

DATE: 21 October 2025
MY REF: Planning Committee
YOUR REF:
CONTACT: Democratic Services
TEL NO: 0116 272 7638
EMAIL: committees@blaby.gov.uk

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, 30 OCTOBER 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 - 12)

To approve and sign the minutes of the meeting held on 4 September 2025 (enclosed).

- 4. Applications for Determination (Pages 13 - 122)
- 5. Blaby District Council (Windyridge, Gullet Lane, Kirby Muxloe) Tree Preservation Order 2025 (Pages 123 - 148)

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, 4 SEPTEMBER 2025

Present:-

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

Cllr. Tony Deakin
Cllr. Janet Forey

Cllr. Richard Holdridge
Cllr. Bob Waterton

Cllr. Neil Wright

Substitute:-

Cllr. Cheryl Cashmore (In place of Cllr. Roy Denney and Cllr. Helen Gambardella)

Officers present:-

Jonathan Hodge	- Planning & Strategic Growth Group Manager
Charlene Hurd	- Development Services Team Leader
Rebekah Newman	- Senior Planning Officer
Clementyne Murphy-Nelson	- Senior Planning Officer
Maria Philpott	- Senior Planning Officer (Consultant)
Gemma Dennis	- Corporate Services Group Manager
Avisa Birchenough	- Democratic & Scrutiny Services Officer
Nicole Cramp	- Democratic & Scrutiny Services Officer

Apologies:-

Cllr. Roy Denney and Cllr. Helen Gambardella

83. **DISCLOSURES OF INTEREST**

- | | |
|-----------------------------|--|
| Cllr. Janet Forey | - 24/0760/OUT - Outline application for the provision of up to 14 dwellings with all matters reserved except for access. Land North of Sycamore Way, Littlethorpe. |
| Nature of Interest | - Other Registerable Interests. |
| Extent of Interest | - Cllr Janet Forey lives and works with residents in the ward of Littlethorpe and will keep an open mind. |
|
Cllr. Richard Holdridge |
- 24/0734/FUL - Construction of a solar farm together with associated works, equipment and necessary infrastructure. Soars Lodge Farm, Foston Lane, Foston, Leicester, Leicestershire, LE8 5WP |
| Nature of Interest | - Other Registerable Interests |
| Extent of Interest | - Cllr Richard Holdridge is a volunteer Trustee of St. Bartholomew's Church and Friend's of Foston Church. Both churches are affected by the application. Cllr. Richard Holdridge will not vote on the application. |
|
Cllr. Neil Wright |
- 24/0398/FUL - 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 |
| Nature of Interest | - Non Registerable Interest |
| Extent of Interest | - Cllr. Neil Wright's wife, Cllr. Maggie Wright is speaking at the Committee today as Ward Member for Huncote. |

84. MINUTES

The minutes of the meeting held on 31 July, as circulated, were approved and signed as a correct record.

85. APPLICATIONS FOR DETERMINATION

Considered – Report of the Senior Planning Officer

24/0398/FUL

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: Contact Details: Rebekah Newman**

Public Speaking

Pursuant to the Council's Constitution Part 4, Section 8, in relation to public rights in participation in planning applications, the Chairman invited the following to give a three minute presentation in relation to the following application:-

- Cllr. Maggie Wright – Ward Member
- Cllr. Alec Knight – Parish Councillor
- Chris Shaw – Objector
- Rob Thorley – Applicant/Agent

DECISION

THAT APPLICATION 24/0398/FUL BE DEFERRED FOR THE FOLLOWING REASON:

The committee consider that justification is required from the Local Highways Authority to demonstrate why their original objection to the single access point from Daultry Road has been removed. They require information regarding the additional information and works produced to alter this stance.

The Chairman adjourned the meeting at 5:34pm to allow members of the public to withdraw from the Council Chamber. The Chairman reconvened the meeting at 5:39pm.

Cllr. Richard Holdridge, having earlier declared an interest, left the meeting area before this item was considered and joined the public area.

Considered – Report of the Senior Planning Officer

24/0734/FUL

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

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

Public Speaking

Pursuant to the Council's Constitution Part 4, Section 8, in relation to public rights in participation in planning applications, the Chairman invited the following to give a three minute presentation in relation to the following application:-

- Cllr. Adrian Clifford – Ward Member
- Martin Smith – Countesthorpe Parish Council
- Richard Holdridge – Trustee of St. Bartholomew's Church and Trustee of Friends of Foston Church
- Swara Shah – Applicant/Agent

DECISION

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.
 34. Prior to the installation of the panels hereby permitted; a monitoring strategy, including but not limited to, the monitoring techniques, locations, specific years of further monitoring and standards shall be submitted to the Local Planning Authority for approval in writing to form the monitoring report for glint and glare. If monitoring identifies that glint or glare is causing a significant adverse effect on residential or visual amenity, details of proposed remediation or mitigation measures shall be submitted to the Local Planning Authority for written approval within one month of such effects being identified. All approved remediation/mitigation measures shall be fully implemented within three months of approval and shall thereafter be retained and maintained for the lifetime of the development."

The Chairman adjourned the meeting at 6:44pm to allow members of the public to withdraw from the Council Chamber. The Chairman reconvened the meeting at 6:49pm.

Considered – Report of the Senior Planning Officer (Consultant)

The Chairman informed Members that the Committee was approaching the 3 hour deadline and in accordance with Part 4, Section 1, Paragraph 9 of the Council's Constitution, Members were required to cast a vote if they wanted to continue the meeting. Members voted and resolved to continue for the duration of the meeting.

24/0760/OUT

Outline application for the provision of up to 14 dwellings with all matters reserved except for access

Land North of Sycamore Way, Littlethorpe

Public Speaking

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

- Cllr Richard Chapman – Parish Councillor
- Vicky Turner – Objector
- David Kendrick – Supporter
- Ronan Donohoe – Applicant/Agent

DECISION

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 STATUTORY BIODIVERSITY NET GAIN CONDITION AND 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.

THE MEETING CONCLUDED AT 7.36 P.M.

This page is intentionally left blank

Blaby District Council

Planning Committee

Date of Meeting 30 October 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 **22 July 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
	21/1155/FUL	15	Potters Kiln, Stanton Road, Potters Marston	APPROVE
	24/0398/FUL	43	Land To The South Of Ratcliffe Drive, Peers Way And Preston Way Huncote	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

Demolition of existing equestrian buildings and erection of storage barn, machinery store, courtyard stable block with tack rooms and offices, site office / admin building, indoor arena, manège with 8 no. floodlighting columns and associated parking and landscaping and diversion of existing public right of way

Potters Kiln, Stanton Lane, Potters Marston, Leicestershire, LE9 3JR

**Report Author: Helen Wallis, Senior Planning Officer
Contact Details: Council Offices. Tel: 0116 272 7705**

RECOMMENDATION:

THAT APPLICATION 21/1155/FUL BE APPROVED SUBJECT TO THE 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. Further floor plans and elevations of storage barn to be submitted and agreed.
4. Details of all external materials (including surface material for manège) to be submitted, agreed and implemented as approved.
5. Details of all existing and proposed site levels to be submitted, agreed and implemented as approved.
6. Access arrangements to be implemented in full before development is operational.
7. Visibility splays to be provided at the site access before development is operational.
8. Parking and turning to be implemented in accordance with approved drawing before development is operational.
9. No development until a scheme and timetable for delivery of footpath U18 has been submitted, agreed and implemented as approved.
10. The development is not to become operational until existing vehicular access on Stanton Lane (150m north of equestrian centre access) is permanently closed.
11. Notwithstanding details on landscape strategy plan, full details of hard and soft landscaping to be submitted, agreed and implemented in accordance with LEMP.
12. Tree and hedgerow protection measures to be implemented.
13. Prior to development a LEMP to be submitted, agreed and implemented as approved for 30 years.
14. Prior to development a CEMP: Biodiversity to be submitted, agreed and implemented as approved.
15. Enhancement measures in ecology assessment to be implemented as recommended.
16. No lighting to be installed until a lighting strategy has been submitted and agreed and installed as approved with no subsequent changes.
17. Landscaping specification to be submitted to outline how wildflower meadow planting will ensure that the significance of archaeological remains will be preserved and managed.

18. Surface water drainage strategy to be submitted, agreed and implemented as approved.
19. Details of management of surface water during construction to be submitted, agreed and implemented as approved.
20. Development shall not become operational until details of long-term maintenance of surface water drainage system has been submitted, agreed and implemented as approved
21. Prior to development a Construction Management Plan to be submitted, agreed and implemented as approved.
22. No ventilation or extraction equipment to be installed prior to details being submitted, agreed and implemented as approved.
23. Any café/staff canteen facilities shall be provided on an ancillary basis only for users of the site for equestrian purposes and shall not be available for use by visiting members of the general public.
24. No retail sales to take place from the site.
25. Waste strategy to be submitted, agreed and implemented as approved
26. Contamination assessment to be submitted and agreed
27. Use as an equestrian centre for stabling/livery, horse riding and equestrian events only and for no other uses, including any other uses within Class F2.
28. Hours of operation

NOTES TO COMMITTEE

Relevant Planning Policies

Development Plan

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)

Updated Core Strategy Policy CS15 – Open space, sport and recreation
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
Policy DM15 – Minerals Safeguarding Areas

Fosse Villages Neighbourhood Plan (2021)

Policy FV4 – Biodiversity

Policy FV6 - Design

Other Relevant Documents

National Planning Policy Framework (2024) (NPPF)

Planning Practice Guidance (PPG)

Leicestershire Highways Design Guide

Blaby Landscape and Settlement Character Assessment (2020)

Blaby District Plan 2024-2028

Blaby Economic Development Framework 2023

Blaby Tourism Growth Plan 2025-2030

Consultation Summary

Blaby District Council, Environmental Services – No objections. Site not known to be at risk of contamination or flooding. Construction Management Statement and any ventilation/extraction equipment to be required by condition.

Blaby District Council, Health, Leisure and Tourism – Comments. Supports our physical activity and tourism agendas. Need to ensure adequate parking for events.

Blaby District Council, Principal Planning and Conservation Officer – Comments. Development will intrude into wider countryside setting of listed buildings, including Potters Marston Hall. Overall visual and urbanising impact on character and appearance of the rural area and buildings seem unnecessarily dispersed. Given distances involved it could be difficult to sustain conservation objection. However, slight harm needs to be taken into account and weight against public benefits of the proposal.

Further comments July 2023 (Revised plans) – Comments. Scale of development is likely to lead to lower end of the scale of less than substantial harm. Absence of heritage impact assessment is unfortunate but belts of planting are proposed to screen the development which would resemble existing planted features within the landscape. Paragraph 202 of NPPF triggered and harm should be weighed against the benefits of the proposal. Given distances and presence of other modern intrusive development in the area, particularly at Dovecote Court, maintain view that it would be difficult to sustain a strong objection on the grounds that the special interest of the listed buildings will be unduly compromised.

