



TO COUNCILLOR:

L A Bentley (Chair)
G A Boulter
Mrs L M Broadley (Vice-Chair)
F S Broadley

Miss P V Joshi
J Kaufman
Ms C D Kozlowski
R E R Morris

Dr I K Ridley
C Vacancy

I summon you to attend the following meeting for the transaction of the business in the agenda below.

Meeting: Development Control Committee
Date and Time: Thursday, 27 April 2023, 7.00 pm
Venue: Freer Community Centre, 242A Leicester Road, Wigston, Leicestershire, LE18 1HQ
Contact: Democratic Services
t: (0116) 257 2775
e: democratic.services@oadby-wigston.gov.uk

Yours faithfully

Council Offices
Wigston
18 April 2023

Mrs Anne E Court
Chief Executive



Meeting ID: 2311



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A full cost breakdown for all agenda packs for this meeting is provided further down.

ITEM NO.

AGENDA

PAGE NO'S

1. Apologies for Absence

To receive apologies for absence from Members to determine the quorum of the meeting in accordance with Rule 7 of Part 4 of the Constitution.

2. Appointment of Substitutes

To appoint substitute Members in accordance with Rule 26 of Part 4 of the Constitution and the Substitution Procedure Rules.

3. Declarations of Interest

Members are reminded that any declaration of interest should be made having regard to the Members' Code of Conduct. In particular, Members must make clear the nature of the interest and whether it is 'pecuniary' or 'non-pecuniary'.

4. Minutes of the Previous Meeting **4 - 5**

To read, confirm and sign the minutes of the previous meeting in accordance with Rule 19 of Part 4 of the Constitution.

5. Report of the Planning Policy and Development Manager (April 2023) **6 - 25**

a. Application No. 22/00080/REM - Land At Cottage Farm, Glen Road, Oadby, Leicestershire

Report of the Senior Development Control Officer

You can access all available public meeting documents and audio-visual live streams and recordings electronically on:



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Agenda Item 4

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD AT/BY
COUNCIL OFFICES, BUSHLOE HOUSE, STATION ROAD, WIGSTON, LEICESTERSHIRE,
LE18 2DR ON THURSDAY, 19 JANUARY 2023 COMMENCING AT 7.00 PM**

PRESENT

L A Bentley Chair
Ms C D Kozlowski Vice-Chair



Meeting ID: 2284

COUNCILLORS

G A Boulter
J Kaufman
Ms C D Kozlowski
Mrs H E Loydall
Dr I K Ridley

OFFICERS IN ATTENDANCE

J Carr Planning Policy and Development Manager
D M Gill Head of Law & Democracy / Monitoring Officer
A Hunt Democratic & Electoral Services Officer
Ms H Ingar Solicitor
A Thorpe Head of Built Environment
A Waskett-Burr Development Control Officer

30. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillors F S Broadley, Mrs L M Broadley, Miss P V Joshi and R E R Morris.

In the absence of the Vice Chair, it was moved by Councillor G A Boulter and seconded by the Chair and by affirmation of the meeting it was

UNANIMOUSLY RESOLVED THAT:

Councillor Ms C D Kozlowski be appointed the Vice Chair for the duration of the meeting.

31. APPOINTMENT OF SUBSTITUTES

Councillor Mrs H E Loydall substituted for Councillor Mrs L M Broadley.

32. DECLARATIONS OF INTEREST

None.

33. MINUTES OF THE PREVIOUS MEETING

By affirmation of the meeting, it was

Development Control Committee
Thursday, 19 January 2023, 7.00 pm

Chair / Vice-
Chair's Initials

UNANIMOUSLY RESOLVED THAT:

The minutes of the previous meeting held on 15 December 2022 be taken as read, confirmed and signed.

34. APPLICATION NO. 22/00392/FUL - WIGSTON ACADEMY, STATION ROAD, WIGSTON, LEICESTERSHIRE, LE18 2DT

The Committee gave consideration of the report (as set out on pages 7 – 19 of the agenda reports pack), which asked it to determine an application for the Installation of Air Source Heat Pump.

It was noted that trees will be planted for the basis of noise mitigation.

An additional condition was moved by the Chair and seconded by Councillor Mrs H E Loydall and

UNANIMOUSLY RESOLVED THAT:

The plant noise shall be limited to 0dB above background levels at the residential garden boundaries of the neighbouring properties along Seaton Road during night-time 22:30 to 07:30, and less than 5dB above typical background levels during daytime when activity is low in the school premises. Plant noise shall be limited to 0dB above typical background levels at the nearest dwelling facades during daytime and night-time. The JRA Noise report submitted with the application shall be used as the basis for noise mitigation

It was moved by Councillor Mrs Helen E Loydall and seconded by Councillor J Kaufman and

RESOLVED THAT:

The application be GRANTED planning permission in accordance with the submitted documents and plans subject to the prescribed conditions and informatives (as amended).

Votes For: 4
Votes Against: 0
Abstentions: 1

THE MEETING CLOSED AT 7.40 pm



Chair / Vice-Chair

Thursday, 16 February 2023

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Development Control Committee
Thursday, 19 January 2023, 7.00 pm

