

DATE: 7<sup>th</sup> February 2023  
MY REF: Planning Committee  
YOUR REF:  
CONTACT: Democratic Services  
TEL NO: 0116 272 7640  
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**To Members of the Planning Committee**

Cllr. Louise Richardson (Chairman)  
Cllr. Nick Chapman (Vice-Chairman)

Cllr. Cheryl Cashmore  
Cllr. Roy Denney  
Cllr. Chris Frost

Cllr. Trevor Matthews  
Cllr. Sam Maxwell  
Cllr. Christine Merrill

Cllr. Phil Moitt  
Cllr. Mike Shirley  
Cllr. Bev Welsh

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the Council Chamber - Council Offices, Narborough on **THURSDAY, 16 FEBRUARY 2023** at **4.30 p.m.** for the transaction of the following business and your attendance is requested.

Yours faithfully



**Louisa Horton**  
**Monitoring Officer**



## AGENDA

### REFERENCING UP OF DECISIONS - COUNCIL CONSTITUTION PAGE 3-6-20

Any Committee or Sub-Committee may refer up any report for decision to its parent body. Referencing up shall be on the following basis:-

- a) At the beginning of the relevant meeting, any Committee/Sub-Committee Member may move reference up of any item of business. The Member must identify the grounds of significance justifying so doing. If this is seconded, the proposition shall be open to debate.
- b) There shall be no debate upon the contents of the report itself. Debate shall be limited to consideration as to whether the report item is of such significance as to justify its reference up to the parent body notwithstanding that the parent body has delegated its decision making powers.
- c) If the referencing up motion is carried, the matter shall not be determined at the meeting. If the referencing up motion is not carried, the matter shall be dealt with in accordance with the Committee/Sub-Committee's delegated powers.

### AGENDA

1. Apologies for absence
2. Disclosures of Interest

To receive disclosures of interests from Members (ie. The existence and nature of those interests in respect of items on this agenda).

3. Minutes (Pages 3 - 6)

To approve and sign the minutes of the meeting held on 12<sup>th</sup> January 2023.

4. Applications for Determination (Pages 7 - 24)

To consider the report of the Development Services Team Leader.

## **PLANNING COMMITTEE**

Minutes of a meeting held at the Council Offices, Narborough

**THURSDAY, 12 JANUARY 2023**

Present:-

Cllr. Louise Richardson (Chairman)  
Cllr. Nick Chapman (Vice-Chairman)

Cllr. Roy Denney  
Cllr. Chris Frost

Cllr. Trevor Matthews  
Cllr. Christine Merrill

Cllr. Mike Shirley  
Cllr. Bev Welsh

**Substitute:-**

Cllr. Janet Forey (In place of Cllr. Cheryl Cashmore)

**Officers present:-**

Cat Hartley	- Planning & Strategic Growth Group Manager
Kristy Ingles	- Development Services Manager
Ian Davies	- Development Services Team Leader
Charles Ebdon	- Senior Planning Officer
Linda Durham	- Solicitor
Nicole Cramp	- Democratic & Scrutiny Services Officer
Isaac Thomas	- Democracy Support Officer

**Apologies:-**

Cllr. Sam Maxwell

1. **DISCLOSURES OF INTEREST**

No disclosures were received.

2. **MINUTES**

The minutes of the meeting held on 15 December 2022, as circulated, were approved and signed as a correct record.

3. **APPLICATIONS FOR DETERMINATION**

Considered – Report of the Development Services Team Leader.

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Planning Committee - Thursday, 12 January 2023

22/0248/OUT

Outline planning application for the development of up to 58 new residential units with associated landscaping, parking and vehicular access (All Matters Reserved). Land Off Wardens Walk, Leicester Forest East.

### Public Speaking

Pursuant to Part 4, Section 7 of the Councils Constitution in relation to public rights of participation in planning applications, the Chairman allowed the following to give a 5 minute presentation:

- Jackie Jordan – Objector
- Ben Thomas – Applicant/ Agent

### **DECISION**

**THAT APPLICATION 22/0248/OUT BE APPROVED SUBJECT TO THE APPLICANTS FIRST ENTERING INTO A S106 AGREEMENT TO SECURE THE FOLLOWING:**

1. 25% Provision of Affordable Housing
2. Secondary Education
3. Library facilities
4. Contributions toward civic amenity and waste facilities
5. Healthcare facilities
6. Contributions or provision of open space provision/enhancement
7. Contributions towards, travel packs, travel plan monitoring and bus pass provision
8. S106 Monitoring contributions – District and County Councils

**AND SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Statutory outline time limit
2. Reserved Matters details to be submitted
3. In accordance with approved plans
4. No approval to illustrative layout
5. Development restricted to a maximum of 2.5 storey development only.
6. Provision of appropriate mix of market and affordable housing in accordance with adopted SPD.
7. Provision of a scheme for 5% of the dwellings to be accessible and adaptable homes
8. Details of all external materials to be agreed
9. Noise assessment to be submitted as part of the Reserved Matters submission and subsequently agreed. Development to be implemented in accordance with any recommendations.