British Horse Society – No comments to make.

Croft Parish Council - No comments received.

Potters Marston Parish Meeting - No comments received.

Leicestershire County Council, Archaeology – Comments. Archaeological Impact Assessment required, including desk-based assessment and field evaluation by trial trenching. Site lies in an area of archaeological interest.

Further comments August 2022 (Submission of Desk Based Assessment) – Desk based archaeological assessment acceptable. Field evaluation, including trial trenching, required.

Further comments July 2023 (Submission of Written Scheme of Investigation) - Recommend revised WSI which targets development impacts as shown on revised plans.

Further comments October 2023 (Submission of Written Scheme of Investigation) - Recommend revised WSI which targets development impacts as shown on revised plans.

Further comments November 2023 (Submission of Written Scheme of Investigation) - Updated WSI is satisfactory.

Further comments April 2025 (receipt of Archaeological Evaluation Report) – No additional archaeological involvement required for primary development areas. Further clarification required regarding wildflower meadow.

Leicestershire County Council, Ecology – Comments. Further survey works required prior to construction in respect of badgers. Conditions required to secure recommendations in ecology report; provision of a bat box. Biodiversity net gain should be demonstrated for the site in accordance with the NPPF.

Further comments May 2022 (Further information provided) – Comments. Biodiversity Impact Assessment and metric are acceptable. A detailed management plan can be secured by condition.

Further comments November 2022 (Further information provided) – Conditions recommended requiring updated badger and bat surveys, landscape and ecological management plan (LEMP), implementation of mitigation and compensation measures in ecology report.

Further comments July 2023 (Revised plans) – Conditions recommended as per previous consultation response.

Further comments September 2025 (Updated ecology reports) – Comments. Further information on badger mitigation required. CEMP and LEMP conditions recommended and recommendations in updated Ecological Impact Assessment should be followed. Natural England licence will be required for bats and badgers.

Leicestershire County Council, Highways and Footpaths – Application does not fully assess highway impact of development. Further information required to address issues of visibility, traffic volume data, parking layout, public right of way (PRoW) diversion.

Further comments June 2022 (Submission of revised Transport Statement) – Conditions recommended. Appropriate access and visibility can be provided. Alternative route for diversion of PRoW footpath U18 is acceptable in principle. Revised parking layout is satisfactory.

Further comments July 2023 (Revised plans) – Revised internal layout and closure of access raises no new issues. Conditions recommended.

Leicestershire County Council, Lead Local Flood Authority (LLFA) – Further information required. Further calculations required to demonstrate that draining via infiltration is feasible. Alternatively, a positively drained strategy or hybrid strategy should be submitted.

Further comments Feb 2022 (Receipt of additional drainage information) – Further information required to provide an uplift in the 1 in 100 year storm volumes due to climate change.

Further comments April 2022 (Receipt of additional drainage information) – No objections. Conditions recommended requiring submission of surface water drainage strategy, management of surface water during construction and maintenance of surface water drainage system.

Further comments July 2023 (Revised plans) – Conditions recommended.

Leicestershire County Council, Minerals & Waste – Comments. Likely impact of the proposals in terms of the extent of built development and the ratio of greenfield land to be retained will create a low likelihood of sterilising the potential extraction of minerals in the future.

Natural England – No objections.

Ramblers Association – Objection to diversion of Public Right of Way footpath U18. Diversion will force walkers onto grass verge on Stanton Road. Currently no safety issues with the existing path.

Further consultation has been undertaken on an amended route for footpath U18 but no further comments received.

Third Party Representations

No representations received.

Relevant History

02/1190/1PY	Change of use from agriculture to equestrian usage. Involving the construction of outdoor manège, conversion of existing farm buildings into stable block, car parking facilities and construction of new vehicular access onto Stanton Lane.	Approved 19.02.2003
06/1101/1/VY	Removal of condition 7 imposed on Planning Permission 71/4556/14 so that the consent shall not be solely for the benefit of the applicant but run with the land.	Approved 08.05.2007
06/1165/1/UY	Application for certificate of lawfulness in respect of the continued use of the occupation of the dwelling being used by a person with no agricultural tie is lawful and that the requirement of condition 8 imposed by planning permission 71/4556/14 requiring such is of no continuing effect.	Approved 01.05.2007
08/0023/1/PYC	Construction of outdoor manège with floodlighting.	Approved 02.05.2008
08/0428/1/PX	Change of use of land to residential curtilage and single storey side and rear extensions to existing house.	Approved 19.08.2008
10/0487/1/PX	Change of use of existing barns to form cattery and erection of a single storey isolation pen (not implemented).	Approved 02.09.2010
18/1101/HH	Single storey front extension, hip to gable roof extension and conversion of roofspace to form accommodation with dormers to front elevation and box dormer to rear.	Approved 18.10.2018

EXPLANATORY NOTE

This application is being presented to the Planning Committee for determination as the proposal is classed as a major development due to the proposed floorspace being over 1000m² and the site being over 1ha.

The Site

The application site is located on the western side of Stanton Lane, Potters Marston within open countryside, as defined on the adopted Local Plan (Delivery) DPD Proposals Map. The site extends to approximately 12ha and is currently in commercial equestrian use.

The northern and western areas of the site largely comprise grazing paddocks subdivided by fencing. The southeastern corner of the site contains a number of buildings including 22 stables, a dutch barn, an outdoor schooling manège, concrete portal framed barns, lunging pen, feed rooms, tack rooms, steel containers and other ancillary structures. A bungalow sits and annexe are located alongside the buildings and serve the equestrian use.

A mature hedgerow screens the site from Stanton Lane. Hedgerows also define the perimeter of the site with a further hedgerow bisecting the site on an east-west axis. There are a limited number of hedgerow trees and some small tree clusters around the buildings. The existing manège is screened by a tall leylandii hedge.

The site benefits from two main access points from Stanton Lane; the southern most access serves the dwellings with the northern access serving the stabling and barns. There are two additional field accesses further along Stanton Lane. Public Right of Way footpath U18 also diagonally crosses the southern half of the site, running northeast to south west.

In respect of topography, the site is located at approximately 85 AOD until roughly midway across the site before falling to approximately 75AOD in the west adjacent to Thurlaston Brook. The entirety of the site is situated within Flood Zone 1.

The surrounding area is characterised by farming uses with numerous scattered farmsteads in the vicinity of the site. Beyond the site to the east is the Dovecote Court Business Park as well as the Grade II listed buildings of Potters Marston Hall, the Church of St Mary and the Dovecote, which is both listed and a scheduled monument. Hillfoot Farm, a Grade II Listed building lies to north east. The nearest dwellings are Potters Barn, approximately 70m from the northeastern edge of the site and 1 Stanton Lane, circa 130m from the site's southern boundary. Croft quarry is located further to the east with the M69 to the north.

The Proposal

The application proposes the demolition of the existing buildings on the site (with the exception of the existing dwelling and annexe) and the redevelopment of the site to provide an upgraded and expanded equestrian centre. Amendments have been sought during the consideration of the application in relation to design and layout. The revised development proposals includes provision of following:

- Courtyard stable block (69 metres x 48 metres) containing 28 stalls and tack rooms to be used for livery purposes for 13 horses with remaining stalls to be used for visitors. Livery will be offered on full or part -livery basis. The stables will be constructed in brick with some elements of timber cladding with a ridge height across the stables of 6.5m (the archway entrances have a higher ridge of 8.3 metres).

- Competition arena approximately 55 metres x 41 metres to be available to rent with for up to three horses at a time and for use for dressage clinics led by coaches/trainers. The building will have a maximum ridge height of 8.4 metres and will be constructed from brick and timber cladding with profile corrugated steel roofing sheets.
- Outdoor manège (80 metres x 33 metres).
- Ancillary buildings comprising machinery store, barn, site office/toilets and associated parking (48 spaces).
- Infiltration basin for surface water drainage.
- Landscaping incorporating native hedge planting, creation of tree belt areas with understorey shrub planting, tree planting (individual specimens) across site frontage and creation of wildflower meadow.
- Retention of the existing Dutch barn and manège.

It is proposed that the site will be accessed from Stanton Lane, utilising the current equestrian buildings access with the residential properties continuing to be served by the southernmost access. Other accesses are to be closed. The development also proposes diversion of the public right of way footpath U18 so that it routes around the perimeter of the site, rather than crossing directly through the equestrian buildings.

The application pre-dates the requirement for statutory biodiversity net gain, nonetheless, it is proposed that extensive new landscaping and planting will be undertaken on the site to secure biodiversity enhancements representing a 10% net gain.

Supporting Documents

The application is accompanied by the following supporting documents:

- Planning application form
- Site Location Plan
- Proposed Site Layout Plan
- Proposed plans and elevations for all buildings
- Landscape Masterplan
- Baseline Habitats Plan

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

- Archaeological Desk Based Assessment
- Archaeological Written Scheme of Investigation and Evaluation Report
- Benefits Statement
- Biodiversity Net Gain Metric
- Design and Access Statement
- Ecological Impact Assessment (updated 2025)
- Flood Risk Assessment and Surface Water Drainage Strategy Report
- Landscape and Visual Impact Assessment (LVIA)

- Nocturnal Bat Survey Report (updated 2025)
- Planning Statement
- Transport Statement

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, the Blaby Local Plan (Delivery) Development Plan Document 2019 and the Fosse Villages Neighbourhood Plan 2021.

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 its context.

Policy CS14 - Green Infrastructure

Policy CS14 notes that Green Infrastructure can include formal open spaces for sport and recreation, green areas for informal recreation, 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. 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. Planning permission will be granted for limited small-scale employment and leisure development (including dwellings essential for these needs) subject to consideration of its impacts.

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. 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 in the planning balance.

Policy CS21 - Climate Change

Policy CS21 states that development that mitigates and adapts to climate change will be supported. The Council will contribute to achieving national targets by focussing development in the most sustainable locations, seeking sustainable design principles, encouraging use of renewable and low carbon energies and ensuring all development minimises vulnerability and provides resilience to climate change and flooding.

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)

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.

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 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, with the golden thread running through the decision-making process being the presumption in favour of sustainable development.

Achieving sustainable development means that the planning system has three overarching objectives which are 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):

- (a) an economic objective
- (b) a social objective
- (c) an environmental objective

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.

Planning Practice Guidance (PPG)

The PPG provides supporting guidance to the interpretation of the NPPF and includes, inter alia, guidance on design, heritage assets and light pollution.

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"*.

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 the Development Plan and national planning policies
- Landscape and visual impacts
- Design and layout
- Social, economic and environmental benefits
- Impact on heritage assets
 - Built Heritage
 - Archaeology
- Impact upon residential amenities
- Flood risk and drainage impacts
- Ecology and biodiversity impacts
- Highway impacts
- Environmental impacts

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

The application site is wholly located in designated countryside which should be recognised for its intrinsic character and beauty (paragraph 187 of the NPPF) and which is subject to Policy CS18 of the development plan. This policy 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. The policy continues that planning permission will, however, be granted for limited small-scale employment and leisure development subject to consideration of its impacts.