Chair / Vice-
Chair's Initials

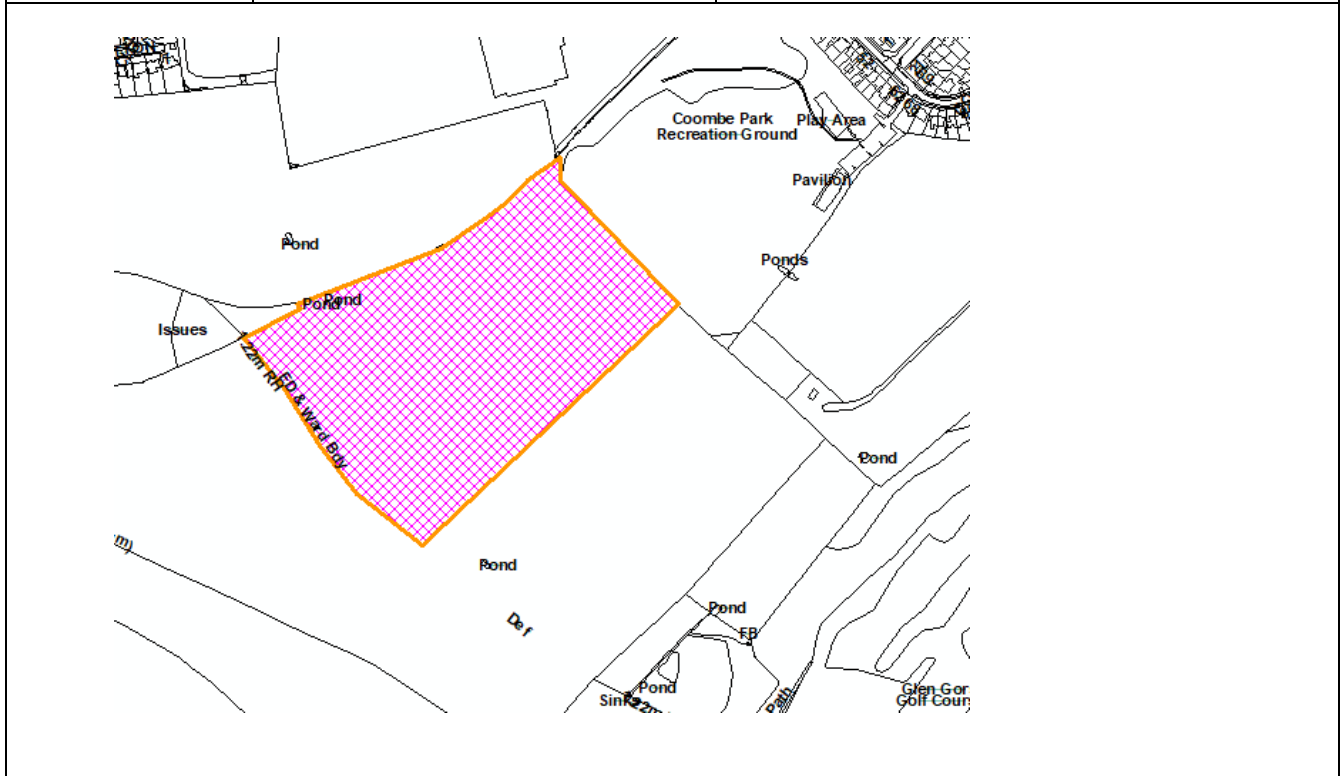
Agenda Item 5

Application Number	Address
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Report Items

a. 22/00080/REM	Land At Cottage Farm Glen Road Oadby Leicestershire
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a.	22/00080/REM	Land At Cottage Farm Glen Road Oadby Leicestershire
	25 February 2022	Reserved Matters Application Relating To 19/00356/OUT For Phase 2b For The Erection Of 100 Residential Dwellings, Associated Car Parking, Secondary Roads, Two Sports Pitches, A LEAP And 1 Substation Including Details Of Appearance, Landscaping, Layout And Scale
	Case Officer	Jonathan Cosgrove



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Site and Location

The application site is located to the southwest of Glen Road in Oadby, and to the rear of Coombe Park and to the south of Beauchamp College. The site is located within the Cottage Farm Direction for Growth area as defined in the Oadby and Wigston Local Plan 2019 and forms Phase 2b. The Phase 2b site benefits from outline planning permission which was granted along with full planning permission for the Phase 2a part of the development under planning Ref: 19/00356/OUT. Phase 2b is positioned to the rear of, and accessed via, the existing development adjacent to the proposed playing fields at the rear of Coombe Park. The site is currently open land bordered by a mixture of hedgerows and trees. The site is not located within a Conservation Area and does not contain or impact on the setting of any Listed Buildings. As the site is open land bordered by mature hedgerows the site has potential to provide a habitat for wildlife including protected species. There are no other relevant planning constraints

Description of proposal

The application seeks planning permission for Matters reserved under planning application Reference: 19/00356/OUT For Phase 2b For the Erection Of 100 Residential Dwellings, Associated Car Parking, Secondary Roads, Two Sports Pitches, A LEAP And 1 Substation Including Details of the Access, Appearance, Landscaping, Layout and Scale.

The statutory determination period for this application expires on the 03.05.2023, and it is intended to issue a decision as soon as practicably possible after the Committee meeting.

Relevant Planning History

13/00478/OUT - Development of land for up to 150No. dwellings (Use Class C3) and associated infrastructure, including pedestrian and vehicular access, open space and structural landscaping (Rev C) – Refused: 27.02.2014. – Allowed at Appeal Ref: 14/00002/REF on the 10.02.2015.

17/00310/REM - Discharge of Conditions application number 17/00310/REM relating to Planning Permission 13/00478/OUT (Appeal Decision APP/L2440/A/14/2216085) dated 10th February 2015. Outline planning permission for up to 150 dwellings (Use Class C3) and associated infrastructure, including pedestrian and vehicular access, open space and structural landscaping. At, - Permitted: 13.10.2017.

18/00313/ADV - Proposed 4250mm high site development two-sided 'sandwich' sign. – Permitted: 29.08.2018.

