

DATE: 26 August 2025
MY REF: Planning committee
YOUR REF:
CONTACT: Democratic Services
TEL NO: 0116 272 7638
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To Members of the Planning Committee

Cllr. Lee Breckon JP (Chairman)
Cllr. Susan Findlay (Vice-Chairman)

Cllr. Tony Deakin
Cllr. Roy Denney
Cllr. Janet Forey

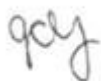
Cllr. Helen Gambardella
Cllr. Richard Holdridge
Cllr. Bob Waterton

Cllr. Neil Wright

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the Council Chamber - Council Offices, Narborough on **THURSDAY, 4 SEPTEMBER 2025** at **4.30 p.m.** for the transaction of the following business and your attendance is requested.

Yours faithfully



Gemma Dennis
Corporate Services Group Manager and 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 - 8)

To approve and sign the minutes of the meeting held on 31 July 2025 (enclosed).

- 4. Applications for Determination (Pages 9 - 216)

MEMBERS SHOULD NOTE THAT ALL LETTERS OF REPRESENTATION AND CONSULTATION RESPONSES WILL BE SUMMARISED IN THE COMMITTEE REPORTS. BACKGROUND PAPERS TO REPORTS WILL BE AVAILABLE TO VIEW ON THE COUNCIL'S WEBSITE.

PLANNING COMMITTEE

Minutes of a meeting held at the Council Offices, Narborough

THURSDAY, 31 JULY 2025

Present:-

Cllr. Lee Breckon JP (Chairman)
Cllr. Susan Findlay (Vice-Chairman)

Cllr. Tony Deakin
Cllr. Roy Denney
Cllr. Janet Forey

Cllr. Helen Gambardella
Cllr. Richard Holdridge
Cllr. Bob Waterton

Cllr. Neil Wright

Officers present:-

Jonathan Hodge	- Planning & Strategic Growth Group Manager
Michelle Hill	- Development Services Team Leader
Rebekah Newman	- Senior Planning Officer
Joel Archer	- Planning officer
Rebecca Sells	- Legal Advisor
Katie Brooman	- Elections and Governance Manager
Sandeep Tiensa	- Senior Democratic Services & Scrutiny Officer
Avisa Birchenough	- Democratic & Scrutiny Services Officer
Nicole Cramp	- Democratic & Scrutiny Services Officer

72. DISCLOSURES OF INTEREST

- | | |
|--------------------|---|
| Cllr. Neil Wright | - 25/0267/OUT - Demolition of an existing industrial building (Class B2) and ancillary office (Class E(g)(i)) and erection of buildings providing up to 3,546sq.m. of Research and Development / light industrial (Class E(g)(ii)(iii)) floor space, the closure and relocation of a vehicular access (all matters reserved except for access and scale). |
| Nature of Interest | - Non-Registerable Interest
Thurlaston Sawmills Ltd, Enderby Road, Thurlaston |
| Extent of Interest | - Cllr. Wright lives in Thurlaston and is known to the owner of The Wood Yard. Cllr. Wright's wife, Cllr. Maggie Wright is speaking at the Committee today as District Councillor for the Fosse Normanton Ward. |

73. MINUTES

The minutes of the meeting held on 3 July, as circulated, were approved and signed as a correct record.

74. APPLICATIONS FOR DETERMINATION

Considered – Report of the Development Services Team Leaders

24/0574/OUT

Outline planning application for the redevelopment of the site for up to 200 residential dwellings including re-siting of existing retail/leisure/sui generis uses, demolition of existing buildings and creation of public open space, highways and drainage infrastructure (all matters reserved except for access).

Blaby Golf Range, Lutterworth Road, Blaby

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. Paul Hartshorn – Ward Member
- Graham Harding – Parish Member
- Marie Stacey – Applicant/Agent

DECISION

THAT APPLICATION 24/0834/OUT BE REFUSED FOR THE FOLLOWING REASON:

Reason for Refusal 1: Green Wedge Encroachment. The proposed development would inappropriately encroach upon the designated Green Wedge, leading to the further undesirable coalescence of Blaby with Whetstone and Countesthorpe. This would fundamentally undermine the Green Wedge's strategic objectives by failing to preserve its open and undeveloped character, disrupting vital green networks, and diminishing existing public access for recreation, thereby conflicting with Policy DM2 of the Blaby District Council Local Plan Delivery DPD and CS16 of the.

Reason for Refusal 2: Loss of Recreational Facility. The proposed development would result in the regrettable loss of Blaby Golf Centre, creating a significant deficit in the District's recreational provision. This loss is particularly impactful as the facility prioritises resilient, adaptable amenities that support foundational participation and beginner pathways, which are crucial for futureproofing golf provision in the area. This is contrary to Policy CS15 of the Blaby District Council Core Strategy and paragraph 103 of the National Planning Policy Framework (NPPF).

Reason for Refusal 3: Insufficient Commercial Mitigation. The proposed development fails to adequately demonstrate that sufficient new commercial floorspace will be created to effectively mitigate the loss of existing businesses on the site. This deficiency contravenes Policy CS6 of the Core Strategy and Policy SA3 of the Blaby District Council Local Plan Delivery DPD.

Considered – Report of the Senior Planning Officer

25/0267/OUT

Demolition of an existing industrial building (Class B2) and ancillary office (Class E(g)(i)) and erection of buildings providing up to 3,546sq.m. of Research and Development / light industrial (Class E(g)(ii)(iii)) floor space, the closure and relocation of a vehicular access (all matters

reserved except for access and scale).

Thurlaston Sawmills Ltd, Enderby Road, Thurlaston

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. Maggie Wright – Ward Member
- Paul Smith – Applicant/Agent

DECISION

THAT APPLICATION 25/0267/OUT BE APPROVED SUBJECT TO THE APPLICANT ENTERING INTO A SECTION 106 AGREEMENT TO SECURE THE FOLLOWING:

- **S106 monitoring contributions – District and County Councils, including Biodiversity Net Gain.**
- **LCC Highways monitoring fee.**

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

1. Statutory outline condition.
2. Submission of reserved matters – layout, appearance and landscaping.
3. Development in accordance with approved plans and documents.
4. Use of development limited to Class E(g)(ii)(iii) (research & development / light industrial) only, with ancillary office accommodation.
5. Site layout to be agreed at reserved matters stage.
6. Requirement to submit a necessary programme of archaeological work prior to demolition or commencement of development.
7. Requirement to submit a Demolition and Method Statement prior to demolition or commencement of development.
8. All mitigation measures and works to be carried out in accordance with Ecological Impact Assessment.
9. Requirement to submit a Construction Environmental Management Plan (CEMP: Biodiversity) prior to demolition or commencement of development.
10. Requirement to submit a Biodiversity Enhancement Strategy prior to demolition or commencement of development.
11. Requirement to submit Lighting Design Strategy for Biodiversity prior to beneficial use of the application site.

12. Requirement for a Habitat Management and Monitoring Plan prior to commencement of development.
 13. Requirement to submit an Amended Framework Travel Plan prior to first occupation.
 14. Access arrangements to be implemented as per Proposed Site Layout drawing prior to first occupation.
 15. The new vehicular access must not be used for a period exceeding one month unless all existing vehicular accesses on Enderby Road have been closed permanently.
 16. Requirement to submit a Construction Traffic Management Plan prior to commencement of development.
 17. No gates, barriers, bollards, chains etc to be erected to the vehicular access within 10m of the edge of the public highway.
 18. Requirement to submit site drainage details prior to first occupation.
 19. Requirement to submit a Surface Water Drainage Scheme prior to commencement of development.
 20. Requirement to submit surface water management details during construction prior to commencement of development.
 21. Requirement to submit long-term maintenance of surface water drainage system prior to first occupation.
 22. Requirement to carry out infiltration testing prior to commencement of development.
 23. Proposed industrial units to be limited to 2-storeys in height.
 24. A pedestrian access gate shall be provided to the site's southern boundary, to provide access to the Public Right of Way, prior to first occupation. Details to be agreed at reserved matters stage.
-

Considered – Report of the Planning Officer

25/0459/FUL

First floor extension to replace existing conservatory

Enderby Leisure Centre, Mill Lane, Enderby

DECISION

THAT APPLICATION 25/0459/FUL BE APPROVED SUBJECT TO THE CONDITIONS SET OUT BELOW.:

1. 3 year time limit.

2. Approved plans.
 3. Materials as per approved plans.
-

THE MEETING CONCLUDED AT 5.31 P.M.

Blaby District Council

Planning Committee

Date of Meeting 4 September 2025
Title of Report Applications for Determination
Report Author Development Services Team Leader

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 **26 August 2025** 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
	24/0398/FUL	11	Land To The South Of Ratcliffe Drive, Peers Way And Preston Way Huncote	APPROVE
	24/0734/FUL	83	Soars Lodge Farm, Foston Lane, Foston	APPROVE
	24/0760/OUT	166	Land North of Sycamore Way, Littlethorpe	APPROVE

- 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:

[Search for Applications - Blaby District Council](#)

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

Charlene Hurd Development Services Team Leader
planning@blaby.gov.uk 0116 272 7705

24/0398/FUL

Registered Date

Jelson Homes

3rd May 2024

Residential development (Class C3) of 154 dwellings (accessed off Peers Way and Preston Way) with landscaping, open space, access works and associated infrastructure.

**Land To The South Of Ratcliffe Drive, Peers Way And Preston Way
Huncote**

Report Author: Rebekah Newman Senior Planning Officer

Contact Details: Council Offices. Tel: 0116 272 7778

RECOMMENDATION:

THAT APPLICATION 24/0398/FUL BE APPROVED SUBJECT TO THE APPLICANT ENTERING INTO A SECTION 106 AGREEMENT TO SECURE THE FOLLOWING:

1. Provision of 25% affordable housing
2. Early years education contribution
3. Primary education contribution
4. Secondary education contribution
5. SEND education contribution
6. Health care facilities contribution
7. Library facilities contribution
8. Waste facilities contribution
9. Recycling and refuse contribution (wheeled bins)
10. Leicestershire police contribution (police vehicles and identification technology)
11. On-site MUGA / LEAP
12. On-site open space and future maintenance (including a MUGA / LEAP)
13. Off-site sports facilities contribution
14. Travel packs
15. Bus passes
16. Residential Travel Plan monitoring fee
17. On-site Biodiversity Net Gain Provision
18. Appointment of a Travel Plan Co-ordinator (from commencement of development until five years after the occupation of the last unit)
19. S106 monitoring contributions - District and County Councils (including Biodiversity Net Gain)

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

1. Statutory 3-year condition.
2. Development to be built in accordance with approved plans and documents.

3. All windows, front and garage doors to be finished in colour shown in House Type and Garage Type packs.
4. Material Schedule to be provided prior to above ground development.
5. Details of solar panels to be submitted and agreed in writing prior to installation.
6. Site Investigation, Method Statement and Verification Plan (Contamination) to be submitted and agreed prior to commencement of development. Remediation works shall be completed in accordance with the approved method statement.
7. If contamination not previously identified is found then a remediation strategy is required.
8. Bin Collection Points and Bin Storage Points to be provided and retained as per Boundaries and Bins Plan.
9. Removal of Permitted Development Rights for further openings / windows within the first-floor side elevation of certain plots, unless obscure glazed and non-opening.
10. Obscurely glazed windows shall be installed where such openings serve proposed bathrooms and WCs.
11. Surface water drainage scheme shall be submitted, agreed and adhered to.
12. Foul water drainage scheme shall be submitted, agreed and adhered to.
13. Details for the management of surface water on site during construction to be submitted for approval.
14. Details for the long-term maintenance of the surface water drainage system to be submitted for approval prior to occupation.
15. Infiltration testing to be carried out before any development commences.
16. Details of site levels / finished floor levels to be submitted, agreed and adhered to prior to any above ground construction.
17. Plot frontage landscaping scheme shall be submitted, agreed and adhered to.
18. Tree protection works as per Arboricultural Impact Assessment shall be adhered to.
19. Landscape Ecological Management Plan to be submitted for approval prior to occupation.
20. Details of external lighting to be submitted, agreed and adhered to.
21. Construction Environment Management Plan to be submitted, agreed and adhered to (hours of works and deliveries, noise and vibration mitigation, dust mitigation and temporary lighting details).
22. Noise attenuation measures as per Noise Assessment shall be adhered to and validation statement to be submitted and agreed.
23. Construction Traffic Management Plan to be submitted and agreed before any development commences.
24. Access arrangements as per plan to be implemented in full prior to occupation.
25. A scheme for off-site pedestrian works between the development site and Huncote village centre to be submitted and agreed prior to occupation.
26. A scheme for the offsite highway works at the B4114 Coventry Road / Huncote Road junction to be submitted and agreed prior to occupation.

27. Parking and any turning facilities as per plan to be implemented prior to occupation and maintained in perpetuity.
28. Access drive (and any turning space) to be surfaced with tarmac or similar prior to occupation and maintained in perpetuity.
29. No vehicular access gates or other such obstructions shall be erected at vehicular access points.
30. Measures and incentives in submitted Travel Plan to be implemented in full prior to first occupation.
31. A scheme for the treatment of the PROW (V121) to be submitted and agreed prior to first occupation.
32. Construction Environment Management Plan for biodiversity to be submitted and agreed before any development commences.
33. Updated protected species survey shall be submitted and agreed prior to commencement of development (survey to be carried out within 3 months of likely commencement works).
34. Protected species mitigation measures to be implemented to best practice guidance.
35. Landscape and Ecological Management Plan to be submitted and agreed prior to commencement of development.
36. No piling shall take place until a Piling Method Statement has been submitted and agreed.

NOTES TO COMMITTEE

Relevant Planning Policy

Blaby District Local Plan (Core Strategy) Development Plan Document (February 2013)

- Policy CS1 - Strategy for Locating New Development
- Policy CS2 - Design of New Development
- Policy CS5 - Housing Distribution
- Policy CS7 - Affordable Housing
- Policy CS8 - Mix of Housing
- Policy CS10 - Transport Infrastructure
- Policy CS11 - Infrastructure, Services and Facilities to support growth
- Policy CS12 - Planning Obligations and Developer Contributions
- Policy CS14 - Green Infrastructure
- Policy CS15 - Open space, sport and recreation
- Policy CS18 - Countryside
- Policy CS19 - Bio-diversity and Geo-diversity
- Policy CS20 - Historic Environment and Culture
- 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 (February 2019)

Updated Core Strategy Policy CS15 - Open Space, Sport and Recreation

Policy DM2 - Development in the Countryside

Policy DM4 - Connection to Digital Infrastructure

Policy DM8 - Local Parking and Highway Design Standards

Policy DM11 - Accessible and Adaptable Homes

Policy DM13 - Land Contamination and Pollution

Policy DM15 - Mineral Safeguarding Areas

Leicestershire Minerals and Waste Local Plan (2019)

Policy M11 - Safeguarding of Mineral Resources

Fosse Villages Neighbourhood Plan 2018 - 2029 (June 2021)

Policy FV1 - Road Traffic

Policy FV3 - Bus Services

Policy FV4 - Biodiversity

Policy FV6 - Design

Policy FV7 - Housing Provision

Policy FV8 - Windfall Housing

Policy FV12 - Housing Mix

National Planning Policy Framework (NPPF)

Planning Practice Guidance (NPPG)

Other Supporting Documents

National Design Guide - Planning practice guidance for beautiful, enduring and successful places

Leicestershire Highways Design Guide (2024)

Blaby District Council Active Travel Strategy (2024)

Blaby District Council Local Cycling and Walking Infrastructure Plan (2024)

Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Document (2024)

Blaby Landscape and Settlement Character Assessment (2020)

Blaby District Council Open Space Audit (2019)

Blaby Playing Pitch Strategy & Action Plan (2020)

Blaby Residential Land Availability Report (2024)

Blaby Strategic Flood Risk Assessment Level 1 Final Report (2020)

Leicester and Leicestershire Housing Market Area Housing and Economic Land Availability Assessment (SHELAA) 2019

Leicester and Leicestershire Housing and Economic Needs Assessment (HENA) 2022

Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document (2013)

Building for a Healthy Life Toolkit (BfHL) (2020)

Blaby District Council Housing Strategy 2021 - 2026

Blaby District Council Waste Storage and Collection Guidance for New Developments

Blaby District Council New Development Quick Reference Guide - Waste Storage and Collection

CONSULTATION SUMMARY

Active Travel England - Referred to standing advice.

Blaby District Council Active Travel Officer -

- Limited reference to either walking or cycling in the DAS and no mention of wheeling or similarly constrained travel options
- TP Coordinator to share monitoring and evaluation feedback with the Active Travel team, as well as LCC
- Detail how the site will connect with public transport e.g. wayfinding signage and appropriate lighting
- Footway to be installed between plots 141 / 142 and 114.
- Contribution to the installation of a suitable raised table Toucan crossing between Daultry Road and Denman Lane
- Provision of cycle storage, especially for homes without a garage

Blaby District Council Environmental Services - June 2024: Requested the provision of a Contaminated Land Desktop Study. If the Study recommends an Intrusive Investigation, this should be undertaken and submitted prior to determination. The applicant subsequently provided a Contaminated Land Report. The consultee has requested for the outcome of the intrusive ground investigation be provided either prior to determination or as a pre-commencement condition.

Requested a condition requiring a detailed scheme of noise attenuation based upon the submitted Noise Assessment, including validation that the property protection measures have been installed correctly, and that the predicted noise levels in the external amenity areas have been received.

Requested a condition requirement the submission of a CEMP, which should include proposed hours of site works and deliveries, together with measures to mitigate noise, vibration, temporary lighting, dust and other airborne emissions. Applicant to confirm whether piling is likely to be required at the site. Applicant has confirmed that standard strip foundations will be used, rather than piling.

Blaby District Council Health & Recreation - Requested a financial contribution of £204,540, comprising of funding towards:

- Artificial grass pitches - £37,736
- The changing pavilion at the proposed 3G pitch site at Stoney Stanton Memorial fields - £136,143
- Pitch improvement at Huncote Sports Club - £30,661.

Blaby District Council Neighbourhood Services - June 2024: Identified a number of plots with issues in terms of drag distance with bin collection points and storage points.

October 2024: No objections.

Environment Agency - made no formal comments.

Huncote Parish Council - June 2024:

“Having received comments from parishioners regarding this application at a parish council meeting held at 6:00pm on 18th June 2024, Huncote Parish Council wishes to submit the following objections, observations and comments on this proposed residential development - Residential development (Class C3) of 154 dwellings (accessed off Peers Way and Preston Way) with landscaping, open space, access works and associated infrastructure: -

1) Objection: The planning application refers to access being provided from two access points - Peers Way and Preston Way, but makes no recognition of the fact that both of these roads are accessed only via Daultry Road at its junction with Narborough Road, and there is no traffic modelling data on the impact on this junction included in the application documents. (planning statement, Design and Access Statement, or the Transport Assessment)

2) Objection: The planning application does not include any evidence to ensure the proposed illustrative site plan is adequate to ensure necessary access for emergency vehicles and roadside waste collections are achievable. Evidence should be provided to illustrate emergency/waste collection vehicles can adequately

turn into/out of the development from Peers Way/Preston Way and what impact this will have on vehicles parking opposite Daultry Road. (11/0133/1/OX - Conditions 2a & 2e)

3) Objection: The Planning Statement paras 4.12 and 8.7 as well as indicative street scene and the Design and Access Statement pp28 suggests/states some 2.5 and 3-storey properties, this falls outside the FVNP H32 requirements for properties to stay at 2-storey, and doesn't meet requirements in policy FV6 and FV12.

4) Comment to require additional conditions should this application be approved: To consider a greater installation of solar panels on the South-Westerly as well as South Easterly roofline of the properties, up to the maximum number allowed for each of the properties, to reduce utility bills. (CS1viii, CS5-viii, CS10-viii)

5) Comment to require additional conditions should this application be approved: When reviewing the potential for expanding housing provision in Huncote, the Planning Inspector (APP/T2405/W/15/3135801 Condition 14) wanted the footway from Huncote to Narborough to be widened along Huncote Road. Ultimately this wasn't possible because the land wasn't in the ownership of the developer making that application, it was in Jelson's. As Jelson are now applying for further expanding housing within Huncote, we want a condition to be added for them to provide a wider footway for increased pedestrian safety from this site towards Narborough along Huncote Road. (Policy CS10) [see plans of footway attached]

6) Comment to require additional conditions should this application be approved: To mitigate disruption to an already fragmented public transport service, conditions are requested to ensure an onsite wheel-wash is provided, similar to condition 23 of 11/0133/1/OX. Further conditions should also be included to ensure the impact on the hourly bus service (Arriva X84) and Demand Response Transport Scheme (DRT) is kept to a minimum. (11/0133/1/OX - Conditions 23, 24 & 25, Policy CS10, FV3)

Recommendation: Conditions should be included to require the developer to pay towards both scheduled and demand-responsive bus services.

7) Objection: There are limited local employment opportunities accessible by public transport. [PPS1] Those who must work shifts are almost certain to have difficulty accessing convenient public transport.

8) Comment to require additional conditions should this application be approved: An increase in traffic density particularly at peak times is likely to cause an increase in the use of alternative routes (rat runs) the main roads being: -

a) Denman Lane, Huncote

Forest Road within the historic village part of Huncote is already congested, in part by the amount of housing built without drives, garages or off-street parking before cars were in common use, and in part with the width of the road. Denman Lane is an access-only road, so redirecting traffic along it would be inappropriate. The restricted access is a matter of traffic law and cannot be overridden by Blaby DC. Any motor vehicle using Denman Lane is subject to prosecution by the police and it is an offence that carries penalty points and a fine. This is also unsuitable for through-traffic acknowledging the location of the primary school, with an advisory 20 M.P.H.

limit on a double-blind corner of the road. To build one hundred and fifty-four additional houses and allow them to use Denman Lane as a 'cut through' would be inappropriate and unsafe for all the children and parents travelling to the school.

b) Hardwick Road & Huncote Road, Narborough

At peak times, there can be a significant traffic hold-up where most traffic leaving Huncote joins the B4114 at Narborough. While the junction was amended as a condition of 15/0115/OUT, adding additional traffic to this junction will only make things worse. To bypass potential traffic hold-ups caused by this development, some traffic is anticipated to use the Hardwick Road alternative in Narborough which is also unsuitable for heavy traffic use. Again, with a further one hundred and fifty-seven houses, this problem is likely to worsen.

c) Desford Road/Forest Road junction, opposite Mandalay

At peak times, there can be a significant traffic hold-up where traffic leaving Huncote joins the B582 in Enderby. Traffic from Next and Fosse Park (through Enderby) can cause significant delays to anyone trying to access/egress this junction as they head to/from Desford crossroads. We would recommend that a condition be added to look to add traffic signals to this junction.

Recommendation: Conditions should be included to ensure all construction traffic access/exits the development from Huncote Road, Narborough/B4114 to reduce the impact of traffic through the village, supported by the use of signage. (11/0133/1/OX - Conditions 2e & 24)

Recommendation: Conditions should be included to look to formalise the Huncote Road junction of the B4114, in Narborough, to add traffic lights to the junction, to improve the flow; particularly for those turning right out of Huncote Road towards Sharnford.

9) Objection: Public transport is presently under further review by the bus companies. We believe that the expectation for these services to still remain for any future new residents is increasingly less optimistic, reducing sustainability, and should be given due consideration. [Core Strategy/PPS1/NPPF 31, 32, 34, 39]

10) Objection: We believe the volume of traffic from this site along Narborough Road, interacting with ever-increasing traffic levels through the village, will have a detrimental impact on the safety of pedestrians wishing to cross to the Denman Lane side of Narborough Road to access the primary school, Huncote Cemetery and the facilities at the Pavilion on Forest Road, and with an equal impact of residents crossing in the opposite direction to access the nature trail and the public open spaces on Peers Way/Preston Way and those proposed within this development.

Recommendation: The developer is asked to provide a safe pedestrian crossing across Narborough Road, to further mitigate potential incidents between vehicles and pedestrians, and provide a safe route for those accessing village amenities.

11) Objection: The area is of a pleasant countryside nature adding amenity value to local properties and the surrounding area which will be decreased if this development happens. [Policy C1/C2]

12) Objection: Building on a "Greenfield Agricultural Site" directly contravenes the DEFRA Policy for the development of food production as announced at the Oxford Farming Conference 2010.

13) Objection: The district council's Core Strategy sets a long-term vision for the development of the area to 2029. The development strategy focuses most development in the Leicester Principal Urban Area. The Core Strategy proposes that Huncote should accommodate 140 dwellings over the plan period. Blaby District Council's quota of required consents (i.e. houses that have permission to be built) has already been exceeded by already agreed planning applications in the Littlethorpe, Huncote, Cosby, Croft and Sapcote area (815). [Core Strategy/NPPF 214/216]

14) Objection: The listed village amenities (Planning Statement 2.8) don't include any references to an examination of public health capacity in existing local doctors/chemists etc. We strongly believe that local capacity is an issue, which needs to be addressed, and just adding extra houses without any additional provision should not be acceptable.

15) Objection: The listed village amenities (Planning Statement 2.7) don't include any references to an examination of increased loading of capacity (particularly car parking) on existing village amenities. Adding new houses shouldn't ignore existing issues. Recommendation to require additional conditions should this application be approved: The developer should look to fund a pedestrian crossing from the shops across Main Street, to allow safe pedestrian access up Forest Road towards Huncote Leisure Centre.

16) Objection: The planning statement (4.9) lists proposals for 39 affordable homes. Appendix II shows the location for 6 of these to be adjacent to properties on Ratcliffe Drive/St James Close. Our community has requested that these properties be switched to elsewhere on the site, so they are not adjacent to existing properties.

17) Clarification required should planning be approved: 4.4 of the Planning Statement indicates a foul water pumping station will be provided. It would be helpful to understand if Severn Trent Water can confirm that providing fresh water for the development will not have a detrimental effect on existing provision for the village. Recommendation: Conditions should be included to look to improve fresh water supply capacity, if existing capacity is unsustainable.

18) Comment to require additional conditions should this application be approved: Flood risk assessed as very low in various docs. STW statement goes along with that but have they actually assessed real time data of existing systems to model against?

19) Objection: While the new Blaby Local Plan is currently being prepared, there is significant potential to damage public opinion about the potential for the project and gaining their cooperation in determining how development should be placed. We believe that this should be given greater significance, as losing the public at this stage will have greater knock-on effects for future development possibilities. The Fosse Villages Neighbourhood Plan: Update (2024) was recently approved [30 January 2024] where references to this being ignored in the Planning Statement

exist [7.34] this should not be so, and the Neighbourhood Plan should be fully considered in determining this application. [Page 44 Core Strategy/NPPF 214/216]

20) Objection: Planning Statement 7.30 - 7.34 challenges the Fosse Villages Neighbourhood Plan: Update (2024), specifically FVNP FV7, FV8, and the Neighbourhood Plan as not being viable policy. We believe this to be viable and having only so recently having been approved by the Planning Inspector, do not find it to be out of date. The developer's statement re Planning Balance in 7.40 is also very subjective, and we do not believe it to truly reflect the current position.

21) Objection: We do not believe the stated figures to be accurate at the time the development will be built as Parish Council figures have already drawn County Highway assessments into question, and there will be a significant increase in vehicle traffic due to much of the data being compared to times during the pandemic when vehicles weren't on the road. [See copy of VAS sign data report] 2024-01-10_2024-06-13_Na.pdf

22) Objection: Huncote Parish Council believe the road network in Huncote, particularly in the Forest Road area is already overloaded. This development will cause considerable disruption, particularly during the development stage, and we fear that in the long-term the additional traffic could cause problems, particularly at the Forest Road/Narborough Road/Main Street/Brook Street junction junctions. Access for emergency vehicles also needs to be considered. The kerbside opposite the existing entrance to the development at Daultry Road is regularly used for vehicle parking, making it significantly disruptive to any potential increase in traffic using the junction to this site and unsafe to motorists/pedestrians transiting past the junction.

23) Objection: The Planning Inspector's report for APP/T2405/A/13/2198620 - Proposed residential development for 67 dwellings, associated infrastructure, open space and landscaping (Outline) - Land off Denman Lane, Huncote, Leicestershire (Updated scheme) - Easting: 4518110 Northing: 2978690 pointed out that the development was unsustainable due to the unrealistic expectation of residents to use public transport and not the car. It would conflict with the aim of CS Policy CS10 to reduce the need to travel by private car by locating new developments so that people can access services and facilities without having to rely on it. (Appeal Decision APP/T2405/A/13/2198620 para 15-20, CS10-xi)

24) Objection: Allowing the building to go ahead will have a detrimental effect on Protected Wildlife in the area, with the fields proposed for building currently allowing regular sightings of Barn Owls, Tawny Owls, Sparrow Hawks, Buzzards, Red Kite, Lapwings (on RSPB Red list), Bats, Great Crested Newts (protected) and other wildlife. Huncote Parish Council believe an additional, independent habitat survey should be fully carried out to provide full evidence of the impact on wildlife of this development.

25) Objection: The proposed development is placed between the existing village of Huncote and Croft Quarry on the illustrative master plan. While not currently active in removal of rock, other onsite businesses still operate and the Quarry recently received planning approval for an extension to operations at the site. When

extracting, the quarry can generate considerable legitimate noise, dust and vibration (when blasting for extracting rock), both in the daytime and sometimes in the evenings. This noise, dust and vibration is liable to cause disturbance and friction between the residents and the quarry. We believe the extent of this noise will be slightly reduced by the positioning of windows and bedrooms away from quarry site to the south-west of this development.

a. Comment to require additional conditions should this application be approved: Should the application be approved, can we have an assurance that prospective new residents will be made aware of such potential noise, dust and vibrations, which are legitimate, before purchasing, leasing or renting such properties, and will have to sign a binding waiver that there will be no complaints about such noise, dust or vibrations? Windows and vent treatments should be designed in such a way as not to promote letting noise or dust into any new properties.

b. Comment to require additional conditions should this application be approved: Should the application be approved, the developer should be able to provide a health impact needs assessment and air quality management assessment around active quarrying operations from Croft+Huncote Quarry.

26) Comment to require additional conditions should this application be approved: Any approval given for this application given by Blaby District Council should only be given where the full amount possible of S.106 monies are given to Huncote Parish Council for improving and maintaining play area equipment. Specific figures can be provided upon request.

27) Observation: The provision of schools, particularly at the primary level is currently adequate and can cope only with a small increase in population and children, and Huncote Parish Council appreciate the effort made by Blaby District Council to minimise disruption to current residents in the relocation.

Objection and Comment to require additional conditions should this application be approved: The school is currently experiencing an issue with flooding on its western boundary, which impacts the pupils' ability to go outside on wet days. By increasing pupil numbers with added development this will make staying inside even tighter on space per pupil. We would like to see the developer required to improve the drainage at the school, to reduce the potential for such issues occurring.

28) Objection and Comment to require additional conditions should this application be approved: The mix of house types includes seven (7) one-bed properties. We know that Blaby D.C./EMH do not like to use one-bedroom accommodation for their rented houses and we have concerns about the usage of such accommodation in the semi-rural environment of Huncote. These are presumably intended for elderly people but would only be suitable for ground floor flats, or for first-time buyers who may in many cases generate more noise than many families, and may also start a family and be unable to afford to move upwards and will be living in overcrowded accommodation. Accordingly, we would like to see all of the accommodation having a minimum of two bedrooms.

29) Observation: Further to the comment above and in light of the Government targets for 2027 to improve broadband provision across the country, will fibre-optic

cabling be laid within the site, capable of 1GB+ services, from houses to the connection with Denman Lane/the nearest exchange to reduce the impact on residents and improve local broadband provision? [NPPF 29, 42-46]

30) Objection: The data model for traffic movements included data from 01/2014-10/2022 (which would have included the pandemic traffic levels) within this application - surely this can be agreed as not a reliable data baseline for calculation traffic volume growth? The inclusion of this data, gives the traffic summary a twisted perspective, and is not wholly believable. Again, with no specific assessment of Daultry Road/Narborough Road in the planning statement, Design and Access Statement, or the Transport Assessment, any considerations of additional traffic on this junction seem to have been ignored by the developer.

31) Objection: The developer's Environmental Impact Assessment states no/low impact from the planning proposal. As this was carried out using old data as part of a 'desk-based' survey, we would question the credibility of this opinion and would request that a site study be undertaken before a decision is made.

32) Objection: Blaby DC's own housing needs assessment has identified that some 5-bed properties would be required. It is noticeable that none have been included by the developer (Planning Statement 4.10).

33) Objection: Many of the plans in the Design and Access Statement contain very small text as labels, e.g. Opportunities and Constraints Plan pp15. Sadly, even zoomed in to the maximum extent, many of these labels are blurred and unreadable. We would request that the developer is asked to resubmit the Design and Access Statement with all text/labels being readable and Disability Discrimination Act (1999) compliant.

34) Objection: The details submitted with the planning application cover 97 documents, however, there is believed to be insufficient explanation, plans and information about the public open space and facilities being offered for the benefit of residents. (Open Space Plan) Recommendation: As part of the s.106 requirements for the on-site open space, the developer should provide a MUGA (Multi-Use Games Area) for the free use of the community, with appropriate car parking provision. Comment to require additional conditions should this application be approved: The proposed new development should include provision for replacing the slabbed path through the main community park in Huncote on Denman Lane/Critchlow Road with a new tarmac path along the existing route, as part of any s.106 requirements.

35) Observation: It should also be pointed out that already extensive building work has been carried out in Earl Shilton, Elmesthorpe, Stoney Stanton and Broughton Astley, with more planned. This could eventually lead to one rather large block of built-up area in the surrounding countryside, with further development detracting from Huncote's rural location. (FVNP H19)

36) Objection: While parking provision is included in the application for every property [Planning Statement 8.28, Design and Access Statement pp30-31], the improvement the development will bring to accessing the nature trail at Croft Quarry (to the south of the development site) seems to have been ignored. This is particularly in view of the poor bus services in Huncote (which with County Council

funding cuts is only likely to worsen) [NPPF 31, 32, 34, 39], and the high probability of most families or couples having two or more cars as well as those for visitors, will this parking provision be adequate? How will 'overflow' cars be accommodated? The proposed 6 visitor spaces across the development seems inadequate.

a. Comment to require additional conditions should this application be approved: The proposed new development should include provision at the south of site for public open car parking to allow safe use of the nature trail without visitors impacting on residents. To aid with reducing the risk of flooding, we would ask that this be constructed grass-crete type surface or some other permeable surface.

b. Comment to require additional conditions should this application be approved: The footbridge over Thurlaston Brook would need improving to provide better access for people with disabilities.

c. It does not help that Arriva do not produce printable timetables which include stopping times in Huncote. (see timetable printed from Arriva website). We do recognise that this is not an issue the developers are responsible for, but their reliance (and that of any residents of the proposed development) on these buses is something they raise within their report as what the developer believes to be adequate.

37) Observation: We would ask that consideration be given to the problems many 1960's developments face where high-density development has been used, and also that adequate provision be made for the storage of the five bins used for refuse and recycling in Blaby District. (Design and Access Statement pp31)

38) Observation: Huncote Cemetery has finite space for further burials, and is presently approaching a near-full level of occupation. As a result of this additional land, to the rear of the cemetery, will need to be brought up to standard for future burials. Quotes to complete the necessary work start from £7,560.00 for the necessary groundwork, without additional fencing. Essential mowing and maintenance is quoted at £4,760.00 per annum; 16 cut and collect mows, for the existing and additional area. Advice received from Blaby District Council estimates Huncote's current population at 1,948. This information comes from the 2010 population estimates by broad age band (LSOA) from ONS.

Recommendation: The developer is asked to provide payment on behalf of this additional influx of residents, based on each resident potentially having the need for a personal burial space within the cemetery, and for maintenance of the existing and new space over a five-year period."

October 2024:

"In addition to the comments submitted on 03 July 2024, Huncote Parish Council wish to make the following additional comments about the above application following a direct response from the developer on 09 October 2024 and a variety of additional documentation being submitted.

Transport Technical Note - Huncote Parish Council Comments - CLARIFICATION
When reviewing the Pedestrian infrastructure to Narborough, we believe Tetra Tech

have misinterpreted the comments made by the Parish Council in the second bullet point of 3.4 and 3.7-3.10. We suggested that as County Highways require a verge of 50cm depth, the verge to the south of the highway between Huncote and Narborough can far exceed this, while the footway to the north of the highway is limited in width and forms a danger to users due to the narrow width and significant depth of the ditch. It was our assertion that the footway to the north of the highway could be widened into the existing carriageway, and land on the southern side could be used to return the carriageway to its current width. We were only looking for a single, wider footway on the northern side of Narborough Road, between Daultry Road and Finch Way. The file Road Cross Section 2 illustrates the suggestion, either leaving the ditch open as it is presently, or piping the ditch to allow the potential for the footway to be made even wider.

Proposals for installing tactile paving at crossing points are welcomed at Ratcliffe Drive and St James Close, as well as the minor footway widening at The Red Lion PH, with associated centreline and realignment of the northern kerb line.

We would suggest that the proposal for a pedestrian crossing on Narborough Road could be best implemented on the Western side of Denman Lane, adj 25 Narborough Road as there is a wide footpath here, to allow easier amenity access to Huncote Village Green, in line with the village sign, and access to Huncote Community Primary School, via School Lane footpath (V86) to the school's rear entrance, which would only require pedestrians to cross The Green, which is a quiet cul-de-sac, providing access to 11 properties.

Change of House Types - OBJECTION

Drawing 518-SK-03 (rev C) illustrates six 3-storey properties, up from the three 3-storey properties illustrated in drawing 518-SK-03 (rev A). This is still contrary to policy FV6 and FV12 of the Fosse Villages Neighbourhood Plan, which explains at H32 that Huncote's existing housing stock is only 2-storey up to the roofline.

Traffic impact on Daultry Road - OBJECTION

No improvements have been offered to the proposals to provide access via the single junction from Narborough Road at Daultry Road. This has also been highlighted as an issue by LCC Highways, with safety at peak times of particular concern. We submit details of vehicle speeds taken from our Speed Indicator Device located just west of the Daultry Road junction onto Narborough Road. It is quite easy to see from these reports the speed of vehicles entering/departing the village can be significantly in excess of the advertised 30mph speed limit, which would pose a significant risk to anyone; vehicle or pedestrian trying to come from Daultry Road and join or cross Narborough Road.

Environmental impact - Green credentials and carbon reduction - OBJECTION

There are no details of any renewable energy schemes associated with any of the property development proposals. We are saddened that solar panels have not been indicated for any of the 154 properties, nor any details of air or ground source heat pumps. (CS1-viii, CS5-viii, CS10-viii) As regulations no longer allow new properties to have gas fired central heating installed, we would question how these properties would be heated, to ensure any new residents are not left unable to occupy the

properties during periods of extreme temperatures, which are becoming increasingly common.

Parking Provision - SUPPORT

We do support the amended parking proposals, offering 19 additional visitor parking spaces on top of existing resident spaces. We did note however that the four kerbside parking spaces in the north-east corner of the development, adjacent the potential mini MUGA/LEAP at the Preston Way access point, have not been included in the parking provision plan figures. We also support the nine visitor parking spaces on the south-western red line boundary, to support anyone visiting the nature trail at Croft Quarry using footpath V121, which should reduce parking issues around Croft Hill on Croft Hill Road.

Cumulative impact of development - OBJECTION

Additional conditions should be added in light of local planning applications such as 24/0770/FUL, 24/0793/FUL, and 24/0780/CC as well as development proposals on Huncote Road, Stoney Stanton; Land West of Stoney Stanton; HNRFI and additional traffic associated with 23/0598/AGR, to ensure that the phasing of development is considered for mitigating the impact on local residents. In addition to the comments submitted in this letter, the Parish Council would like to ensure we are still able to be considered for appropriate Section 106 monies should this proposal be approved.

Developer Contributions - S106/CIL/SIL payments MUGA Provision

We would support the provision of a MUGA on the site, and believe this should be a fully fenced facility up to 2.5m in height. We would also support the Parish Council having the MUGA transferred to it to run, subject to an appropriate maintenance payment being made to enable the facility to be operable and maintained for 25 years, or whatever the manufacturers are able to guarantee.

Public open space commitment

Any approval given for this application given by Blaby District Council should only be given where the full amount possible of S.106 monies are given to Huncote Parish Council for improving and maintaining play area equipment. Specific figures can be provided upon request. The proposed new development should also include provision for replacing the slabbed path through the main community park in Huncote on Denman Lane/Critchlow Road with a new tarmac path along the existing route, as part of any s.106 requirements.

Library Contributions Huncote Community Library, located at the rear of Huncote Methodist Church on Forest Road, is a community library run by volunteers, and is not part of the County Council's library service. The library has operated for decades, serving the village and the local community. As Huncote Community Library is actually the nearest library to the development site, we would request that Huncote Community Library receives the same funding as requested in the Leicestershire County Council Consultation Response - Planning Obligations, dated 31 October 2024, of £4,559.85.

Library Stock

The Department of Culture Media and Sport (DCMS) sets out that the standard provision of library materials (lower threshold) should be 1,157 items of stock per 1,000

population, or 1.157 items of stock per person. The average price per item added to stock in Leicestershire libraries (June 2017) is £8.70.

The MLA's assumed occupancy rates for new dwellings are as follows.

The formulae used to calculate contributions for libraries is therefore;

Total Assumed Occupancy (453)

x 1.157 (items of stock per person)

x £8.70 (average price per item of stock)

= £4,559.85

This contribution would be used at to provide improvements to this library and its facilities, including, but not limited to, books, materials, or associated equipment or to reconfigure the internal or external library space to account for additional usage of the venue arising from an increase in members to the library as a result of this development. This contribution may also be spent to fund new library provision.

This contribution would be expected to be spent within 10 years, however, for smaller, or more complex sites, this timescale will be reviewed during the drafting of the legal agreement.

Cemetery contribution

As Huncote grows, burial capacity in Huncote Cemetery will only move in the opposite direction. Huncote Cemetery has finite space for further burials, and is presently approaching a near-full level of occupation. As a result of this additional land (already owned by the parish council), to the rear (west) of the cemetery, will need to be brought up to standard for future burials. Quotes to complete the necessary work start from £7,560.00 for the necessary groundwork, without additional fencing. Essential mowing and maintenance is quoted at £4,760.00 per annum; 16 cut and collect mows, for the existing and additional area. Advice received from Blaby District Council estimates Huncote's current population at 1,948. This information comes from the 2010 population estimates by broad age band (LSOA) from ONS. Recommendation: The developer is asked to provide payment on behalf of this additional influx of residents, based on each resident potentially having the need for a personal burial space within the cemetery, and for maintenance of the existing and new space over a five-year period."

Huncote Primary School - November 2024:

"I appreciate the opportunity to discuss these developments with you and would like to raise the following concerns:

1. Jelson Site Crossing: From the planning of the Jelson site, it appears they are proposing an informal crossing with dropped kerbs and textured flooring. However, considering the safety of the young people who will be crossing this road, I feel that a zebra crossing would be much more appropriate. An informal crossing could increase the danger for young people as it may create misconceptions about how to cross safely and therefore undermine the hard work we put into this with our pupils.

2. Construction Traffic on Denman Lane: With the two building sites located on opposite sides of the village, I am concerned about construction traffic using Denman Lane as a cut-through. This could pose significant dangers to our families and the community along this road. Can the building companies ensure their construction traffic use alternative routes?

3. Green Walkway at Bloor Site (Springfield Farm): It is commendable that the Bloor site has included a lovely 'green' walkway in their plans. Could their green credentials be extended by allowing parents to use the new community hall car park as a 'park and stride' venue? This would alleviate congestion and parking issues around the school and encourage our families and young people to get some extra steps in!

4. Lack of Green Elements in Jelson's Proposal: It is disappointing that Jelson has not considered more 'green' elements in their planning proposal, especially considering the young people who will be walking along their pathways into and out of the village. A specific walkway or cycle route would be more welcomed. We are open to considering other ideas Jelson may have to ensure the safer travel of our young people."

Housing Strategy Policy Officer - June 2024: Made the following comments

- Affordable housing plots 137 - 139 to be moved away from this area of the proposed development as there is a policy requirement of no more than 6 dwellings
- Need less 3-bed properties and more 2-bed properties

October 2024: In support of the proposed housing mix.

Leicestershire County Council Archaeology - June 2024: Requested the provision of an Archaeological Impact Assessment prior to determination of the application.

October 2024: Consultee confirmed that no additional archaeological involvement is required.

Leicestershire County Council Developer Contributions Officer -

Requested a revised financial contribution for the following:

- £230,918.48 towards Early Years childcare
- £809,499.60 towards Primary education
- £438,837.92 towards Secondary (11-16) education
- £82,979.20 towards Special Education and Disabilities (SEND) education
- £3,675.98 towards waste
- £4,559.85 towards libraries

Leicestershire County Council Ecology - June 2024: Objection:

- Requested the provision of a Habitat Management and Monitoring Plan (HMMP) prior to determination of the application.

- Requested the provision of a Preliminary Ecological Appraisal (PEA) report prior to determination. The findings should be used to inform the landscape strategy and the BNG Report / Metric.

August 2024: Both revised PEA and Addendum were provided to LCC Ecology and the consultee was re-consulted:

- The consultee stressed significant concern regarding the principle of using the potential Local Wildlife Site (pLWS) as part of the proposed drainage water strategy, in particular the northwestern SuDS pond. The consultee asked for the provision of a mitigation strategy, monitoring scheme and LWS assessment.

October 2024: No objection.

Leicestershire County Council Forestry Officer -

No objections, subject to conditions.

Leicestershire County Council Lead Local Flood Authority (LLFA) - June 2024: Required further consultation by requesting the provision of additional source control SuDS to improve the quality of surface water run-off from the site, or to provide clear evidence that the proposals provide sufficient water quality treatment.

July 2024: The agent subsequently provided further evidence to demonstrate that the proposals provide sufficient water quality treatment. Following this additional information, the LLFA considered that the proposals were acceptable to the LLFA, subject to planning conditions.

Leicestershire County Council Highways Authority (LHA) - June 2024: Further information required:

- Explore the possibility of providing another vehicular access to the site.
- Provision of a Stage 1 Road Safety Audit (RSA1).
- Confirmation as to why changes have been made to the LINSIG model and whether these changes are intended to be implemented as a form of mitigation.
- Asked for Desford Crossroads to be included in the junction analysis.
- Internal layout is currently not designed to an adoptable standard and will not be considered for adoption and future maintenance by the LHA.
- Revised plan required to cover highway geometry / design comments, speed control measures between plots 112 & 88 and forward visibility splays to be detailed.
- Relocation of the footway adjacent to the kerb line and repositioning of trees and verges of the adjacent properties.
- Vehicle tracking for refuse, emergency and servicing vehicles to be provided.
- Detail location of proposed drop kerbs for PROW.
- Requested that the following is provided in terms of proposed temporary routes for the PROW:
 - Any proposed permanent legal diversion; and

- Construction of the new route (details of physical construction, width, surfacing, drainage, structures, signposting, landscaping and boundary treatments).
- Provision of revised Travel Plan.

October 2024: Further information required

- Explore the possibility of providing another vehicular access to the site.
- Provision of a Stage 1 Road Safety Audit (RSA1).
- Provision of technical drawings in relation to proposed off-site highway works.
- An updated trip distribution assessment is required to evidence that the cumulative impact of the proposed development would not result in a severe impact on the existing highway network.
- Provision of suitable mitigation based on the impact of the proposed development on the operation of the Desford Crossroads Junction.
- Internal layout is currently not designed to an adoptable standard and will not be considered for adoption and future maintenance by the LHA.
- Revised plan required to cover highway geometry / design, forward visibility and landscaping comments.
- Amendments to the PRow / footway route and proposed surfacing material.

July 2025: In its view, 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 subject to conditions and / or planning obligations.

Leicestershire County Council Minerals & Waste Management -: No objections in respect of compliance with LMWLP Policy M11. Has recommended that advice is sought from the Environmental Health Officer (EHO) in relation to the conclusions of the submitted Noise Assessment or for need for further assessment. Subject to the EHO having no objections in terms of environmental impacts, the MPA is satisfied that the proposals would not conflict with LMWLP Policy M12.

Leicestershire Fire & Rescue Service - No comments received.

Leicester, Leicestershire & Rutland Integrated Care Board (ICB) - June 2024: Requested a S106 financial contribution of £119,257.60 to provide the required healthcare facilities to meet the population increase.

Leicestershire Police Architectural Liaison - no objections to the scheme.

Requested a revised S106 financial contribution of £28,183.50, consisting of the following:

- Start up personal equipment for staff: £6,022.42
- Infrastructure and estate support: £12,727.49
- Police vehicles: £4,482.63
- Identification technology: £3,536.40
- Crime reduction initiatives: £1,414.56

National Grid Plant Protection - No comments received.

Natural England -made no formal comments. Referred to general advice.

Severn Trent Water -.No comments received.

Ward Councillor - June 2024: No comments received.

October 2024: Objection.

Raised concerns regarding the cumulative impact of the proposed development, as well as the live planning application at Springfield Farm, to the north of Huncote for 191 dwellings (ref: 24/0770/FUL) and recently permitted application at land off Thurlaston Lane, also to the north of Huncote for the installation and operation of an Energy Storage System (ref: 24/0793/FUL). The following comments were made:

- An alternative access and exit road to the new site should be requested on safety grounds
- A more formal zebra crossing should be considered to address safety concerns of children
- *"It is noted that it is not in the developer(s) gift to widen the whole footpath but where it is this should be done to make the ditches and path width safe"*
- No construction traffic should be permitted to use Denman Lane
- The routing of private traffic on Denman Lane should be carefully planned to avoid conflict outside of the school
- Mitigation measures should be collectively considered for the junction where Forest Road meets the B582. Suggests the erection of a left-hand filter lane to help address traffic congestion
- Concerns regarding future blasting at Croft Quarry. Future extraction of material is scheduled to happen and result in noise and vibration issues to future residents of the development

REPRESENTATIONS

405 letters of representation have been received. Of which, 5 letters of support in regards to:

- Supporting the provision of affordable housing
- Additional housing will contribute towards the housing crisis

Whereas 400 letters of objection to the scheme have been received, relating to the following issues:

Highways / Parking

- Single point of access from Daultry Road. Suggestion for an additional point of access
- Increased traffic congestion as a result of the development
- Increased traffic dangers to school children on Daultry Road and Narborough Road

- On-street parking issues at Daultry Road junction and within the existing Jelson estate
- Suggestion for the Daultry Road entrance to be double yellow lined, as well as on Peers Way and Preston Way, adjacent to the existing green space, to enable easy access to the development
- Suggestion for CCTV monitoring on Daultry Road to address on-street parking concerns
- Suggestion that the applicant provides a financial contribution towards the installation of traffic lights at the Huncote Road, Narborough / B4114 junction
- Suggestion for traffic calming measures on Narborough Road, such as a 40mph speed limit beyond the 30mph sign towards Narborough, as well as 20mph speed limit along Denman Lane and Narborough Road
- No zebra / pelican crossing to safely cross the road
- The line of sight towards Narborough is obscured by overgrown vegetation
- Huncote is used as a cut through to get to Croft / Thurlaston / Earl Shilton and Stoney Stanton to avoid traffic congestion on the B4114
- Previous traffic incidents on Narborough Road, near to Daultry Road
- The Travel Plan is vague with no specific measurable targets or commitments
- No evidence of cycle infrastructure or parking

Impact on Local Infrastructure

- Local schools are struggling to accommodate children in the village
- There is a lack of local amenities such as local shops, a GP practice and dentists in Huncote, the closest being in Narborough. Further investment is required to cope with demand
- The community hub should be supported to support children and elderly residents
- No play areas proposed
- The path leading to Narborough is too narrow, unlit and dangerous. Suggestion for this to be improved and widened.
- The water pressure in the village is low and needs to be addressed if the application is approved
- No mitigation works are proposed as part of the development
- No free school bus to Enderby from Huncote
- Poorer internet connection as a result of the development
- Loss of a local walking route
- Planning obligations are minimal and not detailed or specific
- Suggestion that the applicant consult with the local community regarding Section 106 contributions

Public Transport

- Lack of public transport in village

Biodiversity

- Valuable green space is being removed, which is used by the local community for their physical and mental health
- The destroying of habitats on the site (including protected species)
- Loss of agricultural land
- Use of the land for recreational activities i.e. walking

- Concerns regarding the monitoring of BNG due to unguaranteed funding and unclear responsibilities
- Potential negative impacts of increased human activity, pollution, and habitat fragmentation on the Huncote Marshland potential Local Wildlife Site (pLWS) and the Croft and Huncote Quarry SSSI.

