

Planning Conditions for P/14/1833/2 West of LoughboroughSUE

Recommendation A

To grant planning permission subject to the referral to the Secretary of State in accordance with the Circular (02/2009) and Town & Country Planning (Consultation) (England) Direction 2009. Local planning authorities must notify the Secretary of State of particular types of planning application. The Town and Country Planning (Consultation) (England) Direction 2009 sets out the applicable criteria for consulting the Secretary of State once the local planning authority has resolved to grant planning permission. This gives the Secretary of State an opportunity to consider using the power to call in an application on the basis the retail, office and leisure uses proposed could exceed 5,000sqm

Recommendation B

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

Note: The following italic headings are not completed here

Education

Highways

- Junction improvements to A6/Bishop Meadow Road (£125,000) & A512 Epinal Way (£150,000)
- Bus Stop contribution of £15,896 made to the County Council
- Off site cycleway/footpath – up to £912,555.76 plus maintenance contribution if required
- Off site footpath contribution of up to £1,955.91
- Travel Pass contribution of £416,000
- Travel Plan Monitoring £11,337.50
- Travel Packs contribution of £52.85 per dwelling

Libraries

Health

Civic Amenity

- A contribution of £135,000 will be made to fund the installation of 3 new waste compaction units and the purchase of 12 new waste containers at Shepshed Civic Amenity Site (Project ref. SHEP006)

Police

Community Facilities

- Sports Hall which will incorporate the Community Hall through ancillary building / facilities to the Sports Hall.

Affordable Housing

- 25% of the total number of dwellings as affordable homes, approximately 800 of the 3,200 homes.
- 75% as homes for affordable rent with 25% as “intermediate homes” (shared ownership).

Gypsy & Traveller and Showman Site provision

- 4 pitches of Permanent Gypsy and Traveller sites
- 4 Pitches for Show people Delivery of the Local Centre prior to 1,201 dwellings.

Site wide Green Infrastructure

- Contribution towards the off-site play area south of Pear Tree Lane of £189,636

Delivery of the Local Centre prior to 1,201 dwellings.

Prior to its delivery and the submission of reserved matters for the local centre a strategy for the delivery of the retail and non-retail uses within the local centre shall be submitted and agreed in writing with the local planning authority

Strategic Open Space, Green Infrastructure, landscaping (including restorative landscaping) and formal sports and recreation facilities:

These shall be delivered in accordance with a phased program to be agreed. In terms of long-term maintenance and stewardship of the Green Infrastructure, it is proposed that this will be secured and implemented through a Management Company. A Recreational Strategy for the management and maintenance of the Green Infrastructure proposals shall be submitted and agreed. This Strategy will address the following:

- The vision and mechanisms for the delivery, management and maintenance of public open space, sport and recreational facilities within the development (in accordance with the Design and Access Statement, Green Infrastructure Study, Recreational Facilities Plan and Charnwood Borough Council’s adopted quantity, quality and accessibility standards);
- The restoration of and public access to Garendon Registered Park, including improvements to existing and creation of new Rights of Way network and visitor facilities;
- The delivery of facilities for children and young people in accordance the Recreational Facilities Plan and subject to agreement on quality and accessibility standards, including:
 - provision to meet the needs of all age categories (Toddler, Junior and Teen) at each of the six play sites identified within the development;
 - a financial contribution to the improvement of off-site facilities at the existing play area/open space South of Pear Tree Lane, Loughborough;
- The delivery of 22.8 ha of Outdoor Sport provision, to include:
 - a minimum of 9 ha of playing pitches, including tennis courts, with ancillary facilities e.g. changing room, parking;
 - 13.8 ha of informal sport and recreation land within Garendon Park, set out and maintained for community use;
 - All Weather Grass Pitch to agreed specification;

