in the reports in light of the tests and clear advice that if the contributions do not satisfy the tests, that no weight should be attributed to them in the decision making process. There is a substantial risk that a decision to grant planning permission could be challenged as being unlawful if the planning authority cannot demonstrate that the tests have been met.

Planning Practice Guidance

This document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework. Section 8 encourages the promotion of healthy communities. It advises planning decisions should aim to deliver safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion (Para 69).

Relevant Planning History

P/16/2151/2 – Discharge of condition 7 of P/15/0013/2 – On site play area details – Approved 21.12.16

P/15/1630/2 – Variation to condition 8 to revise landscape plans of reserved matters – approved 29.10.2015

P/15/1153/2 – Discharge conditions 6,9,10,11,16,18,20 and 22 of outline – approved – 09.09.2015

P/15/1152/2 – Discharge conditions 9,10,11 and 13 of reserved matters – approved – 04.08.2015

P/15/0013/2 – Erection of 130 dwellings (reserved matters) – approved 28.05.2015

P/14/0058/2 – Residential development of up to 130 dwellings (outline) – approved 24.12.2014

Responses of Statutory Consultees

Leicestershire County Council Highway Authority

The Highway Authority initially required a more a detailed plan to ensure satisfactory parking provision and to clarify that vehicle access points did not clash with raised tables. Having received revised details the Highway Authority have now advised that they are satisfied with the proposed road layout.

There are a number of plots where parking provision is substandard due to the size of the parking spaces provided, which may result in spaces not being utilised. However the Highway Authority advise that most spaces are considered to meet their standards whilst the remainder are capable of doing so as there is sufficient space within the plots. In light of the comments above and based on the quantum of development the Highway Authority advise that the proposed development would not have a severe impact on the highway. As a consequence, subject to the imposition of conditions, the Highway Authority do not object to the proposal.

Leicestershire County Council (Developer Contributions)

Requests additional contributions for the additional dwellings on a per dwelling basis, as for the existing Section 106 contributions for the site, towards libraries at £63.41 per dwelling with three bedrooms or more; towards civic amenities at £51.67 per dwelling; and towards education in accordance with the calculation set out in the original section 106 legal agreement.

Environment Agency

Defers to the Lead Local Flood Authority to provide advice.

Lead Local Flood Authority

The proposed development will be acceptable based on the surface water management principles provided within the application and should be designed in accordance with the details provided.

Council's Housing Strategy and Support Manager

This proposal is within an area of residential development that currently provides an agreed affordable housing provision of 15% under P/14/0058/2. Notwithstanding this, the additional units under this latest planning application should be subject to a policy compliant provision of 30% affordable housing with an 80% rented and 20%

intermediate split. In this case there should be three rented and one intermediate affordable housing units provided.

Council's Environmental Protection Manager

Initially had concerns about the potential increase in noise and disturbance, but has since confirmed no objection providing the development remains subject to the same approved and discharged Construction Method Statement relating to the outline planning permission. A planning condition is suggested to ensure the concerns are addressed if members are minded to approve this application.

Rothley Parish Council

Rothley Parish Council objects to the proposal on the grounds Rothley has enough housing and a further 13 new houses [sic] are not required by the Core Strategy. However, if the committee is minded to approve the application, they seek an appropriate level of financial contribution towards the Rothley Centre project.

Mountsorrel Parish Council

The Parish Council has noted that the decision reached on the 2014 outline planning application included financial contributions towards improving three community facilities at Mountsorrel and Rothley. They note this was made possible in part by a reduction in affordable housing provision from 30% to 15%.

Mountsorrel Parish Council initially responded to say this latest planning application should be considered in the same way as P/14/0058/2 by the Plans Committee. However, since this initial view was expressed, further discussions have taken place between the developer and the Parish Council's representative and a revised sum of £25,000 to be split between the Rothley Centre and Mountsorrel Memorial Centre has now been offered by the developer, which Mountsorrel Parish Council and Rothley Parish Council has indicated is acceptable in terms of scale.

Other Comments Received

Councillor Leon Hadji-Nikolaou has concerns about the need for an additional 12 units, their impact on community services and highway safety and considers the application should be considered by the Plans Committee.