Flooding / Drainage

- Increase in flooding levels as a result of the development
- Existing flooding issues at the field to the south of Ratcliffe Drive and St James Close
- The runoff from the development will increase the flooding of the brook (where the brook passes underneath Croft Road)
- Potential failure of the proposed pumping station and sewage overflow at the south of the proposed development
- Existing sewage issues experienced on Ratcliffe Drive, St James Close and Brook Street
- Additional trees should be proposed to soak up additional water

Residential Amenity

- Noise pollution and safety hazards as a result of construction traffic
- Security and privacy concerns from neighbouring residents
- Increase in crime levels
- Impact of noise, dust and vibration in relation to the nearby Croft Quarry and future blasting
- Concerns regarding a communal bin area being located behind properties on Ratcliffe Drive
- Concerns regarding the height of proposed fencing and privacy / security
- Suggestion that no construction work commence until 9am (Monday - Friday)

Housing / Overdevelopment

- Huncote is already at full capacity
- Suggestion that the proposed number of dwellings be reduced
- Too many dwellings are proposed
- Huncote is in danger of losing its identity
- The cumulative impact of this development and development to the north of Huncote (Springfield Farm), the Santander (Hayes Gardens) site and the former Smarties Nursery in Enderby
- The proposed housing developments should be divided between all the Fosse Villages
- No bungalows are proposed
- More bungalows should be available for private ownership
- The site is not allocated for residential development in the Local Plan
- Brownfield land should be prioritised over greenfield
- Not enough shared ownership dwellings
- Proposed affordable housing to be moved away from existing houses
- Proposed dwellings should be limited to two-storeys to reflect the local character and appearance of the area
- No public consultation has been carried out

Archaeology

- The Written Scheme of Investigation must be concluded before any permission is considered

Impact on Countryside / Landscape

- Development will spoil views from existing houses
- Development will spoil views from Croft Hill

Sustainability / Climate Change

- Energy-efficient building standards are not mentioned

A response was also received from Aggregate Industries UK Ltd, which operates Croft Quarry, to the west of the application site. The objection refers to a lateral extension to the mineral extraction area within the quarry and the reclamation via the importation of restoration material in January 2022 (2019/0657/01). The consultee commented that *"The proposed development will not just alter the proximity of sensitive receptors to the east but bring houses to our eastern boundary. The proposed development would demonstrate an agent of change."*

Aggregate Industries UK Ltd also stated that although the proposed development is not sited in a flood zone, the adjacent land is susceptible to flooding along Thurlaston Brook and the River Soar. The consultee raised concerns regarding flooding, stating that the proposed development does not consider the impact of the development on the surrounding land or flooding downstream.

The consultee also stated there is no formal parking associated with the Huncote New Hill Nature Reserve, *"... which has led to inappropriate parking along Huncote Road"*, suggesting that additional parking is created along the southern boundary of the proposed development, or for funds for the District Council to buy land to create a car park and footpath to the New Hill.

Aggregate Industries UK Ltd requested that if planning permission is granted, appropriate planning conditions and S106 clauses to *"...protect Croft Quarry operations, periphery landscape areas, and fund to improve public access in the Nature Reserve and compensation, where appropriate"*.

RELEVANT PLANNING HISTORY

None within the site, however the following relates to the most recent residential development approved off Peers Way and Preston Way:

Application Ref:	Description:	Decision
10/0165/1/OX	Proposed residential development (maximum 93 dwellings) associated infrastructure and open space (Outline).	Refused 14.06.2010 Appeal dismissed 21.02.2011

11/0133/1/OX

Proposed residential development (maximum 86 dwellings) associated infrastructure and open space (Outline) (Revised Scheme). Approved 14.03.2012

EXPLANATORY NOTE

The Site

The application site is located to the south of Ratcliffe Drive and Peers Way on the southern edge of Huncote and is currently in agricultural use. The site covers approximately 12 acres (5 hectares) and comprises one field parcel, which is irregularly shaped and partially divided by a group of trees to the west of the site.

The site is bounded to the north by an existing residential development. The most recent development to the northeast (off Peers Way and Preston Way) was approved under planning application reference 11/0133/1/OX. Beyond this is further residential development forming the village of Huncote.

The Huncote Marshland Local Wildlife Site (LWS) is partially situated within the site, to the west, bordering the site along its western boundary. Thurlaston Brook runs north to south, within proximity of the site's western boundary. The Brook forms part of both the Croft Quarry Ponds LWS and the Huncote Marshland LWS, beyond which is Croft Quarry, which is designated as the Croft and Huncote Quarry SSSI and the Croft Hill SSSI.

The eastern boundary of the site is marked in part by hedgerow, beyond which is further agricultural land. The site gently slopes from east to west with high points of around 80m AOD on the eastern boundary, falling to below 70m AOD at the lowest point in the western part of the site. There are sections of hedgerow and scattered trees along the site boundaries.

There are two existing points of access into the site from Peers Way and Preston Way, which are accessed from Narborough Road, via Daultry Road. A Public Right of Way (V121) passes through the site, starting at Peers Way, running roughly through the centre of the site, following the southern edge of the existing tree belt, before connecting to a Permissive Path located beyond Thurlaston Brook. This route provides public access to Huncote New Hill Nature Reserve, Croft Quarry Nature Trail and the surrounding countryside.

The Local Plan Policies Map (2019) designates the site as being outside, but next to, the Huncote settlement boundary and therefore within the open countryside (Policy DM2).

The Proposal

This application seeks full planning permission for the development of 154 dwellings, which would form an extension to the south of the existing Jelson Homes development of 86 dwellings.

New vehicular and pedestrian access is proposed via Peers Way and Preston Way. 13no. of the dwellings would be of 1-storey, 135no. would be 2-storeys and the remaining 6no. would be 2.5 storeys.

115no. market housing dwellings would be provided, consisting of 45no. 2-bed units, 40no. 3-bed units and 70no. 4-bed units. Whereas 39 affordable housing dwellings would be provided, consisting of 6no. 1-bed units, 19no. 2-bed units, 10no. 3-bed units and 4no. 4-bed units. The dwellings will be constructed with different fenestration details and layouts, which include elevation and floor plans for the different house types, of which there would be twenty-five in total.

39 out of the 154 dwellings will be affordable housing, while the remainder will be open market housing, which therefore provides 25% of affordable housing within the development scheme.

A Multi Use Games Area / Locally Equipped Area of Play is proposed in the northeast of the site (408 sq metres), with public open space along the northeastern, eastern and southern boundaries, as well as towards the centre of the site.

Three Sustainable Urban Drainage Systems (SuDS) are proposed to the south and western boundaries of the site, as well as a foul water pumping station to the southern edge. An electricity sub-station is positioned at the proposed access point off Preston Way.

Documentation

The key plans and documents are listed below which set out the development proposed:

Plans

- Planning Site Layout
- Landscape Strategy
- House Type Pack
- House Type Plan
- Design Principles Plan
- Movement Hierarchy Plan
- Open Space Plan
- Storey Height Plan
- Affordable Homes Plan
- Boundaries and Bins Plan
- Materials Plan
- Parking Provision Plan

- PRow Diversion Plan
- Constraints and Opportunities Plan
- Topographic Survey
- General Arrangement
- Swept Path - Main Junction
- Swept Path - Garage Access
- Swept Path - Vehicle Transporter
- Alternate Junction - GA
- Alternate Junction - Swept Path Main Junction
- Alternate Junction - Swept Path Garage Access
- Alternate Junction - Swept Path Car Transporter

Documents

- Archaeology Report
- Position Statement
- Appendix C Drainage Drawings
- Flood Risk Assessment & Drainage Strategy
- Flood Risk Assessment - Appendices
- Building for a Healthy Life Assessment
- Preliminary Ecological Appraisal
- Ecological Addendum
- Phase 1 Environmental Report
- Planning Statement
- Tree Survey
- Travel Plan
- Transport Assessment
- Noise Assessment
- Minerals Resource Assessment
- Landscape and Visual Appraisal
- Geophysical Survey
- BNG Metric
- Biodiversity Net Gain Report
- Biodiversity Metric Calculation Tool
- Agricultural Land Classification
- EIA Decision Notice
- Coventry Road / Huncote Road - Proposed Signalised Junction
- Coventry Road / Huncote Road - Proposed Signalised Junction Layout 2
- Coventry Road / Huncote Road - Proposed Signalised Junction Layout 2 (Reduced Intergreens)
- Off-site Works - Stage 1 RSA Designers Response
- Stage 1 Road Safety Audit
- Flood Map Technical Note

Planning Policy

The National Planning Policy Framework establishes the key principles for proactively delivering sustainable development through the development plan system and the

determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:

- An economic objective
- A social objective
- An environmental objective

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 2 of the NPPF identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Paragraph 2 also indicates that the NPPF is a material consideration in planning decisions.

Paragraph 10 of the NPPF and Policy CS1 and CS24 of the Blaby District Council Core Strategy (2013) set out a presumption in favour of sustainable development, and states that development proposals that accord with the Development Plan should be approved unless other material considerations indicate otherwise.

The Council has reviewed and published an updated housing land supply position in November 2024. This confirms that the Council cannot demonstrate a five-year supply of deliverable sites. As this proposal involves the provision of housing, the application before members should therefore be considered in terms of its accordance with NPPF paragraph 11d and other material considerations. This does not mean that the policies of the Local Plan are ignored but that their requirements can be considered, and given weight, where they accord with the policies of the NPPF.

Paragraph 11 of the NPPF sets out a presumption in Favour of Sustainable Development. It states that plans and decisions should apply this presumption, especially when there are no relevant policies in the Development Plan or when the

relevant policies are 'out of date'. In such cases, permission should be granted unless there is a clear reason for refusal or the adverse impacts would significantly outweigh the benefits.

Blaby District Council has recently published an updated housing land supply position. This update confirms that as of 1st April 2024 the Authority can currently demonstrate a 3.53 year housing land supply. This is notably less than the five-year supply requirement outlined in paragraph 72 of the NPPF. Following the publication of the revised NPPF in December 2024 and the Council's revised housing numbers, the land housing land supply position is likely to have further reduced.

As a consequence of the change in the housing figures required, Paragraph 11(d) of the NPPF is triggered. Paragraph 11(d) of the NPPF, provides that permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

There are no assets or particular importance (as listed in Footnote 7 of the NPPF) which provide a clear reason for refusing the application. It is therefore necessary to assess the proposals against limb two of Paragraph 11d, i.e. whether the adverse effects of granting planning permission would *significantly* and *demonstrably* outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. Footnote 8 of Paragraph 11 of the NPPF states that the housing policies are to be out of-date where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where planning applications conflict with an up-to date plan, permission should not usually be granted unless other material considerations indicate otherwise.

Paragraph 61 of the NPPF says to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.

Paragraph 78 of the NPPF says local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than 5 years old.

Paragraph 81 of the NPPF says that to help ensure that proposals for housing development are implemented in a timely manner, local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability.

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.

The Council cannot demonstrate a five-year supply of deliverable sites. As this proposal involves the provision of housing, the application is being considered in terms of its accordance with NPPF Paragraph 11d and other material considerations.

Policy CS1 - Strategy for Locating New Development

Policy CS1 sets out the overall strategy for locating new development in the District. It states that most new development will take place within and adjoining the Principal Urban Area (PUA) of Leicester. Outside of the PUA, development will be focussed within and adjoining Blaby and within and adjoining the settlements of Enderby, Narborough, Whetstone and Countesthorpe, referred to as the 'Larger Central Villages'. Lower levels of growth will be allowed in the Rural Centre, Medium Central Villages (Littlethorpe, Huncote, Cosby, Croft and Sapcote) and Smaller Villages where the scale of development will reflect the settlement's range of available services and facilities and public transport alternatives.

Huncote is situated outside the PUA and is defined as a Medium Central Village. Huncote contains some key services and facilities.

Policy CS2 Design of New Development

Policy CS2 seeks to ensure that a high quality, safe and socially inclusive environment is achieved in all new development proposals, respecting distinctive local character and contributing towards creating places of high architectural and urban design quality. New development should also provide opportunities to enhance the natural and historic environment.

Policy CS5 Housing Distribution

Policy CS5 provides the minimum housing requirements for settlements across the District. The villages of Littlethorpe, Huncote, Cosby, Croft and Sapcote (Medium Central Villages) have a combined minimum housing requirement of 815 dwellings across the Local Plan period from 2006 to 2029.

Huncote - Whilst the village has only limited employment opportunities, it has a bus service that allows access to the large employment areas at Junction 21 in less than 20 minutes. There are some policy and physical constraints including an Area of Separation on the eastern side and floodplain to the south-west. The SHLAA indicated potential for significant residential development in the long term. However, whilst the village has good public transport access to key employment areas / higher order services, it has only a basic level of employment, services and facilities.

Policy CS7 Affordable Housing

Policy CS7 states that the Council will seek to secure a minimum of 25% of the total number of dwellings as affordable housing on all developments of 15 or more dwellings. Affordable housing should be provided on site unless there are exceptional circumstances preventing this. To ensure mixed and sustainable communities, residential development should integrate affordable and market housing through the dispersal of affordable housing units within residential development and use a consistent standard of design quality. The tenure split and mix of house types for all affordable housing will remain flexible and will be assessed on a site-by-site basis, although affordable housing should be integrated into each phase and sub-phase of development.

Policy CS8 Mix of Housing

Policy CS8 states that residential proposals for developments of 10 or more dwellings should provide an appropriate mix of housing type (house, flat, bungalow, etc.), tenure (owner-occupied, rented, intermediate) and size (bedroom numbers) to meet the needs of existing and future households in the District, taking into account the latest Strategic Housing Market Assessment and other evidence of local need. The Council will encourage all housing to be built to 'Lifetime Homes' standards, where feasible.

Policy CS10 Transport Infrastructure

Policy CS10 refers to seeking to reduce the need to travel by private car by locating new development so that people can access services and facilities without reliance on 'private motor vehicles'. The policy also refers to providing new routes for pedestrians, cyclists and public transport (as part of development proposals). Designs which reduce the impact of road traffic should be encouraged, for example through greater allocation of street space to more sustainable forms of transport, and links to existing key services and facilities should be provided.

The policy states that the Council will seek solutions for improving public transport that are likely to be sustainable in the long term. Developments should seek frequent, accessible and comprehensive public transport links to Leicester City Centre and other key service / employment centres and facilities. Other measures such as discounted bus ticketing for residents of new developments will be required where appropriate. In relation to residential parking, it states that the Council will be flexible in the implementation of residential parking standards. Residential developments of 80 or more houses will require a Transport Assessment, and the Council will require Travel Plans in accordance with the requirements of the Leicestershire Highways Design Guide.

Policy CS11 - Infrastructure, Services and Facilities to support growth

Policy CS11 states that new developments must be supported by the required physical, social and environmental infrastructure at the appropriate time. It states that the Council will work in partnership with infrastructure providers, grant funders and other delivery agencies to ensure that development provides the necessary

infrastructure, services and facilities to meet the needs of the community and mitigates any adverse impacts of development.

Policy CS12 Planning Obligations and Developer Contributions

Policy CS12 states that where requirements for infrastructure, services and facilities arising from growth are identified through robust research and evidence, it is expected that developers will contribute towards their provision (and in some cases maintenance). Planning obligations and developer contributions will be guided by the Council's latest Planning Obligations and Developer Contributions SPD and other evidence of need.

Any requests for contributions must be assessed by the Council under the requirements of Community Infrastructure Levy Regulations 2010. Section 122 of the Regulations set out in statute 3 tests against which requests for funding under a section 106 agreement has to be measured. These tests are that the obligation is:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

Policy CS14 - Green Infrastructure

Policy CS14 states that Blaby District Council and its partners will seek to protect existing, and provide new, 'networks of multi-functional green spaces'. The proposed development provides areas of natural green space and public open space.

Policy CS15 - Open Space, Sport and Recreation

Policy CS15 seeks to ensure that residents have access to sufficient, high quality, accessible open space, sport and recreation facilities. The policy sets standards for the provision of open space, sport and recreation per 1000 population, along with desirable access standards in distance or time. These standards will be used to ensure that development proposals provide sufficient accessible open space, sport and recreation, taking into account any local deficiencies. It states that new on-site provision or financial contributions to improve the quality of, or access to, existing open space, will be expected and commuted maintenance sums will be sought. The policy also seeks to protect areas of existing open space from development, unless certain criteria are met.

The policy has now been superseded by Updated Policy CS15 in the Blaby Delivery DPD.

Policy CS18 - Countryside

Policy CS18 states that within areas designated as Countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. It states that planning permission will, however, be granted for limited small-scale employment and leisure development (including dwellings essential for these needs) subject to

consideration of its impacts. The need to retain Countryside will be balanced against the need to provide new development (including housing) in the most sustainable locations.

Policy CS19 - Bio-diversity and geo-diversity

Policy CS19 seeks to safeguard and enhance sites of ecological and geological importance of national, regional and local level significance. The policy also states that the Council will seek to maintain and extend networks of natural habitats to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats. The policy also seeks to protect those species which do not receive statutory protection but have been identified as requiring conservation action. Development proposals should ensure that these species and their habitats are protected from the adverse effects of development through the use of appropriate mitigation measures. The policy also states that the Council will seek to ensure that opportunities to build in biodiversity or geological features are included as part of the design of development proposals.

Policy CS20 - Historic Environment and Culture

Policy CS20 states that the Council will take a positive approach to the conservation of heritage assets and the wider historic environment through protecting and enhancing heritage assets and their settings and expects new development to make a positive contribution to the character and distinctiveness of the local area.

Policy CS21 - Climate Change

Policy CS21 states that development which mitigates and adapts to climate change will be supported. It states that the Council will contribute to achieving national targets to reduce greenhouse gas emissions by:

- a) Focusing new development in the most sustainable locations;
- b) Seeking site layout and sustainable design principles which reduce energy demand and increase efficiency;
- c) Encourage the use of renewable, low carbon and decentralised energy.

The policy also states that the Council will ensure that all development minimises vulnerability and provides resilience to climate change and flooding.

Policy CS22 - Flood Risk Management

Policy CS22 states that the Council will ensure all development minimises vulnerability and provides resilience to flooding, taking into account climate change by:

- a) Directing development to locations at the lowest risk of flooding;
- b) Using Sustainable Drainage Systems to ensure that flood risk is not increased on site elsewhere;
- c) Managing surface water run off to minimise the net increase in surface water discharged into the public sewer system;
- d) Closely consulting the Environment Agency in the management of flood risk.

Policy CS23 - Waste

Policy CS23 states that new developments should, inter alia, seek to encourage waste minimisation, ensure flexibility in design to allow for new technological developments, ensure waste collection is considered in the design, and promote the use of site waste management plans.

Policy CS24 - Presumption in favour of sustainable development

Policy CS24 reflects the overarching principle of the NPPF that the Government wishes to see in relation to the planning system, with the golden thread running through the decision-making process being the presumption in favour of sustainable development. Policy CS24 requires that when considering development proposals, the District Council always work proactively with applicants to find solutions which mean that proposals can be approved wherever possible.

Officers have worked proactively with the applicant to ensure that the development is as far as possible to be in accordance with adopted policies and thus the development is in accordance with Policy CS24.

Blaby District Local Plan (Delivery) Development Plan Document (Feb 2019)

The Delivery DPD also forms part of the Adopted Development Plan for Blaby District. The following policies are the most relevant to the proposed development.

Updated Policy CS15 - Open Space, Sport and Recreation

This supersedes the Core Strategy Policy CS15 and seeks to ensure that residents have access to sufficient, high quality, accessible open space, sport and recreation facilities. The policy has been updated as the Council commissioned an updated assessment of open space, sport and recreation facilities in the District (Open Space Audit 2015). The information gained was used to review the locally derived standards, contained in Policy CS15, to ensure that existing and future communities have access to sufficient open space, sport and recreation facilities. The standards for the provision of open space per 1000 population have therefore been updated accordingly. There are no specific standards for the provision of outdoor sports space, but the Open Space Audit gives guidance on where there are quantity and quality deficiencies.

Policy DM2 - Development in the Countryside

Policy DM2 states that in areas designated as Countryside on the Policies Map, development proposals consistent with Core Strategy Policy CS18 will be supported where specific criteria are met:

- a) The development is in keeping with the appearance and character of the existing landscape, development form and buildings;
- b) The development provides a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by the existing or new occupiers;

- c) The development will not undermine the vitality and viability of existing town, district and local centres.

Policy DM4 - Connection to Digital Infrastructure

Policy DM4 states that all new build major residential and commercial development should be served by fast, affordable and reliable broadband connection in line with the latest Government target. It states that developers will liaise with broadband infrastructure providers to ensure that a suitable connection is made. The wording of the policy was amended following public examination to state that new development *should* be served by this type of infrastructure rather than specifically requiring it. This was considered necessary to introduce flexibility into the policy given that delivery of a broadband connection would likely be reliant on a third-party contractor over which a developer is unlikely to have any control.

Policy DM8 - Local Parking and Highway Design Standards

Policy DM8 seeks to provide an appropriate level of parking provision within housing development which complies with Leicestershire Local Highway Guidance and is justified by an assessment of the site's accessibility, type and mix of housing and the availability of and opportunities for public transport. It states that all new development will be required to meet highway design standards as set out in the most up-to-date 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 which make the site less suitable for M4(2) compliance dwellings, and / or where the applicant can demonstrate that the use of this Building Regulation Standard is not viable through an independent viability assessment to be submitted with the application.

Amendments were made to the policy during public examination which changed the threshold for the application of the policy from 10 dwellings to 20 dwellings, and inserted criteria into the policy to ensure that there is sufficient flexibility in applying the policy requirement to take account of circumstances where it can be demonstrated that it would not be viable.

Policy DM13 - Land Contamination and Pollution

Policy DM13 states that development proposals will be required to clearly demonstrate that any unacceptable adverse impacts related to land contamination, landfill, land stability and pollution (water, air, noise, light and soils) can be satisfactorily mitigated.

Policy DM15 - Mineral Safeguarding Areas

Policy DM15 states that development proposed in areas identified for mineral safeguarding will be required to ensure that mineral resources of national or local

significance are not needlessly sterilised by non-mineral development. The policy approach is set out in the Minerals and Waste Local Plan.

Fosse Villages Neighbourhood Plan 2018 - 2029 (June 2021)

The Fosse Villages Neighbourhood Plan was made on 15 June 2021 and comprises the following 10 Parishes which are situated in the south-west part of the District: Croft, Huncote, Sapcote, Sharnford, Stoney Stanton and Thurlaston. The following policies are the most relevant to the proposed development.

Policy FV1 - Road Traffic

Policy FV1 states that measures that provide reductions in traffic on the B4114, including through Sharnford and traffic reductions in the Fosse Villages will be supported.

Policy FV3 - Bus Services

Policy FV3 states that new residential developments of more than 10 dwellings will be supported where proposals include a viability statement evidencing the extent to which the proposals will enhance rural bus services within the Neighbourhood Area on a proportionate basis, having regard to the size, nature and location of the proposed development. Where financial contributions are offered, these should be provided by way of a Section 106 Agreement in accordance with the guidance in the Passenger Transport Strategy.

Policy FV4 - Biodiversity

Policy FV4 states that new development which minimises impacts on and provides net gains for biodiversity and enhances resilience to current ecological pressures on habitats at Fosse Meadows Nature Park will be supported. New development will be expected to maintain and enhance existing ecological corridors and landscape features to support biodiversity.

Policy FV6 - Design

Policy FV6 states that development that reflects the distinctive and traditional character of the Fosse Villages, as described in the Settlement Statements, or contextually appropriate innovative design will be supported. Development proposals must also:

- A. Be in keeping with the scale, form and character of its surroundings;
- B. Protect locally significant features such as traditional walls, hedgerows and trees;
- C. Not significantly adversely affect the amenities of residents in the area, including daylight / sunlight, privacy, air quality, noise and light pollution;
- D. Promote sustainable design and construction, which minimises waste and maximises the potential for recycling materials either on or off site; and
- E. Provide safe and suitable access.

Policy FV7 - Housing Provision

Policy FV7 sets a minimum housing provision for the Fosse Villages for the period 2006 - 2029. Huncote has been allocated a minimum of 140 dwellings, which will be met by existing commitments and development within the Limits to Built Development (in accordance with Policy FV8).

Policy FV8 - Windfall Housing

Policy FV8 states that proposed residential development within the Croft, Huncote, Sapcote, Sharnford, Stoney Stanton and Thurlaston Limits to Built Development, as defined on the settlement policies map, will be supported.

Outside the Limits to Built Development, Areas of Separation and Green Wedges, support for proposals for housing development will be limited to:

- A. The re-use and adaptation of redundant rural buildings in the most sustainable locations, assessed against the need to retain Countryside;
- B. Small scale housing in the most sustainable locations, assessed against the need to retain the Countryside;
- C. Replacement dwellings of a similar scale and with no greater impact on the Countryside than the existing dwelling;
- D. Dwellings to meet an essential need associated with small-scale employment and leisure development subject to the consideration of its impact;
- E. Dwellings to meet the essential need for a rural worker to live permanently at or near their place of work in the Countryside; and
- F. Rural Exception Sites.

Policy FV12 - Housing Mix

Policy FV12 states that residential development proposals which provide for a mix of housing types informed by and reflecting the most up to date evidence of housing need will be supported. Proposals for development of 10 or more dwellings need to demonstrate how their proposed mix will meet the needs of older households and the need for smaller, low-cost homes.

The Policy also states that all affordable housing will be subject to conditions, or a planning obligation will be sought, to ensure that when homes are allocated, priority is given to people with a local connection to the local parish (i.e. including living, working or with close family ties in the Parish). If there are no households fulfilling these criteria in the parish, then people with a local connection to other places within the Fosse Villages will be given priority.

Leicestershire Highways Design Guide

The Design Guide sets out the County Council's principles and policies for highways Development Management. The guidance is intended to be used in the design development layouts to ensure they provide safe and free movement for all road users.

Blaby District Council Planning Obligations and Development Contributions Supplementary Planning Document (2024)

This Supplementary Planning Document outlines Blaby District Council's strategy for securing relevant developer contributions in relation to new development. It sets out when Blaby District Council will request contributions, whether for the District Council or on behalf of another service provider, and how the payments will be collected, distributed and monitored.

Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document (July 2013)

This Supplementary Planning Document contains additional detail and guidance on how Blaby District Council will interpret and apply specific policies contained in the Local Plan and will be a material consideration in the determination of planning applications. The objectives of the SPD are:

- 1) To provide guidance regarding the interpretation of Policies CS7 and CS8 of the Blaby District Local Plan (Core Strategy);
- 2) To address local imbalances in both the market and affordable housing stock; and
- 3) To optimise the provision of affordable housing to meet identified needs.

Blaby Landscape and Settlement Character Assessment (January 2020)

Provides up-to-date landscape and settlement evidence to inform the emerging Blaby Local Plan and help guide development management decisions. The assessment states that *"understanding the character of a place is a key part of ensuring the protection and enhancement of built and natural environments, managing sustainable economic growth and improving the health and wellbeing of local communities"*.

Blaby District Council Open Space Audit (December 2015)

This assessment reviews the standards set out in Blaby District Council's Policy CS15 for the open space, sport and recreation facilities requirements of local communities, covering quantity, quality and access. It carries out an audit of the District's open space, sport and recreation facilities, including an assessment of the current quality of provision, identifying current surpluses or deficiencies.

Blaby Playing Pitch Strategy 2020

Provides a strategic framework for the maintenance and improvement of all formal outdoor playing pitches and accompanying ancillary facilities in the District up to 2037. The strategy has been developed in accordance with Sport England guidance and under the direction of a steering group led by the Council, Sport England and including National Governing Bodies of Sports. It provides planning guidance to assess development proposals and inform the protection and provision of outdoor sports facilities.

Blaby Residential Land Availability Report (November 2024)

Shows the progress that has been made towards meeting the District's housing requirements that are set in the adopted Local Plan (Core Strategy) Development Plan Document (2013). The residential land availability position is monitored on an annual basis and this statement shows the latest published position as of 31st March 2024.

Strategic Flood Risk Assessment Level 1 and 2 Final Reports (2020 and October 2021)

The purpose of this document is to provide information on the changes to planning, policy and guidance since the previous Strategic Flood Risk Assessment, provide a detailed assessment of any flood hazard within the Flood Zones, provide information on existing defences and flood risk management measures, allow a sequential approach to site allocation.

Blaby Strategic Housing and Economic Land Availability Assessment (SHELAA) 2019

Provides evidence on the potential supply of both housing and economic development land in the District of Blaby.

Leicester and Leicestershire Housing and Economic Needs Assessment (HENA) 2022

Provides evidence regarding the overall need for housing, and type and mix of housing needed; together with an assessment of the quantity and type of employment land needed to inform local and strategic plans in Leicester and Leicestershire.

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 material planning considerations in the determination of this planning application:

- The principle of the development and 5-year housing land supply position
- Transport and highway implications
- Impact on the countryside and landscape / visual impact
- Affordable housing and housing mix
- Design and layout
- Flood risk and drainage
- Residential amenities
- Developer contributions and infrastructure / facilities
- Open space, sport and recreation
- Archaeology
- Environmental implications
- Ecology and biodiversity

- Arboricultural implications
- Construction management
- Waste management
- Sustainability and climate change

The principle of the development and 5-year housing land supply position

Policies CS1 and CS5 of the Blaby District Council Core Strategy seeks to ensure housing needs are met in the most sustainable way through a principle of 'urban concentration'. New development should be primarily focused within and adjoining the Principal Urban Area (PUA) of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town, Glen Parva and New Lubbethorpe), however, provision is also made for the development needs of settlements outside the PUA.

Policy FV7 of the Fosse Villages Neighbourhood Plan sets a minimum housing provision of 140 dwellings for Huncote, stating that this will be met by existing commitments and development within the Limits to Built Development in accordance with Policy FV8. Whereas Policy FV8 states that development proposals located outside the Limits to Built Development will be limited to the re-use and adaptation of redundant rural buildings, small scale housing in the most sustainable locations, replacement dwellings, dwellings to meet essential need, dwellings to meet the essential need for a rural worker or rural exception sites.

Between 2006 and 2029, the District of Blaby is required to provide a minimum of 8,740 houses. Of the 8,740 houses, Policy CS1 states that at least 5,750 houses should be within or adjoining the Leicester PUA, with at least 2,990 houses to be provided in areas outside the PUA (the 'non-PUA').

As of March 31st 2024 a total of 2,826 homes had been completed in the PUA. To meet the identified PUA requirement there is a need for around 584.8 homes per annum to be delivered in the PUA until the end of the plan period (total 2,924). Forecast completions in the PUA to 2029 are around half this number and it is unlikely that housing delivery will accelerate in the PUA sufficiently to address the shortfall by the end of the Plan period.

Outside of the PUA, Core Strategy Policy CS1 states development will be focussed within and adjoining Blaby and within and adjoining the settlements of Enderby, Narborough, Whetstone and Countesthorpe, referred to as the 'Larger Central Villages', with lower levels of growth allowed in the Rural Centre (Stoney Stanton), Medium Central Villages (Littlethorpe, Huncote, Cosby, Croft and Sapcote) and Smaller Villages.

Housing delivery in the non-PUA has exceeded the minimum housing requirement set out in the Plan. The Council's recently published Residential Land Availability (RLA) report indicates that as of 31st March 2024, 3,942 homes had been delivered in the non-PUA. The plan indicates a minimum requirement in the non-PUA of 2,990 dwellings. The RLA indicates that around 130 further homes may be completed in the non-PUA before 2029. Although delivery is now slowing in the non-PUA (mainly as a result of a lack of available committed sites) opportunities to deliver housing development of a type and scale needed to facilitate an increase in delivery in the near

term in the non-PUA than the PUA mainly due to the constrained nature and large scale of the sites being promoted for development in the PUA.

This Planning Committee has recently resolved to grant outline planning permission for six sites in the non-PUA, 24/0559/OUT - Land at Croft Lodge Farm, Broughton Road, Croft (up to 95 dwellings), 24/0004/FUL - Land off Gillam Butts, Countesthorpe (41 dwellings), 24/0511/OUT - Land north of Leicester Road, Sapcote (up to 80 dwellings), 23/0968/OUT - Land east of Lutterworth Road, Blaby (up to 53 dwellings), 23/0182/OUT - Land off Croft Road, Cosby (up to 200 dwellings) and 23/1071/OUT - Land adjacent to Leicester Road and Foston Road, Countesthorpe (up to 170 dwellings), subject to Section 106 Agreements being completed. It is also noted that an application for 191 dwellings to the north of Huncote is currently pending determination (24/0770/FUL - Springfield Farm, Forest Road).

Policies CS1 and CS5 identify Huncote as a 'Medium Central Village' (along with the settlements of Littlethorpe, Cosby, Croft and Sapcote). These settlements have a combined housing requirement figure (2006 - 2029) of 815 dwellings. It should be noted that this is a minimum requirement and is not a cap. Against this requirement, 1,134 houses had been completed in the Medium Central Villages as of 31 March 2024 (no more recent data is currently available). This results in the minimum requirement having been exceeded by 319 dwellings. When taking into account completions and commitments, the figure is slightly higher, at 1,166 houses due to some small sites having planning permission but not having been completed.

It is recognised that releasing this site would result in the minimum requirement for the Medium Central Villages in Policy CS5 being further exceeded. However, given the shortfall in the PUA, the proposed development is considered to provide the potential to deliver additional homes in the period up to 2029.

The application site is located outside of the Settlement Boundary of Huncote on land designated as Countryside on the Blaby District Local Plan Policies Map (2019). It is not an allocated site for housing development and in this context is contrary to the adopted Development Plan. However, this is currently an overall under delivery of houses within the District as a whole, with the Council only being able to demonstrate a 3.53-year housing land supply, notably less than the five-year supply requirement outlined in the NPPF. The policies of the Development Plan which relate to the supply of housing are therefore considered out-of-date and the 'tilted balance' towards approval as set out in Paragraph 11d of the NPPF should be applied.

Paragraph 11 states that where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites, Footnote 8 of the Framework establishes that housing policies which are important for determining the application may be out-of-date.

Limb (i) of NPPF Paragraph 11d sets out that where the proposal conflicts with NPPF policies which protect areas or assets of particular importance, these can offer a clear reason to refuse an application. These are generally nationally designated areas such as SSSI's, designated Local Green Space, AONBs and designated heritage assets. In this instance, the application site is not in a statutory protected area, and therefore the NPPF's presumption in favour of sustainable development and the 'tilted balance' described in Paragraph 11d(ii) applies. The shortfall in the supply of deliverable

housing sites should therefore be weighed in the planning balance and means that, in accordance with the presumption in favour of sustainable development (at Paragraph 11d), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits if planning permission is to be refused.

With regard to Policy CS1 and CS5 it is considered that the overarching need to deliver sufficient homes as set out in the NPPF should take precedence over the Council's policy to concentrate growth in the PUA, particularly given the Council's shortfall in its housing land supply position. In light of this shortfall and given the lack of deliverable sites within the PUA, it is considered necessary to provide additional housing in the near-term outside the PUA where this provision accords with the NPPF and relevant policies in the Plan. It is therefore considered that the provision of new homes does not significantly conflict with Policies CS1 and CS5, nevertheless it is considered that the weight assigned to Policies CS1 and CS5 with regard to the distribution of housing development throughout the District should be reduced reflecting the Council's lack of sufficient housing supply with respect to the 'tilted balance'.

The supporting text to Policy CS5 comments that whilst the village has only limited employment opportunities, it has a bus service that allows access to the large employment areas at Junction 21 in less than 20 minutes. The text also stated that the SHLAA indicated potential for significant residential development in the long term. However, the text also acknowledged that whilst the village has good public transport access to key employment areas / higher order services, it has only a basic level of employment, services and facilities.

Whilst the lack of employment opportunities in the village is noted, it is acknowledged that Huncote does include a number of key services and amenities, including a small convenience store, an off licence and post office, a car repairs garage, hair and beauty salons, takeaways, a public house and two churches. Huncote Primary School and Huncote Pre-school are also located less than 670m walking distance from the site. Narborough (a 'Larger Central Village') is also located approximately 900m east of the site. Narborough contains an even wider range of services, including GPs, employment opportunities and further small convenience food stores. Furthermore, the proposed development would meaningfully contribute towards the shortfall of housing, including the provision of affordable housing, whilst providing financial contributions to mitigate the impact on local facilities and infrastructure. It is therefore considered that releasing this site would contribute towards the Council's required 5-year supply of housing as required by the NPPF.

It is recognised that the 'overprovision' of housing in one of the Medium Central Villages poses a risk of the spatial strategy of the District becoming out of kilter, as it would concentrate residential development within the non-PUA. It is acknowledged that if planning permission was granted at Springfield Farm, as well as this planning application, this would add an additional 345 dwellings to Huncote's housing numbers, which together with the 319 already built over the minimum requirement would total 664 dwellings over the minimum combined requirement of 815 dwellings during the Local Plan period. Whilst the 815 dwellings is a minimum requirement, this significant increase does need to be given some weight in the consideration of the application. However, this is tempered by the fact that there is a lack of a five-year land supply.

Loss of agricultural land

The NPPF expects local planning authorities to take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is necessary local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. Agricultural land is graded into 5 categories ranging from Grade 1 (excellent quality agricultural land) to grade 5 (very poor quality). Grades 1, 2 and 3a (grade 3 is subdivided in to two grades) is the land which is defined as the best and most versatile (BMV). In order to ensure this land is protected where necessary planning authorities are required to consult Natural England on applications which would result in the loss of 20ha or more of such land. Below this threshold it is for the planning authority to decide how significant the agricultural land issues are.

An Agricultural Land Classification Report has been submitted with the planning application. The Report states that *“The land has been classified as comprising 5.2 ha (67%) of Subgrade 3a, 1.7 ha (22%) of Subgrade 3b and 0.9 ha (11%) of non-agricultural land. Therefore, this Site contains only 5.2 ha of the best and most versatile agricultural land. The NPPF requires that economic and other benefits of BMC land be considered. The NPPF requires that economic and other benefits of BMV land be considered. The economic benefits of the Site are modest at under £1,500 per annum. In terms of the NPPF, this is not significant development of agricultural land. Accordingly, poorer quality land does not need to be considered in preference. Accordingly based on the small amount of BMV quality land that has been found it is concluded that only limited weight should be given to the loss of this small area of BMW agricultural land”*.

It is noted that recent applications which have been considered by this Planning Committee have resulted in the loss of BMV land. In planning application 23/1071/OUT for up to 170 dwellings there was a loss of 7.8ha of BMV land, whilst in 23/0182/OUT for up to 200 dwellings there was a loss of 9ha of BMV land. In both these cases, whilst recognising that the loss of BMV land would be undesirable, it was considered that the size of the reduction from the total stock would not have wide ranging economic implications for the area. Also, given that consultation with Natural England only starts at 20ha it was considered that this is an initial indication of what is meant by a significant loss of agricultural land and anything below this threshold would not be significant.

On this basis, it is not considered that the 5.2 ha would be a significant loss sufficient to warrant refusal of the application in its own right or conflict with the principles of the protection of such land set out in the NPPF.

Transport and highway implications

Policy CS10 seeks to deliver the infrastructure, services and facilities required to meet the needs of the population of the District of Blaby including those arising from growth and to make services accessible to all, including locating new development so that people can access services and facilities without reliance on private motor vehicles and to ensure that appropriate measures are taken to mitigate the transport impacts of new development.

Policy DM8 seeks to provide a consistent approach to local car parking standards and highway design. It goes on to state that the Leicestershire Highways Design Guide sets out, amongst other things, standards and policies for parking and highway design that will need to be considered for all new development.

Policy FV1 states that measures that provide reductions in traffic on the B4114, including through Sharnford and traffic reductions in the Fosse Villages will be supported.

Whereas Policy FV3 seeks for new residential developments of more than 10 dwellings to include a viability statement evidencing the extent to which the proposals will enhance rural bus services within the Neighbourhood Area on a proportionate basis, having regard to the size, nature and location of the proposed development. Where financial contributions are offered, these should be provided by way of a Section 106 Agreement in accordance with the guidance in the Passenger Transport Strategy.

Site Access

Access to the development is proposed off two accesses from Peers Way and Preston Way. The development proposes to create 5.5m roads with 2.0m wide footways on each site access. This approach is consistent with other roads within the estate. Although this proposed development would be served via two accesses, the entire development is ultimately accessed via a single road (Daultry Road), which is a residential access road with a carriageway width of 5.9m, connecting the site to Narborough Road to the north.

The LHA previously raised concerns that the proposed development and existing number of dwellings served off the Narborough Road / Daultry Road junction would result in 224 dwellings being served by a single point of access. The consultee stated that *“Given the design and geometry of Daultry Road this exceeds the maximum number of dwellings (150 dwellings) which can be served by a single point of access as set out in Part 3 Table DG1: General geometry of residential roads (internal) of the Leicestershire Highway Design Guide (LHDG)”*, as such, the consultee advised for the applicant to explore the possibility of providing another vehicular access to the site.

The Local Highways Authority's (LHA) previous consultation response dated 22.11.2025 requested further information in relation to the site access, off-site impacts of the proposals, internal layout and the impact on the Public Right of Way (PROW). The applicant subsequently provided a full suite of new plans and documents (received 15.07.2025) and the LHA was re-consulted.

In their latest response (dated 05.08.2025), the consultee confirmed that it is satisfied that the junction of Daultry Road / Narborough Road can operate with the additional traffic and there have been no Personal Injury Collisions at this junction.

The consultee also stated that *“Any minor alterations with the site access arrangements can be done at the detailed design stage. A condition to secure the site access arrangements is included below”* (please refer to Condition 23 at the beginning of this report).

Off-site implications

B4114 Coventry Road / Huncote Road

“After further work with the applicant it was established that the development traffic would have an impact at the B4114 Coventry Road / Huncote Road.

“To address the impact of the proposed development at the B4114 Coventry Road / Huncote Road junction the applicant has submitted a fully signalised scheme at the junction. The applicant has also submitted drawings which show the swept path analysis for all turning movements by a large car transporter accessing and leaving the car garage.

“The scheme of mitigation has been supported by a Stage 1 RSA (RSA1) which identified several problems. The applicant has reviewed the problems identified in the RSA and provided a Designer’s Response to each problem in Tetra-Tech document: “Off-site Works - Stage 1 RSA Designers Response”.

“After reviewing the Designers Response’s to the problems, the LHA is satisfied that the key issues identified in the RSA1 have been addressed and any other issues can be dealt with at the detailed design stage.

“Following testing of the scheme of mitigation in junction modelling software the applicant has concluded that the predicted results of the modelling show that the highway improvement scheme would mitigate the impact of the proposed development.

“After a review of the proposed highway works at the B4114 Coventry Road / Huncote Road junction the LHA accepts the applicant’s conclusion on the principles of the scheme to mitigate the impact of the proposed development. There are some minor elements of the highway improvement scheme that require modification, but these can be addressed at Section 278 stage should planning permission be granted.

“A relevant condition is advised below with the improvement works required prior to first occupation of any part of the development”.

Pedestrian improvements

“The LHA note that several off-site highway works are proposed within the submitted Tetra Tech Transport Technical Note - Huncote Parish Council Comments reference 784-B047249 dated 02 October 2024.

“Whilst the LHA welcome any pedestrian improvements to encourage walking the applicant has not submitted any plans. However, the LHA is satisfied that there are improvements that can be made to the existing pedestrian infrastructure for example tactile paving to be installed at existing crossing points at Ratcliffe Drive, St James Close and Narborough Road between Denman Lane and Daultry Road that would encourage new residents to walk to services / facilities which are available in the centre of Huncote.

“A condition is included below for the applicant to submit a scheme for approval and implementation if planning permission is granted.”

Internal layout

“Whilst there were several comments on the internal layout of the proposed development they can be summarised under three main issues listed below:

- Highway Geometry Design; Forward Visibility; and Landscaping.*

“After a review of the latest plans including drawing number: 518-SK-01, ‘Planning Site Layout’, Revision H, the LHA is pleased to advise the LPA that the applicant has sufficiently addressed the outstanding issues outlined above. Therefore, based on the information submitted the LHA would consider the internal layout suitable for the purposes of the planning application.

“Given the scale of the development the LHA would typically advise a development of this scale be offered for adoption as publicly maintainable highway and it is expected that the applicant will work towards this during the S38 process following determination of application 24/0398/FUL.”

Parking

“The LHA has reviewed the submitted planning layout and acknowledges that while the parking provision for the plots is generally in accordance with the requirements the size of the spaces for some plots is not.

“The LHA guidance on parking space sizes is shown in Figure 44 of the LHDG. Minimum parking size 2.4m x 5.5m, add 0.5m if bounded by a wall, fence, hedge, line of trees or other similar obstructions on 1 side, 1m if bounded on both sides. Tandem parking spaces should be provided at 6m in length per space, i.e. 12m length for two spaces.

“There are several instances across the proposed development where the parking spaces are only 5.0m. Although the size of parking spaces is below the recommend length of 5.5m the LHA would not seek to resist the proposals based on the parking provision / size of parking spaces for the plots across the site.

“Furthermore, the LHA note no visitor parking has been provided within the site. Whilst this is a requirement of the new LHDG which was published in December 2024, it would be unreasonable for the LHA to seek to resist the proposals based on the date the application was submitted.”

Private drives

“The applicant should note that the private drive for plots 84-85 is only 4.2m wide but as set out in Table 13 of the LHDG all private drives that are longer than 25m should be a minimum of 5m. However, the LHA is satisfied that this is not a reason to refuse the application.”

Travel plan

“The LHA is satisfied that the initial comments provided on the Travel Plan have been addressed and a condition is included below” (please refer to Condition 29 at the beginning of this report).

Public Right of Way

“The applicant has submitted a plan which shows how Public Right of Way (PRoW) V121 will be diverted to accommodate the proposed development. The LHA would advise the applicant that a separate application for a diversion of an existing PRoW should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a PRoW until a Diversion Order has become operative.

“Notwithstanding the above, the LHA would seek to secure appropriate improvements to PRoW V121 by condition. Further details on the LHA’s requirements can be found at in the Public Rights of Way section of the LHDG or by contacting: footpaths@leics.gov.uk” (please refer to Condition 30 at the beginning of this report).

Closing

“Based on the information submitted the applicant has demonstrated that a safe and suitable access to serve the proposed development can be delivered in line with Paragraph 115 of the National Planning Policy Framework (2024).

“Furthermore, the applicant has tested the impact of the proposed development on the local highway network, and the LHA considers that the residual cumulative impacts of development can be mitigated subject to the inclusion of the following conditions and contributions” (please refer to Conditions 22 - 30 at the beginning of this report).

It is noted that Huncote Parish Council and several residents raised concerns regarding the existing footway along Huncote Road, towards Narborough, and requested works to be included to widen the footpath. However, it is noted that these works were included in a previous planning appeal decision (ref: 15/0115/OUT) and it was demonstrated in a subsequent Discharge of Conditions application (ref: 18/1425/DOC) that it was not possible to widen the footway. Therefore, Blaby District Council would not be seeking for the proposed works to be followed up in this planning application.

Whilst the Local Highway Authority states in its consultation response that some of the parking spaces do not accord with the requirements (as the singular marked out parking spaces measure only 5.0m in length), the consultee has confirmed that whilst these are substandard (by 0.5m), they are acceptable.

In summary, and based on the Local Highway Authority’s latest comments (dated 05.08.2025), it is not considered that the impacts of the development on highway safety would be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. A total of 19 visitor parking spaces are proposed (3 of the spaces are located off private drives) and whilst the majority of the singular marked out parking spaces do not accord with the LHDG’s parking space requirements, the consultee has confirmed that they are acceptable. The LHA has confirmed that it would not seek to resist the proposals based on the parking provision / size of parking spaces for the plots across the site. Therefore, the application accords with Policies CS20 and DM2 and the relevant policies of the National Planning Policy Framework.

Impact on the countryside and landscape / visual impact

The application site is situated outside the Settlement Boundary of Huncote, on land designated as Countryside as defined by the Policies Map of the Blaby District Council (Delivery) Development Plan Document (2019).

Outside the confines of (or adjacent to) the PUA, Rural Centres, Medium Central Villages and Smaller Villages, in the case of the application site, land is designated as Countryside, where Policies CS18 and DM2 apply.

Policy CS18 states that in the countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. It requires the need to retain countryside to be balanced against the need to provide new development (including housing) in the most sustainable locations.

Policy DM2 provides more specific policy guidance for development that is appropriate in the Countryside, consistent with Policy CS18. Policy DM2 permits only certain categories of residential development in the Countryside, including those dwellings that meet the essential needs for a rural worker in agriculture, forestry, employment, and leisure, or other similar uses appropriate to a rural area and replacement or the change of use, adoption and extension of existing dwellings.

The site does not fall under any of the categories identified in Policy DM2 and is contrary to both Policies CS18 and DM2. The purpose of these policies is to protect the open and generally undeveloped nature of the countryside. Neither does it fit with any of the specified development types appropriate in countryside locations in the NPPF. However, as noted previously the policies set out in the Local Plan and the NPPF should be applied flexibly in the context of the 'tilted balance' given the identified housing land supply position and given that new housing sites to meet the lack of supply will, in most instances, need to be outside of existing settlement boundaries within the Countryside.

Policy DM2, sets out criteria to be met for development proposals consistent with Policy CS18. This includes that the development shall be in keeping with the appearance and character of the existing landscape, development form and buildings, having regard to the Blaby Landscape and Settlement Character Assessment, Leicestershire and Rutland Historic Landscape Characterisation Study, National Character Areas and any subsequent pieces of evidence.

A Landscape and Visual Impact Assessment has been submitted with the application. This identifies that the site lies within Natural England's National Character Area (NCA) 94 'Leicestershire Vales'. It is described as an open, uniform landscape of low-lying vales and varied river valleys. Settlements visually dominate the area and views towards surrounding higher ground is characteristic. At a local level, the Blaby Landscape and Settlement Character Assessment identifies the site as being situated in the 'Croft Hill and Quarries' Landscape Character Area, which is located within the central part of the District adjacent to the settlements of Huncote and Croft, to the west of the M1 and immediately south of the M69. The condition of the area is described as follows:

"This LCA is dominated by the influences of past and present quarrying and extractive activity, which have fragmented the agricultural landscape. Perceptual qualities in the north of the LCA are affected by the presence of the M69 corridor and electricity infrastructure. In places hedgerows have become fragmented and replaced with fencing. Recreational land uses on the edges of the settlements introduce an urban fringe character. The edges of the active quarry are characterised by tree planting of varying maturity. Cattle grazing on Croft Hill is used manage the grassland habitat which is nationally designated as a SSSI. The site is currently assessed as in favourable condition."

When considering the capacity for change along the settlement edge of Huncote, the assessment states the following:

- Enhance green infrastructure into the wider countryside from settlements to recreational areas such as Croft Hill.
- Protect and where possible enhance (including through new ecological connections) locally and nationally valued habitats, including woodlands, meadows and former quarries. Avoid development which could impact upon the Croft & Huncote Quarry SSSI.
- Respect and enhance the strong character of the rural villages, ensuring new development complements existing context with regards to scale, form, materials and boundary features.
- Design-in the introduction of SuDS to any new development, addressing any changes in hydrology.
-

Paragraph 6.5 of the submitted Landscape and Visual Impact Assessment for the site comments that the overall effects at the construction stage on landscape character of the site and its immediate context is judged to be 'moderate - major adverse'. The paragraph concludes that whilst there would be a level of harm, as there would be for any development upon a greenfield site, this would be localised in extent.

The Assessment also states that whilst new housing would represent an alteration of agricultural land to residential development, it is a logical extension of adjacent built development at Huncote. *"The scheme will retain the vast majority of the boundary hedgerow and vegetation within the site and link to the existing settlement edge in addition to an array of GI enhancements"*. Based on this, the landscape effects have been assessed as 'minor - moderate adverse' at completion, reducing to minor adverse at year 15.