- Off road cycling facility east of Baileys Plantation;
 - Parkour facility;
 - Outdoor fitness and trim trails at Garendon Common;
 - Permanent marked orienteering course; and
 - a minimum of two multi-games areas within the development;
- The delivery, management and maintenance of 3 indoor courts within a multi-use sports Hall constructed to agreed minimum standards of Sport England or its equivalent organisation;
 - Securing Open Space, Sport and Recreation facility management in perpetuity, identifying and establishing the role of landowners, partners and stakeholders along with the governance and legal structure of Local Management Organisations (LMO);
 - The rationale and method for selecting LMO Board Members and mechanisms for ensuring their local accountability;
 - A Finances and Resources Plan addressing the lifecycle costs of managing the public open space, sport and recreational facilities, including income, expenditure, cashflow, resources, staffing and budgeting. This Plan should include a sufficiently large asset base and/or system of levies to ensure the aims and objectives of the Public Open Spaces, Sport and Recreation Strategy can be delivered in perpetuity.
 - Mechanisms for the determination of disputes and provision for legally binding Management Agreements supporting the establishment of an LMO and safeguarding of public open space sport and recreational assets for the long term benefit of the local community;
 - Open Space Management Plans identifying all site maintenance operations, habitat management, public access operations and ongoing community engagement and liaison. Minimum standards of land management/maintenance consistent with CBCs Management of Open Spaces (MoS) contract; 7 Sport and Recreational Facility Management Plans identifying all maintenance operations, lease agreements, hire terms, public access and ongoing community engagement and liaison;
 - Children & Young People's Strategy for the site;
 - A nominated paid or voluntary person appointed on a full or part time basis to facilitate activities and engagement with the community throughout all phases of the development;
 - Provision of adequate security in the event of default.

In addition detailed management proposals for the proposed Indoor Sport and Community facilities will be required through the submission of a Community Facilities Strategy. This should include details of the following:

- the number, size and location of proposed community facilities including community hall with net internal floor space of no less than 575 square metres;
- the specifications for construction and fitting out of Community facilities;
- the proposed Trigger Event for provision;
- the proposed Management Arrangements for the community facilities, including terms of hire or lease;
- the establishment of a Community Hall Management Body;
- details of a nominated paid or voluntary person appointed on a full or part time basis to facilitate activities and engagement with the community and promote Community Facilities

in accordance with the approved Management Arrangements; Restoration of the heritage assets within Garendon Park including an agreed program of implementation and completion for the phased delivery of the agreed restoration of the Registered Park and its associated assets, public access , means of delivery, long term management and maintenance (property management strategy) and the agreed scope of work required for the Listed Buildings and the Park improvements etc. These details shall be in accordance with an update to the Oxley Report which will subsequently be appendixes to the Section 106 legal agreement.

Conditions C

That subject to the completion of the Agreement in Recommendation B, permission be granted subject to the following conditions with authority given to the Head of Planning and Regeneration and the Head of Strategic Support to vary (including add and delete) the conditions and informative notes approved insofar as is necessary.

This planning permission is granted subject to the following Conditions and Reasons why they are imposed;

Control

1. The development shall commence within five years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters, whichever is the later.

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.

2. The first application for approval of reserved matters for the first Phase of development (as detailed pursuant to the phasing programme to be approved pursuant to condition 9) shall be submitted no later than three years from the date of this permission and all subsequent reserved matters application shall be submitted by no later than fifteen years from the date of this permission.

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.

3. No development shall commence and no development within any phase (as detailed in phasing programme to be agreed) shall commence unless details of the appearance, landscaping, layout, access to and scale ("the reserved matters") of the relevant phase (as detailed in phasing programme to be agreed) of development have been submitted to and approved in writing by the local planning authority. The reserved matters detailed shall be in accordance with the approved parameter plans listed in Condition 4 (below). The development shall be carried out in accordance with the approved details.

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.

4. The development hereby approved shall not be carried out other than in accordance with the following plans and approved documents and provisions therein:

- Parameters Plan A - Application Boundary FPCR Drawing Reference No. 1005/L/201
- Parameters Plan B - Land Use FPCR Drawing Reference No. 1005/L/202 Rev A
- Parameters Plan C - Building Heights & Density FPCR Drawing Reference No. 1005/L/203 Rev A
- Parameters Plan D - Access FPCR Drawing Reference No. 1005/L/204 Rev C
- Parameters Plan E Green Infrastructure FPCR Drawing Reference No. 1005/L/205 Rev A

The development hereby approved shall also not be carried out other than in accordance with the following documents/plans, unless otherwise agreed in writing by the local planning authority:

- Design and Access Statement August 2014
- The Submitted Masterplan (FPCR Drawing Reference No. 1005/L/04 Rev E
- Oxley Gutter – Illustrative Cross Sections FPCR Drawing 1005/L/301
- Recreational Facilities March 2015
- WYG drawing A084108-35-19-100 to 104, 105 Rev A, 106 Rev A and 107 to 109 (or as amended by Road Safety Audit)
- FPCR document Securing the Design of West of Loughborough July 2015

REASON: For the avoidance of doubt and to ensure the scheme takes the form agreed by the authority and thus results in a satisfactory form of development.

5. The residential development hereby permitted shall not comprise more than 3,200 dwellings.

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

6. No more than 16ha gross of B1, B2 and B8 employment land in total shall be provided within the area indicated as 'employment land' on the approved Parameters Plan B - Land Use FPCR Drawing Reference No. 1005/L/202 Rev A.