In respect of national policy, Paragraph 88 of the NPPF states that

“Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.”*

Paragraph 89 of the NPPF continues

“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

Potters Kiln currently provides 22 stables for livery, a floodlit manège, storage buildings and associated horse paddocks and operates as a commercial equestrian business. The proposed expansion of the equestrian facility would add additional buildings, including a covered competition size arena, upgraded and enlarged stabling, ancillary buildings and a second manège. The proposed development therefore goes beyond what could be classed as limited smallscale leisure development and there is a degree of conflict with policy CS18.

However, the relevant paragraphs of the NPPF noted above, support the principle of sustainable growth and expansion of all types of business in rural areas and leisure developments that respect the character of the countryside. National policy (December 2024) post-dates the policies of the Core Strategy and is considered to be more up to date. Given the application relates to an existing equestrian business which can only appropriately expand and grow in its countryside location, the principle of the development in the countryside is considered to be acceptable.

Whilst the NPPF and, to a lesser extent, the development plan, lend support in principle to development in the countryside, and expansion of businesses in particular, this is intrinsically linked to the impacts of the development on the character of the

area. Essential to the appropriateness of scheme's countryside location will therefore be its resulting landscape and visual impact.

Landscape and visual impact

The application site is situated in the countryside where there is potential for large scale new buildings 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 significantly adverse effects upon the appearance or character of the landscape.

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.

NPPF paragraph 88 requires development to respect the character of the countryside and NPPF paragraph 187 also state that planning decisions should recognise the intrinsic character and beauty of the countryside.

In order to demonstrate compliance with these requirements, the application has been supported by a Landscape and Visual Impact Assessment (LVIA), updated to reflect revisions to the plans, and undertaken in accordance with 3rd Edition of 'Guidelines for Landscape and Visual Impact Assessment (GLVIA3).

Existing character

The site lies within National Character Area Profile: Leicestershire Vales 9NCA) 94 and within the Blaby Landscape and Character Assessment Character Area (LCA) 15: Stoney Stanton Rolling Farmland. The assessment of Blaby LCA 15 summarises that *"Landform is gently rolling and land use is predominantly arable agriculture, with some grazing and pony paddocks close to the urban fringe. Former quarrying activity influences the landscape, with water-based activities often now occupying the associated manmade lagoons. The landscape is relatively settled with several large villages. The low-cut hedgerows and undulating landform results in relatively open views which have a mixture of rural and urban influences."*

The M69 and electricity pylons are noted to be intrusive modern features although the LCA is also considered to retain a robust rural character with agriculture the predominant land use and generally well managed hedgerows. Key sensitivities are noted to be the rural setting to adjacent settlements (Stoney Stanton and Sapcote in

particular), mature hedgerow trees, valued heritage features and wide and open views enabled by the undulating landform and limited mature vegetation.

The site presently comprises two field parcels enclosed by hedgerows and occasional hedgerow trees, with more robust vegetation along Thurlaston brook where it abuts the site's western boundary. The existing buildings associated with the equestrian business are located in the southeastern corner adjacent to Stanton Lane. The fields are already subdivided in horse grazing paddocks and thus the site's appearance does already differ from the more typical agricultural character of the surrounding fields.

In terms of topography the site is located at approximately 85m AOD up to midway across the site. It then slopes to the Thurlaston Brook at 75m AOD. The change in topography creates the impression of a shallow ridge when viewed looking east from the western boundary. The surrounding area is traversed by public rights of way, including footpath U18 which crosses the site.

Landscape Mitigation Strategy

The landscape and visual impacts outlined below are based on the implementation of a landscape mitigation strategy as outlined on the submitted Landscape Strategy Plan. The landscape strategy for the site incorporates the following features and the LVIA takes these into account when assessing impacts of the development in Year 15:

- Retention and positive management, where possible, of all trees and hedgerows along the site's boundaries;
- Additional screen structural planting along all the eastern boundaries (to mitigate views from the landscape to the west) in the form of mixed native indigenous shrub and ground cover planting and trees;
- Additional tree planting within the development to integrate it into the existing landscape fabric;
- Improvement of the ecological value and potential of the site, particularly along the boundaries with the provision of additional planting of native shrubs to fill in the gaps.

The landscape strategy, its implementation and management, is recommended to be secured by condition, through the submission of a Landscape and Ecological Management Plan (LEMP).

Landscape Impacts

The landscape in this location is not designated or recognised as a 'valued landscape' in a planning policy context. However, it is considered to have local value and the site itself demonstrates some of the attributes of the Stoney Stanton Rolling Farmland highlighted in the landscape character assessment. The site and surroundings are already noted to contain numerous agricultural barns and farmsteads and, in this context, it is considered that the site has capacity to accommodate some development of this character.

There would be some change in landscape character that would result from the replacement of grazing fields with built development. This would, however, be most

noticeable in close proximity to the site itself. Within the wider landscape surroundings, the development would not be a prominent feature but would be a change in keeping with existing landscape character.

The submitted landscape strategy seeks to reinforce existing boundary treatment and provide additional structural planting to screen the development. Whilst woodlands are not typical of this landscape character area, there is evidence of linear tree planting along the watercourse as well as tree belts/clusters in proximity to the site. In landscape character terms, the proposals are considered appropriate.

Overall, the submitted Landscape and Visual Impact Assessment concludes that the development would result in a *moderate* effect on landscape character which would reduce to a moderate-minor and *not significant* effect on completion of the development (including landscape mitigation). Officers concur with this conclusion.

Visual Impacts

The assessment of visual impacts in the Applicant's LVIA has been based on an analysis of the Zone of Theoretical Visibility (ZTV), with buffers, of the principal features of the scheme and on the assessment of impacts on 22 identified viewpoints. These are considered to be representative of public views within the locality and are well-distributed at close, middle and longer distances. They consider receptor views from residential areas, recreational users of the public rights of way (PRoW) network and Croft Hill and road users.

Views from residential areas along Huncote Road to the east of the site would be glimpsed, in the middle distance and the development would be seen alongside other agricultural buildings within the landscape. The impacts would be moderate reducing to a minor effect once landscaping has established. Given existing and proposed vegetation on the site, the impact on road users in the vicinity of the site will be minor in year 15, with views being glimpsed at an oblique view to the direction of travel.

The most significant impacts will be experienced by recreational users of the public rights of way network, notably the users of PRoW footpath U18 that crosses the site. Users of this route would experience full views of the proposed new stables, machinery store and arena building and partial views of the car parking area and site offices. The magnitude of the change (compared to the current experience) would be substantial and the consequent impact would be major and of significant effect. These effects are confined to the immediate locality of the site.

The proposals, however, include re-routing of footpath U18 so that it runs along the northern and western boundaries of the application site, rather than diagonally crossing the site, before connecting with PRoW footpath V55 close to the western corner of the site. Visual impacts upon users of the altered route would still be moderate (though less than on the path's current route), even taking into account landscape mitigation. Aspects of the development would be clearly visible to users of PRoW U18, most notably the parking area and new manège.

Impacts upon users of PRoWs within the countryside surrounding the application site are not deemed to have a significant effect. The combination of topography, existing

vegetation and distance result in glimpsed views where impacts would be moderate or minor. Where full views are available, such as from Croft Hill, the magnitude of change is slight with development being seen in the context of existing buildings and the impact will reduce to minor once landscape mitigation has matured.

The submitted LVIA notes that the impacts of the construction period is likely to have greater visual impacts than the final development, although these effects would be temporary. Such temporary effects are not considered to be significant.

Landscape and Visual Impacts Summary

The proposed development of an expanded equestrian centre will alter the site's landscape character and its perception from the selected visual receptors, changing it from one characterised by fenced grazing paddocks of an open nature to a more intensively developed site containing larger buildings and associated hard surfaces. Some moderate harm is considered to result to the landscape as a result of the development. The development would give rise to a greater level of harm for users of footpath U18 which crosses the site, although it is acknowledged that this impact is relatively localised and limited in extent.

On balance, whilst there will be some harm resulting from the development, it is considered 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, the proposals include measures to mitigate adverse effects through the implementation of a landscape mitigation strategy and in this respect, recognise the intrinsic character and beauty of the countryside, as required by paragraph 187 of the NPPF.

Design and layout

Policy CS18 'Countryside' states that planning permission will not be granted for development which would have a "significantly adverse" effect upon the appearance or character of the landscape. 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.

The equestrian and associated buildings/structures currently occupying the site have no architectural merit and there is therefore no objection to their demolition/removal.

As initially submitted, the proposals feature a dispersed layout with buildings spread across both field parcels. The arena, machinery store, car parking and manège were all positioned within the northern field parcel. This dispersed layout was not considered typical of the rural surroundings where buildings (including those on the existing site) tend to be grouped together in a closer arrangement. It was suggested that consolidation of some of the building functions could be considered to reduce the overall number of buildings on the site and that a closer arrangement of buildings could be devised, leaving the northern field parcel undeveloped. Such a significant alteration to the proposed development was not acceptable to the applicant.

The scheme has, however, been amended so that the substantial buildings (arena, machinery storey and stables) are located together within the southern field parcel, with car parking, the manège and a site office situated in the northern field. The latter building is a modest scale brick-built structure with mono-pitch roof and maximum height of 5m. It is located adjacent to the existing hedgerow that divides the two field parcels which will offer some screening.

In addition, the stables have been reduced in size, removing the previously proposed two storey (10.6m) elements on the corners and above the central archways and simplifying the design. The stables are to be constructed in brick, with some elements of timber cladding, and a slate roof. The competition arena has also been reduced in footprint by approximately 550m² to its currently proposed size of 55m x 41m. The proposed ridge height of 8.4m and construction materials will give the building a typically agricultural character and appearance. The storage barn and machinery store are also agricultural in design, reflective of their function and the rural location.

A landscape strategy is also proposed, as discussed in the section above, to provide some screening and help integrate the buildings into their surroundings.

In conclusion, the applicant has revised the proposed layout and the design of the buildings to provide a development that is more sympathetic to the rural character of the surroundings. Whilst ideally the development would have included a more condensed layout, the proposal is a significant improvement on the originally submitted scheme and, on balance, it is considered that policies CS18 and DM2 in relation to design and impacts on the countryside are complied with.

Social, economic and environmental benefits

The application has been supported by a “Benefits Statement” prepared by the applicant which outlines the key benefits of the development to the area. The statement highlights that the development would provide opportunities for sport and physical activity, which is important for health and well-being of communities, in line with paragraph 103 of the NPPF. It is also noted that NPPF paragraph 98 encourages the provision of community facilities (which includes sports venues). Taking into account and supporting the delivery of local strategy to improve health, social and cultural well-being for all section of the community is also encouraged by NPPF paragraph 98.