Paragraph 6.19 acknowledges that the proposed development would result in some disruption to the site's landscape fabric, to facilitate the construction of a new vehicular access. Even though the proposed scheme will alter the site and its immediate context, the assessment concludes that *"... effects will be relatively localised due to the limited nature of views into the site"*. Overall, landscape effects for the site and immediate area have been assessed as 'moderate adverse' at completion, that decreases to 'minor - moderate adverse' in the longer term at year 15.

The visual effects during the construction phase has been assessed as 'major - moderate adverse', however it is noted that this would be over a relatively short duration and this would be limited to a relatively low number of high sensitivity residential properties which adjoin the site boundary, which currently have unobstructed views towards the site.

Overall, the site is *"... generally visually contained to most of the surrounding area and, where it is visible from the east and elevated land to the south, it is seen in the context of the existing settlement."* There would inevitably be some adverse landscape and visual effects at completion, however the report judges that the effect of the proposed development would be localised and limited in terms of their geographical extent, and *"... will not result in any unacceptable landscape or visual effects in the medium term"*.

Affordable housing and housing mix

Policies CS7, CS8 and DM11 seek to ensure that new housing developments provide the appropriate quantity and mix of housing for the District's current and future needs, including the provision of affordable housing and accessible and adaptable homes. It is considered that Policies CS7, CS8 and DM11 are broadly consistent with the NPPF Paragraph 63 and can therefore be given full weight.

Policy FV12 states that proposals for new housing providing for a mix of housing types informed by and reflecting the most up to date evidence of housing need will be supported. In addition, proposals for development of 10 or more dwellings will need to demonstrate how their proposed mix will meet the needs of older households and the need for smaller, low-cost homes.

The Blaby Housing Mix and Affordable Housing Supplementary Planning Document provides guidance regarding the interpretation of Policies CS7 and CS8, aims to address local imbalances in both the market and affordable housing stock, and aims to optimise the provision of affordable housing to meet identified needs.

Policy CS7 seeks to secure a minimum of 25% of the total number of dwellings as affordable housing on all developments of 15 or more dwellings. It is worth highlighting that the most up to date information on affordable housing need is set out in the 2022 HENA. This shows a marked increase in need for affordable housing and this is a material consideration which should be considered in the planning balance. The June 2022 HENA shows that a total of 539 affordable houses per year (including 341 per year as social and affordable rented and 189 as affordable home ownership) are required to meet the District Council's affordable housing need. It is unlikely that this level of need will be viable or deliverable but it highlights the growing need for affordable housing in the District. The proposed development will provide a policy compliant 25% of the dwellings as affordable homes (39 dwellings) which weighs in favour of the development and will help to address the shortfall in the District.

Policy CS8 states that residential developments of 10 or more dwellings should provide an appropriate mix of housing type (house, flat, bungalow), tenure (owner-occupied, rent, intermediate) and size (bedroom numbers) to meet the needs of existing and future households in the District, taking into account the latest Strategic Housing Market Assessment and other evidence of local need.

The representations from the Council's Housing Strategy team states the following ideal housing mix based upon 154 units:

The scheme includes the following proposed housing mix:

Mix	1-bed	2-bed	3-bed	4-bed	Bungalow
Market	0	45	40	30	10
Affordable	6	19	10	4	3

There is a relatively broad mix of accommodation across the site, which is deemed to be acceptable by BDC Housing Policy Officers. The scheme would provide both affordable housing and a mix of housing including single storey (bungalows) and two and two and a ½ storey dwellings across the site. This development meets the required

level for affordable units and provides a mix of 1-bedroom units to 4-bedroom units across the 154 dwellings proposed.

The application proposes that 39 of the 154 dwellings would be affordable homes, which complies with the 25% required by Policy CS7. The provision of the affordable housing would be secured via a legal agreement and significantly weighs in favour of the development.

The location of the affordable units within the scheme have been amended from the original proposals to reduce the clustering of the affordable units. The applicant provided a revised plan which demonstrated two separate clusters of six affordable dwellings to the west of the area (plots 149 - 154) and a further six affordable dwellings to the east of the area (plots 133 - 138). Such amendments were considered acceptable by BDC Housing Officers.

In addition, the affordable dwellings have been designed to be fully in accordance with the criteria of Policy CS7, being indistinguishable from market properties in terms of their design, layout and location, meeting the internal floor space requirements, having rear gardens and adequate off-street car parking. The applicant has provided a plan titled 'M4[2] Site Layout' (Dwg no. 518-SK-12) which demonstrates that plots 11, 12, 20, 21, 23, 25, 71 and 72 shall be designed and completed as per the Building Regulations Standard M4(2).

Overall, the proposed development is considered to accord with Policies CS7, CS8 and DM11.

Design and layout

Policies CS2, DM2 and FV6 seek to ensure that a high-quality environment is achieved in all new development proposals, respecting distinctive local character, and ensuring that design contributes towards improving the character and quality of an area and the way it functions. They further seek to create places of high architectural and urban design quality to provide a better quality of life for the District's local community. It is considered that Policies CS2 and DM2 are consistent with the NPPF Paragraph 131 and can therefore be given full weight.

The application site is located on the southern edge of Huncote, with established residential development to the north. It is therefore in an urban / rural fringe location with semi-rural character. The site backs onto the properties on Ratcliffe Drive, as well as properties which are located to the southern end of Peers Way and Preston Way, which are generally two-storey detached and semi-detached properties.

The Planning Site Layout (Dwg no. 518-SK-01 Rev H) provides details of how the site would be developed. The plan shows public open space (POS) along the eastern, southern and western boundary of the site and partially to the northeast, west of the proposed access off Preston Way. An area is also retained where there is existing trees and hedgerows to the west, extending slightly to the centre of the site.

Three attenuation ponds are proposed within the site, along the southwestern boundary, as well as a foul pumping station to the southeastern boundary.

A Multiple Use Games Area (MUGA) / Locally Equipped Area of Play (LEAP) to the northeastern area of the site, west of the proposed access off Preston Way. Various pedestrian footpaths are proposed throughout the site, to improve connectivity. Such routes primarily border the site to the east, south and west.

According to the Movement Hierarchy Plan (Dwg no. 518-MP-04 Rev D), the primary spine road covers the northern extent of the site, connecting Peers Way to Preston Way. The secondary spine road forms a more central route through the site, running through the central courtyard area. Two secondary routes are proposed, one off the primary spine road, forming a connection to the northwestern area of the site, and another off the secondary spine road, to the dwellings to the south. The proposed dwellings on the eastern and southern boundaries would face outwards towards the open countryside, behind tertiary streets and public open space, where the pedestrian links are located.

When deducting the areas of the site which will be retained for open space (36% of the site), the total area of the site being developed equates to 11.54 acres (net developable area) (64% of the site).

Chapter 11 of the NPPF refers to making effective use of land and achieving appropriate densities, whilst also taking into account the desirability of maintaining an area's prevailing character and setting. The density of the proposed development equates to approximately 32.96 dwellings per hectare (dph). Outline planning permission was recently granted at Croft Lodge Farm (ref: 24/0559/OUT) and the overall density for the development equated to approximately 35 dph. In addition, outline permission was recently granted at Land east of Willoughby Road, Countesthorpe (ref: 24/0001/OUT) with an anticipated density of approximately 34 dph. However, it is noted that the existing development by Jelson Homes directly to the north of the application site has a marginally lower density of 32 dwellings per hectare. 32.96 dwellings per hectare is therefore considered to be appropriate for an edge of settlement location.

In terms of facing materials, there will be a mix of brick (buff, red / orange and red / brown) and rendered (ivory render) properties, which are evenly distributed across the site, to improve visual interest and to avoid a uniform approach. The rendered properties have been positioned at most of the visually prominent locations, to aid way finding and to promote a sense of place. There will also be a mixture of dark grey and multi red roof tiles across the site. A range of porch styles are proposed, including: pitched, flat and sloped, with the majority of house types (apart from 2) including porches, to improve the architectural quality of the scheme. All windows are proposed to be white uPVC, with front and garage doors to be in accordance with the approved House Type Pack (received 19.12.2024) (a combination of either dark green, white, light grey, black and light green). Bay windows and chimneys have also been included on key plots (dual aspect, focal vista focal gateway opportunities).

The dwellings also include gabled style roofs to reflect the existing properties along Peers Way and Preston Way etc.

A combination of arched and vertical brick lintels are also proposed, to improve the visual interest of the proposed dwellings. A condition is also recommended at the

beginning of this report requiring the applicant to provide a Material Schedule (detailing roof and rainwater goods, fenestration detailing, head & cill detailing and wall finishes) to ensure that the proposed materials reflect the local character and appearance of the area and the existing Jelson development to the north.

6no. of the dwellings are proposed to be 2.5-storeys high, and include the use of flat roof dormer windows.

58no. garage spaces (detached) are also proposed, which are either single or double garages, with a gabled style roof.

A comprehensive urban design review was undertaken in August / September 2024, which assessed the proposed layout against the Building for a Healthy Life Toolkit (2020) (BfHL), which superseded Building for Life 12 (BfL12). Policy CS2 states that *“The Council will use Building for Life 12 (BfL12) as a tool to encourage high quality design across all new housing developments in the District. Where the design of a new development is not considered of high enough quality, the Council will seek appropriate improvements”*.

The document provided a RAG (Red, Amber, Green) Assessment for each of the main sections of the BfHL Toolkit.

Following the Assessment, the applicant provided a revised layout which addressed various points, including the following amendments:

- A new pedestrian link along the southern boundary of the northwestern most development parcel (adjacent to plots 127 - 154);
- A new pedestrian link to the southwest of the site, from the proposed highway outside of plot 109, in a westerly direction, connecting to the existing PROW;
- Improved access to the proposed POS to the south of the scheme through the creation of pedestrian links through the timber knee rail at various points;
- 1.8-metre-high brick walls have replaced high close boarded fences where the boundary treatment tends to face the highway;
- A Multiple Use Games Area (MUGA) is proposed within the area of POS along the northern boundary (to the north of plots 29 and 30);
- The inclusion of three benches within the POS;
- The clustering of affordable housing to the northwest of the scheme has been improved, to comply with Policy 8 of the Housing Mix and Affordable Housing SPD;
- The design of the affordable housing dwellings have been amended to ensure that they are ‘tenure blind’ in comparison to the market dwellings;
- The inclusion of 4no. sign posts at strategic points within the site to encourage way-finding;
- The inclusion of chimneys to dwellings that sit within the most visually prominent plots within the site;
- Landscaping strips have been introduced between car parking bays in the central courtyard area to improve car screening and the dominance of parked vehicles. Estate railings have also been included around the perimeter of the parking area to further improve visual interest;
- The layout in the northwestern part of the site has been reconfigured to improve the layout and design of the area;

- Leftover land issues have been addressed;
- The location of the pumping station has been moved to land to the south of plots 89 and 90;
- The provision of street trees has been improved to reflect the road hierarchy;
- All street trees have been repositioned to avoid being planted on highway land, to allow them to be managed and maintained by a management company; and
- A combination of hedgerows, street trees and estate railings have been included throughout the scheme to improve front boundary treatments and to improve public / private delineation.
-

Due to the above changes, it is considered that the proposed layout would evidence high urban design quality and contribute to a better quality of life for the local community. The scheme is also considered to demonstrate a safe and socially inclusive development, through the adoption of good design principles and as such, the design of the layout would comply with Policies CS2, DM2 and FV6.

Flood risk and drainage

Paragraph 181 states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Policy CS22 of the Core Strategy states that the Council will ensure all development minimises vulnerability and provides resilience to flooding, taking into account climate change. This includes directing development to locations at the lowest risk of flooding giving priority to land in flood zone 1, using Sustainable Drainage Systems (SuDS) to ensure that flood risk is not increased on-site or elsewhere, managing surface water run-off, and ensuring that any risk of flooding is appropriately mitigated, and the natural environment is protected.

The application site is located within Flood Zone 1, being at a low risk of flooding from rivers (with a less than 1 in 1000 chance of flooding occurring each year). The southern and western site boundary aligns with the extent of Flood Zone 2 and 3. The Thurlaston Brook is located approximately 85m beyond the southern and western boundaries.

Paragraphs 173 - 175 in the NPPF states that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in future from any form of flooding. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development, in areas with a lower risk of flooding. The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).

The majority of the site is at 'very low' risk of surface water flooding (less than 1 in 1000 chance). Similarly, the southern and western site boundaries correlates with the extent of 'low' to 'high' risk of surface water flooding. Following discussions with the Council's Planning Policy Team, it was confirmed that whilst technically there is flood

risk within the red line boundary of the application site, it is only located within a small area of a proposed parking space and a footway. Accordingly, due to the very limited nature of the surface water flood risk (please refer to the screenshots below) and the areas affected, a Sequential Test is not required.

The applicant has identified three sub catchments for surface water drainage, each falling to the Thurlaston Brook ordinary watercourse. The proposals seek to discharge at a total of 15.5 l/s via water butts and attenuation basins serving each sub-catchment to the Thurlaston Brook.

In relation to water quality, the proposals include dry attenuation basins only, with no other SuDS being proposed on-site.

During the initial consultation, the Lead Local Flood Authority (LLFA) was unconvinced that the proposals included sufficient treatment train and stated that it would expect source control SuDS to be specified within a development of this type. The consultee therefore requested for the applicant to provide additional source control SuDS to improve the quality of surface water run-off from the site or; to provide clear evidence based on the principles of CIRIA C753 that the proposals provide sufficient water quality treatment.

Subsequently, the applicant provided the consultee with the simple index tool outputs referred to in the Flood Risk Assessment and commented that this information demonstrated that the on-site water quality measures are sufficient. The consultee therefore advised that the proposals are acceptable to the LLFA and advised for the inclusion of planning conditions to any permission granted.

Following amendments to the layout, a re-consultation was issued in October 2024. Despite these changes, the consultee confirmed that the proposals were still considered acceptable to the LLFA, subject to the inclusion of recommended planning conditions.

It is noted that a number of objections to the planning application have raised issues regarding flood risk, in particular existing flooding issues at the field to the south of Ratcliffe Drive and St James Close and where Thurlaston Brook passes underneath Croft Road. However, it is acknowledged that this flooding occurred over relatively short periods of time and that the flooding occurred during a particularly wet winter, during which the ground was permanently saturated from previous rainfall events. Residents also raised concerns regarding existing sewage issues experienced on Ratcliffe Drive, St James Close and Brook Street. Severn Trent Water were consulted several times during the determination of this planning application and no response has been received. However, it is noted that under the Water Industry Act 1991, sewerage undertakers must ensure the provision of adequate systems for the drainage and treatment of wastewater. A pre-commencement condition is recommended at the beginning of the report for a foul water drainage scheme to be submitted to and approved in writing by the District Planning Authority, to ensure the satisfactory disposal of foul water from the site.

Overall, it has been demonstrated that the flood risks to the development can be managed, without increasing flood risk elsewhere, and will not result in an increase in flood risk off-site.

Residential amenities

Policy DM2 seeks to ensure that development consistent with Policy CS18 provides a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by existing and nearby residents, including but not limited to, considerations of, privacy, light, noise, disturbance and an overbearing effect and considerations including vibration, emissions, hours of working and vehicle activity. Policy FV6 states that development that reflects the distinctive and traditional character of the Fosse Villages, as described in the Settlement Statements, or contextually appropriate innovative design will be supported. Development proposals must also:

- A. Be in keeping with the scale, form and character of its surroundings;
- B. Protect locally significant features such as traditional walls, hedgerows and trees;
- C. Not significantly adversely affect the amenities of residents in the area, including daylight / sunlight, privacy, air quality, noise and light pollution;
- D. Promote sustainable design and construction, which minimises waste and maximises the potential for recycling materials either on or off site; and
- E. Provide safe and suitable access.

The proposed development is located adjacent to the settlement boundary of Huncote, and so would be located in reasonably close proximity to some existing properties, in particular backing onto the gardens of properties on Ratcliffe Drive, Peers Way and Preston Way to the north. The proposed vehicular access at Peers Way would be located directly opposite to no. 38 Peers Way and similarly, the proposed access off Preston Way would be located directly opposite to no. 43 Preston Way. The Planning Site Layout shows that areas of public open space will be located along the eastern half of the northern boundary of the application site, directly south of no. 38 Peers Way, all the way eastwards to no. 43 Preston Way.

The northwestern area of the development would back on to the existing rear gardens of property nos. 28 - 54 Ratcliffe Drive and no. 36 St James Close beyond the northern boundary. However, it is noted that plot nos. 127 - 151 would be one-storey dwellings and a secondary street, tertiary street and private drive has been positioned to separate the plots from the existing dwellings. These plots would have a minimum separation distance of approximately 27 metres, which is considered to be an acceptable distance in terms of potential privacy / overlooking impacts.

Plot nos. 152 - 154 are also located within the northwestern area of the site, which would back on to no. 54 Ratcliffe Drive and no. 36 St James Close. These three plots would be two-storey dwellings, however the off-street parking and private drive is positioned to separate the plots from the existing residential development. As such, there would be a separation distance of at least 33 metres, which is again considered to be an acceptable distance in terms of neighbouring amenity ensuring privacy.

It is noted that a proposed MUGA is shown on the Planning Site Layout to the northeastern area of the site, to the south of Preston Way. The location of the MUGA does not raise any concerns in terms of potential noise and disturbance to existing residents, due to the nature of the play facility, which is common in residential developments of this size. Such play spaces also offer benefits and communal space for children and young people. It is also acknowledged that a balancing pond is located within the existing residential development, directly to the north of the proposed MUGA.

It is noted that objections have been received from local residents regarding noise pollution as a result of construction traffic. However, it is acknowledged that following the consultation response from the Council's Environmental Services team, the applicant agreed to the addition of a pre-commencement condition requiring the submission of a Construction Environment Management Plan (CEMP), which would be required to be approved in writing by the District Planning Authority. The CEMP would be required to detail the following, which relate to construction vehicle movements: proposed hours of site works and deliveries and noise mitigation measures.

A response was also received from Aggregate Industries UK Ltd, which operates Croft Quarry, to the west of the application site. The objection refers to a lateral extension to the mineral extraction area within the quarry and the reclamation via the importation of restoration material in January 2022 (2019/0657/01). Aggregate Industries commented that *"The proposed development will not just alter the proximity of sensitive receptors to the east but bring houses to our eastern boundary. The proposed development would demonstrate an agent of change."*

This comment was shared with the applicant, who responded with the following:

"When reviewing the 2024 Croft Quarry application we note that this is broadly similar to the approved application made in 2019 but with a couple of minor amends such as changes to the phasing of mineral extraction and restoration operations and the expansion of the recycling operations on site... the mineral extraction and restoration operations are proposed to remain as proposed in the 2019 operation it is just the phasing of when these come forward which has been revised. Accordingly, we consider the NIA prepared by BWB in support of the application suitably assesses this."

"... we note that the expansion of the recycling operations are contained to the southernmost part of the site, as are the wider proposals sought approval for (including the lateral extension). In this regard the NIA submitted with the Croft Quarry expansion application determines that "the village of Huncote to the north is influenced by the quarry to a much lesser degree with proposed future extraction operations moving further south". Furthermore, the NIA submitted in support of the Croft Quarry application determined that the nearest residential receptors to be the properties on Dovecote Road, Shades Close and Winston Avenue. Indeed, the NIA considered that a suitable noise climate could be achieved at these residential receptors which are significantly closer to the proposals than Jelson's site. Accordingly, it can be safely assumed that Jelson's site, which is significantly further removed from any of the proposed operations under the 2024 application, to achieve a similar if not notably better noise environment."

“I have captured this on the drawing below which shows the rough locations of the residential receptors (green star), the proposed works which you can see are contained within the southern portion of the site and the location of Jelson’s site (outlined red with the developable area hatched).”

“To further supplement the above I also refer you to Appendix E of the Croft Quarry NIA which depicts the noise contours across the quarry site. I have included a screenshot below for reference. This confirms Jelson’s site is will not be negatively impacted by the noise arising from the quarry operations.”

The applicant’s response was reviewed by the Councils’ Environmental Services Team, which confirmed that it is satisfied with the reasoning as above.

Blaby District Council’s Environmental Services team was consulted as part of the determination of this planning application. In terms of noise and disturbance, a Noise Assessment, prepared by BWB (Revision 3.0 dated 08.04.2024) was submitted with the application. The consultee was contacted by BWB and confirmed in their consultation response that the proposed methodology for the assessment was agreed. The consultee commented that the Noise Assessment appeared to be reasonable, including the recommendations for the building envelopes in Chapter 5.

Environmental Services originally requested for a condition to be included, to ensure that the noise attenuation measures recommended in Chapter 5 of the Noise Assessment are installed, and for a validation statement to be submitted, confirming that those measures have been installed correctly and that the predicted noise levels in the external amenity areas have been achieved. The condition also stated that in the event that the noise levels measured on completion exceed the predicted noise levels, the report shall include recommendations for remedial mitigation measures. A further validation statement was also originally included to confirm that such works have been completed. However, the requirements of this condition were not considered to be reasonable or necessary after the installation, and following liaison with the consultee, it agreed to waive the requirement to confirm that the predicted noise levels have been achieved.

In terms of impact of construction, the consultee commented the following: *“The proposed development site lies near to a number of existing residential properties. These properties would be at risk of suffering a loss of amenity from off-site impacts of the construction phase. It would be necessary to control those impacts through the implementation of a Construction Environmental Management Plan (CEMP). The CEMP should include proposed hours of site works and deliveries, together with measures to mitigate noise, vibration, temporary lighting, dust and other airborne emissions. If piling is to occur on site, a piling method statement should be employed”*. The application would be subject to conditions relating to the noise, lighting, dust and disturbance during the construction phase.

In an email dated 04.11.2024 from Avison Young, the applicant has confirmed that standard strip foundations would be acceptable, so piling would not be used on-site. A condition is also recommended at the beginning of this report to ensure that in the event that piling is required, a piling method statement must be submitted and agreed by the District Planning Authority first.

Concerns have also been raised by existing residents regarding the proximity of the proposed communal bin collection points to their rear gardens along Ratcliffe Drive. However, it is noted that the closest bin collection point is approximately 16 metres from the nearest existing dwelling and there is an existing boundary fence which would act as a form of separation. In addition, bin collection points are temporary, and the bins are to be stored to the rear gardens of plots. Therefore, no concerns are raised in this regard.

Accordingly, through the inclusion of appropriate conditions (as set out at the beginning of this report), no concerns are raised in terms of privacy, scale, overbearing impacts, noise and construction works. The application is therefore considered to comply with Policy DM2 of the Local Plan and Policy FV6 of the Fosse Villages Neighbourhood Plan.

Developer Contributions and infrastructure / facilities

Policy CS11 states that new developments must be supported by the required physical, social and environmental infrastructure at the appropriate time. It states that the Council will work in partnership with delivery agencies to ensure that development provides the necessary infrastructure, services and facilities to meet the needs of the community and mitigate any adverse impacts of development. Policy CS12 states that where requirements for infrastructure, services and facilities arising from growth are identified through robust research and evidence, it is expected that developers will contribute towards their provision (and in some cases maintenance).

A request for funding towards early years childcare provision, primary education provision, secondary (11-16 years) education provision, Special Education and Disabilities (SEND) provision, library services, and civic amenity and waste facilities was received from Leicestershire County Council. Leicester, Leicestershire and Rutland Integrated Care Board (LLR ICB) has also requested a financial contribution to provide the required healthcare facilities to meet the population increase linked to this housing development. Blaby District Council's Sport & Physical Activity Team has also requested a financial contribution towards Artificial Grass Pitches, the changing pavilion at the proposed 3G pitch site at Stoney Stanton Memorial fields and pitch improvements at Huncote Sports Club. Leicestershire Police has also requested a contribution to mitigate the additional impacts of this development because the Force's existing infrastructure will not have the capacity to meet the new demand.

Education provision

Regarding primary education, the development will yield 45 primary aged children. When taking into account primary schools within a two-mile walking distance from the development there is an overall deficit of 55 places if the development goes ahead. Therefore, a full request for contributions in respect of the primary education sector of £809,499.60 is justified.

Regarding secondary education, the development will yield 25 secondary aged children (11-16). Brockington College has a net capacity of 1,200 and there will be a deficit of 64 places if this development goes ahead. When taking into consideration the other secondary schools within a three-mile walking distance from the development, there is an overall deficit of 64 places. Therefore, a full request for contributions in respect of the secondary education sector of £438,837.92 is justified.

A contribution in respect of post 16 education will not be required for this sector. This development will yield 5 children aged 16+. Schools within the 3-mile catchment of the development have sufficient capacity within the school campus if this development goes ahead.

Regarding SEND education, this development will yield 2 SEND children. Wigston Birkett House special school has a net capacity of 236 and there will be a deficit of 27 places if this development goes ahead. When taking into consideration the other SEND schools within a two-mile walking distance from the development there is an overall deficit of 18 places. Therefore, a full request for contributions towards SEND of £82,979.20 is justified.

Regarding early years, the development will yield 12.58 early years children. There is one childcare provider within a 1-mile radius of the development who has 28 places. At the summer 2024 headcount, there were 33 funded 2, 3 and 4 year olds in that provider, creating a deficit of 5 places and therefore a request for contributions of £230,918.48 is justified.

The contributions sought are to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities.

Libraries

A contribution of £4,559.85 is sought to provide improvements to Narborough library and its facilities, as it is considered that the development will create additional pressures on the availability of facilities at that library, and others nearby. However, it is noted that Huncote Community Library is the closest library to the application site. This is a matter that can be dealt with during the drafting of the Section 106 Agreement.

Waste contribution

A contribution of £3,675.98 is sought to be used for site reconfiguration, including the development of waste infrastructure to increase the capacity of the Whetstone Household Waste and Recycling Centre (HWRC), or any other HWRC directly impacted by this development.

The Planning Obligations and Developer Contributions SPD states that to cover the cost of wheelie bins for recycling and refuse, £49.00 per household will be sought on all major schemes. This amounts to £7,546 for the 154-dwelling development.

Health care

The Leicester, Leicestershire and Rutland Integrated Care Board (ICB) requests a contribution of £119,257.60 for GP surgeries to help mitigate / support the needs arising from an increase in population. The ICB requests that the funding is allocated for use either at any named GP Surgery or to develop alternative primary / community healthcare infrastructure that will be directly impacted. The ICB has requested the inclusion of a trigger point, so that any contributions are released prior to occupation. The consultee has commented in their response *“Due to the length of time applications can take to reach formal approval, and S106 funds agreed and secured, LLR ICB reserve the right to agree at that point as to where the funding is best placed.”* They note in their response that the Existing GP provision affected by growth and this

housing development would be Enderby Medical Centre and The Limes Medical Centre.

Police

Leicestershire Police requests a contribution of £28,183.50 to mitigate the additional impacts of this development because the Force's existing infrastructure will not have the capacity to meet the new demand generated by the development. The Force indicate that the funding will be used for start-up personal equipment (for police officers, PCSO's, specials and staff), infrastructure and estate support, police vehicles, identification technology and crime reduction initiatives.

The Council considers that only the contributions for police vehicles and identification technology are those which can comply with the CIL tests and can therefore legally be secured through S106 Agreements. Accordingly, a total contribution amount of £8,401.45 is required.

Utilities

It is noted that a number of objections to the planning application have raised issues regarding low water pressure in the village. As stated previously, Severn Trent Water were consulted several times during the determination of this planning application and no response has been received. However, it is noted that under the Water Industry Act 1991, sewerage undertakers must ensure the provision of adequate systems for clean and foul water connections.

Policy DM4 of the Delivery DPD states that all new build major residential and commercial development should be served by a fast, affordable and reliable broadband connection in line with the latest Government target. It indicates that developers will be expected to liaise with broadband infrastructure providers to ensure that a suitable connection is made. Since the publication of the Delivery DPD, however, legislation has overtaken policy requirements in this area as The Building etc. (Amendment) (England) (No.2) Regulations 2022 have introduced gigabit broadband infrastructure and connectivity requirements for the construction of new homes in England which means there is now a requirement in law for policy requirements of DM4 to be adhered to.

Open space, sport and recreation

Policy CS14 seeks to ensure that the District's natural environment, wildlife, habitats, landscape and geology are considered and protected through good design practices, seeking to protect existing green spaces and provide new good quality, multi-functioning green networks and corridors. Updated Policy CS15 indicates that Blaby District Council will seek to ensure that all residents have access to sufficient, high quality, accessible open space, and sport and recreation facilities, access to the Countryside and links to the to the existing footpath, bridleway, and cycleway network. Contributions for open space provision or improvements within the parish will be sought in line with the provisions of Policy CS15 and the Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Guidance (February 2024).

Updated Policy CS15 standards for the provision of open space, sport and recreation per 1000 population in the District, indicates that these standards will be used to

ensure that development proposals provide sufficient accessible open space, sports and recreation, taking into account any local deficiencies. It states that new on-site provision or, where appropriate, financial contributions to improve the quality of, or access to existing open space, sport and recreation facilities, will be expected and commuted maintenance sums will be sought.

Blaby District Council's Planning Obligations and Developer Contributions Supplementary Planning Document includes guidance to support the Local Plan in relation to open space, sport and recreation requirements for developer contributions. It states that open space and play facilities should normally be provided within the development but recognises that open spaces of less than 2200 square metres in size are of limited recreational value, are expensive to manage and maintain, often lead to conflict with neighbours and therefore have little overall community benefit.

As discussed in the above section, Blaby District Council's Sport & Physical Activity Team has requested a Section 106 contribution in terms of supporting the improvement to the pitch quality at Huncote Sports and Social Club, contribution towards a new 3G pitch at the proposed site of Stoney Stanton War Memorial Fields and a contribution towards ancillary facilities at Stoney Stanton War Memorial Fields to support the 3G development.

Open space provision

Based on the requirements of Policy CS15, the following amounts of public open space required to serve the development have been calculated. The calculations include the proposed housing mix as set out in the Housing Schedule in the Planning Site Layout (Dwg no. 518-SK-01 Rev H) (345 residents).

The Open Space Plan indicates that a total of 2.3 hectares of open space will be provided on site, predominantly along the northeastern, eastern and southern boundaries, as well as towards the centre of the site. The on-site open space comprises natural green space, informal open space and children and young people's open space.

Type of Open Space	Amount per 1000 population in ha (Delivery DPD figures)	Amount for development in ha (345 population)	Actual Provision in ha
Parks and Recreation	0.23	0.08	0
Natural Greenspace	2.6	0.9	2.27 (combined)
Informal Open Space	1.0	0.35	
Children and Young People's Open Space	0.06	0.02	0.04
Allotments and Community Gardens	0.25	0.09	0
TOTAL		1.44	2.31

The overall amount of open space proposed exceeds the requirement of 1.44 hectares for those open space typologies being provided for on site. Specifically, the total area of natural green space and informal open space exceeds the required amount by approximately 1.02 hectares. The open space will also include areas which may require specific maintenance or limited public access for Biodiversity Net Gain (BNG) purposes. The specific habitats to be provided are shown in the Biodiversity Net Gain Report. Nevertheless, the ample provision of open space on site would help to provide a high-quality development and create a pleasant environment for future residents.

No parks and recreation grounds, or allotments and community gardens will be provided on-site. Table 1 (see below) in the Planning Obligations and Developer Contributions SPD (2024) demonstrates that such open space typologies are required to be provided off-site for development proposals between 100 - 199 dwellings.

Accordingly, parks and recreation grounds and allotments and community gardens should be a contribution in lieu of on-site provision. This is calculated on the amount per dwelling depending upon occupancy of the dwelling, which is calculated on the basis of an amount for each typology per 1000 population. The amounts for each typology have been calculated in the table below:

Typology	Amount per 1000 population in ha (Delivery figures)	Amount in m²	Cost*
Parks and Recreation Grounds	0.23	793.50	£71,557.83
Allotments and community gardens	0.25	862.50	£31,826.25
TOTAL			£103,384.08*

*Note - the costs set out above are subject to change as these are currently draft figures that have not yet been finalised.

Para 4.3.10 of the SPD states that the Council will consider the quantity, accessibility and quality of existing open space within the parish when considering contributions. The Open Space Audit (2019) sets out the existing provision for Huncote. The table below shows this provision and whether there is a deficit or surplus.

Typology	Existing provision in ha / 1000 population	Provision required in ha / 1000	Difference (Deficit / Surplus)	Amount required for this development of 154 dwellings (345 population)	Justified
Parks and Recreation Grounds	3.15	0.23	+2.92	0.08	No
Allotments and community gardens	0.69	0.25	+0.44	0.09	No

It is not considered necessary to require a financial contribution towards parks and recreation grounds or allotments and community gardens, as there is shown to be a surplus of these typologies as set out in the above table.

Paragraph 4.3.10 of the SPD states that when determining the amount of open space required, the Council will consider the quantity, accessibility and quality of existing open space within the parish area. Whilst there is a surplus for parks and recreation grounds in Huncote, it is noted that in Appendix 3 of the Open Space Audit 2019 (Quality Maps), the closest parks and recreation grounds are: The Den and Huncote Recreation Ground. Both of these open spaces have been assessed as Grade 'B'. However, following discussions with the Council's Planning Policy Team, it is considered that due to the proposed development providing an on-site MUGA / LEAP, as well as significant open space, it would be unreasonable to request any additional off-site contribution requests.

As mentioned, the on-site open space does not include provision for outdoor sports space, or cemeteries / churchyards. As such, it is considered appropriate for contributions to be provided for new or improved off-site open space of these types, subject to there being an identified need. The financial contributions will be secured through the Section 106 Agreement.

Sports provision

Whereas the original Policy CS15 in the Core Strategy set a standard in hectares for outdoor sports provision per 1000 population, the Updated Policy CS15 in the Delivery DPD instead refers to the Open Space Audit for guidance on quantity and quality requirements. The Open Space Audit was produced in 2019 for the Council and was the evidence that informed the Updated Policy CS15. In relation to outdoor sports provision, the audit provides detailed evidence in relation to various sports and playing pitch types. However, the accompanying text to Policy CS15 states that the quantity and type of provision will be assessed on a site-by-site basis, taking into account the scale and location of development, the Open Space Audit data, and other relevant Council strategies and policies.

The Council's Health and Leisure Team has therefore used Sport England's Playing Pitch Calculator and the Council's Playing Pitch Strategy which are more up to date evidence to identify the additional demand for sports facilities as a result of the development. A contribution of £204,540 is sought and it is recommended that this is used to:

- Support improvement to the pitch quality at Huncote Sports and Social Club to reduce overplay and increase capacity for adult football demand;
- Contribute towards a new 3G pitch at the proposed site of Stoney Stanton War Memorial Fields; and
- Contribute towards ancillary facilities at Stoney Stanton War Memorial Fields to support the 3G development.

Cemeteries

Updated Policy CS15 of the Delivery DPD sets a standard of 0.21 hectares per 1000 people for cemeteries, meaning the development would result in a requirement for 0.07 hectares of additional cemetery space. The Open Space Audit 2019 identifies the existing standard for cemeteries in Huncote is 0.32 per 1,000 people, in excess of the policy requirement.

This development would increase the population of Huncote by a further 345 people to 2,510 people. With the increased population, the existing cemetery open space provision would be 0.25 ha / 1000 people. This is above the Policy CS15 standard of 0.21 ha / 1000 people, and as such it is not considered that a contribution for off-site cemetery open space would be necessary or justified.

Huncote Parish Council requested for the provision of a Section 106 financial contribution to Huncote Cemetery for necessary groundwork (£7,560) and essential mowing and maintenance (£4,760 per annum over a five-year period). However, a financial contribution for such works is not considered to meet the tests set out in Regulation 122 of The Community Infrastructure Regulations 2010 as it would not be necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development.

Archaeology

Policies CS20 and DM12 seek to preserve and enhance the cultural heritage of the District and recognise the need for the Council to take a positive approach to the conservation of heritage assets. Policy CS20 goes on to state that proposed development should avoid harm to the significance of historic sites, buildings or areas, including their setting.

There are no designated heritage assets within the site and no designated heritage assets within the surrounding areas which are considered sensitive to the proposed development.

The archaeological potential of the site has been assessed through desk-based study and programmes of geophysical survey and archaeological evaluation. Leicestershire County Council's Archaeology team were consulted as part of the determination of this planning application. The consultee stated that *"Numerous roman finds within the northeastern area of the site suggest the possible presence of a settlement site here (HER Ref.: MLE249) and the presence of Iron Age coins (MLE6446, MLE6447) also indicate a potential for earlier activity. Additionally, a potential Bronze Age barrow (MLE144) was identified as cropmarks immediately east and partially within the red line boundary of the site to the east, with further prehistoric finds also recovered from the wider area."*

In terms of the Geophysical Survey, the consultee commented that the results of the report were largely inconclusive. *"Although the survey has not identified any positive evidence for archaeological activity here, it has not established their absence either"*. As such, the consultee requested for the applicant to undertake a programme of trial trenching, prior to determination.

Following these comments, the applicant undertook trial trenching and provided the Local Planning Authority with an Archaeology Report, prepared by Albion Archaeology (dated 07.10.2024).

The consultee reviewed the report and confirmed that no additional archaeological involvement will be required.

On this basis, the application is considered to comply with Policy CS20 of the Core Strategy and Policy DM12 of the Delivery DPD.

Environmental implications

Contamination

Blaby District Council's Environmental Services team was consulted as part of the determination of this planning application. A Phase 1 Environmental Report, prepared by Avison Young (dated 31.07.2024) was submitted and the consultee confirmed that the report was acceptable and included several recommendations in Chapter 11. The consultee also commented that Section 11.4 of the report recommends that an intrusive ground investigation is undertaken and therefore further reports must be submitted. The consultee confirmed that the inclusion of a pre-commencement condition would be acceptable and provided suggested condition wording

Construction Impacts

The Council's Environmental Services Team have been consulted during the determination of this planning application. In terms of impact of construction, the consultee commented the following: *"The proposed development site lies near to a number of existing residential properties. These properties would be at risk of suffering a loss of amenity from off-site impacts of the construction phase. It would be necessary to control those impacts through the implementation of a Construction Environmental Management Plan (CEMP). The CEMP should include proposed hours of site works and deliveries, together with measures to mitigate noise, vibration, temporary lighting, dust and other airborne emissions. If piling is to occur on site, a piling method statement should be employed"*.

The consultee recommended a pre-commencement condition requiring the implementation of a CEMP, in the interests of nearby residential amenity.

Ecology and biodiversity

Policy CS19 states that the Council will protect those species which do not receive statutory protection under a range of legislative provisions, but have been identified as requiring conservation action as a species of principal importance for the conservation of biodiversity nationally. Any development proposals should ensure that these species and their habitats are protected from the adverse effects of development through the use of appropriate mitigation measures.

Policy FV4 states that new development which minimises impacts on and provides net gains for biodiversity and enhances resilience to current ecological pressures on habitats at Fosse Meadows Nature Park will be supported. New development will be expected to maintain and enhance existing ecological corridors and landscape features to support biodiversity.

Ecological appraisal

An Ecological Appraisal has been submitted with the application, followed by an Ecological Addendum which was subsequently submitted in August 2024.

The Ecological Appraisal notes that three SSSIs are located within 2km of the site, with Croft and Huncote Quarry being the closest (approximately 208m south-west),

however due to the geological nature of its designation, these will remain unaffected by the development proposal. Paragraph 3.2 of the report also acknowledges that some connectivity is shared from the site to Croft Hill and 5.2km circular walk respectively to access them. Therefore, some increased use of both sites may arise by residents, including dog owners, from the proposed development accessing them for recreational purposes. The Report states *“High levels of recreational use can result in adverse effects to sensitive grassland habitats through trampling and nutrient enrichment through dog fouling. At the distance the designated sites are from the site, it is considered unlikely that any increased recreational use resulting from the development of the site would be of a sufficient level as to result in any significant adverse effects”*.

The Appraisal also identifies that there is a total of eight non-statutory designated sites within 1km of the site boundary. Huncote Marshland pLWS (Potential Local Wildlife Site) falls partly within the site boundary. Paragraph 4.5 of the Report states the following *“Review of the results of the habitat survey against the current LWS selection criteria indicate that the pLWS meets the Primary Criteria for Wetland Habitats (Section 9 - waterbodies, swamps, fens and ditches) and Primary Criteria for Wet Grassland. However, the section of the pLWS that falls within the site is much drier grassland that doesn’t support the species assemblage required to meet LWS selection criteria, when assessed alone. It is of lower general species diversity and is in poor condition, owing to the abundance of creeping thistle. It is considered that development of a SUDS basin in this area would not reduce the overall biodiversity value of the pLWS or detract any of the qualifying features that would allow the site to be selected as a LWS going forwards. Furthermore, drainage outflows will be designed to minimise ecological impacts on the pLWS habitats.”*

Thurlaston Brook pLWS and Croft Quarry Ponds LWS are located 95m and 110m from the site boundary respectively. Drainage into the brook is proposed to be from surface water SUDs basins and the Report states that this is not likely to have a significant impact on the biodiversity or hydrology of the watercourse or ponds. The Appraisal also states that *“The field to the west of the brook, also falling within the bounds of the pLWS, comprised other neutral grassland that had been subject to some agricultural improvement, therefore being of limited conservation value. The field did not meet any of the LWS selection criteria at the time of survey.”*

The Appraisal confirms that the most dominant habitats within the site comprise of non-cereal crop and modified field margins, which are of limited botanical and ecological interest. Therefore, *“The loss of these habitats would not result in significant adverse impacts to ecology and nature conservation”* (Paragraph 4.10). Areas of other neutral grassland were of greater ecological value, however, the Report states that these habitats are considered easily replaceable within development schemes where their loss is unavoidable. Paragraph 4.11 states *“The provision of species-rich grassland within the green infrastructure design would contribute towards mitigating for the minor adverse effects from loss of the habitat”*.

Habitats of greater ecological and botanical value were present at the site boundaries, comprising hedgerows and trees associated with the field boundaries. These habitats are proposed to be retained, along with the creation of new native species hedgerows and extensive tree planting.

Leicestershire County Council's ecologist commented that the habitat assessment contained within the Ecological Appraisal was sufficient. However, the consultee raised concerns that the impacts on the Huncote Marshland pLWS had not been fully evaluated or mitigated against. The consultee requested for a robust mitigation strategy and monitoring scheme be produced to ensure that this habitat is protected throughout the construction process and when development is in use to ensure no degradation occurs due to the development. The consultee also advised that *"At the LPA's discretion, further LWS criteria assessment should be undertaken on Huncote Marshland to determine whether the site fulfils LWS criteria, to better inform the mitigation strategy"*.

The applicant provided a response in relation to the above, following a further walkover survey of the site in September 2024 by a Botanist from FPCR. The consultee confirmed that it was satisfied that the impacts on the nearby pLWS had been fully evaluated and there is a good opportunity highlighted to increase the biodiverse value of this habitat as part of the landscape scheme associated with the proposed development. The consultee commented that *"This habitat should be protected throughout the construction process and I agree with the recommendation that any proposed management to the pLWS should be set out as part of a Landscape Ecological Management Plan to ensure ecology is optimised"*.

Survey work for mammals was carried out and considered acceptable along with the provision of appropriate landscape plan (Landscape and Ecological Management Plan) conditions. The consultee also recommended a condition for a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity), as well as an updated survey for mammals within 3 months of the likely commencement of works on site. All of the recommended conditions have been included at the beginning of this report.

Following these comments, the applicant subsequently provided an explanation to the recommended approach regarding sett closure with appropriate landscape plans, which indicated the locations of the artificial sett. The consultee responded in November 2024 stating that this explanation was satisfactory and that the measures described should be implemented to best practice guidance and any further survey effort as a result of discussions with Natural England should be carried out. Natural England did not comment on this application during the consultation process.

Biodiversity Net Gain

Biodiversity net gain (BNG) is a strategy to develop land and contribute to the recovery of nature. It is a way of ensuring that habitats for wildlife are in a better state after development than before. A 10% provision of BNG became mandatory for planning applications for major development submitted from 12 February 2024 and for small sites from 2 April 2024. As this planning application was received in May 2024, a 10% biodiversity net gain provision is legally required.

A Biodiversity Net Gain Assessment has been submitted which indicates that the site is capable of providing an on-site net gain of 19.62% in habitat units and 136.15% in hedgerow units.

The BNG Assessment utilises the Statutory BNG Metric, which is acceptable. To establish the habitat baseline, broad habitat areas have been identified based on the survey work undertaken at the site.

The Assessment identified that no high or very high distinctiveness habitats were present on site therefore like-for-like or bespoke compensation will not be required for any habitats that are to be lost under the current proposals. The scheme proposes two small areas of traditional orchard, which are a high distinctiveness habitat. Paragraph 4.3 of the Report states that *“Medium distinctiveness grassland habitats are present within the Site which require compensation to be provided through the provision of habitat within the same broad habitat type. The current proposals satisfy the trading requirements through the inclusion of significant areas of medium distinctiveness grassland, as well as other medium distinctiveness habitat including mixed scrub and woodland”*.

All hedgerows are to be retained within the proposals and will be managed to maintain their ‘good’ condition. The Assessment also states that several native hedgerows will be planted around the site to provide a buffer between the residential areas and retained / newly created habitats. In addition, a native hedgerow will be planted along the eastern boundary, between the two existing hedgerows H1 and H2, totalling 968m of new hedgerow.

Following a re-consultation on revised plans, the Leicestershire County Council ecologist commented in December 2024 that the documents relevant to ecology (Landscape Strategy, BNG Metric and BNG Report) are satisfactory and the recommendations within the BNG Report should be carried out including Section 1.9 in relation to the production of a Biodiversity Gain Plan and a suitable landscape management plan, such as a Habitat Management and Monitoring Plan (HMMP) should be produced for 30 years for the revised landscape scheme. Both documents will be secured within the S.106 Agreement.

Arboricultural implications

An Arboricultural Assessment and Landscape Strategy have been submitted within the application which considers the arboricultural impacts of the development and includes analysis of the trees present on site and a categorisation of their quality.

Leicestershire County Council’s Forestry Team were consulted as part of the determination of this application. The consultee commented that the Assessment and Landscape Strategy contain appropriate details for the protection and enhancement of trees / vegetation within and around the proposed development. The Report details a limited impact on the trees and hedgerows around the site, with the only section of vegetation shown as requiring removal being a small section of overgrown hedgerow. The consultee stated that *“this section of vegetation does not connect to other woody vegetation, so has limited value in terms of habitat / wildlife connectivity.”* Accordingly, the consultee raised no objections to the proposals and suggested adding the tree works, protection measures and planting as a condition, should the development receive planning permission.

Waste management

Amongst other things, Core Strategy Policy CS23 seeks to ensure that waste collection is considered in the design of development including maximising recycling

facilities. The provision of refuse collection has been considered as part of the urban design considerations. During the course of the application the applicants have amended the submitted plans to ensure that waste collection can be satisfactorily achieved from the new development in lines with their guidance, this includes, bin storage areas to the front of properties located along private drives, which will be designed to match the external materials of the related dwelling.

Blaby District Council's Neighbourhood Services Team were consulted as part of the determination of this planning application. Initially, there were a few comments raised regarding the location of some of the Bin Collection Points and Storage Points. Following these comments, the applicant revised the plans to address these points and the consultee raised no further objections.

Sustainability and climate change

Policy CS21 seeks to reduce energy demand and increase efficiency through appropriate site layouts and sustainable design features. This includes providing for safe and attractive walking and cycling opportunities, utilising landform, building orientation, etc. to reduce carbon consumption, supporting Governments zero carbon buildings policy and encouraging residential development to achieve Code for Sustainable Homes level 3, and encouraging the use of sustainable materials and construction measures. Finally, Policy CS21 also encourages the use of renewable, low carbon and decentralised energy and supports renewable and low carbon energy generation.

Given that Policy CS21 was adopted in the Core Strategy in February 2013, several of the measures referred to (such as the zero carbon buildings policy and Code for Sustainable Homes level 3) are now outdated. Furthermore, energy efficiency standards are now set at a national level through the Building Regulations, and this will be strengthened through the Future Homes Standard within the next two years. As such, it is not considered that the District Planning Authority has a policy position to be able to require higher energy efficiency standards to the proposed development.

It is noted that the development lacks the provision of lower carbon technologies (such as the inclusion of Electric Vehicle Charging Points, Air Source Heat Pumps and solar panels). From June 2022, all new build homes and buildings in England became legally required to have EVCPs. However, it is noted that the provision of EVCPs is a building regulations requirement and not relevant during the determination of this planning application.

Overall Planning Balance and Conclusion

When determining planning applications, the District Planning Authority must determine applications in accordance with the Development Plan unless material considerations indicate otherwise.

However, as set out in the report above, it is acknowledged that the Council can only demonstrate a 3.53-year housing land supply. The NPPF, which is a material consideration in decision making, requires that planning authorities identify a five-year supply of deliverable housing sites. Where a five-year supply of deliverable sites cannot be identified then the provisions of Paragraph 11 of the NPPF apply. This means granting permission for development unless the application of policies in the

framework that seek to protect areas or assets of particular importance provide a clear reason for refusing the development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The proposal does not conflict with NPPF policies that seek to protect areas or assets of particular importance listed in Paragraph 11, Footnote 7. In accordance with Paragraph 11 of the NPPF, this means that the so called 'tilted balance' is engaged and any harm arising from the proposal must 'significantly and demonstrably' outweigh the benefits in order to refuse planning permission.

The proposed development would provide 154 dwellings, including 39 affordable dwellings on a site which adjoins the Settlement Boundary of Huncote, a Medium Central Village (along with the settlements of Littlethorpe, Cosby, Croft and Sapcote). The spatial strategy set out in Policy CS1 of the Core Strategy outlines that outside the Principal Urban Area development will be focused in the following hierarchical order (within and adjoining): Blaby Town, land adjacent to Earl Shilton (within Blaby District), Larger Central Villages, Rural Centres, Medium Central Villages, Small Villages and Hamlets and very small villages.

The settlements classed as Medium Central Villages have a combined housing requirement figure (2006 - 2029) of 815 dwellings. It should be noted that this is a minimum requirement and is not a cap. Against this requirement, 1,134 houses had been completed in the Medium Central Villages as of 31 March 2024, resulting in the minimum requirement having been exceeded by 319 dwellings. When taking into account completions and commitments, the figure is slightly higher, at 1,166 houses due to some small sites having planning permission but not having been completed. It is recognised that releasing this site would result in the minimum requirement for the Medium Central Villages in Policy CS5 being further exceeded. However, given the shortfall in the PUA, the proposed development is considered to provide the potential to deliver additional homes in the period up to 2029.

The application site is located outside of the Settlement Boundary of Huncote on land designated as Countryside on the Blaby District Local Plan Policies Map (2019). It is not an allocated site for housing development and in this context is contrary to the adopted Development Plan. However, there is currently an overall under delivery of houses within the District as a whole, with the Council only being able to demonstrate a 3.53-year housing land supply, notably less than the five-year supply requirement outlined in the NPPF. The policies of the Development Plan which relate to the supply of housing are therefore considered out-of-date and the provision of 154 dwellings would weigh significantly in favour of the proposal.

Technical matters and ecological impacts can be appropriately addressed or mitigated and, in so far as they relate to these matters, the proposals are in compliance with the policies of the development plan. A satisfactory access design has been proposed and mitigation measures will be secured in relation to highways impacts. These matters afford neutral weight in the balance.

Developer contributions are also requested where appropriate to mitigate the impacts of the development where necessary and make it acceptable in planning terms and

address the needs generated by the development itself. The development would provide on-site open space, a contribution towards: early years education, primary education, secondary education, Special Education and Disabilities education, health care facilities, libraries, waste, off-site sports facilities, off-site open space (parks and recreation grounds), travel packs, travel plans and the police to meet the needs arising from the development. The development scheme delivers the statutory requirement of a minimum 10% biodiversity net gain. The site will also provide economic benefits during construction, and post-development future residents will contribute to the wider local economy in the village and surrounding area.

It is acknowledged that there would be some impact on landscape character, but this would predominantly be localised and limited in terms of their geographical extent and not result in any unacceptable landscape or visual effects in the medium term. Furthermore, part of the site is located in an area of surface water flood risk. However, a Sequential Test is not required as the extent of flooding is considered to be very limited in nature, as it is only located in an area of proposed car parking and a footway.

