

## Item No. 2

### Application Reference Number P/20/2349/2

<b>Application Type:</b>	Outline	<b>Date Valid:</b>	15.12.2020
<b>Applicant:</b>	Davidsons Developments Limited		
<b>Proposal:</b>	Application for Outline Planning Permission for residential development for up to 50 no. dwellings, with associated landscaping, open space, drainage infrastructure and access: and the demolition of number 65 Glebe Road Queniborough to facilitate the development of an emergency access (Outline access only to be considered).		
<b>Location:</b>	Land off Boonton Meadow Way, including No 65 Glebe Road, Queniborough		
<b>Parish:</b>	Queniborough	<b>Ward:</b>	Queniborough
<b>Case Officer:</b>	Helen Knott	<b>Tel No:</b>	01509 634988

---

## Background

This application was presented at Plans Committee on the 16<sup>th</sup> December 2021. The committee resolved to defer the application in order to allow Queniborough Parish Council time to gather further information.

This report is an update to the original committee report in appendix B and the extras report in appendix C. It updates members on the additional information received since the 16 December 2021 Plans Committee.

## Further information and consultation responses received

This section provides a brief summary of the information received since the 16 December meeting of Plans Committee. The documents can be read in full on the online planning file.

### Queniborough Parish Council

Queniborough Parish Council has submitted Counsel Opinion from Nina Pindham and Sioned Davies of No5 Chambers. They state that *'We have been asked for our view on whether the requirements of paragraph 14(b) of the NPPF have been made out meaning that the neighbourhood plan does contain policies and allocations to meet its identified housing requirement.'*

This legal opinion provides a legal and policy context and outlines quotes from the Queniborough Neighbourhood Plan (QNP) Examiner's report and its supporting documents and it identifies the context provided by the Local Plan Pre-Submission Draft.

The opinion is that the QNP expressly sets out the determination of the housing requirement in paragraphs 7.1 – 7.3 and the examining Inspector was happy with this approach. It goes on to contend that it would be unreasonable for the Neighbourhood

Planning Body to determine the housing need on the basis that the Core Strategy was time expired.

The opinion concludes that *'the QNP has taken an eminently sensible approach to assessing the need in its area based on current policy, and providing for well in excess of that need through an allocation in the QNP. Given that the identified housing requirement used in the QNP was derived from the best available housing figure for the neighbourhood area set out in the relevant strategic policies in the present local plan (the Core strategy), we conclude that the QNP does satisfy the requirements of paragraph 14(b) of the NPPF.'*

Full copy of this legal opinion is publically available on the planning file and can be accessed via the Council website.

### Applicant

The applicant has also submitted Counsel Opinion from Scott Stemp also of No5 Chambers. This states *'I am asked to consider the opinion of Ms Pindham and Ms Davies (dated 7<sup>th</sup> January 2022 – 'the opinion') submitted on behalf of Queniborough Parish Council ('QPC') in relation to an application for planning permission (reference P/20/2349/2 – 'the application').*

The opinion is that the approach to be taken to paragraph 14 of the NPPF has recently been addressed by an Inspector at the appeal for Melton Road, Burton on the Wolds where *'the Inspector identified that a neighbourhood plan must contain both policies and allocations to meet an identified housing requirement in order to meet NPPF 14.'*

The opinion responds to two posed questions: 'Does the QNP contain a housing requirement for the QNP area?' and 'Does the QNP contain allocations to meet an identified housing requirement?'. It contends:

- the QNP does not contain a policy which identifies housing need;
- the housing need identified in the supporting text is not for the neighbourhood area as the Core Strategy figure is a minimum figure for a total of 12 settlements; and
- the plan does not identify an allocation to fulfil the requirements of paragraph 14 (b) of the NPPF.

The opinion is that paragraph 14 is not fully engaged when determining this planning application given the reasons above.

Full copy of this legal opinion is publically available on the planning file and can be accessed via the Council website.

### NHS West Leicestershire CCG

A request of £25,315.62 has been sought towards the improvement of two surgeries within Syston of which this development would have an impact.

### **Consideration of the additional submissions and planning assessment**

## Paragraph 14 of the NPPF and Queniborough Neighbourhood Plan

To summarise, the Parish Council's legal opinion states that the QNP does include an identified housing requirement and includes an allocation and therefore meets the requirements of paragraph 14 (b) of the NPPF. The applicant's legal opinion states that paragraph 14 (b) of the NPPF is not met as the QNP does not have an identified housing need for the area and does not contain an allocation of land to meet it.