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**Planning Committee - Thursday, 12 January 2023**

10. Construction Management Plan to be submitted as part of the Reserved Matters submission and subsequently agreed and adhered to during development.
11. Finished floor levels to be submitted and agreed and adhered to.
12. Details of external lighting to public areas to be submitted and agreed and adhered to.
13. Landscaping Management Plan to be submitted and agreed and adhered to.
14. Arboricultural Impact Assessment and Method Statement including tree protection measures to be submitted to and agreed and adhered to.
15. Approved landscaping scheme shall be carried out.
16. Biodiversity Management Plan for all retained and created habitats, including SuDs, to be submitted and agreed and adhered to.
17. Scheme for the provision and management of Biodiversity Net Gain on or off site to be submitted to and agreed and implemented.
18. Development shall be carried out in accordance with the submitted Ecology report.
19. Details for the provision and management of a minimum 5 – 10 m buffer zone along western boundary hedgerow and tree line to be submitted to and agreed and adhered to.
20. All existing protected trees and boundary hedges shall be retained and protected during construction.
21. Surface water drainage scheme to be submitted and agreed and implemented.
22. Foul water drainage scheme to be submitted and agreed and implemented.
23. Details for the long-term management and maintenance of the surface water drainage scheme to be submitted and agreed and implemented.
24. Infiltration testing to be carried out.
25. Programme of archaeological work to be completed, submitted and agreed and implemented.
26. Historic Buildings Investigation/Recording and an Options Appraisal for the existing buildings of the site to be completed and submitted as part of the Reserved Matters submission and subsequently implemented.
27. Phase II Intrusive Ground Investigation Report to be submitted and agreed and recommendations implemented.
28. Scheme to address the management and/or safe disposal of asbestos to be submitted and agreed and adhered to.
29. Unidentified contamination remediation strategy to be agreed.
30. Travel Plan to be submitted to and agreed and adhered to.
31. The submission of a detailed scheme for the site access and highway improvements.
32. Details of development to comply with LCC design standards.
33. Drainage to be provided within the site such that surface water does not drain into the public highway including private access drives.
34. A waste collection strategy to be submitted and agreed as part of any Reserved Matters application.

**THE MEETING CONCLUDED AT 5.10 P.M.**

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## Blaby District Council

### Planning Committee

**Date of Meeting**      **16 February 2023**  
**Title of Report**      **Applications for Determination**  
**Report Author**      Group Manager – Planning & Strategic Growth

#### 1. What is this report about?

- 1.1 To determine planning applications as listed in paragraph 3.2 below and detailed in the attached report.

#### 2. Recommendation

- 2.1 That the recommendations listed within paragraph 3.2 below and detailed in the attached report be approved.

#### 3. Matters to consider

- 3.1 To avoid unnecessary delay in the processing of planning applications, the recommendations included in this list must often be prepared in advance of the closing date for the receipt of representations. This list was prepared on **06 February 2023** and information of representations received will be updated at your meeting. This updating will also cover any other information which may come to hand in the intervening period. Closing dates are given where they fall on or after the day of preparation of the list.

3.2	Application No.	Page No.	Address	Recommendation
	<b>22/1045/FUL</b>	<b>9</b>	<b>88 College Road Whetstone</b>	<b>Approve</b>

#### 3.3 Appropriate Consultations

Details of organisations / persons consulted in relation to the applications are included in the reports for each individual application. Members will be aware that full copies of correspondence received are available to view on the respective planning file and through the planning portal <https://w3.blaby.gov.uk/online-applications/>

#### 3.4 Resource Implications

There are no specific financial implications arising from the contents of this report.

**4. Other options considered**

These are included where appropriate as part of the reports relating to each individual application.

**5. Background paper(s)**

Background papers are contained in files held in the Planning Division for each application being considered and are available for public inspection.

**6. Report author's contact details**

Ian Davies

[planning@blaby.gov.uk](mailto:planning@blaby.gov.uk)

Development Services Team Leader

0116 272 7705

22/1045/FUL

24<sup>th</sup> October 2022 EMH Development Company Ltd

**Site clearance and erection of 2 single storey dwellings (Use Class C3) with access from College Road and on-site parking, together with associated works including landscaping.**

**Land between 86 and 88 College Road, Whetstone**

**Report Author: Helen Wallis, Senior Planning Officer**

**Contact Details: Council Offices. Tel: 0116 272 7698**

**RECOMMENDATION:**

**THAT APPLICATION 22/1045/FUL BE APPROVED SUBJECT TO THE IMPOSITION OF THE FOLLOWING CONDITIONS:**

1. 3-year time limit condition
2. Approved plans
3. Materials to be submitted and agreed
4. Details of finished floor levels
5. Foul and surface water drainage to be implemented in accordance with drainage plan.
6. Drainage maintenance regime details to be submitted
7. Landscaping to be submitted and agreed
8. Landscaping to be implemented
9. Access to be provided
10. Access to be surfaced in a bound material
11. Parking and turning facilities to be implemented
12. Surface water not to drain into public highway
13. Provision of secure cycle parking
14. Bin storage to be provided in accordance with plan
15. Removal of permitted development rights for extensions (including to the roof) and outbuildings
16. Implementation of ecological enhancements – installation of bat and bird boxes, hedgehog shelter and ‘hedgehog highways’
17. Demolition and construction method statement

**NOTES TO COMMITTEE**

This application has been brought before the Planning Committee as Blaby District Council are the current owners of the application site.

