

Mr Jake Robinson  
William Davis Homes Ltd



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

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## Details of Application

**APPLICATION NO:** P/20/2187/2  
**PROPOSAL:** Reserved matters application comprising of 251 dwellings inclusive of access, appearance, landscaping and scale relating to Phase 1b and 1c of outline application P/14/1833/2  
**LOCATION:** Pear Tree Lane, Loughborough, Leicestershire  
**APPLICANT:** Mr Jake Robinson

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

**REASON:** To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with policy CS2 and CS11.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional first floor windows, other than those expressly authorised by this permission, shall be constructed on the southern elevation of plot 244 and the north elevation of plot 176.

REASON: To ensure that there is no overlooking of adjacent gardens in the interest of ensuring good standards of amenity for future occupiers in accordance with policy CS2 of the development plan.

5. No residential unit shall be occupied until the parking and turning facilities associated with that unit have been implemented in accordance with SGP drawing number 17-261-SGP-ST-ZZ-DR-A-P02 Revision F, 'Proposed Site Layout'. 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 (2021).

6. Any dwellings that are served by private access drives (and any turning spaces) shall not be occupied until such time as the private access drive that serves those dwellings has been provided in accordance with the approved plans listed in Schedule 1. The private access drives should be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, and to reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

7. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary and shall be hung to open away from the highway.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2021).

8. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by metre pedestrian visibility splays have been provided on the highway boundary on both sides of all private accesses with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2021).

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), first floor windows on the north elevation of plot 176 shall be obscure glazed; and non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level and, once provided, shall be so maintained in perpetuity.

REASON: To ensure that there is no overlooking of adjacent gardens in the interest of ensuring good standards of amenity for future occupiers in accordance with policy CS2 of the development plan.

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. 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>
2. 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.

3. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

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Richard Bennett  
Head of Planning and Regeneration

**08 October 2021**

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### Schedule 1 – Approved Plans

Plan No.	Document details	Revision
17-261-AB(C)-1	Ashburn house type planning drawing - design option 1 (C)	A
17-261-AB-1	Ashburn house type planning drawing - design option 1	A
17-261-BM-1	Beamish house type planning drawing - design option 1	A
17-261-BM-2	Beamish house type planning drawing - design option 2	A
17-261-BT-1	Blyth house type planning drawing - design option 1	A
17-261-BT-2	Blyth house type planning drawing - design option 2	-
17-261-DD(PC)-2	Dee house type planning drawing - design option 2 (PC)	A
17-261-DD(PC)-3	Dee house type planning drawing - design option 3 (PC)	A
17-261-DD-1	Dee house type planning drawing - design option 1	A
17-261-DE-1	Dove house type planning drawing - design option 1	A
17-261-DE-7	Dove house type planning drawing - design option 7	A
17-261-DE-9	Dove house type planning drawing - design option 9	A
17-261-DK-1	Denwick house type planning drawing - design option 1	A
17-261-DL-8	Dalton house type planning drawing - design option 8	A
17-261-DL-8-SP1	Dalton house type planning drawing - special	-
17-261-DS(PC)-1	Douglas house type planning drawing - design option 1 (PC)	A
17-261-DS(PC)-2	Douglas house type planning drawing - design option 2 (PC)	-
17-261-DS(Semi)-2	Douglas house type planning drawing - design option 2 (semi)	-
17-261-DS-1	Douglas house type planning drawing - design option 1	A
17-261-DS-2	Douglas house type planning drawing - design option 2	A
17-261-GB02	Deluxe single, side gable garage - single ownership	C
17-261-GB03	Garage - Double, side gable - joint ownership	A
17-261-GB06	Single front gable garage	
17-261-GB09	Triple garage	
17-261-HT-1	Hetton house type planning drawing - design option 1	A
17-261-HT-1(mid unit)	Hetton house type planning drawing - design option 1 (mid-unit)	A
17-261-HY-8	Helmsley house type planning drawing - design option 8	A
17-261-LA-1	Lea house type planning drawing - design option 1	A
17-261-LA-7	Lea house type planning drawing - design option 7	A
17-261-LN(PC)-1	Lydden house type planning drawing - design option 1 (PC)	A
17-261-MD-1	Meden house type planning drawing - design option 1	A