18/00356/TPO - T6(T7 on TPO) - English Oak - Remove epicormic from main stem and lower crown to 5m, reduce upper crown by up to 1m to rebalance canopy and crown thin by 20%.
T4(T17 on TPO) -Ash - Crown raise south side to 3m, reduce lateral limbs to south by 1m.
T14(T9 on TPO) - English Oak - Crown Raise south side to 3m, reduce lower lateral branch by 2m, remove deadwood. (Cottage Farm, Glen Road, Oadby) (No. 2) Tree Preservation Order 1987. – Permitted: 21.09.2018.

18/00399/NMA - Non-material amendment from planning permission 13/00478/OUT in relation to tile types. – Permitted: 26.09.2018.

18/00491/NMA - Change to external materials schedule (non-material amendment to application 17/00310/REM) – Permitted: 03.12.2018.

19/00356/OUT - Development of 350 dwellings, comprised of a full planning application for the first 250 dwellings (Phase 2a), and an outline planning application for the additional 100 dwellings with all matters reserved for subsequent approval (Phase 2b). – Permitted: 15.06.2021.

19/00415/FUL - Erection Of 4 No. dwellings with associated garages, car parking, driveways and infrastructure (amendments to approved planning application 17/00310/REM including provision of 1 additional dwelling) (amended drawings received) (amended) – Permitted: 27.07.2020.

Consultations

Leicestershire County Council (Highways) – The LHA is pleased to advise the Local Planning Authority (LPA) that the information submitted demonstrates a layout which the LHA would consider acceptable for the purposes of the planning application and future adoption by the LHA subject receiving technical approval as part of the Section 38 process once planning permission is secured. Overall, the LHA would not advise refusal of 22/00080/REM on highway grounds subject to the inclusion of the conditions (Outlined Below).

Leicestershire County Council (Contributions Team) - As this application is for a reserved matters, the County will not be requesting any S106 contributions as these have already been agreed and signed in the legal agreement relating to the outline planning permission. Please consider this as our official response.

Leicestershire County Council (Ecology) - Changes to the landscape plans have been made, which have addressed my earlier concerns. I can recommend the landscape plans are accepted.

Leicestershire County Council (LLFA) – Leicestershire County Council as Lead Local Flood Authority (LLFA) advises the Local Planning Authority (LPA) that the application documents as submitted are sufficient for the LLFA to support the approval of the reserved matters.

Leicestershire Constabulary (Architectural Liaison Officer) - . There are no through routes within the site layout and Emergency Access is appropriate for a site of this size and scale. Lighting is recommended to be to BS5489 (Standard) in all areas including the vehicle entry point. Existing established perimeter enclosure is recommended to be retained; Vehicle parking is in curtilage to dwellings which does offer good natural observation. I would recommend consideration of gable end windows were possible to increase the possible natural observation available. Consideration of the use of CCTV coverage of the key vehicle entry point at Glen Road is recommended to include Automatic Number Plate Recognition capability. This will add an element of general security to the development providing improved security. In the event of it being required appropriate General Data protection Act signage would need to be displayed.

Wheelie bin storage and Cycles should be stored in secure areas where possible to avoid the potential for criminal use, as a ladder, mode of removal or arson risk for Bins or mode of escape in respect to Cycles. Foliage is recommended to be to a height of 1m and trees are recommended to be trimmed to have no foliage lower than 2m from the ground. This will provide a 1m clear field of vision. Perimeter enclosure is recommended to be to a height of 1.8m in a material in keeping with the development. Retention of existing hedgerows is recommended to deter unauthorised access.

All door and window sets will be to PAS24 (2016) which is now included in building regulations. There are other considerations such as BS 6375 Security Locking and Fire Security and BS EN 50486 in relation to Audio and Video door entry systems. Consideration should be made to identify the most appropriate option for this site. Dwellings are recommended to have an Alarm System to BS7958, but there are other options on the Secured by Design portal which include BS6799 in relation to wire free alarm systems.

Also, BS EN 50131 and PD 6662 in relation to wired systems. Street lighting columns to BS 5489 are recommended. Appropriate fencing should be used to enclose the perimeter and is recommended to be 1.8m in height. This can be via planting or manufactured fencing. Key access points leading into the development should be considered for CCTV coverage supported by lighting to allow identification during day and night. This would allow vehicle and facial recognition in key

areas. Appropriate signage should be in place to be compliant with the Data Protection Act. Natural surveillance should be possible via ground level foliage being trimmed to 1m high and trees to have no foliage lower than 2m from the ground to allow a clear field of vision.

Vehicular parking is recommended to be in curtilage as part of the dwellings where possible. Communal parking should be supported by natural observation, lighting and be set in clearly defined areas to deter unauthorised access.

Consideration of Secured by Design principles is recommended and information in respect to the different standards is available on request. Opportunities to explore the potential for S106/CIL funding should be undertaken with relevant parties if appropriate. Dwellings are recommended to have an Alarm System to BS7958 with coverage of garages included where applicable. An electrical spur is recommended under a section 38 agreement at each vehicular entry point leading into the development. Consideration of Park Mark accreditation should be considered in the event of appropriate communal parking within the application. Consideration of Safe Routes through open space and walkways should account for the use of women and girls.

Leicestershire Fire & Rescue – No comments or objections received.

LCC Social Services– No comments or objections received.

Ramblers Association – No comments or objections received.

OWBC Operations & Streetscene – No objections received.

Severn Trent Water Ltd – No comments or objections received.

CADENT - CADENT Plant Protection– No comments or objections received.

NHS England - No comments or objections received.

National Grid – No comments or objections received.

LCC Property – No comments or objections received.

LCC Planning – No comments or objections received.

LCC Travel Planning – No comments or objections received.

LCC Landscape – No comments or objections received.

LCC Education - No comments or objections received.

LCC Public Rights of Way – No comments or objections received.

Western Power Distribution – No comments or objections received.

OWBC Housing – No objections received.

East Midlands Ambulance Service - No comments or objections received.

Oadby Civic Society – No comments.