The proposed development would also result in an increase in traffic, with additional residents using local roads and junctions in the village and surrounding areas. However, the Local Highway Authority does not consider the highway impacts of the development to be severe. The LHA confirmed in their latest consultation response that the junction of Daultry Road / Narborough Road can operate with the additional traffic and there have been no Personal Injury Collisions at this junction. Development traffic would have an impact at the B4114 Coventry Road / Huncote Road, however the consultee accepts the applicant's conclusion on the principles of the scheme to mitigate the impact of the proposed development. Albeit some minor amendments are required, the consultee has stated that these impacts can be addressed at Section 278 stage, should planning permission be granted.

In addition, in their previous consultation response (dated 11.10.2024), the Local Highway Authority stated that the cumulative impact of the recently consented developments at Land at Croft Lodge Farm (ref: 24/0559/OUT) and Land off Croft Road, Cosby (ref: 23/0182/OUT) and the live application at Springfield Farm, Forest Road in Huncote (ref: 24/0770/FUL) is a key concern, given the potential impact on the operational capacity of the junctions being assessed (in Narborough, along the B4114 and the Desford Crossroads junction). The applicant subsequently submitted numerous drawings and reports (received 15.07.2025), which were reviewed by the consultee, and in their latest response (dated 05.08.2025), confirmed 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, subject to the recommended conditions and / or planning obligations, which are included at the beginning of this report.

There are no technical constraints relating to heritage impacts, environmental constraints or ecology that cannot be mitigated. The proposal would result in the loss of agricultural land, however it is considered that the size of the reduction from the total stock would not have wide ranging economic implications for the area. Matters relating to the Minerals Safeguarding Area has also been considered, but found to be acceptable, with no objections raised by Leicestershire County Council's Minerals and Waste Team.

Overall, the proposal would conflict with some policies of the Development Plan, in particular being contrary to Policies CS18, DM1 and DM2 given the site is located beyond the Settlement Boundaries in the Countryside. However, in the context of the 'tilted balance', as set out in Paragraph 11d of the NPPF, any harm is required to significantly and demonstrably outweigh the benefits of the development in order to refuse planning permission. In this context, and accounting for the contribution which the development makes to housing land supply, it is not considered that the harms identified significantly and demonstrably outweigh the benefits.

The application is therefore recommended for approval subject to the conditions set out at the beginning of this report, and a Section 106 Agreement to secure the obligations listed.

**24/0734/FUL Registered Date
25 October 2024**

Soars Solar Ltd

**Construction of a solar farm together with associated works,
equipment and necessary infrastructure**

Soars Lodge Farm, Foston Lane, Foston, Leicester, Leicestershire, LE8 5WP

**Report Author: Clementyne Murphy-Nelson, Senior Planning Officer
Contact Details: Council Offices. Tel: 0116 272 7692**

RECOMMENDATION:

**THAT APPLICATION 24/0734/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:**

- S106 monitoring contributions - District and County Councils for including Biodiversity Net Gain
 - Habitat Management Monitoring Plan
 - On-site Biodiversity Net Gain Provision
 - Off-site Biodiversity Net Gain Provision

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

1. Statutory 3 year condition.
2. Development to be built in accordance with approved plans and documents.
3. Permission granted for a period of 40 years from first export of electricity and site decommissioned and restored after this period.
4. Decommissioning Scheme to be submitted and approved no later than 39 years from the date of the first export of electricity and implemented as approved.
5. In the event of site is no longer required for purposes of electricity generation or ceases to operate for a continuous period of 12 months prior to the expiry of the 40 year period; a Decommissioning Scheme shall be submitted and approved.
6. If the Solar panel arrays are damaged, replaced or reach end of life over the period of 40 years, the panels shall be replaced with like for like arrays.
7. Prior to the commencement of development full details of materials and finish, including colour, of ancillary buildings, equipment (panel arrays and inverters) and all enclosures/fencing shall be submitted to and approved in writing.
8. No development shall commence on the site until such time as the details within Construction Traffic Management Plan have been implemented in full.
9. Existing gates to the vehicular access have been permanently removed. No further gates barriers, bollards, chains or other such obstructions shall be erected within a distance of 20 metres (during the construction phase) and 10m (during the operational phase).
10. Development shall not be first brought into use until vehicular visibility splays of 2.40 metres by 215 metres have been provided at the site access.

11. Development shall not be first brought into use until such time as off street car and HGV parking provision (with turning facilities) has been provided, hard surfaced (and demarcated).
12. Development shall not be first brought into use until the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate).
13. No development shall take place until a scheme for the treatment of the Public Right(s) of Way (PRoW) has been submitted to and approved in writing.
14. No development shall take place (including ground works or vegetation clearance) until an updated badger survey has been submitted to and approved in writing.
15. No development (including ground works or vegetation clearance) shall take place until a Method Statement for great crested newt mitigation and compensation has been submitted to and approved in writing.
16. No development (including ground works or vegetation clearance) shall take place until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing.
17. Prior to commencement of development, full details of a scheme for faunal biodiversity enhancement measures shall be submitted to and approved in writing.
18. The development shall be implemented in strict accordance with the measures stated in Section 4 of the Ecological Impact Assessment.
19. No demolition/development shall take place/commence until the necessary programme of archaeological work has been completed.
20. No development shall take place until a landscape management plan has been submitted to and approved in writing.
21. The approved landscaping scheme shall be completed within the first planting season following first export of electricity from the site.
22. All landscaping requirements set out in appendix 5 of the Glint and Glare Assessment to be planted a minimum of 3 months prior to the installation of any solar PV arrays.
23. No development shall take place until such time as a surface water drainage scheme has been submitted to and approved in writing.
24. No development shall take place until details in relation to the management of surface water on site during construction has been submitted to and approved in writing.
25. No development shall take place until details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing.
26. No development shall take place until details of infiltration testing has been carried out and have been submitted to and approved in writing.
27. Prior to the commencement of any development an intrusive ground investigation shall be designed and undertaken for the contamination using the information obtained from the Phase I Desk Study. Method Statement and Verification Plan (Contamination) to be submitted and agreed prior to commencement of development.
28. Prior to the commencement of any above ground development, the remediation works shall be completed in accordance with the approved remediation method statement.

29. Details of CCTV and lighting to be submitted and agreed in writing prior to installation.
30. No development (including works of demolition) shall commence until a Demolition and Construction Method Statement (dust, dirt, noise, hours of construction has been submitted to, and approved in writing.
31. Tree and hedges on the site to be protected in accordance with the methods outlined in Arboricultural Impact Assessment and the Tree Protection Plan and adhered to during construction and decommissioning periods.
32. Operation of solar farm to be undertaken in accordance with the submitted Noise Impact Assessment.
33. Prior to the installation of the Solar panel arrays a maintenance plan for the arrays for the life of the development for the cleaning, repairs and replacements shall be submitted and agreed in writing.

NOTES TO COMMITTEE

Relevant Planning Policies

National Planning Policy Framework (2024) (NPPF)

Planning Practice Guidance (PPG)

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

Policy CS1 - Strategy for locating new development

Policy CS2 - Design of new development

Policy CS14 - Green infrastructure

Policy CS18 - Countryside

Policy CS19 - Biodiversity and geo-diversity

Policy CS20 - Historic Environment and Culture

Policy CS21 - Climate change

Policy CS22 - Flood risk management

Policy CS24 - Presumption in favour of sustainable development

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

Policy DM2 - Development in the Countryside

Policy DM8 - Local Parking and Highway Design Standards

Policy DM12 - Designated and Non-designated Heritage Assets

Policy DM13 - Land Contamination and Pollution

EN-1: Overarching National Policy Statement for Energy (January 2024)

EN-3: National Policy Statement for Renewable Energy Infrastructure (January 2024)

Other Supporting Documents

Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

Leicestershire Highways Design Guide

Blaby District Council Climate Change Strategy 2020-2030

Blaby District Council 2030 Net Zero Council Action Plan 2023

Blaby Landscape and Settlement Character Assessment (2020)

Natural England, National Character Area 94, Leicestershire Vales

Landscape Institute and Institute of Environmental Management and Assessment (2013) Guidelines for Landscape and Visual Impact Assessment (GLVIA3).

Notes and Clarifications on Aspects of Guidelines for Landscape and Visual Impact Assessment Third edition (GLVIA3) (2024)

Landscape Institute (2020) Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs).

Consultation Summary

Blaby District Council, Environmental Services -

November 2024 (Response to original application):

Objections, further information needed and conditions requested;

1. Clarification will need to be provided on whether any lighting and/or CCTV is due to be installed at this site, condition required.
2. Further clarification will be required on all aspects in the submitted Construction Traffic Management Plan.
3. Further clarification for the life span of the development and proposed equipment that is to be used.
4. Prior to any development a Phase II report will be required to be submitted to the Local Planning Authority.

No comments to make in relation to the submitted noise and floor risk assessment reports.

January 2025 (Further information submitted):

Objections, further information needed, and conditions requested as outlined in November 2024 response;

“With regard to the glint and glare assessment, I have the following comments to make: The recommendations within the report suggest some screening is required in order to prevent issues arising for identified receptors in relation to glint and glare. Proposed screening shall be applied to this site in accordance with plans set out in Appendix 5

of the Soars Lodge Farm Glint Assessment, Version V1.1, Report number 0001 dated November 2024. However, a further dialogue of information is required on how effective screening will be applied in the interim before the proposed vegetation grows to a sufficient height and depth in order to provide sufficient screening. Additionally, will alternative screening will be provided in the interim prior to sufficient vegetation growth?”

June 2025 (Revised application - final consultation)

“A lot of the amended information submitted is highly technical and we would not wish to comment further on it at this stage. However, we do have some comments on the following.

- 1. The amended Site Location and Layout Plans no longer show the compound and sub-stations at the junction of Foston Road and Welford Road (A5199). However, we note that the Customer / DNO sub-station details have not been marked as superseded on the document schedule page. We would therefore be grateful for confirmation as to whether these have been deleted or relocated within the main development site.*
- 2. Although the recently submitted Landscape Strategy Plan P22-1968_EN_04 is Revision J, this appears to be the first time it has appeared on the document schedule, so it isn't possible to assess any improvements (if any) which have been made, in particular the effect on public footpaths Z35 and Z36.*

In conclusion, apart from the above, our previous comments remain unchanged.”

Blaby District Council, Principal Planning and Conservation Officer

No objections

“There would be no direct harm caused to the heritage significance of heritage assets, but I have identified some indirect harm to the respective setting of several heritage assets within the immediate vicinity, primarily the Church of St Bartholomew, Great Peatling Lodge and Foston House. The harm to heritage significance that I have identified would be ‘less than substantial’ harm, with some of this harm ranging from the lower end of the spectrum to the moderate to high.

To that end, you will be required to carry out the exercise of weighing up the planning balance in accordance with paragraphs 215 and 216 of the NPPF to assess whether the harm attributed to heritage assets would be outweighed by any public benefits. From knowledge of a recent appeal decision near Belvoir Castle in Leicestershire, the SoS has given great weight to the public benefits of a solar farm there where it would have an impact on the setting of several listed buildings (Grade I and Grade II) a Registered Park and Garden and a Conservation Area. Whether this scheme under consideration here has the same degree of public benefits as that in the case I’ve referred to above remains to be seen, but clearly it is something that you will need to consider when making your decision.”*

CPRE - Council For The Protection Of Rural England

No comments received

Countesthorpe Parish Council

November 2024 (Response to original application)

Objections, see appendix 1 for full response. The comments received are summarised below;

1. Visual Impact
2. Effects on and Treatment of Public Rights of Way
3. Contamination of the Land
4. Environmental Impact Assessment
5. Overdevelopment of the site
6. Cumulative Schemes
7. Noise Impact
8. Proximity to residential properties - Health
9. High Pressure Gas Pipeline (Page 9 of the Planning Statement - Policy DM14 of the DPD)
10. Historical and Archaeological impact
11. Glint and Glare (Page 33 of Planning Statement)
12. Flooding
13. Construction Traffic
14. Ecology
15. Quality of Land
16. Financial Contributions/Community Involvement
17. Additional Conditions Requested

January 2025 (Further information submitted)

Objections to the revised Glint and Glare assessment;

"Glint and Glare Assessment"

The Parish Council has concerns about comments contained in the applicant's glint and glare report, and references to it below:-

5.3.7 Any glint that is observed from a residential property will, at most, be a nuisance issue. There is no threat to health and safety.

7.1.2 Other less sensitive receptors include residents of nearby properties and users of footpaths. Effects experienced at these receptors are more likely to cause nuisance than any risk to health and safety.

It is the Parish Council's opinion that any glint observed from a residential property will definitely be a nuisance and unacceptable. The harm created by nuisance should not be underestimated. It will cause unnecessary adverse impact on residents' wellbeing in terms of annoyance and enjoyment of their property. Also, it will be on an ongoing basis, year on year, even if it is for limited times of the day as specified in the report. Likewise, the impact will be felt by people using the footpaths within, and nearby, to the site.

5.8.1 There are concerns that glint could have a negative effect on both airport and aircraft operations while on the ground and on aircraft flying over or near to the Site.

The Parish Council would re-iterate the concerns raised in the report on the risk to aircraft flying over the site-

Two references relating to impact on aircraft appear contradictory. Appendix 1 suggests there would be no serious impact, yet 5.8.1 (above) suggest there could be a negative impact.

The Parish Council also notes the evaluation of risk of potential glint or glare from locations surrounding the site include villages at a considerable distance from Countesthorpe, and that some of these locations are shown at some point of the day at risk of glint and glare. This, in itself, is an admittance that the solar farm will have a wider impact in terms of visibility and glare than had been indicated in the original application. The Parish Council therefore strongly questions whether the site is suitable for such an installation and consider that it would be better placed on low-lying land. The solar farm would then be less visible from a wider area resulting in lower risk of glare in future years as changes outside of the development inevitably take place.

The contents of Table 5.1 of the report confirms that the residential areas of Countesthorpe will be affected by glint and glare as there is either currently no screening or the existing screening will be ineffective. Should the application proceed, again the Parish Council reiterates that any planting screen for screen purposes should be introduced at the first stage of development.

It is also noted that the details of screening referred to in table 5.1 indicate areas where there is potential for glint and glare that are protected due to the barrier of existing shrubbery, hedges outside of the site, etc. Whilst this enables the outcome of the testing can indicate that there is no potential risk as a result, this does not take into account that those hedgerows may-be removed at a future date for a variety of reasons, including future development.

The above reasoning can also be said for the contents of Table 5.4 which refer to the potential effect on the surrounding road network.

Has the new housing development of 170 dwellings on Foston Road been taken into consideration in the report? The Parish council request that further modelling is conducted to assess the effect on the new dwellings.

Page 7 of the report refers to the need for the proposed mitigation planting being essential to eliminate risk of glint effects to nearby road users, therefore the Parish Council would expect that there be a condition that all relevant screening planting is incorporated at the first stage of development.

2.4.3 refers to there being a risk of reflection from the supporting steel mounts to the panels but usually these are generally shaded.

It should be noted again that the site is on a highly elevated site and that the structure including the steel mounts will be visible.

In general, the Parish Council would expect that the planting scheme for screening should be future proofed to anticipate any potential changes in the vicinity, such as future developments, resulting in removal of shrubbery remote from the site, especially in light of the fact the solar panels could be in place for 40 years.

The report refers to the glare from a solar farm being similar to that as a large body of water. However, this is a natural phenomenon, whereas the solar farm is man-made and avoidable. Also it is people's choice to live near to a body of water.

Timing of production of the report

The Parish Council has concerns that the report is dated November 2024, yet the applicant refers to it in its supporting application documents dated October 2024. Since this report seems to be retrospective, the Parish Council has concerns as to whether the applicant's proposals are up to date and fully respond to any issues that have been raised by the report. I.e, does the proposed planting scheme correspond to the recommendations in the report. The Parish Council would appreciate clarification on this from the District Council.

Overall, the Parish Council considers the report to be flippant in its comments with regard to the adverse impact on surrounding residences. The language used is not definitive.

Contaminated Land

Since submitting its response to the original planning application, the Parish Council has become aware that the land is contaminated for which the landowner has been prosecuted and has been given a period of three years to clean the land. It is noted in the Application Form submitted that the applicant has answered 'no' to the questions relating to contamination of the land and Parish Council therefore expects an appropriate contamination assessment to be submitted. In any event, it was specified by the Court that the current planning application should not proceed until the land is cleared of contaminated waste.

The Parish Council awaits further information from the applicant arising from this and also issues raised by the Highway's Authority in its initial response."

June 2025 (Revised application - final consultation)

Objections, see appendix 2 for full response, specific issues raised are as followed;

1. Land Contamination
2. Lack of information relating to the repositioning of the sub-station
3. The size of the application / over-development of the site
4. Noise
5. The lack of screening/visual impact
6. The size of the panels
7. Insufficient screening to the existing cemetery

Civil Aviation Authority

No comments received

Environment Agency -

November 2024 (Response to original application)

No objection to the application

June 2025 (Revised application - final consultation)

No further comments to make

Harborough District Council

No comments received

Historic England

No comments to make

Health and Safety Executive

No objections

“Solar Farms are usually not a relevant development in relation to land-use planning in the vicinity of major hazard sites and major accident hazard pipelines. This is because they do not, in themselves, involve the introduction of people into the area. HSE’s land use planning advice is mainly concerned with the potential risks posed by major hazard sites and major accident hazard pipelines to the population at a new development.”

Kilby Parish Council

November 2024 (Response to original application):

“Whilst Kilby Parish Council is generally supportive of sustainable energy solutions, we believe that the proposed scheme has serious shortcomings, especially in relation to its sheer size, location, effects on the natural environment and effects on the countryside as a food producing and recreational asset. As a consequence, we would like to comment as follows: -

- 1. Whilst acknowledging that Policy CS21 of the Blaby Local Plan Core Strategy 2013 supports ‘the use of renewable, low carbon and decentralised energy’, the impact of the development on ‘local landscape character and historic landscape character’ should be ‘minimised’. We believe such a large development will actually have an adverse effect on the intrinsic value and rural character of the countryside between the settlements of Kilby, Foston and Countesthorpe. Policy CS10 states ‘Within areas designated as Countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape’. No exception is made for renewable energy projects in this policy. Furthermore, the development, will not make any significant contribution to the rural economy.*
- 2. The proposal will withdraw arable land from food production, at a time when home produced food is gaining importance, bearing in mind the increasing vulnerability of imports from foreign sources and accelerating transport costs, plus the wider environmental costs. Alternatives, such as wind power or location of solar arrays on large buildings, such as logistics warehouses, are likely to be more sustainable.*
- 3. Adverse effects on richly diversified flora and fauna on and around the site are unavoidable during the construction stage. It is noted that existing trees and hedgerows will be retained as far as possible, but we are not convinced that these and other mitigation measures will ensure full recovery.*

4. *Existing pockets of woodland, namely Reed Pool Spinney and Foston Wood, will be partially 'enveloped' by the development, reducing their value as visual assets and habitats for wildlife.*
5. *There will generally be an adverse visual effect on what is currently a high quality 'open' agricultural landscape. The 'photomontages' included with the Landscape & Visual Impact Report are not particularly helpful as they mainly show long distance views.*
6. *Public Footpaths Z35 and Z36 will effectively become 'corridors' between hedgerows or mesh security fences, with views mainly of the solar arrays. As a consequence, these well-used local recreational assets, which currently enjoy long distance views across open countryside will no longer be as attractive to walk along. Although landscaping proposals are included within the Landscape and Visual Impact Report, the Location Plan and Layout Plan don't specifically show these footpaths, or the landscape treatment to them. Footpath Z35 appears to be annotated as an 'internal road' on the Layout Plan. Should the scheme be approved, it would be important to enforce the provision and timetable for soft landscaping by means of a Planning Condition.*
7. *Long term, the site is likely to be a blight on the whole local area. Short to medium term, the delivery and construction of such a vast expanse of solar array structures will turn the local area into a building site with traffic grinding to a halt as a result of the congestion caused. We note that the proposed route for construction traffic, as stated in the Construction Traffic Management Plan, is via the A5199 to and from the direction of Husbands Bosworth. It is important to the residents of Kilby that construction vehicles servicing the site should not pass through our village. We would request that, in the event of the scheme being approved, the Construction Traffic Management Plan is made fully enforceable by Planning Condition.*
8. *Whilst there may be valid technical reasons for locating the proposed customer and DOP sub stations adjacent to the junction of Foston Road and Welford Road (A5199), we believe they will be a serious visual intrusion into the rural landscape. This is by virtue of their siting, sheer bulk and facing materials. We do not believe they can be effectively screened, especially because of their height and location close to the highway. In addition, the proposed use of the existing field access so close to the junction will present an increased traffic hazard, due to the heavy vehicles delivering the pre-constructed enclosures, concrete for the bases, etc and also other vehicles accessing the site for future maintenance. We would also add that the location of the substation enclosures would prejudice major improvements to the road junction (see comment 9 below).*
9. *There are absolutely no benefits to Kilby & Foston villages and their inhabitants, short or long term, from acceptance of this scheme. They are basically taking a large patch of the surrounding countryside from our doorstep, when there are numerous other, more suitable areas of land available. The fact that there is already a solar farm in Wistow, approved by Harborough District, and (rumour has it) another one mooted for the south side of Foston Road, mean that we run the risk of being hemmed in by these unattractive developments.*
10. *Bearing in mind the above, i.e. that there is currently no tangible benefit to the village of Kilby from accepting this major scheme, which is wholly located within and which occupies a substantial part of the Parish's land area, we would strongly urge that a Section 106 Agreement is insisted upon, should the*

proposal be approved. In particular, we would be seeking a financial contribution from the developer for major improvements, preferably a roundabout, to the currently unsafe 'staggered' junction between the A5199 (Welford Road), Foston Road and Spinney Road.

- 11. We believe that the pre-application public consultation exercise was partially flawed. In particular, the 'community leaflet' was not distributed to residents of Kilby village, even though the application site lies wholly within the Parish boundary. As a consequence, our parishioners were less aware of the public exhibition and feedback process. This is in contrast to the distribution to the whole of Countesthorpe, which is in a different parish. We would add that the sub station proposals (see comment 8 above) were not shown on the exhibition boards or plans made available to the public at the time of the consultation."*

Leicestershire County Council, Archaeology -

November 2024 (Response to original application)

Objections Trial Trenching required prior to determination;

Following appraisal of the above development scheme, we recommend that you advise the applicant of the following archaeological requirements, for pre-determination trial trenching and further clarification of the development impacts, including the proposed cable connection route.

Appraisal of the Leicestershire and Rutland Historic Environment Record (HER) indicates that the site lies in an area of archaeological interest. Aerial photography and fieldwalking have identified a cropmark enclosure and a scatter of lithic tools indicative of a prehistoric settlement site north of the application area (HER ref.: MLE161; MLE6996). A series of earthworks including tiny ditched mounds c.4m across and old field boundaries have also been identified to the west of the site, all lying in meadow land beyond the limits of the ridge and furrow (MLE160; MLE162). Between the solar farm and substation sites lie the earthworks and buried archaeological remains of Foston deserted medieval village (MLE164) and the site of Foston Old Hall, together with its gardens and associated landscape (MLE175; MLE16713; MLE21410).

The applicant has commissioned an archaeological Heritage Statement for the site, which is welcomed (Pegasus Report Ref: P22-1968), however we feel that the report underplays the archaeological potential of the site. We also note the submission of a geophysical survey (WYAS Report Ref.: 3883), although as noted in the report the majority of the dataset has been masked by disturbance resulting from agricultural green waste. Where the geophysical survey has worked within areas immediately west of the site (subsequently removed from the proposals) a number of potentially archaeological anomalies have been identified, supporting the potential for prehistoric remains to be present within the site itself.

The relative absence of archaeological information from the surrounding area is likely to be due to the fact that very little archaeological investigation has previously been undertaken here and the true archaeological potential of this site therefore remains unknown. Considering the paucity of previous archaeological investigations in the vicinity, taking into account the known archaeological resource within the wider

landscape and the recent geophysical survey results, our expectation is that the site's potential is likely to be high for prehistoric remains and moderate for Roman remains (rather than moderate/low, as identified within the heritage statement). We would therefore recommend that archaeological trial trenching evaluation should be undertaken prior to determination of this application, to ascertain whether significant archaeological remains will be impacted by the proposed development.

June 2025 (Revised application - final consultation)

No objections subject to conditions

"The submitted Archaeological Mitigation Strategy (AMS) outlines a staged approach to managing the archaeological matters, commencing with an initial exploratory trial trenching investigation followed by a combination of Archaeological Mitigation Options and Preservation in situ Mitigation Options, as shown necessary by the trial trenching. As part of this the AMS outlines the range of possible mitigated outcomes (5.4); No further works required; Archaeological watching brief; Strip, map and sample (SMS) or open area excavation; Preservation in situ using 'no dig' construction methods; and, Preservation in situ by excluding areas from the development. We would emphasise the need to understand depths of overburden across the site, in addition to understanding the buried remains themselves, to inform which mitigation options would be appropriate. Although the AMS refers to 'No Dig' construction methods, in our experience some ground reduction is usually required for design solutions such as concrete shoes, additional associated impacts can also be anticipated through activities such as vehicle tracking and material set-down areas. For areas where significant archaeological buried remains are identified it would need to be sufficiently demonstrated that any proposed design solutions would have no impact on these remains (i.e. a sufficient overburden buffer).

It was understood that a test pitting investigation would be undertaken across the site in advance of the remediation works, however the AMS notes that there are 'no large hand pits being dug' and that 'a single push of a spade' will be utilised to retrieve soil samples (1.20). As such we would agree that the previously agreed programme of archaeological monitoring of the test pitting would not be productive. Although we do not agree that the remediation would not be harmful to potential archaeological deposits (1.10), as raking through the soil can damage archaeological features (particularly structural remains such as walls) by eroding protective layers of soil and churning up below-ground remains, it is acknowledged that standard cultivation techniques are minimally intrusive and that as the site has previously been subject to regular cultivation this would not introduce a new impact. We also accept that there will not be an opportunity to mitigate this impact prior to the required remediation works being carried out.

Whilst we are broadly satisfied with the programme outlined in the AMS, we would reiterate that this is not an approach we would support under normal circumstances. We consider trial trenching post-determination for this site as an unfortunate necessity given the specific contamination issues. Although the flexibility provided through the available design solutions and the range of mitigation options to manage the buried remains is welcomed, we would not ordinarily consider this sufficient to warrant undertaking the trenching post-determination, as is indicated in the AMS (1.15). Our

position remains that moving directly to a conditioned approach without an adequate understanding of the archaeological implications has the potential to cause issues later on with regard to the management of the archaeological resource, as well as implications for the delivery and viability of the scheme (in the case that large exclusion zones or extensive excavation areas are required). We would certainly recommend that the applicant undertakes the trial trenching at an early stage following the remediation so that the time and costs involved with further mitigation stages can be incorporated into the proposed scheme and minimise potential delays."

Leicestershire Archaeological & Historical Society

No comments received

Leicestershire County Council, Ecology -

November 2024 (Response to original application)

Objection, further information required;

"The reports are acceptable generally, whereby the habitats are generally of low ecological value. There is a medium population of great crested newts which will need to be considered, as well as barn owl and badgers. I require a copy of the BNG metric as there is an issue with the current submitted file."

January 2025 (Further information submitted)

No further comments, request for further information still required

June 2025 (Revised application - final consultation) - 1

Objection, further information required;

1. *BNG: Habitats that are referenced in the Biodiversity Net Gain Stage Report seem to be missing from the Biodiversity Metric 4.0 on the Onsite Habitat Creation Tab.*
 - *Proposed other neutral grassland 3.5ha*
 - *Proposed other woodland 0.18ha*
2. *Check the native species hedgerow lengths, they do not match in the Biodiversity Net Gain Stage Report and the Biodiversity Metric 4.0.*
3. *The offsite species-rich native hedgerow with trees, although retained is not mentioned in paragraph 6.3.2.*
4. *Although there is a net gain and the trading rules seem to be satisfied, there seems to be an error on the form as shown on the headline results page.*
5. *Taking the above into account, submit an updated Biodiversity Metric 4.0.*
6. **Ecological Impact Assessment:** *The previous planning ecologist was happy that the report was acceptable. I agree with her statement although I cannot comment on the badger section as this*

June 2025 (Revised application - final consultation) - 2

No objections subject to the imposition of conditions

Leicestershire County Council, Forestry -

January 2025 (Further information submitted)

Objections, further consideration should be given to the proposed landscaping on the northern boundary;

"The proposed site is comprised of a series of agricultural fields. Therefore all arboricultural constraints are limited to the field boundary hedges and in-hedge trees. The submitted Arboricultural Impact Assessment and Method Statement adequately demonstrates that the majority of trees and hedges within the development outline can be successfully retained and protected throughout the development. A minor section of hedgerow H14 (approx. 5m) is required to be removed to facilitate the new access into the southern section of parcel 6. As such any effects on the existing arboricultural resource is minimal providing the recommendations of the AIA and method statement are implemented correctly.

The Landscape Strategy for the site indicates a number of new native trees to be planted within existing hedgerows throughout the site. Establishment of Wet woodland to the west of the development is proposed along the existing watercourse. Whilst I am keen to see the development of the wet woodland feature, it would be narrow and potentially not sufficient to screen the eastern edge of the development. The northern section of the development has little in the way of landscape screening, particularly when viewed from Foston Road and the area of the cemetery. A reduction in the solar area and greater consideration to an extension of the landscape buffer to link with the parkland/wet woodland in this area would be adventitious."

June 2025 (Revised application - final consultation)

No objections, further information satisfactory;

The amended Arboricultural Impact Assessment and Method Statement are satisfactory and I have no further comments. A full landscape plan has been submitted. In respect of previous comments made, I can see that the plan does include extensive native tree planting along the northern boundary. In general the plan appears to be comprehensive and will ensure the establishment of new trees within the boundary hedgerows and to strengthen existing features where appropriate. A full landscape management plan should be provided as a condition of planning to ensure that new planting is appropriately maintained to establishment.

Oadby and Wigston District Council

No comments received

Lead Local Flood Authority (LLFA)

November 2024 (Response to original application)

Objections further information required;

“Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 80ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a low to medium risk of surface water flooding.

The material submitted explains that the impacts on surface water drainage by the flood risk are considered negligible. However, according to NPPF all development must consider the utilisation of sustainable drainage systems (SuDS) in proposals. The LLFA considers this necessary to provide betterment in predicted higher volumes in storms due to climate change. As such, the applicant should demonstrate what SuDS devices from the CIRIA SuDS manual and soft landscaping can be utilised to reduce peak runoff of critical return periods.”

June 2025 (Revised application - final consultation)

No objections, subject to conditions;

“Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 80ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a low to medium risk of surface water flooding.

The details submitted show how surface water will be managed through pervious paving and a system of swales before discharging to the existing drainage ditch system running along the western boundary before draining into the unnamed watercourse off-site.

It is advised than any existing land drainage on-site may be severed during construction of the proposals. It is expected that connectivity of all existing land drainage be maintained with all areas draining to the same outfall point. This is to ensure that the land does not alter its characteristics in terms of its capacity to hold and drain water. Any removal of existing land drainage could result in the existing land being wetter, resulting in greater run-off during significant rainfall events.

Where the route of any proposed cables on- or off-site is required to cross existing ditches, watercourses or culverts, the applicant is likely to require land drainage consent”

Leicestershire Fire and Rescue Services

No comments to make

Leicestershire County Council, Highways and Footpaths

November 2024 (Response to original application)

Objections further information required;

Access

Solar Farm site

Access to the solar farm both during the construction phase and once operational would be from an existing access on Foston Road, a classified C road subject to the national speed limit. No alterations are proposed to the existing access arrangements.

The LHA notes that, once operational, the Solar Farm site (and Substation site) would attract very few vehicular trips (estimated to be some 20 per year in the Construction Traffic Management Plan).

However, it is not clear whether the Solar Farm access would see an increase in movements during the construction phase compared to the extant use. No information has been submitted regarding the existing trip generation of the Solar Farm access. Furthermore, the proposed trip generation does not distinguish between the Solar Farm site and the Substation Site. Furthermore, it does not account for staff / visitor trips or trips between the main Solar Farm site and the Substation site. As it has not been demonstrated that there would be no intensification during the construction phase, the LHA has assessed the existing access arrangement to see whether it would be suitable for intensification.

The access consists of a bellmouth with a minimum width of 4.8 metres. The northwestern corner radii is 11.5 metres and the southeastern corner radii is 11.8 metres.

Swept path analysis has been submitted which satisfactorily demonstrates a HGV accessing and egressing the site to / from the east. Whilst the LHA would typically expect swept path analysis to encompass all movements from all directions (to account for road closures, etc), given the site currently serves a farm which attracts heavy agricultural vehicles as existing, the LHA is content that additional swept path analysis is not required in this instance.

Vehicular visibility splays of 2.4 metres by 215 metres have been demonstrated in both directions, albeit trees partially interrupt the southeastern splay. These splay lengths are suitable for 85th percentile vehicle speeds of up to 62mph in accordance with Table DG4 of Part 3 of the LHDG. The LHA is content with these splays.

During the construction phase, the LHA would expect for wheel washing facilities (in the form of jet washers) to be provided at least 10 metres behind the highway boundary. The LHA would expect for these to be provided at the earliest possible stage during the construction period, and be retained and made available for use at all times until construction is completed. The LHA is content that this could be addressed following any grant of planning permission by way of condition.

Substation site

Access to the substation site is from an existing access of Foston Road, at a point also subject to the national speed limit.

The access would be formalised to have a minimum width of 4.3 metres. The western corner would have a radii of 4 metres and the eastern corner would have a radii of 6 metres. The access would be at an obtuse angle to the highway to facilitate movements to / from the east.

Given the amendments proposed to this access, an independent stage 1 road safety audit (RSA1) should be undertaken and submitted to support the application, together with a designer's response and - if required - amended drawings.

Swept path analysis has been submitted for a 16.5 metre length HGV accessing and egressing the substation site to / from the east. Given that it is proposed to formalise and realign this access, the LHA requests that swept path analysis also be submitted for access and egress manoeuvres to the west, to account for the possibility of road closures and any movements between the Substation site and Solar Farm site.

Concerning the submitted swept path analysis, the LHA notes that both manoeuvres would require a HGV to encroach into the opposing carriageway lanes. Notwithstanding the absence of a RSA1, given the proximity to Welford Road (A5199) / Foston Road priority T-junction, the LHA does not consider this to be in the best interests of highway safety. Furthermore, the LHA is aware that queues can form along the Foston Road arm of this junction during busy periods which could temporarily block the access for incoming vehicles approaching from the east. The LHA has initial concerns that any resulting queues on the westbound lane of Foston Lane could affect the Welford Road (A5199) / Foston Road priority T-junction which would not be in the interests of highway safety.

With the above in mind, the LHA would encourage the applicant to re-consider the access design and location for the substation site (although this should not be re-located onto Welford Road (A5199)).

Vehicular visibility splays of 2.4 metres by 39 metres would be provided to the east of the access (up to the give way lines for the Welford Road (A5199) / Foston Road priority T-junction) and 2.4 metres by 196.53 metres to the west of the access. The latter would be suitable for 85th percentile vehicle speeds of up to 53mph in accordance with Table DG4 of Part 3 of the LHDG.

Whilst no 85th percentile vehicle speed data has been submitted for this location, given the access' proximity to the Welford Road (A5199) / Foston Road priority T-junction, the LHA is content that vehicles will be slowing on the approach to the access and is therefore content that the demonstrated splays would be acceptable.

As for the Solar Farm site access, during the construction phase the LHA would expect for wheel washing facilities (in the form of jet washers) to be provided at least 10 metres behind the highway boundary. The LHA would expect for these to be provided at the earliest possible stage during the construction period, and be retained and made available for use at all times until construction is completed. The LHA is content that this could be addressed following any grant of planning permission by way of condition.

Highway safety

The Construction Traffic Management Plan has obtained personal injury collision (PIC) data from the CrashMap database for a three-year period between 2020 to 2022, for an area between the Soars Lodge Farm access to the Welford Road (A5199) / Foston

Road priority T-junction. This identified three PICs, two of which were classified as slight in severity, whilst the third resulted in a fatality. The Construction Traffic Management Plan considers each incident and concludes that there are no patterns or clusters.

The LHA typically expects the most recent five-year period data is considered, and that a search area of 500 metres is considered between each access point. The LHA has checked its own PIC database and has identified nine PICs within the above search criteria. Of these, five were classified as 'slight', two were classified as 'serious' and two were 'fatal'.

Four of the above PICs occurred at or close to the Welford Road (A5199)/Spinney Road priority T-junction. It is noted that construction traffic would not be routed towards this junction.

Three of the PICs (all classified as 'slight') occurred at the Welford Road (A5199) / Foston Road priority T-junction and related to turning manoeuvres. The LHA will comment further on highway safety at this junction once in receipt of the information requested in the 'access' section.

The two remaining PICs (both classified as 'fatal') occurred along Foston Road and were head-on collisions. Both incidents are regrettable, however it appears that they occurred some 685 metres away from each other, and as such they cannot be said to represent a cluster which could indicate an existing highway safety issue.

Layout

During construction, a temporary car parking area (including spaces for minibuses) is proposed within the site compound located within the Solar Farm site. This is welcomed by the LHA, although this would need to be shown on a plan for clarification. Furthermore, it should also be confirmed that the temporary car parking areas would be made available for use at the earliest opportunity and retained until the latest possible stage during construction. The LHA is content that these matters could be satisfactorily addressed following any grant of planning permission by way of condition.

The LHA is content that, once operational, there would be sufficient space within the site for parking and turning.

Public rights of way

The LHA considers that further information is required to demonstrate whether the proposed development would protect and enhance public rights of way (PROWs) and access, and would take opportunities to provide better facilities for users.

The northern part of the Solar Farm site is crossed east-west by PROW footpath Z35. In addition, PROW footpath Z36 runs along the inside southwestern site edge of the Solar Farm site. PROW footpath Z29 crosses the field beside Welford Road (A5199) where the related Substation is proposed to be located. In the northwest corner of the Solar Farm site, footpaths Z35 and Z36 both meet. A footbridge over the stream connects them via two path routes to Countesthorpe village, the edge of which is 120 metres away.

It is noted that the PROWs are not correctly plotted on the Landscape Strategy drawing (Pegasus, drawing number P22-1968_EN_04, revision G) contained within the Landscape and Visual Impact Assessment. The PROWs should be plotted as per the Definitive Map of PROWs (the official record). Instead, footpath Z36 is shown to be 8 metres south-west of its legal alignment, at one point vanishing into the stream. At the western end footpath Z35 is shown up to 10 metres north of its legal alignment. The eastern section is more accurate though one part of the new hedge boundary for area two of solar panels appears to be on top of the footpath. The LHA requests that amended plans are submitted accordingly to address the above. Please refer to the attached plan for further information.

It is proposed to include extensive mitigation planting as visual screening. The PROWS would be within Green Infrastructure Corridors with new hedgerow and tree planting. However, just as the LHDG 'Development and Public Rights of Way' guidance

(<https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2018/6/5/Rights-of-way-guide.pdf>) warns about fencing on urban paths, narrowly enclosing paths can make them unattractive and threatening to the user. Such paths can be perceived as a haven for anti-social and criminal behaviour. A grass strip of at least 1 metre should therefore be provided on either side of the PROWs, in addition to the 2 metres minimum width to be allowed for a public footpath itself. In law, outgrowth from hedges, bushes and trees that impede PROWs is the landholder's responsibility, therefore regular cutting back should be included in any site maintenance plans and programmes.

No enhancements to the PROWs are included in the application. In the north-west corner of the site, nearest Countesthorpe village, the application includes the creation of new 'access land' with parkland tree planting on permanent pasture with new paths to provide additional walking options. Whilst this is a positive proposal, the paths and access land are only permissive. Notwithstanding any commitments via the planning process, the nature of permissive access is that it can be withdrawn at any time. Only statutory public access has long term protection. Government guidance on the dedication of access land is at: <https://assets.publishing.service.gov.uk/media/5a7f869e40f0b62305b87ae0/pb13764-guidance-land-dedication.pdf>. However, as it stands, these proposals do not satisfy the public access lasting enhancement duty as required by paragraph 104 of the National Planning Policy Framework (December 2023).

Responses to the Statement of Community Involvement highlight that the existing PROWs are important to local people particularly given the proximity of Countesthorpe village. For this proposal to match the National Planning Policy Framework's enhancement duty, a scheme of PROW improvements should be agreed, including footbridge renewals such as at the north-west site corner, where footpaths Z35 and Z36 cross the stream, installing a new structure to modern standards; addressing any points with surface issues such as wet or muddy hollows at boundary crossings; the removal of any stile no longer needed to retain livestock; and in other locations, the replacement of any stiles with long-life low-maintenance kissing gates similar to Leicestershire County Council standard drawing no. SD/FP/12 to reflect the government's 'least restrictive' option policy that barriers should be accessible to users

with reduced mobility. In particular, stiles are an issue as they can be awkward even for otherwise able walkers, such as older people, who have mobility limitations such as hip or knee problems that make it more difficult to climb over barriers.”

January 2025 (Further information submitted)

Objections, further information still required as listed in November 2025 response;

“The LHA has reviewed the above assessment, and notes that additional planting and infilling is proposed to assist in preventing glare along Barley Lane. The LHA welcomes this, although it would be helpful if the applicant could demonstrate what impact these proposed measures would have on reducing glint and glare on the highway network.”

June 2025 (Revised application)

Objections, further information required;

Site Access

The LHA note, as stated in Paragraph 1.7 of the ‘Landscape & Visual Impact Assessment Addendum’ that the location of the substation is now to be contained within the solar farm site. Whilst the submitted drawings do not show the precise location of the substation, the ‘Location Plan’ has been amended so that the existing access at the junction of Foston Road and Welford Road has been removed from the proposals/ the application boundary. This amendment is welcomed by the LHA who also confirm the proposals will now have no impact on Public Footpath Z29.

Access to the solar farm both during the construction phase and once operational is to be taken from an existing access leading on to Foston Road which is a classified ‘C’ road subject to the national speed limit. No alterations are proposed to the existing access arrangements.

The access consists of a bellmouth with a minimum width of 4.80m with a northwestern corner radii of 11.50m and a southeastern corner radii of 11.80m.

Swept path analysis has previously been submitted which satisfactorily demonstrates an HGV accessing and egressing the site to / from the east. Whilst the LHA would typically expect swept path analysis to encompass all movements from all directions (to account for road closures, etc), given the site currently serves a farm which attracts heavy agricultural vehicles as existing, the LHA is content that additional swept path analysis is not required in this instance.

Vehicular visibility splays of 2.40m by 215.0m metres have been demonstrated in both directions, albeit trees partially interrupt the southeastern splay. These splay lengths are suitable for 85th percentile vehicle speeds of up to 62mph in accordance with Table 6 of the Leicestershire Highway Design Guide (LHDG). The LHA is content with the demonstrated splays.

The acceptability of the site access is therefore contingent on the level of intensification that the proposals represent. This is discussed below.

Public Rights of Way

The LHA advise that the Landscaping Plan contains inaccuracies that could adversely affect Public Footpath Z36 and that there are no proposed measures to ensure the proposed enhancements in perpetuity. In accordance with Paragraph 105 of the National Planning Policy Framework (2024) proposals should protect and enhance Public Rights of Way and afford the public the statutory and permanent 'right to roam'. The LHA advise that all of the southwestern site boundary has been plotted up to 9.0m further southwest than the actual physical and legal land boundary. As a result the route of Footpath Z36 is shown 6.0m to 7.0m southwest of its legal alignment. The LHA is concerned this could result in an unauthorised diversion and/ or unlawful obstruction of the Public Right of Way.

The route of Public Footpath Z35 has also, albeit to a lesser extent, been inaccurately shown. A hedgerow planting is proposed on top of the legal line of Z35 and although the drawing is annotated to state "Hedgerow to be set 2m from PRow" it is evident that this is not possible. Should the plans remain as proposed then a legal diversion order will be required to be submitted to the LPA under the Town and Country Planning Act 1990.

The application proposes new 'access land' to the northwest corner of the site nearest the village of Countesthorpe with parkland tree planting on permanent pasture and new paths for additional walking options. Whilst this is welcomed by the LHA the paths and access land are only permissive which means public access can be withdrawn at any time after the planning process is complete. Long term protection is only guaranteed where the land is dedicated as statutory access land. In this scenario, the landowner retains ownership and the land can still be grazed subject to certain restrictions. The land however will then be protected in perpetuity and the public provision is shown on official access land records and Ordnance Survey Explorer maps.

The creation of access land, whatever its status will lead to a significant increased usage on the Public Rights of Way to the site from Countesthorpe. The LHA's footbridge over the stream is narrow and antiquated, and the intervening stiles (which are the landowners' property) are a significant barrier. The LHA requests that the Applicant provides a new more suitable footbridge.

National Government policy (reflecting the Equality Act 2010) states that barriers on Public Rights of Way should be the 'least restrictive' option and accessible to users with reduced mobility. In particular, stiles can be awkward even for otherwise able walkers, such as older people, who have mobility limitations such as hip or knee problems that make it harder to climb stiles. Therefore, the LHA request that the Applicant funds the replacement of stiles by livestock-proof metal kissing gates comparable to LHDG specification SD/FP/12.

Trip Generation/Construction Traffic Management Plan

Paragraph 5.1 of the CTMP anticipates that the construction phase will last for 10 months. This would equate to approximately 43 weeks or 276 working days based on a six day working week/ 215 working days based on a five day working week.

The LHA note that Paragraph 1.4 of the CTMP states that details relating to the decommissioning phase will be provided closer to the time (of decommissioning) through a detailed decommissioning report. On this basis, the LHA assume that the Applicant is only seeking permission for the construction and operational phases and that a future planning application will be submitted for the decommissioning phase. The LHA request this is confirmed by the Applicant/ LPA.

It has not been stated that any existing movements will cease following the implementation of the proposals and therefore any vehicular movements associated with the proposed development represent an intensification of the site access.

A total of 1778 two-way trips will be generated during the construction phase. Based on a five day working week this would result in an average of eight two-way trips per day and based on a six day working week this would result in an average of six two-way trips per day. It is welcomed that the LHA assessment of vehicular movements is broadly commensurate with that provided by the Applicant in Table 5.1 of the CTMP. Paragraph 5.9 of the CTMP states there will also be trips associated with telehandlers, dumper trucks and piling rigs however the number of trips has not been specified. Paragraph 5.12 also states there will be a small number of movements by smaller vehicles for the collection of skips, waste management and to transport construction workers. Paragraph 5.13 of the CTMP states that an average of 50 construction workers will be on site during peak times.

Based on an occupancy rate of two workers per vehicle this would equate to 50 two-way movements per day which results in the site being subject to 56- 58 two-way trips per day (plus the unquantified movements detailed above).

The LHA acknowledges that at times there will be less than 50 workers onsite at any on time and that it is unlikely that the development will generate more than 30 two-way trips during either the AM or PM highway network peak hours.

Paragraph 3.3 of the CTMP advises that construction traffic will only access the site from/ to the east towards Welford Road. This is welcomed by the LHA as construction traffic will not pass through Countesthorpe and is suitable given Welford Road is an 'A' classified road that provides access, via North Kilworth/ the A4304 to the motorway network. As stated in Paragraph 6.2 of the CTMP deliveries will be scheduled to occur between 10:00-16:00hrs Monday to Friday and 08:00-13:00hrs on a Saturday.

Paragraph 3.4 of the CTMP states that the site access is currently subject to HGV movements associated with agricultural activities. It is also noted that suitable tracking has been submitted for a 16.50m long HGV which the LHA understand will be the largest vehicle (in terms of length) to attend the site. It is however evident (from drawing No. Figure 3.1 Rev. A) that the access is of insufficient width for a HGV to safely pass another vehicle at the site access. Notwithstanding this Paragraph 3.4 does state that a banksman and warning signage will be provided to assist the largest vehicle exiting the site.

Paragraph 6.1 of the CTMP states that the arrival and departure of HGVs will be strictly managed by the Site Manager. Given the access is not able to accommodate two passing vehicles (where one is an HGV) the Applicant should identify measures (such as an internal waiting/ passing bay) to prevent vehicular conflict at the site access.

Paragraph 3.5 of the CTMP states that wheel washing will be provided within the site which will be located at least 10.0m from the site access. It must be ensured that wheel washing facilities are available from the outset and throughout the duration of the construction phase. The location of the wheel washing facilities should be shown on the Site Layout drawing which should demonstrate that a vehicle being washed will not prevent other vehicles entering the site.

Once operational, Paragraph 3.11 of the CTMP states that the site access will be subject to approximately 20 maintenance visits per year and Paragraph 3.12 advises that any gates will be setback at least 10.0m from the highway. Whilst the gate setback is acceptable during the operational phase the LHA advise that any gates, during the construction phase, must be setback at least 20.0m so that HGVs can stand well clear of the highway whilst the gates are operated. Any gates should be hung as to open inwards.

July 2025 (Final consultation)

No objections subject to conditions

Ministry Of Defence

No comments received

National Gas Transmission

No comments to make

National Grid Plant Protection (Cadent Gas)

No comments received

National Air Traffic Services

No comments received

The Society For The Protection Of Ancient Buildings

No comments received

Natural England

No objection

“Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.”

Third Party Representations

35 letters of representation were received, 34 of which objected to the application and 1 supported the application.

The comments received are summarised below:

Supporting

- Need to increase renewable energy generation to fill the void left by the removal of fossil fuelled power generation and the decommissioning of the UK's aged nuclear power generation.
- The proposed application is well planned
- The equipment will not generate nuisance noise levels or an unacceptable appearance within the landscape

Objecting

- Disruption of views and out of character with the appearance of the area
- Decrease value of houses
- Negative impact to mental health and wellbeing
- Walking routes impacted
- Negative impact on wildlife
- No EIA assessment
- Increase in noise pollution
- Increase in traffic for construction
- Increase in traffic
- Increase in pollution for construction
- Health and safety risk
- Negative impact on heritage
- Distraction to road users
- Already a Solar Farm in Countesthorpe
- Impact to properties on Barley Lane
- Loss of agricultural land
- Loss of landscape
- Glint and Glare impact
- No benefits for local community
- Needs to be constructed on top of buildings or car parks instead
- Countesthorpe already had a number of applications approved.
- Electromagnetic radiation
- Too close to the villages
- lithium ion battery storage on site which can cause fires
- Cleaning materials will contaminate the soil.
- Toxic chemicals can leak from the panels
- Light pollution
- Inappropriate location

- Ridge and furrow land should be maintained

Relevant History

22/04/EIASCR - Environmental Impact Assessment Screening Opinion to a solar farm EIA not required.

EXPLANATORY NOTE

The Site

The site is located to the east of Countesthorpe, near the small hamlet of Foston. The site comprises of approximately 201 acres, which equates to 81.4 hectares of agricultural land.

The site is bounded by Foston Road to the north and Barely Lane to the east a hedgerow boundary to the west, and south, and hedgerow boundaries and part of Barley Lane to the east. The access to the site is to retain and utilise the existing Soars Lodge Farm vehicular access which is located to the middle of Foston Road, a road which runs from east to west to connect vehicles coming from Welford Road to Countesthorpe and Foston. Two public rights of way (PROW) Z35 and Z36 run through the application site from east to west and along the southwestern edge of the application site.

The site is near to residential dwellings, the closest being the Folly and Soars Lodge Farm which are located within the centre of the application site and accessed via Foston Road. These comprise of a farmhouse, agricultural barns and associated infrastructure. Moreover, there are residential dwellings located within Foston along Barely Lane adjacent to the application site to the east. The nearest residential dwellings within Countesthorpe are located along Roseband Road, Orkney Way and Iona Way to the west and lie approximately 366m at the closest point to the east of the edge of the site. Furthermore, the site edge is in close proximity to the South Leicestershire Crematorium to the north west. The Glebe garden centre is located opposite the cemetery to the northern side of Foston Road. Distantly located in a number of farms and Kilby Village some 1.71km away to the east Furthermore, the Bypass Solar Farm is located to the north some 850m lies within the jurisdiction of Oadby and Wigston Borough Council

There are variations in topography across the site due to the undulating land. The site is predominantly located within Flood Zone 1, an area identified as being at lowest risk of flooding. It is however, recognised that the western boundary of the site comes right up against the edge of a Flood Zone 2/3 area which follows the course of local stream situated between Countesthorpe and the proposed site area. There are also some minor pockets of surface water flooding identified across the site.

