

Planning Committee 21 June 2016
Report of the Chief Planning and Development Officer

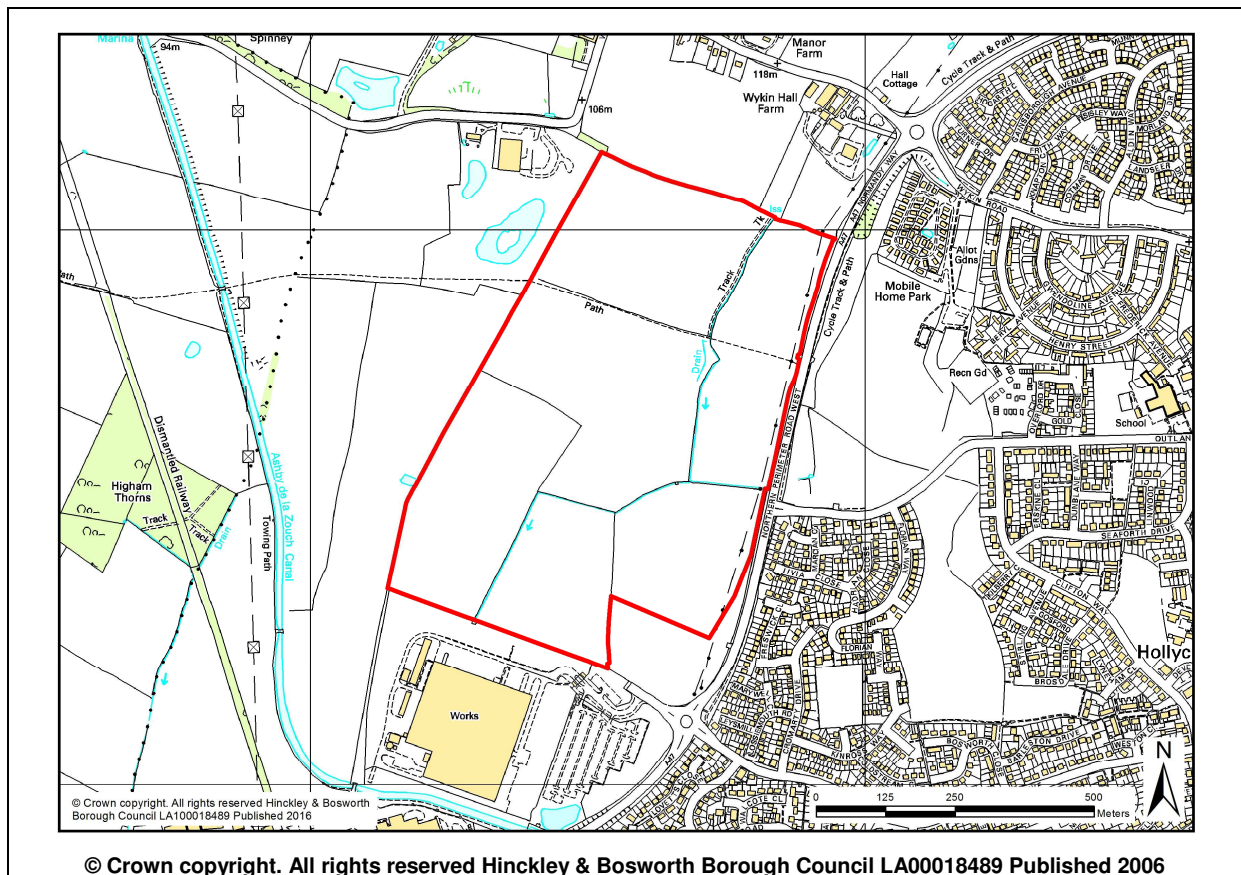


Hinckley & Bosworth
Borough Council

A Borough to be proud of

Planning Ref: 15/00188/OUT
Ward: Hinckley Clarendon & Hinckley Trinity
Site: Land North East Of Triumph Motorcycles Ltd
Dodwells Road Hinckley

Proposal: Erection of up to 850 dwellings, 500m² of retail units, a primary school, community facilities including sports pitches, parkland, children's play areas, allotments, sustainable urban drainage systems, a new access and associated infrastructure (outline - access only)



1. Recommendations

1.1. Grant planning permission subject to:

- The prior completion of a S106 agreement to secure the following obligations:
 - Highways and Public Rights of Way Improvements - £686,619 plus travel packs, bus passes, new bus service, and a travel plan co-ordinator
 - Education - Primary £4,035,000 (or build school) and 2ha of land
 - Secondary £2,264,765.63
 - Special (SEN) - £298,454.09
 - Health - £469,489.68

- Civic Amenity - £42,101
 - Libraries – £25,650
 - Police - £277,484
 - Play and Open Space – on site provision with maintenance contribution based on a square metre figure
 - Town Centre Improvements – figure to be agreed
 - Affordable Housing – 20% on site and local connections -
- Planning conditions outlined at the end of this report.
- 1.2. That the Chief Planning and Development Officer be given powers to determine the final detail of planning conditions.
- 1.3. That the Chief Planning and Development Officer be given delegated powers to determine the terms of the S106 agreement including trigger points and claw back periods.

2. Planning Application Description

- 2.1. This is an outline application with access for approval at this stage. All other matters are reserved for subsequent approval. The proposal is for the erection of up to 850 dwellings, retail (class A1 – up to 500 square metres of gross internal floor space), primary school (D1 – 7 classes, 210 pupils), community facilities (class D2), sports pitches, parkland, children’s play areas, allotments, sustainable urban drainage and associated infrastructure.
- 2.2. The development would be served by a single point of access from the A47 Normandy Way between the A47/Roston Drive and A47/Wykin Road roundabouts.
- 2.3. Whilst this is an outline application the strategic parameters for the development as a whole are provided which gives comprehensive details to enable the principle of the development to be considered.
- 2.4. A development framework plan identifies eight parcels of land for residential development, the location of the retail element is within the north eastern edge of the site adjacent to the proposed access, the school to the west of the retail area, allotments to the north eastern corner of the site, playing fields to the northern edge of the site, drainage and open space situated to the south and within the upper centre section of the site.
- 2.5. The scheme includes provision for pedestrian crossing facilities over Normandy Way (A47) including toucan crossings and another informal crossing point and highway improvement works.
- 2.6. The Design and Access Statement sets out the design principles for the scheme in detail to provide assurance about the nature, form and quality of which is proposed, including details on:
- Use and amount
 - Scale of development
 - Layout
 - Landscape principles
 - Appearance of development
 - School and retail development principles

- Movement and access
 - Sustainability statement
- 2.7. Several plans are also provided in the Design and access statement which include a concept plan, land use plan, phasing plan, layout plan, a landscape character area plan, movement and access plan and a pedestrian and cycle routes plan.

3. Description of the Site and Surrounding Area

- 3.1. The site is located to the west of Hinckley, approximately 2km from the town centre. The site is 44.04ha of agricultural land, comprising 7 arable fields and rises from south to north, by approximately 16 metres. The site is located in both Trinity Ward and Clarendon Ward (the north and south of the site respectively).
- 3.2. The site is roughly rectangular in shape. It is bounded by a hedgerow on all sides. To the north of the site is agricultural land and beyond this Wykin Village; to the west of the site agricultural land; to the south the Triumph Motorcycle factory; and to the east Normandy Way (A47) and beyond the residential estate of Outlands Drive and the Wykin Community Park.
- 3.3. The site contains several mature hedgerows and trees. There are also two connecting streams that run north to south through the centre of the site, connecting to an existing culvert on the southern boundary. There is an 11kV overhead electricity line crossing the southern part of the site in a north-west to south-east direction.
- 3.4. Two agricultural access points serve the site from the A47 and consist of a small amount of hardstanding and a gate into the agricultural field.
- 3.5. Three public footpaths are present within the site. Public footpath U5 runs along the northern boundary of the site on an east west axis. Footpath T53 runs parallel to U5 but within the site and then crosses the A47 and runs across Wykin Community Park to Outlands Drive connecting the site to Battling Brook Community Primary School. Public footpath U6 runs along the western boundary on a north south axis and also crosses the A47 and connects the site to Wykin Community Park.

4. Relevant Planning History

15/00582/FUL	Development of 243 dwellings (Use Class C3), formal and informal public open space including children's play area, and associated infrastructure including highways, landscaping and sustainable urban drainage system	Decision Pending	
14/00774/SCOPE	Screening request for 850 dwellings	Not EIA Development.	18.08.2015

5. Publicity

5.1. The application has been publicised by posting of site notice, publication in the local press and sending letters to local residents.

5.2. Five letters have been received in support and three letters have been received, asking for the following to be considered:

- Extra traffic on the A47 may overwhelm the roads
- School should be built sooner rather than later
- The retail unit should include a post office
- Interest shown by a local business for the retail unit
- Toucan crossings or footbridges should be provided for pedestrians crossing the A47.

5.3. Five letters of objection have been received from local residents raising the following comments:

- Development would have a significant impact upon highway safety
- Development would increase the traffic using Wykin village as a 'rat run' to the A5
- Substantial hedging should be planted on northern boundary and a noise barrier
- The development should consist of two storeys maximum
- Measures should be put in place to control the traffic through Wykin village
- Consideration should be given to public services such as dentists, pharmacy, opticians and schools, which isn't provided on site
- Traffic calming measures should be placed on Wykin Road and Higham Lane
- There are existing issues with traffic on the A47, this development would cause a standstill
- Loss of countryside and would open up all other fields around the A47 for development
- No proven need for the development
- Would decrease the value of existing homes and harm their visual amenity
- The long construction period would cause noise and pollution to existing residents
- Construction hours should be limited to 8am – 6pm Mon – Fri, 8am - 1pm Sat and no construction on a Sunday.

5.4. An objection has been received from Jelson Homes, who own land adjoining the south of the site. They state that they have an ambition to bring forward their land for development and would like to develop a comprehensive scheme in conjunction with Bloor Homes (the applicant), which would allow for an additional access into the site rather than one access point. Additionally concerns have been raised regarding the comprehensive development of the site as a whole as the masterplan does not include the Jelson Homes land and this may cause issues for developing in the future.