Sport England - Considers the details submitted to be satisfactory and raise no objection to this application.

Natural England – No comments, refer LPA to standing advice.

EA - Environment Agency – No comments or objections received.

Campaign To Protect Rural England – No comments or objections received.

OWBC Environmental Health - Dust – We have received numerous complaints associated with Phase 2a and to avoid further problems arising a condition should be included to require the applicants to submit a construction management plan and therefore provide detail of the mitigation measures to be taken. These details will be required formally for discharge before work commences. Noise – construction noise has been a problem with Phase 2b. Please can conditions 40 and 41 be included for Phase 2b. Traffic management – the development shall be subject to the inclusion of condition 29. Again, we continue to receive complaints from residents about traffic noise and disturbance.

OWBC Forward Plans – The principle of residential development at the proposed site is acceptable, subject to the proposal conforming to all other local and national planning policies.

LCC Trees – As the proposed development does not impact on any LCC Tree Preservation Orders, I have no comments to make on the application.

OWBC Tree Officer - No objections subject to conditions

Blaby District Council - No comments to make on the reserved matters application.

Harborough District Council – No comments or objections received.

Blaby DC Building Control - No adverse comments.

Representations

Neighbours have been informed and a press/site notice placed with 2 letters of representation (from 2 no. properties) with one 1 submission objecting to the proposal and 1 supporting being received at the time of writing this report. The date for the receipt of comments expired on the 30 May 2022.

The reasons for objection can be summarised as follows: - The resident has raised objections on highways safety grounds due to increased vehicle movements due to the scale of the proposed development and reduced visibility due to kerbside parking and has suggested that the existing speed limit of 30 mph should be reduced to 20 mph.

The reasons for supporting the proposal can be summarised as follows: - The resident has stated that they look forward to seeing the estate grow.

Relevant Planning Policies

National Planning Policy Framework

Oadby and Wigston Local Plan

Policy 1 – Presumption in Favour of Sustainable Development.

Policy 2 – Spatial Strategy for Development in the Borough.

Policy 3 – Regeneration Schemes and Large-Scale Change.

Policy 4 – Creating a Skilled Workforce.

Policy 5 – Improving Health and Wellbeing.

Policy 6 – High Quality Design and Materials.
Policy 7 – Community Facilities.
Policy 8 – Green Infrastructure.
Policy 9 – Open Space, Sport and Recreation Facilities.
Policy 10 – Public Realm.
Policy 11 – Housing Choices.
Policy 12 – Housing Density.
Policy 13 – Affordable Housing.
Policy 14 – Self Build and Custom Build.
Policy 21 – Cottage Farm Direction for Growth Allocation.
Policy 26 – Sustainable Transport and Initiatives.
Policy 34 – Car Parking.
Policy 37 – Biodiversity and Geodiversity.
Policy 38 – Climate Change, Flood Risk and Renewable Low Carbon Energy.
Policy 39 – Sustainable Drainage and Surface Water.
Policy 40 – Culture and Historic Environment Assets.
Policy 42 – Green Wedges.
Policy 44 – Landscape and Character.

Supplementary Planning Document/Other Guidance

Residential Development Supplementary Planning Document (2019).
Leicestershire Highways Design Guide.
OWBC Waste and Recycling Strategy.
Landscape Character Assessment (2018).
Playing Fields Strategy (2018).
Developer Contributions Supplementary Planning Document.

Planning Considerations

The main issues to consider in the determination of this application are as follows:

The Principle of Development

- * The impact of the proposal on the character and appearance of the site and wider area
- * The impact of the proposal on the amenity of neighbouring properties.
- * The Impact of the proposal on Trees, Landscaping and Ecology
- * The Impact of the Proposal on Flood Risk and Drainage
- * The Impact of the Proposal on Highway Safety

Principle of Development

The principle of residential development of the site has been established by the grant of outline planning permission under planning Ref: 19/00356/OUT; the current application seeks planning permission for the related reserved matters, therefore, the proposed development can be considered acceptable in principle subject to compliance with the relevant development plan policies and supplementary guidance.

The impact of the proposal on the character and appearance of the site and wider area

The application seeks planning permission for the reserved matters attached to Planning application Ref: 19/00356/OUT. For the erection of 100 residential dwellings, associated car parking, and secondary roads, along with two sports pitches, a LEAP and 1 no. electrical substation, and a pumping station, with the reserved matters being details of the appearance, landscaping, layout and

scale. The proposed dwellings would be joined to Coombe Park by the proposed playing fields and LEAP. The proposed substation would be located to the south of the site, and would be modest in scale and would not have a significant detrimental impact on the character and appearance of the site. The proposed pumping station would be located to the western boundary of the site and while larger than the substation would also not have a significant detrimental impact on the character and appearance of the site. Overall, the proposed layout as shown on drawing no: MI114-SL-501 Rev: S is considered acceptable in design terms and the layout would accord with the design elements of Policies: 6 and 44 of the Oadby and Wigston Local Plan and the Residential Development SPD (2019).

The proposed dwellings would be a mix of 1, 2, 3 and 4 bed units with a height of 2 to 2.5 storeys with the tenure split being 70 market units, 24 units for affordable rent and 6 units for shared ownership. The proposed dwellings would be finished in red brick with tile roofs in grey or brown, with Tudor style boarding to the gables, and render featuring on a number of the dwellings. All of the proposed dwellings would benefit from private rear gardens and off-street parking. However, it is noted that details of the windows have not been provided and, therefore, while overall it is considered the proposed materials as detailed on drawing no: MI114-SL-502 Rev: L can be considered acceptable in principle, in order to ensure the character and appearance of the finished scheme would be acceptable overall it is considered reasonable and necessary to impose a condition requiring the submission and approval of details of the materials to be used on the external surfaces of the proposed dwellings. The proposed internal and external garages are considered acceptable, however, in order to ensure the character and appearance of the garages and dwellings and to ensure that sufficient parking remains available for the dwellings without compromising the front gardens it is considered reasonable and necessary to impose a condition requiring the garages to be retained for their intended purpose only. The proposed boundary treatments and hard surfaces as detailed on Drawings: MI114-SL-504 Rev: H, MI114-PD-520 and MI114-SL-503 Rev: H respectively are considered acceptable in design terms. Having regard to the above overall, the proposed development can be considered acceptable in design terms and no objections are raised with regard to the design elements of Policies: 6 and 44 of the Oadby and Wigston Local Plan and the Residential Development SPD (2019).