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

7. Within the local centre, excluding the supermarket, there shall be no more than 1,000sqm of other A1 retail, A2 financial and professional services, A3 food and drink, B1 business and D1 uses (cumulative total).

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

8. Within the local centre, the supermarket hereby permitted shall not exceed 2,000sqm (net floor area). No more than 600 square metres of the net floor space within this food store shall be used for the sale and display of comparison goods at any time.

REASON: To make sure the development takes the form agreed by the authority and thus results in a satisfactory form of development, in the interest of sustainability

9. Notwithstanding Phasing Parameter Plan F submitted as part of the application, prior to the submission of the first reserved matters application, a Site Wide Phasing Plan and Programme shall be submitted and approved in writing by Local Planning Authority. The Phasing Plan and Programme shall include details of the proposed sequence of development across the entire site, the extent and location of individual development phases and sub-phases including reference to the type and extent of any development envisaged in each phase or sub-phase and a description. The Phasing Plan and Programme shall also include details of:

- i) Development areas (including broad areas, range of residential unit numbers and/or floor space of non-residential uses)
- ii) Site accesses, major internal infrastructure including internal spine road, pedestrian and cycle crossings, footpaths, cycleways, bridleways.
- iii) Confirmation of the scope and timescale for the implementation of the off-site highway infrastructure including highway

improvements/traffic management measures and where required the undertaking of Road Safety Audits, the progressing of Traffic Regulation Orders and other consultation processes.

iv) The delivery of public transport services and accompanying infrastructure within the site and external to the development to include but not be limited to: bus stops (within 400m distance of each dwelling within the development, unless otherwise agreed in writing by the local planning authority); bus shelters, Real Time Information, raised kerbs, lighting and timetable information.

v) Green Infrastructure, including informal and formal sports and recreation facilities, allotments etc

vi) Timing of provisions related to the development, including employment delivery, delivery of the local centre, community facilities, including schools, and details of the park restoration, community access, restorative planting (including at Garendon Park), and the delivery of the public facilities associated with Garendon Park including the car park.

vii) The development shall be carried out in accordance with this agreed Phasing Programme.

REASON: To provide clarification on how the development will be delivered to assist determination of reserved matters and to ensure that necessary

infrastructure provision and environmental mitigation is provided in time to address the impact and needs of the development

10. Prior to the submission of any reserved matters application a Reserved Matters Programme setting out the strategy for the phase by phase submission of reserved matters applications across the site shall be submitted to and approved in writing by the local planning authority. The Reserved Matters Programme shall be in accordance with the Phasing Plan and Programme approved under condition 9 (above) and reserved matters applications shall thereafter be made to the local planning authority in accordance with the approved Reserved Matters Programme unless otherwise agreed in writing by the Local Planning Authority. The Reserved Matters Programme shall include a Plan that indicates the boundary of each reserved matters application and a boundary for a Transition Zone between each reserved matters site and the immediate adjacent reserved matters site.

REASON: To provide clarification on how the development will be delivered to assist determination of reserved matters and to ensure the development is delivered in an acceptable manner.

Design

11. Prior to the submission of each reserved matters application a Reserved Matters Masterplan at a scale of 1:1000 or 1:1250 for each of the reserved matters site and the Transition Zone with the immediate adjacent reserved matters site as indicated on the Reserved Matters Programme Plan shall be submitted to and approved in writing by the local planning authority. The Masterplan should include the following details:

- Housing and other land use distribution and disposal
- The character, mix of uses and density established through the parameter plans at the outline stage to include the block principles and the structure of public spaces
- Access

- Movement corridors (including strategic and principal primary, secondary roads, public transport corridors, pedestrian and cycle routes, greenways etc)
- Street hierarchy, including street types and street materials, the principles of adopting highway infrastructure, and typical street cross-sections, bus penetration
- Block principles to establish use, density and building typology. In addition, design principles including primary frontages, pedestrian access points, front and back and perimeter of building definition
- Key groupings and other key buildings including information about height, scale, form, level of enclosure, building materials and design features
- Relationship between proposed and existing landscaping and built form
- Hard and soft landscaping and the approach to the character and treatment of both structural planting and other landscaping within each reserve matters area.
- Green and public open spaces
- Key infrastructure (including SuDs, and significant utility provision)
- The conceptual design and approach to green open space and the public realm to include hard and soft landscaping, materials, lighting, street furniture, signage, boundary treatment and public art
- Details of waste and recycling provision for all building types
- Measures to demonstrate how opportunities to maximise resource efficiency and climate change adaption in the design of the development will be achieved through external, passive means, such as landscaping, orientation, massing and external building features
- Details of measures to minimise opportunities for crime
- Details of the approach to vehicle parking and cycle parking across the site ☐
Architectural features and palette of materials (including colour and texture of external materials and facing finishes for roofing and walls of buildings and structures.