6. Consultation

6.1. No objection has been received from:

Highways England
Rugby Borough Council

6.2. No objection, subject to conditions have been received by:

Environment Agency
Severn Trent Water Limited
Leicestershire County Council (Ecology)
Leicestershire County Council (Archaeology)
Leicestershire County Council (Highways)
Leicestershire County Council (Flooding) (Lead Local Flood Authority)
Leicestershire County Council (Rights of Way)
HBBC Environmental Health (Pollution)
HBBC Environmental Health (Drainage)
HBBC Waste Services
Conservation Officer

6.3. An objection has been received from the Hinckley & Bosworth District Committee of Campaign to Protect Rural England (CPRE). The following issues have been raised:

- Development in open countryside
- Contravenes HBBC policies of development on greenfield sites
- Urbanise an attractive green wedge between Hinckley and Wykin village
- Would add further pressure onto the roads
- Would set a precedent for future development along the perimeter road
- No regard to the countryside surrounding Hinckley.

6.4. Requests for developer contributions have been received from the NHS, Leicestershire County Council and Leicestershire Police. The details of these requests are outlined within the 'developer contributions' section`.

7. Policy

7.1. Local Plan 2006 – 2026: Core Strategy (2009)

- Policy 1: Development in Hinckley
- Policy 5: Transport Infrastructure in the Sub-regional Centre
- Policy 15: Affordable Housing
- Policy 16: Housing Density, Mix and Design
- Policy 19: Green Space and Play Provision
- Policy 24: Sustainable Design and Technology

7.2. Hinckley and Bosworth Local Plan (2001)

- Policy IMP1: Contributions Towards the Provision of Infrastructure and Facilities
- Policy RES5: Residential Proposals on Unallocated Sites
- Policy BE1: Design and Siting of Development
- Policy BE5: The setting of a Listed Building
- Policy BE13: Initial Assessment of Sites of Archaeological Interest and Potential
- Policy BE14: Archaeological Field Evaluation of Sites
- Policy BE15: Preservation of Archaeological Remains in Situ
- Policy BE16: Archaeological Investigation and Recording
- Policy BE26: Light Pollution
- Policy NE2: Pollution
- Policy NE5: Development in the Countryside

- Policy NE10: Local Landscape Improvement Area
 - Policy NE13: The effects of Development on Natural Watercourses
 - Policy NE14: Protection of Surface Waters and Ground Water Quality
 - Policy NE17: Protection of the Water Environment from the Development of Contaminated Land
 - Policy T5: Highway Design and Vehicle Parking Standards
 - Policy Retail 11: Small Local Shops
 - Policy REC1: Development of Recreation Sites
 - Policy REC2: New Residential Development – Outdoor Open Space Provision for Formal Recreation
 - Policy REC3: New Residential Development – Outdoor Play Space for Children
 - Policy REC4: Proposals for Recreational Facilities
- 7.3. Emerging Site Allocations and Development Management Policies DPD
- Policy SA2: Land West of Hinckley, Normandy Way, Hinckley
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM3: Infrastructure and Delivery
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM13: Preserving the Borough's Archaeology
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
 - Policy DM21: Locating Sustainable Town Centre Uses
 - Policy DM25: Safeguarding Community Facilities
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2012)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- New Residential Development SPG
 - Affordable Housing SPD
 - Play and Open Space Developer Contributions SPD
- 8. Appraisal**
- 8.1. Key Issues
- Assessment against strategic planning policies
 - Access and highways
 - Impact upon the character of the area
 - Design of the scheme
 - Impact upon neighbouring residential amenity
 - Impact upon ecology
 - Impact upon heritage assets
 - Impact upon flood risk
 - Land Contamination and Pollution
 - Play and open space

- Sustainable design and technology
- Affordable housing
- Developer contributions (Section 106 obligations)

Assessment against strategic planning policies

- 8.2. Paragraph 11 - 13 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision taking and that it is a material consideration in determining applications. The development plan in this instance consists of the Core Strategy (2009), the saved policies of the Local Plan (2001) and the emerging Site Allocations and Development Management Policies Development Plan Document (SADMP).
- 8.3. The SADMP is at an advanced stage. An examination in public has been undertaken, a consultation upon the main modifications has been carried out and the inspector's report has been received which has found the SADMP to be sound. The document is expected to be reported to full council in July 2016 where it will be recommended for approval. Due to this document's advanced stage it is considered that the policies of this document should be given significant weight in the assessment of this planning application. The SADMP will replace all remaining Local Plan (2001) policies upon adoption. Until this point, saved local plan policies have weight in decision making. Their compliance with the NPPF and the emerging SADMP must be considered.
- 8.4. Paragraph 14 of the National Planning Policy Framework (NPPF) and emerging Policy DM1 of the Site Allocations and Development Management Policies DPD SADMP sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay.
- 8.5. Hinckley is a sub-regional centre and is identified as a sustainable location for development with a large number of community facilities, shopping provision, employment opportunities and good public transport links. Core Strategy Policy 1 supports the provision of at least 1,120 dwellings in Hinckley. The site is allocated within the Site Allocations and Development Management Policies Development Plan Document (SADMP) for a mixed use development. Policy SA2 of the emerging Site Allocations and Development Management Policies Development Plan Document (SADMP) states proposals for the site Land west of Hinckley should:
- 850 dwellings with a housing density, mix and design in line with Core Strategy Policy 16;
 - Provide a local shop or neighbourhood centre;
 - Provide a primary school;
 - Create a safe pedestrian access across Normandy Way;
 - Provide open space and play provision in line with Core Strategy Policy 19; and
 - Provide affordable housing in line with Core Strategy Policy 15
 - Provide an appropriate strategy that reduces the impact of traffic from the development on Wykin Lane through Wykin village
- 8.6. Policy 16 of the Core Strategy seeks to ensure that new build residential development to meet a minimum net density of 40 dwellings per hectare within and adjoining Hinckley; however in exceptional circumstances, where individual site characteristics dictate and are justified, a lower density may be acceptable. The proposal is for 850 dwellings on a site of approximately 44 hectares; however the

net developable area is 24 hectares, disregarding land for drainage, parkland, and such. This results in a density of 35 dwellings per hectare which is less than the policy requirement. The design of the scheme is landscape-led (discussed in further detail later in the report) and retains existing hedgerows, watercourses, several veteran trees and provides a buffer for an existing water vole population. Due to this landscape led design this requires low density in certain areas. It is therefore considered in this instance that the lower density is acceptable and therefore in accordance with Policy 16 of the Core Strategy. Policy 16 also required a mix of housing types and tenures to be provided on all sites of 10 or more dwellings, as this application is at the outline stage this detail is not provided. Due to the size of the scheme it is considered that this could be achieved and would be dealt with in the submission of reserved matters.

- 8.7. Policy 15 of the Core Strategy seeks to secure 20% on site affordable housing in urban areas (including Hinckley) with a mix of 75% social rented and 25% intermediate housing. At full council 19 June 2012 the principle of accepting affordable rent rather than social rent was accepted. The proposal is to include 20% affordable housing with a mix of 75% affordable rented units and/or social rented units and 25% intermediate unites. This mix would be secured by a Section 106 agreement.
- 8.8. Policy 19 of the Core Strategy identifies the standards to be used in relation to green space and play provision in the borough. As discussed the scheme would provide over and above the required play and green space and further detail upon this will be provided later in the report.
- 8.9. It is considered that the development would provide the requirements of Policy SA2 of the SADMP.
- 8.10. The main modifications of the SADMP extends the site allocation to include the land to the south of the application site adjacent to the Triumph Motorcycle factory (Jelson Homes land). This is at the request of the Inspector who states 'this will increase the potential housing capacity of the site and release land that would otherwise be very difficult to develop'. This application does not include this section of land. The applicant has responded to the Jelson Homes objection and identifies that the land could be accessed through the application site or a separate access from the adopted highway which abuts the land. It is considered that this application would not preclude the development of the land to the south and provisions can be made in the relevant phase to allow access through to this land or the developers can work together. This can be dealt with through a subsequent reserved matters application. While a comprehensive development of the site would have allowed links between the sites to be more easily secured, the fact that layout is reserved allows for the potential for the integration of the sites if timing permits. Even if that aspiration can't be secured, there is no reason why a high quality sustainable scheme on both sites could still not be achieved. Approval of this application would therefore not prejudice the development of the entire allocation.
- 8.11. Policy RES5 and NE5 of the Local Plan (2001) applies as the site is unallocated within the Local Plan. Notwithstanding this, due to the site being allocated for housing within the SADMP, those policies that seek to protect the countryside are inconsistent with the allocation and therefore carry limited weight. The site is identified within a Local Landscape Improvement Area within the Local Plan (2001) proposals map and therefore Policy NE10 applies. The SADMP does not include a 'Local Landscape Improvement Area' within it and therefore this policy carries limited weight. The site is currently a greenfield site and consideration must be

given to the impact of the development upon the wider area. This is considered in further detail within the section 'Impact upon the character of the area'.

- 8.12. Whilst there will be an impact upon the character of the area due to the development being on a greenfield site. However, the scheme will bring a range of social benefits including the provision of a primary school, dwellings, affordable housing, a retail store and play and open space. This is in addition to economic benefits, including construction jobs for an estimated 10 year build period, additional expenditure in the local area, new school and retail provision will provide new jobs and generate additional council tax and new homes bonus to the borough council. It is considered that the loss of a greenfield site is outweighed by the social and economic benefits.
- 8.13. The site is allocated for development in the emerging SADMP which should be given significant weight. The requirements for mitigating the impacts of the development as identified in Policy SA2 of the SADMP are fully provided for within this outline application. Whilst there will be some impact upon the character of the area due to the site being a greenfield site, the benefits would outweigh this harm. The principle of development is therefore considered acceptable, subject to all other material considerations being satisfactory.

Access and Highways

- 8.14. Saved Policies T5 and BE1 (criterion g) of the adopted Local Plan require that new accesses and highways work shall be in accordance with the highway design standards and the identified parking targets. Emerging Policy DM17 provides five criteria with which development should accord, requires, where appropriate, improvements are undertaken to the highways and transportation network to limit the significant impacts arising from the development and all new developments should reflect the highway design standards (The 6 C's Design Guide). Emerging Policy DM18 of the SADMP requires new development to provide an appropriate level of parking provision.
- 8.15. Core Strategy Policy 5 identifies transport interventions which are proposed to support the additional development in and around the sub-regional centre, particularly the sustainable urban extensions at Barwell and Earl Shilton. This development is a large-scale sustainable development within the Hinckley urban area and therefore this policy must be considered.
- 8.16. Paragraph 32 of the NPPF requires that all developments that generate a significant amount of movement should be supported by a Transport Assessment and decisions should take account of whether the opportunities for sustainable transport modes have been taken; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that limited the significant impacts of the development. It highlights that developments should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 8.17. The development would be served by a single point of access from the A47 Normandy Way between the A47/Roston Drive and A47/Wykin Road roundabouts. Detailed road layout is a reserved matter, but the Development Framework shows the primary access of Normandy Way connecting with primary streets running through each development parcel, then to secondary and tertiary streets within each parcel. The layout allows for a bus service to loop within the site, along the

primary street. This ensures that each property is within 400m walking distance of a bus service.