17-261-MD-1-SP1	Meden house type planning drawing - special	
17-261-ME(PC)-1	Medway house type planning drawing - design option 1 (PC)	A
17-261-ME(PC)-2	Medway house type planning drawing - design option 2 (PC)	
17-261-ME(PC)-3	Medway house type planning drawing - design option 3 (PC)	
17-261-MM-2	Minsmere house type planning drawing - design option 2	A
17-261-NN-1	Nene house type planning drawing - design option 1	A
17-261-NN-2	Nene house type planning drawing - design option 2	
17-261-P01	Site Location Plan	A
17-261-P02	Proposed Site Layout	F
17-261-P03	Coloured Site Layout	G
17-261-P04	Materials Plan	F
17-261-P05	Hard Landscaping Plan	F
17-261-P06	Boundary Treatments Plan	F
17-261-P07	Street Scenes 1	C
17-261-P08	Street Scenes 2	B
17-261-RP-8	Ripon house type planning drawing - design option 8	A
17-261-RP-8	Ripon house type planning drawing - design option 8 (mid-unit)	A
17-261-RP-8-SP1	Ripon house type planning drawing - special	
17-261-RR-1	Rother house type planning drawing - design option 1	A
17-261-RR-1-Mid Unit	Rother house type planning drawing - design option 1 (mid-unit)	A
17-261-SF-1	Sherford house type planning drawing - design option 1	C
17-261-SF-2	Sherford house type planning drawing - design option 2	
17-261-SL-1	Solway house type planning drawing - design option 1	A
17-261-SL-2	Solway house type planning drawing - design option 2	
17-261-SN-3	Seaton house type planning drawing - design option 3	A
17-261-SN-4	Seaton house type planning drawing - design option 4	A
17-261-SR(PC)-2	Soar house type planning drawing - design option 2 (PC)	A
17-261-SR-1	Soar house type planning drawing - design option 1	A
17-261-ST(PC)-1	Solent house type planning drawing - design option 1 (PC)	A
17-261-ST(PC)-2	Solent house type planning drawing - design option 2 (PC)	A
17-261-ST-1	Solent house type planning drawing - design option 1	A
17-261-ST-2	Solent house type planning drawing - design option 2	
17-261-SV-1	Severn house type planning drawing - design option 1	A

17-261-SV-2	Severn house type planning drawing - design option 2	A
17-261-SV-4	Severn house type planning drawing - design option 4	A
17-261-TM-1	Teme house type planning drawing - design option 1	A
17-261-TS-8	Thirsk house type planning drawing - design option 8	A
17-261-WR-8	Wrelton house type planning drawing - design option 8	A
6235 L02	Ball top railings	B
6235 L03	Brick wall and railing detail	C
6235 L10	Private tarmac drive with block paviour edging	C
6235 L11	Private tarmac drive with PC concrete edging	D
6235 L12	Private block paviour drive detail	C
6235 L14	Shared concrete drive with PC concrete edging	C
6235 L15	Shared block paved drive	D
6235 L16	Fire access drive details	B
6235 L44	Close boarded timber fence	D
6235 L62	Waney edged panel fencing	B
6235 L65	Brick screen wall	B
6235 L83	Metal boundary fence	D
L76	Private drive demarcation lines	A
L89	Brick Screen Wall	
GL1550 01C	Detailed Landscape Proposals	C
GL1550 02C	Detailed Landscape Proposals	C
GL1550 03B	Detailed Landscape Proposals	B
GL1550 04C	Detailed Landscape Proposals	C
GL1550 05B	Detailed Landscape Proposals	B
GL1550 06B	Soil Volumes & Tree Pit Detail	B
17-261-P09 Rev. A	Composite Masterplan	A
2952	Cell 1B Vehicle Swept Path Analysis Sheet 1 of 2	D01
2952	Cell 1B Vehicle Swept Path Analysis Sheet 2 of 2	D01
2951	Cell 1C Vehicle Swept Path Analysis Sheet 1 of 2	D01
2951	Cell 1C Vehicle Swept Path Analysis Sheet 2 of 2	D01

**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