The impact of the proposal on the amenity of neighbouring properties.

Due to its location within the wider Direction for Growth site and relationship to the neighbouring land uses it is not considered that the proposed development would have any significant detrimental impacts on the amenity of neighbouring properties. While overall it is considered that the proposed development would provide an acceptable standard of amenity for any future occupants of the dwellings, as the internal layouts, private amenity space and relationships between the dwellings are considered acceptable, it is noted that the affordable rental units would not comply with the National Minimum Space Standards. However, this shortfall would not be contrary to the provisions of the relevant Development Plan Policies as new build units are not required to comply with the National Minimum Space Standards and, therefore, the size of the proposed units can be considered acceptable, it is, however, considered reasonable and necessary to impose a condition requiring the affordable rental units to be retained for that purpose and not to be occupied by any other type of tenure without the prior written consent of the Local Planning Authority. It is also considered reasonable and necessary to impose a condition requiring the submission and approval of details of any street lighting that may be required within the site and preventing the installation of any electric lighting within the proposed LEAP and playing fields without the prior written consent of the Local Planning Authority. Furthermore, while the location, indicative size and equipment within the LEAP as shown on Drawing No: MI114-LS-028 Rev: G, is considered acceptable, in order to ensure that adequate recreation facilities are provided for any future occupants of the site it is considered reasonable and necessary to impose a condition requiring the LEAP and sports pitches to be installed and equipped prior to the occupation of the first dwelling within this phase of the development. Subject to the conditions detailed above the proposed development can be considered acceptable in amenity terms and, therefore, no objections are raised with regard to the amenity elements of Policies 6 and 44 of the Oadby and Wigston Local Plan.

The Impact of the proposal on Trees, Landscaping and Ecology

The application site consists of a parcel of agricultural land boarded on three sides by a mature hedgerow containing a substantial number of trees, with pedestrian accesses formed through the northern hedgerow to allow access to the playing fields and LEAP. The applicant has submitted an Arboricultural Method Statement in support of the application and the Council's Tree Officer was consulted on the application and has stated that the proposal can be considered acceptable in principle subject to conditions requiring the retention and strengthening of the existing and proposed hedgerows within the site, requiring tree protection during development and requiring the submission of details of hard and soft landscaping, and a landscape management plan and requiring replacement of any planting lost within ten years post implementation. It is noted that the application proposes the planting of trees within the front gardens of a number of the proposed dwellings, while this is welcomed, due to the proximity of these trees to the dwellings and the limited space within the front gardens it is considered reasonable and necessary to impose a condition removing permitted development rights for the creation of hard standing or other hard surfaces within the front gardens of the plots without the prior written consent of the Local Planning Authority. It is noted that the site has been identified as having some ecological value, while the ecological impacts of the proposal were addressed at the outline stage and were considered acceptable, and the County Ecologist has stated that the revised scheme can be considered acceptable it is recognised that the hedgerows within and bordering the site form a valuable wildlife corridor and have considerable amenity value. The proposed hedgerows within the site are a positive feature, forming wildlife corridors within the site, thus in order to retain and enhance the biodiversity value of the site it is considered reasonable and necessary to impose conditions requiring the retention and strengthening of the existing and proposed hedgerows within the site, and requiring tree protection during development. Subject to the conditions detailed above the proposed development can be considered acceptable in Arboricultural and Ecological terms and, therefore, no objections are raised with regard to the provisions of policies: 37 and 44 of the Oadby and Wigston Local Plan.

Flood Risk and Drainage

The area of the site forming and immediately adjacent to the eastern boundary of the application site is located within an area of higher flood risk while the remainder of the site, including the area to be developed is within an area of very low flood risk. The application proposes the creation of a SuDS Pond to the western corner of the plot to provide surface water drainage for the site. The Lead Local Flood Authority (LLFA) were consulted on the application and have stated that that the application documents as submitted are sufficient for the LLFA to support the approval of the reserved matters, however, the LLFA further note that it is the responsibility of the Local Planning Authority under the DEFRA/DCLG legislation (April 2015) to ensure that a system to facilitate the future maintenance of SuDS features can be managed and maintained in perpetuity before commencement of the works.

While it is noted that Condition 15 attached to Planning Permission Reference: 19/00356/OUT states that no occupation of any phase of the development shall take place until details of the long term maintenance of the surface water drainage system within the development have been approved, it is noted that the applicant has submitted an application to discharge Condition 15, of Planning Permission Reference: 19/00356/OUT, in respect of both Phase 2 (a) and Phase 2 (b) However, as amendments to the current application have been received subsequent to the receipt of the discharge of condition application, and that landscaping including the position and appearance of the SuDS pond is a reserved matter it is considered reasonable and necessary to reapply a reworded condition with the same effect as Condition 15 of Planning Permission Reference: 19/00356/OUT to apply in regard to Phase 2 (b) only.