Councillor Capleton considers that the impact of development will be felt more severely in Mountsorrel Parish. The previous permission reduced the ratio of affordable housing from 30% to 15% and that enabled financial contributions to be secured towards three community projects. This proposal will generate further impacts on the community and the same approach should be used for this scheme as taken in 2014 to secure community infrastructure. He considers provision for 13 [sic] more houses should be £111,727 based on the previous approach. This would allow the memorial centre to be completed and the development of Cuffins Lane Park. Since the first application was approved, the Core Strategy has been adopted and he considers this appears to support the situation, as Policy CS3 allows for adjustment of affordable provision having regard to amongst other things 'other infrastructure requirements'.

Objections have been received from 18 neighbours, on the following grounds:

- Mountsorrel and Rothley have received disproportionate new developments in recent years and local service centres are becoming swamped and struggling to be effective. The additional houses are not required.
- The development does not mirror the residential profile of the local area where premium houses, not smaller, cheaper houses, are more appropriate.
- A development of 142 houses is creeping back up to the developer's original desire to build 150 houses.
- It will result in additional traffic and parking congestion.
- The local school is already over-subscribed and there will be pressure on health services

Consideration of the Planning Issues

The application as originally submitted sought planning permission for up to 150 dwellings; however, following discussions with the applicants a scheme for residential development of up to 130 dwellings with access off West Cross Lane was approved in December 2015. Reserved matters were approved in May 2015.

The development of this site for housing has already been established by the outline planning permission (which represents the "fall-back" position), and the details of design, appearance, scale and layout by the subsequent 'reserved matters' approval. Therefore, only the potential impacts and implications of the additional 12 dwellings and plot substitutions can be reasonably considered in the determination of this Full planning application.

Nevertheless, the following are considered to be the main planning issues in respect of the additional 12 dwellings:

- The principle of development for the additional dwellings
- The impacts on the approved design and layout of the site
- Affordable Housing provision
- The infrastructure implications arising from the additional dwellings

Principle of development

The site is technically outside limits to development having regard to the Development Plan and therefore Policies CS1 and CS11 of the Core Strategy and Saved Policies ST2, CT/1, CT/2 and CT/4 apply given the site is within the open countryside within an area designated as a Local area of Separation. However the proposal falls within a larger site which has previously been granted outline planning permission for up to 130 dwellings in December 2014. A subsequent reserved matters application was approved in May 2015 and the site is now well under construction. Having regard to this situation it is considered the current implemented planning permission significantly outweighs the development plan position and the principle of development is established.

Design and Layout

The proposed new dwellings and substituted house-types are of the same house types as used elsewhere on the site and so would be in keeping with the development in terms of their materials, design and appearance. The positioning and orientation of the new plots maintain the standards and separation distances as recommended by the Council's Leading in Design SPD. Accordingly, it is considered that they would not cause any significant impact or detrimental effect on adjoining neighbours. The slight increase in density also now provides for a more efficient use of land in accordance with national planning guidance.

The general layout, including the access and internal road layout, remain unaffected by the proposals. An additional 12 dwellings on this site is not considered to be a material increase in terms of the amount of vehicles generated by the development such that it would significantly add to traffic and parking congestion in the area.

With regard to the concerns raised relating to noise and disturbance, these were addressed in the previous schemes (outline and reserved matters) by condition, and a similar condition requiring approval of a construction method statement can be carried forward for this application.

Given the above, the impacts on design and layout are not considered to be significant and are, therefore, acceptable in terms of Policies CS2 and EV/1 and the Leading in Design SPD.

Affordable Housing

15% affordable housing was approved under the previous outline planning permission P/14/0058/2. However, it should be recognised that the core strategy has been adopted since that application was approved and Policy CS3, which requires 30% provision, should be accorded full weight of the development plan.

The applicant's proposal provides 30% affordable housing on site in line with Policy CS3. This equates to an additional four affordable dwellings on site and these are in the form of a split of 80% rented and 20% intermediate tenure in accordance with the Council's evidence of need.

