

Persimmon Homes North Midlands  
Davidson House  
Meridian East  
Meridian Business Park  
Leicester  
LE19 1WZ



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## Details of Application

**APPLICATION NO:** P/20/0515/2  
**PROPOSAL:** Reserved Matters of outline planning permission P/14/1833/2 for the erection of 217 dwellings (phase 1a), including the discharge of outline conditions 11, 14, 39, 43 & 50.  
**LOCATION:** Land at West of Loughborough, Loughborough, Leicestershire  
**APPLICANT:** Persimmon Homes North Midlands

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

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

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

1. The development, hereby permitted, shall be begun not later than 18 months from the date of this permission.  
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development, hereby permitted, shall be carried out in accordance with the approved plans listed in schedule 1.  
REASON: To provide certainty and define the terms of the permission.
3. No dwelling shall be occupied until surface water drainage to serve that dwelling, which accords with the surface water drainage scheme for the phase, to be approved under condition 29 of P/14/1833/2, has been completed and made available.  
REASON: To ensure there is no risk of flooding within the development or surrounding areas as a result of approved drainage detail not being implemented in a timely manner and to ensure compliance with development plan policies CS16 and CS22.
4. No dwelling shall be occupied until the parking and turning facilities for that dwelling have been provided in accordance with the plans listed in schedule 1.  
REASON: To ensure that adequate on street parking is provided in the interest of highway safety and to ensure compliance with policies CS2 and CS18.
5. Prior to the commencement of works above slab level, details of the site gateway from the A6 are to be submitted to and agreed in writing by the Local Planning Authority.

The agreed site gateway is to be implemented in accordance with the agreed details prior to the occupation of the 100th dwelling.

REASON: To ensure a high-quality design in keeping with the historic importance of the site in accordance with CS22.

6. Prior to commencement of works above slab level, details of boundary treatments within phase 1a are to be submitted to and agreed in writing by the Local Planning Authority. The agreed details are to be implemented in accordance with the approved details prior to occupation.  
REASON: To ensure that suitable boundary treatment is provided in keeping with the design and layout of the site in accordance with CS22.
7. Prior to commencement of works above slab level within Phase 1a (as defined by FPCR Phasing Plan ref 7394-L-PH1-2 Rev E) details of hard landscaping are to be submitted to and agreed in writing by the Local Planning Authority. The agreed details are to be implemented in accordance with the approved details prior to occupation.  
REASON: To ensure that suitable boundary treatment is provided in keeping with the design and layout of the site in accordance with CS22.
8. The development, hereby permitted, shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Persimmon Homes drawing number PS/GAR/01 Revision AA. Thereafter the onsite parking provision shall be so maintained in perpetuity.  
REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).
9. Notwithstanding the submitted plans, any garage doors shall be set back from the highway boundary a minimum distance of 5.5 metres for sliding or roller/shutter doors/ 6.1 metres for up-and-over doors/ 6.5 metres for doors opening outwards and thereafter shall be so maintained.  
REASON: To enable a vehicle to stand clear of the highway whilst the garage / car port doors are opened/closed, to protect the free and safe passage of traffic, including pedestrians, in the public highway, to ensure that adequate off street parking provision is available to reduce the possibility of on street parking problems locally and in accordance with the National Planning Policy Framework (2019).
10. No part of the development, hereby permitted, shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall 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 highway causing dangers to road users in accordance with the National Planning Policy Framework (2019).
11. No development shall take place until a scheme for the treatment of the Public Rights of Way has been submitted and approved in writing by the Local Planning Authority. Such a scheme shall include provision for their management during construction, surfacing, width, structures, signing and landscaping in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers (<https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/fag/2018/6/5/Right-of-way-guide.pdf>). Thereafter the development shall be carried out in accordance

with the agreed scheme and timetable.

REASON: to protect and enhance Public Rights of Way and access in accordance with Paragraph 98 of the National Planning Policy Framework 2019.