The site is located outside of, but adjoining, the Settlement Boundary of Countesthorpe, identified as a 'Larger Central Village' in the Core Strategy, and is designated as Countryside on the Local Plan Policies Map (2019).

There are no designated heritage assets within the site, however, there are a number of designated heritage assets adjacent to the site, predominantly to the east along Barley Lane and the west within Countesthorpe;

- Church of St Bartholomew - Grade II* - situated approximately 50m to the east of the application site;
- Great Peatling Lodge - Grade II - situated approximately 140m to the east of the southern extent of the application site but within the District of Harborough;
- Countesthorpe Conservation Area - situated approximately 430m to the west of the application site;
- 13 Grade II listed buildings within the Conservation Area, with the most significant being the Church of St Andrew - situated approximately 575m to the west of the application site;
- 9 Grade II listed buildings within the settlement of Kilby - situated approximately 1.6km to the east of the main body of the application site;
- Foston House (non-designated heritage asset) - situated approximately 60m to the east of the application site;

There is a Tree Preservation Order within the site on the eastern boundary (Blaby District Council (Barley Lane, Foston (Kilby) No. 2) Tree Preservation Order 1990). Moreover, there are a number of identified local wildlife sites towards the southern and eastern boundaries. Foston Wood is located close to the development site to the west of Barley Lane and Foston House this is located outside the red line site boundary.

The Proposal

The application seeks full planning permission for solar development (PV) farm on land at Soars Lodge Farm, east of Countesthorpe village, adjacent to the hamlet of Foston. The development would have an export capacity of up to 49.8MW of renewable energy. The development includes the erection of inverter and transformer stations. The proposals also include new soft landscaping works, including new tree planting to the watercourse to the west of the site to reinforce this green corridor and provide natural screening. Other soft landscaping works include new hedgerow planting and the creation of biodiversity net gain areas, including a wetland pond area for Great Crested Newts (GCN).

The solar farm would consist of solar PV panels on metal arrays arranged in rows with perimeter fencing (2m high). The panels will have a maximum height of 3m (amended from previously proposed 2.53m to accommodate additional landscaping and infrastructure). The PV arrays are to be spaced to avoid any shadowing effect from one panel to another with topography dictating exact row spacing of approximately 6.99m set at an angle of 25 degrees to the horizontal. The development will have an operational life of 40 years, after which time it will be decommissioned, the equipment will be removed and the land restored to its original arable condition.

Previously the site also included a separate substation plot to the east from the application boundary located on a parcel of land north of the junction between Foston Road and Welford Road (A5199), this has since been omitted from the plans and a client substation included within the site boundary..

The Proposed Development can be summarised as follows:

- Solar PV Arrays (up to 3m in height)
- 7 no. Transformers - including hard standing
- String Inverters
- Client substation
- Spares Container
- Security fencing and CCTV.
- Proposed landscaping with new tree planting and hedgerow planting, an open parkland area and wildlife habitat area for GCN.

The transformers are to be located across the site within each parcel of panels, they propose an overall height of 2.8m, a width of 6m and a depth of 2.4m.

Existing landscaping is to be retained, including hedgerows identified as local wildlife sites. Additional landscaping is to be introduced as follows;

- Wet woodland planting on the eastern side of the existing watercourse, which is located west of the main site area.
- Management and enhancement of all existing field boundary hedgerows to an approximate height of 3m.
- Additional wet woodland planting along the watercourse to the west of the development.
- Management and enhancement of all existing field boundary hedgerows to an approximate height of 3m
- Internal hedgerow to be maintained at a height of between 3.5m to 4m to aid the screening of the elevated topography.
- Additional tree planting to the Foston Road frontage.
- Additional woodland planting to the eastern perimeter of the site - in the vicinity of St Bartholomew's Church, Foston.

Supporting Documents

As noted above in the planning history section of the site, the District Planning Authority has issued a screening opinion (reference 22/04/EIASCRC) determining that the proposed development does not require Environmental Impact Assessment.

The application is accompanied by the following supporting documents:

- Planning application form
- Site Location Plan
- Proposed Layout Plan
- Landscape Strategy Plan (amended June 2025)
- Access Plans
- PV Panel Elevation
- Topographical Survey
- Client Sub Station Plan
- Inverter fixing details Plan
- Transformer Station Plan
- Biodiversity and Habitat Maps

- Habitat Net Gain Plan

The application is also supported by the following documents which provide further technical information on specific matters:

- Arboricultural Impact Assessment (amended June 2025)
- Biodiversity Net Gain Metric (amended June 2025)
- Ecological Impact Assessment (amended June 2025)
- Glint and Glare assessment (amended June 2025)
- Construction Traffic Management Plan (amended June 2025)
- Noise Assessment (amended June 2025)
- Flood Risk Assessment and Surface Water Drainage Strategy Report
- Heritage Statement
- Planning Statement
- Soils and Agricultural Quality Report
- Landscape and Visual Impact Assessment (LVIA)
- Landscape and Visual Impact Assessment (LVIA) Addendum
- Phase 1 - desk study
- Archaeological Mitigation Strategy
- Statement of Community Involvement

Environmental Impact Assessment (EIA)

An EIA Screening Request was made under Regulation 6 of the Town and Country Planning (Environment Impact Assessment) Regulations 2017, to determine whether the proposals comprised EIA development and the requirement of an Environmental Statement. This submission was made in October 2022 (LPA Reference 22/04/EIASCRC). The Screening Decision from Blaby District Council outlined that it is the authority's opinion, an EIA submission would not be required to accompany a planning application for the development proposals. Blaby District Council's decision to screen out EIA from the proposals was issued on 9th November 2022.

It should be noted that the decision issued for the EIA screening stated that the total site area was a 57 hectare 49.9MW solar farm which gave an incorrect site area. However, the site area identified within the site location plan that accompanied this screening opinion which Blaby District Council and Statutory Consultees used to provide comments is the same as the originally submitted site location plan as part of this application brought before members. Therefore, whilst there is a discrepancy between the numerical site area, there is no change to the site area that was scoped as part of the screening opinion, nor any changes to the constraints. As such and given the site area identified within the site location plan has not changed, a new EIA Screening Opinion is not considered to be necessary.

EXPLANATORY NOTE:

Planning Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development

Plan unless there are other material considerations which indicate otherwise. In this case the Development Plan comprises the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and the Blaby Local Plan (Delivery) Development Plan Document 2019.

The section below provides brief assessment of the proposed development against the relevant development plan policies.

Planning Policy

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.

Policy CS1 - Strategy for locating new development

Policy CS1 sets out the overall strategy for locating new development in the district. It states that most new development will take place within and adjoining the Principal Urban Area (PUA) of Leicester, comprising the 'built-up' areas of Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva. Outside of the PUA, development will be focused within and adjoining Blaby and the settlements of Enderby, Narborough, Whetstone and Countesthorpe (the 'Larger Central Villages').

Policy CS2 - Design of new development

Policy CS2 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 CS14 - Green Infrastructure

Policy CS14 notes that Green Infrastructure can include areas that are valuable for their biodiversity (flora and fauna network links), areas that are of cultural importance and areas that maintain natural and ecological processes, inter alia. The Council will seek to improve and enhance the Green Infrastructure network throughout the District. Opportunities to incorporate key landscape features such as woodlands, pond, rivers and streams and the local topography should be used to create high quality design incorporating a wide range of high quality, functional and use open spaces and links.

Policy CS18 - Countryside

Policy CS18 states that within areas designated as countryside planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape.

Consideration has been given to the justification for the countryside location and the

impact of this development on the appearance and character of the landscape (this matter is explored in more depth later in this report) and it is concluded that the development would not give rise to significant adverse effects, subject to the implementation of the proposed landscaping strategy.

Policy CS19 - Bio-diversity and geo-diversity

Policy CS19 seeks to safeguard and enhance sites of ecological and geological importance of national, regional and local level significance. The policy also states that the Council will seek to maintain and extend networks of natural habitats to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats. The policy also seeks to protect those species which do not receive statutory protection but have been identified as requiring conservation action. Development proposals should ensure that these species and their habitats are protected from the adverse effects of development through the use of appropriate mitigation measures. The policy also states that the Council will seek to ensure that opportunities to build in biodiversity or geological features are included as part of the design of development proposals.

Policy CS20 - Historic Environment and Culture

When considering development proposals on, in or adjacent to historic sites, areas and buildings, Policy CS20 seeks to ensure development protects and enhances heritage assets and their settings and avoids harm to the significance of historic sites, buildings or areas, including their setting (criterion (a)). Policy CS20 also expects new development to make a positive contribution to the character and distinctiveness of the local area (criterion (b)).

In accordance with the NPPF, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Compliance with Policy CS20 will therefore be significant and should be given considerable weight in the planning balance.

There are also statutory requirements under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building and its setting, and to preserving or enhancing the character or appearance of a conservation area respectively.

Having recognised the level of importance attributed to the preservation of heritage assets, a judgement should then be made as to the impact of development on the significance of designated heritage assets. Any harmful impacts need to be weighed against the public benefits of the proposal (paragraph 215 of the NPPF).

Policy CS21 - Climate Change

Policy CS21 acknowledges that climate change is one of the greatest long-term challenges facing human development. Blaby District Council is committed to tackling climate change.

Policy CS21 states the following in respect of renewable energies:

“Development which mitigates and adapts to Climate Change will be supported. The Council will contribute to achieving national targets to reduce greenhouse gas emissions by (inter alia):

c) encouraging the use of renewable, low carbon and decentralised energy at the commercial, community and domestic scale. Renewable and low carbon energy generation will be supported within the District where the proposal:

- i) ensures that the siting and scale of development avoids harm to the significance of designated heritage assets and nationally important archaeological remains or their setting.*
- ii) ensures that the impact of the development on local landscape character and historic landscape character is minimised.*
- iii) ensures that the proposal does not result in significant detriment to residential amenity for new or existing residents.*
- iv) Includes measures to mitigate any adverse impacts on the built and natural environment resulting from the construction, operation and decommissioning of any development.*
- v) Does not create an overbearing cumulative noise or visual impact, when considered in conjunction with similar developments and permitted proposals in the area.”*

Policy CS21 clearly supports proposals for renewable energy such as this application, subject to safeguards and assessment and does not differentiate between countryside and non-countryside locations.

Policy CS22 - Flood Risk Management

Policy CS22 seeks to ensure that development is directed to locations at the lowest risk of flooding, giving priority to Flood Zone 1. The use of Sustainable Drainage Systems to ensure that flood risk is not increased on site or elsewhere is also encouraged in new developments.

Policy CS24 - Presumption in Favour of Sustainable Development

Policy CS24 reflects the overarching principle of the NPPF that the Government wishes to see in relation to the planning system, with the golden thread running through the decision-making process being the presumption in favour of sustainable development. Policy CS24 requires that when considering development proposals, the District Council always work proactively with applicants to find solutions which mean that proposals can be approved wherever possible.

Blaby Local Plan Delivery Development Plan Document (Delivery DPD) (2019)

The Delivery DPD also forms part of the Adopted Development Plan for Blaby District. The following policies are the most relevant to the proposed development.

Updated Policy CS15 - Open space, sport and recreation

This supersedes the Core Strategy Policy CS15 and seeks to ensure that residents have access to sufficient, high quality, accessible open space, sport and recreation facilities. The policy has been updated as the Council commissioned an updated assessment of open space, sport and recreation facilities in the District (Open Space Audit 2015). The information gained was used to review the locally derived standards, contained in Policy CS15, to ensure that existing and future communities have access to sufficient open space, sport and recreation facilities. The standards for the provision of open space per 1000 population have therefore been updated accordingly. There are no specific standards for the provision of outdoor sports space but the Open Space Audit gives guidance on where there are quantity and quality deficiencies.

Policy DM2 - Development in the Countryside

Policy DM2 supports the strategic policy approach set out in Core Strategy Policy CS18 and provides more detailed guidance on appropriate development in the countryside. The policy does not explicitly refer to renewable energy projects but provides general criteria against which development proposals should be assessed. These require that the development is in keeping with the appearance and character of the existing landscape, development form and buildings, noting that the impact on landscape character and appearance will be informed by the Blaby Landscape and Settlement Character Assessment (criterion (a)). Development should also provide a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by existing or new occupiers (criterion (b)).

Policy DM8 - Local Parking and Highway Design Standards

Policy DM8 requires that all development provides an appropriate level of parking and servicing provision and complies with highway design standards as set out in the most up to date Leicestershire Local Highway Design Guidance (LHDG). The detailed highways impacts of the development are assessed later in this report

Policy DM12 - Designated and Non-designated Heritage Assets

Policy DM12 states that all new development should seek to avoid harm to the heritage assets of the District. Development proposals that conserve or enhance the historic environment will be supported. The policy states that designated heritage assets and their settings will be given the highest level of protection to ensure that they are conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment. Where substantial harm is identified, proposals will only be supported in exceptional circumstances in accordance with national planning guidance. Where a less than substantial level of harm is identified, the scale of harm will be weighed against the public benefits of the proposal.

Policy DM13 - Land Contamination and Pollution

Policy DM13 states that development proposals will be required to clearly demonstrate that any unacceptable adverse impacts related to land contamination, landfill, land stability and pollution (water, air, noise, light and soils) can be satisfactorily mitigated.

OTHER MATERIAL PLANNING POLICY & GUIDANCE

National Planning Policy Framework (NPPF) 2024

The National Planning Policy Framework establishes the key principles for proactively delivering sustainable development through the development plan system and the determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

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

In decision-taking, paragraph 11 explains that 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.

Chapter 14 (paragraphs 161 to 169) of the NPPF has specific relevance to the development proposals and deals with meeting the challenge of climate change.

Planning Practice Guidance (PPG) provides supporting guidance to the interpretation of the NPPF, including specific guidance relating to ground mounted solar farms.

Leicestershire Highways Design Guide

The Design Guide sets out the County Council's principles and policies for highways Development Management. The guidance is intended to be used in the design development layouts to ensure they provide safe and free movement for all road users.

Blaby Landscape and Settlement Character Assessment (January 2020)

Provides up-to-date landscape and settlement evidence to inform the emerging Blaby Local Plan and help guide development management decisions. The assessment states that *"understanding the character of a place is a key part of ensuring the protection and enhancement of built and natural environments, managing sustainable economic growth and improving the health and wellbeing of local communities"*.

Joint Strategic Flood Risk Assessment Final Report (October 2014)

The purpose of this document is to provide information on the changes to planning, policy and guidance since the previous Strategic Flood Risk Assessment, provide a detailed assessment of any flood hazard within the Flood Zones, provide information

on existing defences and flood risk management measures, allow a sequential approach to site allocation.

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 the key planning issues in the determination of the proposal:

- The principle of the development assessed against strategic Development Plan and national planning policies;
- Landscape and visual impacts;
 - Design and layout
- Impact on heritage assets;
 - Built Heritage
 - Archaeology
- Impact on agricultural land;
- Environmental impacts
- Flood risk and drainage impacts;
- Ecology and biodiversity impacts;
- Arboricultural impacts
- Impact upon residential amenities; and
- Highway Impacts

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 material planning considerations in the determination of this planning application:

The principle of the development assessed against strategic Development Plan and national planning policies

Paragraph 2 of the National Planning Policy Framework (NPPF) (2024) states that planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making.

Paragraph 11 of the NPPF and Policy CS24 set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise.

The application site is wholly located in designated countryside which should be recognised for its intrinsic character and beauty (paragraph 187 of the NPPF). Policy CS18 states that planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. Policy CS18 does not explicitly support or exclude renewable energy projects within its designation. Essential to the appropriateness of scheme's countryside location will therefore be its resulting landscape and visual impact.

The Development Plan does not allocate specific locations for commercial scale renewable energy development due to limited opportunities within the District. The explanatory text to the policy states that all renewable and low carbon energy proposals will therefore be assessed against Policy CS21. Policy CS21 is broadly supportive of renewable energy schemes and this policy does not differentiate between urban and rural locations for its support.

Furthermore, the NPPF is supportive of renewable energy schemes. At paragraph 161, the NPPF states:

“The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”

At paragraph 168, the NPPF goes on further to state:

When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future;*
- b) recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions;*
- c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site.*

Whilst not a requirement of policy CS21 or national policy to demonstrate the need for the development and/or evidence for site selection, the applicant has provided supporting information that places the proposed solar farm development in the context of the overall national picture relating to climate change and carbon reduction.

Within the Applicants submitted Planning Statement it references the Governments

committed to becoming net zero by 2050;

“In June 2019, the UK became the first major economy to implement a legally binding net zero carbon emissions target by 2050. Decarbonising the power sector is integral to achieving this target and requires major investments into renewable technologies, such as solar power, which are supported by planning policy at both local and national levels.”

And that *“The National Infrastructure Committee (NIC), official advisor to the Government on Infrastructure, has published a report (Net-Zero Opportunities for the Power Sector, March 2020) setting out the key infrastructure requirements needed to meet the UK’s 2050 net zero target, including the amount of renewable energy development that would need to be deployed. The NIC recommends that in meeting these targets, the UK’s energy mix needs to be made up of around 90% renewables.”*

In addition to this, the recent National Policy Statement EN1 - Overarching National Policy Statement for Energy (NPS EN-1) (January 2024) can be a material consideration in decision making on applications that both exceed or are under the thresholds for nationally significant projects. NPS EN-1 highlights at paragraph 2.3.3 that achieving net zero and providing a secure, reliable and affordable supply of energy will require a step change in the decarbonisation of the country’s energy system. Paragraph 2.3.4 states *“Meeting these objectives necessitates a significant amount of new energy infrastructure, both large nationally significant developments and small-scale developments determined at a local level. This includes the infrastructure needed to convert primary sources of energy (e.g. wind) into energy carriers (e.g. electricity or hydrogen), and to store and transport primary fuels and energy carriers into and around the country.”*

NPS EN-1 also outlines at paragraph 3.3.20 that *“Wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Our analysis shows that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar.”*

The increased delivery of renewable energy, including solar farms, also aligns with Blaby District Council’s Climate Change Strategy 2020-2030, which includes its aspiration for the District to be carbon neutral by 2050.

In respect of site selection, the applicant, Soars Solar Limited, has outlined that the process of finding a suitable point of contact into the grid network is a key determinant of whether a site may be viable for solar. In this case, a scheme of such scale is required to connect into a 132kV overhead line, in order to export electricity. Where a site is not adjacent to a power line, the cost of the grid connection will usually make it unviable to develop. Furthermore, the access to the site is to utilise an existing access and therefore, does not require to create additional access point along Foston Road. Finally, the site avoids any statutory environmental and planning designations, including Green Belt land and the PV panels has also been kept entirely within Flood Zone 1.

On balance, the policies of the Development Plan give support in favour of renewable

energy proposals in countryside locations where their impacts are (or can be made) acceptable. Such proposals also support the Council's commitment for the district to be carbon neutral. The principle of the proposed development is therefore considered to be acceptable when assessed against strategic Development Plan policies, subject to other material considerations being appropriately assessed.

Landscape and Visual Impact

Blaby District Council have commissioned LandUse (LUC) for an independent assessment into the proposed developments impact on the landscape of the District and to assess the Applicants submitted Landscape Visual Impact Assessment and the Landscape Visual Impact Assessment Addendum.

The application site is situated in a rural location where there is clearly the potential for a large-scale solar farm to have an adverse impact upon the character and appearance of the surrounding countryside. Policy CS18 Countryside deals with landscape impact and states that planning permission will not be granted for development which would have a significant adverse impact upon the landscape.

Criterion C(ii) of Policy CS21 Climate Change also requires that impact of the development on local landscape character and historic landscape character is minimised.

Policy CS2 Design sets out that development proposals should be appropriate in their context and should demonstrate that they have taken account of local patterns of development, landscape and other features and views and are sympathetic to their surroundings.

Policy DM2 provides criteria against which development proposals should be assessed. Criterion (a) requires that development is in keeping with the appearance and character of the existing landscape, development form and buildings. Decisions in respect of impact on landscape character and appearance will be informed by the Blaby Landscape and Settlement Character Assessment, Leicestershire and Rutland Historic Landscape Characterisation study, National Character Areas and any subsequent pieces of evidence.

The NPPF is also clear that the natural environment should be enhanced by protecting and enhancing valued landscapes. The NPPF also makes it clear that the adverse impacts of renewable and low carbon energy projects must be satisfactorily addressed, including cumulative landscape and visual impacts.

The site does not fall within any national or local protected landscape designations, such as Areas of Outstanding Natural Beauty. It would also not qualify as a "valued" landscape as this is set out in paragraph 187 of the NPPF. There are, however, designated Conservation Areas (Countesthorpe) within the site's surrounds and numerous statutorily listed buildings and non-designated heritage assets.

Existing character

The site and surrounding land falls within National Character Area (NCA) 94 Leicestershire Vales. The Blaby District Landscape and Settlement Character Assessment (2020) categorises the site and land to the east and north within LCA 7 Foston Open Farmland. The west of the site is adjacent to LCA 8 Kilby Meadows. To the south the Harborough District Landscape Character Assessment (2017) categorises the landscape as part of Lutterworth Lowlands.

The key characteristics of LCA 7: Foston Open Farmland are:

- Topography: Gently rolling, plateau around Foston (75110m AOD).
- Land Use: Predominantly arable farmland; large-scale field patterns.
- Field Boundaries: Often poorly managed or absent; hedgerow loss is common.
- Woodland: Sparse, with small copses near Foston (e.g., Reed Pool Spinney, Foston Wood).
- Settlements: Sparse. Foston has a wooded, enclosed feel; otherwise, the area is exposed and open.
- Visual Character: Expansive views with little screening, particularly from higher ground.
- Heritage Features: Grade II* St Bartholomew's Church; site of a deserted medieval village

The key characteristics LCA 8: Kilby Meadows are;

- Topography: Flat and low-lying (75-80m AOD), rising slightly at edges.
- Land Use: Predominantly pasture and rough grazing, some hay meadows and arable fields.
- Field Pattern: Large, irregular fields often following the river course; smaller, enclosed fields near Kilby.
- Boundaries: Well-managed hedgerows and riparian vegetation, though some replaced by post-and-wire fencing.
- Woodland: Sparse; mainly riparian woodland (willow dominated) along watercourses and occasional small copses.

A small, vegetated watercourse lies to the west of the site and there is a large pond at Chalybeate Spring within Reed Pool Spinney. The landform rises to the east from the watercourse, from approximately 80m AOD in the west to 100m AOD at Barley Lane in the east. A public right of way crosses the north of the Site, connecting Countesthorpe to Barley Lane. Another public right of way runs along the hedgerow which forms the southwestern boundary, passing the south of Reed Pool Spinney (Footpaths Z35 and Z36).

The site is not part of any local or national landscape designations.

Landscape Mitigation Strategy

The impacts outlined below are also based on the implementation of a landscape mitigation strategy as outlined on the submitted Landscape Strategy Plan. The scheme proposes the following additions and enhancements as part of the landscaping strategy to aid with the mitigation of the scheme;

- Retention of existing perimeter hedgerows and trees where possible
- Internal access tracks have been designed to utilise existing gateways and farm tracks wherever possible to minimise the need for localised hedgerow removal;
- Creation of a floristically diverse grassland sward - suitable for grazing - to replace low biodiversity value arable land beneath and surrounding the panels;
- Existing routes of PRow (Z35 and Z36) within the Application Site would be maintained and set within Green Infrastructure Corridors which include new lengths of hedgerow and hedgerow tree planting;
- Planting of a new hedgerow within Field 6 to assist with breaking up the overall mass of the panels;
- Creation of new native species rich hedgerows and maintenance and enhancement of existing hedgerows including the supplementary infilled planting, strengthening existing defunct and gappy hedgerows;
- Enhancing the existing riparian vegetation along the watercourse to the west of the site with belts of new 'wet woodland' planting.
- Biodiversity Net Gain area sown with wildflower meadow grassland north of Reed Pool Spinney.

Amendments have been sought throughout the course of the application to strengthen the mitigation measures. This included the removal of the separate substation plot to the east from the application boundary and relocation of the substation within the main Solar Site (Field parcel 2); Additional Wet Woodland Planting along the watercourse to the west of the development to assist with screening and additional tree planting to the Foston Road frontage

In addition to these changes, further mitigation measures were requested by LUC after the review of the application and as such, additional planting has also been included to the entrance on Foston Road and to the western edge of the site boundary. Further tree planting has also been included to the north of footpath Z35.

Visual Effects

LUC have provided an assessment of the submitted reports by the Applicant for the proposed solar farm scheme. The applicant's methodology followed GLVIA3 principles (Guidelines for Landscape and Visual Impact Assessment, 3rd Edition), which is considered proportionate to a non-EIA solar scheme. Moreover, 20 viewpoints were chosen in consultation with Blaby District Council which represent a range of receptors including people using Public Rights of Ways, occupants in residential areas, road users and the public in recreational open spaces/ visiting heritage features. This aligns with GLVIA3 principles and the viewpoints are considered to be well-distributed at close, middle and longer distances and photographs of the viewpoints were taken in the winter months.

Effects upon Land Use and Field Pattern and the Wider Landscape

The Site comprises multiple field parcels in predominantly arable agricultural use bounded by hedgerows with scattered hedgerow trees. The introduction of the Proposed Development would result in the temporary but long-term (40-years) displacement of the current, ubiquitous, intensively managed arable farmland with renewable energy production uses. However, the panels and land cover have been designed to allow a less intensive agricultural use to continue through sheep grazing.

The Proposed Development has been designed to retain existing field patterns and boundaries throughout its lifecycle.

The Councils landscape advisor concurs that the assessment of moderate adverse effects within LCA 7 Foston Open Farmland at Year 1, reducing over time, is well-justified. The assessment recognises the long-term nature (over the operational life of the proposed development), and temporary (albeit 40-year) reversible nature of the development. The assessment also recognises the use of agricultural land with retained grazing and the embedded/additional mitigation. Moreover, LUC have concluded that the effects on LCA 8 Kilby Meadows are appropriately judged to be lower, given limited development within that LCA. Overall, the assessed landscape effects are appropriate. Chapter 3 of the Addendum confirms that the updated scheme would result in only one change to the original assessment of landscape effects. The effect on water features would change from no effect to negligible due to the addition of a Sustainable Urban Drainage System and swales.

Effects on Built Form, Infrastructure and Public Rights of Way

The Applicants LVIA concludes that the temporary but long-term structures would be established within the developed areas of the Application Site for a 40-year period including the solar arrays, access tracks, and fencing. They acknowledge that this would give rise to a temporary but long-term high magnitude of change upon built form, that would be very localised, reversible, and contained within the Site. With low sensitivity and a very localised high magnitude of change to local settlements to the east and west of the site, the significance of effect on built form would be moderate at years 1 and 10 but fully reversible leading to a neutral effect following decommissioning.

The Councils Landscape Advisor concluded that chapter 3 of the Addendum confirms that the amended scheme would change the level of effect for Viewpoints 19 (West from Public Footpath Z29) and 20 (Northeast from Public Footpath Z29 - off Foston Road). The removal of the separate substation site would change the level of effect from moderate adverse at years 1 and 10 to no change and has agreed with this assessment although did note that while this would be a benefit compared to the original scheme, there would be no benefit in comparison to the baseline.

Views of the solar site are available from Foston Road to the north (Viewpoints 8, 9 and 11) and Barley Lane to the east in the immediate vicinity of the site. More distant views of the solar site are gained from locations on Peatling Road to the southwest (Viewpoints 15, 16 and Photomontage VP 15). A combined medium or low sensitivity and medium level of change would result in a moderate to minor effect at years 1 and 10 for users of Peatling Road, which is considered to be a suitable assessment.

Footpath Z35 extends from the eastern edge of Countesthorpe before crossing a small watercourse and continuing from west to east across the northern part of the site. Public Footpath Z36 runs from the south-eastern corner of the Solar Site, south of Reed Pool Spinney, to its north-western extents, where it joins footpath 'Z35' at the footbridge over the watercourse east of Countesthorpe. Close and clear views of the proposed development would be available from the sections of Footpath Z35 and Z36 where they extend through the site. Viewpoints 1 and 2 represent views experienced

by users of footpath Z36 when moving through the site from Barley Lane towards the western site boundary. The Applicants LIVA concluded that combined high sensitivity and locally high magnitude of change would result in a major nature of effect at years 1 and 10 along these footpaths through the site. However, these are to reduce to moderate or minor once planting matures (by Year 10). The Councils Landscape Advisor concluded that this assessment is considered appropriate.

Below is a full table with the list of impacts;

		Magnitude of change		Predicted degree of effect – with embedded mitigation	
Viewpoint reference	Receptor type and sensitivity	Year 1	Year 10	Year 1	Year 10
Representative Viewpoints					
1	PROW users/High	High	High	Major	Major
2	PROW users/High	High	High	Major	Major
3	PROW users/ High	Low	Medium	Minor Beneficial	Moderate Beneficial
4	PROW users/High	Low	Medium	Minor Beneficial	Moderate Beneficial
5	PROW users/High	Medium	Medium	Major	Major
6	PROW users/ High	Low	Low	Moderate	Moderate
7	PROW users/High	Low	Low	Moderate	Minor
8	Minor road users	Medium	Low	Moderate	Minor
9	Road users/Medium	Medium	Low	Moderate	Minor
10	PROW users/High	Low	Low	Moderate	Minor

		Magnitude of change		Predicted degree of effect – with embedded mitigation	
Viewpoint reference	Receptor type and sensitivity	Year 1	Year 10	Year 1	Year 10
11	Road users/ Medium	Medium	Low	Moderate	Minor
12	Visitors to Memorial Park/High	Medium	Medium	Major	Major
13	Public Open Space/PROW users/High	Low	Low	Moderate	Minor
14	Public Open Space users/High	Medium	Medium	Major	Moderate
15	Road users/Medium	Medium	Low	Moderate	Minor
16	Road users/Medium	Medium	Medium	Moderate	Moderate
17	Road/PROW users/Medium	Low	Low	Minor	Minor
18	PROW users/High	Low	Low	Minor	Minor
19	PROW users/High	Low	Low	Moderate	Moderate
20	PROW users/High	Low	Low	Moderate	Moderate

Cumulative Impacts

Cumulative impacts from existing or permitted infrastructure have been considered within the Applicants LVIA and subsequent supporting documents, to which LUC concur with the findings. Bypass Solar Farm (850m away) and Wistow Lodge Solar Farm (consented 2024) However, there is no intervisibility between the proposed development and the Bypass Solar Farm. Moreover, this is similar for the Wistow Lodge Solar Farm given the distance from the site. Consequently, it is considered that there is sufficient separation between the Blaby Solar Farm, the Wistow Lodge Solar Farm and the proposed development for any cumulative or in combination landscape and visual effects not to be significant.

Landscape Impact and Visual Effects Summary

The proposed development of a solar farm on the site, albeit for a temporary period, will alter the site's character and its perception from the selected visual receptors, changing it from one characterised by fields and an agricultural landscape to a solar farm with associated transformers, fencing and infrastructure. Some harm is considered to result to the landscape as a result of the development which would be mitigated with the implementation of the landscaping strategy.

The Applicants LVIA concludes that with a medium sensitivity to change and an overall medium magnitude of change, there would be moderate (adverse) effects upon the landscape character of the site. Following the establishment and subsequent maturing of the proposed planting and habitat creation - over a period of 10 years - the level of effect will be reduced. The comprehensive management of not only the proposed planting and habitats but also the existing conserved woodland, trees, hedgerows and other habitats will also assist in reducing the initial operational effects.

LUC have concluded that while the omission of construction phase effects reduces the completeness of the assessment, the confirmation that the effects will be similar to those reported at year 1 is sufficient for the Council to understand level of effects anticipated during construction. Moreover, *“given the proposed landscape mitigation will be fundamental in assisting with the reduction of levels of effects on landscape character and visual amenity in the longer term following the establishment and maturation of planting, it is important that the landscape and habitat proposals are firm commitments. Implementation of a comprehensive Landscape Management Plan should be guaranteed through conditions as part of the planning system. The contractual obligations will be monitored to check that they meet the requirements. Ongoing landscape management will also be fundamental to the success of this mitigation and will need to extend to the 40-year lifespan of the project.”*

Further to this LUC requested some further mitigation be added to the scheme in which the Applicant agreed to and subsequently provided. This is fully outlined within the start of this section.

Notwithstanding, the identification of some harmful effects, the site is generally visually well-contained by existing vegetation and topography. A revised Landscaping Strategy Plan has been submitted by the applicants, in line with LUC comments, which provides a stronger landscaping to various boundaries throughout the site to offer better screening of the development from Foston Road, the wider settlements and users of the PROW. The mitigation measures are considered appropriate and will reduce the impacts of the proposal. These measures can be appropriately secured by conditions, as set out in at the start of this report.

On balance, whilst there will some harm resulting from the development, this would not qualify as “significantly adverse” effects on the appearance or character of the landscape, which is the test set out in Policy CS18. Furthermore, it is considered that the development minimises the impact on landscape character, includes measures to mitigate adverse effects and would not result in overbearing cumulative impacts, as required by Policy CS21. Notwithstanding this, the development cannot be considered to be ‘in keeping’ with the appearance and character of the landscape as required by Policy DM2 given the harm identified. These matters will be given further consideration in the planning balance.

Impact on Heritage Assets

Policy CS20 states that the Council takes a positive approach to the conservation of heritage assets and the wider historic environment. This will be done, inter alia, by considering proposals against the need to ensure protection and enhancement of the heritage asset and its setting.

Policy DM12 states that all new development should seek to avoid harm to the heritage assets of the District. Development proposals that conserve or enhance the historic environment will be supported. In respect of non-designated assets, a balanced consideration will be applied to proposals.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area, although this statutory duty does not apply to the area's setting. These statutory duties need to be considered alongside the requirements of the Development Plan. Section 16 of the National Planning Policy Framework (NPPF) is a material consideration and provides

Paragraph 212 of the NPPF requires great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance. Paragraph 213 continues that any harm to the significance of a designated heritage asset should have clear and convincing justification.

NPPF paragraph 214 requires planning permission to be refused if there is substantial harm to or the total loss of a designated heritage asset unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.

Paragraph 215 states that where a proposal will lead to less than substantial harm to the significance of the heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 216 of the NPPF also includes a requirement for the effects on the significance of non-designated assets to be taken into account. A balanced judgement will be needed having regard to the scale of any harm or loss and the significance of the heritage asset.

To enable assessment against the requirements of the policies above, the application has been supported by a Heritage Impact Assessment (HIA), a Geophysical Survey and an Archaeological Mitigation Strategy.

Built Heritage

*Church of St. Bartholomew - Grade II**

The HIA recognised that the Church of St Bartholomew is an asset of very high significance and more than special interest. Its primary interest which contributes to its significance derives from its architectural, artistic and historic interest. Given its age and various phases of building since the 10th century. The church is considered to have a high archaeological interest, and as such, its significance is going to focus on

its physical fabric. The Principal Planning and Conservation Officer are also in agreement with the Applicants assessment concluding that the setting of the church within the rural landscape and its associated church yard makes a positive contribution to the asset's heritage significance.

The HIA describes the principal elements of the church's setting which include the adjacent areas of the deserted medieval village and the immediate agricultural land which surrounds the church, of which the application site is part of. The land which comprised the deserted medieval village does not form part of the application site itself, but the HIA recognises that some of the area where ridge and furrow has been identified within the application site would have previously served the former occupants of the deserted medieval village, who would have worked the surrounding landscape at that time up until the land was enclosed in the 16th century.

Intervisibility between the church and the application site is limited during the summer months due to the strong sense of enclosure that you get from the vegetation along the roadside of Barley Lane and the mature trees which surround the church yard. Long range and dynamic views of the church and church yard alongside the application site are also difficult to come by, but during the autumnal and winter months, some views of the church tower from the church's northern and southern approach along Barley Lane can be glimpsed through the treeline. Similarly, views out from the church towards the site are limited and are optimally achieved during autumnal and winter months when stood closer to the fringes of the church yard's western boundary. Wider views of the church from within the application site and the surrounding landscape to the east, south-east, south and the north virtually impossible due to the presence of mature trees and hedges.

The proposed solar arrays are to be 3m at their highest point and are likely to sit above the hedge line of the eastern site boundary hedgerow. Given their height, it is probable that the arrays could be seen above the hedge line. The hedge in this location, immediately to the south of Foston Wood, is predominantly thick and vigorous, standing at approximately 2m in height. The hedge has very few gaps apart from a gateway into the field itself, which is where the arrays and the church/church yard could potentially be experienced together. The amended site layout and landscaping plan illustrate that the arrays would be set back from the gateway, which is visible from within the church yard, and set further to the south so that they would be some 65m away from the gateway. The applicant also proposed further woodland planting, almost a continuation of Foston Wood in this area, which would provide a thick buffer once it has matured.

The Principal Planning and Conservation Officer concurs with the Applicants assessment that the perceived level of harm to the heritage significance of the Grade II* listed Church of St Bartholomew is less than substantial.

Great Peatling Lodge - Grade II

This asset comprises an early-19th century farmhouse along with associated outbuildings, some of which have been converted to residential. The asset is situated to the east of the southern tip of the application site. Again, its physical fabric and historic interest comprise the primary elements of its significance, the HIA

acknowledges that its immediate setting, formed by its grounds and magnificent trees to its garden and driveway, make a positive contribution to its setting. The HIA also goes on to state that the surrounding agricultural landscape within its intermediate surrounds allow for its historic rural setting to be understood.

Views of the farmhouse can be glimpsed from the north (travelling south along Barley Lane) through the trees, and it is understood that there would be some, albeit glimpsed intervisibility from within the site when looking in the direction of the listed building. Dynamic views of the listed building and the application site can be experienced when travelling north (from the south) along Barley Lane and I would be of the view that the development would be discerned alongside the asset at various points from this southern aspect.

The Principal Planning and Conservation Officer has commented that the scale of the arrays and the relatively low hedges in this location along with the falling topography will result in the arrays being clearly seen and as such, this change in the landscape will make a stark difference to the rural character of the area that lies to the west of Great Peatling Lodge Farm. Furthermore, The Principal Planning and Conservation Officer agreed with the Applicants assessment that the development would result in less than substantial harm to this heritage asset.

Countesthorpe Conservation Area

The Conservation Area lies a considerable distance to the west of the application site, by some 430m. One of the contributors to the Conservation Area's special character include the settlement's historical links to the surrounding rural landscape which provided land for the village's farmers and farm workers to undertake their day-to-day trade which in turn has helped shape the character of the landscape as we now see it, post enclosure. Some of the village's old farmhouses and former farmsteads lie within the centre of the village and help to provide a visual reminder of the area's ties to its agricultural past.

Views into parts of the Conservation Area at ground level are not possible from the application site, however, views of the roofscape and specific buildings within the Conservation Area are discernible. Reciprocal views of the site from the Conservation Area itself are extremely limited at best due to the built-up nature of the surrounding village environment. The Principal Planning and Conservation Officer has commented that the proposed development will not detract from the immediate setting of the Conservation Area and will not affect its special interest, but the rural landscape does provide a telling reminder of the area's historical links to farming and agriculture and makes a positive contribution to the far wider setting of the village. The Principal Planning and Conservation Officer goes on to state that the proposal has a far greater impact on the merits of landscape rather than the Conservation Area.

Notwithstanding this, The Principal Planning and Conservation Officer concluded that given the lack of two-way intervisibility and direct impacts it is not considered that there would be harm to the heritage significance of the Conservation Area in this respect.

13 Grade II listed buildings within the Conservation Area, with the most significant being the Church of St Andrew - Grade II

There are no tangible historical or associative links between the application site and the majority of listed buildings situated within the settlement of Countesthorpe. The Grade II listed Church of St Andrew and The Principal Planning and Conservation Officer are of the view that this is one of (if not, the) the most significant assets within Countesthorpe and its primary elements of significance are derived from its architectural, artistic and historic interest. Although the application site cannot be seen from the church, the church tower can be seen from within parts of the application site where the topography is elevated, particularly from the public right of way that runs east to west, dividing Parcel Areas 1, 2, 3 and 4.

The HIA makes reference to the guidance within Historic England's GPA3 regarding 'The Setting of Heritage Assets' and The Principal Planning and Conservation Officer concurs with this assessment that views of the church from within the application site are incidental and do not fully allow for the appreciation of the asset's special interest and heritage values which contribute to its significance. The Principal Planning and Conservation Officer also concluded that there are some concerns regarding that the views of the church's upper elements could be obscured when traversing along this public footpath could be obscured by the scale of the arrays. However, overall, The Principal Planning and Conservation Officer does not disagree with the Applicants assessment that the application site would not make a meaningful contribution to the wider setting and heritage interest of this Grade II listed building.

9 Grade II listed buildings within the settlement of Kilby

There are no tangible historical or associative links between the application site and the listed buildings situated within the settlement of Kilby, and due to the variations in topography, landform, physical features and vegetation. The Principal Planning and Conservation Officer concluded that they are unable to associate that there would be any harm to the heritage significance in this context.

Foston House (Non-designated Heritage Asset)

Foston House is regarded as a non-designated heritage asset and as such, its significance is lower than buildings recognised on the National Heritage List for England. The HIA provides a useful commentary on why the building was de-listed and confirms that the building's setting is predominantly contained by its grounds which are enclosed by walls and mature vegetation. There are no means for direct intervisibility between the asset and the application site, with only glimpsed views of either asset being alongside each other potentially being achievable during autumnal and winter months. The Principal Planning and Conservation Officer concurs with the Applicants HIA's summary that the asset is experienced the most and at its best from within its grounds rather than the wider setting and also concurs with the view that development of the site would lead to minor harm being caused to the wider setting of Foston House. As such there would be less than substantial harm at the lower end of the scale.

Conclusions on Built Heritage

The Principal Planning and Conservation Officer raised concerns regarding the landscaping proposals along the south-eastern and southwestern site boundaries. They noted that given the proposed tree planting is to be linear, consistently spaced and regimented manner, this is not representative of the landscape or the context of existing arboricultural features on the site. The Principal Planning and Conservation Officer also considered whether fencing is required for each parcel given concerns that it will be un-natural and out of keeping with the character and appearance of the area. Whilst these concerns are noted, the proposed landscaping t along these boundaries would aid the screening and reduce the glint and glare impacts of the development. Furthermore, whilst fencing is proposed, this is for security reasons to ensure that the panels are offered some level of protection. Whilst it is recognised that these additions could be out of context with the wider rural area, when viewed in context with the solar farm, these additions are not considered to be out of step with the development patterns of a scheme of this nature.

In respect of built heritage, the proposed development is considered to result in less than substantial harm to the significance of heritage assets by virtue of the change in character of the wider rural setting of these assets. In accordance with Policy DM12 and the policy requirements set out in the NPPF, this identified harm should be weighed against the public benefits of the proposal. Whilst this is discussed further in the Planning Balance section of this report given the wider public benefits that are to be attributed with the scheme which aid both the Government and Districts objectives aim in Net Zero, it is considered that the public benefits outweigh the harm.

Archaeology

Paragraph 207 of the NPPF provides that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. The submitted Archaeology Desk Based Assessment and Geophysical Survey of the site consider archaeological matters. Such matters are covered within the Applicants submitted Heritage Statement.

Appraisal of the Leicestershire and Rutland Historic Environment Record (HER) indicates that the site lies in an area of archaeological interest. Aerial photography and fieldwalking have identified a cropmark enclosure and a scatter of lithic tools indicative of a prehistoric settlement site north of the application area (HER ref.: MLE161; MLE6996). A series of earthworks including tiny, ditched mounds c.4m across and old field boundaries have also been identified to the west of the site, all lying in meadow land beyond the limits of the ridge and furrow (MLE160; MLE162). Between the solar farm and substation sites lie the earthworks and buried archaeological remains of Foston deserted medieval village (MLE164) and the site of Foston Old Hall, together with its gardens and associated landscape (MLE175; MLE16713; MLE21410)

Initially Leicestershire County Council Archaeology concluded that the report underplays the archaeological potential of the site. *“We also note the submission of a geophysical survey (WYAS Report Ref.: 3883), although as noted in the report the*

majority of the dataset has been masked by disturbance resulting from agricultural green waste. Where the geophysical survey has worked within areas immediately west of the site (subsequently removed from the proposals) a number of potentially archaeological anomalies have been identified, supporting the potential for prehistoric remains to be present within the site itself." Some of the absence of archaeological information from the surrounding area is likely to be due to the fact that very little archaeological investigation has previously been undertaken here and the true archaeological potential of this site therefore remains unknown.

Considering the paucity of previous archaeological investigations in the vicinity, taking into account the known archaeological resource within the wider landscape and the recent geophysical survey results, Leicestershire County Council Archaeology expectation is that the site's potential is likely to be high for prehistoric remains and moderate for Roman remains (rather than moderate/low, as identified within the heritage statement). Due to this Leicestershire County Council Archaeology requested pre-determination trial trenching evaluation be undertaken to ascertain whether significant archaeological remains will be impacted by the proposed development.

However, separate to this live planning application, the site is currently subject to a court order and a subsequent remediation order, issued as a result of contamination. These orders were sought by the Environment Agency (EA) and were issued in December 2024 with a three-year deadline to complete all works. Whilst full details of this are to be discussed later within the report, this means that most of the red line boundary is subject to this order and contamination. Due to this contamination of the site, this prohibited the undertaking of trial trenching given there was a concern from the Environment Agency that backfilling once the trenching had taken place could result in further contamination infiltrating the soil. As such, discussions were undertaken with Leicestershire County Council Archaeology for a solution to enable the application to progress, given the remediation order is anticipated to be time-consuming to complete.

Further to this, an Archaeological Mitigation Strategy was submitted to overcome the need for pre-determination trial trenching. This strategy outlines a methodology that will be followed to ensure that all Archaeological remains are recorded, protected and preserved. The methodology outlines that large-scale archaeological mitigation to be undertaken in advance of construction; Topsoil strip across development area, with archaeological monitoring; Archaeological deposits/features identified, mapped, recorded, and sampled and all finds are to be analysed, reported, and archived. The mitigation strategy also includes Avoidance/Design so that the schemes layout amended to avoid known features where possible and the use of cable routing and infrastructure positioning to minimise impact. For areas where significant archaeological buried remains are identified it would need to be sufficiently demonstrated that any proposed design solutions would have no impact on these remains (i.e. a sufficient overburden buffer). All works are to be completed prior to any construction.

Leicestershire County Council Archaeology have concluded that they are generally satisfied with the broad process outlined within the strategy and have noted the submission of amended site plans which indicate the removal of the eastern land parcel, the revised location plan does not include any land within the settlement of

Foston and therefore the proposals do not propose any potential impacts on archaeological buried remains within the deserted medieval village. Leicestershire County Council Archaeology have reiterated that this is not an approach they would support under normal circumstances and that they consider trial trenching post-determination for this site as an unfortunate necessity given the specific contamination issues.

“Although the flexibility provided through the available design solutions and the range of mitigation options to manage the buried remains is welcomed, we would not ordinarily consider this sufficient to warrant undertaking the trenching post-determination, as is indicated in the AMS (1.15). Our position remains that moving directly to a conditioned approach without an adequate understanding of the archaeological implications has the potential to cause issues later on with regard to the management of the archaeological resource, as well as implications for the delivery and viability of the scheme (in the case that large exclusion zones or extensive excavation areas are required). We would certainly recommend that the applicant undertakes the trial trenching at an early stage following the remediation so that the time and costs involved with further mitigation stages can be incorporated into the proposed scheme and minimise potential delays.”

Subject to the imposition of the recommended condition it is considered that the proposed development satisfactorily addresses the archaeological interests of the site and thus complies with Policy CS20 and Policy CS12.

Impact on Agricultural Land

The NPPF states at paragraph 174 that, inter alia:

Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*

Footnote 58 of the NPPF also states:

“Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.”

The Agricultural Land Classification (ALC) system divides agricultural land into five grades (Grade 1 ‘Excellent’ to Grade 5 ‘Very Poor’), with Grade 3 subdivided into Subgrade 3a ‘Good’ and Subgrade 3b ‘Moderate’. Agricultural land classified as Grade 1, 2 and Subgrade 3a falls in the ‘best and most versatile’ (BMV) category. Planning Practice Guidance (PPG) identifies BMV land as *“the land which is most flexible,*

productive and efficient in response to inputs and which can best deliver food and non-food crops for future generations.”

The Applicant has submitted an Agricultural Quality Assessment as part of their application and the site has been subject to a detailed Agricultural Land Classification study which confirms the site comprises mostly of grade 3b land, which in planning terms is not classified as Best and Most Versatile (BMV). Notwithstanding this, there are some parcels of land where panels would be located that are grade 3a, but this is a small percentage of the overall site. A parcel of land at the southern end of the site area was identified as Grade 2, but this will be left undeveloped as a biodiversity enhancement area.

Furthermore, pre-1988 ALC information indicates that Blaby District has a high proportion of agricultural land in Grade 3 (not differentiated between Subgrade 3a and Subgrade 3b), 82.5% compared with 48.2% in England as a whole. The development would not therefore entail the loss of any BMV land and the proposals are not considered to adversely impact on soil resources, given the prevalence of Grade 3b agricultural land in the district. The applicant has also confirmed that the grounds around the arrays could support use of the land for grazing, continuing the agricultural use.

As such, it is not considered that the development of agricultural land at this site would significantly harm national agricultural interests and is consistent with the approach set out in paragraph 187 of the NPPF.

Environmental impacts

The site is not located within existing landfill sites or a mineral safe guarding zone. In the southern half of the proposed site area, there is a high-pressure gas pipeline which runs through part of the site. This requires a 50m easement which is being observed by the proposed layout of the scheme. No development or landscaping works will be proposed or carried out within this easement area.

Moreover, and separate to this application, following conviction on five offences relating to the illegal management of waste on Soars Lodge Farm, Countesthorpe, LE8 5WP, the court imposed a remediation order under Regulation 44 of the Environmental Permitting Regulations 2016 against the occupants of this property. This requires remediation of the fields on the farm, and any surrounding areas (including roadside verges or hedgerows) which have been polluted as a result of his composting and landspreading operation. The order requires the remediation to be completed by 12th December 2027. The District Judge told the occupiers that the remediation order must be completed before the solar farm is developed (i.e. the panels etc are installed). Whilst this imposition of this does not prevent the granting of planning permission but would delay the start of the construction.

This remediation order sits separately to the planning application and would have been pursued without this application being submitted. As such, it is not considered that the order prevents the granting of permission. Furthermore, given that the remediation is court ordered and would need to take place without the grant of planning permission for the land a condition I not necessary.

The Environment Agency noted in their response that all the relevant legislation concerning waste(s) arising from the construction and operation of the proposed development must be followed and that there is an operation Environmental Permit EPR/EP3990SX located at this site. Should the permitted area be used for a purpose other than that stipulated within the permitted activities, the permit should be surrendered before conducting any unpermitted activity. These matters are covered by other legislation and therefore do not require the imposition of conditions.

Flood risk and drainage impacts

Policy CS22 seeks to ensure that development is directed to locations at the lowest risk of flooding, giving priority to Flood Zone 1.

Paragraph 170 of the NPPF requires inappropriate development in areas at risk of flooding to be avoided by directing development away from areas at highest risk. Paragraph 181 continues by explaining that, when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

The application is supported by a Flood Risk Assessment & Surface Water Drainage Strategy and most of the site lies within Flood Zone 1 however, a small section of land to the north-west is located within zone of 2/3 predicted to be at risk of flooding during a 1 in 1,000 year and 1 in 100 year fluvial flood event, respectively. Overall, the Applicants submitted information classify the site to have a 'low' or 'very low' flood risk for surface water, fluvial, groundwater, historic, sewers and artificial.

The Environment Agency raised no objections to the application. The Lead Local Flood Authority (LLFA) initially concluded that whilst the material submitted explains that the impacts on surface water drainage by the flood risk are considered negligible, according to the NPPF all development must consider the utilisation of sustainable drainage systems (SuDS) in proposals. As such The LLFA requested that SuDs be incorporated within the proposed layout as a necessity to provide betterment in predicted higher volumes in storms due to climate change.