**Policy and Relevant Legislation**

**National Planning Policy Framework (2021)**

**National Planning Guidance**

## **Blaby District Local Plan (Core Strategy) Development Plan Document (2013)**

Policy CS1 – Strategy for Locating New Development  
Policy CS2 – Design of New Development  
Policy CS5 – Housing Distribution  
Policy CS7 – Affordable Housing  
Policy CS8 – Housing Mix  
Policy CS10 – Transport Infrastructure  
Policy CS15 – Open Space, sport and recreation  
Policy CS19 – Bio-diversity and geo-diversity  
Policy CS21 – Climate Change  
Policy CS22 – Flood Risk Management  
Policy CS23 - Waste  
Policy CS24 – Presumption in Favour of Sustainable Development

## **Blaby District Local Plan (Delivery) Development Plan Document (2019)**

Policy DM1 – Development within the Settlement Boundaries  
Policy DM8 – Local Parking and Highway Design Standards  
Policy DM11 – Accessible and Adaptable Homes

### **Consultation responses**

**Blaby District Council, Environmental Services** – Provides comments –all recommendations in the drainage strategy should be adhered to. Recommend that a drainage maintenance regime is provided in accordance with CIRICA C753 and adhered to be future site owner. Surface water should also be controlled during construction works. Due to the proximity of the site to neighbouring residential properties, a demolition and construction method statement condition is recommended. No comments to make on contaminated land.

**Blaby District Council, Housing Strategy** – Scheme is very much supported and the Housing Strategy Team has been working with East Midlands Housing (EMH) on the plans. We specifically support the application as Blaby is predicted to experience 111.3% rise in residents over the age of 85 over the next 20 years which will increase the demand for older persons accommodation in the district but also increase in demand for specialised accommodation. Provision of this scheme is vital to beginning to future proof our housing stock in the district.

**Blaby District Council, Parks and Open Spaces** – Provides comments. Site is not maintained as open space.

**Blaby District Council, Neighbourhood Services** – No objections. Residents will be required to present their bin at kerbside on College Road, Whetstone for collection.

**Leicestershire County Council, Ecology** – No objections. The works are relatively low impact and there are no records of protected species in the area. There will be a loss of trees but these are proposed to be replaced along with hedgerow planting.

Native species should be prioritised in planting plans. Informative recommended advising clearance works to avoid the bird nesting season.

**Leicestershire County Council, Forestry** – No objections. There are 18no. trees on the site consisting of Ash, Hawthorn, Whitebeam Field Maple and Norway Maple, all of which are medium sized trees. The trees are semi-mature, 10 of which have been identified as category B2 within the Arboricultural Impact Assessment, which recommends retention if possible. The footprint of the proposed development precludes any of the trees for retention therefore there is no recommendation required for tree protection measurements. The removal of the trees will have some negative impact on the visual amenity of the local area as the trees are visible from several viewpoints around the area. There are currently no TPO or Conservation Area restrictions on the site. Should the Local Planning Authority (LPA) be minded to refuse the application it is recommended that the site is assessed for suitability for a TPO so greater consideration can be given to trees in any future design for the site. However, should the LPA approve the current application there are little grounds for refusal on an arboricultural basis beyond the presence of the trees on the site.

**Leicestershire County Council, Highways** - No objections. Considers that the impacts of the development on highway safety would not be unacceptable and, when considered cumulatively with other developments, the impacts on the road network would not be severe. The Local Highway Authority (LHA) are satisfied that there are sufficient visibility splays available at the access and the access width of 5.89m is of a suitable width to serve 3 dwellings. The proposed access arrangements are safe and suitable for the proposed development. There are no previous cases of Personal Injury Collisions (PICs) and no pre-existing safety concerns. The layout proposes one off-road parking space to serve each 2-bedroom dwelling plus an additional shared visitor parking space. The parking space for no. 86 College Road will also be replaced. The proposed parking and turning provision are acceptable and accords with the Local Highways Design Guide (LHDG). Provision of cycle storage facilities are welcomed. Conditions recommended in respect of provision of access, parking and turning, surfacing, secure cycle parking and drainage.

**Severn Trent Water** – Provides comments. Sustainable surface water disposal methods must be explored and if these are found unsuitable, satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. Informative recommended in respect of possible recently adopted sewers.

**Whetstone Parish Council** – *“Objects to this application. Parking spaces are not met as per the application. It is unacceptable to take land off other owned properties to accommodate layout and access. There is no proven need or demand for further properties as claimed in the planning statement. The loss of a green lung next to the Blaby Bypass is not acceptable. No compensation is made for the loss of good quality trees.”*

### **Representations**

No representations received.

### **Relevant History**

No relevant planning history.

## **EXPLANATORY NOTE**

### **The Site**

The site comprises 0.06ha of undeveloped land between 86 and 88 College Road, Whetstone within the village's settlement boundaries. Access to the site is obtained via a narrow strip of grass between the frontages to 86 and 88 College Road and the site is generally level and grassed. The site is easily viewed from College Road and a notable feature of the site are the 18 no. semi-mature trees positioned across the full extent of the site.

Adjoining the site on all sides are other residential properties with the majority of boundaries marked by 1.8m high close boarded fencing and some areas of sparse hedgerow.