The requirements of these conditions must be complied with.

**Note:-**

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

Please visit our website for more information.

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

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

1. The Local Planning Authority acted pro-actively through positive engagement with the applicant during the determination process. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. Approval has been given to these Reserved Matters because the Council has determined that, although representations have been received against them, they are generally in accord with the terms of the above-mentioned policies and the Council's adopted Supplementary Planning Document 'Design' (adopted 2020), and therefore no harm would arise such as to warrant their rejection.
3. If the roads within the proposed development are to be offered for adoption by the Local Highway Authority, the Developer will be required to enter into an agreement under Section 38 of the Highways Act 1980. Detailed plans will need to be submitted and approved, the Agreement signed and all sureties and fees paid prior to the commencement of development. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway.  
For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
4. If an Agreement is not in place when the development is commenced, the Local Highway Authority will serve Advanced Payment Codes in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please email [road.adoptions@leics.gov.uk](mailto:road.adoptions@leics.gov.uk) in the first instance.
5. Prior to construction, measures should be taken to ensure that users of the Public Rights of Way are not exposed to any elements of danger associated with construction works.
6. Public Rights of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980. Application for Diversion or Stopping Up should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of

Way until a Diversion Order has been confirmed and become operative.

7. If the developer requires a Right of Way to be temporarily diverted, for a period of up to 6 months, to enable construction works to take place, an application should be made to [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk) at least 12 weeks before the temporary diversion is required.
8. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.

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Richard Bennett  
Head of Planning and Regeneration

**19 July 2021**

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

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

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

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

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

#### **Purchase Notices**

If either we or the Secretary of State for Communities and Local Government (DCLG) grants approval conditionally, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be approved.

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

#### **Access and provision for disabled persons.**

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

#### **Access for fire brigade.**

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

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

Notes for reserved matters Grant conditionally 0212

## Schedule 1 – Approved Plans

### Phase 1a – Reserved matters

- PS\_GAR\_01 Garendon Phase 1 Site Layout Rev AA
- 7394-L-01 AA Detailed Layout
- PS\_GAR\_01 Rev B Garendon Site Layout in Relation to Existing Development - Rev B
- Garendon House Type Drawings - Rev G
- 7394-DL-101-106G Parcel 1A Detailed Plans
- 7394 Garendon Visualisations Rev B
- 7394-P-55 Street Scenes AA DD
- 7394-P-56 Street Scenes BB CC
- 7394-DL-107-116D Phase 1 and 2 Detailed Landscaping and POS
- Site Location Plan PS-GAR-10

### Condition 11 – Children and Young Person’s Strategy

- Children and Young Person’s Strategy (received March 2021)

### Condition 14 – Site wide structural landscaping

- 7394-SL-01D Site Wide Structural Landscape
- 7394-SL-02D North East Structural Landscape
- 7394-SL-03C North West Structural Landscape
- 7394-SL-04C Central East Structural Landscape
- 7394-SL-05C Central West Structural Landscape
- 7394-R1-9A Recreational Routes Phasing
- Green Infrastructure Phase 1 - 2E
- Green Infrastructure Phase 1 – 3E
- Green Infrastructure Phase 1 – 4E
- Green Infrastructure Phase 1 – 5E
- Green Infrastructure Phase 1 – 6E
- Green Infrastructure Phase 1 – 7E
- Green Infrastructure Phase 1 – 7E
- Green Infrastructure Phase 1 – 9E

### Condition 39 - Landscape scheme for registered park and garden

- 7394-DL-107-116D Phase 1 & 2 Detailed GA and Landscape POS Plans
- 7394-DL-201-211G Garendon Park Detailed Landscaping

### Condition 43 – Phase Noise assessment

- WYG Noise Assessment February 2020

### Condition 50 – Phase odour control

- WYG Odour Survey and Assessment February 2020

WYG Additional Odour Assessment in Response to EHO’s Comments August 2020