Reserve matters applications shall be submitted in accordance with the approved Reserved Matters Master plan

REASON: To ensure constancy with the Design and Access Statement and ensure a satisfactory form of development and in the interest of the character and appearance of the area.

12. Prior to the submission of reserved matters applications for the Local Centre as identified on Parameter Plan B – Land Use FPCR Drawing Ref No. 1105/L/2002 Rev A, a Design Brief shall be submitted to and approved in writing by the local planning authority. The Design Brief shall include the mix and disposition of uses, access and circulation, public realm, parking, layout and urban design principles. The reserved matters application for the Local Centre shall be submitted in accordance with the approved Design Brief.

REASON: To ensure consistency with the Design and Access Statement and ensure a satisfactory form of development and in the interests of the character and appearance of the area.

13. Prior to the submission of reserved matters application for the Employment Land as identified on Parameter Plan B – Land Use, FPCR drawing reference No. 1005/L/202 Rev A, a Design Brief shall be submitted to and approved in writing by the local planning authority. The Brief shall include the mix and disposition of uses, access and circulation, public realm, parking, layout, urban design principles, massing and scale. The reserved matters application

for this commercial/Employment area shall be submitted in accordance with the approved Design Brief.

REASON: To ensure a satisfactory form of development and in the interests of the character and appearance of the area.

14. Prior to the submission of any reserved matters applications, a site-wide structural landscaping scheme, in accordance with Parameter Plan E – Green Infrastructure, FPCR drawing reference No. 1005/L/205 Rev A, shall be submitted to and approved in writing by the local planning authority. This site-wide structural landscaping scheme shall include all existing and proposed structural landscaping and provide sufficient level of detail to allow effective monitoring and management of phased delivery (including implementation proposals for any part of the scheme that will be delivered early to mitigate visual impacts, and/or any part that will be implemented independently of reserved matters submissions for residential and non-residential development). The full landscaping details, including transition zones, to be included within each reserve matters application, in accordance with condition 3, shall accord with the agreed site-wide structural landscaping scheme. This approved site-wide structural landscaping scheme shall be implemented in accordance with the Phasing Plan and Programme approved under condition 9.

REASON: To ensure a satisfactory form of development.

Highways

15. All details of the proposed development, except for the section of Strategic Link Road within the Registered Park and Garden, shall comply with the design standards of Leicestershire County Council as contained in its current design standards document, unless otherwise agreed in writing by the local planning authority. 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 be submitted for approval by the Local Planning Authority before development commences.

REASON: To ensure a satisfactory form of development and in the interests of highway safety.

16. In accordance with the agreed Phasing Plan and Programme, prior to the occupation of each phase a Residential Travel Plan, in accordance with the Framework Travel Plan (to be updated and approved pursuant to condition 25), shall be submitted to and agreed in writing by the local planning authority. The measures approved shall thereafter be provided in accordance with the approved plan.

REASON: To ensure that adequate steps are taken to achieve and maintain reduced travel, traffic and parking impacts and to provide and promote use of more sustainable transport choices to and from the site in order to relieve traffic and parking congestion, promote safety, improve air quality or increase accessibility in accord with Section 4: 'Promoting Sustainable Transport' of the NPPF 2012.

17. In accordance with the agreed Phasing Plan and Programme, prior to the occupation of each phase, where relevant, an Employment Travel Plan in accordance with the Framework Travel Plan (to be updated and approved pursuant to condition 25), shall be submitted to and agreed in writing by the local planning authority. The measures approved shall thereafter be provided in accordance with the approved plan.

REASON: To ensure that adequate steps are taken to achieve and maintain reduced travel, traffic and parking impacts and to provide and promote use of more sustainable transport choices to and from the site in order to relieve traffic and parking congestion, promote safety, improve air quality or increase accessibility in accord with Section 4: 'Promoting Sustainable Transport' of the NPPF 2012.

18. Prior to the opening of either school, a School Travel Plan in accordance with the Framework Travel Plan (to be updated and approved pursuant to condition 25), shall be submitted to and agreed in writing by the local planning authority. The measures approved shall thereafter be provided in accordance with the approved plan.