As members have previously been advised, in order for Paragraph 14 to be fully engaged, the following circumstances must all be satisfied:

- a) The neighbourhood plan must be 2 years old or less when the decision is made
- b) The neighbourhood plan contains policies and allocations to meet its identified housing requirement
- c) There must be at least a three year supply of deliverable housing sites
- d) The housing delivery in the Borough must be 45% of that required over the previous three years.

Following the conflicting legal opinions submitted by the applicant and the Parish Council, Charnwood Borough Council as the Local Planning Authority obtained a legal opinion from Hugh Richards, No5 Chambers. The Council sought advice on whether the Queniborough Neighbourhood Plan meets all requirements of paragraph 14(b) of the NPPF. The Plans Committee report and the two legal opinions submitted by the applicant and the Parish Council were provided to the Barrister for context.

A redacted copy<sup>1</sup> of the legal opinion provided Hugh Richards to the Council is attached as Appendix A to this report and is also on the planning file, which can be viewed on the Council's website. The opinion concludes:

'In my opinion the requirements of NPPF para 14 (b) are therefore not met in this case. In the determination of the current planning application the "likely" provision in para 14 does not apply.'

The reasons given for this conclusion were that there is no housing requirement figure set out in the QNP, the closest it comes to this is by noting that the Core Strategy provides for at least 500 homes to be provided in 12 settlements including Queniborough. Additionally, the advice identifies that the Examiner's Report for the QNP describes the 500 figure as a "collective requirement" which has already been exceeded and in the emerging Local Plan the same settlements were given a further collective requirement of 945 new homes. The QNP did not request an indicative figure from the Council and no indicative housing figure was tested during the QNP examination process.

The conclusions of Mr Richards' legal opinion support the officer's conclusion within the original committee report that Queniborough Neighbourhood Plan does not satisfy the requirements of paragraph 14 (b).

---

<sup>1</sup> A redacted version has been published as the Opinion also covered other matters not related to the determination of this planning application

It is acknowledged that there are three separate legal opinions on the matter of paragraph 14 of the NPPF with a focus on paragraph 14 (b). However, the Council's legal opinion was able to consider all points raised by both the applicant and the Parish Council.

In conclusion, while the QNP does include an allocation of land, it does not include a policy which sets out the housing requirement for the neighbourhood area and therefore the application fails to satisfy the requirements of Paragraph 14(b) of the NPPF.

Accordingly, any contradiction with policies relating to the provision of housing is unlikely to be considered as a significant and demonstrable harm sufficient to outweigh identified benefits. Any such conflict with the Neighbourhood Plan remains a harm to be accounted for in the planning balance rather than being determinative.

The application must fall to be determined in line with paragraph 11 (d) of the NPPF and the assessment and planning balance outlined within the 16 December 2021 officer report (appendix B) and Extras Report (appendix C).

### Landscape and Visual Impact

Updated landscape comments have been provided by the Senior Landscape Officer since the publication of the original committee report (appendix B). These comments provide clarity on the assessment of the harm to the landscape following discussions between the case officer and the Senior Landscape Officer. The comments identify that the landscape of the area is moderately sensitive to change and also forms the landscape setting for the Conservation Area. Concerns are raised in the comments with regard to the submitted parameter plan supporting the application due to a limited number of trees proposed to the southern perimeter and interior to the site, which the Senior Landscape Officer considers only weakly addresses the previous concerns and does not adequately mitigate effects. The Senior Landscape Officer considers the proposed parameter plan from vantages to the south and east and that there would likely remain significant visual harm. It is acknowledged by the Senior Landscape Officer that additional landscaping could be included to mitigate this impact such as a defined tree belt, which is a characteristic of the local area, or trees interspersed between plots to provide screening within and adjacent to the Conservation Area.

This application is for outline planning permission with access being the only detailed matter for consideration. Therefore, the parameter plan provided with the application is indicative only and subject to change through a reserved matters application. The parameter plan is a basis and starting point to guide the detailed design of the scheme and can be further developed. There has been no indication that additional planting on site would not be possible and therefore additional mitigation to lessen impact of the landscape could be achieved.