It is further noted that Conditions 16 and 17 of Planning Permission Reference: 19/00356/OUT require submission and approval of details of an assessment of ground conditions and if necessary, mitigation measures to ensure the serviceability of the playing fields and a maintenance strategy covering a five-year period. Notwithstanding the fact that the pitches were considered and approved

under Planning Permission Reference: 19/00356/OUT, it is noted that the pitches are within the red line area and referenced within the description of the current application and impact on the layout and appearance of the site which are reserved matters matter and it is considered reasonable and necessary to reapply reworded conditions with the same effect as conditions 16 and 17 of Planning Permission Reference: 19/00356/OUT to apply in regard to Phase 2 (b) only. Subject to the conditions detailed above the proposed development can be considered acceptable with regard to flood risk and drainage and therefore no objections are raised with regard to the provisions of Policies: 38 and 39 of the Oadby and Wigston Local Plan.

The Impact of the Proposal on Highway Safety

The application site would access the Highway at Glen Road via the existing Phase 2 (a) development that is currently under construction and the already completed Phase 1 development, and all of the proposed dwellings would benefit from off street parking on private drives and garages, it is considered that sufficient cycle parking could be provided within the plots for example within garages. The Highways Authority were consulted on the application and raised initial objections to the layout, landscaping, and road widths which were considered to be inappropriate, and regarding the size of the internal garage for the Lydgate House type, the highways Authority also raised issues regarding the tracking of refuse vehicles within the site. Following discussions with the applicant and the Highways Authority, amended plans have been received, and the Highways Authority have advised in order for the site to be suitable for adoption, the internal layout must be designed fully in accordance with the Leicestershire Highway Design Guide (LHDG) and that the applicant should note that some of the internal roads are over engineered when compared to the requirements in the LHDG. The Highways Authority have mentioned that there may be a requirement to charge commuted sums should the applicant wish for the highways within the scheme to be adopted by the LHA that are over engineered. Notwithstanding the above, overall the proposed layout and parking can be considered suitable for adoption subject to a Section 38 Highways agreement and are considered acceptable in highways terms subject to conditions; requiring the provision of the parking and turning facilities including private drives where applicable prior to the occupation of the relevant dwelling; a condition removing permitted development rights for the erection of vehicular access gates, barriers, bollards, chains or other such obstructions within a distance of 5 metres of the highway boundary; and requiring the provisions of pedestrian visibility splays for accesses within the site. Subject to the conditions detailed above and having regard to Paragraph 111 of the NPPF the proposed development can be considered acceptable in highways terms and therefore no objections are raised with regard to Policy 34 of the Oadby and Wigston Local Plan and the provisions of the NPPF.

Conclusion

The proposed development can be considered acceptable in principle due to the site's location within the Direction for Growth Area and the extant outline planning permission. It is considered that subject to the Conditions detailed below the proposed development would not have any significant detrimental impacts on the amenity of neighbouring properties or on the character and appearance of the wider area, would not have any significant adverse ecological or arboricultural impacts and would be acceptable in highways terms. Therefore, having regard to the above the proposed development is considered to accord with the provisions of the relevant Development Plan Policies and the guidance contained within the NPPF and, therefore, it is recommended that planning permission be granted on this occasion.

Implications Statement

Health	No Significant implications
Environment	No Significant implications
Community Safety	No Significant implications
Human Rights	The rights of the applicant to develop his property has to be balanced against the rights of neighbours.
Equal Opportunities	No Significant implications
Risk Assessment	No Significant implications
Value for Money	No Significant implications
Equalities	No Significant implications
Legal	No Significant implications

RECOMMENDATION: GRANTS

For the reasons set out in the above report then **Permit** subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of two years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Unless otherwise first approved in writing (by means of a Non-material Amendment/Minor Material Amendment or a new Planning Permission) by the Local Planning Authority the development hereby permitted shall be carried out in accordance with the approved plans and particulars listed in the schedule below.

Drawing No: MI114-PD-501, Entitled: Location Plan, Dated: 22.03.2021 and received by the Local Planning Authority on the 28/02/2022.

Drawing No: MI114-EN2B-505, Entitled: Finished Floor Levels, Dated: 22.02.22 and received by the Local Planning Authority on the 28/02/2022.

Drawing No: MI114-EN-113 Rev: B, Entitled: Proposed Development at Oadby Phase 2b -

Fire Appliance Tracking (Sheet 1), Dated: 5 January 2023, and received by the Local Planning Authority on the 09/01/2023.

Drawing No: MI114-EN-114 Rev: B, Entitled: Proposed Development at Oadby Phase 2b -

Fire Appliance Tracking (Sheet 2), Dated: 5 January 2023, and received by the Local Planning Authority on the 09/01/2023.

Drawing No: MI114-EN-118, Rev: A, Entitled: Misc Engineering and Refuse Tracking (Sheet 1), Dated: 01.06.2022 and received by the Local Planning Authority on the 09/01/2023.

Drawing No: MI114-EN-119, Rev: A, Entitled: Misc Engineering and Refuse Tracking (Sheet 2), Dated: 01.06.2022 and received by the Local Planning Authority on the 09/01/2023.

Drawing No: MI114-EN-507 Rev: F, Entitled: External Works Plots 401-500, Dated: 18.11.20 and received by the Local Planning Authority on the 22/06/2022.

Drawing No: MI114-LS-027 Rev: G Entitled: Site Landscaping, Dated: 6 January 2023 and received by the Local Planning Authority on the 09/01/2023.

Drawing No: MI114-LS-026 Rev: G, Entitled: Site Landscaping, Dated: 6 January 2023 and received by the Local Planning Authority on the 09/01/2023.

Drawing No: MI114-LS-028 Rev: G, Entitled: Site Landscaping, Dated: 6 January 2023 and received by the Local Planning Authority on the. 09/01/2023.

Drawing No: MI114-LS-029 Rev: G, Entitled: Site Landscaping, Dated: Sept 2020 and received by the Local Planning Authority on the 09/01/2023.