REASON: To ensure that adequate steps are taken to achieve and maintain reduced travel, traffic and parking impacts and to provide and promote use of more sustainable transport choices to and from the site in order to relieve traffic and parking congestion, promote safety, improve air quality or increase accessibility in accord with Section 4: 'Promoting Sustainable Transport' of the NPPF 2012.

19. No more than 600 dwellings identified in Phase 1 of the development hereby permitted, shall be occupied unless and until highway improvement works to M1 Junction 23 detailed in WYG Drawing Number A084018/028RevB (or as amended by Road Safety Audit or Detailed Design) are complete and open to traffic.

REASON: In the interests of highway safety and to ensure the development is delivered in accordance with the approved scheme.

20. Unless otherwise agreed in writing as part of the agreed Phasing Plan and Programme, the Strategic Link Road, details of which shall first be submitted to and agreed in writing by the local planning authority reflecting the route shown on the submitted Masterplan (FPCR drawing ref; 1005/L/04 Rev E, Parameters plan D (FPCR drawing ref; 1005/L/204 Rev C) and be in accordance with the Design Principles set out on paragraph 4.8.11 within the submitted Transport Assessment. The Strategic Link Road shall be completed in accordance with these approved details and available for use as public highway prior to occupation of the 1,201st dwelling.

REASON: To ensure the development does not result in unacceptable impacts on the highway network and to ensure the public transport can route through the site.

21. Unless otherwise agreed in writing as part of the agreed by the Phasing Plan and Programme, the roundabout access with the A6 shall be provided in accordance with the details shown on drawing A084018/023/rev B and shall be completed and available for use as public highway prior to occupation of the first dwelling.

REASON: To ensure an acceptable layout in the interests of highway safety

22. Unless otherwise agreed in writing as part of the agreed Phasing Plan and Programme, the roundabout access with the A512 shall be provided in general accordance with the details shown on drawing A084018/039 and shall be completed and available for use as public highway prior to occupation of the 601st dwelling.

REASON: To ensure an acceptable layout in the interests of highway safety

23. Unless otherwise agreed in writing as part of the agreed phasing Plan and Programme, the dualling of the A512 shall be provided in accordance with the details shown on drawing

A084018/28/Rev B, unless otherwise agreed in writing by the local planning authority, and shall be available for use as public highway prior to occupation of the 841st dwelling.

REASON: To ensure the development does not result in unacceptable impact on highway network and to ensure the public transport can route through the site.

24. Unless otherwise agreed in writing as part of the agreed Phasing Plan and Programme, the priority T-junction access with Hathern Road and associated link road shall be provided in general accordance with the details shown on drawings A084018/038 & A084018/043 and shall be completed and available for use as public highway prior to occupation of the 2040th dwelling.

REASON: To ensure an acceptable layout in the interests of highway safety

25. In addition to the details in the submitted Framework Travel Plan and Transport Assessment, and in accordance with an agreed Phasing Plan and Programme, a Public Transport Strategy shall be submitted to and approved in writing by the Local Planning Authority to include full details of the proposed destinations, routes, days and hours of operation, frequency and duration of provision of daily bus service(s) to serve the development and arrangements for the periodic review of the above. The bus service(s) shall be provided thereafter by the developer in accordance with the approved Strategy

REASON: To ensure high quality frequent public transport choice for all new residents from early occupation in order to encourage modal shift in accordance with Core Strategy policies CS17 & CS22.

26. Prior to the occupation of any dwelling details of the pedestrian/cycle links between the development and Booth Wood & Ravensthorpe Drive have been submitted to and agreed in writing by the LPA. The links shall be provided in accordance with the agreed detail and delivered in accordance with a timetable to be agreed as part of the Highways Phasing Plan.

REASON: To ensure that there is adequate permeability from the site to surrounding residential areas to encourage sustainable modes of transport.

27. No more than 600 dwellings shall be served solely from the A6 site access

REASON: In the interests of highway safety and to ensure the development does not lead to unacceptable impacts on the A6 corridor.

Drainage

28. Prior to the submission of the reserved matters applications for any phase or sub-phase of the development a site wide Design Strategy for the provision of Sustainable Drainage Systems (SuDS) for the whole site in accordance with the Flood Risk Assessment, September 2014, reference number: 29231/001, compiled by Peter Brett Associates, has been submitted to and approved in writing by the local planning authority. The submitted scheme shall include site wide design guidance indicating generic technical specifications and an overarching strategy for the implementation, maintenance responsibilities and management of the SuDS scheme including:

- a description of each SuDS component and its relationship with other SuDS components;
- statement on how the SuDS scheme will deal with exceedance and ensure the protection of downstream communities,

- demonstrating the SuDS management train and protection of the natural environment
- design guidance to cover all elements of the overall SuDS scheme including guidance on limiting bird strike risk where relevant and highlighting the key features where further assessment will be required; and
- a management and maintenance plan for the lifetime of the development to secure the effective operation of the SuDS scheme throughout its lifetime

Each phase of the SuDS scheme shall be implemented and thereafter managed and maintained in accordance with the approved details of the overarching site wide Design Strategy.