In terms of the implications of the proposals for the whole of this development site, Policy CS 3 also seeks an appropriate mix of types, tenure and sizes of homes, having regard to identified housing needs and the character of the Borough. The 2014 Strategic Housing Market Assessment (SHMA) recommends an optimum housing mix on sites within the Borough as a whole. The proposal increases the provision of smaller homes within the larger development site and improves its overall housing mix, bringing it more in line with the evidence set out in the SHMA and in accordance with Policy CS 3 and paragraph 50 of the NPPF.

Infrastructure Implications

A section 106 legal agreement still applies to the original outline planning permission. If members are minded to resolve to approve this planning application then a

Supplemental Deed under section 106 will be required to tie the new permission to the existing legal agreement and to ensure relevant contributions towards infrastructure are secured.

Officers have had regard to the request by the Mountsorrel Parish Council, Rothley Parish Council and Cllr Capleton to reduce the affordable housing provision in lieu of contributions towards the community projects in the area. However, It is not considered necessary or appropriate to reduce the affordable housing provision in this case as the proposal is capable of meeting Policy CS3 and addressing its impact on community infrastructure without adversely affecting the viability of the proposal.

The Parish Council and Cllr Capleton have asked for additional contributions of £111,727 towards three community projects in Mountsorrel based on their understanding of the scheme generating a net increase of 13 dwellings (it is actually a net increase of 12 dwellings). The scheme approved in 2014 secured the following funding for the three projects:

- Mountsorrel Memorial Centre £450,000;
- Cuffins Pit Lane Park £400,000; and
- Rothley Centre £350,000.

Any further contribution to these three community projects must meet Policy CS24 and the three tests in the CIL Regulations. In order to be a reason for granting planning permission, any infrastructure contribution secured under a Section 106 legal agreement must be:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development.

The scale of contribution sought in Cllr Capleton's representation and the Parish Council's initial submission is not considered to meet the CIL tests to make the development proposed acceptable in planning terms. These concerns have been notified to Mountsorrel Parish Council and the Parish Council and the developer have agreed a revised scale of contributions of £25,000 [in total] for the Rothley Centre and the Mountsorrel Memorial Centre, which are now considered to be acceptable. Given Rothley Parish Council's comments it is proposed the split of the £25,000 should be 50/50.

As submitted with the application, the draft Supplemental Deed provides contributions for the 12 additional new dwellings on the following basis:

- Health Contribution – £5,330.40 – Towards Alpine House surgery at Rothley Road, Mountsorrel.
- Police Start Up Contribution - £542.64 towards startup costs arising from works to extend and/or adapt police premises at Enderby / or Syston and /or Loughborough.
- Police Premises contribution - £3,610.68 towards extending and/or adapting police premises at Enderby and or Syston and or Loughborough.

- Education - *Primary* £34,845.14 towards the new primary school at Brookfield Farm, Rothley.
- Education – *Secondary*- £7,653.88 towards Longslade Community College and / or Rawlins Community College.
- Library- additional contribution of £760 towards Mountsorrel Library.
- Civic Amenity- £620.04 towards the Mountsorrel civic amenity site.

The new proposal does not make on site provision for Children’s equipped play space. Therefore, having regard to the Council’s Section 106 Developer Contributions SPD (2007), a financial contribution in lieu of provision should be made of £21,264 to be spent at Cuffins Lane Park of which £12,792 is for off-site equipped play space and £8,472 is for youth and adult recreation (rather than the £8,472 initially proposed). The developer has confirmed in correspondence that this level of contribution is now acceptable.

It should be noted that the requirement for travel packs and bus passes per dwelling, (as previously requested by the County Highway Authority) will be covered by the supplementary deed to the existing section 106 if members are minded to approve the application. That is, there is a requirement for the owner to make available to the first purchaser of each dwelling on the site a travel pack approved by the County Council.

No additional requests have been received from NHS England or the Police Authority, although the application provides an appropriate increase in contributions.

Officers consider that this basket of planning obligations is appropriate and meets the CIL Regulations and Policy CS24 of the Core Strategy.