8.18. The proposal includes the following highway mitigation works, which would be secured through an appropriate legal agreement with Leicestershire County Council (Highways).

- Access to the site will be via a 3-arm, 50m diameter roundabout with the A47. Each arm will have two lanes on the approach to the roundabout. An 80m long dual-carriageway access road would link this roundabout to a smaller 4-arm roundabout which in turn, would give access to the major residential access road. Given that the quantum of development proposed exceeds that normally permitted off a single point of access, the bespoke design has been subjected to an Independent Safety Audit and has been checked and found acceptable by LCC Highway Authority engineers.
- Reduction in the speed limit along Normandy Way from 50mph to 40mph between the Roston Drive and Stoke Road (the supplemental TA suggests that the speed limit will only be changed between Roston Drive and Wykin Road however through discussions with LCC Highway the applicant has no objections to and is willing to extend the limit to Stoke Road).
- Provision of a toucan crossing a short distance south of the new site access roundabout. An additional informal crossing would be provided to the north of the roundabout.
- Reduction in the width of the carriageway of Normandy Way between Wykin Road and Roston Drive to enable widening of the existing footway/cycleway.
- Improvement to the Outland Drive junction with Normandy Way allowing vehicles to turn easier onto Normandy Way.

Impact upon the highway network

8.19. The application is supported by a Transport Assessment (TA) and a Framework Travel Plan. A bespoke methodology for the TA was agreed with Leicestershire County Council, Warwickshire County Council and the Highways Agency (now Highways England) at the pre-application stage. The methodology used a combination of outputs from several models (LLITM and the Hinckley and Nuneaton Paramics Model) and more traditional junction assessment tools.

8.20. To assess the impact of the development upon the highway network modelling with and without the development was undertaken by a highways consultant for junctions which could be affected by the development. The findings of this show:

- Wykin Road traffic flows west of the A47 are not materially affected by the development
- Ashby Road north of the A47 has a significant increase in traffic in the am and pm
- A5/A47 (Dodwells roundabout) would be severely affected by the development
- A47/Stoke Road roundabout would operate well below capacity and this development would not have a severe impact upon this junction
- A47/Wykin Road roundabout would operate well below capacity and this development would not have a severe impact upon this junction
- A47/Outlands Drive would be affected by this development as it would increase in delays for vehicles waiting to turn out of Outlands Drive are predicted

- A47/Roston Drive/Triumph roundabout would operate well below capacity and this development would not have a severe impact upon this junction
 - Apart from the A47 all other changes in traffic to local roads is small and includes some significant decreases (which may be due to the future improvement to the A5 between Dodwells roundabout and Longshoops junction and the widening of the A47 arm of the Dodwells roundabout).
- 8.21. The developer and LCC Highways have identified several mitigation measures to address the impacts raised through modelling. These are:
- Improvements to the A47/Ashby Road – this would allow the junction to operate well below capacity (Section 106 contribution will be required)
 - Reduction of speed limit along the section of the A47 between Roston Drive and Stoke Road and alterations to the right turn lane to provide the ability for vehicles turning right from Outlands Drive onto Normandy Way to wait in the central reservation for a gap to enter the northbound carriageway. These mitigation measures would alleviate this identified issue. This would mitigate and reduce the delays for vehicles waiting to turn out of Outlands Drive.
 - Section 106 contributions to improve the A5/A47 Dodwells roundabout to mitigate the impact of the development.
- 8.22. The applicant is agreeable to the Section 106 contributions and the necessary improvements identified on the submitted highway plans. LCC Highways therefore conclude, subject to the mitigation measures being undertaken, the development would not have a severe impact upon highway safety. Conditions are recommended to ensure the mitigation measures and the access proposed is delivered at appropriate points in the development.
- 8.23. Concerns have been raised by locals regarding the existing ‘rat run’ through Wykin Village to access the A5. It is unreasonable to expect new development to solve existing highway issues; however it is important that these do not exacerbate these problems further. The transport modelling which has been found acceptable by LCC Highways finds that Wykin Road traffic flows west of the A47 are not materially affected by the development. Also the off-site improvements proposed through this development would improve the wider highway network, specifically the A47, and reduce the need for people to use the ‘rat run’ identified at Wykin Village.
- 8.24. The quantum of development proposed exceeds that normally permitted off a single point of access. An objection, from the adjoining land owner states that this single point of access is not the best solution for this site and the land to the south should be utilised to allow a second point of access. The access to the scheme is a bespoke design which has been assessed by LCC Highway Engineers and has been subject to an Independent Safety Audit. Leicestershire County Council Highways do not object to the single point of access in this instance and it is therefore considered acceptable.

Sustainable forms of transport

- 8.25. Emerging Policy DM17 identifies that development should have ‘convenient and safe access for walking and cycling to services and facilities’ and ‘the need to travel will be minimised and the use of sustainable transport modes can be maximised’. The submitted travel plan includes a number of measures designed to encourage sustainable forms of transport such as cycling, walking and public transport. In addition to the footways which will run contiguously with the internal estate roads, the site will also benefit from a network of commodious traffic-free, green corridors

to enable future residents to walk and cycle to the main destinations within the site such as the school and local centre. Externally improvements are to be made to the existing footway/cycleway provision along the eastern flank of Normandy Way thus improving access to the Dodwells Road industrial area, secondary schools and retail areas amongst others.

- 8.26. The applicant has been in discussions with a bus provider and has agreed to provide a bus service to Hinckley Town Centre half hourly 7am – 7pm Monday to Saturday for a period of five years from the start of the service at the occupation of the 50th dwelling. The bus provider has indicated that they would consider that such a service is likely to be commercially viable within 5 years of commencement. To promote the use of sustainable transport modes and establish changes in travel behaviour from first occupation the applicant will provide travel packs and two six-month bus passes per dwelling.
- 8.27. Two Public Rights of Way (U5 & T53) traverse the site and are intended to be improved to provide high quality connections to Hinckley to the east and the Ashby Canal to the west. In addition U6 abuts the western site boundary and would also be improved as part of the proposals.
- 8.28. A S106 contribution is sought for those sections of U5, U6 and T53 outside the site boundary to the west of the site, including refreshing waymarking furniture, small scale drainage/surface improvements, and the repair/replacement of any access furniture. The purpose of these works will be to residents who are employed at either the Dodwells Bridge or Harrowbrook Industrial Estates to walk to work and encourage recreation use.
- 8.29. To the east of Normandy Way, a S106 contribution is sought for T53 and the existing paths within Wykin Park which would be improved to provide a high quality link to the park, Redmoor High School and Hinckley town centre beyond.
- 8.30. A condition is recommended which requires a residential travel plan to be submitted for each phase and a travel plan for the school. Additionally a condition is recommended requiring the submission of a public transport strategy for the site. These conditions would ensure sustainable modes of transport are promoted through this development.

Parking provision

- 8.31. As this is an outline application with access being the only matter for consideration the parking provision is not proposed at this stage. Each phase will need to identify parking provision which would be assessed through subsequent reserved matters applications.

Impact upon the highway network during construction

- 8.32. Due to the large scale nature of the development, the long timescale for delivery and the close proximity to the A47 and several key junctions the construction could have a significant impact upon the highway network. These impacts can be mitigated and a condition is recommended which required the submission of a construction environmental management plan.
- 8.33. LCC Highways have recommended two conditions, one requiring the submission of all details of the proposed development and its compliance with current design standards prior to the commencement of development and another requiring a side

wide Phasing Plan. It is not considered reasonable to include these conditions as these details may not be known for the entire site as it will be completed in phase and the phasing detail is provided in the design and access statement which supports the application. It is considered any additional details can be obtained through subsequent the reserved matters applications and therefore this condition is not necessary.

- 8.34. The design principles, mitigation measures, recommended conditions and Section 106 contributions would ensure that the development would not have a severe impact upon the highway network. Sustainable modes of transport will be encouraged throughout the development and links to the town centre through improvement of footpaths/cycleways and the provision of a bus. The development will also contribute towards the improvement of the wider transport infrastructure in the sub-regional centre. The development is therefore in accordance with Policy 5 of the Core Strategy, Policy T5 of the Local Plan, emerging Policies DM17 and DM18 of the SADMP and paragraph 32 of the NPPF.

Impact upon the Character of the Area

- 8.35. Saved Policy BE1 of the Local Plan (2001) and emerging Policy DM10 of the SADMP requires that development complements or enhances the character of the surrounding area and incorporates a high standard of landscaping.
- 8.36. The site is a greenfield site which includes a number of mature hedgerows, trees and watercourses. It is relatively open and rises in height to the north. Within Hinckley & Bosworth Landscape Character Assessment (2006) the site is identified as being within the Stoke Golding Vales Character Area and its key characteristics are:
- Predominately flat with only gentle undulations
 - Mix of arable and pasture with frequent individual trees.
 - Medium scale rectilinear field pattern bounded by mixed hedgerows with scattered hedgerow trees and small copses.
 - Settlement usually associated with local high points.
 - Area criss-crossed by network of small lanes and public footpaths. The Ashby Canal features numerous attractive canal bridges.
 - Stoke Golding is an attractive settlement clustered around its prominent church, close to the Ashby Canal.
 - Area is open and expansive with views occasionally limited by vegetation.
 - This is generally a tranquil, rural character area despite the proximity of Hinckley and the A5.
- 8.37. The assessment identifies that the landscape character is medium to high sensitivity with limited capacity to accept significant change, due to the little urban influence to the majority of the area.
- 8.38. The site lies on the edge of the landscape area and does not experience the 'tranquil' nature due to its proximity to Hinckley, Normandy Way (A47) and the employment development to the south. The site is an urban fringe site acting as a transition between the urban area of Hinckley to the wider remote countryside.
- 8.39. The development of this greenfield site would have an impact on the character of the immediate area, however the wider impact would be limited, subject to appropriate landscaping and design, due to the position on the urban fringe of Hinckley.

