

In relation to the below enquiries, I am the case officer for application 22/00448/OUT relating to Land at Oadby Grange. The application was approved subject to conditions and completion a Section 106 agreement by members at Development Control Committee on 28.11.2024 (Agenda Item 5) however in the intervening period the applicant is challenging the requested contributions in respect of education for the Section 106 hence the decision has not been issued. The heads of terms for the Section 106 were agreed and presented to members at committee hence if this issue persists the application would be refused as having failed to agree to a Section 106. We are currently waiting on a formal response from the applicant to the Councils last correspondence on this position so I am unable to advise when formal determination either way might be. In respect of specific questions I have answered below in red.

Email dated 09.05.2025

1. Please can an indicative timescale be provided on the commencement of construction work in this area and how long it is anticipated the work will take to complete.

It is important to note that application 22/00448/OUT is for outline planning permission with all matters reserved, not full planning permission. What this means is that consideration of the development is for the principle of development only, the development would not be fully approved until such time as the reserved matters for access, landscape, layout, scale & appearance have been submitted to and agreed by the authority and all associated pre commencement conditions such as those for drainage. I cannot give a timeline for this as it will largely relate to when the current application is determined and assuming that it were to be approved the applicant would have a period of 3 years in which to submit all reserved matters for approval and 2 years from final approval of the reserved matters to commence development. Given the current position of the application the commencement of works is still likely years away as there are a number of matters and pre commencement conditions still to be submitted for consideration which themselves might not be supported.

Similarly, I cannot advise on how long works would take to complete as this information does not form part of the submission for Outline Planning permission. This is covered under condition 6 which requires submission of a Construction Management Plan prior to the commencement of development which among other things requires a timetable for implementation.

2. I cannot locate the documents relating to planning permission for this site on the OWBC website. Are these available ?

Copies of documents relating to the application can be found [here](#) by searching application number 22/00448/OUT. A copy of the Committee Report including conditions should the application be approved is attached.

3. Please can the development conditions for this site be shared with me.

A copy of the Committee Report including conditions should the application be approved is attached.



Committee
Report.pdf

Email dated 06.05.2025

1. How is access being facilitated for construction works?

Access to the site during the construction phase would be covered under the Construction Management Plan (condition 6) though this would likely need to be from the existing site access off of Bluebell Close as there is no existing vehicular access from Windrush Drive and Devonian Road and this would be unlikely to be supported in any form.

2. What measures have O&WBC taken to monitor and record historic Washbrook water flow / volume / quality in advance of development?

Monitoring of watercourses falls within the purview of the Local Lead Flood Authority of Leicestershire County Council who were consulted in respect of the outline application and advised no objection subject to further information being ensured by condition. Conditions 21, 22, 23 and 24 outline a comprehensive list of supporting information to be provided and considered prior to the commencement of development including infiltration testing.

Clearance of vegetation (in of itself does not constitute development in planning terms) where it is does not facilitate an engineering operation or development (that otherwise requires planning permission) nor removes any tree protected by a Conservation Area or Tree Preservation Order does not require planning permission. Unless there is a breach of planning controls (it should be noted that at this point the site does not currently benefit from any planning permission) within the site it falls outside of the remit of Planning Enforcement to undertake formal action. Enquiries for such clearance resulting in higher flows in the Washbrook should be directed to the Local Lead Flood Authority at Leicestershire County Council who would have the remit to investigate and take action on any potential issues.

3. What mechanisms exist at O&WBC to monitor land-owner activity in The Washbrook catchment area which may be modifying the water flow volumes / rates in advance of both the Mulberry development and, importantly, the potentially much larger Oadby / Great Stretton / Great Glen development?

Essentially any works undertaken would only fall within the purview of Planning Enforcement where they would require planning permission, so clearance of non-protected vegetation could not be enforced against but engineering operations relating to land level would require permission. Should the current application be approved the applicant would be unable to undertake any planning related works (i.e. works requiring planning permission) until such time as all Reserved Matters and pre commencement conditions had also been approved so any such works would constitute a breach of planning controls.

In terms of modifying water flows themselves this would fall within the remit of the Local Lead Flood Authority at Leicestershire County Council and would only fall within the planning remit where the works themselves required planning permission or should a specific surface water drainage scheme be approved and then subsequently not complied with.

With respect to an Oadby / Great Stretton / Great Glen development we do not currently have an application with the authority to this effect nor any details of associated surface water management though it should be noted that Great Stretton & Great Glen do not fall within the Borough and form part of Harborough District. Both Local Councils areas fall within the remit Leicestershire County Council.

4. Given the recent 6th January flood event, and recognised flood risk to Oadby and the broader Soar / Trent catchment, what measures will be in place to ensure that no additional surface water will enter The Washbrook during, and post, construction works?

Assessment of specific surface water management and associated scheme for discharge of water from the site through construction and post completion would need to be agreed with the Local Lead Flood Authority in accordance with conditions 21, 22, 23 and 24 before works could be undertaken.

5. How will O&WBC monitor and enforce adherence to measures?

Should all details be agreed on the site then the proposed development would need to be undertaken in strict accordance with these details with any breaches being subject to Planning Enforcement action. The Local Planning Authority may attend the site at any time during construction for a 'compliance check' to ensure said approved details are being followed and should any breaches be identified enforcement action may be taken accordingly including but not limited to a 'stop notice' for works until remedial action is undertaken or 'enforcement notice' for breach of condition. Appropriate action would depend on the nature and degree of a breach once fully assessed by the Planning Enforcement team.

6. How will O&WBC ensure that the ecology of The Washbrook will not be damaged?

Further information relating to ecological protection and enhancement is ensured under conditions 15, 16 & 17 as recommended by LCC Ecology. Deviation from these approved details would be subject to Planning Enforcement and depending on the nature of the breach should it relate to a protected species may constitute a criminal offence.

To summarise the proposed development remains at an early stage overall (and may not be approved depending on the outcome of the Section 106 agreement) and only relates to the principle of development or essentially that the proposals could be acceptable subject to outstanding information including matters relating to drainage and ecology being approved at the detail stage which itself is not guaranteed. Until such time as all information has been submitted to the authority at the Reserved Matters stage and all conditions including those related to construction management and drainage it is difficult to provide a substantive timeline for the commencement of any works and how those works would be undertaken.