REASON: To ensure that the development is provided with a comprehensive and well designed means of drainage, as well as to reduce the risk of creating or exacerbating a flooding problem, to minimise

the risk of pollution, protect public safety and protect the activities of East Midlands Airport and to ensure that all phases of the development accord with common standards and design principles.

29. No development shall be commenced within each Phase or sub phase until a detailed Design Strategy / Scheme for the implementation of the Sustainable Drainage System (SuDS) for that Phase or sub phase, including a timetable for its implementation, has been submitted to and agreed in writing by the local planning authority. The scheme shall be in accordance with the strategic requirements as set out in condition 28 (above) and the Flood Risk Assessment, September 2014, reference number: 29231/001, compiled by Peter Brett Associates and shall include a statement demonstrating how the submitted detailed strategy meets the overall requirement of the overarching Design Strategy, for that particular phase set out in condition 28 (above). The approved scheme shall be implemented in accordance with the approved details before that phase or area of development is first brought into use and the SUDs shall thereafter be managed and maintained in accordance with the approved scheme.

REASON: To ensure that the development is provided with a satisfactory means of drainage, as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

30. Prior to the commencement of the development of each Phase or sub phase of the development hereby approved, a drainage plan for the disposal of surface water for that Phase or sub-phase shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with these approved details before the development in that phase is first brought into use.

REASON: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

31. Prior to the commencement of any Phase or sub phase of the development hereby approved a scheme detailing treatment and removal of suspended solids from surface water run-off during construction works shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

REASON: To prevent or minimise the risk of pollution of the Black Brook

32 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated September 2014, reference number: 29231/001, compiled by Peter Brett Associates, and the following mitigation measures detailed within the FRA:

1. There shall be no built development within 8 metres of any watercourse without the prior written consent of the Local Planning Authority;
2. Finished Floor levels should be set at least 300mm above the nearest 1 in 100 years climate change flood level;
3. The vehicular crossing of the Black Brook will have a soffit set no less than 600mm above the 1 in 100 year climate change modelled level, including open span sections across the channel width, with the design and form to be approved by the Local Planning Authority and Environment Agency.
4. A scheme for the provision and implementation of level-for-level floodplain compensation for the vehicular crossing of the Black Brook to be submitted to and agreed in writing by the Environment Agency and Local Planning Authority.

A surface water drainage scheme including the utilisation of holding sustainable drainage techniques with the incorporation of two treatment trains to help improve water quality; the limitation of surface water run-off to equivalent greenfield rates or at improved rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features to have been submitted to, and approved in writing by, the local planning authority. The mitigation measures shall be fully implemented prior to occupation of the first dwelling and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent an increase in flood risk and loss of habitat within the river corridor; to protect the development from flooding; to ensure safe crossing of the Black Brook; to alleviate the risk of flooding; to prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

33. The development hereby permitted shall not commence until drainage plans for the disposal of foul sewage have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON: To ensure that the development is provided with a satisfactory means of drainage and minimise pollution.

Ecology and landscape

34. No development shall commence until a site-wide Green Infrastructure Biodiversity Management Strategy, has been submitted to and agreed in writing by the Local Planning Authority. The Strategy shall be in accordance with the submitted Green Infrastructure Biodiversity Management Plan GIBMP and shall conform to British Standard BS 42020:2013 (or any future updates). The Strategy shall supplement the GIBMP to include further details on:

- the retention of existing natural features and habitats;

- the protection and enhancement of biodiversity;
- the phased implementation of mitigation measures in accordance with the phasing schedule pursuant to condition 9;
- the retention of agricultural land;
- additional protected species surveys;
- site preparation and earth modelling / re-grading;
- above ground structures including boundary treatment and outdoor lighting;
- management and maintenance of all aspects of Green Infrastructure;
- monitoring/environmental audits;
- off-site planting.
- aims and Objectives of Management Development work shall be carried out in full accordance with the approved Strategy unless previously agreed in writing with the Local Planning Authority.