Whilst the Council’s Open Space Audits (2015 and 2019) do not cover the provision of horse-riding facilities in assessment of sport and recreation, consultation has been undertaken with the Council’s Health, Leisure and Tourism Team who advised that the development would support the Council’s physical and tourism agendas. It is agreed that the development would provide increased opportunities for participation in horse related sport and recreation and could contribute to increased visits/visitors to the District.

The applicant’s statement also reports that the existing livery is at full capacity and the operators receive enquiries for livery on a regular basis, suggesting that there is an unmet demand in the area. The retention and expansion of an existing business within

the District's rural area is supported by NPPF as set out in the 'Principle' section of this report.

The lack of a similar indoor arena facility within the area is also emphasised. It is reported in the statement that many liveries in the yard must travel further afield to use an indoor arena for training and competition purposes. Having undertaken an internet search, the majority of equestrian centres with a comparable competition size arena are located north of Leicester, within the Melton and Coalville areas, or in Warwickshire/Northamptonshire. Newbold Verdon Equestrian Centre (within Hinckley and Bosworth Borough) is the nearest south Leicestershire facility with a similar size indoor arena. Their website calendar indicates numerous competitions and clinics.

The British Horse Society has been contacted for comments on the demand for such a facility in Blaby District but they have advised that they are not in a position to provide comments on the planning application. Nonetheless, it would seem likely that the proposed development would positively benefit equestrian activity in the District and would bring members of the horse-riding community into the areas with consequent economic benefits for the locality in terms of investment. The development would also generate indirect benefits through support for other services such as bedding and feed suppliers, saddle fitters, farriers, vet services, etc. and through increased expenditure in other businesses such as shops and the hospitality industry. The DEFRA '*Strategy for the Horse Industry for England and Wales*' (2011, no more recent update is available) estimated that the horse industry's gross output is estimated at £3.4 billion and employs up to 250,000 people either directly or indirectly.

In respect of employment on the site, the applicant's statement points out that the development will safeguard existing jobs on the site and generate at least an additional yard manager plus two part time assistants in the short term. As the business evolves, it is expected that there're would be around 6/7 full time staff and 4/5 part time staff, as well as providing opportunities for self-employed riding instructors. Ad hoc staff would also be required for competitions and events.

The construction phase of the development would be a key employment generator, although this would be a temporary benefit of development. The applicant's assessment states that using labour coefficients from the '*Homes and Communities Agency (HCA) Calculating Cost per Job Best Practice Note (2015)*', it is possible to estimate the number of direct construction jobs that could be supported by the proposed development over the course of the construction phase. Taking account of the composition of the proposed development, the coefficient for the development of 'Private Commercial' is considered the most appropriate for calculating the number of direct construction jobs. This coefficient assumes that 16.6 years of Full-Time Equivalent (FTE) employment would be generated per £1 million of construction cost. In addition, local businesses would also be expected to benefit to some extent from growth in expenditure linked to the direct and indirect employment effects of the construction phase.

The proposed development will also deliver 10% biodiversity net gain (BNG) in respect of hedgerows and habitats which is assessed as a moderate benefit of the

development, given that mandatory BNG does not apply in this case due to the age of the application.

Overall, it is considered that the development will have some social, economic and, to a lesser extent, environmental benefits which are a positive aspect of the development and weigh in its favour.

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. These statutory duties need to be considered alongside the requirements of the Development Plan.

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.

Built Heritage

At its nearest point the application site is approximately 240m from the Grade II listed Church of St Mary and circa 300m for the Grade II listed Potters Marston Hall and the Grade II listed and scheduled monument, Dovecote. The latter is also separated from the application site by intervening large scale agricultural style buildings that form part of the Dovecote Business Park. Along Stanton Lane, approximately 130m to the northeast of the application site's northern boundary, is Hillfoot Farmhouse, a brick built three-storey Grade II listed building.

Due to the topography of the area, the proposed equestrian buildings will be sited at a higher level than Potters Marston Hall and St Mary's Church but at a lower level than Hillfoot Farmhouse. The comprehensive public rights of way network in the vicinity of the site will facilitate views of the proposed development and consequently the proposals will appear in the surroundings in which the heritage assets are also experienced, and intrude into their wider rural setting.

The Principal Planning and Conservation Officer has commented on the application and has advised that the scale, siting and amount of development is likely to lead to a maximum level of harm being at the lower end of the scale of "less than substantial" harm. It is acknowledged in the consultation response, however, that the proposed landscape mitigation measures could resemble existing planted features within the surroundings. The response also recognises that due to the distances involved within the sites and the presence of other modern intrusive development in the area, particularly at Dovecote Court, it would be difficult to sustainable a strong objection on the grounds that the special interests of the listed buildings will be unduly compromised.

Nonetheless, as noted in the policies referred to in the preceding paragraphs, great weight should be given to the conservation of designated heritage assets and less than substantial harm should be weighed against the public benefits of the proposal. Planning Practice Guidance (PPG) states that "*Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework ([paragraph 8](#)). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit.*" The public benefits of the proposal have been discussed in the preceding section of this report.

Taking into account the Principal Planning and Conservation Officer's view that the harm would be at the lower end of "less than substantial", and weighing the public benefits of the proposal against this, it is considered that the public benefits would outweigh the low level of harm. Accordingly, the impact upon built heritage assets would not provide a strong reason to resist the proposals and the development therefore accord with policies CS20 and DM12 and the relevant paragraphs of the NPPF.

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 Leicestershire and Rutland Historic and Environment Record (HER) shows that the application site lies in an area where there have been previous Iron Age/Roman and Anglo-Saxon discoveries. Evidence also suggest that the Potters Marston deserted medieval village lies partially within the site area. The submitted Archaeology Desk Based Assessment

The applicant has submitted an Archaeological Desk Based Assessment and undertaken extensive trial trenching on the site during the course of this application. The resultant Archaeological Evaluation Report revealed that there were no significant finds and the Council's archaeological advisor has commented that no additional archaeological involvement will be required for the primary development areas.

A condition is recommended to provide further detailed landscaping specification to outline how wildflower meadow planting will ensure that the significance of archaeological remains will be preserved and managed. Subject to this condition, the proposed development has satisfactorily addressed the archaeological interests of the site and thus complies with Policy CS20 and Policy CS12 in respect of heritage impacts.

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 promote health and well-being, with a high standard of amenity for existing and future users.

The nearest residential properties to the site are The Haven (circa 165m south of the site on Stanton Lane), Jackdaw Farm (temporary dwelling, circa 190m east of the site on Stanton Lane), and the barn conversions at Hillfoot Farm (circa 80m from the northern boundary of the site on Stanton Lane). These neighbouring dwellings are not considered to be unduly impacted by the expansion of the equestrian business given the fact that the key facilities of the proposal are sited some distance from these neighbours. However, in a rural setting where it is expected that background noise levels would be low, particularly in the evenings, it is considered reasonable to impose a condition to control hours of use and illumination in order to limit potential detrimental impacts due to noise, disturbance and lighting.

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 (FRA) & Surface Water Drainage Strategy and the development lies within Flood Zone 1. The site is also predominantly in an area of very low surface water flood risk. There are two isolated pockets of medium and high-risk surface water flood risk on the eastern boundary of the site. The highest risk areas are not to be developed and will form landscaped

areas. A low/medium risk area covers the existing access to the equestrian buildings, which is also to provide the access to the redeveloped equestrian centre.

Bearing in mind the existing use of the site and this access, the continuing proposed equestrian uses, which fall within the 'Less Vulnerable' flood risk classification, it is not considered proportionate in this instance to require a sequential test to be undertaken. PPG has been recently updated and encourages a proportionate approach to the requiring a sequential test to be undertaken. In light of the Lead Local Flood Authority (LLFA) response to the development outlined below and the submitted FRA the approach is consistent with PPG (Paragraph: 027 Reference ID: 7-027-20220825, Revision date: 17 09 2025).

In response to consultation responses from the LLFA, the applicant has updated the Flood Risk Assessment and Drainage Strategy and proposes that surface water drains from impermeable areas via permeable paving to an infiltration basin and through the strata via infiltration. Infiltration test results have been provided which have been carried out to the BRE Digest 365 standard for soakaway tests to demonstrate that the strategy is feasible. The LLFA is happy that this information is acceptable and recommends conditions requiring detailed surface water drainage strategy to be submitted.

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.

Biodiversity Net Gain

The application was submitted prior to the statutory requirement for Biodiversity Net Gain coming into force. Notwithstanding this, the applicant has demonstrated a biodiversity net gain of 10% in respect of hedgerows and habitats through the implementation of the proposed landscape strategy. It is recommended by the Council's ecological advisors that this landscaping strategy is managed through a Landscaping and Ecological Management Plan and a condition is proposed to secure this.

Ecology

The Ecological Impact Assessment (EclA, May 2025) submitted with the application has been updated and confirms that the site does not form part of any statutory or non-statutory designation, although the site is within 2km of the Croft Hill SSSI, Croft Pasture SSSI and number of recognised Local Wildlife Sites (LWS). The site has demonstrated the following habitat and species features

- Modified grassland, tall forbs, native hedgerows including some species rich hedgerows, lowland mixed deciduous woodland, urban trees, sparsely vegetated urban land, coniferous tress, hardstanding and buildings.
- There are no ponds within the site but there are five ponds within 250m of the site.
- Present/potential species on the site include;
 - roosting, foraging and commuting bats;
 - foraging, commuting and nesting birds;
 - badger habitat
 - wild mammals
 - foraging, commuting and breeding invertebrates; and
 - reptiles.

Species surveys have been undertaken for reptiles and badgers and an updated nocturnal bat survey (following an earlier Preliminary Roost Assessment) has also been submitted to inform the proposals.

To ensure that any impacts on habitats and species are avoided or reduced, the ecological assessment recommends compensatory habitat creation/management, measures in respect of bats and badgers, safeguarding of retained trees and woodland and safeguarding of mammals during construction. A Natural England licence is required in relation to bats and badgers which is a separate legal requirement and an informative to the applicant can be added to any decision to advise of this.

Leicestershire County Council's Ecologist has reviewed the submitted reports and has requested further information in respect of the proposed mitigation strategy for badgers to ensure that any proposals will be licensable. This information is awaited and the Committee will be updated at the meeting on the outcome of this. Subject to receipt of this additional information, the Council's ecological advisors have recommended that conditions are imposed to require submission of:

- A LEMP (Landscape and Ecological Management Plan)
- A CEMP: Biodiversity (Construction Environmental Management Plan for Biodiversity) to manage construction impacts (noise, dust, timing, protection zones).
- Lighting strategy to minimise impacts upon bats
- Implementation of the enhancement measures included within the EcIA.