The Applicant submitted revised plans which details how surface water will be managed through pervious paving and a system of swales in land parcel 6 on the western side of the site before discharging to the existing drainage ditch system running along the western boundary before draining into the unnamed watercourse off-site. The LLFA have concluded that this is satisfactory subject to the imposition of conditions.

The proposal is therefore considered to comply with Policy CS22 and the requirements of the NPPF.

Ecology and biodiversity impacts

Policy CS19 seeks to protect and improve areas of biodiversity and wildlife habitat. Policy CS14 relates to green infrastructure and seeks to improve and enhance this network within the district. Paragraph 192 of the NPPF requires development to protect and enhance biodiversity and geodiversity Paragraph 193 of the NPPF requires

planning decisions to contribute to and enhance the natural and local environment by (inter alia) minimising impacts upon and providing net gains for biodiversity.

Further to these policies, the Environment Act 2021 provided the legislative basis for Biodiversity Net Gain (BNG), mandating developments to deliver at least 10% net gain across most planning applications. The application has been accompanied by a BNG Metric which details a significant net gain of 118.54% for habitat units and 20.98% for hedgerow units. These are to be delivered both off site and on site.

Ecology

The Ecology Report submitted with the application confirms that the site does not form part of any statutory or non-statutory designation, although there are several Local Wildlife Sites (LWS) within the wider 2 km area, however, these are to not be directly affected by the proposals. The Ecology Report comprised of a Desk Study, An Extended Phase 1 Habitat Survey and Protected Species Surveys. Habitats identified are as followed;

- Arable fields - the majority of the site, of low ecological value.
- Improved and semi-improved grassland - some areas used for grazing.
- Hedgerows - network of species-poor and species-rich hedges, some with mature/ancient features.
- Trees and small woodland blocks - scattered across the site, some with ecological and heritage importance (including Category A trees).
- Water features - ditches, small ponds, and wetland pockets (including SuDS features proposed as part of scheme).
- Other features - farm tracks, margins, and unmanaged field edges offering some biodiversity interest.

The Ecological Surveys predicted that there will be some adverse effects for wildlife during the construction phase, however, these are to be temporary and are not considered to be significant. These impacts include a disturbance to wildlife in relation to noise, vibration, dust, and increased human activity and the loss of localised loss of hedgerow sections (for access/cabling) and soil compaction from construction vehicles. Furthermore, during the operational phase there is to be some impacts on existing habitats such as ground breeding birds due to the equipment. Notwithstanding this, overall these impacts are assessed as minor and not significant once the mitigation measures are applied, and the overall long-term ecological effect is beneficial with the proposed net gain.

In addition to the gains within the submitted metric, mitigations and enhancements are also outlined within the Ecology reports, these include;

- A CEMP (Construction Environmental Management Plan) to manage construction impacts (noise, dust, timing, protection zones).
- Lighting strategy to minimise effects on bats including dark corridors
- Hedgerow planting, gap filling, and new woodland to boost connectivity.

- Creation of species-rich grassland and SuDS to deliver biodiversity enhancements.

The County Ecologist has not raised any objections to the proposals and considers that the ecology report makes suitable recommendations to minimise the impact of any losses. Conditions are recommended that require the implementation of the measures recommended in the Ecology Report and for the Biodiversity Net Gain which will secure the delivery of biodiversity enhancements across the site are a benefit of the proposed development over the lifetime of the development, which is consistent with the requirements of the NPPF paragraph 192 and the relevant policies of the development plan.

Trees

The planning application is accompanied by a Tree Survey and Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement which surveyed 122 trees, 18 tree groups, 4 woodland groups and 35 hedgerows within the site and within 15m of the site boundary. These are scattered along the site's perimeter and internal field boundaries, typical for the local agricultural landscape around Leicester. A number of trees along and to the East of Barley Lane in Foston are protected by a Tree Preservation Order.

The development does not require the removal of any trees as the entrance to site and access tracks are already established. In some areas, some minimal hedgerow management will be required for the installation of the permanent perimeter fence, with a 5m section of hedgerow H14 removed to facilitate the new access into the southern section of parcel 6. As such, the arboricultural impact of the development is considered to be negligible.

The AIA incorporates measures for protection of the trees during construction and a tree protection plan identifying the position of a temporary construction protection zone for the trees and hedgerows. Leicestershire County Council Forestry has advised that they have no objection to the proposals provided that the protection methodologies identified in the AIA and indicated on Tree Protection Plan are implemented in full. These matters can be satisfactorily addressed by conditions.

As part of the wider development new tree planting is proposed, notably along the boundaries. The new woodland planting has been welcomed by the County Tree Officer and can be secured by conditions as part of the wider landscaping plan for the site.

Impacts on Residential Amenity

Policy DM2 (criterion (b)) requires that development should provide a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by existing or new occupiers, including consideration of, inter alia, privacy, light, noise, disturbance, overbearing effect, hours of working and vehicular activity. Similarly, paragraph 135 (f) of the NPPF requires development proposals to create places which promoted health and well-being, with a high standard of amenity for existing and future users.

The site is situated close to residential dwellings, the closest being the Folly and Soars Lodge Farm which are located within the centre of the application site and accessed via Foston Road comprising of a farmhouse, agricultural barns and associated infrastructure. Moreover, there are residential dwellings located within Foston along Barely Lane adjacent to the application site to the east. The nearest residential dwellings within Countesthorpe are located along Roseband Road, Orkney Way and Iona Way to the west and lie approximately 366m at the closest point to the east of the edge of the site. Furthermore, the site edge is bounded by a crematorium and cemetery to the north west, and a garden centre, which is located adjacent the cemetery. Distantly located in a number of farms and Kilby Village some 1.71km away to the east Furthermore, the Bypass Solar Farm is located to the north some 850m lies within the jurisdiction of Oadby and Wigston Borough Council

A Noise Impact Assessment (NIA) has been prepared by LF Acoustics Ltd and submitted in support of this application. This assessment has surveyed and monitored day-time and night-time background noise levels at the site and from the nearest residential receptor points. These receptor points included;

- Soars Lodge Farm and The Folly
- Foston
 - Property to South (Barley Lane)
 - Foston House and Foston Cottages
 - Ivy Cottage
- Reed Pool Spinney
- Countesthorpe
 - Properties to Western boundary

The noise report concluded that the highest noise levels, which were calculated, would only occur during the mid-daytime periods whilst the solar panels were operating at full capacity. During the early morning and evening periods, the solar panels would be operating at much lower capacity and during these periods the requirement for the cooling fans to operate would be low and thus the overall noise levels attributable to the operation of the site would be substantially lower during these periods. Overall noise levels generated by the operation of the site would remain below the ambient noise levels and within criteria. Blaby District Council Environmental Services were consulted on the application and raised no objection.

A Glint and Glare Assessment was carried out for the development. The assessment considers the potential for cumulative glare effects caused by both the proposed Site and existing or consented sites. Effects on receptors from the other solar PV sites are assessed alongside the proposed development to determine the overall level of cumulative effect expected.

There are several properties within the vicinity of the proposed solar farm. Properties that lie outside of the Zone of Theoretical Visibility (ZTV) or Ground Glare Zone (GGZ) or both will not receive glare. Overall, the additional planting proposed around the perimeter of the arrays will reduce the likelihood of glare effects reaching receptors further and there is no risk to the health and safety of the occupants of the dwellings. Prior to accounting for screening but allowing for localised weather conditions, glare has been modelled to occur for no more that 1.15% of daylight hours at any of the receptors and considerably less than this in most cases. Allowing for existing and

proposed screening, the glare is not expected to have a material impact on the properties surrounding the Site. Blaby District Council Environmental Services have raised no objection to the results of the assessment subject to a condition that all planting needed for screening is implemented at least three months prior to the installation of panels to give opportunity for it to mature.

Highway Impacts

Policy DM8 requires that all development provides an appropriate level of parking and servicing provision and complies with highway design standards as set out in the most up to date Leicestershire Local Highway Design Guidance (LHDG). In addition, Paragraph 115 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe. The application has been supported by a Transport Statement and a Construction Traffic Management Plan (CTMP) which have been updated during the consideration of the application in order to address the comments of the Local Highway Authority (LHA).

Site Access

The site is currently accessed via an existing priority junction serving Soars Lodge Farm located approximately halfway along the sites frontage with Foston Road. This provides access to the farm buildings and surrounding land and the scheme during both the construction and operational periods is to utilise this existing Soars Lodge Farm access at the junction with Foston Road. The access measures around 25 metres at the bellmouth, reducing to three metres internally.

All construction vehicles will enter and exit the site in a forward gear and will only route east along Foston Road to/from Welford Road, as per the designated construction traffic route set out in Chapter 4. Construction traffic will therefore be required to make a 'left in - right out' manoeuvre at the access. Figure 3.1 shows the swept path analysis of a 16.5 metre long articulated Heavy Goods Vehicle (HGV) at the junction.

Soars Lodge Farm is currently frequented by heavy agricultural vehicles. As such this access is considered appropriate to accommodate the HGVs associated with construction traffic without improvements. However, banksmen and warning signage will be provided to assist the largest vehicles when exiting the site.

Wheel washing facilities will be provided within the vicinity of the site access to prevent vehicles taking mud and dirt on to the local highway network. This will be in the form of jet washers which will be set back at least 10 metres from the access. Wheel washing facilities will be made available for use at the earliest opportunity and retained until the latest possible stage during construction.

Leicestershire County Council Highways are satisfied that the access has been demonstrated to be suitable for this proposal.

Trip Generation and Highways Safety

Leicestershire County Council Highways have advised that there has been no

recorded Personal Injury Collisions within the previous five years within 500m of the Soars Lodge Farm access. Therefore, there are no pre-existing highway safety concerns at this location.

It is anticipated that the facility will take approximately 10 months to complete. The construction period will include the use of Heavy Good Vehicles (HGVs) to bring equipment onto the site and this will be strictly managed to ensure that vehicle movement is controlled and kept to a minimum. Construction traffic will travel to the site from the strategic road network along the most direct route. Assuming a minimum 10 month construction period (total) as a worst case, and a six day working week (240 days in total), this equates to an average of up to four HGV deliveries per day (or eight two-way movements per day). This is considered acceptable and when considered cumulatively with other developments, the impacts on the road network would not be severe. During construction, a temporary car parking area (including spaces for minibuses) is proposed within the site compound located within the Solar Farm site which is welcomed.

It is currently anticipated that once the site is operational, there will be 20 visits per year for equipment maintenance. The largest vehicles that are likely to be used during the operational phase is expected to be no larger than a transit van or 4x4 vehicles. Further to this a maintenance plan is to be submitted and agreed in writing to outline cleaning, repairs and any replacements of the arrays during the lifetime of the development.

Public Rights of Way

Leicestershire County Council Highways have confirmed that they are satisfied the previous concerns regarding Public Footpath Z36 raised in observations dated 24 June 2025 have been resolved through amended plans.

The National Planning Policy Framework (NPPF) paragraph 105 states that 'Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users'. It is expected that developments protect or enhance Public Rights of Way (PRoW), discussion of which can be secured via condition. Under the Highways Act 1980, PRoW stiles and gates are the landowners' responsibility. Reflecting the Equality Act 2010, government policy is that barriers on public rights of way should be the least restrictive option and accessible to users with reduced mobility. Where a livestock proof barrier is still required, stiles should be replaced by metal kissing gates comparable to Leicestershire Highway Design Guide (LHDG) specification SD/FP/12.

This application proposes new 'access land' to the northwest corner of the site nearest the village of Countesthorpe with tree planting on permanent pasture and new paths for additional walking options. Whilst this is welcomed by Leicestershire County Council Highways they have noted that access land is only permissive which means public access can be withdrawn at any time after the planning process is complete. Long term protection is only guaranteed where the land is dedicated as statutory access land. In this scenario, the landowner retains ownership, and the land will still be grazed subject to certain restrictions. The land however will then be protected in perpetuity, and the public provision is shown on official access land records.

The creation of 'access land', whatever its status, will lead to a significant increased usage on the Public Rights of Way to the site from Countesthorpe. The 112m PRow from Countesthorpe village, features two barriers: a stile belonging to the neighbouring landholding; and the bridge across the stream which is at the site boundary. The Leicestershire County Council (LCC) owned footbridge is of a non-standard design, is relatively narrow and has a handrail on only one side. The new 'access land' may encourage more people to visit this location and a better condition bridge reflecting current standards would be a more appropriate means of entry.

Leicestershire County Council Highways have requested a condition for a scheme to be submitted detailing the treatment of the PRow, management during construction (including proposed temporary route(s)); and any new construction works, width, surfacing, drainage, structures, signposting, and impacts of any landscaping and boundary treatments in accordance with the principles set out in the National Planning Policy Framework and the LHDG. Thereafter the development shall be carried out in accordance with the agreed scheme and timetable.

Highways Conclusions

The assessment above shows 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. Based on the information provided, the development therefore does not conflict with paragraph 116 of the National Planning Policy Framework (2024) or with Policy DM8. Subject to the conditions and requirements outlined, the Highway Authority raise no objection to the development proposals on highways grounds.

Planning Balance and Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

In respect of the principle of the development, Policy CS18 does not specifically exclude or allow the development of renewable energy projects in the countryside. The policy does, however, require that development does not have a significantly adverse effect on the appearance or character of the landscape. Policy CS21 Climate Change adopts a positive approach to renewable energy projects, subject to conditions. It is therefore considered that the development of a solar farm is acceptable in principle and complies with the relevant policies of the Development Plan, namely policies CS18 and CS21.

The site and its proposals are sited where they are relatively well-contained by topography and vegetation and will respect the existing field parcels. Nonetheless, there is some residual harm that would occur during the operational period in respect of the landscape and visual impacts of the development. This would be particularly felt by users of the public rights of way network and in the change in character of the site from a rural landscape to one containing an engineered landscape of solar panels. No harmful impacts are anticipated after decommissioning takes place. The

identified harm to the character and appearance of the countryside is an element that weighs against the development proposals and conflicts with the requirements of Policy DM2. It is not, however, considered to result in 'significantly adverse' effects as set out in policy CS18.

The proposal seeks to minimise its impact upon landscape character and has prepared an appropriate landscape strategy masterplan which will mitigate the effects of the development. In this respect the proposals accord with the requirements of Policy CS21.

The development proposals will not result in the significant loss of best and most versatile agricultural (BMV) land which is a matter to which moderate weight is given. There are technical matters that comply with development plan policies including matters surrounding drainage and flood risk, highways and access, environmental health and residential amenity. These are not considered benefits as such and are subsequently held in neutral weight when considering the overall planning balance.

In respect of benefits of the scheme, Paragraph 8 of the NPPF identifies the three strands of sustainable development broken down into social, economic and environmental benefits. The proposal would result in economic benefits through the construction of the scheme through creation of jobs and construction spend, albeit for temporary period, therefore attracting limited weight in the planning balance.

The proposal also introduces environmental benefits including enhanced green infrastructure and biodiversity net gain through the provision of new hedgerows and trees, meadow areas and new grassland and wetland habitats beneath the solar arrays. As the application is not subject to mandatory Biodiversity Net Gain, these benefits are held in moderate weight.

The proposed solar farm will generate up to 49.8MW of renewable energy which will provide clean energy to power homes. This is a significant environmental benefit of the scheme which makes a positive contribution to meeting the climate change challenge. This imperative is recognised in legislation and energy policy, and it follows that this should be held in significant weight in the planning balance.

It is recognised that the development of a solar farm in this location will result in 'less than substantial' harm to the significance of heritage assets, including the Grade II* Listed Church of St Bartholomew, Countesthorpe Conservation Areas and various other listed buildings within those areas by virtue of the changes to their wider rural setting. Whilst this is considered 'less than substantial' harm, nonetheless, recognising the great weight that must be given to the conservation of heritage assets, it is required that this harm must be weighed against the public benefits of the proposal. In this case, the provision of renewable energy is considered to be a benefit of substantial weight which, in combination with other less significant benefits, outweighs the harm caused to the heritage assets. The proposal is therefore consistent with the requirements of the Development Plan and the NPPF in this regard.

It is suggested that the significant benefits associated with the generation of renewable energy, together with the moderate benefits associated with the environmental enhancements and limited positive economic benefits, outweigh the limited elements

of harm associated with the landscape and visual impacts arising from the development and the less than substantial harm to heritage assets. The development is thus regarded to represent a sustainable form of development it is recommended that planning permission is granted with the conditions listed along with the applicants entering into a legal agreement to secure the on-site BNG measures.

Construction of a solar farm together with associated works, equipment and necessary infrastructure

Soars Lodge Farm, Foston Lane, Foston, Leicester, Leicestershire, LE8 5WP

Summary

Whilst Countesthorpe Parish Council is generally supportive of solar farms and their role in reducing the use of fossil fuels and combating climate change, there are genuine concerns which need addressing with this particular application.

The deadline provided for the Parish Council to respond is imminent, yet significant information on the application is outstanding, including responses from other key statutory consultees, outcomes from potential independent assessments and potential further discussion between the District Council and the Applicant. As a result, the Parish Council considers that it cannot support the scheme in its current form and without the benefit of this information.

The Parish Council has identified contradictions within the application which it considers need addressing together with conditions we would wish stipulating.

Concerns have been raised with regard to the visual impact on neighbouring properties, as well as potential noise issues.

The Parish Council is aware of concerns from Countesthorpe residents, who would be more adversely affected by the application, particularly from a visual perspective, the potential for noise and lack of sufficient screening.

We therefore consider that there is a strong case for reducing the size of the scheme and to significantly increase screening in order to lessen the impact on residential properties, the Public Rights of Way, Countesthorpe Cemetery and St Bartholomew's Church whilst it still being a viable scheme for the Applicant.

We acknowledge that there is potential for the scheme to change and would, therefore, welcome the opportunity to review the application and respond further as and when additional information is received.

Note: As part of its response, the Parish Council refers to areas where it would require additional screening and planting. Attached is a document showing these areas. The Parish Council also

refers to additional screening overlooking the cemetery area.

Visual Impact

The Parish Council considers that the large size of the proposed development is inappropriate for a site so close to residential properties. The visual impact of such a large industrial solar farm will significantly and adversely impact the character and appearance of the landscape and turn a pleasant, rural area into a commercial area protected by CCTV cameras and high fencing with warning signs.

The east side of Countesthorpe will be significantly and adversely affected by the development. The Parish Council considers therefore that, in its present form, the proposal contravenes Blaby District Council's Local Plan Policy DM2 (Development in the Countryside) in that development should provide a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by neighbouring properties.

The Parish Council does not consider that the applicant has provided sufficient detail of the treatment of fencing and solar panels as a visual impact from the site, including from the residential properties of Countesthorpe and those using the footpaths.

Countesthorpe Parish Council notes that the view from the cemetery (memorial park) will be adversely affected. The Parish Council has viewed the site from the cemetery and, together with the artist's impressions, can confirm that the solar panels will be clearly visible from the cemetery area. Being a cemetery, this will be an area for contemplation. The Parish Council notes that no provision has been made within the design itself that would sufficiently shield the view from the Cemetery.

Effects on and Treatment of Public Rights of Way

The two Public Rights of Way (PRoW) located within the site currently benefit from extensive open views of green fields and agricultural farmland. They are both well used by dog walkers, ramblers and walking groups.

The development would create significant adverse visual impact along these footpaths with arrays of 2.53m to 3m high dark coloured solar panels which would tower above walkers, blocking those views and effectively creating a dark tunnel.

It is the Parish Council's view that proposals affecting Public Rights of Way can only be permitted where it can be demonstrated that the routes and the recreational and amenity value of the Public Rights of Way will be protected. Accordingly, any rerouting must deliver a level of recreational and amenity value at least as good as the routes being replaced.

The Parish Council consider that the scheme could be made more acceptable by introducing further screening of the Public Rights of Way (PRoW) Z35 and Z36, together with further screening in front of St Bartholomew's Church, Barley Lane.

The Parish Council notes that the Landscape Masterplan for solar farm application 21/1386/FUL, Land at Hill Farm Earl Shilton Road, Thurlaston, included a proposed woodland copse to provide screening and enclosure from the public rights of way and scattered residential properties. The Parish Council request that the easement area

in front of St Bartholomew's Church, Barley Lane is increased and a similar scheme to that at Thurlaston is implemented and a woodland copse be planted in that area to provide additional screening to the Grade 2 listed Church.

Public Right of Way Z35 runs across the application site, connecting Countesthorpe to Barley Lane. The Parish Council note that a service road is proposed which will run adjacent to the new fencing and along the entire length of the PRow. The Parish Council request that significant planting is provided along the length of both sides of PRow Z35 to provide screening and enclosure from the fence, service road and solar panels.

Additionally, Public Right of Way Z36 runs from the south-eastern corner of the application site, south of Reed Pool Spinney, to its north-western extents, where it joins footpath 'Z35' at the footbridge on the site boundary. Again, the Parish Council request significant planting is provided along the full length of PRow Z36 for the same reasons as above.

Contamination of the Land

Local residents are concerned that the land for the site is contaminated, and notes that this is not referred to in the application. The Parish Council would ask for the District Council to establish the accuracy of this statement and obtain any necessary assessment required.

Environmental Impact Assessment

Countesthorpe Parish Council insists that an up-to-date Environmental Impact Assessment (EIA) and Landscape Assessment are conducted. The EIA Screening Opinion submitted in October 2022 was for a 57 hectare solar farm, this application is for an area of 81.4 hectares, which is almost 50% larger.

Overdevelopment of the site

When investigating the optimal characteristics required by developers looking at potential sites for solar farms, this site would not be considered ideal, particularly in relation to the sloping terrain. Generally, solar developers look for clear, flat land. It is also noted that on average, other local authorities do not generally approve full coverage of the entire parcel of the application site. Bar the GCN Mitigation area and the internal roadways, the applicant is proposing nearly 100% PV coverage of the site. The Parish Council therefore considers the application to be overdevelopment of the site. There are existing solar farms of a smaller size that are considered viable such as the Thurlaston site which is 36.1 hectares, and the existing solar farm located to the east of Hospital Lane which is around 6 hectares. The proposed solar farms at Saddington and Kibworth Harcourt total a 39 hectares.

Cumulative Schemes

Blaby District Council should ensure that there is not a cumulative effect from other solar farm applications in the area, as the Parish Council notes that this application falls under the threshold to be approved by the Secretary of State.

It should be noted that there is a smaller scale solar farm located at nearby Blaby Solar Farm, Countesthorpe Road, Leicestershire LE8 5QW.

The Parish Council also wish to bring to your attention the recent approval (March 2024) of the installation of a 92 hectare solar farm at nearby Wistow Lodge Farm, Fleckney Road, South Leicestershire.

We request that Blaby District Council considers the cumulative effect of the proposed scheme together with those mentioned above.

Noise Impact

The Parish Council notes from Page 15 of the Noise Risk Assessment document that the applicant considers that residential properties of Countesthorpe to the west of the proposed site, are at a distance from the solar farm that does not necessitate carrying out baseline noise monitoring.

The Parish Council therefore considers that the applicant has not provided sufficient information on the noise that the scheme can generate to enable the District Council to make an informed decision on the application.

Considering that the residential area of Countesthorpe would have the majority of persons affected by the proposal, the Parish Council does not understand why the developer could not provide the information to at least discount any potential noise risk to allay concerns from those living nearby in Countesthorpe.

During the Construction Period - The Parish Council notes, in the Environmental Impact Assessment Screening Report, that it is anticipated that there is potential for noise as a result from the construction processes and operational activities associated with the construction of the development on nearby residential properties.

Post construction - The Parish Council notes in the Environmental Impact Assessment Screening Report that, once the site is operational, the development would lead to a small increase in noise from the transformer stations and that the applicant considers this to be mitigated by the existing noise from vehicular traffic from Foston Road. The Parish Council is aware that currently no noise can be heard from the properties on Rosebank Road from the vehicular traffic along Foston Road. Therefore, the Parish Council disagrees with the applicant's comments that any noise from the solar farm would be absorbed by noise created from Foston Road. In fact, there is little or no ambient noise in the vicinity of Rosebank Road. Therefore, it is anticipated that there would be a more noticeable impact from the inverter cabins.

British Standards recommend a maximum level of 35dB for the standard of noise within living rooms and bedrooms during daytime periods.

Proximity to residential properties - Health

The Parish Council notes that the applicant is intending to use Photovoltaics-PV solar panels and that the panels will sit approximately 300 metres away from the residential development of Countesthorpe, with the transformers being approximately 500 metres away. The Parish Council considers that, until there is proof that low-level electromagnetic field exposure is not harmful to human health, that the panels are too close to residential properties. The Parish Council notes the position of two of the transformers to the north-west of the site and have concerns at their close proximity to residential properties of Countesthorpe.

Although sealed under normal working conditions, photovoltaic panels may contain hazardous materials like Lead and Cadmium. Toxic chemicals in solar panels include cadmium telluride, copper indium selenide, cadmium gallium (di)selenide, copper indium gallium (di)selenide, hexafluoroethane, polyvinyl fluoride, and even, Silicon tetrachloride as a by-product during solar panel manufacturing. Therefore, if panels were damaged or disposed of improperly after decommissioning, the environment could become contaminated as they decompose.

High Pressure Gas Pipeline (Page 9 of the Planning Statement - Policy DM14 of the DPD)

The Parish Council has genuine concerns that the 'peach line' to the south of the site, referred to on Page 9 of the Planning Statement which represents a high-pressure gas pipeline and requires a 50m easement, is not clearly identified on the proposed layout plan for the site. The Parish Council notes that the applicant specifies that there will be no development or landscaping works proposed or carried out within this easement area, however, for the avoidance of doubt the Parish Council insists that the applicant resubmit a layout plan clearly identifying the location of the high-pressure gas pipeline and the associated 50m easement, prior to any decision being made on the application. The Parish Council would also wish to see evidence that the applicant has consulted with the pipeline operator, as per the Health and Safety Executive's response, prior to any decision being made on the application.

Historical and Archaeological impact

Countesthorpe Parish Council is concerned that the proposals will have an adverse impact on the historical and heritage asset of Foston Church, the oldest Church in Leicestershire.

It is noted from the original Environmental Impact Assessment Screening opinion in October 2022 that it states that the scheme is in the vicinity of the listed buildings, being the Grade II listed Church of St Bartholomew located adjacent to the eastern border and the Grade II listed Great Peatling Lodge to the east of the site. There are also Grade II listed buildings located within the nearby Countesthorpe conservation area which have potential to see areas of the scheme.

The Parish Council would insist that there be an Archaeological survey carried out prior to a decision being made.

Glint and Glare (Page 33 of Planning Statement)

The Parish Council considers there to be insufficient information provided with regard to the potential risk of glint and glare on aircraft. Solar Farms are required to carry out a 'Glint and Glare Analysis'. It refers to a report by Wardell Armstrong, however, this has not been made available to the Parish Council. The Parish Council therefore considers that the Applicant's reference to that document in 6.84 of the Planning Statement, saying 'Generally, solar photovoltaic (PV) systems are constructed of dark, light-absorbing material designed to maximise light absorption and minimise reflection', as being a generic comment and not committal to the design of the panels. Again, it refers to Chapter 7 of the report, which has not been made available to the public. Therefore, the Parish Council does not support the Applicant's comment in 6.86 of the Planning Statement that the scheme complies with Policy DM13 of the

Local Plan Delivery DPD and paragraph 191 of the NPPF, until a time that evidence has been provided through the glint and glare analysis document.

Flooding

The Parish Council insists that the Environment Agency be consulted on this application.

Policy CS22 Flood Risk Management - The Parish Council would dispute the claim in the applicant's Flood Risk Assessment that the site is at low risk of fluvial flooding. Whilst the positioning of the transformers and PV Panels are not positioned in an area of flooding, the government's flood risk map shows a high-risk area of flooding to the watercourse running parallel to the west boundary of the proposed site. This watercourse regularly floods over onto Foston Road, blocking the road. The land of the proposed solar farm drops down into this area.

When considering the application, the District Council should also give strong consideration to the potential of additional fluvial flooding arising from the recently approved development on Foston Road/Leicester Road, along with further potential development to the north of Countesthorpe that will inevitably put increased pressure on the River Sence. This in turn, exacerbates the historical flooding issues at Crow Mills that is becoming more frequent, causing significant disruption.

The Parish Council has concerns that the addition of impermeable surfaces may add to the risk of flooding. Solar panels may be supported by concrete ballast foundations if required, as stated by the applicant in the Landscape and Visual Assessment Report. The inverters and transformers will be supported by concrete slabs and CCTV will be mounted using concrete foundations.

Construction Traffic

Countesthorpe Parish Council notes, that at the time of responding, no advice has been received from Leicestershire Highways which has therefore contributed to the Parish Council not being able to commit to support the application. However, it would like to remind Blaby District Council of the LHA response to the EIA Screening opinion in 2022, below:-

"Advice to Local Planning Authority

Thank you for bringing to our attention the screening opinion request for the proposed 57 hectare 49.9MW solar farm at Soars Lodge Farm, Foston Lane, Foston.

The Local Highway Authority (LHA) note the applicant's intention to produce a Construction Traffic Management Plan in support of the development proposals, which the LHA agrees is required.

However the LHA would advise the applicant to produce a Transport Statement to consider other issues including existing highway network, access, personal injury collision data and trip generation. The LHA are willing to continue to engage with the applicant during the pre-application process and once a formal planning application is submitted.

However it is unclear at the moment how safe access can be achieved as part of the proposals given the nature of the surrounding highway network and proposed vehicular access points.

There are two public rights of way (PROW) located within the site, existing public footpaths (Z35 & Z36). These will need to be considered within any proposed site layout. The applicant may wish to contact Public Rights of Way team (footpaths@leics.gov.uk) should they wish to propose any alterations, diversions or amendments to the footpath."

Countesthorpe Parish Council strongly agrees with comments relating to the production of a Transport Statement and the question of safe access.

The proposed development will create significant transport impacts on the local road network during development which should not be underestimated.

There will also be significant transport disruption when the underground cabling is installed along Foston Road to Welford Road to connect the site to the substation.

It should be noted that planning permission for 170 homes on Foston Road/Leicester Road has recently been granted, and potential for further development. The cumulative impact from construction traffic from this development together with that of the proposed solar farm will be considerable.

When approaching Foston Road from Husbands Bosworth, HGVs will have to cross to the opposite carriageway in order to enter Foston Road, due to the tight corner of Foston Road and Welford Road.

The Parish Council has concerns regarding the feasibility of the access to the substation site at the junction of Foston Road with Welford Road. The applicant intends to use the existing site access point, however it should be noted that this sits on a junction of the very busy A5199, Welford Road with Foston Road. Whilst the applicant is proposing that all its construction traffic will access via Welford Road, the Parish Council does not see how a vehicle accessing from that direction will have access to the entrance. Likewise, if there is to be a gate to secure the site, there will be occasions when vehicles will be blocking the main routes and the flow of traffic heading towards Countesthorpe.

Insufficient information has been provided within the Construction Traffic Management Plan how the road network will be impacted by the works to link the PV site to the substation at the junction of Welford Road/Foston Road.

Ecology

The Parish Council has shared details of the application with the RSPB. Under the advice of the RSPB, the Parish Council would refer the District Council to read Solar Energy UK's guidance on Natural Capital Best Practice for increasing biodiversity at all stages of the solar farm's lifecycle, to ensure that the layout follows best practice for design, construction and operation from initial design to decommissioning. The views of the Wildlife Trusts' A Vision for Energy should be given equal consideration.

The Parish Council would insist that the Applicant's design takes this advice into account when designing the land between and around or adjacent to the panels to ensure it is properly managed for ecological mitigation and creation of enhanced wildlife habitat. However, as the developer is currently planning development of a high percentage of the site, the Parish Council does not consider that it can effectively provide improved wildlife habitat or meet Biodiversity Net Gains.

Policy CS19 of the Blaby Core Strategy states that - " the Council will seek to maintain / extend networks of natural habitats to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats. These networks should be protected from development. Where development in these areas cannot be avoided, the networks of natural habitats should be strengthened by or integrated within the development". The Parish Council consider that development in this area can be avoided and request that a sequential test be undertaken and used to identify more suitable locations.

The site is particularly rich in a diverse ecology. Buzzards, Red Kites, Egrets, Swifts, Woodpeckers, Owls and Skylarks are amongst a numerous variety of birds which inhabit the site, together with smaller mammals, hedgehogs, rabbits, hares, foxes and bats. The development in its current form will have a significant adverse effect on these species' habitats, and the cumulative impact of the loss of habitat due to the recently approved development on Foston Road/Leicester Road should be taken into account.

Quality of Land

The proposed site is predominantly grade 3b good to moderate land. Solar panels will also be located on good land graded 3a. Much of the land is used to grow crops and Countesthorpe Parish Council are concerned that yet more agricultural land in Countesthorpe will be lost to development.

The proposed lease of the site would be for a period of 40 years which is a considerable period of time. It is very unlikely that the site will ever be returned to its current use, therefore there is no weight to any claims that the development is temporary and can be reversed.

Financial Contributions/Community Involvement

The power generated by the solar panels will go straight to the national grid and will not benefit Countesthorpe in any way. Therefore, the Parish Council ask for the following to be considered, should planning consent be given.

The Parish Council has identified a need for screening the cemetery from the solar farm. The Parish Council had previously planned the completion of the planting scheme for the cemetery extension in stages. To enable the Parish Council to bring forward the completion of the planting scheme that would assist in screening the solar panels from the view of the cemetery, the Parish Council would ask for a financial contribution to carry these works out at the earliest opportunity. In addition, request that these works are carried out by the contractors completing the landscaping works within the solar farm site and maintaining the trees for the first year of planting.

The Parish Council asks that the Highway's Authority seek developer funding from the applicant for longer term highways' improvements within the vicinity, including consideration for an extension of the 40mph limit to beyond the site access and for a pedestrian crossing to be installed in the vicinity of the garden centre. It is noted that the Glebe Garden Centre was refused permission for a second access onto Foston Road for reasons of road safety.

Should the application be granted, Countesthorpe Parish Council asks that applicant involve the community by involving local school children for educational purposes and to encourage children to learn about biodiversity, and for this to be long term.

Additional Conditions Requested

Should this development be given planning approval, Countesthorpe Parish Council request that the following conditions be considered:-

The Parish Council insists that Blaby District Council include a condition that the landscaping be implemented by the end of the first planting season following the commencement of the development and that the developer carry out the necessary site visits to establish the positioning where evergreen species will be necessary.

The Parish Council would welcome a larger area of the site to be sown with wildflower seed and managed with the objective of enhancing biodiversity, improving the carbon capture ability of the soil and to improve the soil in anticipation of agricultural use being re-introduced following de-commissioning.

Any planting should be maintained and watered, particularly until the trees and shrubbery are successfully established. Blaby District Council should ensure that the planting scheme is appropriate to the nature of the landscape, ie trees and shrubs suitable to areas of flooding, etc.

The Parish Council notes that there is no illumination of the site planned, however it asks that there is a condition in the approval that this be throughout the lifetime of the site including at construction stage.

The Parish Council notes that there is planned to be six transformer cabins which will exceed the height of the solar panels. The Parish Council therefore asks that these inverters are treated with screening. The Parish Council also request that the inverter cabins are situated the furthest point possible from residential properties.

The Parish Council asks for a condition to be included in any planning permissions to restrict hours of construction work from 8.30am to 5pm Monday to Friday, 8.30am to 1pm on Saturday and no works or deliveries to be carried out on Sundays or Bank Holidays.

If pile driving is used to install the solar panel posts, this work should not occur outside the hours of 9am to 4pm and no pile driving at weekends or Bank Holidays.

Works to create the connection to the substation located on the opposite side of Foston Road, should be carried out to cause minimum impact to the road network, with any road closures taking place over night.

The Parish Council also asks that the necessary measures be taken during the construction period to control any impact from dust.

As per the applicant's Construction Traffic Management Plan, the application should ensure that construction traffic is directed via the direction of Welford Road and should not be routed through the centre of the village of Countesthorpe. Construction vehicular movements should be restricted to non-peak times and not extend into the evening.

The Parish Council has concerns about construction traffic entering Foston Road at a point where the speed limit is currently set at 60mph. The Parish Council would ask that the applicant work with the Highway's Authority to introduce a temporary reduction in the speed limit at that point to 40mph throughout the construction period.

A condition should be applied for the number of construction vehicle trips not to exceed 8 per day, as per the Traffic and Highway Management Plan. All construction vehicles to be routed via the A5199 (Welford Road).

As the route planned for construction vehicles involves the extremely busy Junction Foston Road/Welford Road/ the Parish Council insist that a condition regarding times is made.

The movement of construction vehicles should be avoided at peak hours to avoid impacting on the significant amount of commuter traffic which passes through Countesthorpe via Foston Road.

The Parish Council asks that Leicestershire County Council Highways continually monitor and review the traffic management during the duration of the works to respond to complaints or safety issues.

During the construction phase there is likely to be disturbance in the form of moving vehicles, noise, dust and light. These impacts could be controlled through the provisions of a Construction Environmental Management Plan which can be required to condition.

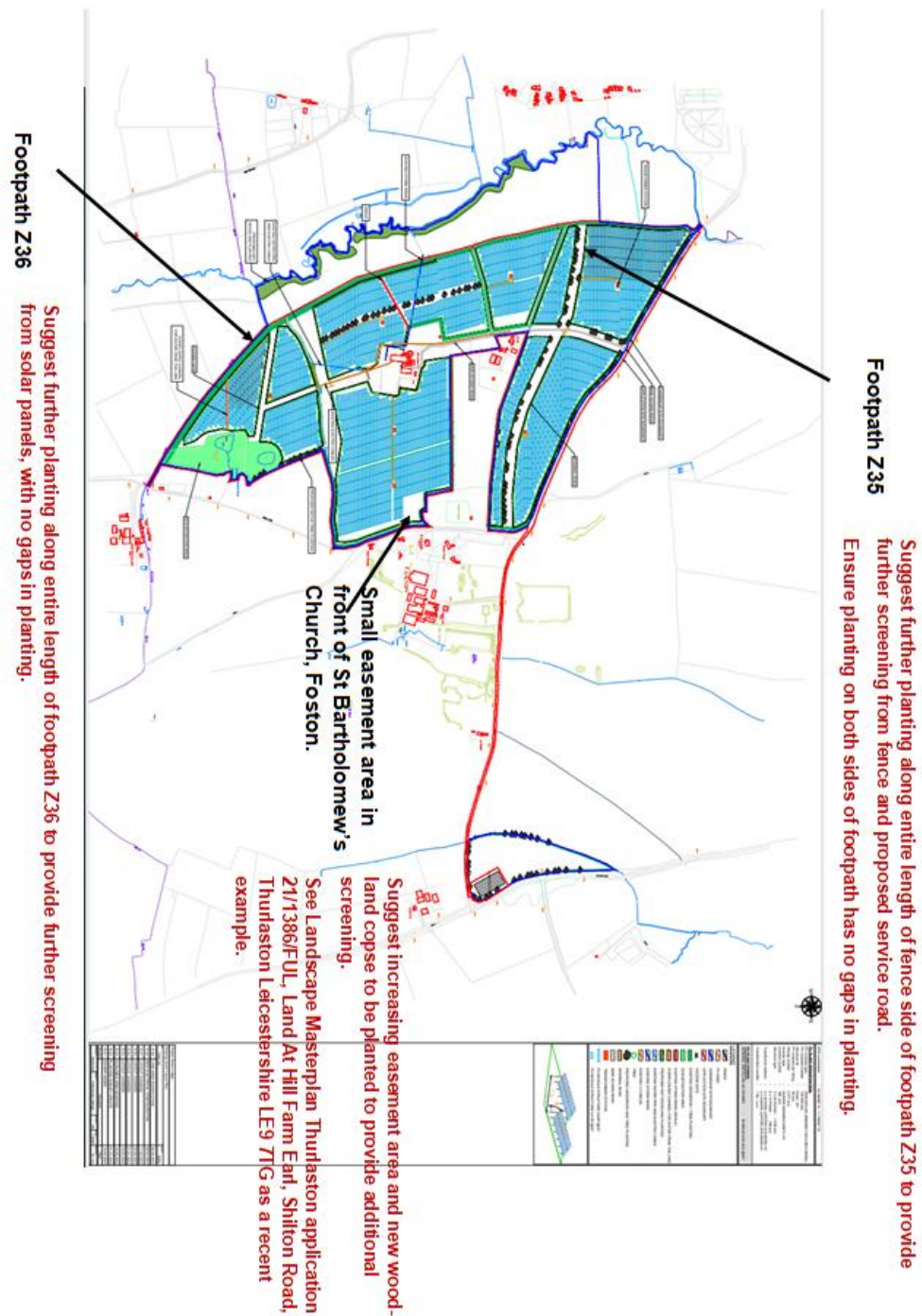
Visibility at the site access would be significantly constrained due to the presence of a hedgerow and the alignment of the road. There should therefore be visibility splays provided.

The Parish Council notes that the 40-year planning permission granted to these applications, commences at the first export of electricity. The Parish Council therefore asks that it is a condition that the applicant provides evidence that there is already an agreement in place for the solar farm to be connected to the national grid immediately on completion of its construction. The Parish Council cannot find evidence within the documents that there is already an agreement in place or indication of period for when the first export of electricity will take place.

Any planning approval should include a condition that, should the site not be active for a twelve-month period, that it must be decommissioned and plans for such submitted to the planning authority. Blaby District Council's Planning Enforcement department should continue to monitor the site, through construction stage and the lifetime of the scheme.

The Parish Council asks a condition be applied to any planning approval that the land owner submit a decommissioning plan, including to specify the intended use of the land after the event, within two years of the 40 year period.

ATTACHED: Plan indicating where the Parish Council would request additional screening and planting.



Construction of a solar farm together with associated works, equipment and necessary infrastructure

Soars Lodge Farm, Foston Lane, Foston, Leicester, Leicestershire, LE8 5WP

Previously the Parish Council stated that it was supportive of renewable/green energy and this stance remains unchanged. However, the current situation with this application raises serious concerns that have not been addressed since the original application. Therefore, the Parish Council would now object to these specific issues as listed below and expect them to be addressed.

- Land Contamination
- Lack of information relating to the repositioning of the sub-station
- The size of the application / over-development of the site
- Noise
- The lack of screening/visual impact
- The size of the panels
- Insufficient screening to the existing cemetery

Land contamination

The Parish Council is acutely aware of the recent prosecution of the current landowner in allowing contamination of both the application site and neighbouring land. The Court imposed a remediation order for the landowner to deal with the contamination of the land by December 2027 and prior to any works commencing on installation of the solar farm scheme.

The Parish Council refers to the recommended conditions made by Environmental Services on 20th November 2024 in relation to the contamination and note that a full remediation method statement has, at the time of our response, not been submitted as part of this application as requested.

The Parish Council ask that the District Council give clarification that it is also aware that these remedial works need to be completed and give its assurances that the works will be carried out to the satisfaction of the courts, prior to any planning approval being given.

Screening and Planting

The Parish Council appreciates that native wood planting has been incorporated to the east of the site in front of the Foston Church. However, it is disappointed to note that there has not been a similar treatment to the west of the site, particularly to obscure the view to the Cemetery and to the now approved residential development at the corner of Foston Road/Leicester Road. The applicant had themselves stated that the solar site would be highly visible from the cemetery area. This is an area for residents to spend time visiting their loved one's graves and often comment that they find the cemetery a pleasant place to visit because of its location and view over the fields. As part of a landscaping scheme, the Parish Council will be planting to the south east of the cemetery site, however, there is nothing that it can plant that will

obscure the view of the solar panels. The Parish Council request that further consideration is given to screening this area.

PV Panels size

The original size of the solar panels was stated to be 2.533m high and 4.572m deep, now increased to 3.058m high and 4.950m deep, an increase of 5 degrees in the angle. The applicant has not given any reason for the increase in size of the panels and the Parish Council request this information is provided.

The Parish Council are extremely concerned that the height of the solar panels have been increased and, therefore, question whether the original landscape and visual impact assessment reports are still valid.

Therefore, the Parish Council request that the height of the panels are reduced back to the original height in accordance with the earlier consultation or that up-to-date visual impact assessments are carried out.

Size of Site

On the same issue, the Parish Council would argue, that if it is intended for the panels to be larger and taller than originally planned why the actual size of the solar farm itself has not been reduced? Visual impact was a major concern of the Parish Council and residents who considered that a reduced scheme, resulting in less adverse visual impact on the residential area of Countesthorpe, would be more acceptable.

Substation

The Parish Council notes that the substation, that had originally been positioned on the corner of Foston Road and Welford Road, has now been relocated to zone 2 of the site, yet there is no indication within any of the amended plans of its exact location. As the substation would be considered to be integral to the site, and of considerable size and potentially visible from residential areas, and with a generation of noise, vehicular movements, etc the Parish Council would like clarification of its revised location, size and access with an opportunity to be reconsulted on this matter.

Construction Management Plan

Traffic management must take into account the new development on Foston Road to ensure minimal disruption. The traffic management plan does indicate construction traffic travels from Welford Road and this must be adhered to, to avoid construction traffic travelling through the centre of Countesthorpe. The reverse route via A5199 Welford Road must also be adhered to. Equally, traffic for the Foston Road Miller Homes development must also be strictly monitored to take into account the Solar Farm.

The Parish Council has concerns about construction traffic entering Foston Road at a point where the speed limit is currently set at 60mph. The Parish Council would ask that the applicant work with the Highway's Authority to introduce a temporary reduction in the speed limit at that point to 40mph throughout the construction period.

As the route planned for construction vehicles involves the extremely busy Junction Foston Road/Welford Road/ the Parish Council insist that a condition regarding times is made.

The movement of construction vehicles should be avoided at peak hours to avoid impacting on the significant amount of commuter traffic which passes through Countesthorpe via Foston Road.

The number of construction vehicle trips must not exceed the number of 8 two-way movements per day as specified in the plan.

The Parish Council asks that Leicestershire County Council Highways continually monitor and review the traffic management during the duration of the works to respond to complaints or safety issues.

During the construction phase there is likely to be disturbance in the form of moving vehicles, noise, dust and light. The Parish Council requests that conditions are set for the applicant to adhere to measures such as the control of emissions of dust and dirt; control of lighting; and Noise, as per specified in the management plan.

Glint and Glare

The Parish Council notes the changes to the Glint and Glare report. It notes in Table 5.1: Elimination of Fixed Point Receptors, the Parish Council can see that the residential areas to the east of Countesthorpe have now been amended. Initially it had indicated that glare would not be predicted but now the table states that there is note potential for glare. Although it states in 5.3.12 that for those areas affected by green glare, there are no associated adverse effects, due to the low intensity of the glare, the Parish Council would argue that there should still be further investigation to result in these areas suffering 'no' effects.

Ecological Impact Assessment

The Parish Council asks for clarification under the report under the Ecological Impact Assessment, the Non-Technical Summary has an item redacted. The Parish Council has concerns that this is redacted and would ask for clarification as to what the species was that has been redacted.

Noise Impact

The Parish Council notes that there has been no movement by the applicant to respond to potential noise impact on residential areas of Countesthorpe to the west of the site and would argue that any noise will not be mitigated by prevailing background noise. Therefore, the Parish Council's existing comments still stand.

The Parish Council notes that there is an area of housing on Rosebank Road that is acknowledged by the applicant's own consultant that will be adversely impacted by noise. It is the Parish Council's view that no residential properties should be adversely affected by noise from the site and therefore mitigation measures should include moving the boundary of the site away from the residential area.

The Parish Council notes that the Noise Survey was carried out in April 2023, which was prior to the repositioning of the substation. Therefore, the Parish Council does not consider the Noise Assessment as being up to date and the applicant should therefore complete an up to date assessment, to include the relocation of the substation.

Historical and Archaeological impact

The Parish Council notes that the applicant has still not submitted a more detailed Archaeological Report as requested by Leicestershire County Council's Senior Planning Archaeologist dated 22nd November 2024.

Overall, the Parish Council cannot see where the applicant has given much consideration to responding to concerns raised during the planning consultation process, therefore, in addition, it reiterates its original comments as follows:-

Whilst Countesthorpe Parish Council is generally supportive of solar farms and their role in reducing the use of fossil fuels and combating climate change, there are genuine concerns which need addressing with this particular application.

Concerns have been raised with regard to the visual impact on neighbouring properties, as well as potential noise issues.

The Parish Council is aware of concerns from Countesthorpe residents, who would be more adversely affected by the application, particularly from a visual perspective, the potential for noise and lack of sufficient screening.

We therefore consider that there is a strong case for reducing the size of the scheme and to significantly increase screening in order to lessen the impact on residential properties, the Public Rights of Way, Countesthorpe Cemetery and St Bartholomew's Church whilst it still being a viable scheme for the Applicant.

We acknowledge that there is potential for the scheme to change and would, therefore, welcome the opportunity to review the application and respond further as and when additional information is received.

Note: As part of its response, the Parish Council refers to areas where it would require additional screening and planting. Attached is a document showing these areas. The Parish Council also refers to additional screening overlooking the cemetery area.

Glint and Glare

The Parish Council has concerns about comments contained in the applicant's glint and glare report, and references to it below:-

5.3.7 Any glint that is observed from a residential property will, at most, be a nuisance issue. There is no threat to health and safety.

7.1.2 Other less sensitive receptors include residents of nearby properties and users of footpaths. Effects experienced at these receptors are more likely to cause nuisance than any risk to health and safety.

It is the Parish Council's opinion that any glint observed from a residential property will definitely be a nuisance and unacceptable. The harm created by nuisance should not be underestimated. It will cause unnecessary adverse impact on residents' wellbeing in terms of annoyance and enjoyment of their property. Also, it will be on an ongoing basis, year on year, even if it is for limited times of the day as specified in the report. Likewise, the impact will be felt by people using the footpaths within, and nearby, to the site.

5.8.1 There are concerns that glint could have a negative effect on both airport and aircraft operations while on the ground and on aircraft flying over or near to the Site. The Parish Council would re-iterate the concerns raised in the report on the risk to aircraft flying over the site.

Two references relating to impact on aircraft appear contradictory. Appendix 1 suggests there would be no serious impact, yet 5.8.1 (above) suggest there could be a negative impact.

The Parish Council also notes the evaluation of risk of potential glint or glare from locations surrounding the site include villages at a considerable distance from Countesthorpe, and that some of these locations are shown at some point of the day at risk of glint and glare. This, in itself, is an admittance that the solar farm will have a wider impact in terms of visibility and glare than had been indicated in the original application. The Parish Council therefore strongly questions whether the site is suitable for such an installation and consider that it would be better placed on low-lying land. The solar farm would then be less visible from a wider area resulting in lower risk of glare in future years as changes outside of the development inevitably take place. The contents of Table 5.1 of the report confirms that the residential areas of Countesthorpe will be affected by glint and glare as there is either currently no screening or the existing screening will be ineffective. Should the application proceed, again the Parish Council reiterates that any planting screen for screen purposes should be introduced at the first stage of development.

It is also noted that the details of screening referred to in table 5.1 indicate areas where there is potential for glint and glare that are protected due to the barrier of existing shrubbery, hedges outside of the site, etc. Whilst this enables the outcome of the testing can indicate that there is no potential risk as a result, this does not take into account that those hedgerows may be removed at a future date for a variety of reasons, including future development.

The above reasoning can also be said for the contents of Table 5.4 which refer to the potential effect on the surrounding road network.

Page 7 of the report refers to the need for the proposed mitigation planting being essential to eliminate risk of glint effects to nearby road users, therefore the Parish Council would expect that there be a condition that all relevant screening planting is incorporated at the first stage of development.

2.4.3 refers to there being a risk of reflection from the supporting steel mounts to the panels but usually these are generally shaded. It should be noted again that the site is on a highly elevated site and that the structure including the steel mounts will be visible.

In general, the Parish Council would expect that the planting scheme for screening should be future proofed to anticipate any potential changes in the vicinity, such as future developments, resulting in removal of shrubbery remote from the site, especially in light of the fact the solar panels could be in place for 40 years.

The report refers to the glare from a solar farm being similar to that as a large body of water. However, this is a natural phenomenon, whereas the solar farm is man-made and avoidable. Also it is people's choice to live near to a body of water.

Visual Impact

The Parish Council considers that the large size of the proposed development is inappropriate for a site so close to residential properties. The visual impact of such a large industrial solar farm will significantly and adversely impact the character and appearance of the landscape and turn a pleasant, rural area into a commercial area protected by CCTV cameras and high fencing with warning signs.