Drawing No: MI114-PD-520, Entitled: Boundary Details, Dated: March 2021 and received by the Local Planning Authority on the 28/02/2022.

Drawing No: MI114-PD-550 Rev: D, Entitled: Street Scene, Dated: January 2022 and received by the Local Planning Authority on the 22/06/2022.

Drawing No: MI114-SL-501 Rev: S, Entitled: Site Layout, Dated: 19 December 2022 and received by the Local Planning Authority on the 09/01/2023.

Drawing No: MI114-PD-501 Rev: G, Entitled: Presentation Layout, Dated: January 2023 and received by the Local Planning Authority on the 09/01/2023.

Drawing No: MI114-SL-502 Rev: L, Entitled: Materials Layout, Dated: Aug 2020, and received by the Local Planning Authority on the 09/01/2023.

Drawing No: MI114-SL-503 Rev: H, Entitled: Surface Materials, Dated: Oct 2020, and received by the Local Planning Authority on the 09/01/2023.

Drawing No: MI114-SL-504 Rev: H, Entitled: Means of Enclosure, Dated: Aug 2020, and received by the Local Planning Authority on the 09/01/2023.

Arboricultural Method Statement by FPCR Environment and Design Ltd, Dated: March 2022 and received by the Local Planning Authority on the 08.03.2022.

Planning Compliance Statement by Bloor Homes Ltd, Dated: February 2022 and received by the Local Planning Authority on the 28.02.2022.

Combined Planning Pack (House types) Containing Drawing No's: 1BF01.PL01, 2B4P.PL-01, 2BF03.PL-01, 3B5P.PL-01, 861.PL-01, 861.PL-03, 863.PL.01, 863.PL-03, 866.PL.01, 866.PL.03, 301.PL.01, 301-1.PL.01, 384_384-1.PL-01, 384_384-1.PL-02, 384_384-1.PL-04, 386_386-1.PL-01, 401.PL.01, 401.PL.02, 401.PL.03, 401.PL.05, 401-1.PL.01, 401-1.PL.02, 401-1.PL.05, 470.PL-01, 470-1.PL-01, 470-1.PL-02, 470-1.PL-03, 471.PL-01, 471.PL-03, 471.PL-05, 471-1.PL-01, 471-1.PL-05, 474.PL-01, 474.PL-05, 474-1.PL-03, 474-1.PL-05, 480.PL-01, 480.PL-05, 480-1.PL-01, 480-1.PL-05, 481.PL-01, 481.PL-03, 481.PL-05, 481-1.PL-01, 481-1.PL-05, 482-1.PL-01, 482-1.PL-04, 489.PL-03, 489.PL-05, 489-1.PL-01, 489-1.PL-05, 496.PL-02, 496.PL05, 496-1.PL-01, 496-1.PL-02, 496-1.PL-04, 818-1.PL-01, 818-1.PL-05, GL01.PL-01, GL01.PL-02, Dated: Various Dates, and received by the Local Planning Authority on the 28/02/2022.

Reason: For the avoidance of doubt as to what is permitted by this permission and in the interests of proper planning.

- 3 No deliveries shall be taken at or despatched from the site except between the hours of 8.00am and 6.00pm Monday to Friday, 9.00am to 2.00pm on Saturday. There shall be no deliveries or dispatches on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents and the locality in general in compliance with Policies 6 and 44 of the Oadby and Wigston Local Plan.

- 4 Unless otherwise first agreed in writing by the Local Planning Authority no building works or associated works or operations shall take place on the site except between the hours of 8.00am and 6.00pm Monday to Friday, 9.00am to 2.00pm on Saturday and there shall be no works at any time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in compliance with Policies 6 and 44 of the Oadby and Wigston Local Plan.
- 5 No development shall commence on the site or each phase of development hereby approved until such time as a construction traffic management plan for that phase, including as a minimum detail of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.
Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.
- 6 Prior to the occupation of the first unit of the development hereby approved details of how Secure by Design measures have been incorporated into the scheme shall be submitted to and approved in writing by the Local Planning Authority.
Reason: For the prevention of crime. To ensure the safety and security of any future occupants of the development, to comply with the provisions of the NPPF and S.17 of the Crime and Disorder Act (1998).
- 7 Prior to the commencement of development details of all materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out using the agreed materials.
Reason: To safeguard the character and appearance of the building and its surroundings and in accordance with the aims and objectives of the National Planning Policy Framework, Policies 6 and 44 of the Oadby and Wigston Local Plan.
- 8 No residential unit shall be occupied until the parking and turning facilities associated with that unit have been implemented in accordance Bloor Homes drawing number: MI114-SL-501, 'Oadby Phase 2b - Site Layout', Revision S, 19 December 2022. Thereafter the onsite parking provision shall be so maintained in perpetuity.
Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).
- 9 Any dwellings that are served by private access drives (and any turning spaces) shall not be occupied until such time as the private access drive that serves those dwellings has been provided in accordance with Figure DG20 of the Leicestershire Highway Design Guide. The private access drives should be surfaced with tarmac, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.
Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, and to reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