Additionally, a planning condition has been recommended to mitigate the impact of the development upon the Conservation Area. This condition requires the strengthening of the hedge line along the boundary adjacent to the conservation area and the fields to the south together with the planting of large species trees, along the edge and within the proposed development, with sufficient space given to grow to maturity. This condition would also ensure the future detailed scheme includes further planting to mitigate impact

upon the landscape as well as reducing the impact upon the setting of the Conservation Area.

It is concluded that, subject to appropriate mitigation provided at the detailed reserved matters stage, the impact of the development upon the surrounding landscape could be mitigated. Policy CS11 of the Core Strategy requires new developments to protect landscape character and reinforce sense of place and local distinctiveness, mitigate its impact on tranquillity and maintain the separate identities of towns and villages. As identified above mitigation is possible on this site, with details to be provided and agreed at the reserved matters stage, to limit the harm upon the immediate landscape which would accord with Policy CS11 of the Core Strategy. Policy Q6 of the Queniborough Neighbourhood Plan states that to support the character of the landscape and countryside Policy CS11 of the Core Strategy will be applied. Therefore, the proposal is considered in accordance with Policy Q6 of the Queniborough Neighbourhood Plan.

### NHS contribution request

NHS West Leicestershire Clinical Commissioning Group have submitted a request for S106 contribution of £25,315.62 towards The County Practice, Syston and Jubilee Medical Practice, Syston. The request identifies that the development could result in an increased patient population of 121 people. Both practices are experiencing capacity issues in relation to their premises and would need to make improvements to enable them to register new patients arising from the proposed development. This request is considered to be CIL compliant and would, alongside the other identified S106 contributions, facilitate the necessary infrastructure to meet Policy CS24.

### **Planning Balance and Conclusion**

Noting the additional information provided above, this does not alter the original assessment of the Planning Balance of this application, as set out in the original report (see appendix B and C). It is considered that the benefits of the proposal outweigh the limited harm identified to landscape and heritage and therefore it is recommended that planning permission be granted, subject to a S106 legal agreement securing the obligations outlined in Recommendation A and the planning conditions outlined in Recommendation B.

### **Recommendation A:**

That authority is given to the Head of Planning and Regeneration and the Head of Strategic Support to enter into a legal 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:

Biodiversity	The submission of a Biodiversity Mitigation Strategy which includes a new BIA assessment (using the Warwickshire County Council calculator) with the agreed baseline for the site, at reserved matters stage. Mitigation will be provided in order of the following preference:
--------------	---

	<p>1) To achieve no net biodiversity loss.</p> <p>2) Mitigation on site.</p> <p>3) Mitigate off site</p> <p>4) Offsite contribution to pay for a project within the vicinity of the development which mitigates the net loss on site (to be agreed by all parties).</p>
Libraries	£1,510 to mitigate the impact of the development at East Goscote Library
Civic Amenity	£2,584 to mitigate the impact of the development at the Mountsorrel Household Waste Recycling Centre
Affordable Housing	40% of the total housing on the site with a tenure split of 77% affordable rented and 23% shared ownership
Open Space	Off site contributions for young people of £47,700 Outdoor Sports £26,469 Allotments £5,646
Highways	<p>1. Travel Packs, one per dwelling; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack)</p> <p>2. Six month bus passes, two per dwelling (two application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at £510.00 per pass).</p> <p>3. Raised kerb provision at the nearest two bus stops Syston Rd (adj Barkby Rd) – 260007805 and at Syston Road (opp Avenue Rd) - 260007804 at a cost of £3,500 per stop to support modern bus fleets with low floor capabilities.</p>
NHS West Leicestershire CCG	£25,315.62 towards the improvements of The County Practice, Syston and Jubilee Medical Practice, Syston.