Subject to the imposition of the recommended conditions, it is considered the proposal will not have any adverse impacts on protected species or the site's ecological or biodiversity interests. As such the development is considered to be compliant with policies CS14 and CS19 in relation to biodiversity.

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 116 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 which has been updated during the consideration of the application in order to address the comments of the Local Highway Authority (LHA).

Site Access

The proposed expanded equestrian centre is proposed to be accessed via the existing access to the equestrian buildings. This access was updated in 2002 following the granting of planning permission for equestrian uses at the site. The submitted Transport Statement has demonstrated to the satisfaction of the LHA that the existing access is suitable to cater for horse lorries entering and exiting the site in all directions. Appropriate visibility of 2.4 metres x 100 metres to the north and 2.4 metres x 146 metres to the south can be provided in accordance with the Leicestershire Highway Design Guide (LHDG). The access is therefore considered safe and suitable for the proposed development. The LHA is also satisfied that there is no accident pattern data that would indicate that highway safety would be compromised by the development.

Trip Generation and Sustainability

Based on the submitted Transport Assessment and use of TRICS data, it is estimated that the expanded equestrian facility could generate 199 two-way vehicle movements during a weekend (Saturday) period. The LHA is satisfied that it is unlikely that the increase in trip generation would have a material impact on the existing highway network during weekday peak hours.

It is acknowledged that the development is not served by footway links to local amenities or nearby settlements and that the site is not served by a scheduled bus service (although Potters Marston does fall within the area covered by the on-demand Fox Connect bus service). Opportunities for sustainable travel are therefore very limited in this location, which is recognised in NPPF paragraphs 89 and 110 as a reality for some development in rural areas.

Parking

A parking accumulation assessment has been undertaken which indicates a peak accumulation of 34 car parking spaces being occupied. The proposed internal layout will provide 48 car parking spaces with parking spaces in accordance with the LHDG. The LHA consider that there will not be any overspill parking on the highway.

Public Rights of Way

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.*' Public right of way (PRoW) footpath U18 crosses the site and the proposed development indicates a revised route for this path that follows the northern perimeter of the site, before joining with PRoW footpath V55 in the west of the site.

The original plans indicated a re-routed path than ran alongside the southern boundary of the site before exiting onto Stanton Lane. The LHA and Ramblers Association were concerned that, due to the uneven nature of the grass verge, this route would result in additional pedestrian movements within the Stanton Lane carriageway. The applicant has liaised with the LHA and the County Footpaths Officer in devising a suitable revised route within the site. Further consultation has taken place with the Ramblers Association on the revised diverted route but no further comments have been received. Further comments from the LHA advise that the amended proposals around the northern edge of the site are now acceptable.

Notwithstanding the acceptance in principle of the new route, formal diversion of the PRow must be made in this case through an application under S257 for the Town and Country Planning Act 1990 to Blaby District Council. This process can only be undertaken once planning permission is granted. As any diversion will not detail the specific design of the path, a condition is also therefore recommended by the LHA requiring a scheme for footpath U18 to be submitted detailing the treatment of the PRow, management during construction, fencing, surfacing, signing and landscaping.

Highways Conclusions

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.

Environmental impacts

No objections have been raised by Leicestershire County Council, Minerals & Waste to the proposed development. Whilst the development is proposed to occur within a safeguarded minerals area, the development is not considered so significant as to sterilise the potential future use of the area for minerals.

Environmental Services have been consulted and have not highlighted any significant concerns about the impacts of the proposals subjects to conditions requiring a Construction Environmental Management Plan (CEMP) and details of any proposed ventilation and extraction equipment. Whilst no contamination is understood to exist at the site, given the proposed demolition of old buildings, it is recommended that a contaminated land condition is imposed.

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 requires that development does not have a significantly adverse effect on the appearance or character of the landscape. It allows for limited small scale employment and leisure. Although the expansion of the use goes beyond the 'small scale' uses envisaged by Policy CS18, the development relates to an existing commercial equestrian use and the sustainable growth and expansion of all types of businesses in rural areas is supported by the NPPF. It is therefore considered that the principle of development is acceptable.

The proposed development seeks to minimise its impact upon landscape character and appearance through design, layout and an appropriate landscape strategy plan to mitigate the effects of the development. 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 resulting from an increased amount of development. The development is not, however, considered to result in "significantly adverse" effects as set out in policy CS18 and the amendments proposed to the development are considered, on balance, to accord with policy DM2.

The development would result in "less than substantial" harm at the lower end of the spectrum to Grade II listed buildings due to expanded built development with their wider rural settings. 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 applicant has submitted a benefits statement to outline the social, economic and environmental benefits of the development. Whilst the benefits have not been quantified, it is agreed that the development would provide increased opportunities for participation in recreation and sport as well as potentially supporting visits/tourism to the area; would increase employment and expenditure and would deliver environmental improvements. These public benefits are considered to outweigh the low end, "less than substantial" harm to the setting of the listed buildings and there is therefore no basis for resisting the development on heritage grounds. These benefits are also considered to outweigh the residual harms to the character and appearance of the landscape and demonstrate how the development will fulfil the planning system's three objectives in achieving sustainable development.

There are technical matters that comply with development plan policies including matters surrounding drainage and flood risk, highways and access, ecology impacts, environmental impacts and residential amenity. These are not considered benefits as such and are subsequently held in neutral weight when considering the overall planning balance.

Overall, the development is considered to represent a suitable form of development for the location which accords with the relevant policies of the NPPF and the development plan, when read as a whole. It is recommended that planning permission is granted with the conditions listed at the start of this report.

24/0398/FUL

**Registered Date
3rd May 2024**

Jelson Homes

**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 7705

Cover Page Summary to Committee Report

This application was deferred at the Planning Committee meeting held on 4th September 2025. The minutes of the Committee recorded that:

“The committee consider that justification is required from the Local Highways Authority to demonstrate why their original objection to the single access point from Daultry Road has been removed. They require information regarding the additional information and works produced to alter this stance.”

A formal response has been provided by the Local Highway Authority (LHA) (dated 02.10.2025) along with a technical note by the applicant's highways consultant, Tetra Tech (received 23.09.2025). Both documents are publicly available on the Council's online planning database.

The LHA confirms that following a further review of the proposal, it continues to advise approval for the planning application, subject to the imposition of recommended planning conditions and contributions. The full response from the LHA can be found in the 'Consultation Summary' section of this report.

The application therefore continues to be recommended for approval as set out in the following report.

The following amendments have been made to the Committee report:

- During the recent planning appeal for Land off Oak Road, Littlethorpe (ref: 24/0527/OUT, appeal ref: APP/T2405/W/25/3365777) it was agreed with the appellant that, the Council cannot demonstrate a five-year housing land supply (5YHLS), with it being a maximum of 2.45 years. Accordingly, any reference to the Council's 5YHLS has been amended within this Committee report.
- In the 'Developer contributions and infrastructure / facilities' section, the 'Libraries' paragraph has been updated to confirm that the S.106 financial contribution would be secured for Huncote Community Library in the first instance, or if this is not possible, to Narborough Library.
- A date typo in the 'Transport and highway implications' section has been amended from '22.11.2025' to '22.11.2024'.

- In the 'Consultation Summary' section, the LHA's previous consultation responses have been summarised and the latest response has been included.
- The previous images and tables which were omitted from the previous Committee report and included as 'Supplemental Information' have now been added to this report.
- Paragraph 116 of the NPPF has been added to the conclusion of the 'Transport and highway implications' section.

The conclusion below is taken from the Committee Report and repeated here for ease of reference:

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 2.45-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, 39 being affordable 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 2.45-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.

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 tarmacadam 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 and October 2024: Further information required, including requesting the applicant to explore the possibility of providing another vehicular access to the site.

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.

October 2025: *“To address the concerns the applicant has submitted a Highways Technical Note: Land at Ratcliffe Road, Huncote, to the LPA on 23 September 2025.*

For a full understanding of the documents relied upon by the LHA in order to inform the advice provided, the reader should refer to LHA observations dated 5th August 2025.

The applicant could not identify another location for an additional site access due to there being no alternative highway frontage to the site and the applicant not having access rights across adjoining land.

The applicant also confirmed in Section 2.2 of the Technical Note titled “Response to LCC Consultation Response”, dated 2 October 2024, the lack of Personal Injury Collisions on the existing highway on Peers Way, Haines Road and the Narborough Road / Daultry Road junction and the amount of spare capacity at the Narborough Road / Daultry Road junction.

The LHA would advise the LPA that the first phase of this development including Peers Way and Haines Road has been designed in accordance with the LHDG and been adopted by Leicestershire County Council as part of a Section 38 agreement, so the LHA is satisfied with the design and capacity of the existing development.

The LHA consider developments on a site by site basis and could not demonstrate that a single point of access in these site-specific circumstances that the additional 74 dwellings would have a severe impact on the public highway. It would therefore be unreasonable to seek to resist the proposals.

Conclusion

After a further review of the proposals the LHA continues to advise approval of the planning application subject to planning conditions and contributions. The full justification and reasoning for this can be found in the previous highway observations dated 5 August 2025, which are not repeated here.”

For clarity, the full list of documents submitted by the applicant and relied upon by the LHA are as follows:

- Louise Michelle Cooper Architect drawing number: 518-SK-01, ‘Planning Site Layout’, Revision H, dated 7 November 2024;
- Louise Michelle Cooper Architect drawing number: 518-SK-08, ‘Parking Provision Plan’, Revision D, dated 7 November 2024;
- Louise Michelle Cooper Architect drawing number: 518-SK-08, ‘PROW Diversion Plan’, Revision D, dated 7 November 2024;
- Tetra-Tech document ref: 784-B047249, ‘Stage 1 Road Safety Audit - Land off Peers Way and Preston Way, Huncote, Leicestershire’, dated 12 June 2025 and Designers Response;
- Tetra-Tech drawing number: B047249-TTE-XX-HSL-DR-CH-0001, ‘General Arrangement - Option 1 - Traffic Signal Controlled Layout’, Revision P02, dated 08 May 2025;
- Tetra-Tech drawing number: B047249-TTE-XX-HSL-DR-CH-0002, ‘Option 1 - Swept Path Analysis – Main Junction’, Revision P02, dated 08 May 2025;
- Tetra-Tech drawing number: B047249-TTE-XX-HSL-DR-CH-0003, ‘Option 1 - Swept Path Analysis - Garage Access’, Revision P02, dated 08 May 2025;
- Tetra-Tech drawing number: B047249-TTE-XX-HSL-DR-CH-0004, ‘Option 1 - Swept Path Analysis - Car Transporter’, Revision P02, dated 08 May 2025;
- Tetra-Tech drawing number: B047249-TTE-XX-HSL-DR-CH-0005, ‘General Arrangement - Option 2 - Traffic Signal Controlled Layout’, Revision P01, dated 09 May 2025;
- Tetra-Tech drawing number: B047249-TTE-XX-HSL-DR-CH-0006, ‘Option 2 - Swept Path Analysis – Main Junction’, Revision P01, dated 09 May 2025;
- Tetra-Tech drawing number: B047249-TTE-XX-HSL-DR-CH-0007, ‘Option 2 - Swept Path Analysis - Garage Access’, Revision P01, dated 09 May 2025; and
- Tetra-Tech drawing number: B047249-TTE-XX-HSL-DR-CH-0008, ‘Option 2 - Swept Path Analysis - Car Transporter’, Revision P01, dated 09 May 2025.

