

PLANNING COMMITTEE

Minutes of a meeting held at the Council Offices, Narborough

THURSDAY, 8 MAY 2025

Present:-

Cllr. Lee Breckon JP (Chairman)
Cllr. Mike Shirley (Vice-Chairman)

Cllr. Roy Denney

Cllr. Helen Gambardella
Cllr. Ande Savage

Cllr. Neil Wright

Substitute:-

Cllr. Nigel Grundy (In place of Cllr. Janet Forey)

Officers present:-

Gemma Dennis	- Corporate Services Group Manager
Jonathan Hodge	- Planning & Strategic Growth Group Manager
Kristy Ingles	- Development Services Manager
Charles Ebdon	- Major Schemes Officer
Maria Philpott	- Senior Planning Officer
Stephen Dukes	- Strategic Growth Manager
Helen Wallis	- Senior Planning Officer
Charlene Hurd	- Development Services Team Leader
Sandeep Tiensa	- Senior Democratic Services & Scrutiny Officer
Nicole Cramp	- Democratic & Scrutiny Services Officer
Avisa Birchenough	- Democratic Services & Scrutiny Officer

Apologies:-

Cllr. Tony Deakin and Cllr. Bob Waterton

299. DISCLOSURES OF INTEREST

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| Cllr. Lee Breckon | - | 24/0105/FUL – Erection of 21 dwellings and associated works including demolition of existing bungalow & outbuildings. |
| Nature of Interest | - | Non-Registerable Interest
Site Of Elms Farm Bungalow, Springwell Lane, Whetstone |
| Extent of Interest | - | Cllr. Lee Breckon is employed as Clerk to Whetstone Parish Council Ward. Cllr. Breckon abstains from voting or being part of the decision making process. |
| | | |
| Cllr. Mike Shirley | - | 24/0976/OUT – Outline application for 9 new dwellings (access and layout only, all other matters reserved) and demolition of dwelling. |
| Nature of Interest | - | Non-Registerable Interest
2 Spring Gardens, Sapcote |
| Extent of Interest | - | Cllr. Mike Shirley is currently the temporary Chairman of Sapcote Parish council until 15 th May 2025, when another Chairman will be elected. This does not impede Cllr. Shirley's discussion or vote. |

300. MINUTES

The minutes of the meeting held on 10 April, as circulated, were approved and signed as a correct record.

301. APPLICATIONS FOR DETERMINATION

Considered – Report of the Major Schemes Officer.

24/0004/FUL

Hampton Oak Developments Limited

Full Planning Application for the Development of 41 Dwellings and Associated Infrastructure.

Land Off Gillam Butts, Countesthorpe

Public Speaking

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

- Cllr Richard Holdridge – Ward Member.
- Cllr Sue Kinvig – Parish Councillor
- Simon Hawley – Applicant

DECISIONS

THAT APPLICATION 24/0004/FUL BE APPROVED SUBJECT TO THE APPLICANT ENTERING INTO AN AGREEMENT PURSUANT TO SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT TO SECURE THE FOLLOWING:

- 25% Provision of Affordable Housing
- Affordable Housing Commuted Sum
- Primary Education
- Library facilities
- Civic amenity and waste facilities
- Health care facilities
- Contributions or provision of open space provisions / enhancement / management
- Contributions towards, travel packs and bus pass provision
- Recycling and refuse contribution (wheeled bins)
- S106 Monitoring – District and County Councils

AND SUBJECT TO THE IMPOSITION OF CONDITIONS RELATING TO THE FOLLOWING:

1. Statutory time limit
2. Development to be in accordance with approved plans
3. Details of all external materials to be submitted, agreed and adhered to.
4. Details of all boundary treatments to be submitted, agreed and adhered to.
5. Details of all hard landscaping to be submitted, agreed and adhered to.
6. Construction Management Plan to be submitted, agreed and adhered to during development
7. Details of site/finished floor levels to be submitted, agreed and adhered to.
8. Details of external lighting to public areas to be submitted, agreed and adhered to.