The immediate vicinity of the site is characterised by a mix of 2 storey semi-detached dwellings and short terraces of bungalows and the surroundings are predominantly residential. Blaby Bypass lies a short distance to the east beyond 78a College Road which bounds the site to the east. Trinity Road Park lies approximately 100m to the west which provides footpath connections to High Street, Whetstone which contains a number of services and retail facilities.

### **Background**

The site is currently within the ownership of Blaby District Council but Members may be aware that a decision was made by the Council on 20<sup>th</sup> February 2020 to dispose of the application site and to offer it for sale to East Midlands Housing (EMH) for the provision of affordable housing. At the Full Council meeting on 27<sup>th</sup> July 2021, it was brought to members attention that the disposal of College Road is contingent upon a simultaneous purchase by EMH of other Council owned sites on both Station Road, Glenfield and High Street, Whetstone and is subject to planning permission being granted on all sites. Whilst the Council's decision to dispose of the site provides background to the application, it is not material to the consideration of the planning proposals, which should be considered against the policies of the Development Plan.

### **The Proposal**

The application proposes the erection of 2no. 2-bedroom dementia friendly and wheelchair accessible, affordable bungalows. It is intended that the new dwellings will be managed by EMH and made available for social rent.

The new properties are orientated with their gable fronted elevations facing west and with east facing private rear garden areas. Each property has two bedrooms positioned at the front with an open plan kitchen/dining/living area to the rear. The materials schedule submitted with the application indicates that the bungalows will be constructed of red facing brick and concrete tile. The properties will incorporate cavity wall insulation, photovoltaic arrays and electric vehicle charging points.

Space for parking and turning is to be provided to the front of the bungalows with each property having an allocated space plus one shared visitor space. The access to the site is to be widened by incorporating some of the front garden to no.86 College Road (also within EMH ownership) and a new parking area is to be created to serve this neighbouring property.

The development will necessitate the removal of all the trees on the site. The site layout plan indicates the implementation of new landscaping to the rear gardens and front of both properties

### **Planning Considerations**

Section 38(6) of the Town and Country Planning Act 1990 requires planning applications to be determined in accordance with the provisions of the Development Plan unless there are other material considerations which indicate otherwise. This section of the report will first consider the proposed development against the policy background and then consider any other material considerations.

### **National Planning Policy Framework**

The National Policy Framework establishes the key principles for pro-actively delivering sustainable development through the development plan system and the determination of planning applications. The emphasis is that development plans allow for development of sufficient housing in sustainable locations and that new development is of good design.

It also sets out the planning approach that the Government wishes to see in relation to many aspects of the planning system, including housing delivery - with the golden thread running through the decision-making process being the presumption in favour of sustainable development.

It suggests that in decision-taking, this means approving development proposals that accord with the development plan without delay; and, where the development plan is absent, silent or relevant policies are out of date, to grant permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole; or
- Specific policies in the NPPF indicate development should be restricted.

### **DEVELOPMENT PLAN**

#### **Blaby District Local Plan (Core Strategy) Development Plan Document (2013)**

The adopted Core Strategy (February 2013) is part of the Development Plan for the District of Blaby. It is an up-to-date plan that is consistent with National Policy. Therefore, the policies of the Core Strategy should be given full statutory weight. The following policies are the most relevant to the proposed development:

### Policy CS1 – Strategy for Locating New Development

Policy CS1 seeks to focus most new development in the District of Blaby, including infrastructure, services and facilities, within and adjoining the Principal Urban Area (PUA) of Leicester. In the non-PUA, development should be focused within and adjoining Blaby and the 'Larger Central Villages'. Policy CS1 defines Whetstone, where the application site is located, as being a 'Larger Central Village' and thus the location is considered an appropriate one for new housing development that is consistent with the spatial strategy.

### Policy CS2 – Design of New Development

Seeks to ensure that a high-quality environment is achieved in all new development proposals, respecting distinctive local character and contributing towards creating places of high architectural and urban design quality. The design of new development should also be appropriate to this context.

### Policy CS5 – Housing Distribution

Policy CS5 sets out a minimum housing requirement of 2,990 dwellings to be delivered in the non-PUA within the Local Plan period (2006 to 2029). As of 31 March 2021, 3,585 dwellings had been completed in the non-PUA with a further 629 dwellings committed via planning permissions or development plan allocations, giving an overall total delivery of 4,214 new dwellings. Notwithstanding this total (which exceeds the minimum non-PUA housing requirement), Policy CS5 expresses the requirement for housing provision as an 'at least' figure with no maximum given. The provision of a further two dwellings in Whetstone, defined as a 'Larger Central Village' and therefore a preferred location for development outside of the PUA and Blaby, is not considered to be at odds with Policy CS5 or materially impact on the implementation of the Council's spatial strategy as set out in Policy CS1.

### Policy CS7 – Affordable Housing

Policy CS5 seeks to ensure the delivery of affordable housing through developer contributions; either on site or via commuted sums, rural exceptions sites or Registered Provider led schemes in order to meet the needs of the District's current and future populations. The applications two affordable, dementia friendly bungalows would make a positive contribution to delivery of affordable housing in the District.

### Policy CS8 – Housing Mix

Policy CS8 aims to ensure that an appropriate mix of housing type, tenure and size is provided to meet the needs of existing and future households in the District, taking account of information in the latest Strategic Housing Market Assessment. It states that the Council will work with partners (including Registered Providers, developers and others) to meet any identified needs of specific groups through the delivery of special needs housing, including provision for extra care accommodation, supported housing and housing designed to meet wheelchair access standards. As dementia friendly, affordable bungalows available for social rent, the application proposal would address a specialist need within the District.