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.

During the recent planning appeal for Land off Oak Road, Littlethorpe (ref: 24/0527/OUT, appeal ref: APP/T2405/W/25/3365777) it was agreed with the appellant that, the Council cannot demonstrate a five-year housing land supply (5YHLS) with it being a maximum of 2.45 years. 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 2.45-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 several 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 BMV 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 22.11.2024 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 recommended 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. In addition, Paragraph 116 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway

safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.’ 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:

Market Mix Based on 115 Units	1 bed	2 bed	3 bed	4+ bed	Bunglaow
Market	6	29	40	29	11
	5%	25%	35%	25%	10%

Affordable Mix Based on 39 Units	1 bed	2 bed	3 bed	4 bed	Bungalow	Total	%
Social Rent	6	13	7	2	3	31	80%
Shared Ownership	0	3	3	2	0	8	20%
Total	6	16	10	4	3	39	100%

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 change 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.

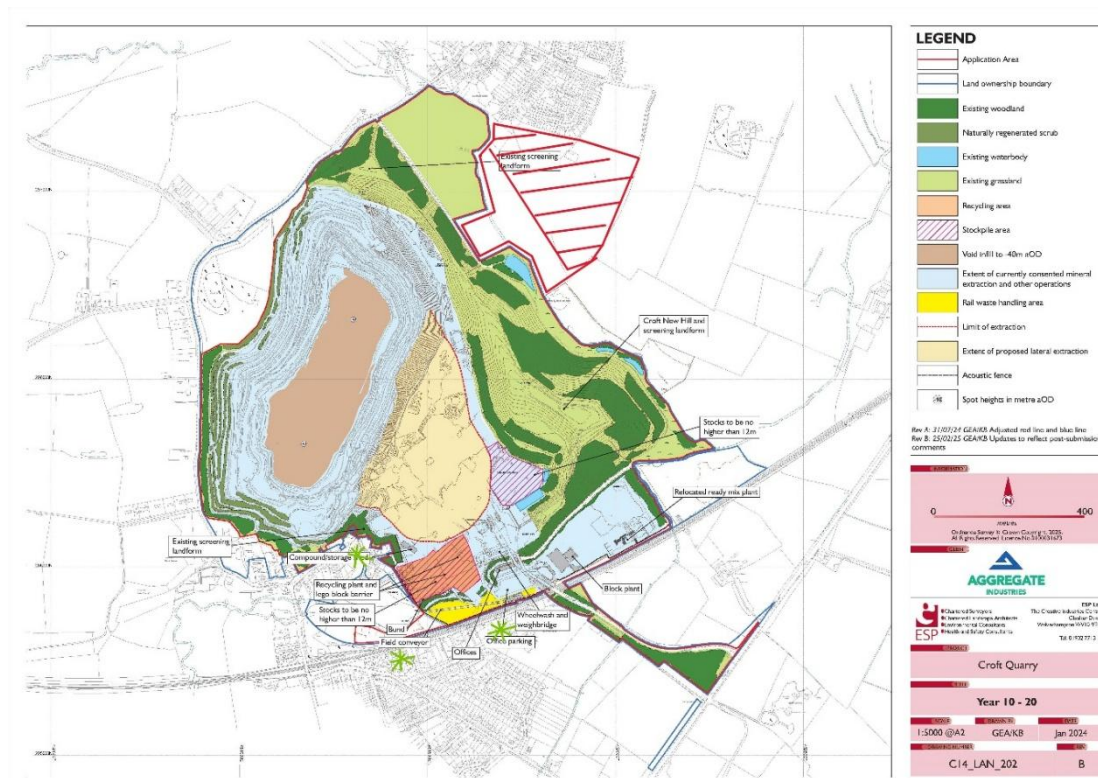
A response was also received from Aggregate Industries UK Ltd, which operates Croft Quarry, to the west of the application site. The objection refers to a lateral extension to the mineral extraction area within the quarry and the reclamation via the importation of restoration material in January 2022 (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:

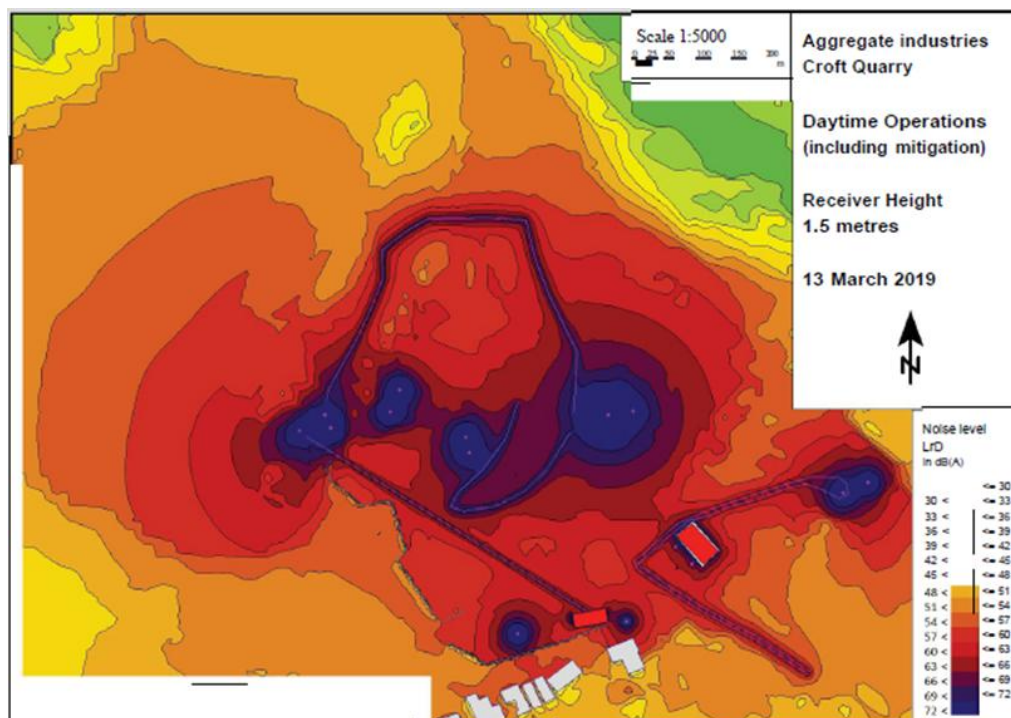
"When reviewing the 2024 Croft Quarry application we note that this is broadly similar to the approved application made in 2019 but with a couple of minor amends such as changes to the phasing of mineral extraction and restoration operations and the expansion of the recycling operations on site... the 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."

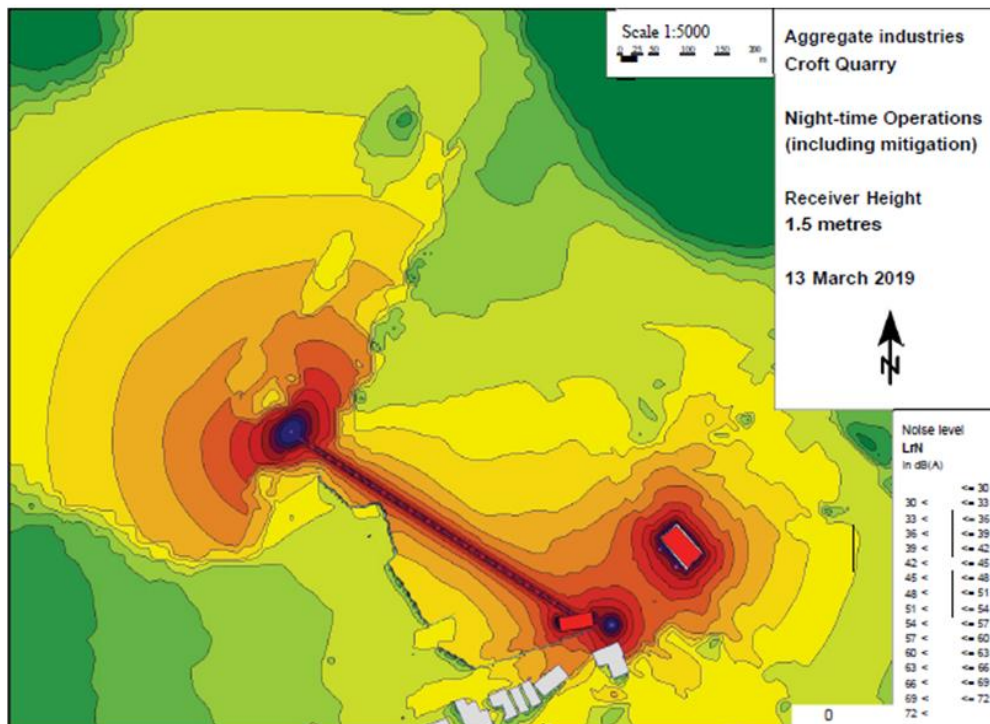
"... we note that the expansion of the recycling operations are contained to the southernmost part of the site, as are the wider proposals sought approval for (including the lateral extension). In this regard the NIA submitted with the Croft Quarry expansion application determines that "the village of 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 Jelison'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. Following liaison with Leicestershire County Council's Developer Contribution's Team, the consultee has confirmed that it is content to forego this contribution, provided that Blaby District Council ensures that an equivalent contribution is secured for Huncote Community Library.

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 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

Table 1: Open space requirements by number of units per site

Typology of Provision	1-19 dwellings	20-49 dwellings	50-99 dwellings	100-199 dwellings	200+ dwellings
Parks and Recreation Grounds	Off-site	Off-site	Off-site	Off-site	On-site
Natural Greenspace	Off-site	Off-site	Off-site	On-site	On-site
Informal Open Space	Off-site	On-site	On-site	On-site	On-site
Provision for children and young people	Off-site	Off-site	On-site (LAP)	On-site (LEAP)	On-site (NEAP)
Allotments and community gardens	Off-site	Off-site	Off-site	Off-site	On-site

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 2.45-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 2.45-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.

This page is intentionally left blank

Blaby District Council

Planning Committee

Date of Meeting 30 October 2025
Title of Report **Blaby District Council (Windyridge, Gullet Lane, Kirby Muxloe) Tree Preservation Order 2025**
Report Author Planning & Strategic Growth Group Manager

1. What is this report about?

- 1.1 The purpose of the report is to consider whether or not to confirm the provisional Tree Preservation Order (TPO) made 22 May 2025 on the trees situated within the curtilage of Windyridge, Gullet Lane, Kirby Muxloe.