9. Arboricultural Method Statement including tree protection measures to be submitted, agreed and adhered to.
 10. All existing protected trees and boundary hedges shall be retained
 11. Soft Landscaping Scheme to be implemented in accordance with approved plans.
 12. 30-year Landscape Ecological Management Plan (LEMP) shall be submitted and agreed and adhered to.
 13. Construction Environmental Management Plan for Biodiversity (CEMP) shall be submitted and agreed and adhered to.
 14. Surface water drainage scheme to be submitted and agreed and implemented.
 15. Construction surface water drainage scheme to be submitted and agreed and implemented.
 16. Details for the long-term management and maintenance of the surface water drainage scheme to be submitted and agreed and implemented.
 17. Infiltration testing to be provided
 18. Programme of archaeological work to be completed, submitted and agreed and implemented.
 19. The development shall be carried out in accordance with the Geo-Environment Assessment.
 20. Reporting of unexpected contamination
 21. Access arrangements to be implemented in full.
 22. Parking and turning facilities to be implemented in full.
 23. Parking to be retained in perpetuity
 24. No gates, access gates, barriers, bollards, chains etc to be erected.
 25. Drainage to be provided within the site such that surface water does not drain into the public highway including private access drives.
 26. A waste collection strategy to be submitted and agreed.
 27. Bathroom windows to be obscurely glazed
 28. Removal of Permitted Development Rights for boundary treatments on selected plots
 29. Removal of Permitted Development Rights for additional floors
 30. Removal of Permitted Development Rights for additional windows on selected plots.
 31. Removal of Permitted Development Rights for extensions on selected plots.
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Considered – Report of the Senior Planning Officer.

24/0105/FUL

Mr Liam Edwards (MyPad Group)

Erection of 21 dwellings and associated works including demolition of existing bungalow & outbuildings.

Site Of Elms Farm Bungalow, Springwell Lane, Whetstone

Public Speaking

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

- Peter Cox - Objector
- Jonathan Bradbury - Agent

DECISION

THAT APPLICATION 24/0105/FUL BE APPROVED SUBJECT TO THE APPLICANT ENTERING INTO AN AGREEMENT PURSUANT TO SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT TO SECURE THE FOLLOWING:

- Provision of 100% affordable housing
- Secondary education contribution
- Library facilities contribution
- Waste facilities contribution (household waste centre)
- Refuse bin collection
- Healthcare facilities contribution
- 2 x 6 month bus passes for first occupants of each dwelling
- Travel packs for each dwelling
- Open space contributions
- Leicestershire County Council monitoring costs
- Blaby District Council monitoring costs

AND SUBJECT TO THE IMPOSITION OF CONDITIONS RELATING TO THE FOLLOWING:

1. 3 year time limit.
2. Approved plans.
3. Prior to commencement, details of site/finished floor levels to be submitted,

- agreed and adhered to.
4. Prior to commencement, a Construction Management Statement to be submitted, agreed and adhered to during the construction work (including measures relating to construction traffic and wheel washing)
 5. Prior to commencement, a Construction Ecological Management Plan including Reasonable Avoidance Measures Statement shall be submitted, agreed and adhered to during the construction work.
 6. Prior to commencement, the submission of a Landscape and Ecological Management Plan to be submitted, agreed and implemented
 7. Contamination phase II (investigation)
 8. Contamination phase III (remediation) (if required)
 9. Contamination verification (if required)
 10. Unexpected contamination
 11. Prior to the commencement of development, further details of foul and surface water drainage shall be submitted, agreed and implemented
 12. Prior to the commencement of development, details of the management of surface water drainage on site during construction of the development to be submitted, agreed and implemented
 13. Prior to the commencement of development, an Arboricultural Method Statement and Tree Protection Plan shall be submitted, agreed and adhered to
 14. No occupation until details of the long-term maintenance of the surface water drainage system shall be submitted, agreed and implemented
 15. Tree protection to be in place during construction
 16. Details of all external materials to be submitted, agreed and adhered to.
 17. Details of all hard and soft landscaping to be submitted and agreed (including boundary treatments).
 18. Agreed landscaping scheme to be carried out.
 19. Details of street lighting and individual plot lighting to be submitted, agreed and adhered to.
 20. Development to be implemented in accordance with the recommendations set out in the Habitats and Protected Species report by Paul Hickling Associates dated February 2024.
 21. Development to accord with the Noise Impact Assessment by By Acoustics dated November 2024 and mitigation measures therein
 22. No occupation until the access, parking and turning has been provided to accord with the approved proposed site layout plan
 23. Removal of PD rights – extensions, porches and outbuildings
 24. First floor bathroom window to Plot 7 to be obscure glazed
 25. EV charging points to be submitted, agreed and implemented

Considered – Report of the Development Services Team Leader.