- 10 Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary and shall be hung to open away from the highway.
Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2021).
- 11 No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of all private accesses with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.
Reason: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2021).
- 12 Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) the integral and detached garages hereby approved shall be retained for the purposes of storing motor vehicles unless otherwise agreed in writing by the Local Planning Authority.
Reason: In order to ensure the character and appearance of the site and the wider area, to ensure that there is sufficient off-street car and cycle parking available to serve the needs of any future residents of the site. To comply with the provisions of Policies: 6 and 34 of the Oadby and Wigston Local Plan.
- 13 Prior to the first occupation of the development hereby permitted details of any street or other external public lighting shall be submitted to and approved in writing by the Local Planning Authority, for the avoidance of doubt no external lighting shall be installed within the playing fields without the prior written consent of the Local Planning Authority.
Reason: In order to ensure the character and appearance and biodiversity value of the site and the wider area, and the safety and amenity of any future occupants of the site. To comply with the provisions of Policies: 6, 37, and 44 of the Oadby and Wigston Local Plan.
- 14 Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no additional hardstanding shall be laid within the front and side garden areas of any dwelling hereby permitted without the prior written consent of the Local Planning Authority.
Reason: In order to ensure the character and appearance of the site and the wider area, to ensure the protection of the trees and soft planting within the frontage of the dwellings. To comply with the provisions of Policies: 6, 37 and 44 of the Oadby and Wigston Local Plan
- 15 Prior to commencement of development below ground level details of the appointed Arboricultural Clerk of Works are to be submitted to the LA.
Reason: To ensure that the approved protection measures and arboricultural documents are adhered to whilst preparatory and construction work is progressing on site in accordance with Landscape Proposal 1 of the Oadby and Wigston Local Plan.
- 16 No retained or proposed hedges on this site shall be damaged or removed without the prior written permission of the Local Planning Authority.
Reason: in order to maintain and enhance the green infrastructure, wildlife corridor and biodiversity on the site. To enhance its setting within the immediate locality and in accordance with Policy 37 of the Local Plan

17 The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details and specification for the proposed hedgerow along the southern boundary to phase 2, to provide for a species rich hedgerow with additional trees. Details shall include:

1. A scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
2. Details for proposed planting to mitigate for those trees identified as no longer present within the submitted AMS of March 2022 [5851 AMS Phase 2b (002)]

Unless required by a separate landscape management condition, all soft landscaping shall have a written ten year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within ten years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Objective 23 of the OWBC Tree Strategy, Policy 37 and policy 44 of the Local Plan.

18 Prior to completion of the development a long term (10 year) Landscape Management and Maintenance Plan for all landscape areas shall be submitted to and approved by the LPA in writing. The plan shall include: Aims and Objectives; A description of Landscape Components; Management Prescriptions; Details of maintenance operations and their timing.

Reason: To ensure the appropriate management of the retained and proposed landscape areas on the site following the construction and completion of the development. The landscape areas include existing boundary vegetation along with all new planting (trees, hedges, shrubs and grass) and other hard or soft landscape components. To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality future treescape of the development, and to enhance its setting within the immediate locality in accordance with Objective 23 of the OWBC Tree Strategy, Policy 37 and policy 44 of the Local Plan

19 Prior to and during the development hereby approved tree protection shall be installed and maintained in strict accordance with the submitted Tree Protection Plan [5851-T-09 of the AMS submitted March 2022]. Prior to the occupation of the 100th dwelling within the site a completion report to confirm all approved Arb documents have been followed correctly shall be provided to the Local Planning Authority.

Reason: to confirm the development has been conducted and completed in accordance with the approved Arboricultural and Landscape documents. To comply with the provisions of Policies: 6, 37 and 44 of the Oadby and Wigston Local Plan.

20 Prior to the first occupation of the development hereby permitted details relating to the long-term maintenance of the surface water drainage system within the Phase 2b element of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To establish a suitable maintenance regime that may be monitored over time, that will ensure the long term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development. To comply with the provisions of Policies: 38 and 39 of the Oadby and Wigston Local Plan.

- 21 Prior to the first occupation of the development hereby permitted a detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality shall be submitted to and approved in writing by the Local Planning Authority. Where the results of the assessment to be carried out pursuant to the above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and in accordance with the provisions of policies: 6, 9 and 44 of the Oadby and Wigston Local Plan as well as the Playing Pitch Strategy (2018).

- 22 Prior to the first occupation of the development hereby permitted a schedule of playing field maintenance including a programme for implementation for a minimum period of five years starting from the commencement of use of the development shall be submitted to and approved in writing by the Local Planning Authority. Following the commencement of use of the development the approved schedule shall be complied with in full.
- Reason:** To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose and in accordance with the provisions of policy 9 of the Oadby and Wigston Local Plan as well as the Playing Pitch Strategy (2018).

Note(s) to Applicant :

- 1 You are advised that this proposal may require separate consent under the Building Regulations and that no works should be undertaken until all necessary consents have been obtained. Advice on the requirements of the Building Regulations can be obtained from the Building Control Section.
- 2 For the avoidance of doubt this permission does not authorise any development outside the application site including any foundation, footings, fascias, eaves, soffits, verges or guttering.
- 3 You are advised that any amendments to the approved plans will require either a Non-Material amendment application, a Minor Material Amendment application or a new planning application. If this is the case then you should allow at least 8 weeks before the intended start date to gain approval for such amendments. Further advice can be obtained by contacting the Planning Section of the Council on any amendments (internal or external).
- 4 This decision is also conditional upon the terms of the planning agreement which has been entered into by the developer and the Council under Section 106 of the Town and Country Planning Act 1990 (as amended). The Agreement runs with the land and not to any particular person having an interest therein.

- 5 In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application and this has resulted in the approval of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 6 Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
- 7 If the roads within the proposed development are to be offered for adoption by the Local Highway Authority, the Developer will be required to enter into an agreement under Section 38 of the Highways Act 1980. Detailed plans will need to be submitted and approved, the Agreement signed and all sureties and fees paid prior to the commencement of development. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
- 8 If an Agreement is not in place when the development is commenced, the Local Highway Authority will serve Advanced Payment Codes in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please email road.adoptions@leics.gov.uk in the first instance.
- 9 To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
- 10 If Oadby & Wigston Borough Council is to adopt any land within the site the applicant is advised that a commuted sum may be required to assist in future maintenance and management.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

BACKGROUND PAPERS

a. **22/00080/REM**

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