### Policy CS10 – Transport Infrastructure

Policy CS10 seeks to ensure that appropriate measures are taken to mitigate the impacts of the development and ensure that it is adequately supported by the provision of adequate infrastructure and does not overburden existing infrastructure. It indicates that the preferred approach is to seek to reduce the need to travel by private car by locating new development so that people can access services and facilities easily. It states that the Council will be flexible in the implementation of residential parking standards, indicating that the number of spaces required will depend on the type of property and whether developments have genuine access to good public transport and/or services and facilities. Whetstone has a number of services and facilities, including public transport that would be accessible to the application site.

### Policy CS15 – Open Space, Sport and Recreation

Policy CS15 seeks to ensure that all residents have access to sufficient high quality, accessible open space, sport and recreation facilities. The policy derives standards for open space, sport and recreation provision per 1,000 population for various open space typologies, based on the findings of the Blaby District Council Open Space Audit 2015. Desirable access standards are also outlined. The policy states that existing open space, sport and recreation facilities will be protected and, where possible, enhanced. Land should not be released for development unless it can be demonstrated that it is surplus to requirements, is not needed for another type of open space or alternative provision can be provided in the local area. The application site was not assessed in the Council's Open Space Audit as it falls below the 0.2ha area threshold for inclusion.

### Policy CS19 – Bio-diversity and Geo-diversity

Policy CS19 indicates that important areas of the District's natural environment, landscape and geology will be protected and enhanced, where appropriate, and seeks to maintain and extend natural habitats where appropriate. No habitats of note have been recorded on the site and there is no evidence of protected species. The development will result in the removal of the trees on the site, however, there is scope for new habitat to be provided through native species planting and through ecological enhancements.

### Policy CS21 – Climate Change

Policy CS21 states that development should be focused in the most sustainable locations and layout and design should reduce energy demand and increase efficiency. It also seeks to encourage the use of renewable, low carbon and decentralised energy and states that renewable and low carbon energy generation will be supported within the District providing the proposal accords with the conditions outlined in the policy.

### Policy CS22 – Flood Risk Management

Policy CS22 sets out strategic objectives to ensure that all new development minimises vulnerability and provides resilience to flooding. The site is located within Flood Zone 1 where flood risk is considered to be low and where residential use is considered to be compatible.

### Policy CS24 – Presumption in Favour of Sustainable Development

Policy CS24 indicates that when considering development proposals Blaby District Council will take a positive approach that reflects the presumption in favour of sustainable development.

## **Blaby District Local Plan (Delivery) Development Plan Document (2019)**

### Policy DM1 – Development within the Settlement Boundaries

Policy DM1 states that within the Settlement Boundaries, as set out on the Policies Map, development proposals consistent with other Policies of the Local Plan will be supported where certain criteria are met. These criteria relate to the development being in keeping with the appearance and character of the existing landscape, development form and buildings, the development providing a satisfactory relationship with nearby uses, the development not resulting in overdevelopment of the site, having a satisfactory layout, design and external appearance, and not prejudicing the comprehensive development of the wider area.

### Policy DM8 – Local Parking and Highway Design Standards

Policy DM8 seeks to provide an appropriate level of parking and servicing provision within all forms of development, as set out in the Leicestershire Local Highway Guidance. It also requires development to meet highway design standards as set out in the Leicestershire Local Highway Guidance.

### Policy DM11 – Accessible and Adaptable Homes

Policy DM11 requires development proposals for housing of 20 dwellings or more to meet the Building Regulations Standard M4(2) for 5% of the dwellings unless there are site specific factors why this cannot be achieved, or the applicant can demonstrate that this requirement is not viable. Whilst not a requirement, as the application is only for two dwellings, the applicant is proposing to apply this optional Building Regulations standard to both dwellings.

## **Material Considerations**

Planning applications must be determined in accordance with the provisions of the Development Plan unless there are material considerations which indicate otherwise, and whether those material considerations are of such weight that the adopted policies of the Development Plan should not prevail in relation to any proposal.

The following are considered to be material considerations in the determination of the proposal:

- The principle of the development;
- Affordable housing need;
- Loss of open space;
- The impact on the character and appearance of the area;
- The impact on the residential amenities;
- The impact on the highway;
- Impact on trees;
- Other matters; ecology, flood risk, waste, contamination and climate change.

### The principle of the development

The application site is located within the settlement boundaries of Whetstone, identified as a 'Larger Central Village' in Core Strategy Policies CS1 and CS5 . It is a preferred location for new development outside of the Principal Urban Area (PUA) and Blaby.

Whetstone contains some key services and facilities focussed along High Street, which is located approximately 500m walking distance from the site using paths across Trinity Park. These facilities include a post office, convenience store, chemists, community hall, churches, cafes and pubs. Arriva Bus service 84 also operates along High Street providing services between Leicester and Lutterworth, including stops within Blaby town centre. Within the wider Whetstone area there are schools, supermarkets and employment opportunities. Both the settlement and site location are therefore considered to provide sustainable locations for new residential development and would be consistent with the spatial strategy.