Conclusions

The proposal falls within a wider site which has previously been granted outline planning permission for up to 130 dwellings in December 2014. A subsequent reserved matters application was approved in May 2015 and the site is now well under construction. Having regard to this situation, whilst the site is technically outside limits to development having regard to the Development Plan – (Policies CS1 and CS11 and Saved Policies ST/2, CT/1, CT/2 and CT/4 apply), it is considered the current implemented planning permission significantly outweighs the development plan position and the principle of development is established. In relation to design and layout for the proposal, having regard also to the context of the whole development site, the design and layout remains relatively unchanged. On the basis that the agreed amount of affordable housing is provided and that appropriate contributions are made towards infrastructure provision to account for the additional pressures of the 12 new dwellings, officers consider the proposal to be acceptable.

RECOMMENDATION A

That authority is given to the Head of Planning and Regeneration and the Head of Strategic Support to enter into a Supplemental Deed to the agreement under Section 106 of the Town and Country Planning Act 1990, in respect of outline planning permission ref.no. P/14/0058/2, to secure infrastructure improvements, on terms to be

finalised by them so as to link the two planning permissions (in particular in relation to the substituted plots), as set out below:

- Affordable Housing – 30% of the 12 dwellings constructed on site to be affordable housing in the form of a split of 80% rented and 20% intermediate tenure.
- Open space - £21,264 in total – To be used for the Cuffins Lane Park Project
- Education - £34,845.14 (primary) towards the new primary school at Brookfield Farm, Rothley and £7,653.88 (secondary) towards Longslade Community College and / or Rawlins Community College.
- Library Contributions – £760 towards Mountsorrel Library.
- A contribution of £3,610.68 (premises) and £542.64 (startup) towards extending and/or adapting police premises at Enderby and or Syston and or Loughborough.
- A contribution of £5,330.40 towards health facilities towards Alpine House surgery at Rothley Road, Mountsorrel.
- Civic Amenity- £620.04 towards the Mountsorrel civic amenity site.
- £25,000 towards Rothley Community Centre and Mountsorrel Memorial Centre - (Split 50/50).

RECOMMENDATION B

That subject to the completion of the Supplemental Deed in A above, planning permission be granted for the development subject to the following Conditions and Reasons why they have been imposed:

1. The development hereby permitted shall not begin 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 in the submitted application, as amended by the revised drawings Nos.208/HouseSub/P-01 Revision D Proposed Site Layout, 208/Aff-L/P-01 Revision C, Affordable Housing Location Plan, AW/MOU/WHITE; AW/MOU/DOW; AW/MOU/ALN; AW/MOU/HAN; 208/Clayton A/P-01; 208/Hatfield/P-01; 208/Leicester/P-01; 208/Roseberry/P-01
REASON: To make sure that the scheme takes the form agreed by the authority and thus results in a satisfactory form of development.
3. Access to the development site shall be gained from the main internal service road approved to serve the adjoining development under reserved matters application P/15/0013/2 and shown on plan reference 16641-103 submitted for and required by condition 8 of that planning permission. This road shall thereafter remain available for use by the development at all times until it becomes adopted.
REASON: To ensure that a satisfactory means of access is provided to serve the development in accordance with Policy TR/5 (v) of the Local Plan and thus results in a satisfactory form of development.

4. No dwelling shall be occupied until the internal access layout proposed to serve the development and the main internal service road approved to serve the adjoining development under reserved matters application P/15/0013/2, up to where it adjoins the proposed development is constructed in accordance with plan reference 16641-103 submitted for and required by condition 8 of that planning permission.
REASON: To ensure a satisfactory means of access is provided to serve the development in accordance with Policy TR/5 (v) of the Local Plan and thus results in a satisfactory form of development
5. All details of the proposed development shall comply with the design standards of LCC as contained in its current design standards document. Such details must include parking and turning facilities, access widths, gradients, surfacing, signing and lining (including that for cycleways and shared use footway/cycleways) and visibility splays and will be submitted for approval by the LPA in consultation with the Highway Authority before development commences.
REASON: To ensure a satisfactory form of development and in the interests of highway safety.
6. No development shall commence on the proposed dwellings until such time as a construction traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. 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 to road users, and to ensure that construction traffic / site traffic associated with the development does not lead to on-street parking problems in the area.
7. Throughout the period of construction wheel washing facilities shall be provided and retained within the site. All construction vehicles shall have hire wheels washed before leaving the site in order to prevent the deposition of mud or extraneous material on the public highway.
REASON: To reduce the possibility of deleterious material (mud, stones etc) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic / site traffic associated with the development does not lead to on-street parking problems in the area.
8. Before the development to which this application relates commences, details of the routing of construction traffic shall be submitted to and approved by the LPA in consultation with the Highway Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.
REASON: To ensure that construction traffic associated with the development does not use unsatisfactory roads to and from the site.
9. The gradients of the access drives shall not exceed 1:12 for the first 5 meters behind the highway boundary.