24/0117/VAR
Wexford Retail LP,

**A Crown Estate (TCE) Company
Variation of conditions 2 and 4 of planning permission 15/0577/FUL to
facilitate the subdivision of the unit to create 2 no. separate retail units and
associated external changes**

Unit 3 Fosse Park West, Grove Way, Enderby

Public Speaking

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

- Heather Amell – On behalf of Highcross Leicester
- Craig Blatchford – Agent from Montague Evans

DECISION

**THAT APPLICATION 24/0117/VAR BE APPROVED SUBJECT TO THE
APPLICANT ENTERING INTO A DEED OF VARIATION TO THE SECTION 106
AGREEMENT ASSOCIATED WITH PLANNING PERMISSION 15/0577/FUL,
AND SUBJECT TO THE CONDITIONS SET OUT BELOW.**

1. Approved plans condition (amended condition 2).
2. Main terrace limited to 8 units, only Units 3a and 3b permitted to be less than 393 sq m and only 4 units permitted to be less than 929 sq m (amended condition 4).
3. Units 1 and 2 shall not be amalgamated (formerly condition 5).
4. Limit of 5,997 sq m gross external ground floor area for main retail terrace (formerly condition 6).
5. Limit of 4,302 sq m for mezzanine floorspace in main retail terrace (formerly condition 7).
6. Units 1 and 2 limited to Class E(a) (formerly condition 8).
7. Units 13 to 18 limited to Class E(c) and limits on floor space for each unit (formerly condition 9).
8. Limit of 5,422 sq m for Unit 1 and limit of 3,537 sq m for ground floor area (formerly condition 10).
9. Limit of 6,689 sq m for Unit 2 and limit of 2,871 sq m for ground floor area (formerly condition 11).
10. No more than 5% of any unit in E(a) use to be used for the sale of ancillary food and drink for consumption off the premises (formerly condition 12).
11. Class E(c) floorspace to be used for no other purpose (formerly condition 13).
12. Vehicular gates, etc. to service yard to be hung so as not to open outwards. Other gates, etc. to be set back a minimum of 5 metres behind the highway boundary (formerly condition 18).

13. Minimum of 881 car parking spaces to be retained in perpetuity (formerly condition 19).
 14. Landscaping scheme to be retained and any trees, etc. which die or are removed to be replaced within 5 years of original planting (formerly condition 21).
 15. Lighting scheme to be retained in perpetuity (formerly condition 28).
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Considered – Report of the Senior Planning Officer.

24/0615/OUT

Bloor Homes Limited, Mr B Crane, Mr P Crane, Mr T Crane, Ms T Price, Mr J Crane, Mrs B Downes, Mrs E Coupe, and Ms J Downes

Outline application for the demolition of buildings, alterations to existing farmhouse, and the erection of up to 145 new dwellings and creation of associated vehicular access to Hinckley Road and pedestrian/cycle access to Beggars Lane, and associated infrastructure and enabling earthworks, with all matters to be reserved except access points into the Site.

Land to the south of Hinckley Road, Leicester Forest East

Public Speaking

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

- Gary Stephens – Agent from Marrons

DECISION

THAT APPLICATION 24/0615/OUT BE APPROVED SUBJECT TO THE APPLICANT ENTERING INTO AN AGREEMENT PURSUANT TO SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT TO SECURE THE FOLLOWING:

- 25% Affordable Housing provision
- Education Contribution
- Health care facilities contribution
- Police Contribution
- Library facilities contribution
- Civic amenity and waste facilities contribution
- 2 x 6- or 12- month bus passes per dwelling
- Travel Plan monitoring fee
- Bus stop contribution
- Desford Crossroad contribution *

- Hinckley Road/A47 /Beggars Lane junction improvement contribution
- Traffic Regulation Order contribution
- Refuse bins contribution
- Cemetery facilities and maintenance contribution,
- Allotments and maintenance contribution
- Sports provision contribution
- Securing delivery and monitoring of biodiversity units are per the statutory Biodiversity Net Gain condition (HMMP requirements)
- S106 monitoring contributions– District and County Councils

*Level of contribution to be secured towards Desford Crossroads improvements to be assessed against the tests of CIL regulations and the decision on the S106 requirement is delegated to the Planning and Strategic Growth Group Manager.