The Council's Residential Land Availability Report indicates a total of 3,585 dwellings had been completed in the non-PUA with a further 629 dwellings committed via planning permissions or development plan allocations, giving an overall total delivery of 4,214 new dwelling at 31<sup>st</sup> March 2021, (exceeding the minimum 2,990 new dwellings set out in Policy CS5 Housing Distribution). Whilst this site would add to the oversupply in the non-PUA, it should be noted that the figures given in Core Strategy Policy CS5 are expressed as minimum requirements. Development of this small windfall site for two dwellings in a sustainable location is not considered to undermine the Council's spatial strategy or conflict with the housing distribution policy. The principle of the development in this case is therefore considered acceptable and would accord with Policies CS1 and CS5 of the Core Strategy.

### Affordable Housing Need

This planning application would deliver two affordable, dementia friendly bungalows for social rent, designed to comply with the optional Building Regulation standard M4(2) and be wheelchair accessible. The provision of housing that meets the needs of the District's residents is a corporate priority as set out in the Blaby District Plan 2021-24 and the scheme also directly responds to Strategic Priority 2: Providing Specialist Housing for Vulnerable Groups in Blaby District's Adopted Housing Strategy. Core Strategy Policies CS7 and CS8 are also supportive of the delivery of

affordable and special needs housing and paragraph 7.7.6 of the Core Strategy notes that *“Council and Registered Provider led schemes, purchase of existing stock and other sources make an important contribution to the provision of affordable housing”*.

The most recent housing and economic needs assessment, the Leicester and Leicestershire HENA (2022) suggests a need for 536 additional affordable properties (social rent and ownership) to be provided per annum in Blaby until 2039. This is an increase from 399 affordable properties per annum recommended in the Blaby Housing Needs Survey finalised in early 2021 and highlights a significant increase in need within a short period. The HENA also highlights the greater need for homes available for social rent. The need in the District is high resulting from a high number of owner occupied homes and a relatively small number of affordable social rented homes. The HENA also highlights predicted increases of mobility problems and dementia supporting the requirement for more wheelchair accessible and specialised housing.

The Council’s Housing Strategy Team have provided comments on the application and are supportive of the proposals. They have highlighted that Blaby is predicted to experience a 111% rise in residents over the age of 85 and a 61% rise in the 75-84 age group over the next 20 years which will translate into an increased demand for older persons’ accommodation in the District, but also more specifically an increase in demand for specialist housing. Current research undertaken by Alzheimer’s Research UK, a dementia research charity, suggests that 1 in 5 people between the ages of 85-89 will have dementia so provision of the scheme is important for the Council in future proofing the housing stock in the District. Whilst there is a large amount of housing for older persons in the housing infrastructure in the District much of this is out of date for the needs of residents and thus an opportunity to provide modern and well-designed older persons accommodation is welcomed.

In terms of existing supply of dementia friendly properties, there are only currently two built within the district (off Warwick Road, Littlethorpe) with a further six (including the proposal) in the pipeline. The current proposals, whilst small scale, would make an important contribution toward meeting specialised housing requirements in the district, both now and in the future and support the aims of the affordable housing and housing mix policies in the Blaby District Local Plan Core Strategy.

### Loss of Open Space

The application site is presently owned by Blaby District Council and comprises a small area of amenity space between housing. Its area falls below the 0.2ha threshold for inclusion as informal open space in the Blaby District Open Space Audit 2015 and therefore its quality and function has not been formally assessed. The Council’s Parks and Open Spaces team have advised that the area is a disused piece of amenity space which is not maintained as open space. The maintenance regime is generally ‘light-touch’ comprising of infrequent mowing.

Notwithstanding the apparent under-use of the space, Policy CS15 states that existing open space, sport and recreation facilities will be protected and where possible enhanced. It continues that land should not be released for development unless it can be demonstrated that it is surplus to requirements for its current play and open space

function, and it is not needed for another type of open space; or alternative provision can be made in the local area.

The Council's Open Space Audit 2015 details that there is 0.94ha per 1,000 population of informal space in Whetstone Parish (and potentially more than this if areas of less than 0.2ha be included). It is also noted that Trinity Road Park is not included within the 2015 Audit and extends to circa 1.1ha. Taking into account this omission and also bearing in mind the potential redevelopment for housing of part of Trinity Park proposed under application 22/1062/FUL, there remains 1.1ha of informal open space per 1,000 population, exceeding the standard set out in Core Strategy Policy CS15. The loss of the application site would not therefore result in an under provision of informal open space in the area.

There are alternative areas of informal open space in close proximity to the site including Trinity Road Park which is circa 100m from the site and Broadbent Close informal open space approximately 400m from the site, thus within the desirable 800m accessibility standard set out in Core Strategy Policy CS15. The loss of the application site would not therefore compromise the ability of residents to access informal space.

Due to the constrained nature of the site (small size and close proximity to residential properties) it is not considered suitable for open space uses other than as its current use as informal open/amenity space.

The development of this small area of amenity space would not lead to a shortfall in informal open space provision within Whetstone and could not be reasonably used for alternative open space, sport or recreation uses given its size and location. The proposal would not therefore conflict with the provisions of Core Strategy Policy CS15.