- 8.40. The scheme is landscape-led in its design which will ensure that the existing key landscape features will be retained and improved. This will aid in mitigating the impact upon the wider landscape.
- 8.41. Concerns have been raised by residents regarding the urbanisation of what has been described as the 'green wedge' between Hinckley and Wykin village. This description is inaccurate as there is no formal designation in this area in policy terms. This scheme does not reach the village of Wykin and leaves a substantial field between the development and Wykin village providing a separation distance of approximately 200 metres. Wykin village is surrounded by open countryside on all sides, but abuts the Hinckley urban area to the east. It is considered that this scheme would not enclose Wykin village within Hinckley, due to the existing open countryside to the north and west and the open field to the south. Additionally the design of the scheme includes the playing fields and allotments to the north to provide a green edge and buffer to the northern boundary of the site.
- 8.42. The development would have an impact upon the character of the site due to its greenfield nature. The site is located on the urban fringe of Hinckley and is bound by the A47 and residential development to the east and employment buildings to the south. Therefore whilst the site is currently countryside it cannot be identified as 'tranquil' as other areas within the character area. The design of the scheme is landscape led and seeks to retain the most significant features on site and develop the design around this. The indicative site layout identifies more open space than is required by policy to provide a 'green' character. It is therefore concluded that the scheme would have a limited impact upon the character of the area and would not be harmful to the impact of the wider countryside.

Design of the Scheme

- 8.43. Saved Policy BE1 of the Local Plan and emerging Policy DM10 require developments to complement and enhance the character of the surrounding area.
- 8.44. Paragraph 56 of the NPPF states good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people.
- 8.45. This scheme has been subject to a design review with OPUN with a view to agreeing the detailed urban design principles for the scheme. Detailed discussions have also taken place involving urban design consultants to make sure that the layout, form, scale, architecture, landscaping and materials create a high quality living environment for future residents. The key themes which came out of these meetings were:
- Landscape-led approach is essential
 - The hostile environment of Normandy Way needs to be addressed by providing attractive and safe pedestrian and cycling environment
 - The development should include a strong entrance gateway with strong links between the community uses
 - A comprehensive, well-connected, genuinely permeable development with strong linkages is fundamental
 - Importance of character areas and to be informed by consideration of 'place' rather than road infrastructure
 - Lack of architecture within the immediate environs provides an opportunity to create a new and distinctive/different offer.

- 8.46. The scheme has evolved following these early discussions and a revised Design and Access Statement has been submitted to respond to the points identify. The Design and Access Statement includes the design principles for the development. Whilst this is an outline application (access only) indicative layouts and illustrations have been provided to support the design principles of the scheme.
- 8.47. The scheme is landscape-led and using this approach the design has been based around the existing watercourses, hedgerows and veteran trees on site. The key character areas of the site would be the Central Parkland, retail site, school site, ecological areas, open spaces, outdoor sports pitches, allotments and the residential development. The residential development will form a large majority of the site and will be broken down into several character areas:
- *Primary Street* – formal in character, semi-detached/detached dwellings, location of bus route, front gardens large enough to accommodate trees, boundary treatments formal hedgerows
 - *Side Street* – semi-formal character, smaller dwellings than those on primary street, small or no front gardens, some parking to front of dwellings, regular symmetry
 - *Parkland Edge* – formal character with consistent straight building lines, formal Georgian style elevations, potential for 2.5/3 storey feature groups, boundary to park to be estate railings, formal hedgerows to front boundaries
 - *Green Corridor Edge* – informal character arranged along edges of semi-natural open space, generally detached, simple detailing, mix of dwellings, two storeys
 - *Square/Nodes* – group of dwellings with potential for higher storey than surrounding, different public realm treatment, areas which act as a wayfinding points within the development
- 8.48. A tree strategy is also included within the design principles for each character area indicating appropriate species, locations, sizes and legibility/wayfinding.
- 8.49. A material matrix is also included to provide an indication on appropriate material and establish difference character for each area.
- 8.50. The design principles for the retail are to ensure its positioning addresses the new access roundabout on Normandy Way to provide a visible landmark, high quality public realm with feature landscaping, the provision of parking and service areas to be in less prominent locations.
- 8.51. The design principles for the new primary school includes siting to ensure it is a widely visible landmark building, high quality public realm and with key architectural features, provision of appropriate parking and drop off area, good links with playing fields to the south and good pedestrian links to the residential area.
- 8.52. The design principles of the scheme have also been reviewed by an independent Urban Design consultant instructed by the council. The consultant is satisfied that the design principals set for the outline application are appropriate to the site and will allow the council to secure a high quality design scheme at the reserved matters stage.

- 8.53. A condition is included to require all reserved matters phases to be designed in accordance with the identified design principles outlined within the Design and Access Statement.
- 8.54. The design principles would allow the delivery of a high quality scheme through the submission of reserved matters for each phase of the scheme and is therefore in accordance with saved Policy BE1 of the Local Plan (2001) and the emerging Policy DM10 of the SADMP.

Impact upon Neighbouring Residential Amenity

- 8.55. Saved Policy BE1 of the Local Plan (2001) and emerging Policy DM10 of the SADMP state that developments should not have a significant adverse affect upon the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.56. Residential dwellings are to the east of the site but are separated by the A47. Several residential dwellings lie to the north of the site, but are separated by a large agricultural field. Due to the distance to these dwellings it is not considered that the development, in its finished form, would have a detrimental impact upon existing residential amenity with regards to overlooking, overbearing, impact upon privacy, air quality and lighting. The construction of this site may provide noise and dust within the immediate area and therefore a construction management plan and restrictions on construction hours are included to protect the amenity of nearby residential dwellings.
- 8.57. To the south of the site is the Triumph Motorcycle factory. The indicative design of the site identifies the ecological area and SUDs features to the south of this site. This would provide a buffer between the existing factory and the proposed dwellings. This would ensure that there is no negative impact from the future development upon the existing factory with regards to complaints from future residents from noise disturbance.
- 8.58. Environmental health has requested an environmental management plan, no burning of waste materials are conditioned to protect the amenity of existing and future residents. It is considered this is necessary to ensure that the development does not create issues with existing and future residents. Additionally the following construction hours have been requested to be conditioned:
- 8am – 6pm – Monday – Friday
 - 9am – 1pm Saturdays
 - No work Sunday or Bank Holidays

The applicant has requested earlier construction times of 7:30am Monday – Friday due to the distance of nearby neighbouring properties. However, due to the size of the development and the numerous phases, construction will occur on site when some properties of the scheme are completed and lived in. Therefore construction hours of 7:30am would be detrimental to the residential amenity of future residents. The suggested hours from Environmental Health are considered reasonable and is included.

- 8.59. The development would therefore not have a detrimental impact upon the amenity of neighbouring residents or businesses.

Impact upon Ecology

- 8.60. Emerging policy DM6 states that major developments must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.
- 8.61. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment. Paragraph 118 of the NPPF states that opportunities to incorporate biodiversity in and around developments should be encouraged and planning permission should be refused for development resulting in the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.
- 8.62. There are no statutory designated sites inside the site boundary.
- 8.63. The applicant has submitted a Preliminary Ecological Appraisal. The key findings are:
- The statutory designated sites within 5km of the site boundary are a sufficient distance away to ensure they will not be affected by any proposed works.
 - Some of the habitats on the site are Biodiversity Action Plan (BAP) priority habitats; rough grassland field margins, hedgerows and mature trees.
 - Two hedgerows are 'important' for ecological reasons in the Hedgerow Regulations (the north and west boundaries and they are both proposed Local Wildlife Sites), and a further three of the seven have moderately high to high nature conservation value.
 - All hedgerows qualify as a habitat of principal importance as they are more than 20m in length and have more than 80% cover of UK native species.
 - 13 mature trees could accommodate roosting bats
 - The older trees qualify as the local BAP habitat mature trees.
 - Evidence of water vole (a BAP priority species) along the stream in the southern half of the site.
 - There are habitats likely to support badgers, bats (roosting, commuting and foraging), great crested newts, reptiles and water voles. Further protected species surveys are recommended.
- 8.64. Following the recommendations of the Preliminary Ecological Appraisal, the applicant also undertook further detailed protected species surveys including a Breeding Bird Survey, Bat Activity Survey Report, Great Crested Newt and Reptile Study Report.

Breeding Bird Survey Report

- 8.65. The report concludes that the site supports a reasonable diversity of breeding birds, including species of Birds for Conservation Concern. Some of these species are suffering severe national decline due to loss of habitat, and as such mitigation is required. The majority of breeding birds are on the site boundaries.
- 8.66. Species likely to be affected by the development are those that breed or feed on the arable ground, including Skylark, Yellow wagtail, Linnet and Yellowhammer. These species will be displaced. Enhancements to hedgerows and trees could have

positive impacts for many species. Mitigation is required during construction and measures to maintain and enhance the habitat on site once it is developed.

8.67. Bat Activity Survey Report

8.68. The survey recorded at least 5 bat species using the site. The level of activity and species diversity is at a moderate level, meaning the site is important for the local bat population. The report recommends that if any of the potential bat roosting trees are to be removed, further surveys will be required. The survey recommends that boundary features are retained as foraging and commuting habitat, and that new gardens, tree planting and SUDS should provide further foraging habitat. The proposed allotments will also provide insect prey for bats. Mitigation during construction is required, plus habitat enhancement once the site is developed.

8.69. Great Crested Newt and Reptile Survey Report

8.70. The report concludes that there is a low population of grass snake, and no other reptiles present. Great Crested Newts were identified outside of the site, in two ponds to the west and a pond to the south. Both are 'species of principal importance' in the NERC Act 2006. This equates to a medium population in the area, with probable movement between the ponds. The report recommends that reptiles (to the north and centre of the site) could be harmed during construction, and mitigation measures will be required. Also, due to the close proximity of Great Crested Newts (who can forage 500m from ponds), construction mitigation measures and ongoing habitat management are required.

8.71. The survey recommends that survey data should not be over 2 years old on phased schemes. Therefore, repeat surveys will be required for Reserved Matters applications, a condition is recommended to secure this.

8.72. In light of the conclusions of the above assessments, the applicant has completed a Construction Mitigation Strategy and an Ecological Creation and Habitat Management Plan. The Construction Mitigation Strategy sets out a mitigation strategy for habitats and species during construction. This document should be conditioned to ensure the mitigation measures are undertaken during construction and the scheme does not have a harmful impact upon the existing ecology of the site. The Ecological Creation and Habitat Management Plan outlines proposals for habitat creation and enhancement and provides details on the continued management (aftercare) of ecological resources on the site. The key ecological resources of the site are the 'important' hedgerows (under the criteria of the Hedgerow Regulations 1997), the retained trees, the existing watercourses, the newly created parkland, ponds and surface water balancing lagoons. This management plan should be conditioned to ensure it is adhered to, to ensure the biodiversity of the site is enhanced.