AND SUBJECT TO THE STATUTORY BIODIVERSITY NET GAIN CONDITION AND IMPOSITION OF CONDITIONS RELATING TO THE FOLLOWING:

1. Development to begin within 4 years of date of permission or 2 years from reserved matters approval (whichever is the latter).
2. Reserved Matters details to be submitted.
3. Development to be in accordance with approved plans.
4. No approval to illustrative site layout.
5. Maximum number of dwellings not to exceed 145
6. Dwellings to not exceed two and a half storeys in height
7. Access to be implemented prior to occupation.
8. Off-site footway/cycleway and crossing facilities to be implemented prior to occupation.
9. Revised Travel Plan to be submitted, agreed and implemented.
10. Arboricultural impact assessment and method statement to be submitted with reserved matters.
11. Provision of appropriate mix of market and affordable housing in accordance with adopted SPD.
12. Provision of a scheme for 5% of the dwellings to be accessible and adaptable homes
13. Details of all external materials to be agreed.
14. Details of site levels/ finished floor levels to be submitted and agreed and adhered to
15. Surface water drainage scheme to be submitted and agreed and implemented
16. Foul water drainage scheme to be submitted and agreed and implemented
17. Details of management of surface water during construction to be submitted and agreed and adhered to
18. Details of long-term maintenance of surface water systems to be submitted and agreed and adhered to.
19. Infiltration testing to be carried out
20. Revised acoustics assessment to be submitted with reserved matters.
21. Construction Management Plan, including details of construction traffic management, to be submitted and agreed and adhered to.

22. Construction Environmental Management Plan (CEMP) for Biodiversity to be submitted and agreed and adhered to.
 23. Revised and updated biodiversity net gain metric to be submitted with reserved matters
 24. Biodiversity Enhancement Plan to be submitted, incorporating recommendations and mitigation strategy in submitted ecology reports, including replacement pond.
 25. Replacement hedgerow to northern boundary of site where removal required to provide access.
 26. External lighting scheme for public areas to be submitted and agreed and adhered to.
 27. Waste collection strategy to be submitted and agreed and adhered to.
 28. Structural/condition survey of farm's traditional buildings to be submitted with reserved matters. The Kingstand Farmhouse building is to be protected and retained.
 29. Level 2 historic building recording of Kingstand Farm
 30. Reserved matters scheme for farmyard adjacent to Kingstand Farmhouse to be in accordance with agreed parameters.
 31. South-eastern area of site (as indicated to be ridge and furrow area on illustrative Concept Plan) to be retained as open land with no built development.
 32. Scheme for installation of heritage interpretation panels to be submitted and adhered to.
 33. Programme of archaeological work to be undertaken, informed by a written scheme of investigation, to be submitted and agreed.
 34. Asbestos survey, remediation method statement, verification plan and verification report to be submitted
 35. Reporting of unexpected contamination
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Considered – Report of the Development Services Team Leader.

24/0976/OUT

Mr and Mrs Anthony and Linda Hatson and Moore

Outline application for 9 new dwellings (access and layout only, all other matters reserved) and demolition of dwelling.

2 Spring Gardens, Sapcote

Public Speaking

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

- Karen Brightman – Agent from Marrons

DECISION

THAT APPLICATION 24/0976/OUT BE REFUSED FOR THE FOLLOWING REASONS:

1. The application proposes the development of 9 detached dwellings on land designated as Countryside on Blaby District Council's adopted Local Plan Policies Map 2019 and as Local Green Space under Policy FV5 of the Fosse Villages Neighbourhood Plan. Policy CS18 of the Blaby District Local Plan Core Strategy (2013) states that planning permission will not be granted for built development, or other development which would have an adverse impact on the character and appearance of the landscape. The proposal would represent an unwarranted encroachment of development beyond the edge of the built-up area of Sapcote representing visual intrusion in the Countryside. Policy FV5 of the Fosse Villages Neighbourhood Plan does not support development on Local Green Spaces that would harm the openness or special character, significance or value to the community and dividing the site for 9 dwellings would not comply with the aims of Policy FV5. It is concluded that the benefits of the provision of 9 new dwellings would not outweigh the identified harm. Accordingly, the application fails to accord the relevant provisions of the National Planning Policy Framework and planning practice guidance, Policies CS1, CS2, CS5 and CS18 of the Blaby District Local Plan (Core Strategy) Development Plan Document, Policy DM2 of the Blaby District Local Plan (Delivery) Development Plan Document and Policies FV5 and FV8 of the Fosse Villages Neighbourhood Plan.
2. The proposed development would result in the loss of allotment land. It has not been demonstrated whether the loss of the allotments in Sapcote would result in an overall shortage in Sapcote or within walking distance. It has also not been demonstrated whether the land is needed for another type of open space, sport or recreation, or whether alternative provision can be provided in the local area to compensate the loss. It is considered therefore that the loss of the use of this green space would be unacceptable and would fail to accord with the Open Spaces Audit (2019), Policy CS15 (as updated) of the Blaby District Local Plan (Delivery) Development Plan Document and Policy FV5 of the Fosse Villages Neighbourhood Plan.
3. The applicant has failed to demonstrate that safe and suitable access for all users would be provided as required by paragraph 115 of the National Planning Policy Framework (2024), Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document, Policy DM8 of the Blaby District Local Plan (Delivery) Development Plan Document and Policy FV6 of the Fosse Villages Neighbourhood Plan.
4. Under the statutory framework for Biodiversity Net Gain, development must deliver at least 10% increase in biodiversity relative to the pre-development biodiversity value of the onsite habitat. The applicant has provided insufficient

information to demonstrate that the biodiversity objective would be met. Furthermore, a S106 agreement has not been submitted to secure off-site gains on land outside the development site and to secure the necessary local authority monitoring payment. Accordingly, the application fails to accord with the statutory framework for Biodiversity Net Gain, the National Planning Policy Framework, the relevant planning practice guidance, Policy FV4 of the Fosse Villages Neighbourhood Plan, the Blaby District Council Planning Obligations and Developer Contributions SPD and Policies CS12 and CS19 of the Blaby District Local Plan (Core Strategy) Development Plan Document.

5. The applicant has provided insufficient information as regards the potential impacts of the development on protected species and the scope to avoid or mitigate any impacts. Accordingly, the proposal fails to accord with the provisions in the National Planning Policy Framework and planning practice guidance relating to conserving and enhancing the natural environment, Policy CS19 of the Blaby District Local Plan (Core Strategy) Development Plan Document and Policy FV4 of the Fosse Villages Neighbourhood Plan.
6. The layout of the proposal provides an unacceptably designed development. The irregular area of the site and location of the access results in an excessive internal roadway alongside plot 1 and the layout fails to present a “fair face” to the surrounding land and roads. The layout fails to ensure the trees and hedgerows can be retained and enhanced in a manner which would not result in implications for useable private amenity space on plots 3, 4, 5 and 6 and without overshadowing the dwellings on plots 5, 6, 7, 8 and 9. Accordingly, the proposal does not accord with the provisions in the National Planning Policy Framework and planning practice guidance relating to design quality, Policies CS2 and CS18 of the Blaby District Local Plan (Core Strategy) Development Plan Document, Policy DM2 of the Blaby District Local Plan (Delivery) Development Plan Document and Policies FV6 and FV8 of the Fosse Villages Neighbourhood Plan.
7. The applicant has failed to demonstrate that the layout and design of the development would enable the District Council's refuse vehicles to enter and turn around safely within the site to collect household waste to fulfil their statutory duties and the layout does not make provision for adequate and suitably located bin collection points. Accordingly the proposal fails to accord with the provisions in the National Planning Policy Framework and planning practice guidance in relation to quality of design, Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document, Policy FV6 of the Fosse Villages Neighbourhood Plan, Policy DM8 of the Blaby District Local Plan (Delivery) Development Plan Document and the Blaby District Council Waste Storage and Collection Guidance for New Developments.

THE MEETING CONCLUDED AT 6.58 P.M.