#### The impact on the character and appearance of the area

College Road is predominantly characterised by semi-detached and terraced two storey houses and bungalows, with properties set back from the road with private rear gardens. The frontages to the properties are generally open in appearance with no or low level boundary treatment and with 'on-plot' parking provided.

The proposed development features two detached bungalows arranged to face westwards onto the widened access drive created from College Road with private rear garden areas to the rear (east). Whilst not directly facing onto College Road in the manner of surrounding properties, they will be visible from the road and thus have some interface with the street. The layout proposed makes the best and most efficient use of the site and whilst not strictly typical of the surroundings, it is not considered to cause harm to the character and appearance of the area.

Regarding detailed design, the proposed properties are of single storey height (6 metres to the ridge) with front facing gables, porch canopy feature and contrasting brick detailing indicated to the eaves, verge and around the windows. The materials schedule submitted with the application indicates the use of red facing brick and grey concrete roof tile. The scale, massing and detailed design of the bungalows are considered appropriate to their context and the suggested materials reflect the construction of other houses the locality.

All the trees on the site will be removed as part of the development which will alter the appearance of the site and their loss will detract from the visual amenities of the area. The scope for substantial new tree planting within the site is limited, however, the proposed layout plan shows replacement planting to the eastern boundary of the site and some landscaping to the front of the bungalows. A landscaping condition is recommended to secure the detail and implementation of the scheme. Detailed consideration is given to the impact on trees later in this report.

Having regard to the location of the site and its surroundings, the site layout and the design of the proposed dwellings are considered to be satisfactory and in keeping with the character and appearance of the area. New landscaping will, in time, help to provide some mitigation for the loss of the trees. The proposal is overall considered to accord with Policy CS2 of the Blaby Local Plan Core Strategy and Policy DM1 of the Blaby Local Plan Delivery DPD in relation to the impact on the character and appearance of the area.

### The impact on residential amenities

#### *Existing residents*

Due to the site's topography, single storey nature of the proposals and existing boundary treatment, there is not considered to be any issues of overlooking or loss of privacy that would result from the development. Separation distances between the proposed bungalows and 88 College Road, 78a College Road and properties on Mill Hill Close that back onto the site are adequate to ensure that the new properties do not have an overbearing or significantly overshadowing effect on the existing neighbours.

Plot 1 on the development does project approximately 7.6 metres beyond the rear elevation of 86 College Road. Although it was requested that Plot 1 be moved further to the west to improve the relationship with 86 College Road, as well as increase the rear garden area for this plot, this could not be achieved due to the dimensions required for the wheelchair accessible parking space to the front of the property. The positioning of Plot 1 would breach a line of 45 degrees measured along the ground from the nearest habitable room window on the rear of 86 College Road. However, the distance between the bungalow and this neighbour (approximately 10 metres), as well as the single storey height of the proposal, means that a notional vertical 25 degree line from the window would not be broken by the bungalow, indicating that there would be no harmful loss of light or overbearing impact.

#### *Future residents*

The standard of living and amenities to be enjoyed by future residents of the proposed bungalows has also been considered. Each property would have a rear garden area of between 8 metres and 12 metres in length and approximately 90m<sup>2</sup> in area. Whilst the District Planning Authority does not have a policy or guidance in respect of garden size, this area is considered appropriate for a 2-bedroom bungalow.

The District Planning Authority has not incorporated the government's 'Nationally Described Space Standards' as part of adopted policy. Notwithstanding this, they

provide a benchmark against which to assess whether development proposals provide satisfactory living standards. The proposed bungalows have a gross internal floor area of 71m<sup>2</sup>, exceeding the standard's minimum floorspace requirement for a 2-bedroom, 3-person single storey dwelling of 61m<sup>2</sup>.

The proposed bungalows have been designed in such a way to ensure that there is no overlooking or loss of light impacts between the properties and the relationship between the two buildings is considered acceptable.

In summary, the proposed development is not considered to have a significantly adverse impact on the amenities of occupiers of neighbouring residential properties and would provide satisfactory amenities and standard of living to future occupiers of the development. In these respects, the proposal is compliant with relevant policy DM1 in the Blaby District Local Plan Delivery DPD. To ensure that this remains the case, it is considered appropriate to remove permitted development rights from the properties by way of condition.

#### The impact on the highway

The proposed development is located off College Road, an adopted, unclassified road subject to a 30mph speed limit. The existing access into the site is to be widened to 5.8 metres by incorporating some of the garden of 86 College Road (also within EMH ownership) into the application site. The widened access will be utilised by both of the new properties, as well as by 86 College Road to access their parking space.

The Local Highway Authority (LHA) has considered the proposals and confirms that the access provides sufficient visibility at the access and that the access width is suitable for serving three dwellings. There have been no recorded personal injury collisions on college Road or the adjoining Trinity Road in the previous five years and the LHA has no concerns about highway safety at the location.

The site layout indicates one off-road car parking space for each bungalow plus an additional shared visitor space. The applicants have also demonstrated to the LHA's satisfaction that vehicles will have the ability to turn within the site and exit in a forward gear. Cycle storage facilities are proposed within the rear garden areas of the properties.

The LHA has advised that in its view the impacts on highway safety would not be unacceptable and, when considered cumulatively with other developments, the impacts on the road network would not be severe. Conditions are recommended regarding implementation of the access arrangements, parking and turning facilities parking provision being implemented, surfacing, drainage and cycle storage, all of which can be reasonably imposed. Overall, the proposal would accord with Policy DM8 of the Blaby District Local Plan Delivery DPD.