8.73. The applicant has undertaken a Stage 1 Arboricultural Report for the site. There are 86 individual trees and 32 groups of trees on the site. The most significant trees on site are mature Pedunculate Oak, Ash and Hawthorn.

8.74. The Report recommends that at Reserved Matters stage the Root Protection Areas and construction exclusion zones are finalised, and a Tree Protection Plan is produced in conjunction with an Arboricultural Implications Assessment and Method Statement. This can be secured by condition for each phase.

- 8.75. Leicestershire County Council (Ecology) has raised no objection to this application subject to a number of conditions including:
- Implementation of the water vole mitigation plan prior to construction
 - Built in accordance with of the ecological creation and habitat management plan and the construction mitigation strategy
 - Update assessments, and surveys, if necessary, for badger, great crested newts and water voles for each phase adjacent to a hedgerow or watercourse covering
 - Development in accordance with the illustrative layout
 - Landscape planning in informal and natural open space to be of locally native and common species only – can be secured through landscaping details so not necessary
 - Buffer zones of at least 5 metres of natural vegetation to be maintained alongside all retained hedgerows
 - SUDs to be designed to maximise benefit to wildlife
 - Light spill onto retained hedgerows and the brook corridor to be minimised to a value of 1lux or lower at the edge of the habitats
 - Provision of bat boxes on properties adjacent to wildlife corridors of hedgerow and watercourse
 - Removal of vegetation outside the bird nesting season
- 8.76. These conditions would ensure that mitigation measures are in place to protect the ecology of the site and provide biodiversity enhancements in several areas through the implementation of the Ecological Creation and Habitat Management Plan. Subject to the conditions and the mitigation measures identified the scheme would retain on site features and improve the biodiversity features on the site and is therefore in accordance with emerging Policy DM6 of the SADMP and paragraphs 109 and 118 of the NPPF.

Impact upon Heritage Assets

- 8.77. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to have the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
- 8.78. Local Plan policy BE5 states that the settings of listed buildings will be preserved and enhanced by appropriate control through the design of new development in the vicinity. Additionally Policies BE13, 14, 15 and 16 require the assessment of a sites archaeological interest or potential and field evaluations, preservation in situ and excavation and recording where necessary.
- 8.79. Emerging policy DM11 states the Council will protect, conserve and enhance the historic environment, via careful management of development which impacts upon designated or non-designated heritage assets. Emerging policy DM12 states that development affecting heritage assets and their settings will be expected to secure their continued protection or enhancement. Emerging policy DM13 states that a proposal should include a desk-based assessment and field evaluation to detail the significance of any affected asset.
- 8.80. Paragraphs 128 – 134 require the assessment of the significance of any heritage assets affected and an assessment and if a development will harm the significance of a designated heritage asset. Additionally paragraph 139 states that non-

designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments should be considered subject to the policies for designated heritage assets.

Built heritage assets

- 8.81. To the north east of the application site lies Wykin Hall Farmhouse, which is a Grade II listed building. Additionally to the west of the application site lies the Ashby Canal Conservation area.
- 8.82. A Heritage Statement has been submitted with the application addressing the impact of the development upon these heritage assets. This document concludes that the proposed development will not detract from the significance of the listed building and will have no direct impact upon the canal and therefore will cause less than substantial harm which are outweighed by the public benefits provided by the scheme.
- 8.83. The most significant elements of the setting of Wykin Hall Farmhouse is the north paddock and tree-lined avenue and the formal planted gardens to the south. Due to the expansion of Hinckley and the construction of the A47 this has resulted in the listed building lying on the urban fringe of Hinckley, therefore its wider setting has been compromised. Additionally to the south east of the house large agricultural buildings and a stockpile of logs, which has resided there for many years, detract from the setting of the listed building and reduce its 'open and visible' prominence in the countryside. A green buffer would remain between the application site and the listed building due to the retention of an agricultural field to the north and the provision of the playing field and allotments to the northern boundaries of the site. It is therefore considered that this proposal would have less than substantial harm to the setting of the listed building, subject to the visual encroachment on views looking south and south west from the house to the site is mitigated through sensitive planting and detailed design through the reserved matters application(s). This proposal is identified to have many public benefits which includes the significant provision towards housing for the area, provision of 20% affordable housing, associated infrastructure to provide for the development and contributions to mitigate the impacts of the development.
- 8.84. The quality of views looking towards Hinckley from the sections of the Ashby Canal closest to the scheme is varied and includes views of existing development, so this further proposed development is likely to have a limited visual impact and thus cause less than substantial harm to the setting of the Ashby Canal Conservation Area. The scheme may actually provide the chance to enhance to views into Hinckley from the Canal by providing sensitive planting and detailed design. It is therefore considered that this proposal would have less than substantial harm to the setting of the conservation area and the benefits of the proposal through the provision of housing, affordable housing, retail facility, school, play and open space including community playing fields and the potential to improve views into Hinckley and potentially enhance the setting would outweigh the harm.

Archaeological heritage assets

- 8.85. A desk-based assessment, geophysical and field-walking surveys as well as the trial trenching has been undertaken for the site. These have provided a satisfactory assessment of the archaeological interest and indicated an need for targeted archaeological mitigation of a series of areas within the proposed outline and full development sites. The assessment of the site has demonstrated the presence of a

Roman period occupation site and associated enclosure complex, apparently associated with an approximately east-west aligned trackway, an area of gullies and pits including the recovery of a Neolithic flint end-scraper and an third area of gullies and associated features, at present lacking close dating to the north west of the site.

- 8.86. Due to these findings it is recommended that prior to the commencement of development upon the identified heritage assets the applicant must make arrangements for and implement an appropriate programme of archaeological investigation, comprising targeted area excavation of the affected archaeological remains. The areas requiring further investigation are within Phases 1, 2, 3, 7 and 8. Due to the size of the site a phased condition is considered necessary to secure this investigation is undertaken.

Impact upon Flood Risk

- 8.87. Local Plan policy NE13 states that planning permission will not be granted for development proposals which would inhibit or damage the drainage functions of the natural watercourse system, unless adequate on or off site protection, alleviation or mitigation works are undertaken. Policy NE14 states that permission will not be granted for proposals which will adversely affect water quality and ecology of water courses and groundwater resources unless satisfactory arrangements are made for disposal of foul sewage, trade effluent and surface water. Policy NE15 states that permission will not be granted for development which would have an adverse effect on the land drainage function of a watercourse corridor, or result in the loss of recreational amenity and nature conservation value of the corridor.
- 8.88. Emerging Policy DM7 of the SADMP requires adverse impacts from flooding to be prevented and that the development would not create or exacerbate flooding by being location away from areas of flood risk unless adequately mitigated against in line with National Policy.
- 8.89. Paragraph 100 of the NPPF states that development should be directed away from areas at highest risk of flooding, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 8.90. The applicant has submitted a Flood Risk Assessment (FRA). The majority of the site is located in flood zone 1 (low less than 1 in 1,000 annual probability of flooding). An area of flood zone 2 (medium 1 in 100 to 1 in 1,000 annual probability of flooding) is located to the south of the site. The PPG states that all the uses proposed on site are suitable in these flood zones. In accordance with the sequential approach, built development is proposed in Flood Zone 1 only.
- 8.91. The nearest watercourses are the Ashby Canal 200m to the west and 300m to the south and Battling Brook 400m to the south. A ditch course enters the site through a culvert at the north-eastern corner of the site and flows through the site north to south and enters a culvert to the south of the site, which flows beneath the Triumph factory site and enters the Battling Brook. Smaller field drains join the ditch course as it flows through the site. The ditch course channel ranges from 3m to 6m in width and 0.8m to 1.5m in depth.
- 8.92. The FRA shows the site is not affected by tidal, reservoir, canal or groundwater flooding. An assessment of the flood risk from the ditch course was included in the FRA. The results confirm the extent of flood zone 2 and so the built development has been located in zone 1. The FRA recommends that blockages of the culvert

would increase flooding and so a maintenance regime and replacement of the security screen should be included in the Flood Risk Mitigation Strategy. This can be secured by condition and is recommended by the Environment Agency. The same low lying area of land to the south of the site is also most susceptible to surface water flooding. This area of land is mostly proposed as open space.

- 8.93. The FRA includes a Flood Mitigation Strategy and a proposed surface water management strategy. These identify that for flood mitigation measures and sustainable drainage methods can be incorporated into the scheme. These are suggested strategies and are not final. A conditioning requiring details of surface water drainage schemes based on sustainable drainage principles for each phase is submitted prior to the commencement of each phase is required. This approach is also suggested by the Environment Agency.
- 8.94. No objections have been received from LCC Drainage, the lead local flood authority). The Environment Agency are content with the results of the FRA and subject to a condition requiring the development to be carried out in accordance with the FRA and other conditions discussed above have no objections. The scheme will not create or exacerbate any flooding issues for the site or the wider area and subject to conditions is in accordance with Policy NE13 of the Local Plan (2001), emerging Policy DM17 of the SADMP and paragraph 100 of the NPPF.

Land Contamination and Pollution

- 8.95. Local plan policy BE1 (h) states that planning permission will be granted where the development is not adversely affected by activities in the vicinity of the site which are likely to cause a nuisance to the occupiers of the proposed development.
- 8.96. Emerging policy DM7 states that adverse impacts from pollution will be prevented, including water quality, light, noise and vibration, contamination and air quality.
- 8.97. NPPF paragraph 123 states that planning decision should aim to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new development. The Government's Noise Policy Statement 2010 states that all reasonable steps should be taken to mitigate and minimize adverse effects on health and quality of life while also taking into account the guiding principles of sustainable development. The NPPG states that care should be taken to ensure that mitigation measures do not make for an unsatisfactory development, in terms of its design.

Land contamination

- 8.98. The site is located within close proximity to a foot and mouth burial site and a former landfill site known as Wykin Park. Therefore a land contamination assessment is required for the site. It is therefore recommended that appropriate land contamination conditions are included to ensure adequate investigation is undertaken and appropriate mitigation measures are in place.
- 8.99. A gas assessment has been submitted by the applicant, however this does not include all details required to undertake a full assessment of the land contamination. Therefore, a condition requiring the submission of a scheme for the monitoring of landfill gas on site and any mitigation required prior to the commencement of development is necessary.