REASON: To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety.

10. Before first use of the development hereby permitted, 1.0 meter by 1.0 meter pedestrian visibility splays shall be provided on the highway boundary on both sides of each access with nothing within those splays higher than 0.6 meters above the level of the adjacent footway/verge/highway, in accordance with the current standards of the Highway Authority and shall be so maintained in perpetuity.

REASON: In the interests of pedestrian safety.

11. The car parking spaces and any turning facilities shown within the curtilage of each dwelling shall be provided, hard surfaced and made available for use before each dwelling is occupied and shall thereafter be permanently so maintained.

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

12. No development, including site works shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Local Planning Authority :i) the treatment proposed for all ground surfaces, including hard areas; ii) full details of tree planting; iii) planting schedules, noting the species, sizes, numbers and densities of plants; iv) finished levels or contours; v) any structures to be erected or constructed; vi) functional services above and below ground; and vii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

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

13. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting and seeding seasons following the first occupation of any part of the development or in accordance with a programme previously agreed in writing by the Local Planning Authority. Any trees or plants removed, dying, being seriously damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

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

14. The hedge located on the along West Cross Lane frontage and within the wider application site shall be retained and maintained at a height no lower than 1.5 metres; other than where it is to be removed to provide access. Any part of the hedge removed, dying, being severely damaged or becoming seriously diseased shall be replaced, with hedge plants of such size and species as previously agreed in writing by the Local Planning Authority, within 1 year of the date of any such loss.

REASON: The hedge is an important feature in the area and its retention is necessary to help screen the new development and prevent undue overlooking of adjoining dwellings.

15. No walls, planting or fences shall be erected or allowed to grow on the highway boundary exceeding 0.6 meters in height above the level of the adjacent carriageway.
REASON: To afford adequate visibility at the access/junction to cater for expected volume of traffic and in the interests of general highway safety.
16. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the LPA. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
REASON: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and because the Humber River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact could cause deterioration of the River Soar water body.
17. Before the first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway and thereafter shall be so maintained.
REASON: To reduce the possibility of surface water from the site being deposited in the interests of general highway safety.
18. No development shall be commenced above base course until a schedule of external materials relating to each plot/building has been submitted to and approved in writing by the LPA. Development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing with the LPA.
REASON: To make sure that the appearance of the completed development is satisfactory.
19. No development shall be commenced above base course, until details of all the boundary treatments proposed for the site including types, heights, design and materials, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved boundary treatment for each individual plot of site shall be implemented prior to the occupation of each individual dwelling and then retained in full for a minimum period of 5 years unless otherwise agreed in writing by the LPA.
REASON: To make sure that the appearance of the completed development is satisfactory.

The requirements of this condition 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 decision has been reached taking into account paragraphs 186-187 of the National Planning Policy Framework and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).
2. DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policy CS2, CS3 and CS24 of the Charnwood Local Plan 2011 to 2028 Core Strategy and saved Policies EV/1 and TR/18 of the Borough of Charnwood Local Plan 1991 – 2006 and the National Planning Policy Framework have been taken into account in the determination of this application. The proposed development complies with the requirements of these policies. There are no other material considerations which are of significant weight in reaching a decision on this application.
3. Planning permission has been granted for this development because the Council has determined that it is generally in accord with the terms of the above-mentioned policies and the Council's adopted Supplementary Planning Document 'Leading in Design'.
4. This approval should be read in conjunction with outline planning permission ref.no. P/14/0058/2 dated 24.12.2014 and reserved matters approval ref.no. P/15/0013/2 dated 28.05.2015, the conditions of which remain in place and must be complied with, together with the related agreement under Section 106 of the Town & Country Planning Act 1990 attached to outline planning permission ref.no. P/14/0058/2, as supplemented by the Supplemental Deed attached to this planning permission.