The east side of Countesthorpe will be significantly and adversely affected by the development. The Parish Council considers therefore that, in its present form, the proposal contravenes Blaby District Council's Local Plan Policy DM2 (Development in the Countryside) in that development should provide a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by neighbouring properties.

The Parish Council does not consider that the applicant has provided sufficient detail of the treatment of fencing and solar panels as a visual impact from the site, including from the residential properties of Countesthorpe and those using the footpaths.

Countesthorpe Parish Council notes that the view from the cemetery (memorial park) will be adversely affected. The Parish Council has viewed the site from the cemetery and, together with the artist's impressions, can confirm that the solar panels will be clearly visible from the cemetery area. Being a cemetery, this will be an area for contemplation. The Parish Council notes that no provision has been made within the design itself that would sufficiently shield the view from the Cemetery.

Effects on and Treatment of Public Rights of Way

The two Public Rights of Way (PRoW) located within the site currently benefit from extensive open views of green fields and agricultural farmland. They are both well used by dog walkers, ramblers and walking groups.

The development would create significant adverse visual impact along these footpaths with arrays of 2.53m to 3m high dark coloured solar panels which would tower above walkers, blocking those views and effectively creating a dark tunnel.

It is the Parish Council's view that proposals affecting Public Rights of Way can only be permitted where it can be demonstrated that the routes and the recreational and amenity value of the Public Rights of Way will be protected. Accordingly, any rerouting must deliver a level of recreational and amenity value at least as good as the routes being replaced.

The Parish Council consider that the scheme could be made more acceptable by introducing further screening of the Public Rights of Way (PRoW) Z35 and Z36.

Public Right of Way Z35 runs across the application site, connecting Countesthorpe to Barley Lane. The Parish Council note that a service road is proposed which will run adjacent to the new fencing and along the entire length of the PRoW. The Parish

Council request that significant planting is provided along the length of both sides of PRow Z35 to provide screening and enclosure from the fence, service road and solar panels.

Additionally, Public Right of Way Z36 runs from the south-eastern corner of the application site, south of Reed Pool Spinney, to its north-western extents, where it joins footpath 'Z35' at the footbridge on the site boundary. Again, the Parish Council request significant planting is provided along the full length of PRow Z36 for the same reasons as above.

Overdevelopment of the site

When investigating the optimal characteristics required by developers looking at potential sites for solar farms, this site would not be considered ideal, particularly in relation to the sloping terrain. Generally, solar developers look for clear, flat land. It is also noted that on average, other local authorities do not generally approve full coverage of the entire parcel of the application site. Bar the GCN Mitigation area and the internal roadways, the applicant is proposing nearly 100% PV coverage of the site. The Parish Council therefore considers the application to be overdevelopment of the site. There are existing solar farms of a smaller size that are considered viable such as the Thurlaston site which is 36.1 hectares, and the existing solar farm located to the east of Hospital Lane which is around 6 hectares. The proposed solar farms at Saddington and Kibworth Harcourt total a 39 hectares.

Cumulative Schemes

Blaby District Council should ensure that there is not a cumulative effect from other solar farm applications in the area, as the Parish Council notes that this application falls under the threshold to be approved by the Secretary of State. It should be noted that there is a smaller scale solar farm located at nearby Blaby Solar Farm, Countesthorpe Road, Leicestershire LE8 5QW.

The Parish Council also wish to bring to your attention the recent approval (March 2024) of the installation of a 92 hectare solar farm at nearby Wistow Lodge Farm, Fleckney Road, South Leicestershire. We request that Blaby District Council considers the cumulative effect of the proposed scheme together with those mentioned above.

Noise Impact

The Parish Council notes from Page 15 of the Noise Risk Assessment document that the applicant considers that residential properties of Countesthorpe to the west of the proposed site, are at a distance from the solar farm that does not necessitate carrying out baseline noise monitoring.

The Parish Council therefore considers that the applicant has not provided sufficient information on the noise that the scheme can generate to enable the District Council to make an informed decision on the application.

Considering that the residential area of Countesthorpe would have the majority of persons affected by the proposal, the Parish Council does not understand why the developer could not provide the information to at least discount any potential noise risk to allay concerns from those living nearby in Countesthorpe.

During the Construction Period - The Parish Council notes, in the Environmental Impact Assessment Screening Report, that it is anticipated that there is potential for noise as a result from the construction processes and operational activities associated with the construction of the development on nearby residential properties.

Post construction - The Parish Council notes in the Environmental Impact Assessment Screening Report that, once the site is operational, the development would lead to a small increase in noise from the transformer stations and that the applicant considers this to be mitigated by the existing noise from vehicular traffic from Foston Road. The Parish Council is aware that currently no noise can be heard from the properties on Rosebank Road from the vehicular traffic along Foston Road. Therefore, the Parish Council disagrees with the applicant's comments that any noise from the solar farm would be absorbed by noise created from Foston Road. In fact, there is little or no ambient noise in the vicinity of Rosebank Road. Therefore, it is anticipated that there would be a more noticeable impact from the inverter cabins.

British Standards recommend a maximum level of 35dB for the standard of noise within living rooms and bedrooms during daytime periods.

Proximity to residential properties - Health

The Parish Council notes that the applicant is intending to use Photovoltaics-PV solar panels and that the panels will sit approximately 300 metres away from the residential development of Countesthorpe, with the transformers being approximately 500 metres away. The Parish Council considers that, until there is proof that low-level electromagnetic field exposure is not harmful to human health, that the panels are too close to residential properties. The Parish Council notes the position of two of the transformers to the north-west of the site and have concerns at their close proximity to residential properties of Countesthorpe.

Although sealed under normal working conditions, photovoltaic panels may contain hazardous materials like Lead and Cadmium. Toxic chemicals in solar panels include cadmium telluride, copper indium selenide, cadmium gallium (di)selenide, copper indium gallium (di)selenide, hexafluoroethane, polyvinyl fluoride, and even, Silicon tetrachloride as a by-product during solar panel manufacturing. Therefore, if panels were damaged or disposed of improperly after decommissioning, the environment could become contaminated as they decompose.

High Pressure Gas Pipeline (Page 9 of the Planning Statement - Policy DM14 of the DPD)

The Parish Council has genuine concerns that the 'peach line' to the south of the site, referred to on Page 9 of the Planning Statement which represents a high-pressure gas pipeline and requires a 50m easement, is not clearly identified on the proposed layout plan for the site. The Parish Council notes that the applicant specifies that there will be no development or landscaping works proposed or carried out within this easement area, however, for the avoidance of doubt the Parish Council insists that the applicant resubmit a layout plan clearly identifying the location of the high-pressure gas pipeline and the associated 50m easement, prior to any decision being made on the application. The Parish Council would also wish to see evidence that the applicant has consulted with the pipeline operator, as per the Health and Safety Executive's response, prior to any decision being made on the application.

Historical and Archaeological impact

Countesthorpe Parish Council is concerned that the proposals will have an adverse impact on the historical and heritage asset of Foston Church, the oldest Church in Leicestershire.

It is noted from the original Environmental Impact Assessment Screening opinion in October 2022 that it states that the scheme is in the vicinity of the listed buildings, being the Grade II listed Church of St Bartholomew located adjacent to the eastern border and the Grade II listed Great Peatling Lodge to the east of the site. There are also Grade II listed buildings located within the nearby Countesthorpe conservation area which have potential to see areas of the scheme.

The Parish Council would insist that there be an Archaeological survey carried out prior to a decision being made.

Flooding

Policy CS22 Flood Risk Management - The Parish Council would dispute the claim in the applicant's Flood Risk Assessment that the site is at low risk of fluvial flooding. Whilst the positioning of the transformers and PV Panels are not positioned in an area of flooding, the government's flood risk map shows a high-risk area of flooding to the watercourse running parallel to the west boundary of the proposed site. This watercourse regularly floods over onto Foston Road, blocking the road. The land of the proposed solar farm drops down into this area.

When considering the application, the District Council should also give strong consideration to the potential of additional fluvial flooding arising from the recently approved development on Foston Road/Leicester Road, along with further potential development to the north of Countesthorpe that will inevitably put increased pressure on the River Sence. This in turn, exacerbates the historical flooding issues at Crow Mills that is becoming more frequent, causing significant disruption.

The Parish Council has concerns that the addition of impermeable surfaces may add to the risk of flooding. Solar panels may be supported by concrete ballast foundations if required, as stated by the applicant in the Landscape and Visual Assessment Report. The inverters and transformers will be supported by concrete slabs and CCTV will be mounted using concrete foundations.

Construction Traffic

Countesthorpe Parish Council would like to remind Blaby District Council of the LHA response to the EIA Screening opinion in 2022, below:-

"Advice to Local Planning Authority

Thank you for bringing to our attention the screening opinion request for the proposed 57 hectare 49.9MW solar farm at Soars Lodge Farm, Foston Lane, Foston.

The Local Highway Authority (LHA) note the applicant's intention to produce a Construction Traffic Management Plan in support of the development proposals, which the LHA agrees is required.

However the LHA would advise the applicant to produce a Transport Statement to consider other issues including existing highway network, access, personal injury collision data and trip generation. The LHA are willing to continue to engage with the applicant during the pre-application process and once a formal planning application is submitted.

However it is unclear at the moment how safe access can be achieved as part of the proposals given the nature of the surrounding highway network and proposed vehicular access points.

There are two public rights of way (PROW) located within the site, existing public footpaths (Z35 & Z36). These will need to be considered within any proposed site layout. The applicant may wish to contact Public Rights of Way team (footpaths@leics.gov.uk) should they wish to propose any alterations, diversions or amendments to the footpath."

Countesthorpe Parish Council strongly agrees with comments relating to the production of a Transport Statement and the question of safe access.

The proposed development will create significant transport impacts on the local road network during development which should not be underestimated.

There will also be significant transport disruption when the underground cabling is installed along Foston Road to Welford Road to connect the site to the substation.

It should be noted that planning permission for 170 homes on Foston Road/Leicester Road has recently been granted, and potential for further development. The cumulative impact from construction traffic from this development together with that of the proposed solar farm will be considerable.

When approaching Foston Road from Husbands Bosworth, HGVs will have to cross to the opposite carriageway in order to enter Foston Road, due to the tight corner of Foston Road and Welford Road.

Ecology

The Parish Council has shared details of the application with the RSPB. Under the advice of the RSPB, the Parish Council would refer the District Council to read Solar Energy UK's guidance on Natural Capital Best Practice for increasing biodiversity at all stages of the solar farm's lifecycle, to ensure that the layout follows best practice for design, construction and operation from initial design to decommissioning. The views of the Wildlife Trusts' A Vision for Energy should be given equal consideration.

The Parish Council would insist that the Applicant's design takes this advice into account when designing the land between and around or adjacent to the panels to ensure it is properly managed for ecological mitigation and creation of enhanced wildlife habitat. However, as the developer is currently planning development of a high percentage of the site, the Parish Council does not consider that it can effectively provide improved wildlife habitat or meet Biodiversity Net Gains.

Policy CS19 of the Blaby Core Strategy states that - " the Council will seek to maintain / extend networks of natural habitats to link sites of biodiversity importance by avoiding

or repairing the fragmentation and isolation of natural habitats. These networks should be protected from development. Where development in these areas cannot be avoided, the networks of natural habitats should be strengthened by or integrated within the development". The Parish Council consider that development in this area can be avoided and request that a sequential test be undertaken and used to identify more suitable locations.

The site is particularly rich in a diverse ecology. Buzzards, Red Kites, Egrets, Swifts, Woodpeckers, Owls and Skylarks are amongst a numerous variety of birds which inhabit the site, together with smaller mammals, hedgehogs, rabbits, hares, foxes and bats. The development in its current form will have a significant adverse effect on these species' habitats, and the cumulative impact of the loss of habitat due to the recently approved development on Foston Road/Leicester Road should be taken into account.

Quality of Land

The proposed site is predominantly grade 3b good to moderate land. Solar panels will also be located on good land graded 3a. Much of the land is used to grow crops and Countesthorpe Parish Council are concerned that yet more agricultural land in Countesthorpe will be lost to development.

The proposed lease of the site would be for a period of 40 years which is a considerable period of time. It is very unlikely that the site will ever be returned to its current use, therefore there is no weight to any claims that the development is temporary and can be reversed.

Financial Contributions/Community Involvement

The power generated by the solar panels will go straight to the national grid and will not benefit Countesthorpe in any way. Therefore, the Parish Council ask for the following to be considered, should planning consent be given.

The Parish Council has identified a need for screening the cemetery from the solar farm. The Parish Council had previously planned the completion of the planting scheme for the cemetery extension in stages. To enable the Parish Council to bring forward the completion of the planting scheme that would assist in screening the solar panels from the view of the cemetery, the Parish Council would ask for a financial contribution to carry these works out at the earliest opportunity. In addition, request that these works are carried out by the contractors completing the landscaping works within the solar farm site and maintaining the trees for the first year of planting.

The Parish Council asks that the Highway's Authority seek developer funding from the applicant for longer term highways' improvements within the vicinity, including consideration for an extension of the 40mph limit to beyond the site access and for a pedestrian crossing to be installed in the vicinity of the garden centre. It is noted that the Glebe Garden Centre was refused permission for a second access onto Foston Road for reasons of road safety.

Should the application be granted, Countesthorpe Parish Council asks that applicant involve the community by involving local school children for educational purposes and to encourage children to learn about biodiversity, and for this to be long term.

Additional Conditions Requested

Should this development be given planning approval, Countesthorpe Parish Council request that the following conditions be considered:-

The Parish Council insists that Blaby District Council include a condition that the landscaping be implemented by the end of the first planting season following the commencement of the development and that the developer carry out the necessary site visits to establish the positioning where evergreen species will be necessary.

The Parish Council would welcome a larger area of the site to be sown with wildflower seed and managed with the objective of enhancing biodiversity, improving the carbon capture ability of the soil and to improve the soil in anticipation of agricultural use being re-introduced following de-commissioning.

Any planting should be maintained and watered, particularly until the trees and shrubbery are successfully established. Blaby District Council should ensure that the planting scheme is appropriate to the nature of the landscape, ie trees and shrubs suitable to areas of flooding, etc.

The Parish Council notes that there is no illumination of the site planned, however it asks that there is a condition in the approval that this be throughout the lifetime of the site including at construction stage.

The Parish Council notes that there is planned to be six transformer cabins which will exceed the height of the solar panels. The Parish Council therefore asks that these inverters are treated with screening. The Parish Council also request that the inverter cabins are situated the furthest point possible from residential properties.

The Parish Council asks for a condition to be included in any planning permissions to restrict hours of construction work from 8.30am to 5pm Monday to Friday, 8.30am to 1pm on Saturday and no works or deliveries to be carried out on Sundays or Bank Holidays. If pile driving is used to install the solar panel posts, this work should not occur outside the hours of 9am to 4pm and no pile driving at weekends or Bank Holidays.

Works to create the connection to the substation located on the opposite side of Foston Road, should be carried out to cause minimum impact to the road network, with any road closures taking place over night.

The Parish Council also asks that the necessary measures be taken during the construction period to control any impact from dust.

As per the applicant's Construction Traffic Management Plan, the application should ensure that construction traffic is directed via the direction of Welford Road and should not be routed through the centre of the village of Countesthorpe. Construction vehicular movements should be restricted to non-peak times and not extend into the evening.

The Parish Council has concerns about construction traffic entering Foston Road at a point where the speed limit is currently set at 60mph. The Parish Council would ask

that the applicant work with the Highway's Authority to introduce a temporary reduction in the speed limit at that point to 40mph throughout the construction period.

A condition should be applied for the number of construction vehicle trips not to exceed 8 per day, as per the Traffic and Highway Management Plan. All construction vehicles to be routed via the A5199 (Welford Road).

As the route planned for construction vehicles involves the extremely busy Junction Foston Road/Welford Road/ the Parish Council insist that a condition regarding times is made.

The movement of construction vehicles should be avoided at peak hours to avoid impacting on the significant amount of commuter traffic which passes through Countesthorpe via Foston Road.

The Parish Council asks that Leicestershire County Council Highways continually monitor and review the traffic management during the duration of the works to respond to complaints or safety issues.

During the construction phase there is likely to be disturbance in the form of moving vehicles, noise, dust and light. These impacts could be controlled through the provisions of a Construction Environmental Management Plan which can be required to condition.

Visibility at the site access would be significantly constrained due to the presence of a hedgerow and the alignment of the road. There should therefore be visibility splays provided.

The Parish Council notes that the 40-year planning permission granted to these applications, commences at the first export of electricity. The Parish Council therefore asks that it is a condition that the applicant provides evidence that there is already an agreement in place for the solar farm to be connected to the national grid immediately on completion of its construction. The Parish Council cannot find evidence within the documents that there is already an agreement in place or indication of period for when the first export of electricity will take place.

Any planning approval should include a condition that, should the site not be active for a twelve-month period, that it must be decommissioned and plans for such submitted to the planning authority. Blaby District Council's Planning Enforcement department should continue to monitor the site, through construction stage and the lifetime of the scheme.

The Parish Council asks a condition be applied to any planning approval that the land owner submit a decommissioning plan, including to specify the intended use of the land after the event, within two years of the 40 year period.

Outline application for the provision of up to 14 dwellings with all matters reserved except for access

Land North of Sycamore Way, Littlethorpe

Report Author: Maria Philpott Senior Planner (Consultant)

Contact Details: Council Offices. Tel: 0116 272 7520

Cover Page Summary to Committee Report

This application was deferred at the Planning Committee meeting held on 3rd July 2025. The minutes of the committee confirmed that:

“Members would like further information on flooding and potential future flood risk, and more detailed information on the proposed surface water drainage scheme.”

It is therefore Officers intention to provide this information to Members by way of more detail in the Officer’s presentation.

To confirm, no extra information has been provided by the agent or any statutory consultees and therefore there has been no further consultation with the public.

There are no objections to this proposal from the Environment Agency, the Lead Local Flood Authority or Severn Trent Water.

The application therefore continues to be recommended for approval as set out in the following report and there are no changes to the report that follows. The conclusion below is taken from the committee report and repeated here for ease of reference:

Overall Planning Balance and Conclusion

In summary, the application proposes the provision of up to 14 market dwellings on a site outside the settlement confines and on an area designated as a Green Wedge and Countryside. It is therefore somewhat contrary to the strategic housing policies in the Development Plan which seeks to restrain development in these locations. However, as the Council is currently unable to demonstrate a 5-year supply of housing land, the tilted balance applies as set out in Para. 11d of the NPPF. The benefit of providing new housing weighs significantly in favour of the proposal as it will contribute to Blaby’s housing land supply position.

The application is in outline form, therefore only the principle and access are being considered as part of this application. The proposal has demonstrated that there will

be no harm to highway safety and the proposed access will be suitable. Flood risk and drainage have been considered and an attenuation basin is proposed to deal with surface water drainage. A sequential test is not required as all built development will be outside of flood zones 2 and 3.

Although the site is within a mineral safeguarding area, it is not a site that is likely to be used for extraction given its proximity to the village and existing residents. Pollution matters including noise, contamination and air quality are either acceptable or can be considered further at the reserved matters stage. Other matters relating to residential amenity, heritage assets (including archaeology), ecology, biodiversity, landscaping and waste have been considered insofar as they relate to the principle of the development but all of these matters will be considered again in more detail when reserved matters are submitted for 'scale', 'layout', 'external appearance' and 'landscaping'.

Appropriate conditions will be imposed and the applicant will contribute towards a number of infrastructure improvements. These will include contributions towards secondary education, libraries, refuse collection, travel packs, open space, management and maintenance of on-site open space and SUDS, healthcare facilities and biodiversity net gain.

Based on the above considerations, it is considered that the proposal is acceptable in planning terms and therefore the recommendation is to approve the application subject to the imposition of conditions and signing of a Section 106 to secure the infrastructure measures outlined in this report.

RECOMMENDATION:

THAT APPLICATION 24/0760/OUT BE APPROVED SUBJECT TO THE APPLICANT ENTERING INTO AN AGREEMENT PURSUANCE TO SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT TO SECURE THE FOLLOWING:

- Secondary education contribution
- Library facilities contribution
- Recycling and refuse contribution (wheeled bins)
- Travel Packs
- Open space contributions, as necessary
- Management and maintenance of public open space and attenuation basin
- Healthcare facilities contribution
- Biodiversity net gain - HMMP and monitoring fees
- Leicestershire County Council monitoring costs
- Blaby District Council monitoring costs

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

1. Outline time limit.
2. Reserved matters details
3. Approved plans.
4. Accord with the submitted Design Code
5. Arboricultural Impact Assessment to be submitted and approved
6. Tree protection plan to be submitted
7. Landscaping scheme to be agreed (in line with BNG calculations)
8. Agreed landscaping scheme to be carried out.
9. Foul and surface water drainage scheme to be submitted, approved and implemented
10. Management of surface water during construction to be submitted and agreed
11. Long-term maintenance of the surface water to be submitted and agreed
12. No development until infiltration testing has been carried out, submitted and approved
13. No development until a Construction Traffic Management Plan (CTMP) has been submitted
14. Access to be implemented prior to occupation
15. Dropped crossing and tactile paving to be implemented prior to occupation
16. Construction Environmental Management Plan (CEMP) to be submitted and agreed and adhered to.
17. Development to be implemented in accordance with recommendations of the Ecological Appraisal by FPCR Environment and Design- including recommendations in the further surveys relating to reptiles and bats
18. Landscape and Ecology Management Plan (LEMP) to be submitted and agreed and adhered to (to ensure future management of BNG)
19. Details of any lighting to be submitted and agreed - to be bat sensitive
20. EV charging details to be submitted and agreed
21. Cycle storage to be provided
22. Contamination - intrusive investigation, remediation and verification
23. Unexpected contamination
24. Noise survey - to be submitted and approved
25. No development until a programme of archaeology and written scheme of investigation has been carried out and approved
26. Development to accord with the Flood Risk Assessment and mitigation measures therein (including no changes to land levels within flood zones 2, 3a and 3b and for all built development to be restricted to flood zone 1)

NOTES TO COMMITTEE

Relevant Planning Policies

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 - Mix of housing
Policy CS10 - Transport infrastructure
Policy CS11 - Infrastructure, services and facilities to support growth
Policy CS12 - Planning obligations and developer contributions
Policy CS14 - Green infrastructure
Policy CS15 - Open space, sport and recreation
Policy CS16 - Green Wedges
Policy CS18 - Countryside
Policy CS19 - Biodiversity and geo-diversity
Policy CS20 - Historic environment and culture
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 DM2 - Development in the Countryside
Policy DM4 - Connection to Digital Infrastructure
Policy DM8 - Local Parking and Highway Design Standards
Policy DM11 - Accessible and Adaptable Homes
Policy DM12 - Designated and Non-designated Heritage Assets
Policy DM13 - Land Contamination and Pollution
Policy DM15 - Minerals Safeguarding Areas

Leicestershire Mineral and Waste Local Plan

Policy M11 - Safeguarding of Mineral Resources

Other supporting documents

National Planning Policy Framework (NPPF) (2024)

National Planning Practice Guidance

**Blaby District Council Planning Obligations and Developer Contributions
Supplementary Planning Document (2024)**

**Blaby District Council Housing Mix and Affordable Housing Supplementary
Planning Document (2013)**

Blaby District Landscape and Settlement Character Assessment (2020)

Blaby District Council Open Space Audit (December 2015)

Blaby Residential Land Availability Report (March 2024)

Joint Strategic Flood Risk Assessment Final Report (October 2014)

Blaby Strategic Housing and Economic Land Availability Assessment (SHELAA) 2019

Leicester and Leicestershire Housing and Economic Needs Assessment (HENA) 2022

Consultation Summary

Comments on the **original** submission for up to 46 dwellings

Blaby District Council, Active Travel Officer - No comments received.

Blaby District Council, Environmental Services - [First Response] **Further information required.** No impact to air quality but mitigation measures of EV charging and cycle storage should be included (condition). Flooding and drainage - defer to the LLFA and Severn Trent. Noise - recommend survey either prior to determination or at reserved matters stage to consider noise from the railway line and road traffic, including the M1. Condition also recommended for a Construction Environment Management Plan (CEMP).

[Second Response] **No objection.** Phase 1 contamination survey is acceptable, conditions requested relating to further stages of contamination. The EA is responsible for the assessment of contamination with respect to controlled waters and would expect this to be picked up by them.

Blaby District Council, Neighbourhood Services - No comments received.

Blaby District Council, Recreation and Leisure - No comments received.

Blaby District Council, Strategic Housing - Comments. Advice given on the need and mix of affordable homes required as part of the application.

Leicestershire County Council, Archaeology - [First response] **Comments.** Raised queries regarding the evaluation report. The applicant undertook an archaeological evaluation in August 2024 to inform the proposals. Five ditches and five pit/post holes were identified but no finds were recovered. The likely dating/function of identified features has not been identified in the report

[Second response] **No objection subject to conditions.** Assessment of the Historic Environment Record (HER) supported by results of the archaeological evaluation shows that the site lies in an area of significant archaeological potential. Therefore if

permission is granted it should be subject to a written scheme of investigation for a programme of archaeological works

Leicestershire County Council, Developer Contributions - No objections.

Request for contributions towards waste (household collection) and library facilities (Narborough Library). Monitoring fees will also be required.

No contributions are sought for primary education or secondary education as there is capacity at schools within a 2-mile and 3-mile catchment respectively. No contributions are sought for post-16 education as there is sufficient capacity within a 3-mile catchment. No contributions are sought for SEND (primary or secondary) as the site is for less than 100 dwellings.

Leicestershire County Council, Ecology - [First Response] Further information required. Further surveys required in relation to reptiles and bats. A river condition assessment may be required if the red line boundary is within 10m of the watercourse. The BNG statutory metric is required for review and details of how 10% BNG will be achieved as the Biodiversity Gain Report shows that the scheme will deliver a net loss of -44.98%. and as such BNG will need to be sought off-site.

[Second Response] **Further information required.** Rina results of reptile and bat surveys still required. The BNG statutory metric calculation tool has been reviewed and is satisfactory and a strategy for obtaining offsite compensation has been outlined. The red line boundary is not within 10m of the riverbank top and therefore no river condition assessment is required. Protective measures for the River Soar are advised and these details can be part of a CEMP condition. Other conditions recommended for the development to accord with the Ecological Appraisal, specifically relating to bat sensitive lighting and a pre-commencement survey to confirm absence of water vole and otter if works should impact within 5m of the bank top or effect surface water.

[Third Response] **Further information required.** Reptile surveys have been provided and are acceptable. Recommendations in the report should be carried out. Bat surveys still required.

Leicestershire County Council, Forestry - No objection subject to conditions.

There is the potential for the future design to encroach into the root protection area (RA) of T1 (birch in 3rd party ownership) and therefore any revisions to the design should ensure this is not the case. Recommend conditions for an Arboricultural Impact Assessment and Tree Protection Plan to be submitted as well as detailed landscape design and maintenance.

Leicestershire County Council, Highways - [First Response] Further information required.

No concerns regarding sustainable transport. The Stage 1 Road Safety Audit and Designers Response to the proposed new vehicular access is acceptable. Access design and visibility details are acceptable. Swept path analysis is required

for fire appliances and large vehicles. The junction modelling that has been undertaken relating to the proposed access is acceptable. The internal layout is not to be considered at this stage.

[Second Response] **No objection subject to conditions.** The swept path analysis details submitted are acceptable. The amended Framework Plan no longer includes a pedestrian link to the recreational ground which is disappointing but the LHA is content that access would still remain via Sycamore Way. Recommend conditions relating to a construction traffic management plan, the implementation of the access and the provision of tactile paving to the proposed dropped crossings. Travel Packs (one per dwelling) would also be required.

Leicestershire County Council, Lead Local Flood Authority - [First Response]
Further information required. No Flood Risk Assessment (FRA) has been submitted and a sequential test is also required due to the site being in flood zone 2.
[Second Response] **Further information still required.** An FRA has been submitted but a sequential test is still required and comments relating to the discharge strategy have not been addressed (discharging to a watercourse)

Leicestershire Police - No comments received.

Narborough Parish Council - *Strongly objects to planning application 24/0527/OUT with a proposal for outline planning application for the provision of up to 46 dwellings with all matters reserved except for access on land north of Sycamore Way Littlethorpe.*

We note the applicant's comments about the implications of the slow delivery of housing under the current Local Plan. This does not however mean that this or any other application should automatically be consented if there are significant concerns about the impacts of the proposed development. We believe there are significant and demonstrable reasons why consent should not be given. Planning policy guidance is clear that an outline planning application should only be consented if the local planning authority is confident that it can approve an application for reserved matters at a later stage. We believe this is not the case with this particular proposal as the significant adverse impacts cannot be mitigated by design, conditions or planning obligations and Blaby has no alternative but to refuse consent.

In considering this application, Blaby will need to give considerable weight to the intended policy changes that the Secretary of State has flagged up in her letter to local planning authorities of 30 July and the proposed changes to the National Planning Policy Framework currently out to public consultation. Whilst these reinstate mandatory housing targets, and give renewed emphasis for the need to deliver new housing, they do not give a green light to new housing in the greenbelt and greenfield sites. Rather they confirm that brownfield and previously developed or redundant land should be prioritised.

The proposed site of this development is a greenfield site on what is currently agricultural land and is outside the natural boundary of Littlethorpe village formed by Sycamore Road. It forms part of the area of separation between this community and others. As such its development would be contrary to Plan policies.

On a point of information, Littlethorpe is not covered by the Fosse Villages Neighbourhood plan and all references to its policies by the applicant are, therefore, irrelevant. Narborough Parish, of which Littlethorpe is situated, does not currently have a neighbourhood plan.

Our main reasons for objecting are that:

- Littlethorpe has seen a significant amount of new homes being built in recent years. The population of the village rose by 14% between 2001 and 2021. As the applicants point out, housing demand is consequently low in this locality compared to other areas of the District.
- It will also increase the pressure on local services such as schools and GP services which are already stretched.
- Littlethorpe itself has few facilities. Much is made by the applicant that facilities are available in Narborough but most are at a distance which exceeds the recommended maximum and exceeds distances that many seniors are able to walk comfortably. Added to which, Narborough and Littlethorpe are separated by a level crossing on the main rail line. It is, however, equally true to say that Narborough itself also has limited facilities and many residents shop elsewhere. This proposal adds nothing by way of community infrastructure.
- Congestion at peak times within the Parish is chronic which has an impact on air quality as at peak times the level crossing can be closed for up to 20 minutes in any hour with long tail backs either side of the level crossing. Blaby has highlighted the impacts of local congestion associated with the level crossing in its evidence to the Hinckley Rail Freight Interchange Examination in Public. The traffic impacts of this proposal will need to take into account the potential impacts of this proposal with others that are already in the system or coming down the line in the near future including the possibility of an increase in rail services. In a recent survey, congestion was seen as one of the main negatives of living in our community. Evidence from this Parish to the Examination in Public showed that at peak times traffic queues back almost as far as the main B4114 in Narborough. We contend that at peak times the additional flows travelling through Narborough to and from this development will lead to queues exceeding this and have wider implications than the applicant acknowledges for traffic flows at the B4114/Desford Road junction.
- Further modelling is required to show the full extent
- The proposed multiple road accesses onto Sycamore Way are inadequate and, in our view, will be unsafe.

- There is strong anecdotal evidence to suggest that the incidence of fluvial and surface water flooding in this area is increasing, presumably, in part, as a result of changes in weather patterns caused by climate change. Future risk cannot be adequately predicted by reference to historic data alone. The run off from this development from the SUDs and surface water is likely to exacerbate existing flooding issues and there are also concerns that the connection of extra homes to the foul sewage system could also lead to increased emergency discharges at peak times to local watercourses.
- Additionally, we disagree with the applicant that the run off will be towards the river though that would also contribute to increased fluvial flooding. It also flows in the direction of land which we own adjacent to the east of the site and which is already prone to surface water flooding at times of peak rainfall.
- Additionally we believe the site has a high water table so permeable membranes will not be effective in preventing run off.
- We believe that a more creative approach to habitat creation on site could avoid the need for off site biodiversity compensation and should be required.
- Whilst we support the concept of offsetting we do not support what is, in effect, the export of local biodiversity to other localities.

Finally, we note that the applicants propose a right of way from the proposed development onto the Littlethorpe Recreation Ground which is owned by the Parish Council. This has not been discussed with us. If permission was granted we would not accept the creation of any public rights over our property. Existing access to the Recreation Ground is permissive and we reserve the right to restrict access and have taken powers to do so through our byelaws. Additionally, the area through which this proposed access would emerge onto the Recreation Ground is one which we have recently agreed will be planted with trees.

For the reasons above, Narborough Parish Council strongly object to this application because of the impacts it would have on the existing quality of life of our residents and we support the objections made by residents who overwhelmingly oppose this development. We strongly urge Blaby District Planning Committee to refuse consent and demonstrate that it is committed to maintaining the quality of life and wellbeing of this community. There are strong and valid planning reasons why consent should be withheld.

If, however, consent were to be given, which we hope will not be the case, we would request a S106 contribution for the extension and enhancement of Littlethorpe Village Hall so that it is better able to serve a larger community.

Severn Trent Water - No comments received.

The Environment Agency - No objection subject to a condition that there are no changes to land levels in flood zones 2, 3a and 3b and that all built development is restricted to flood zone 1.

Comments on the **amended** submission for up to 14 dwellings

Blaby District Council, Active Travel Officer - No objection. The proposed site is adjacent to a potential further development site to the west. Were planning for the proposed site to the west granted, it would be desirable to exploit a natural desire line linking both developments to the corner of Sycamore Way. As such, it is suggested that the developer(s) create multi modal path on the southern edge of the site. Cycle parking within residential curtilages should also be provided.

Blaby District Council, Environmental Services - No objections subject to conditions - refer to earlier comments which are still relevant. The reduction in dwellings may result in fewer vehicle movements and therefore road traffic emissions but measures regarding cycle bays and EV charging are still encouraged. The sources of noise outlined (railway and M1 noise) still have the potential to impact the amenity of future residents therefore recommendation for submission of a noise impact assessment remains. The revised scheme may result in a shortened construction period but still necessary for a CEMP to be submitted to protect against noise, vibration, dust and other airborne emissions.

Blaby District Council, Neighbourhood Services - Comments. Previous comments still apply and guidance provided. [Officer comment - no comments were received previously but given the application is in outline form only, waste collection details will be considered in more detail at reserved matters stage].

Blaby District Council, Recreation and Leisure - No comments received.

Blaby District Council, Strategic Housing - Support the scheme. No affordable housing can be included as it is up to 14 dwellings. Accept the proposed market mix which will provide for 2 and 3-bedroom housing need albeit ownership and not social rent.

Leicestershire County Council, Archaeology - No objection subject to conditions. Refer to previous comments (No objection subject to a condition for a programme of archaeological works).

Leicestershire County Council, Developer Contributions - No objections subject to S106 contributions. Request for contributions towards secondary education (Brockington College) and library facilities (Narborough Library). Monitoring fees will also be required.

No contributions are sought for primary education as there is capacity at schools within a 2-mile catchment. No contributions are sought for post-16 education as there is sufficient capacity at Countesthorpe Academy. No contributions are sought

for SEND (primary or secondary) as the site is for less than 100 dwellings. No contribution is sought for waste management facilities (household waste) as the amount falls below the threshold of £500.

Leicestershire County Council, Ecology - No objection subject to conditions/informatives. The amended bat report is acceptable and the recommendations within the report are suitable. Evidence of purchase of biodiversity credits by a habitat bank have been provided. The BNG metric indicates the illustrative landscape scheme will achieve 10% BNG. This, however, relies on achieving 'good' other neutral grassland where 'poor' condition other neutral grassland currently occurs. I would recommend providing evidence of how this habitat will be created and managed to target condition through a detailed Landscape Ecological Management Plan (LEMP) - this can be conditioned once the illustrative masterplan is finalised.

Leicestershire County Council, Forestry - No objection subject to conditions. The revised masterplan for the site indicates greater separation between the building plot and 3rd party tree T1 (birch) which is welcomed. A condition of planning should be for the production of an Arboricultural Impact Assessment, Tree Protection Plan and detailed landscape design and maintenance plan.

Leicestershire County Council, Highways - No objection subject to conditions and S105 contributions. The access arrangements are the same as the larger scheme. Recommend conditions relating to a Construction Traffic Management Plan, access implementation pre-occupation and provision of a dropped crossing with tactile paving across Sycamore Way. Contributions also sought for travel packs for each dwelling to inform residents of sustainable travel choices in the surrounding area.

Leicestershire County Council, Lead Local Flood Authority - [First response]
Further information required - requests that further consideration is given to the use of the watercourse as an available outfall option which has been discounted due to third party land. Consideration of need for a Sequential Test.

[Second response] **No objection subject to conditions.** The option to discharge to the watercourse has been confirmed as discounted due to third party land between the application site and the watercourse. The LPA has confirmed that a sequential test is not required. Conditions recommended relate to surface water drainage and infiltration testing.

Leicestershire Police - No objection subject to a condition relating to crime prevention design measures to ensure the scheme meets Secured by Design Award standard.

Narborough Parish Council - Objection *"Notwithstanding the reduction in the number of dwellings proposed, Narborough Parish Council wishes to maintain its*

objection of October 2024. Its main concerns are that this site lies outside the current boundary of the village of Littlethorpe in previously undeveloped countryside. It reaffirms its view that the need for biodiversity compensation could be avoided by on-site mitigation. It also has concerns about the wider impacts on congestion, road safety, pressure on services, and the increased vulnerability of neighbouring areas to flooding as highlighted in its previous objection.”

Leicester, Leicestershire and Rutland Integrated Care Board - No objection subject to S106 contributions. Request a financial contribution of £13,552 to go towards The Limes Medical Centre, Enderby Medical Centre, Hazelmere Medical Centre and Northfield Medical Centre.

Severn Trent Water - No objection subject to condition re disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

The Environment Agency - No objection subject to a condition that there are no changes to land levels in flood zones 2, 3a and 3b and that all built development is restricted to flood zone 1.

Representations

106 objections were received in relation to the **original** submission for 46 dwellings as summarised below:

Principle	<ul style="list-style-type: none"> • Littlethorpe has had too much development • Overdevelopment, site not large enough for number of dwellings and flats; • Piecemeal application does not consider cumulative impact; • Unsustainable location; • Disproportionate increase to size of village when considered with other housing developments; • Removal of green space and separation of Littlethorpe from Narborough;
Housing	<ul style="list-style-type: none"> • Flats are not suitable for the village, it is a family village - flats will change the feel of the village; • Potential for less integrated population and demographic shift; • Need for affordable housing is for more 2-beds not 1 bed flats;
Highways	<ul style="list-style-type: none"> • Increase in congestion; • Existing parking on Sycamore Way and Biddle Road from commuters for the train station; • Access to close to corner bend to the west;

	<ul style="list-style-type: none"> • Highway safety concerns for pedestrians and children walking to school; • Insufficient parking for the housing and visitors; • A by-pass is needed; • Traffic survey of Sycamore Way does not inform the overall cumulative impact and done at the wrong time of the year (school holidays); • Sycamore Way is not wide enough for construction traffic; • Parking on the roads will cause a danger to pedestrians; • Will worsen existing parking on Sycamore Way; • Turning for refuse vehicles will not work as there are always parked cars on Sycamore Way at this point; • Traffic uses Littlethorpe as a cut through; • Would support if an exit road were built out onto the B4114 to eliminate traffic pollution; • Transport Statement is flawed as it does not assess the existing congestion along Riverside Way and the junction with Station Road and other village locations including when the railway barrier is down; • The peak time given in the Transport Statement of 9-10am is misleading as peak time is more likely to be 8-9am; • Proposed access will make getting off driveways of houses opposite difficult; • Transport Statement does not consider cumulative impact of other developments; • Sycamore Way should have double yellow lines;
Design	<ul style="list-style-type: none"> • Flats very close to the back of the footpath on Sycamore Way therefore not in keeping with existing development; • Visual impact of flats - contrast to village character; • Loss of local character as a dense urban style development; • Street pattern and density not in keeping; • No confirmation that the scale of housing will only be two storeys; • Housing will be higher than those on the opposite side of Sycamore Way
Flooding	<ul style="list-style-type: none"> • Increase risk of flooding; • Existing flooding already getting worse; • Flooding increase to Station Road; • Increased flooding could affect the railway line; • Housing on Sycamore Way suffering from subsidence due to being built up from the flood plain and flood waters will shift the ground more;

	<ul style="list-style-type: none"> • Flooding will restrict access to public footpaths; • Flood Risk Assessment is out of date; • No Sequential Test has been submitted; • Query technical data in the FRA; • Appendix A of FRA missing; • SUDs basin is not outside fluvial 1% AEP plus climate change; • Surface water to sewer connection does not follow the drainage hierarchy, will connect to Sycamore Way and will need to be pumped which is not sustainable; • Queries capacity for Severn Trent sewers for additional surface water flows;
Infrastructure	<ul style="list-style-type: none"> • Increased pressure on local services and facilities; • Existing services already cannot support existing residents; • Lack of public transport; • Doctor's surgery at capacity; • Primary school is at capacity; • No local dentists; • Pressure on hospitals; • Substantial investments needed to expand medical infrastructure and staff; • Greystoke Primary - public consultation on reducing pupil intake - more housing will leave it oversubscribed;
Environment	<ul style="list-style-type: none"> • Increase in pollution from traffic emission reducing air quality which is already bad; • Increase in noise from increased traffic - reducing tranquillity; • The proposal should include alternative heat sources such as ground source heat pumps and solar panels as standard; • Impact on wildlife due to loss of habitat; • No sewage capacity; • Loss of green space; • Trees and shrubs help to reduce CO2 emissions; • Loss of view; • Benefit of area to mental health; • Housing should be built from sustainable materials with renewable energy sources; • Insufficient landscaping; • Site is a wildflower meadow and is important ecosystem; • Degradation has occurred and is incorrectly stated on the application form - trees and hedgerows were removed - as evidenced on Google Earth -

	<p>therefore Biodiversity Report is flawed and cannot be relied upon;</p> <ul style="list-style-type: none"> • Further reptile surveys are required as that submitted has been completed outside of the optimal time;
Residential amenity	<ul style="list-style-type: none"> • Overlooking to existing housing and loss of privacy; • Impact of cars from new access opposite;
Other	<ul style="list-style-type: none"> • Increase in anti-social behaviour, especially at the park; • Troubling to have flats next to the park; • Safety of children using the adjacent park; • Claims of a primary school being planned for the village are not evidenced; • Planning Statement incorrect as refers to a Neighbourhood Plan which is not relevant and several appeal decisions not within Blaby District; • No Noise Assessment has been submitted given the proximity to the railway line and M1; • No assessment of other schemes in Littlethorpe including 24/0527/OUT has been made; • Speed survey file could not be opened;

3 representations (1 of which also referred to objections listed above) referred to the following benefits of the proposal:

- There is a lack of one and two bedroom starter homes in the village and this will be beneficial;
- The proposal will provide affordable property in the village for elderly family members and will enable people in similar position to live here where there are good transport links;
- The proposal will utilise land that has seemed forgotten and overgrown;

17 objections were received in relation to the **amended** submission for 14 dwellings as summarised below:

Principle	<ul style="list-style-type: none"> • Contrary to Government's priority to direct housing to brownfield sites;
Housing	<ul style="list-style-type: none"> • Lack of affordable housing as just below the threshold;
Highways	<ul style="list-style-type: none"> • Increase in congestion on Station Road, Sycamore Way and through the village; • Congestion already a problem in the village and when the railway crossing barrier is down;

	<ul style="list-style-type: none"> • Local estate roads such as Sycamore Way were not built to cope with the extra amount of traffic from the proposal; • Rail users park their cars on Sycamore Way adding to congestion; • Does not appear to have correct turning space for bin lorries and emergency vehicles; • Visibility from proposed access; • Problems for construction traffic accessing the site;
Flooding	<ul style="list-style-type: none"> • Increase risk of flooding; • Existing flooding already getting worse; • The applicant has not followed advice from the LLFA and Severn Trent Water regarding the hierarchy for surface water drainage;
Infrastructure	<ul style="list-style-type: none"> • Extra pressure on schools, surgeries and railway parking; • Littlethorpe has few amenities; • The Limes Medical Centre is at capacity;
Environment	<ul style="list-style-type: none"> • Loss of green space for the village; • Loss of countryside; • Trees and bushes help with combatting CO2 emissions; • Loss of wildlife; • Impact on air quality from additional traffic; • The existing field enhances people's well-being;
Residential amenity	<ul style="list-style-type: none"> • Harm to amenity from the proposed access opposite existing housing on Sycamore Way;
Other	<ul style="list-style-type: none"> • Set a precedent for other applications for more housing in the future

Relevant History

There is no relevant planning history on the application site, but Members should be aware of the recent application on the adjacent site to the West set out below:

24/0527/OUT - Outline planning application for the erection of up to 155no. residential dwellings (including affordable housing) with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access point. All matters reserved except for means of access - Refused (Member overturn) on 18th February 2025.

The above application was refused for the following reason: *The proposed development is located in an area identified as Countryside on the Blaby District Local Plan (Delivery) Development Plan Document Policies Map. The loss of countryside would not be outweighed by the need to provide new housing development in this location including the density of development proposed. The*

District Planning Authority considers that the residential development of this greenfield site would represent an unwarranted intrusion of urban development beyond the existing well defined settlement boundary of Littlethorpe and would cause significant and demonstrable harm to the character and appearance of the local landscape and countryside and character of the village and thus would be contrary to Policy CS18 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and Policy DM2 of the Blaby District Local Plan (Delivery) Development Plan Document (2019).

This application is currently pending an appeal (public inquiry).

EXPLANATORY NOTE

The Site

The application site comprises an area of land to the north of Sycamore Way in Littlethorpe consisting of 1.43 hectares of grazing land. The site is bordered by trees and landscaping to the north, west and east. The southern boundary is bordered by a timber post and rail fence and there is an existing access into the site in the south-eastern corner via a metal gate. To the east of the application site lies a children's play area and recreation ground and to the south there is existing residential development. The land to the west of the site comprises extensive areas of agricultural pasture and actively cropped land. The application site has been used for equine grazing.

The site lies outside the settlement boundary for Littlethorpe and therefore in an area of land defined as Countryside in the Blaby District Local Plan (Core Strategy) Development Plan Document (DPD) 2013. Littlethorpe is identified within the Core Strategy as a 'Medium Central Village' and the site is also designated as 'Green Wedge' in the Core Strategy.

The site is located within a mineral safeguarding area for sand and gravel and there are local wildlife sites to the north (outside the application site boundary) 'Osier Beds' consisting of wet woodland habitat, 'Thorpe Meadows and River Soar' consisting of mesotrophic grassland. There is also one nationally designated site within 2km of the application site; the Narborough Bog SSSI.

There is a landfill site to the north, this falls outside but adjacent to the application site boundary. The railway line to Narborough station is also beyond the application site to the north.

The River Soar runs adjacent to the railway line to the north of the site and a tributary of the River Soar runs within the woodland adjacent to the north of the application site. Part of the application site lies within flood zones 1, 2, 3a and 3b associated with the River Soar. These areas are in the northern and eastern areas of the site but lies outside the proposed built-up area. There are pockets of low,

medium and high surface water risk along the northern boundary of the site adjacent to the wooded area and in the adjacent recreation ground.

The Proposal

The proposal seeks outline consent for residential development for up to 14 dwellings on the site. The scheme was reduced in March 2025 from a proposal of up to 46 dwellings. All matters are reserved for future consideration, with the exception of 'access'.

An "Illustrative Master Plan" has been submitted which shows a new access into the site from Sycamore Way between the junction with Williams Close and the bend to the west. The internal access road is proposed in a horseshoe with all built form located in the south-western part of the site. The remainder of the site is shown as public open space, with an attenuation basin, wildflower meadows and hedgerows.

Supporting Documents

The application has been submitted with the following supporting information (amended as necessary to relate to 14 dwellings):

- Planning Statement;
- Design and Access Statement;
- Arboricultural Survey;
- Tree Survey;
- Archaeological Evaluation;
- Littlethorpe Design Code;
- Flood risk Assessment;
- SUDs Drainage Strategy and calculations;
- Biodiversity Net Gain report and BNG metric calculations;
- Ecological Appraisal;
- Interim Bat Report;
- Reptile Report;
- Phase 1 Geo-Environmental Report;
- Transport Statement;
- Swept Path Assessment;
- Speed Survey;
- S106 Draft Heads of Terms;
- Sustainability Strategy;
- Topographical Land Survey;

Planning Policy

National Planning Policy Framework (2024)

The National Planning Policy Framework establishes the key principles for proactively delivering sustainable development through the development plan system and the determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:

- An economic objective
- A social objective
- An environmental objective

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - a. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - b. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 2 of the NPPF identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Paragraph 2 also indicates that the NPPF is a material consideration in planning decisions.

Paragraph 10 of the NPPF and Policy CS1 and CS24 of the Blaby District Council Core Strategy (2013) set out a presumption in favour of sustainable development. Development proposals that accord with the Development Plan should be approved unless other material considerations indicate otherwise.

The Council has reviewed and published an updated housing land supply position in March 2024. This confirms that the Council cannot demonstrate a five-year supply of deliverable sites. As this proposal involves the provision of housing, the application before members should therefore be considered in terms of its accordance with

NPPF paragraph 11d and other material considerations. This does not mean that the policies of the Local Plan are ignored but that their requirements can be considered, and given weight, where they accord with the policies of the NPPF.

Paragraph 11 of the NPPF sets out a presumption in Favour of Sustainable Development. It states that plans and decisions should apply this presumption, especially when there are no relevant policies in the Development Plan or when the relevant policies are 'out of date'. In such cases, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Blaby District Council has recently published an updated housing land supply position. This update confirms that the Authority can currently demonstrate a 3.53 year housing land supply. This is notably less than the five-year supply requirement outlined in paragraph 72 of the NPPF.

As a consequence of the change in the housing figures required, Paragraph 11(d) of the NPPF is triggered. Paragraph 11(d) of the NPPF, provides that permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Therefore, sustainable development should be approved unless other material considerations indicate otherwise.

There are no assets of particular importance (as listed in footnote 7 of the NPPF) which provide a clear reason for refusing the application. It is therefore necessary to assess the proposals against limb two of paragraph 11d, i.e. whether the adverse effects of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. Footnote 8 of Paragraph 11 of the NPPF states that the housing policies are to be out- of-date where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, permission should not usually be granted unless other material considerations indicate otherwise.

Paragraph 61 of the NPPF says to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's

identified housing need as possible, including with an appropriate mix of housing types for the local community.

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. The Council cannot demonstrate a five-year supply of deliverable sites. As this proposal involves the provision of housing, the application is being considered in terms of its accordance with NPPF paragraph 11d and other material considerations.

Policy CS1 - Strategy for locating new development

Policy CS1 sets out the overall strategy for locating new development in the district. It states that most new development will take place within and adjoining the Principal Urban Area (PUA) of Leicester, comprising the 'built-up' areas of Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva.

Outside of the PUA, development will be focused within and adjoining Blaby and the settlements of Enderby, Narborough, Whetstone and Countesthorpe (the 'Larger Central Villages'). Lower levels of growth will be allowed in the Rural Centre, Medium Central Villages and Smaller Villages where the scale of development will reflect the settlement's range of available services and facilities and public transport alternatives. Littlethorpe falls within the Medium Central Villages.

Policy CS2 - Design of new development

Policy CS2 seeks to ensure that a high quality, safe and socially inclusive environment is achieved in all new development proposals, respecting distinctive local character and contributing towards creating places of high architectural and urban design quality. New development should also provide opportunities to enhance the natural and historic environment.

Policy CS5 - Housing distribution

Policy CS5 provides the minimum housing requirements for settlements across the District. Littlethorpe falls within the Medium Central Villages which also includes Littlethorpe, Huncote, Cosby and Croft and there is a combined requirement in this area to provide at least 815 dwellings over the plan period.

Policy CS8 - Mix of housing

Policy CS8 states that residential proposals for developments of 10 or more dwellings should provide an appropriate mix of housing type (house, flat, bungalow, etc.), tenure (owner-occupied, rented, intermediate) and size (bedroom numbers) to meet the needs of existing and future households in the District, taking into account the latest Strategic Housing Market Assessment and other evidence of local need.