Pollution

- 8.100. Due to the application site being adjacent to the A47 an air quality assessment and noise assessment is required to ensure the standards are acceptable for future residents.
- 8.101. An air quality assessment not been submitted and therefore a condition requiring this and any required mitigation is recommended.
- 8.102. An initial noise investigation has been undertaken for the application which indicated that proposed noise standards will be exceeded across the majority of the site with significant exceedance adjacent to Normandy way in external amenity areas of residential premises. It is indicated that proposed noise standards will be exceeded across the majority of the site with windows open. Ventilation e.g. mechanical ventilation will therefore be required so standards can be achieved with windows closed. Environmental Health have recommended the following:
- The developer should ensure continued input from their noise consultant during detailed design to consider orientation/bunding/barriers so that maximum protection from noise can be achieved.
 - internal road layout indicated in figure 13 of the Design and Access Statement submitted with this application shows a potential road layout. Serious consideration should be given to putting roads along the Normandy Way boundary to provide a buffer between it and residential premises.
 - A full noise assessment will be required once final layout has been concluded. Covering potential impact from any plant serving the convenience retail, road noise from Normandy Way, impact from the employment land to the south.
- 8.103. A condition requiring the submission of a noise assessment for each phase protecting the proposed school and dwellings is recommended and is necessary to protect the amenity of future residents.
- 8.104. To ensure the development does not result in unacceptable light pollution several conditions are recommended by Environmental Health to require the developer to submit details of lighting other than street lighting for approval and limit the illumination of any illuminated signs within the development. These conditions are considered to be reasonable and necessary to avoid light pollution to the wide area.

Play and Open Space Provision

- 8.105. Core Strategy policy 1 states that new development should address the existing deficiencies in the quality, quantity and accessibility of green space and play provision. New green space should meet the standards in policy 19. Policy 19 sets out the standards to be used to determine what improvements are required to existing facilities, and what new provision is required for new development. Additionally emerging Policy SA2 of the SADMP requires the allocation to meet the provisions within Policy 19.
- 8.106. Policies REC2 and REC3 of the Local Plan (2001) refer to the provision of open space for new development. However due to the advanced stage of the SADMP and the specific reference to Policy 19 within the allocation Policy SA2 these policies carry limited weight.

- 8.107. Using the standards outlined in Core Strategy Policy 19 the following quantity of open space is required (this is calculated using average dwelling size of 2.4 people per dwelling resulting in the population of the scheme being 2,040 people):
- Equipped children's play space – 0.31 ha
 - Casual/informal play space – 1.43 ha
 - Outdoor sports provision – 3.27 ha
 - Accessible natural green space – 4.08 ha
- 8.108. The planning statement and design and access statement outlines that the following will be provided on site:
- Central Park – c.2.11ha
 - Sports Pitches - up to 3.28ha
 - Allotments – c.0.5ha
 - Children' play areas – 0.31ha
 - Natural and semi-natural green space – maximum of 9.13ha
 - Drainage ponds and other SUDs features – c.2.15ha
- 8.109. The scheme can therefore demonstrate that the open space standards outlined in Policy 19 of the Core Strategy can be delivered on site. Due to the landscape led approach and drainages/SUDs features required there is a significant over provision of natural and semi-natural green space which will enhance the design of the scheme and also provide a strong 'green' character to the development.
- 8.110. The applicant will be required to provide appropriate changing facilities on site to support the proposed playing fields. This would need to meet the appropriate quality standards. This is in accordance with the provisions of the Play and Open Space SPD.
- 8.111. The application is at the outline stage and full details of green space and play provision will be provided through the reserved matters stages. However the applicant has demonstrated that the application can provide the provisions outlined in Policy 19 of the Core Strategy and is therefore acceptable.

Sustainable Design and Technology

- 8.112. Policy 24 of the Core Strategy requires all developments to meet the code for sustainable homes standard. However, this standard has now been removed. This policy seeks to reduce climate change through sustainable design and the council seeks to achieve the most sustainable development possible, taking into account energy efficiency, design and orientation, and other measures which contribute towards sustainable development.
- 8.113. Paragraph 96 of the NPPF states that new developments should comply with adopted local plan policies on local requirements for decentralised energy supply and take account of landform, layout, building orientation, massing and landscaping to minimised energy consumption.
- 8.114. The Design and Access Statement includes a sustainability statement which identifies the sustainable principles of the development. These are:
- Mixed use development will create a sustainable community and will reduce the need to travel by motorcar and

- Pedestrian and cycle routes are an integral part of the proposal and further enhancements will provide good connections with Hinckley
 - Public transport links will provide connections to Hinckley town centres and the railway station
 - Existing landscape features are to be retained on site and new habitats will be created on site
 - Sustainable urban drainage will be implemented on site
 - Sustainable construction methods and energy efficiency measures will be incorporated
- 8.115. Details of the sustainable construction are not provided at this stage, however the following issues will be explored:
- Plot orientation
 - Building adaptability for different occupiers
 - Provision of appropriate private space, car parking/cycle spaces
 - Use of environmentally friendly and more sustainable materials
 - Buildings that are resource and energy efficient potentially with efficient heating systems, low flow showers/smaller baths/dual low flush toilet, low carbon lighting with energy controls and management and double and triple glazing with improved insulation.
- 8.116. The applicant, Bloor Homes adopt a fabric first approach in their house types. This reduces each dwellings inherent energy demand by reducing the U values of mass or thermal elements to exceed minimum standards and designing their dwellings to reduce the effects of thermal bridging and address building air tightness. They also install water saving appliances to aid water efficiency, highly efficient gas condensing boilers to reduce fuel costs, and gas savers and waste water heat recovery systems to reduce carbon emissions.
- 8.117. It is considered that there are a number of sustainable design methods which could be facilitated through this development. These methods will be identified through subsequent reserved matters stages.
- 8.118. The development will be able to incorporate sustainable design methods to reduce the impact of the development upon the climate and is therefore in accordance with Policy 24 of the Core Strategy and paragraph 96 of the NPPF.

Affordable Housing

- 8.119. Policy 15 of the Core Strategy seeks to secure 20% on site affordable housing in urban areas (including Hinckley) with a mix of 75% social rented and 25% intermediate housing. At full council 19 June 2012 the principle of accepting affordable rent rather than social rent was accepted.
- 8.120. The proposal is to include 20% affordable housing with a mix of 75% affordable rented units and/or social rented units and 25% intermediate unites. This mix would be secured by a Section 106 agreement.
- 8.121. The scheme is therefore in accordance with Policy 15 of the Core Strategy.

Developer Contributions (Section 106 obligations)

- 8.122. Policy IMP1 of the Local Plan (2001) states that contributions towards the provision of necessary on-site and off site infrastructure and facilities to serve the

development will be required and the granting of planning permission will be subject to the agreement of planning obligations.

- 8.123. Emerging Policy DM3 identifies that where development will create a need to provide additional or improved infrastructure, amenities or facilities, developers will be expected to make such provision directly or indirectly through the appropriate funding mechanism.
- 8.124. Regulation 122 of the CIL Regulations 2010 provides that a planning obligation (ie in essence a developer contribution) may only constitute a reason for granting planning permission for the development if the obligation is;
- a) Necessary to make the development acceptable in planning terms, and
 - b) Directly related to the development, and
 - c) Fairly and reasonably related in scale and kind to the development

Highways

- 8.125. An assessment of the scheme upon the highway network is identified above. Several mitigation measures are proposed to alleviate the impact of this development on the highway network.
- 8.126. The following contributions are required (details of what the works consist of are provided within the Highways section above):
- Off-site junction improvements – Ashby Road/Normandy Way - £318,039
- Widening of A47 Dodwells Road approach to the roundabout - £233,415
 - Improvements to existing cycling and walking infrastructure - £116,810
 - Public Right of Way improvements - £13,355
 - Speed limit changes (Traffic Regulation Order) - £5000
 - Travel Packs, 2 x 6 month bus passes per dwelling
 - New/diverted bus services serving the site on an half hourly basis 7am – 7pm Monday to Saturday
 - Travel Plan Monitoring Fee
 - Appointment of Travel Plan Co-ordinator
- 8.127. These mitigation measures have been determined through undertaking a modelling exercise and Transport Assessment and are considered to be reasonable and necessary to ensure the development is acceptable.

Education

- 8.128. An assessment of the developments impact upon the local education provisions have been provided by Leicestershire County Council. These have been broken down into Primary, Secondary and Special School Requirements.
- 8.129. With regards to Primary School requirements the site falls within the catchment area of Battling Brook Community Primary School and is within a two mile walking distance of 5 other primary schools. The overall current deficit for all these schools is 311 pupil places. It should be noted that a total of 45 places have been discounted as there is Section 106 funding already in place for these from other developments. It is anticipated that this development would create a deficit of 204

pupil places. Due to the current deficit these places cannot be accommodated in any nearby schools and therefore a new 210 place primary school is requested. To provide this school the developers must provide 2ha of land for the school site (1ha for the school and an additional 1ha to allow for an extension to the school if necessary). The applicant has identified this area of land on the plans. Additionally a contribution of £4,035,000 is required to cover the estimated cost of the school. To calculate this figure LCC (education) has used recent examples from their own primary school builds to establish an average build cost of £3,000 per square metre. A 210 place primary school would need to be 1,345 square metres in size and therefore the figure of £4,035,000 is a reasonable estimate for the build cost of the school.

- 8.130. With regards to the Secondary School requirements, the site falls within the catchment area of Redmoor Academy, Hastings High and The Hinckley Adacamy. The Schools have a joint net capacity of 3250. Overall, the have a current deficit of 6 places. A total of 51 pupil places are included in this forecast for these schools from S106 agreements for other developments in the area and have to be discounted. This reduces the deficit and creates a surplus of 45 pupil places. The proposed development would yield 170 pupils and would result in a deficit of 125 pupil places. The 170 pupil places generated by this development can therefore be partly accommodated at nearby schools and a claim for an education contribution of 125 pupil places in the 11-18 sector is justified. In order to provide the additional 11-18 school places anticipated by the proposed development, the County Council requests a contribution for the 11-18 school sector of £2,264,765.63. This figure is based upon standard LCC Education calculations. This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Redmoor High School or other schools with the locality which will serve this development.
- 8.131. With regards to the Special School requirements the number of pupils on roll in Leicestershire Special schools has risen from 482 in 2002 to 1019 in 2015. The special school population will continue to grow as a result of the increasing birth rate and the growth in new housing. Currently 0.65% of the primary age population and 1.59% of the secondary age population are educated in Special Schools. All Special Schools in Leicestershire are full, and have a deficit of available spaces, and are forecast to remain so. In some instances the special schools are having to use their own teaching staff to teach pupils in available space in mainstream schools. Pupils are therefore missing out on the facilities, equipment and environment a Special School establishment is able to provide. The Council therefore seeks developer contributions towards the cost of expanding Special school provision for developments of 250 dwellings or more. The threshold of 250 dwellings was chosen to reflect the low special pupil yield and the avoidance of claiming very small amounts on all developments. This is calculated using the standard calculation models used by LCC Education.
- 8.132. The contributions are considered to be necessary, directly related and fairly and reasonably related in scale and kind to the development proposed and should be secured by a Section 106 agreement.