REASON: To ensure that the development takes the form agreed by the authority and thus results in a satisfactory form of development and to ensure the protection of biodiversity

35. Prior to the commencement of each Phase or sub phase of the development hereby approved, a Construction Environmental Management Plan (CEMP) for that Phase or sub phase, which shall conform to the Green Infrastructure and Biodiversity Management Strategy approved under Condition 34 (above), shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details on the following:

Risk assessment of potentially damaging development activities;

- Practical measures to avoid or reduce impacts on biodiversity during site preparation and construction;
- Identification and protection of biodiversity protection zones;
- Timing of sensitive works;
- Responsible persons and lines of communication;
- Protective fencing, wildlife exclusion barriers and warning signs.
- Bird strike risk assessment, including a report of its findings, together with any mitigation measures deemed necessary

The CEMP shall also include details of:

- The means of access and routing for demolition and construction traffic
- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Location of Contractor compound(s)
- Wheel washing facilities
- Management of surface water run-off including details of any temporary localised flooding management system and a scheme to treat and remove suspended solids from surface water run-off during construction
- Temporary highway works

Development work shall be carried out in full accordance with the approved CEMP unless previously agreed in writing with the Local Planning Authority.

REASON: To ensure appropriate mitigation for the impact caused by the construction phases of the development, to ensure the protection of biodiversity and to reflect the scale and nature of development assessed in the submitted Environmental Statement

36. Prior to the commencement of each Phase or sub phase of the development hereby approved, a Green Infrastructure Biodiversity Management Plan GIBMP for that Phase which shall conform to the Strategy approved under Condition 34 shall be submitted to and approved in writing by the Local Planning Authority. The GIBMP shall include the following:

- Description and evaluation of features to be managed;
- Ecological trends and constraints on site that might influence management;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions;
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-year period);
- Bird strike risk assessment including a report of the findings, together with any mitigation measures deemed necessary;
- details of outdoor lighting of the Green Infrastructure for that Phase or sub phase, designed to minimise impacts on biodiversity;
- Details of the body or organisation responsible for implementation of the plan;
- Ongoing monitoring and remedial measures.

The approved GIBMP shall be implemented in accordance with the approved details in perpetuity unless agreed in writing with the local planning authority.

REASON: To ensure that the development takes the form agreed by the authority and thus results in a satisfactory form of development and to ensure the protection of biodiversity

37. Prior to the commencement of each Phase or sub phase of the development hereby approved an Arboricultural Method Statement, prepared in accordance with BS 5837:2012 Trees in Relation to Design, Demolition and Construction, shall be submitted to and approved in writing by the local planning authority. Works shall thereafter be carried out only in accordance with the approved details. The Arboricultural Method Statement shall include the specification, location and phasing for the installation of tree and hedge protection measures, and a schedule of all proposed tree and hedge works, including the reason for such works. No trees or hedges on the application site shall be wilfully damaged, cut down, uprooted, pruned, felled or destroyed except for the trees and hedges to be removed to facilitate the development as shown in the approved Tree Retention Plan without the prior written consent of the local planning authority.

REASON: In the interests of the health and amenity value of the trees and hedgerows and to ensure that any works to trees and hedgerows are in accordance with the approved development of the site.

Conservation and Archaeology

38. Prior to the commencement of each Phase or sub phase a programme of implementation for archaeological work for the relevant Phase or sub phase will be secured in accordance with a Written Scheme of Investigation which has been submitted to and agreed in writing by the Local Planning Authority, and no development shall take place in that Phase or sub phase except in accordance with the approved details.

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

39. Prior to the submission of the reserved matters, a full landscape scheme for the Registered Park and Garden, 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

ii) full details of tree planting

iii) planting schedules, noting the species, sizes, numbers and density of plants;

iv) all existing trees, hedges and other landscape features, including clearly those to be removed.

v) a clear and detailed phasing arrangements for the laying out and landscaping of the Register Park and Garden This landscaping scheme shall be fully completed in accordance with the agreed details, the first phase of which shall be completed in the first planting season following the approval of the first reserved matters application. The remaining phases shall be completed in accordance with the timetable to be agreed under the terms above, no later than the occupation of 1,200th dwelling. Any trees or plants removed, dying, being severely 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 ensure that a satisfactory landscape scheme for the Garendon Park and garden and to ensure that the mitigation landscaping is delivered in an acceptable manner.

40. The proposed footways/cycle ways/bridleway ways within the Registered Park and garden, illustrated on FPCR Access Plan, drawing ref No.1005-L-215 shall be completed in accordance with the phasing plan to be agreed under condition 9.

Once completed the route shown in yellow on the above plan shall be open to the public 24 hours per day and unrestricted, in perpetuity.