2. Recommendation(s)

- 2.1 The Planning Committee approve the confirmation of the Tree Preservation Order at Windyridge, Gullet Lane, Kirby Muxloe.
- 2.2 The Authority be delegated to the Planning and Strategic Growth Group Manager to confirm the Tree Preservation Order at Windyridge, Gullet Lane, Kirby Muxloe.

3. Reason for Decision(s) Recommended

- 3.1 Having consideration of the representations received regarding the TPO, it is considered that there are insufficient grounds not to confirm the Order. The three trees contribute to the provision of important visual amenity along the public highway of Gullet Lane and Bridleway V81/4.

4. Matters to consider

4.1 Background

The three trees are situated within the curtilage of the dwelling known as Windyridge, on Gullet Lane within Kirby Muxloe.

The trees include T1 a Horse Chestnut, T2 an Ash Tree and T3 a Black Pine. T1 and T2 are situated on land fronting Gullet Lane and T3 is situated deeper within the property boundary to the rear of one of the property outbuildings, but still highly visible from the public highway and bridlepath V81/4.

Two planning applications have been received in relation to the site, an outline application for 'the erection of two self-custom build dwellings including demolition of existing agricultural buildings (all matters reserved except for access)' and a full application for 'demolition of existing bungalow and erection of a single self-build dwelling and new access'. During due process of these applications, a site visit was undertaken by an Officer of the Council to assess the merits of the site, in doing so, an assessment was made of the trees within the site and their worthiness for formal protection.

it is noted that the trees offer considerable amenity value and a positive contribution to the character of the immediate and surrounding area, as such it was considered expedient and in the interests of amenity to issue a provisional TPO.

In creating the provisional TPO, the Case Officer undertook a Tree Evaluation Method for Preservation Orders Assessment (TEMPO) for the group of three trees collectively. The TEMPO gave the group an overall score of 18, giving the trees an initial status of 'Definitely Merits a TPO' category.

Following this initial assessment and the imposition of the provisional order, The Principal Tree and Woodlands Manager undertook individual TEMPO assessments of each tree. Of which the Horse Chestnut (T1) scored 14 (TPO Defensible) the Pine (T2) scored 13 (TPO Defensible) and the Ash Tree (T3) scored 13 (TPO Defensible).

It is noted within the TEMPO assessments undertaken by The Principal Tree and Woodlands Manager that all three trees in question are of fair/satisfactory condition, T1 and T2 are noted to have a retention span of 40-100 years and as such are 'Very Suitable' for a TPO, T3 is noted as having a retention span of 20-40 years given the presence of early stages of ash dieback within the canopy and as such is categorised as being 'suitable' for a TPO.

T1 and T3 are scored as being 'large trees, or medium trees clearly visible to the public' and as such suitable for TPO. T2, given its position within the site, is scored as 'medium trees, or large trees with limited view only' as it is set back further from the road/PROW but remains clearly visible over existing farm buildings given its height and canopy spread..

T1 and T2 have been scored as having a perceived threat given the planning application received on the site and T3 is scored as a 'foreseeable threat to the tree' given the indication to remove the tree as part of the planning application.

The trees are visible to those accessing the road by either vehicle, bicycle, on foot or along the bridleway, which runs East to West from Gullett Lane through to Hinckley Road (The A47).

4.2 Representations received

1 representation was received in objection to the Tree Preservation Order at Windyridge, Kirby Muxloe. The objection was received from an Arboricultural Consultant on behalf of the owner of Windyridge, Kirby Muxloe on the grounds of the following:

- The LPA have failed to demonstrate how the protection of trees within the TPO would provide any reasonable degree of public benefit.
- The LPA have failed to demonstrate how the protection of trees within the TPO would provide any reasonable degree of amenity.
- Having assessed the trees and site, it is concluded that tree T2 is unsatisfactory for inclusion within this Tree Preservation Order. The main reasons for objection are set below.
*'Tree T2 does not merit a TPO. When applying the TEMPO methodology, the score was 6, and 'TPO indefensible'
The local planning authority has provided no details of how it has evaluated amenity in this case.
The tree is likely to succumb to Ash Die-Back and require removal on the grounds of health & safety within the next few years due to its roadside location'.*

Consideration of Representations Received

With regards to how the protection of trees within the TPO would provide any reasonable degree of public benefit or amenity. The Planning Practice Guidance (PPG) outlines that 'amenity' in practice is not defined in law, the PPG clarifies that Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public.

The objection states that *'Due to the location of Windyridge and the relatively small number of people who can view these three trees, it is difficult how the protection of these trees accrues any public benefit.'* It is important to note that the site lies at the end of an adopted public highway that continues on as a Bridleway that runs from Gullett Lane through to Hinckley Road (The A47), as such T1 and T3 would be considered to be clearly visible to the public and T2 given its position within the site is considered to be of limited visibility, this is reflected in the scores given to the trees in the TEMPO assessment undertaken by The Principal Tree and Woodlands Manager.

The objection notes that when considering the amenity value of trees, visibility is not the sole criteria for assessing the same. The condition, size and form, future potential amenity (retention) and additional factors such as; rarity, cultural or historic value contribution to, and relationship with, the landscape; and contribution to the character or appearance of a conservation area (where applicable). All of which has been taken into consideration within the TEMPO assessment conducted.

The Principal Tree and Woodlands Manager also reviewed the objection and provided advice on the same. It is advised that 'the scoring used on the TEMPO

undertaken by the consultant for T1 and T3, indicates that the trees merit a TPO. The Principal Tree and Woodlands Manager concluded that *“I would score them higher than shown on the consultants TEMPO, particularly in terms of public visibility and in terms of threat – a planning application has been received and therefore there may be further pressure for the removal of trees”*

With respect of T2 The Principal Tree and Woodlands Manager advised that ‘the Consultant’s assessment scores a 1 on condition which is too low’. The Consultant scored T2 as ‘POOR’ which is defined as *‘Trees in obvious decline, or with significant structural defects requiring major intervention to allow their retention, though with the outcome of this uncertain. Health and/or structural integrity are significantly impaired and are likely to deteriorate. Life expectancy is curtailed, and retention is difficult’*. The consultant states that *‘the tree is likely to succumb to Ash Die-Back and require removal on the grounds of health & safety within the next few years due to its roadside location.’*

According to the TEMPO guidance a more reasonable scoring would be ‘FAIR’ which is defined as *‘Trees which have defects that are likely to adversely affect their prospects; their health is satisfactory, though intervention is likely to be required. It is not expected that such trees will reach their full age and size potential or, if they have already done so, their condition is likely to decline shortly or may already have done so’*.

The same would apply to the scoring of retention span, in reflection of the link with assessment of condition. The Arboricultural Association (AA) publishes a guide to the life expectancy of common trees, which outlines the life expectancy of the common ash tree to be 100-150 years, retention span is a more practical assessment that balances the trees current age with health and context of the tree. The consultant has scored T2 a ‘1’ for its retention which is defined as ‘10-20 years’. The Principal Tree and Woodlands Manager prescribed the tree a score of 2 for retention which is defined as a retention span of 20-40 years.

It is noted in both the consultant's assessment and the Principal Tree and Woodlands Manager’s assessment of the trees, that the Ash tree has early stages of ash dieback within the canopy. Ash dieback, particularly in its early stages, does not mean that a tree poses an immediate risk of harm or that it should be pruned or felled. Each situation needs to be assessed on its merits, taking account of the condition, position, and importance of the tree in question. It is unknown at this stage if the tree will eventually succumb to the disease as local conditions will determine how ash trees are affected by the disease. At this stage the tree does not pose a real and immediate danger, and it is considered premature to fell the tree, even as a precautionary measure.

The Forestry Commission advice is that with the exceptions of felling for public safety or timber production there should be a general presumption against felling living ash trees. Ash is a widespread species with high landscape and biodiversity value and it is therefore important to retain trees where possible. This allows individuals which survive exposure to the fungus to form the basis of a more disease tolerant population in the future. It reduces the impacts of the disease on other species that depend on ash, and particularly dead-wood invertebrates. It also helps to slow down the pace of

landscape change within the county, allowing for the planting and establishment of replacement trees.

The removal of T2 from the order was reviewed, however in consideration of the advice from LCC Forestry, it remains included within the TPO.

It is important to note, that the presence of a Tree Preservation Order does not by virtue of its existence mean that a property owner is not able to undertake works to the protected trees. But that the property owner must first make an application to the Council as the Local Planning Authority prior to undertaking works so that the Council can consult with Forestry Officers to ensure that the works to the tree are justifiable and in the interest of good tree management. The imposition of a Tree Preservation Order also allows the Local Planning Authority the opportunity to impose conditions such as ensuring works are conducted in accordance with British Standards or the opportunity to condition the planting of replacement trees where required.

4.4 Conclusions

The TEMPO Assessment from LCC Forestry concludes that the majority of trees score over 13 and that a TPO is defensible.

It is considered that the trees shown on the TPO plan and schedule, are worthy of protection due to their public amenity value. Having regard to the points raised by the representations received (Appendix X) and the professional advice received from Leicestershire County Council's Forestry and Arboricultural Officer, your Officers have balanced all other issues and considered that there is no over-riding reason not to confirm the Tree Preservation Order.

5. What will it cost and are there opportunities for savings?

5.1 Not applicable

6. What are the risks and how can they be reduced?

6.1 There are no risks.

7. Other options considered

7.1 That the Tree Preservation Order is not confirmed. This option is not recommended for the reasons given in the report.

7.2 That the Tree Preservation Order be modified to remove T2 (Ash) and subsequently confirmed. This option is not recommended for the reasons outlined in the report.

8. Other significant issues

8.1 In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, Public Health Inequalities, and Climate Local and there are no areas of concern.

9. Appendices

Appendix A - Tree Preservation Order (To be confirmed)

Appendix B - Google Overhead Images

Appendix C - Site Photographs

Appendix D - Representation Received

Appendix E - Tempo Assessment (LCC Forestry)

10. Report author's contact details

Kiera Kalym
Planning@blaby.gov.uk

Planning Officer
0116 272 7705

Appendix A - Tree Preservation (to be confirmed)

Town and Country Planning (Tree Preservation) (England) Regulations 2012

Town and Country Planning Act 1990

Blaby District Council (Windyridge, Gullet Lane, Kirby Muxloe) Tree Preservation Order 2025

The Blaby District Council in exercise of the powers conferred on them by Sections 198 and 201 of the Town and Country Planning Act 1990 make the following Order:

Citation

1. This Order may be cited as Blaby District Council (Windyridge, Gullet Lane, Kirby Muxloe) Tree Preservation Order 2025.