### Recommendation B:

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

1	<p>Application for approval of reserved matters shall be made within three years of the date of this permission and the development shall be begun not later than two years from the final approval of the last of the reserved matters.</p> <p>REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No development shall commence until details of the appearance, landscaping, layout and scale, (“the reserved matters”), have been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.</p> <p>REASON: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <ul style="list-style-type: none"> <li>• Site Location Plan 400 Rev B</li> <li>• Indicative access arrangement 2001570-002 Rev A (within the Transport Statement) submitted 15th December 2020</li> <li>• GL1323 13 A Emergency access/footpath/soft landscape drawing submitted 15th March 2021.</li> </ul> <p>REASON: To provide certainty and define the terms of the permission</p>
4	<p>The reserved matters shall comprise a mix of market and affordable homes that has regard to both identified housing need for the borough and the character of the area.</p> <p>REASON: To ensure that an appropriate mix of homes is provided that meets the Council’s identified need profile in order to ensure that the proposal complies with Development Plan policies CS3, and the advice within the NPPF.</p>
5	<p>The details submitted pursuant to condition 2 above shall include full details of existing and proposed ground levels and finished floor levels of all buildings relative to the proposed ground levels.</p> <p>REASON: To make sure that the development is carried out in a way which is in character with its surroundings and ensure compliance with policies CS2 and of the Development Plan and associated national and local guidance.</p>
6	<p>The details submitted pursuant to condition 2 above shall include provision of a Swept path analysis based on Charnwood's refuse vehicle to confirm the suitability of the layout.</p> <p>REASON: In the interests of pedestrian and highway safety and in accordance with the National Planning Policy Framework (2019) and to promote and encourage walking to and from the site in accordance with policy CS17.</p>
7	<p>No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The</p>

	<p>construction of the development shall thereafter be carried out in accordance with the approved details and timetable.</p> <p>REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area in accordance with Paragraph 110 and 111 of the National Planning Policy Framework.</p>
8	<p>No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Indicative Access Arrangements drawing number 2001570-002 Rev A have been implemented in full.</p> <p>REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with paragraph 111 the National Planning Policy Framework.</p>
9	<p>The details to be submitted pursuant to Condition 2 above shall include the details of external lighting for the site that minimises light spill onto boundary habitats.</p> <p>REASON: To ensure that there is no adverse unmitigated impact on ecology and that there is compliance with Policy CS13 and the National Planning Policy Framework.</p>
10	<p>No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.</p> <p>REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with paragraph 169 of the National Planning Policy Framework.</p>
11	<p>No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.</p> <p>REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase in accordance with paragraph 169 of the National Planning Policy Framework.</p>
12	<p>No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full.</p> <p>REASON: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable</p>



	<p>drainage systems) within the proposed development in accordance with paragraph 169 of the National Planning Policy Framework.</p>
13	<p>No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy in accordance with paragraph 169 of the National Planning Policy Framework.</p>
14	<p>Prior to the occupation of any dwelling a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all public open spaces, ecological mitigation areas and surface water drainage system, shall be submitted to and approved in writing by the local planning authority. The approved landscape management plan shall then be fully implemented.</p> <p>REASON: To ensure that public open spaces are maintained so that they are of good quality and that drainage systems retain full function. This is to make sure the development remains in compliance with Development Plan policies CS2, CS11, CS15 and CS16.</p>
15	<p>The existing hedges and trees located within the application site boundaries, other than at the point of the new access shall be retained and always maintained. 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 one year of the date of any such loss.</p> <p>REASON: The hedges and trees are an important feature in the area and its retention is necessary to help screen the new development and mitigate its impact within the wider landscape in accordance with Policy CS11 of the Core Strategy (2015) and Policy Q6 of the Queniborough Neighbourhood Plan.</p>
16	<p>No development, including site works, shall begin until the hedges and trees located within the application site boundaries that are to be retained, have been protected, in a manner previously agreed in writing by the local planning authority. The hedges shall be protected in the agreed manner for the duration of building operations on the application site.</p> <p>REASON: The hedges and trees are an important feature in the area and this condition is imposed to make sure that it is properly protected while building works take place on the site in accordance with Policy CS11 of the Core Strategy (2015) and Policy Q6 of the Queniborough Neighbourhood Plan.</p>
17	<p>The details submitted pursuant to condition 2, shall include a heritage statement to inform the impact of the development upon the Queniborough Conservation Area.</p> <p>REASON: To ensure the development does not cause harm to the character and appearance of the Queniborough Conservation Area in order to ensure that the development complies with Policy CS14 of the Charnwood Local Plan 2028.</p>