Health

- 8.133. Assessment of the impact of the development upon the health service in the area has been assessed by the NHS. It is identified that the development could have an estimated population of 2057 residents (using the Census average household size of 2.4 people per dwelling). This would result in the need 54.09 additional patient

appointment hours per week for a consulting room and 14.42 hours additional patient appointment hours per week for a treatment room. The closest GP Practice is located at Hollycroft Medical Centre. This centre has experience continual growth of patient numbers which is currently impacting upon the capacity within the existing premises. To provide a comprehensive medical service to the proposed residents of this scheme an extension to Hollycroft Medical Centre would be needed to provide a larger waiting room, more clinical space, a larger reception, administration and record storage space and more car parking. An assessment of the building has been undertaken and plans have been drawn up which shows that the building can be extended by approximately 352 square metres. The cost for providing this has been calculated on a per square metre basis by quantity surveyors which are experienced in health care projects. The additional floorspace required is calculated to be 247 square metres. The cost of the extension would be £1902 per square metre and therefore the requested contribution is £469,489.68.

- 8.134. The contributions are considered to be necessary, directly related and fairly and reasonably related in scale and kind to the development proposed and should be secured by a Section 106 agreement.

Police

- 8.135. An assessment upon the impact of the development upon the Police has been undertaken by Leicestershire Police. It is assessed that the development would generate the need to employ 5.3 additional members of staff and to support this the following contributions are requested:

- Start up equipment - £35,159
- Vehicles - £18,598
- Additional radio call capacity - £1,785
- Policy database capacity - £935
- Additional call handling - £2,048
- ANPR (number plate recognition) CCTV cameras - £8,444
- Mobile CCTV - £1500
- Additional premises - £207,315 (based on 14sqm per member of staff at a build cost of £2794 per square metre)
- Hub equipment - £1700

- 8.136. Therefore a total figure of £277,484 is requested for the Police to mitigate the impacts of the new development.

- 8.137. The development would have an impact upon the Police infrastructure and therefore the above contributions are considered to be necessary, directly related and fairly and reasonably related in scale and kind to the development proposed and should be secured by a Section 106 agreement.

Green Space and Play Provision

- 8.138. The required green space and play provision will be provided on site in accordance with Policy 19 of the Core Strategy. If these green spaces and play provisions are adopted by the council at a later date a maintenance sum covering the costs for a 20 year period for equipped play space and informal play space and a 10 year period for formal open space will be required. This is in accordance with the Play and Open Space SPD. The contributions will be outlined on a per square metre basis, due to exact details of the play and open space provision on site not yet being known. The contributions for play and open space will be as follows:

- Formal (Sports Pitches and Parks) - £6.60 per square metre
 - Equipped (Play Areas) - £141.40 per square metre
 - Informal (Semi Natural Green Space including Sustainable Urban Drainage Systems) - £10.60 per square metre
- 8.139. These contributions would be to ensure the maintenance of the green space and play provision on site and are considered to be necessary, directly related and fairly and reasonably related in scale and kind to the development proposed and should be secured by a Section 106 agreement.

Library

- 8.140. The impact of the development upon libraries has been assessed by Leicestershire County Council.
- 8.141. The proposed development is within 2.2 km of Hinckley Library on Lancaster Rd being the nearest local library facility which would serve the development site. The library has an active borrower base of 9289 people. However post code analysis demonstrates that Hinckley Library attracts usage from a much wider catchment of 46374 people through additional borrowers who live outside the settlement area but come into Hinckley for work, shopping or leisure reasons. It is considered that the development would generate an additional 1224 plus users, which would require an additional 2950 items of lending stock plus reference, audio visual and homework support material to mitigate the impacts of the proposed development on the local library service. The contribution requested is £25,650 based upon:
- 1 bedroom - £15.09 per dwelling
 - 2+ bedroom - £30.18 per dwelling

- 8.142. The contributions are considered to be necessary, directly related and fairly and reasonably related in scale and kind to the development proposed and should be secured by a Section 106 agreement.

Civic Amenity

- 8.143. The impact of the development upon the Civic Amenity infrastructure has been assessed by Leicestershire County Council.
- 8.144. The nearest Civic Amenity Site to the proposed development is located at Barwell and residents of the proposed development are likely to use this site. Each household in Leicestershire in 2012/13 delivered on average approximately 0.276 tonnes of municipal waste to a Civic Amenity Site. On this basis the proposed development of 850 dwellings would generate over 234 tonnes of additional Civic Amenity waste at the Barwell Civic Amenity Site. The proposed development would place additional demand on the Barwell Civic Amenity Site and the request for the Civic Amenity developer contribution would meet the demands placed on the site as a result of the proposed development. Civic Amenity Site at Barwell accepted approximately 7,874 tonnes per annum. Government legislation is focused on maximising the diversion of waste from landfill and the County Council must have appropriate containers and/or storage areas to deal with the different types of waste. Due to the complex nature of the waste received at the Civic Amenity Site it will become increasingly difficult over time to maintain performance and a good

level of service at peak times, particular with an increased demand placed on it due to this development.

- 8.145. A contribution of £42,101 is requested which has been calculated based on 850 units multiplied by the current rate for the Barwell Civic Amenity Site of £49.53 (subject to Indexation and reviewed on at least an annual basis) per dwelling/unit = £42,101. (rounded up to the nearest pound).
- 8.146. The developer contribution would be used at the Barwell Civic Amenity Site. This is expected to increase the capacity of the Civic Amenity Site at Barwell by providing space for additional waste containers.
- 8.147. It is considered fair and reasonable in scale and kind to the proposed scale of development and is in accordance with the thresholds identified in the adopted policies and to meet the

Town Centre Improvements

- 8.148. Town centre improvements will be required in accordance with Policy 1 and 5 of the Core Strategy. These contributions are currently being negotiated.

9. Conclusion

- 9.1. This is an allocated site in the emerging SADMP. The site is in accordance with the provisions of the allocation. Whilst this application does not include the entire allocation it is considered that this would not restrict the delivery of the remainder of the site and is therefore acceptable. It is considered with mitigation that the proposal would not have a detrimental impact upon the highway network, existing heritage assets, ecology, neighbouring residential amenity, flood risk, land contamination and pollution. The proposal is in accordance with Local Plan Policies and is therefore recommended for approval.

10. Recommendation

- 10.1. **Grant planning permission** subject to:

- The prior completion of a S106 agreement to secure the following obligations:
 - Highways and Public Rights of Way Improvements - £686,619 plus travel packs, bus passes, new bus service, and a travel plan co-ordinator
 - Education - Primary £4,035,000 (or build school) and 2ha of land
 - Secondary £2,264,765.63
 - Special (SEN) - £298,454.09
 - Health - £469,489.68
 - Civic Amenity - £42,101
 - Libraries – £25,650
 - Police - £277,484
 - Play and Open Space – on site provision with maintenance contribution based on a square metre figure
 - Town Centre Improvements – figure to be agreed
 - Affordable Housing – 20% on site and local connections -
- Planning conditions outlined at the end of this report.

10.2. That the Chief Planning and Development Officer be given powers to determine the final detail of planning conditions.

10.3. That the Chief Planning and Development Officer be given delegated powers to determine the terms of the S106 agreement including trigger points and claw back periods.

10.4. **Conditions and Reasons**

1 Application for the approval of reserved matters shall be made within ten years from the date of this permission and the development shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

2. Approval of the following details (hereinafter called "reserved matters") shall be obtained from the local planning authority in writing before any development is commenced:

a) The layout of the site including the way in which buildings, routes, parking, turning and open spaces are provided and the relationship of these buildings and spaces outside the development

b) The scale of each building proposed in relation to its surroundings

c) The appearance of the development including the aspects of a building or place that determine the visual impression it makes.

d) The landscaping of the site including treatment of private and public space to enhance or protect the site's amenity through hard and soft measures.

The development shall be implemented in accordance with the approved details.

Reason: This is a planning permission in outline only and the information required is necessary for the consideration of the ultimate detailed proposal.

3. The development hereby permitted shall be carried out broadly in accordance with the Development Framework (Drawing Number DE155_002 Rev C), dated 7 March 2016, subject to the details to be submitted to, and approved in writing by, the Local Planning Authority in condition 2 above.

Reason: To ensure a high quality scheme is developed in accordance with the design principles of the development.

4. Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

Planning Application Boundary Dwg No. DE_155_001 Rev B received 2 March 2015

Design and Access Statement received 7 March 2016
Public Open Space and Phasing Plan received 26 February 2016
S278 Scope of Highway Works and Phasing Dwg No. 800
S278 Highway Works Phase 2 Sheet 1 Dwg No. 801 received 27 April 2016
S278 Highway Works Phase 2 Sheet 2 Dwg No. 802 received 27 April 2016
S278 Highway Works Phase 1 Sheet 3 Dwg No. 803 received 27 April 2016
S278 Highway Works Phase 2 Sheet 4 Dwg No. 804 received 27 April 2016
Ecological creation and habitat management plan received 2 March 2015
Construction mitigation strategy received 2 March 2015

Reason: For the avoidance of doubt and in the interests of proper planning.

5. The Reserved Matters submissions for each phase shall be accompanied by a detailed Development Brief, to demonstrate compliance with the approved Design and Access Statement, for that phase. No development shall commence, on that phase, unless and until those details have been approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with the approved details.