The Council will encourage all housing to be built to 'Lifetime Homes' standards, where feasible

Policy CS10 - Transport infrastructure

Policy CS10 seeks to reduce the impact of new development on the highways network by locating new development so people can access services and facilities without reliance on private motor vehicles. Opportunities for safe sustainable and accessible transport modes (including walking, cycling and public transport) will be maximised.

Policy CS11 - Infrastructure, services and facilities to support growth

Policy CS11 states that new developments must be supported by the required physical, social and environmental infrastructure at the appropriate time. It states that the Council will work in partnership with infrastructure providers, grant funders and other delivery agencies to ensure that development provides the necessary infrastructure, services and facilities to meet the needs of the community and mitigates any adverse impacts of development.

Policy CS12 - Planning obligations and developer contributions

Policy CS12 states that where requirements for infrastructure, services and facilities arising from growth are identified through robust research and evidence, it is expected that developers will contribute towards their provision (and in some cases maintenance). Planning obligations and developer contributions will be guided by the Council's latest Planning Obligations and Developer Contributions SPD and other evidence of need. Any requests for contributions must be assessed by the Council under the requirements of Community Infrastructure Levy Regulations 2010. Section 122 of the Regulations set out in statute 3 tests against which requests for funding under a section 106 agreement has to be measured. These tests are that the obligation is: a. necessary to make the development acceptable in planning terms; b. directly related to the development; and c. fairly and reasonably related in scale and kind to the development.

Policy CS14 - Green infrastructure

Policy CS14 states that Blaby District Council and its partners will seek to protect existing, and provide new, 'networks of multi-functional green spaces'. The proposed development provides traffic free green infrastructure corridors and other area of natural green space and informal open space.

Policy CS15 - Open space, sport and recreation

The policy has now been superseded by Updated Policy CS15 in the Blaby Delivery DPD.

Policy CS16 - Green Wedges

Policy CS16 states that Green Wedges are important strategic areas. They will be designated in order to:

- Prevent the merging of settlements;
- Guide development form;
- Provide a green lung into the urban areas; and
- Provide a recreation resource.

Green Wedges will be maintained in the following general locations:

(c) Between Whetstone, Enderby, Glen Parva, Braunstone, Blaby, Littlethorpe, Narborough and Cosby (Soar Valley South);

Policy CS18 - Countryside

States that within areas designated as Countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. It also states that the need to retain Countryside will be balanced against the need to provide new development (including housing) in the most sustainable locations. It states that the detailed boundaries of Countryside will be determined through the Allocations, Designations and Development Management DPD (now the Delivery DPD, adopted February 2019)

Policy CS19 - Biodiversity and Geodiversity

Policy CS19 seeks to safeguard and enhance sites of ecological and geological importance of national, regional and local level significance. The policy also states that the Council will seek to maintain and extend networks of natural habitats to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats. The policy also seeks to protect those species which do not receive statutory protection but have been identified as requiring conservation action. Development proposals should ensure that these species and their habitats are protected from the adverse effects of development through the use of appropriate mitigation measures. The policy also states that the Council will seek to ensure that opportunities to build in biodiversity or geological features are included as part of the design of development proposals.

Policy CS20 - Historic environment and culture

Policy CS20 states that the Council will take a positive approach to the conservation of heritage assets and the wider historic environment through protecting and enhancing heritage assets and their settings and expects new development to make a positive contribution to the character and distinctiveness of the local area.

Policy CS21 - Climate Change

Policy CS21 supports development which mitigates and adapts to climate change. It refers to focussing new development in the most sustainable locations, seeking site layout and sustainable design principles which reduce energy demand and increase efficiency, encouraging the use of renewable, low carbon and decentralised energy, and minimising vulnerability and providing resilience to climate change.

Policy CS22 - Flood risk management

Policy CS22 states that the Council will ensure all development minimises vulnerability and provides resilience to flooding, taking into account climate change. Among other measures the policy refers to managing surface water run-off to minimise the net increase in the amount of surface water discharged into the public sewer system.

Policy CS23 - Waste Policy

CS23 states that new developments should, inter alia, seek to encourage waste minimisation, ensure flexibility in design to allow for new technological developments, ensure waste collection is considered in the design, and promote the use of site waste management plans.

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 Local Plan Delivery Development Plan Document (Delivery DPD) (2019)

The Delivery DPD also forms part of the Adopted Development Plan for Blaby District. The following policies are the most relevant to the proposed development.

Updated Policy CS15 - Open space, sport and recreation

This supersedes the Core Strategy Policy CS15 and seeks to ensure that residents have access to sufficient, high quality, accessible open space, sport and recreation facilities. The policy has been updated as the Council commissioned an updated assessment of open space, sport and recreation facilities in the District (Open Space Audit 2015). The information gained was used to review the locally derived standards, contained in Policy CS15, to ensure that existing and future communities have access to sufficient open space, sport and recreation facilities. The standards for the provision of open space per 1000 population have therefore been updated accordingly. There are no specific standards for the provision of outdoor sports space but the Open Space Audit gives guidance on where there are quantity and quality deficiencies.

Policy DM2 - Development in the Countryside

Policy DM2 states that in areas designated as Countryside on the Policies Map, development proposals consistent with Core Strategy Policy CS18 will be supported where specific criteria are met:

- I. The development is in keeping with the appearance and character of the existing landscape, development form and buildings;
- II. The development provides a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by the existing or new occupiers;
- III. The development will not undermine the vitality and viability of existing town, district and local centres.

Policy DM4 - Connection to Digital Infrastructure

Policy DM4 states that all new build major residential and commercial development should be served by fast, affordable and reliable broadband connection in line with the latest Government target. It states that developers will liaise with broadband infrastructure providers to ensure that a suitable connection is made. The wording of the policy was amended following public examination to state that new development should be served by this type of infrastructure rather than specifically requiring it. This was considered necessary to introduce flexibility into the policy given that delivery of a broadband connection would likely be reliant on a third-party contractor over which a developer is unlikely to have any control.

Policy DM8 - Local Parking and Highway Design Standards

Policy DM8 seeks to provide an appropriate level of parking provision which complies with Leicestershire Local Highway Guidance and is justified by an assessment of the site's accessibility, type and mix of housing and the availability of and opportunities for public transport.

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 dwelling unless there are site specific factors which make the site less suitable for M4(2) compliance dwellings, and/or where the applicant can demonstrate that the use of this Building Regulation Standard is not viable through an independent viability assessment to be submitted with the application. Amendments were made to the policy during public examination which changed the threshold for the application of the policy from 10 dwellings to 20 dwellings, and inserted criteria into the policy to ensure that there is sufficient flexibility in applying the policy requirement to take account of circumstances where it can be demonstrated that it would not be viable.

Policy DM12 - Designated and Non-designated Heritage Asset

Policy DM12 states that all new development should seek to avoid harm to the heritage assets of the District. Development proposals that conserve or enhance the historic environment will be supported. The policy states that designated heritage assets and their settings will be given the highest level of protection to ensure that they are conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment. Where substantial harm is identified, proposals will only be supported in exceptional circumstances in accordance with national planning guidance. Where a less than substantial level of harm is identified, the scale of harm will be weighed against the public benefits of the proposal.

Policy DM13 - Land Contamination and Pollution

Policy DM13 states that development proposals will be required to clearly demonstrate that any unacceptable adverse impacts related to land contamination, landfill, land stability and pollution (water, air, noise, light and soils) can be satisfactorily mitigated.

Policy DM15 - Minerals Safeguarding Areas

States that development proposals in areas identified for mineral safeguarding will need to ensure that mineral resources of national or local significance are not needlessly sterilised by non-mineral development. The minerals safeguarding areas are set out in the Minerals and Waste Local Plan and include land in the Soar and Sence Valleys and land in the vicinity of Croft Quarry.

Leicestershire Highways Design Guide

The Design Guide sets out the County Council's principles and policies for highways Development Management. The guidance is intended to be used in the design development layouts to ensure they provide safe and free movement for all road users.

Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Document (2024)

This Supplementary Planning Document outlines Blaby District Council's strategy for securing relevant developer contributions in relation to new development. It sets out when Blaby District Council will request contributions, whether for the District Council or on behalf of another service provider, and how the payments will be collected, distributed and monitored. The document also sets out that the Council will seek and encourage developers to make contributions appropriate to provide suitable facilities for recycling and waste collection, for example wheelie bins. Paragraph 4.3.34 notes that to cover the cost of bins for refuse and recycling, £49.00 per household will be sought on all major schemes.

Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document (2013)

This Supplementary Planning Document contains additional detail and guidance on how Blaby District Council will interpret and apply specific policies contained in the Local Plan and will be a material consideration in the determination of planning applications. The objectives of the SPD are:

- I. To provide guidance regarding the interpretation of policies CS7 and CS8 of the Blaby District Local Plan (Core Strategy);
- II. To address local imbalances in both the market and affordable housing stock; and
- III. To optimise the provision of affordable housing to meet identified needs.

Leicestershire Minerals and Waste Local Plan

Provides policies on the future scale and pattern of minerals development across Leicestershire, and how it will be controlled.

Blaby District Landscape and Settlement Character Assessment (2020)

Provides up-to-date landscape and settlement evidence to inform the emerging Blaby Local Plan and help guide development management decisions. The assessment states that “understanding the character of a place is a key part of ensuring the protection and enhancement of built and natural environments, managing sustainable economic growth and improving the health and wellbeing of local communities”.

Blaby District Council Open Space Audit (December 2015)

This assessment reviews the standards set out in Blaby District Council’s Policy CS15 for the open space, sport and recreation facilities requirements of local communities, covering quantity, quality and access. It carries out an audit of the district’s open space, sport and recreation facilities, including an assessment of the current quality of provision, identifying current surpluses or deficiencies.

Blaby Residential Land Availability Report (March 2024)

Shows the progress that has been made towards meeting the District’s housing requirements that are set in the adopted Local Plan (Core Strategy) Development Plan Document (2013). The residential land availability position is monitored on an annual basis and this statement shows the latest published position as of 31st March 2023.

Joint Strategic Flood Risk Assessment Final Report (October 2014)

The purpose of this document is to provide information on the changes to planning, policy and guidance since the previous Strategic Flood Risk Assessment, provide a

detailed assessment of any flood hazard within the Flood Zones, provide information on existing defences and flood risk management measures, allow a sequential approach to site allocation.

Blaby Strategic Housing and Economic Land Availability Assessment (SHELAA) 2019

Provides evidence on the potential supply of both housing and economic development land in the District of Blaby.

Leicester and Leicestershire Housing and Economic Needs Assessment (HENA) 2022

Provides evidence regarding the overall need for housing, and type and mix of housing needed; together with an assessment of the quantity and type of employment land needed to inform local and strategic plans in Leicester and Leicestershire.

Planning Considerations:

- The principle of the development and the 5-year housing land supply position
- The impact of the development on the Countryside and Green Wedge
- Affordable housing and housing mix
- Highway safety
- The impact on residential amenity
- Impact on heritage assets
- Drainage and Flood Risk
- Ecology and biodiversity net gain
- Trees and hedgerows
- Pollution - Contamination, Noise and Air Quality
- Mineral safeguarding
- Waste
- Developer contributions and infrastructure
- Overall planning balance and conclusion

Principle of development and the 5-year housing land supply position

Policies CS1 and CS5 of Blaby District Council Core Strategy seek to ensure housing needs are met in the most sustainable way through a principle of 'urban concentration'. New development should be primarily focused within and adjoining the Principal Urban Area of Leicester (PUA) of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town, Glen Parva and New Lubbethorpe) however, provision is also made for the development needs of settlements outside the PUA.

Between 2006 and 2029, the District of Blaby is required to provide a minimum of 8,740 houses. Of the 8,740 houses, Policy CS1 states that at least 5,750 houses should be within or adjoining the Leicester PUA, with at least 2,990 houses to be provided in areas outside the PUA (the 'non-PUA').

As of March 31st, 2024 a total of 2,596 homes had been completed in the PUA. To meet the identified PUA requirement there is a need for around 552 homes per annum to be delivered in the PUA until the end of the plan period (total 3,154). Forecast completions in the PUA to 2029 are around half this number and it is unlikely that housing delivery will accelerate in the PUA sufficiently to address the shortfall by the end of the Plan period.

Outside of the PUA, Core Strategy Policy CS1 states development will be focussed within and adjoining the settlements of Enderby, Narborough, Whetstone and Countesthorpe, referred to as the 'Larger Central Villages', as identified in the Housing Distribution Policy CS5. Outside the non-PUA, development should be focused within and adjoining Blaby and the Larger Central Villages (i.e., Enderby, Narborough, Whetstone and Countesthorpe), with lower levels of growth allowed in the Rural Centre (Stoney Stanton), Medium Central Villages and Smaller Villages. Littlethorpe is classified as a Medium Central Village.

Housing delivery in the non-PUA has exceeded the minimum housing requirement set out in the Plan. The Council's recently published Residential Land Availability (RLA) report indicates that as of the 31st March 2024, 3,942 homes had been delivered in the non-PUA. The plan indicates a minimum requirement in the non-PUA of 2,990 dwellings. The RLA indicates that around 133 further homes may be completed in the non-PUA before 2029. Although delivery is now slowing in the non-PUA (mainly as a result of a lack of available committed sites) opportunities to deliver housing development of a type and scale needed to facilitate an increase in delivery in the near term are greater in the non-PUA than the PUA mainly due to the constrained nature and large scale of the sites being promoted for development in the PUA.

Policies CS1 and CS5 identify Littlethorpe as a 'Medium Central Village' (along with the settlements of Sapcote, Huncote, Cosby and Croft). Littlethorpe has a minimum combined housing requirement of 815 dwellings between 2006 and 2029. It should be noted that this figure is a minimum requirement and is not a cap. Against this requirement, 1166 houses had been completed across the medium central villages as of 31st March 2024, resulting in the minimum requirement having been exceeded by 351 dwellings.

It is recognised that releasing this site would result in the minimum requirement for the Medium Central Villages as set out in Policy CS5 being further exceeded. However, given the shortfall in the PUA, the proposed development is considered to provide the potential to deliver additional homes in the period up to 2029.

The application site is located outside of the Settlement Boundary of Littlethorpe on land designated as Countryside on the Blaby District Local Plan Policies Map (2019). It is not an allocated site for housing development and in this context is contrary to the adopted Development Plan. However, there is currently an overall under delivery of houses within the District as a whole, with the Council only being able to demonstrate a 3.53-year housing land supply, notably less than the five-year supply requirement outlined in the NPPF. The policies of the Development Plan which relate to the supply of housing are therefore considered out-of-date and the 'tilted balance' towards approval as set out in paragraph 11d of the NPPF should be applied.

Paragraph 11 states that where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites, footnote 8 of the Framework establishes that housing policies which are important for determining the application may be out of date.

Limb (i) of NPPF paragraph 11d sets out that where the proposal conflicts with NPPF policies which protect areas or assets of particular importance, these can offer a clear reason to refuse an application. These are generally nationally designated areas such as SSSI's, designated Local Green Space, AONBs and designated heritage assets.

In this instance, the application site is not in an area statutory protected area, and therefore the NPPF's presumption in favour of sustainable development and the 'tilted balance' described in paragraph 11d(ii) applies. The shortfall in the supply of deliverable housing sites should therefore be weighed in the planning balance and means that, in accordance with the presumption in favour of sustainable development (at paragraph 11d), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits if planning permission is to be refused.

With regard to Policy CS1 and CS5 it is considered that the overarching need to deliver sufficient homes as set out in the NPPF should take precedence over the Council's policy to concentrate growth in the PUA, particularly given the Council's shortfall in its housing land supply position. In light of this shortfall and given the lack of deliverable sites within the PUA, it is considered necessary to provide additional housing in the near-term outside the PUA where this provision accords with the

NPPF and relevant policies in the Plan. It is therefore considered that the provision of new homes does not significantly conflict with Policies CS1 and CS5, nevertheless it is considered that the weight assigned to Policies CS1 and CS5 with regard to the distribution of housing development throughout the District should be reduced reflecting the Council's lack of sufficient housing supply with respect to the 'tilted balance'.

The supporting text to Policy CS5 comments that Littlethorpe has only a limited range of services and facilities within the village. Notwithstanding this, it is located close (within walking and cycling distance) to the centre of Narborough which contains a wide range of services and the only passenger train station within the District. The strong functional relationship between Littlethorpe and Narborough entails that new development could allow easy access to services and public transport in the latter. Littlethorpe has some policy and physical limitations including flooding and Green Wedge but the SHLAA indicated significant potential for residential development in the long term.

The application site is located a 3-4minute walk to the two public houses (The Old Inn and The Plough Inn), an 8 minute walk from the centre of Narborough and is approximately 0.6 miles away or a 12 minute walk from the closest primary school, Greystoke Primary School which has capacity for 420. The route to Narborough to access a wider range of services and facilities is via a public footpath adjacent to the highway. Cosby Primary School is also located some 1.5 miles from the site and has a capacity for 315 pupils providing a further option for residents.

The proposed development would provide a small but meaningful contribution towards the shortfall of housing, whilst providing financial contributions to mitigate the impact on local facilities and infrastructure. It is therefore considered that releasing this site would contribute towards the Council's required 5-year supply of housing as required by the NPPF.

In conclusion, the principle of residential development in this location is acceptable and complies with the aims and objectives of Policy CS24 and the NPPF in terms of the presumption in favour of sustainable development and does not directly conflict with Policies CS1 and CS5 of the Blaby District Local Plan (Core Strategy) although less weight can be given to them at this time.

The impact of the development on the Countryside and Green Wedge

As well as being located outside of the settlement boundary as set out above, the application site is also within an area designated as a Green Wedge in the Core Strategy. This is a local designation and Policy CS16 states that their purpose is to prevent the merging of settlements, to guide development form, to provide a green lung into urban areas and provide a recreation resource. In this location, the Green Wedge between Littlethorpe and Narborough extends to the east towards Whetstone and to the south towards Cosby. Policy CS16 states that the need to retain Green

Wedges will be balanced against the need to provide new development (including housing) in the most sustainable locations. Given the Council's current inability to demonstrate a 5-year housing land supply as set out in the sub-section above, the need for housing currently holds greater weight in the planning balance than the retention of the Green Wedge.

Notwithstanding the encroachment of housing development into the Green Wedge, a substantial area of Green Wedge in this location will still remain, both within the application site (the northern part of the site is not proposed to be developed due to being within the floodplain) and the additional land to the north (south of the River Soar and railway line, outside the application site boundary).

This area of land is also classed as Countryside under Policy CS18 of the Core Strategy. Policy CS18 states that in the countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. It requires the need to retain countryside to be balanced against the need to provide new development (including housing) in the most sustainable locations.

Policy DM2 provides more specific policy guidance for development that is appropriate in the Countryside, consistent with Policy CS18. Policy DM2 permits only certain categories of residential development in the Countryside, including those dwellings that meet the essential needs for a rural worker in agriculture, forestry, employment, and leisure, or other similar uses appropriate to a rural area and replacement or the change of use, adoption and extension of existing dwellings.

The site does not fall under any of the categories identified in Policy DM2 and is contrary to both policies CS18 and DM2 in principle terms. The purpose of these policies is to protect the open and generally undeveloped nature of the countryside. Neither does it fit with any of the specified development types appropriate in countryside locations in the NPPF. However, as noted previously the policies set out in the Local Plan and the NPPF should be applied flexibly in the context of the 'tilted balance' given the identified housing land supply position and given that new housing sites to meet the lack of supply will, in most instances, need to be outside of existing settlement boundaries within the Countryside.

Policy DM2, sets out criteria to be met for development proposals consistent with Policy CS18. This includes that the development shall be in keeping with the appearance and character of the existing landscape, development form and buildings, having regard to the Blaby Landscape and Settlement Character Assessment, Leicestershire and Rutland Historic Landscape Characterisation Study, National Character Areas and any subsequent pieces of evidence.

In the Blaby District Character Assessment, the site is within the Sence and Soar Floodplain noting that *'This character area is large and varied, following the narrow floodplain of the Soar and Sence rivers which flow between the settlements to the*

south-west of Leicester including Enderby, Blaby, Glen Parva, Narborough, Littlethorpe and Braunstone Town. The character area is a low-intensity managed landscape with a naturalistic feel shaped by riparian vegetation and well-developed hedgerows. The edges of the character area are defined by urban development, which can detract from the landscape where there are hard urban edges’. It goes on to note that this character area is large and varied, following the narrow floodplain of the Soar and Sence rivers which flow between the settlements to the south-west of Leicester including Enderby, Blaby, Glen Parva, Narborough, Littlethorpe and Braunstone Town. This character area is assessed as having a medium sensitivity to 2-3 storey residential development. This area is considered mostly to comprise grade 4 (poor) agricultural land along watercourse but some grade 3 on the edges.

In the context of a lack of a 5-year housing land supply, the development of this site into the Countryside provides for a logical extension of the village directly from Sycamore Way. The reduction in the number of dwellings to a maximum of 14 and ability of the site to maintain open space to the north and east will ensure that the development sits comfortably within the landscape and does not erode all of the Green Wedge in this location. Longer range views of this site are not overly evident given the substantial landscaping to the north and the existing housing and development to the south. There is a public right of way out of the village to the West from Oak Road which goes out to Lodge Farm and beyond and views of the development of the application site would be possible from this location, but it would be read in the context of the rest of the village.

As a result, although there will be some loss of the Green Wedge and Countryside in this location, the harm is considered to be lesser than the need to provide more housing in the District in the context of the housing land supply position. Policy CS16 allows flexibility for the retention of the Green Wedge to be balanced against the need to provide new housing development so in this sense it is considered to comply with Policy CS16 of the Blaby District Local Plan (Core Strategy). Equally, Policy CS18 allows provision for new housing development when required, which is the case in this instance and the proposal will not cause significant harm to the character and appearance of the area.

It is further considered that some of the harm that could be caused by the delivery of housing on this site could be mitigated through a careful landscaping and planting scheme, which will be required as part of the reserved matters application and further to this, the measures for Biodiversity Net Gain to improve the biodiversity in the area would also be secured for a period of 30-years.

The developable area of the site is 0.55ha which equates to a density of 25 dwellings per hectare. 60% of the site will be allocated as public open space. The application has been submitted with a Design Code which sets a number of parameters for the

reserved matters application, including the use of suitable and sustainable materials and renewable energy measures. It also says that the scale of the dwellings will be no more than two-storey in height.

The proposal is therefore intended to provide a high-quality development that uses sustainable methods of construction and materials and will provide a safe environment for proposed residents.

As this is an outline application, more detail regarding the design of the dwellings and their sustainable construction will come at the reserved matters stage and further consideration will be given to ensuring that the resulting design of the development will comply more specifically with Policy CS2, CS21 and CS18 of the Blaby District Local Plan (Core Strategy) and Policy DM2 of the Blaby District (Delivery) Development Plan Document. However, as a result of the assessment of the application at this outline stage, the proposal will be able to demonstrate that it can comply with these policies and the NPPF.

Affordable housing and housing mix

Policy CS7 of the Core Strategy requires developments of more than 15 dwellings to provide 25% as affordable housing. As this application is for 14 dwellings, it falls below the threshold for requiring affordable housing and therefore this is not relevant in this instance. Policy C8 of the Core Strategy requires residential proposals of 10 or more dwellings to provide for an appropriate mix of housing types which will be informed by the latest Strategic Housing Market Assessment.

The proposal currently seeks to provide for the following market mix:

1 bedrooms - none

2 bedrooms - 6 dwellings

3 bedrooms - 6 dwellings

4 bedrooms - 2 dwellings

These dwellings will comprise a mix of semi-detached, detached, terraces and two bungalows at this stage. The Council's Strategic Housing Team have been consulted on the proposals and have no objections to this mix as it will provide for two and three bedroom housing need. Although the mix is stated in this outline application, as all matters are reserved except for access, the final market mix could change from that set out above, although it will still need to be informed by the latest Strategic Housing Market Assessment. However, it is unlikely to alter significantly from that set out.

As such the proposal complies with Policy CS8 of the Blaby District Local Plan (Core Strategy) and the NPPF.

Highway Safety

The proposal seeks to create a new vehicular access point into the site from Sycamore Way. Access is to be considered at this outline stage as it is not a reserved matter although the internal access roads will not be considered. The Design and Access Statement considers the proposal to be a low-speed site which will be walking and cycling friendly.

Policy CS10 of the Core Strategy seeks to ensure that there is sufficient transport infrastructure for developments and Policy DM18 of the Delivery Local Plan required developments to have the required level of parking and comply with the Leicestershire Highways Design Guidance. Para. 116 of the NPPF states that development should only be refused on highway grounds if it would have an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

The application has been submitted with a Transport Statement which includes a Stage 1 Road Safety Audit, together with a speed survey and swept path analysis drawings. The supporting documents were produced based on the original 46 dwelling scheme and are therefore still applicable to the amended 14 dwelling scheme.

The Local Highway Authority (LHA) have reviewed the proposals and have no objections and consider the access arrangements to be acceptable and accord with their Design Guide which includes suitable visibility splays. The access will be 4.5m wide and include 2m footways on either side to provide footpath connections into the site.

As this is an outline application the internal layout will not be finalised until the reserved matters stage when 'layout' will be considered. However, the illustrative layout shows a primary road in a 'n' shape with a secondary private drive to the front adjacent to Sycamore Way. Although this is subject to change, it demonstrates that a suitable road hierarchy can be achieved at the site to serve the dwellings.

Other pedestrian footpaths are shown within the open space and around the attenuation basin to create recreational routes and open the site up for public amenity. There is currently no pedestrian link shown through to the recreation ground/play area to the east of the site but access is easily achieved via Sycamore Way.

The Council's Active Travel Officer has suggested that a footpath connection with the land to the west would be desirable in the event that the land to the west was developed. However, at this stage, given this is an outline application, the detail of the internal footpath arrangements would need to be determined at reserved matters stage. Any gap through the boundary would require agreement with the adjacent landowner and so at this stage it is premature until it is known if that site will be

developed. For this reason it would not be possible to condition this link or require it as part of the S106 agreement. As this is a desirable feature to consider in the future rather than necessary to make the development acceptable in planning terms, the request from the Active Travel Advisor cannot be incorporated into this scheme at this time.

Resident's concerns regarding congestion on Sycamore Way and in the village generally are noted. However, the reduction in the scheme from 46 dwellings to 14 will result in a significant reduction in the proposed two-way vehicle movements in the peak AM and PM. The LHA did not have any concerns with the trip generation for the 46 dwelling scheme which was due to result in 25 two-way vehicle trips in both the AM and PM peak hours. This will now be reduced to 7 two-way trips in the AM peak hour and 8 two-way trips in the PM peak hour. It is therefore considered by the LHA that there is capacity in the road network to accommodate these additional movements.

Car parking will be considered at the reserved matters stage as this will be dependent on the final dwelling mix and number of bedrooms as to the parking requirements. However, the car parking proposed should comply with the Leicestershire Highways Design Guide which requires parking of 2 spaces for up to 3-bedrooms and 3 spaces for 4-bedroom plus.

The LHA also considers the site to be able to offer other sustainable modes of transport via walking, cycling, bus and train. The LHA have also requested the provision of travel packs for first occupiers of the dwellings which will inform residents regarding other options for sustainable travel and accords with the provisions of Policies CS11 and CS12 of the Core Strategy regarding the provision of infrastructure and planning obligations. Conditions will be imposed relating to EV charging points and other highway matters as requested by the LHA.

As a result, the proposal will accord with Policy CS10 of the Blaby District Local Plan (Core Strategy), Policy DM8 of the Blaby District (Delivery) Development Plan Document and Para. 116 of the NPPF.

The impact on residential amenity

Policies CS2 of the Core Strategy and DM2 of the Delivery Local Plan seek to ensure new development is sympathetic to the local context and protects existing residential amenities and provides for safe environments.

As this is an outline application, the only matters in relation to residential amenity that can be considered at this stage relate to the principle of the development and the proposed access. The site comprises 0.55 hectares of developable land outside of the flood zones which translates to a density of 25 dwellings per hectare. This area of land is therefore able to accommodate new residential development in various forms to ensure that there will be no harm to existing residential amenities or

that of future occupiers. An Illustrative Masterplan has been submitted with the application which demonstrates how the site could be developed. This shows housing continuing the line of existing housing to the north and further housing fronting Sycamore Way. Although this is only indicative at this stage and is likely to change, it adequately demonstrates how housing could be arranged on the site to ensure there is no harm to amenity. Any dwellings proposed on the frontage of Sycamore Way are a sufficient distance from existing housing and will only overlook the front of existing dwellings that is part of the public realm.

As far as the proposed access is concerned, although it is accepted that this is opposite a number of existing properties on Sycamore Way, this is a very common arrangement in residential areas. Although there will be a change of outlook and traffic movements will be more evident to properties opposite, this will not cause any significant harm to their amenity.

Crime prevention measures will be considered in more detail at the reserved matters stage but there is nothing to suggest that the development of this site would create an unsafe environment for existing or proposed residents. Resident's comments in relation to concerns regarding the safety of the adjacent playground and recreation area are noted but it is not considered that this development will give rise to any additional safety concerns. The Crime Prevention Design Advisor has requested a condition that the proposal complies with Secured by Design standards. This will not however be imposed as a condition at this stage as this can be imposed at the reserved matters stage once the layout and design of the proposed dwellings is known and if considered necessary at that stage.

Detailed proposals will be considered further at the reserved matters stage, but at this stage, the outline application is considered to be acceptable insofar as residential amenity is concerned and will comply with Policies CS2 of the Blaby District Local Plan (Core Strategy), Policy DM2 of the Blaby District (Delivery) Development Plan Document and the NPPF.

Impact on heritage assets

Policy CS20 of the Core Strategy and DM12 of the Delivery Local Plan seek to ensure the protection of heritage assets (designated and non-designated) and their settings.

The nearest listed buildings to the application site are located in Littlethorpe on Station Road and comprise The Plough Inn and The Old House, both Grade II listed. There are a number of other listed buildings within the centre of Narborough. There is minimal inter-visibility between these listed buildings and the application site and therefore the setting of these listed buildings will not be harmed. The nearest Conservation Area is in Narborough which protects much of the historic core and extends as far as the northern side of the railway line but this is a sufficient distance from the application site so its character and appearance will not be affected. There

are no scheduled monuments or non-designated assets in close proximity to the application site that could be affected.

The site has been identified as having the potential for archaeology at the site and an Archaeological Evaluation was submitted with the application. Five ditches and five pits/post holes were recorded in the evaluation. These show possible evidence of field systems or enclosure boundaries and possibly date from the medieval or earlier period. No finds were recovered from the excavations. The County Archaeologist has considered the submitted evaluation and given the site has significant archaeological potential, a condition is recommended for a programme of archaeological work to be carried out in accordance with a Written Scheme of Investigation (WSI) which will be a pre-commencement condition.

The proposal is therefore in accordance with Policy CS20 of the Blaby District Local Plan (Core Strategy) and DM12 of the Blaby District (Delivery) Development Plan Document and the NPPF.

Drainage and flood risk

Policies CS21 and CS22 of the Core Strategy seek to ensure new development appropriately considers the risks associated with climate change and flooding in all new developments.

The application site as shown by the red line location plan includes land within flood zones 1, 2, 3a and 3b and land at low, medium and high risk of surface water flooding along the northern boundary of the site adjacent to the watercourse. However, all the proposed built development will be located within flood zone 1 (low risk of fluvial flooding).

Para. 175 of the NPPF states that a sequential test should be used in areas known to be at risk now or in the future from any form of flooding except where a site-specific flood risk assessment demonstrates that no built development will be located within the site boundary. This includes the access or escape routes, land raising or other potentially vulnerable elements.

A site-specific FRA has been submitted with the application which shows that all the built development will be located in flood zone 1 including the access road and that safe refuge and safe access and egress will be available at all times. As a result, a sequential test is not required in this instance. A condition will be imposed, as recommended by the Environment Agency, that all built development is restricted to flood zone 1 and for there to be no changes to land levels in flood zones 2, 3a and 3b.

Foul drainage is proposed to be connected to existing mains sewers, although further details will be conditioned.

Surface water drainage will be provided in the form of an attenuation basin and a private packaged surface water pump that will release at a maximum rate of 3.7l/s into an existing surface water sewer. The Planning Practice Guidance (PPG) advises that the surface water hierarchy should be first to discharge into the ground (infiltration), then into a surface water body (such as a lake or river), then to a surface water sewer and finally to a combined sewer. This proposal is looking to discharge via the third option although a condition will be imposed relating to infiltration testing prior to the commencement of development. Unfortunately, the applicant has not been able to secure discharge into a watercourse as this involved third party land and approval has not been given. As such, the current Drainage Strategy is to discharge into the existing mains sewer from the attenuation basin at a controlled rate.

The Lead Local Flood Authority have also considered the proposals and have no objections subject to conditions.

The proposal is considered to be in accordance with Policies CS21 and CS22 of the Blaby District Local Plan (Core Strategy) and the NPPF and the PPG.

Ecology and biodiversity net gain

Policy CS19 of the Core Strategy seeks to protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve biodiversity, wildlife habitats and corridors through the design of new developments and the management of existing areas.

Protected species:

An Ecological Appraisal has been submitted with the application, followed by further surveys relating to reptiles and bats. The Ecological Appraisal concluded that there are no internationally designated sites within 10km of the site and one nationally designated site (Narborough Bog SSSI) within 2km with 14 locally designated sites of nature conservation (local wildlife sites) within 1km. The majority are sufficiently distant from the application site to avoid impacts with best practice measures put in place to ensure the remaining sites are not negatively impacted. Habitats of greatest value include the hedgerows, scrub and other neutral grassland which should be protected, retained and enhanced where possible. The woodland to the north forming the northern boundary should be protected and buffered. Tall forbs habitats were largely of limited floristic diversity and their loss is not a constraint to the development. The habitats were generally considered to be of limited suitability for badgers, birds, great crested newts, otter and water vole but further surveys were recommended for reptiles and bats.

The reptile survey noted that whilst there are habitats within the site that provide suitable potential for reptile species, none were recorded during the seven presence/absence surveys conducted during 2024. It is therefore considered unlikely

that reptiles are using the site. Additional planting proposed will provide habitats of greater value to this species and scrub due to be removed can be used to create brash/log piles along the northern boundary.

The Bat Report concluded that the site provides moderate foraging and commuting habitat for bats. Although some of this will be lost, these habitats are common and widespread throughout the local area. Mitigation in the form of sensitive lighting and bat boxes is recommended.

These have all been assessed by the County Council Ecologist and considered to be acceptable subject to a condition that the recommendations within the surveys are followed which will be imposed.

BNG:

Biodiversity Net Gain is now a mandatory requirement for all planning applications under Schedule 7A of the Town and Country Planning Act 1990. Development sites must deliver a minimum 10% net increase in biodiversity at the site in order to ensure a measurably better habitat than there was before development.

The application has been submitted with a Biodiversity Gain Report and BNG Statutory metric which considers the existing baseline habitat value and the potential for achieving 10% BNG following the proposed development.

The pre-development value of the site has been taken as that surveyed on 9th July 2024 prior to the application submitted. The BNG report states that there is no evidence to suggest that unauthorised degradation has taken place since 30th January 2020 so this date has been accepted. The resident's comments regarding degradation are noted and this has been checked with the applicant's Ecologist. They have confirmed that although some changes in vegetation structure appears to have changed between 2020 and 2021 this would not change the baseline value as the relevant habitat was recorded as the highest biodiversity value possible (scrubland of medium distinctiveness in good condition).

Baseline assessment:

Habitats: There BNG report states that there are no irreplaceable habitats present on the site. The majority of the baseline on-site habitat comprises "other neutral grassland" with patches of "mixed scrub", "blackthorn scrub", "bramble scrub" and "tall forbs". The grassland and areas of scrub are considered to be of "medium distinctiveness" whilst the "tall forbs" are of low distinctiveness. All range in condition from "poor", "moderate" to "good".

Hedgerows: The baseline hedgerow is a "native hedgerow" along the western and eastern site boundaries. It is considered to be in "good" condition but of "low distinctiveness".

Watercourses: None within the baseline

Impact of the proposed design:

Habitats: The boundary habitats to the north and east will be retained but all other habitats will be lost to facilitate the development.

Hedgerows: Both hedgerows to the western and eastern boundaries will be retained in full.

Habitat creation:

Habitats: Proposed habitat will be provided incorporating “other neutral grassland” to the north and east where pedestrian access is expected to be low with a target condition of “good” and of “medium distinctiveness”. Further mixed scrub will be provided along the northern site boundary as a woodland buffer which will target a “moderate” condition of “medium distinctiveness”. 28 native trees will also be planted across the site which will target a “moderate” condition and be of “medium distinctiveness”.

Other areas likely to be used more by the public or to serve other purposes such as the attenuation basin and green verges will only be able to target a “poor” to “moderate” condition level and of “low” distinctiveness.

Hedgerows: Two new hedgerows with a combined length of 160m will be created along the southern boundary of the site which will use a diverse species mix and reach a “good” condition.

The BNG metric demonstrates that a 10.2% net increase can be provided in relation to habitat units and a 169.66% net increase in hedgerow units. The trading rules are satisfied in relation to hedgerow trading but not in relation to one of the medium distinctiveness habitat group. The habitat deficit is calculated to be 1.70 biodiversity units which would need to be compensated for through offsite compensation. The offsite compensation would need to deliver a total of 1.70 units of medium distinctiveness scrub and the specific details of how these would be delivered would be set out as part of the Biodiversity Net Gain Plan.

A legal agreement will be required to secure the long-term management and maintenance of the on-site biodiversity for 30 years as required by legislation. A Habitat Management and Monitoring Plan will set this out and this will include the ability to provide for this either by off-site land owned by the developer (to be registered), the purchase of off-site biodiversity units or purchase of Natural England statutory credits. The final BNG detail will be finalised at reserved matters stage and through the BNG Plan condition.

The development will ensure the protection of protected species and the provision of biodiversity net gain in accordance with Policy CS19 of the Blaby District Local Plan

(Core Strategy), the relevant legislation set out in Schedule 7A of the Town and Country Planning Act and the NPPF.

Trees and Landscaping

Policies CS2 and CS14 of the Core Strategy seek to ensure that new development is in keeping with the existing landscaping and takes opportunities to improve green infrastructure. Policy DM2 of the Delivery Local Plan also seeks to ensure development is in keeping with the character and appearance of the landscape. There is a designated green infrastructure route to north of the site adjacent to railway line.

The application site includes a number of existing trees and hedgerows which have been assessed as part of a submitted Arboricultural Survey and Tree Survey. Most are considered to be Category A or B (high or moderate respectively) and all are considered to be in a good condition. There are only 2 category C trees (low quality) which are both Willow trees along the northern boundary and there are no category U trees (very poor condition).

This application is only in outline form and ‘landscaping’ is a reserved matter, therefore the final details are subject to change. However, the current proposals as described in the Design and Access Statement is for the site to be a “landscape-led” scheme. As set out as part of the biodiversity net gain proposals, additional landscaping is proposed to the north and east, the provision of a woodland buffer, wildflower meadows, green verges and the planting of 28 trees across the site. There will also be a new hedgerow along the southern boundary adjacent to Sycamore Way.

The application will enable the site to be opened up to the public and the provision of new amenity spaces to benefit existing and proposed residents which will also enhance existing green infrastructure. Further detail will be provided at the reserved matters stage, but conditions will be imposed as recommended by the County Forestry team with respect to the submission of an Arboricultural Impact Assessment and Tree Protection plan in order to consider the impact of the existing trees to be retained.

The proposal is considered to be in accordance with Policies CS2 and CS14 of the Core Strategy and Policy DM2 of the Delivery Local Plan and the NPPF.

Pollution - Contamination, Noise and Air Quality

Policies CS10, CS21 and CS23 of the Core Strategy seek to ensure that new developments do not cause adverse impacts in respect of matters concerning pollution with Policy DM13 of the Delivery Local Plan going into more specific detail.

Contamination:

The application site is agricultural in nature which may give rise to land contamination that could impact future site users. Additionally, the site is located within 250m of a former landfill, where migrating landfill gases have the potential to impact proposed dwellings.

A Phase I Desk Study (Georisk Management Ltd, ref: 24291/1, October 2024) has been submitted with the application which includes an appropriate assessment of previous site usages and potential contaminants, allowing for the development of a site conceptual model with relevant sources, pathways, and receptors. The preliminary risk assessment concludes a 'Very Low' to 'Low' risk regarding potential contaminant linkages for human health.

A Phase II intrusive ground investigation is recommended as the proposed development includes gardens and areas of soft landscaping. The investigation should include soil testing and an assessment of geotechnical ground conditions to inform suitable foundation design. A condition will be imposed relating to these later phases of contamination and remediation.

Noise:

The application site is located in proximity to a railway line which has the potential to adversely impact the residential amenity of future site users. Additional sources of noise may include road traffic (including M1 motorway) and adjacent dwellings. It is recommended that an acoustic survey is conducted to assess the potential impacts of these noise sources and to suggest mitigation where necessary. A condition will be imposed for this to be submitted as part of the reserved matters application.

Air Quality:

The application site does not fall within an Air Quality Management Area. It is accepted that the additional traffic from the development may contribute to road traffic emissions locally however this will be below the EPUK/IAQM criteria required for an air quality assessment. The submitted Design and Access Statement states the applicant's intentions to install EV charging bays and cycle storage within the proposed site. Conditions will be required to require these measures to be in place to encourage sustainable methods of transport and reduce air pollutant concentrations associated with the development.

As a result, the proposal is considered to be in accordance with Policies CS21 and CS23 of the Blaby District Local Plan (Core Strategy), Policy DM13 of the Blaby District (Delivery) Development Plan Document and the NPPF.

Mineral Safeguarding

The application site lies in an area for mineral safeguarding for sand and gravel. Policy M11 of the Minerals and Waste Local Plan seeks to protect such areas from development except in certain instances, unless exempt. This application does not

fall under one of the exceptions listed. One of those instances where permission will be granted is where there is an overriding need for the development.

No comments received from LCC Minerals and Waste team have been received in relation to this application however it is considered that this site would be unlikely to be suitable for extraction due to its close proximity to existing residential properties and the proximity to the village. As a result, it is not considered that this small scale proposal will conflict with the objectives of the Minerals and Waste Local Plan and specifically Policy M11.

Waste Collection

Policy CS23 of the Core Strategy seeks to ensure that new developments have the appropriate facilities in place in terms of waste management in order to keep waste to a minimum.

The Design and Access Statement states that provision will be made in either garages or gardens for refuse storage. The roads will also adhere to adequate widths to allow for refuse vehicles to enter the site for bin collection. However, as the planning application has been submitted for outline permission only at this stage, more detail will be provided as part of the reserved matters submission on the waste collection points and storage arrangements.

The proposal is therefore considered to be in accordance with Policy CS23 of the Blaby District Local Plan Core Strategy and the NPPF.

Developer contributions and infrastructure

Policy CS11 states that new developments must be supported by the required physical, social and environmental infrastructure at the appropriate time. It states that the Council will work in partnership with delivery agencies to ensure that development provides the necessary infrastructure, services and facilities to meet the needs of the community and mitigate any adverse impacts of development. Policy CS12 states that where requirements for infrastructure, services and facilities arising from growth are identified through robust research and evidence, it is expected that developers will contribute towards their provision (and in some cases maintenance). The Council also has an adopted Supplementary Planning Document (SPD) on Planning Obligations and Developer Contributions which sets specific requirements and thresholds in Blaby District.

All planning obligations secured under Section 106 of the Town and Country Planning Act 1990 must also comply with the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and CIL Regulation 122 which sets out additional legislation on their use. They must be:

a) necessary to make the development acceptable in planning terms;

- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Each of the planning obligations requested below are considered to be CIL compliant and meet the tests set out above and as explained below.

Education:

This development will yield 3 secondary aged children (11-16). Brockington College has a net capacity of 1200 and there will be a deficit of 40 places if this development goes ahead. When taking into consideration the other secondary schools within a three-mile walking distance from the development there is an overall deficit of 40 places. Therefore, a full request for contributions in respect of the secondary education sector of £47,764.67 is justified, which is calculated by taking the number of pupil places created by the development (2.672), multiplied by £17,876 (DofE cost multiplier).

This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling, or enhancing existing facilities at either the named catchment school, within the DfE approved planning area serving the development, or any other school within the locality of the development, including the construction of a new school.

Note: No contribution is required for primary school provision as there is capacity at local schools within a 2-mile radius. No contribution is required for Post-16 education as there is capacity at Countesthorpe Academy. No contribution is required towards SEND (primary or secondary) education or Early Years education as the development is less than 100 dwellings.

Libraries:

The nearest library to this development is Narborough Library and it is estimated that the total assumed occupancy of 42 arising from the development will create additional pressures on the availability of the facilities at that library, and others nearby. A contribution of £422.77 is therefore requested. This contribution would be used to provide improvements to this library and its facilities, including, but not limited to, books, materials, or associated equipment or to reconfigure the internal or external library space to account for additional usage of the venue arising from an increase in members to the library as a result of this development. This contribution may also be spent to fund new library provision.

Refuse bins:

Provision of wheeled refuse bins of £49 per dwelling (£686 in total) would also be required to provide this service to new residents.

Travel Packs:

To comply with Government guidance in the National Planning Policy Framework (December 2023) and commensurate with Leicestershire County Council Planning Obligations Policy Travel Packs are required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use. This would be provided on the basis of one pack per dwelling for first occupants. There can be supplied by LCC for £52.85 per pack or the developer could provide their own to be submitted and approved which would incur an administration charge of £500.

Open Space:

Based on the requirements of Policy CS15, the following amounts of public open space required to serve the development have been calculated. The calculations assume a household size of 2.4 persons per dwelling as this is an outline application and precise mix is not fixed (meaning the development of 14 dwellings would have a total estimated population of 33.6 people). This is consistent with the average estimated household sizes in the 2021 Census where the average household size is 2.41 for England, 2.4 for Leicestershire, and 2.42 for Blaby District.

In accordance with the SPD, development proposals of 1-19 dwellings should provide off-site contributions in lieu of informal open space, allotments, parks and recreation, children's play and natural green space. This is calculated on the amount per dwelling depending upon occupancy of the dwelling, which is calculated on the basis of an amount for each typology per 1000 population.

Typology	Amount per 1000 population in ha	Amount required for 14 dwellings (33.6 population in ha	Cost* in lieu of on-site provision
Allotments	0.25	0.0084	£2,696.40
Parks and Recreation	0.23	0.0077	£4,594.30
Children's Play	0.06	0.0020	£4,375.12
Natural Green Space	2.6	0.0873	£11,339.33
Informal Open Space	1.0	0.0034	£557.76 (provided on site)
TOTAL			£23,005.15

*Note - the costs set out above are subject to change as these are currently draft figures that have not yet been finalised.

Para. 4.3.10 of the SPD states that the Council will consider the quantity, accessibility and quality of existing open space within the parish when considering contributions. The Open Space Audit 2019 sets out the existing provision for Narborough and Littlethorpe. The table below shows this provision and whether there is a deficit or surplus.

Typology	Existing provision in ha/1000 population	Provision required in ha/1000	Difference (Deficit/ Surplus)	Amount required for this development of 14 dwellings	Justified
Allotments	0.19	0.25	- 0.06	0.0084	Yes
Parks and recreation	0.67	0.23	+0.44	0.0077	No
Children's Play	0.07	0.06	+0.01	0.0020	No
Natural Green Space	2.56	2.6	- 0.04	0.0873	Yes
Informal Open Space	0.88	1.00	- 0.12	0.0034	Yes
Cemeteries	0.22	0.21	+0.01	0.0071	No

Some of the open space that will be provided on site may be able to be considered as "informal open space"/"natural green space", including the attenuation basin if it will not hold water continuously or be able to provide amenity area around. However further justification will be required to demonstrate if this typology is being adequately provided on site to negate the need for a financial contribution in these respects.

It is not considered necessary to require a financial contribution towards parks and recreation, children's play, or cemeteries as there is shown to be a surplus of this as set out above. There is also already good accessibility to the adjacent play area and recreation ground. There is however a deficit for allotment space so a contribution towards allotments in the parish is considered to be justified.

Although the proposed masterplan is illustrative only and layout is to be agreed as part of future reserved matters applications, it is anticipated that the development will come forward broadly in line with the masterplan.

Cemeteries (burial ground):

No evidence of need for additional cemetery provision for burial plots has been provided and so a contribution for this is not considered to be justified.

Sports Provision:

Sports pitch provision is not required as this is only required for sites of over 100 dwellings.

Management and Maintenance of On-Site Open Space and Attenuation Basin:

The long term management and maintenance of the on-site open space and sustainable urban drainage in the form of an attenuation basin would need be secured through a S106 agreement which would include options to transfer the land to the Parish Council with a commuted sum or for it to be managed and maintained by a Management Company. The open space will also include areas which may require specific maintenance or limited public access for Biodiversity Net Gain (BNG) purposes.

Healthcare Facilities:

This development is considered to result in an increase in the population of around 34 (based on an average population of 2.42). If all were to register at The Limes Medical Centre, it would increase their patient list by 1%. The Leicester, Leicestershire and Rutland Integrated Care Board request a financial contribution of £13,552 to off-set this increase in population. This would go towards funding at either The Limes Medical Centre, Enderby Medical Centre, Hazelmere Medical Centre or Northfield Medical Centre (individually or a combination) go towards other primary/community healthcare infrastructure that will be directly impacted due to the increase in population from this housing development.

Biodiversity Net Gain:

On-site biodiversity net gain will be provided but as this does not satisfy the trading rules fully, off-site compensation will need to be provided to meet the deficit of 1.70 biodiversity units. A Habitat Management and Monitoring Plan will be included in the S106 agreement which will also secure the payment of BNG monitoring fees as well as options for offsite compensation.

Littlethorpe Village Hall:

Although the Parish Council's original comments regarding a request for a contribution towards the village hall are noted, this related to the original scheme for 46 dwellings. Now that the scheme has been reduced to 14 dwellings, although they reiterated their previous objection, it is not considered proportionate to request a financial contribution now towards the village hall. No further request or justification or costing information has been provided by the Parish and given the site will result in approximately 34 additional residents, any contribution would be minimal.

Monitoring fees:

The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allow for a sum to be paid in respect of the cost of monitoring planning obligations. In this respect the county council charges £300.00 or 0.5% depending upon which is the greatest for each planning obligation. Blaby District Council monitoring fees are £360 or 5% for each planning obligation, depending on which is the greater.

Overall Planning Balance and Conclusion

In summary, the application proposes the provision of up to 14 market dwellings on a site outside the settlement confines and on an area designated as a Green Wedge and Countryside. It is therefore somewhat contrary to the strategic housing policies in the Development Plan which seeks to restrain development in these locations. However, as the Council is currently unable to demonstrate a 5-year supply of housing land, the tilted balance applies as set out in Para. 11d of the NPPF. The benefit of providing new housing weighs significantly in favour of the proposal as it will contribute to Blaby's housing land supply position.

The application is in outline form, therefore only the principle and access are being considered as part of this application. The proposal has demonstrated that there will be no harm to highway safety and the proposed access will be suitable. Flood risk and drainage have been considered and an attenuation basin is proposed to deal with surface water drainage. A sequential test is not required as all built development will be outside of flood zones 2 and 3.

Although the site is within a mineral safeguarding area, it is not a site that is likely to be used for extraction given its proximity to the village and existing residents. Pollution matters including noise, contamination and air quality are either acceptable or can be considered further at the reserved matters stage. Other matters relating to residential amenity, heritage assets (including archaeology), ecology, biodiversity, landscaping and waste have been considered insofar as they relate to the principle of the development but all of these matters will be considered again in more detail when reserved matters are submitted for 'scale', 'layout', 'external appearance' and 'landscaping'.

Appropriate conditions will be imposed and the applicant will contribute towards a number of infrastructure improvements. These will include contributions towards secondary education, libraries, refuse collection, travel packs, open space, management and maintenance of on-site open space and SUDS, healthcare facilities and biodiversity net gain.

Based on the above considerations, it is considered that the proposal is acceptable in planning terms and therefore the recommendation is to approve the application

subject to the imposition of conditions and signing of a Section 106 to secure the infrastructure measures outlined in this report.

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