18	<p>The details to be submitted pursuant to Condition 2 above shall include a ball strike report assessment to inform the impact of the location and design of the development in relation to the adjacent Tennis Court at the Syston Rugby, Cricket and Tennis ground on the future occupiers of the development.</p> <p>REASON; This condition is imposed in the interests of protecting the amenities of future occupiers in accord with CS2 of the Charnwood Local Plan 2028.</p>
19	<p>No development including site works shall begin until details of the method of dealing with dust from construction works has been submitted to and agreed in writing with the local planning authority. The agreed details shall thereafter be implemented during the construction phase of the development.</p> <p>REASON: This condition is imposed in the interests of protecting the amenities of existing and future occupiers in accord with CS2 of the Charnwood Local Plan 2028.</p>
20	<p>No development shall commence on site until a physical site investigation has been undertaken to identify the extent, scale and type of any contamination. Details of the findings of this site investigation shall be submitted to the local planning authority.</p> <p>If contamination is identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be prepared, submitted and agreed in writing by the local planning authority.</p> <p>The development hereby permitted shall be carried out in strict accordance with this approved remediation scheme.</p> <p>REASON; This condition is imposed in the interests of protecting the amenities of future occupiers in accord with CS2 of the Charnwood Local Plan 2028.</p>
21	<p>Upon completion of the remedial measures approved pursuant to condition 21 a site verification report shall be provided including conclusive evidence that the remedial measures have been implemented and the site is suitable for its intended use, to the local planning authority and confirmed in writing that it is acceptable.</p> <p>REASON; This condition is imposed in the interests of protecting the amenities of future occupiers in accord with CS2 of the Charnwood Local Plan 2028.</p>
22	<p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall be constructed in accordance with the approved amendment to the remediation strategy.</p> <p>REASON; This condition is imposed in the interests of protecting the amenities of future occupiers in accord with CS2 of the Charnwood Local Plan 2028.</p>
23	<p>An agreed scheme to investigate and where necessary deal with landfill gas shall be submitted to and approved in writing by the Local Planning Authority.</p>

	<p>This scheme shall be implemented and a completion statement provided to the satisfaction of the Local Planning Authority.</p> <p>REASON; This condition is imposed in the interests of protecting the amenities of future occupiers in accord with CS2 of the Charnwood Local Plan 2028.</p>
24	<p>The details submitted pursuant to condition 2 shall include a scheme for dwellings that incorporates a varied roofline; and strengthening the hedge along the boundary adjacent to the conservation area and the fields to the south. Planting of large species trees along the edge and within the proposed development, that are given sufficient space to grow to maturity.</p> <p>REASON: This condition is imposed in order to break up the regularity of built form, particularly roofscapes, in the interests of the visual amenity and in accord with Policy CS2, CS11 of the Charnwood Local Plan and Policy Q6, of the Queniborough Neighbourhood Plan.</p>

Informative Notes:

1. Planning Permission has been granted for this development because the Council has determined that it is generally in accordance with the terms of Development Plan policies CS1, CS2, CS3, CS13, CS14, CS16, CS24, CS25, EV/1, TR/18, and the Queniborough Neighbourhood Plan 2019-2028, Policies Q1, Q4 Q8 Q13 and Q14. Whilst it is recognised that the proposal does not fully comply with policies CS11, ST/2, CT/1, CT/2, Q6 and Q12 the harm arising from this does not significantly and demonstrably outweighed the identified benefits. There are no other issues arising that would indicate that planning permission should be refused.
2. The Local Planning Authority has acted pro-actively through early engagement with the Applicant at the pre-application stage and throughout the consideration of this planning application. This has led to improvements with regards the development scheme in order to secure a sustainable form of development in line with the requirements of Paragraph 38 of the National Planning Policy Framework (2021), and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
3. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. 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. To erect temporary directional signage, you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001). A minimum of 6 months' notice will be required to make or amend a Traffic Regulation Order of which the

applicant will bear all associated costs. Please email [road.adoptions@leics.gov.uk](mailto:road.adoptions@leics.gov.uk) to progress an application.

5. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

6. Care should be taken during site works to make sure that hours of operation, methods of work, dust and disposal of waste do not unduly disturb nearby residents.

7. This permission has been granted following the conclusion of an agreement under Section 106 of the Town & Country Planning Act 1990 relating to the provision of infrastructure contributions necessary to make the development acceptable in planning terms.

8. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100-year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations. Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change storm events.

9. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance, and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

10. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions, and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual householder ownership.

11. The results of infiltration testing should conform to BRE Digest 365 Soakaway Design. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an alternative approach.

12. An appropriate air quality assessment to support the application is necessary, to determine: 1. Air quality conditions at new residences in the proposed development; and 2. Air Quality impacts associated with the traffic generated by the proposed development. The assessment should include receptors adjacent to all roads where a significant change in traffic is predicted.