#### Impact on trees

The 18no. trees that are located across the site are a notable feature of both the site and surroundings and are considered to contribute positively to the visual amenities of the area. However, the trees are not protected by a Tree Preservation Order and

the site is not within a Conservation Area. It is proposed to remove all trees on the site to facilitate the development.

The application has been supported by a Tree Survey Report prepared in accordance with BS5837:2012. The tree survey notes that the trees are a mix of species including whitebeam, ash, field maple, Norway maple and hawthorn. Of the trees on the site, ten are categorised as Category B2 'trees of moderate quality', six as Category C2 'trees of low quality' and two as Category U 'trees unsuitable for retention'.

Leicestershire County Council (LCC) Forestry have been consulted on the application and have commented that the removal of the trees will have some negative impact on the visual amenity of the local area. Reducing the scale of the proposal might allow for retention of some of the trees around the periphery of the site, however, this would not then allow for making the best use of the site. As it stands, the view of LCC Forestry Team is that there is little ground for refusal on an arboricultural basis. Nonetheless, they advise that should the application be refused, the site should be assessed for its suitability for a TPO so that greater consideration can be given to trees in any future design for the site. A landscaping condition is proposed in order to secure new tree planting to help mitigate for the loss of the trees on the site.

#### Other matters

##### *Climate change*

The proposal bungalows have been designed to incorporate cavity wall insulation and photovoltaic arrays in order to reduce energy consumption. These elements of the scheme are compliant with the aims of Policy CS21 which states that development which mitigates and adapts to climate change will be supported.

##### *Ecology*

The application has been supported by a Preliminary Ecological Appraisal. No important habitats or protected species were recorded on the site and enhancement measures are proposed including bat and bird boxes and 'hedgehog highways'. The Leicestershire County Council Ecology team has been consulted on the application and advise that the works are relatively low impact. An advisory note is recommended in respect of nesting birds and native species should be used in proposed planting plans.

##### *Flood Risk and Drainage*

The development site is located in Flood Zone 1 and as such is not in an area which is considered to be at high risk of flooding and would not increase flood risk elsewhere. A Drainage Strategy and Sustainability report has been submitted with the application and indicates that the development would connect to the existing foul and surface water public sewers within College Road. The surface water strategy is designed to accommodate a 1 in 100 year storm event plus an additional 40% for climate change. Surface water will be limited to a 2l/s discharge rate by use of a Hydrobrake device. Any flows in excess of the discharge rate will be attenuated by use of modular storage cells under the access drive. Severn Trent have been consulted and have not raised any specific issues about the proposal.

### *Waste*

The properties are provided with a bin storage area and residents will be required to present their bins at the kerbside on collection day. Carry distances between bin storage areas and the collection point comply with the most recent Building Regulations guidance which states that this distance should not exceed 25m.

### *Ground conditions*

The application is supported by Phase 1 and Phase 2 ground investigation reports. No made ground, contaminants or gas related issues were encountered during the investigative work and it is concluded that the site is suitable for residential development with no remediation necessary.

## **Planning Balance and Conclusion**

The application site is located within the settlement boundaries of Whetstone, defined as a 'Larger Central Village' and an appropriate location for new housing development. The site is sustainably located and accessible to key services and facilities, including public transport. The proposal is considered to accord with the spatial strategy and housing policies (Core Strategy Policies CS1 and CS5) of the Development Plan.

The development would deliver two affordable, dementia friendly bungalows for which there is a need in the District, as advised by the Council's Housing Strategy Team. The provision of appropriate housing to meet the needs of the District's residents is a material consideration which attracts significant weight in the planning balance.

The proposal would result in the loss of a small area of underutilised informal amenity open space. The loss of the site would not have a negative impact upon the quantity informal open space provision in Whetstone or have a detrimental effect upon accessibility to this type of open space in the locality. Whilst consideration should be given to alternative open space, sport and recreation uses, the constraints of the site make it unsuitable for other types of open space use. Overall it has been demonstrated that the redevelopment of the site would therefore comply with the requirements of Core Strategy Policy CS15.

Consideration has been given to the impact of the proposed development on the character and appearance of the area. The site layout and relationship to the surroundings is considered to be acceptable and the design of the proposed dwellings are sympathetic in scale and appearance to those in the locality. Furthermore, the development can be carried out without adversely impacting on the residential amenities of existing residents and future residents of the site will enjoy satisfactory living conditions.

Suitable access and parking can be achieved on the site and the Local Highway Authority has not raised objections to the proposal. Other technical matters have also been addressed within the application.

The loss of the trees on the site will alter the character and appearance of the site and will have some negative impact upon the visual amenities of the area. This is a consideration which weighs against the development proposal. However, in this case, the negative impacts of removing the trees from the site are considered to be

outweighed by the benefits of providing affordable housing of this size and type in the District. Replacement landscaping can be secured by condition which, in time, will help to mitigate for the loss of the existing trees.

In conclusion it is considered that the proposed development accords with the relevant policies of the Development Plan. There are no other material considerations that would indicate that the policies of the Development Plan should not be followed and approval is therefore recommended, subject to conditions as set out at the beginning of this report.

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