REASON: To ensure a satisfactory form of sustainable development and in the interest of pedestrian safety.

Environmental Health / protection / Ground Contamination

41. If, during development of any phase or sub-phase, contamination not previously identified is found to be present at the site then no further development within that phase or sub-phase (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure there are no risks to the long term health of future occupiers of the site

42. Demolition or construction works shall not take place outside 0700 hours to 1800 hours Monday to Friday and 0700 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

REASON: To protect the amenity of the occupiers of nearby properties

43. At each reserved matters stage a noise assessment shall be carried out for the relevant Phase or sub-phase and submitted to the local planning authority, and where necessary a noise mitigation scheme shall be submitted to and approved in writing by the local planning authority including details of mechanical or forced ventilation where necessary to ensure future occupiers are able to aerate properties without the need to open windows. The development shall be implemented in accordance with this approved scheme to ensure the following limits are achieved (assuming a windows-closed scenario);

30dB(A) Leq 8 hours in living rooms from 2300 to 0700hrs

35dB(A) Leq 16 hours in bedrooms from 0700 to 2300hrs

<45dB LA max in bedrooms from 2300 to 0700hrs

REASON: To protect the amenity of the occupiers of the proposed development

44. All works, which form part of the amelioration scheme detailed in sections 6.1 of the Noise Assessment, by WYG Planning & Environment ref A084018, (Dated August 2014), submitted with this application, shall be fully completed before any part of the development is occupied, unless otherwise agreed in writing with the local planning authority.

REASON: To protect the amenity of the occupiers of the proposed development.

45. All new buildings containing plant and/or machinery or fixed external plant should be attenuated to achieve the noise criteria of 5dB below the measured background (L90) at adjacent dwellings' (with an acoustic feature correction applied).

REASON: To protect the amenity of the occupiers of the proposed development.

46. Access to Leicestershire County Council Civic Amenity Site, shall not be restricted at any time during the construction of the development.

REASON: To protect the operations of the domestic Civic Amenity facility Retail / Local Centre

47. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking or re-enacting that order with or without modification), there shall be no amalgamation, nor any change of use of the units defined for A1, A2, A3, A4, A5 or D1 uses within the local centre without the prior permission of the local planning authority on an application submitted in that regard.

REASON: To ensure an appropriate mix of uses to meet local need is contained within the local centre, in the interest of sustainability. Employment delivery

48. The access roads to the Employment Area, accessed off of the strategic link road and the access road linked to Hathern Road, shall be laid out and delivered prior to occupation of the 1440th dwelling.

REASON: To ensure the scheme takes the form agreed by the authority and thus results in a satisfactory and sustainable form of development. Gypsy and Traveller Delivery

49. The access road and utilities/services to the Gypsy and Traveller site and Show people's site shall be laid out, connected and delivered prior to the occupation of the 1,440th dwelling.

REASON: To ensure the scheme takes the form agreed by the authority and thus results in a satisfactory form of development. Informative Notes:

DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT

- Policies ST/1, ST/2, ST/3, EV/1, EV/2, EV/8, EV/9, EV/17, EV/18, EV/20, EV/22, EV/29, EV/31, EV/39, H/5, H/9, H/10, H/16, CT/1, CT/2, CT/3, TR/1, TR/5, TR/6, TR/7, TR/13, TR/16, TR/18, RT/3, RT/4, RT/5, TR/6 and RT/12 of the Borough of Charnwood Local Plan (adopted 12th January 2004) and the National Planning Policy Framework, Planning Policy Guidance, Planning (Listed Buildings and Conservation Areas) Act 1990, Policies CS1, CS2, CS3, CS5, CS6, CS9, CS11, CS12, CS13, CS14, CS15, CS16, CS17,

CS18 and CS22 of the Charnwood's Borough Council's Emerging Core Strategy and Leicestershire Minerals Core Strategy and Development Control Policies (MCS10 and MCD8) along with other material planning considerations have been taken into account in the determination of this application. Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal and it does not fully accord with the terms of all the above-mentioned policies, the degree of harm that might be caused to one or more of the issues arising under the policies, including (but not exclusively) harm to the character of the green wedge and countryside, residential amenity and impact on the Heritage Assets and the loss of the best and most versatile agricultural land, are insufficient to warrant the refusal of planning permission when balanced against the benefits of this application.

The decision has been reached taking into account paragraphs 186-187 and 216 of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended).

It is also recommended that the notes, guidance and advice recommended by statutory consultees are included, along with further explanatory notes regarding planning conditions where necessary.