Reason: In the interests of visual amenity and to ensure a high quality development in accordance with Policy BE1 of the Local Plan (2001) and emerging Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

6. No development shall take place within each phase of development, until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out the overall strategies for:
 - a) The means of access and routing for demolition/ ground work and construction traffic
 - b) The parking of vehicles of site operatives and visitors
 - c) Loading and unloading of plant and materials
 - d) Storage of plant and materials used in constructing the development
 - e) Location of Contractor compound(s)
 - f) Wheel washing facilities
 - g) 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
 - h) Temporary highway works
 - i) Prevention of impact to existing and proposed residents from dust, odour, noise, smoke, light and land contamination during construction
 - j) Details of how the above will be monitored and a procedure for the investigation of complaints.

The approved CEMP shall be adhered to throughout the construction period for that phase of development to which it relates.

Reason: To ensure appropriate mitigation for the impacts caused by the construction phases of the development and to reflect the scale and nature of development in accordance with Policy BE1 of the Local Plan (2001) and emerging Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

7. In accordance with the Phasing Plan, prior to the occupation of each phase a Residential Travel Plan, in accordance with the Framework Travel Plan, shall be submitted to and agreed in writing by the LPA. The measures approved shall thereafter be provided.

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.

8. Prior to the opening of the school, a School Travel Plan in accordance with the Framework Travel Plan, shall be submitted to and agreed in writing by the LPA. The measures approved shall thereafter be provided.

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.

9. The site roundabout access and works to the A47 shall be provided in general accordance with the details shown on drawings 14470/010 and 14470/011, 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 in accordance with Policy T5 of the Local Plan (2001) and emerging Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

10. The off-site highway works on the A47 at the junctions of Outlands Drive and Roston Road shall be provided in general accordance with the details shown on drawing 14470/012 and shall be completed and made available for use as public highway prior to the occupation of the 250th dwelling.

Reason: To mitigate the impact of traffic associated with the development proposal and in the interests of highway safety in accordance with Policy T5 of the Local Plan (2001) and emerging Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

11. Signage and road markings to the satisfaction of the Local Planning Authority shall be provided for the reduced speed limit between Wykin Road and Stoke Road prior to occupation of the first dwelling.

Reason: To ensure an acceptable layout in the interests of highway safety in accordance with Policy T5 of the Local Plan (2001) and emerging Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

12. No development shall commence, in any phase, unless and until details of all proposed walls, fences, railings and gates for that phase have been submitted to and approved in writing by the Local Planning Authority. The

development shall then be implemented in accordance with the approved details and no building shall first be occupied until the boundary treatments associated with that building have been installed, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a high quality of design in accordance with Policy BE1 of the Local Plan (2001) and emerging Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

13. No development shall commence, in any phase, unless and until such time as the existing and proposed ground levels of the site, and proposed finished floor levels for that phase have been submitted to and agreed in writing by the local planning authority. The development shall then be implemented in accordance with approved details.

Reason: To ensure a high quality of design in accordance with Policy BE1 of the Local Plan (2001) and emerging Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

14. No development shall commence, in any phase, unless and until such time as representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings/buildings for that phase have been deposited with and approved in writing by the local planning authority. The development shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy BE1 of the Local Plan and Policy DM10 of the emerging Site Allocations and Development Management Policies Development Plan Document.

15. No development shall commence on site until the implementation of the Water Vole mitigation has been implemented outlined in the Water Vole Habitat Strategy Plan Dwg No. DE155_006.

Reason: To ensure the identified mitigation measures are implemented and the development does not have a detrimental impact upon a protected species in accordance with DM6 of the emerging Site Allocations and Development Management Policies and Paragraph 109 of the NPPF.

16. A Buffer zones of at least 5 metres of natural vegetation shall be maintained alongside all retained hedgerows on site. No buildings shall be erected in these areas.

Reason: To ensure the identified mitigation measures are implemented and the development does not have a detrimental impact upon a protected species in accordance with DM6 of the emerging Site Allocations and Development Management Policies and Paragraph 109 of the NPPF.

17. Any light spill onto retained hedgerows and the brook corridor shall be minimised to a value of 1lux or lower at the edge of the habitats, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the ecological and biodiversity interests of the site in accordance with DM6 of the emerging Site Allocations and Development Management Policies and Paragraph 109 of the NPPF.

18. No development shall commence, in any phase, unless and until such time as a scheme identifying the provision of bat boxes on properties adjacent to wildlife corridors of hedgerow and watercourse for that phase is submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of biodiversity and mitigation measures across the site in accordance with DM6 of the emerging Site Allocations and Development Management Policies and Paragraph 109 of the NPPF.

19. No vegetation shall be removed on site during the bird nesting season (1st March - 31st July inclusive).

Reason: To ensure the development does not have a detrimental impact upon nesting birds in accordance with DM6 of the emerging Site Allocations and Development Management Policies and Paragraph 109 of the NPPF.

20. No development shall commence, in any phase which is adjacent to a hedgerow or watercourse, unless and until such time as re-surveys or reassessments for badger, great crested newts and water voles are submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved survey/assessments and any identified mitigation measures.

Reason: To ensure the impact upon protected species on site are identified and mitigated accordingly in accordance with DM6 of the emerging Site Allocations and Development Management Policies and Paragraph 109 of the NPPF.

21. No development shall commence, on Phases 1, 2, 3, 7 and 8, until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the local planning authority for that phase. The scheme shall include an assessment of significance and research questions; and:

- The programme and methodology of site investigation and recording, including provision for community engagement (excavation, site visit/access)
- The programme for post-investigation assessment
- Provision to be made for analysis of the site investigation and recording
- Provision to be made for publication and dissemination of the analysis and records of the site investigation, including local community presentation
- Provision to be made for archive deposition of the analysis and records of the site investigation

- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the approved Written Scheme of Investigation.

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policies BE13, 14, 15 and 16 of the Local Plan (2001) and emerging Policy DM11 of the Site Allocations and Development Management Policies Development Plan Document.

23. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 22 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policies BE13, 14, 15 and 16 of the Local Plan (2001) and emerging Policy DM11 of the Site Allocations and Development Management Policies Development Plan Document.

24. The development of each phase permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated February 2015, ref: 30667/4001 and the following mitigation measures detailed within the FRA:

1. No development within the 100 year (Flood Zone 3) floodplain outline established by the FRA. Sequentially set out development within the 100 year (Flood Zone 2) floodplain established by the FRA - Sections 4.2.10, 5.1.1 and 5.2.1, Figure 4.2 and Appendix D.
2. Minimum 6m corridor from top of bank (clear of structures) along the existing on site retained main watercourses - Sections 5.1.1 and 5.3.3, and Appendix E.
3. Finished floor levels are set no lower than 600mm above the 100 year plus 20% (for climate change) flood level applicable to each Phase of the development, to Ordnance Datum (AOD) - Section 5.1.1.
4. Watercourse crossings are designed as clear spanning structures/or an equivalent (where provided by culvert) in accordance with CIRIA C689, and in consultation with Leicestershire County Council as the Lead Local Flood Authority.

The mitigation measure/s shall be fully implemented prior to occupation of each development phase 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 reduce the risk of flooding to the proposed development and future occupants in accordance with Policies 13, 14 and 15 of the Local Plan and emerging Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

25. No development shall take place on Phases 5 and 6 until an assessment of the risk of blockage of the 700mm culvert (located on the southern boundary) due to the existing screen/fencing to the culvert has been submitted to and approved in writing by the local planning authority. Any mitigation measures identified by the assessment shall subsequently be submitted to and approved in writing by the local planning authority before being implemented in accordance with the approved details and prior to any phase of the development affected by such a blockage has been occupied.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policies 13, 14 and 15 of the Local Plan and emerging Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

26. No development of each Phase shall take place until the detailed design of a surface water drainage scheme and a foul drainage scheme for that Phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage scheme information should demonstrate the surface water run-off generated up to and including the 100 year plus 30% (for climate change) critical rain storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policies 13, 14 and 15 of the Local Plan and emerging Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

27. No development shall commence, in any phase, unless and until such time as a scheme that makes provision for waste and recycling storage and collection for that phase has been submitted to and approved in writing to the Local Planning Authority. The details should address accessibility to storage facilities and adequate collection point space at the adopted highway boundary.

Reason: To ensure adequate storage facilities for the development in the interests of visual amenity and good design, in accordance with Policy BE1 of the Local Plan and emerging Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

28. No waste materials shall be burnt on the site at any time during any construction phase.

Reason: In the interests of residential amenity and highway safety in accordance with Policy BE1 and T5 of the Local Plan and emerging Policy DM10 and DM17 of the Site Allocations and Development Management Policies Development Plan Document.

29. Construction shall be limited to the following hours;

Monday - Friday 08:00 - 18:00

Saturday 09:00 - 13:00

No working on Sundays and Bank Holidays

Reason: In the interests of neighbouring residential amenity in accordance with Policy BE1 of the Local Plan and emerging Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

30. No development shall commence, in any phase, unless and until such time as a scheme for the investigation of any potential land contamination on that phase has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To protect future users of the land from land contamination in accordance with emerging Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

31. If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To protect future users of the land from land contamination in accordance with emerging Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

32. No development shall commence, in any phase, unless and until such time as a scheme for the monitoring of landfill gas for that phase has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any landfill gas shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To protect future users of the land from contamination in accordance with emerging Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

33. Submission of air quality assessment

Reason: To ensure appropriate mitigation measures are in place to protect future residents from air pollution in accordance with emerging Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

35. No development shall commence, in any phase, unless and until such time as a scheme for protecting the proposed dwellings and/or school and for that phase from noise associated with road traffic and the proposed convenience retail has been submitted to and approved by the Local Planning Authority; and all works which form part of the scheme shall be completed before any of the permitted dwellings are first occupied.

Reason: To ensure appropriate mitigation measures are in place to protect future residents from noise pollution in accordance with emerging Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

36. No development shall commence, in any phase, unless and until such time as details of any external lighting of the development other than street lighting for that phase is submitted to, and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To ensure appropriate mitigation measures are in place to protect existing and future residents from light pollution in accordance with emerging Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

37. The intensity of the illumination of any illuminated sign forming part of the development shall be within that recommended by the Institution of Lighting Engineers in their Technical Report Number 5 (3rd Edition) for a sign within zone E2.

Reason: To ensure appropriate mitigation measures are in place to protect existing and future residents from light pollution in accordance with emerging Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

39. Upon completion of the development, a statement of a suitably qualified contractor shall be submitted stating that any lighting installation to which the above condition applies is fully compliant with the Institution of Lighting Engineers Technical Report Number 5 (3rd Edition) for a sign within zone E2.

Reason: To ensure appropriate mitigation measures are in place to protect existing and future residents from light pollution in accordance with emerging Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.