Interpretation

2. – (1) In this Order “the authority” means the Blaby District Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Effect

3. – (1) Subject to Article 4, this Order takes effect provisionally **with immediate effect** on the date on which it is made.
(2) Without prejudice to subsection (7) of Section 198 (power to make tree preservation orders) or subsection (1) of Section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall –

(a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or
(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. – In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) or Section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 22nd day of MAY 2025

Signed on behalf of the Blaby District Council

Charlene Hurd
Development Services Team Leader



Authorised by the Council to sign in that behalf

SCHEDULE

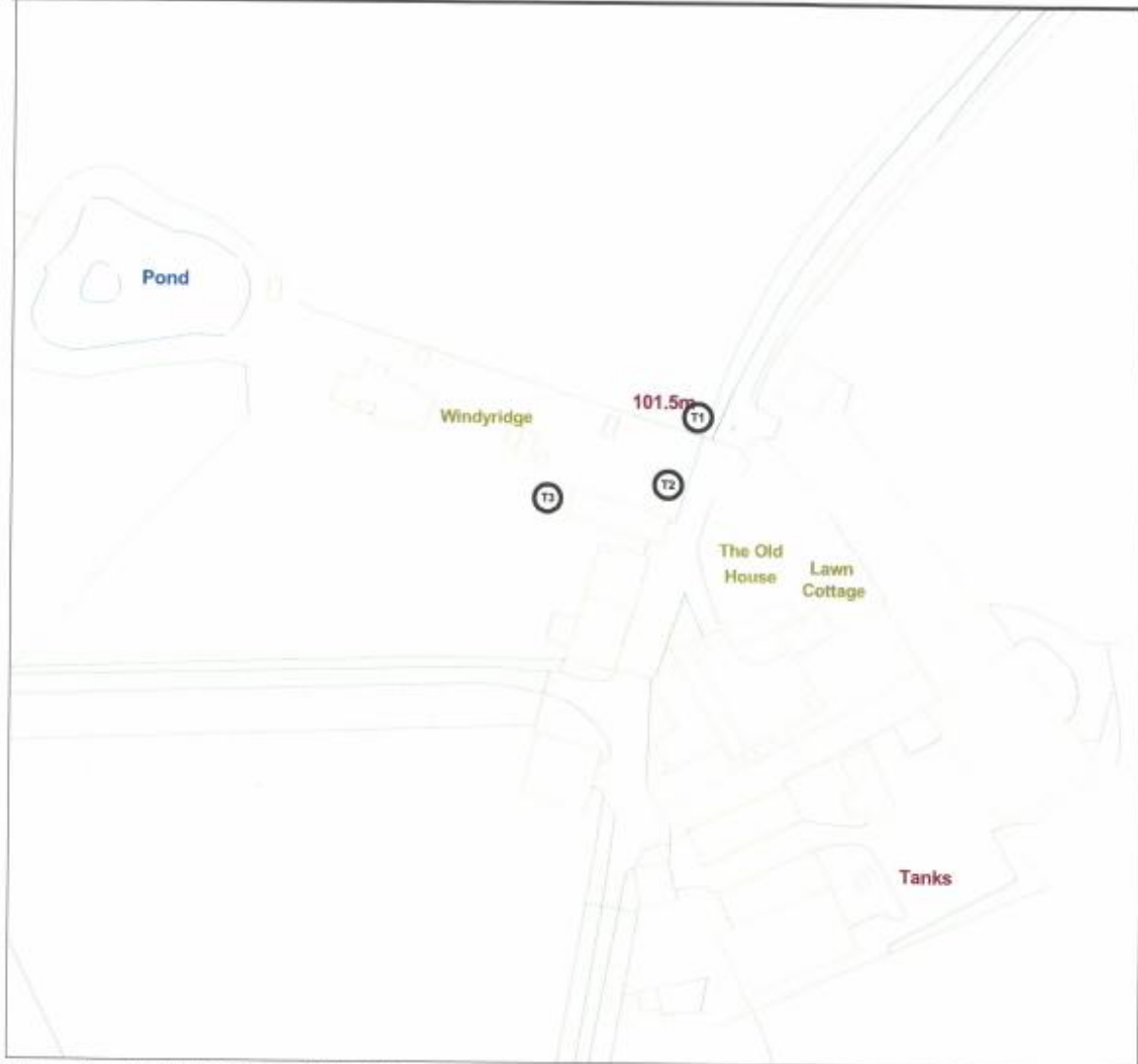
SPECIFICATION OF TREES

Trees specified individually
(within a solid black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Horse Chestnut	On land at Windyridge fronting Gullet Lane
T2	Ash	On land at Windyridge fronting Gullet Lane
T3	Black Pine	On land at Windyridge

Town and Country Planning Act 1990

Blaby District Council (Windyridge, Gullet Lane, Kirby Muxloe) Tree
Preservation Order 2025



Crown Copyright & Database Rights Blaby District Council 2025 Licence No. AC0000808718

Dated this 22 Day of MAY Two Thousand and
Twentyfive

Scale

1:1250



Signed on Behalf of Blaby District Council

[Redacted Signature]
Authorised by the Council to sign in that behalf

Extract

SK5003NE

Appendix B - Google Overhead Photos



Appendix C - Site Visit Photos

T1:



T2:



T2:



T3:



T3:



T3:



Appendix D - Representation Received



WINDYRIDGE, GULLET LANE,
KIRBY MUXLOE

**OBJECTION TO BLABY DISTRICT COUNCIL (WINDYRIDGE,
GULLET LANE,
KIRBY MUXLOE) TREE PRESERVATION ORDER 2025**

JUNE 2025

Village House, Coventry Road, Marton, Warwickshire. CV23 9RH
Tel : (01926) 632761
Email : brianhigginson@btinternet.com

CONTENTS

	Page Number
1.0 Introduction	1
2.0 Site	1
3.0 Tree Preservation Order	2
4.0 Conclusion	6

BIBLIOGRAPHY

1.0 Introduction

- 1.1 The aim of this report is to carry out an assessment of a recent Blaby District Council (Windyridge, Gullet Lane, Kirby Muxloe) Tree Preservation Order 2025 which was brought into force on 22nd May 2025 on trees that fall within the curtilage of Windyridge. The report will focus on the suitability of trees to be protected under this Tree Preservation Order (TPO)
- 1.2 The report has been commissioned by the owner of Windyridge.
- 1.3 The site was visited during June 2025 by Brian Higginson who holds the Professional Diploma in Arboriculture (Dip.Arb RFS) and is a Professional Member of the Arboricultural Association (M.Arb.A).
- 1.4 The site was open and allowed full access, and the trees covered by the Tree Preservation Order were given a ground-based preliminary inspection. This was based upon the surveyor looking for any visual indications that may lead him to a supposition about the health and safety of each tree. No trees were climbed during this inspection. It must be remembered that trees are dynamic, living structures and as such their condition will alter over time.

2.0 Site

- 2.1 The site a residential property, discretely located at the end of Gullet Lane.
- 2.2 Blaby District Council (Windyridge, Gullet Lane, Kirby Muxloe) Tree Preservation Order 2025, covers three individual trees as shown on the extract from the TPO, below;



Figure 1 : Extract from the TPO, showing location of trees

3.0 Blaby District Council (Windyridge, Gullet Lane, Kirby Muxloe) Tree Preservation Order 2025

- 3.1 The TPO came into force, on a temporary basis on 22nd May 2025. The reason/justification for making the Order is shown below

The Council have made the Order because the trees make a positive visual contribution to the character of the surrounding area and are considered to have local amenity value by virtue of their size and location.

Figure 2 : Extract from TPO.

- 3.2 The justification for making the TPO is that the trees make a positive visual contribution to the character of the surrounding area and are considered to

have local amenity value by virtue of their size and location. There is no further clarification or explanation as to why this claim can be justified. The Planning Practice Guidance (<http://planningguidance.communities.gov.uk/blog/guidance/tree-preservation-orders/>) gives some guidance on the use of the term 'amenity' – *"Amenity' is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order"*

"Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order they should be able to show that protection would bring a reasonable degree of public benefit in the present or future."

Due to the location of Windyridge and the relatively small number of people who can view these three trees, it is difficult how the protection of these trees accrues any public benefit.

The LPA have failed to demonstrate how the protection of trees within the TPO would provide any reasonable degree of public benefit.

- 3.3 When assessing amenity to make provision for the preservation of trees or woodlands in their area', The Planning Practice Guidance states;

"When considering whether trees should be protected by an Order, authorities are advised to develop ways of assessing the amenity value of trees in a structured and consistent way, taking into account the following criteria:"

Visibility

" The extent to which the trees or woodlands can be seen by the public will inform the authority's assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public."

Individual, collective and wider impact

"Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:

- size and form;*
- future potential as an amenity;*
- rarity, cultural or historic value;*
- contribution to, and relationship with, the landscape; and*
- contribution to the character or appearance of a conservation area."*

Other factors

" Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change. These factors alone would not warrant making an Order."

The LPA have failed to demonstrate how the protection of trees within the TPO would provide any reasonable degree of amenity.

- 3.4 It is common for Local Planning Authorities to use the 'Tree Evaluation Method for Preservation Orders (TEMPO) to consider both amenity and expediency in a clear and consistent fashion.

Using the TEMPO method, an assessment of the suitability of the trees within the TPO was made, and are shown on the TEMPO evaluation below;

Tree No.	Assessment	Score
T1 Horse Chestnut	1a Condition & Suitability	3
	1b Retention Span	4
	1c Relative Public Visibility	3
	1d Other Factors	1
	2 Expediency	1
	3 Decision	12 = TPO defensible

Tree No.	Assessment	Score
T2 Ash	1a Condition & Suitability	1
	1b Retention Span	1
	1c Relative Public Visibility	2
	1d Other Factors	1
	2 Expediency	1
	3 Decision	6 = TPO indefensible

Note : T1 is an Ash that shows some signs of early infection of Ash Die-Back at the time of inspection. As such, the tree is likely to die within the next decade and would be unsuitable to TPO. It is recommended that this tree is removed from the schedule.

Tree No.	Assessment	Score
T3 Black Pine	1a Condition & Suitability	3
	1b Retention Span	4
	1c Relative Public Visibility	3
	1d Other Factors	1
	2 Expediency	1
	3 Decision	12 = TPO defensible

Using TEMPO evaluation, T1 & T3 score '12', meaning that they both marginally score a defensible TPO decision. However T2 scores '6' due to the impact of Ash Die-Back and a TPO would NOT be defensible on this tree.

3.5 The tree's have been historically well cared for by the owners.

4.0 Conclusion

4.1 Having assessed the trees and site, it is concluded that tree T2 is unsatisfactory for inclusion within this Tree Preservation Order. The main reasons for objection are set out in the table below.

Tree	Reason for Objection
Tree T2	Tree T2 does not merit a TPO. When applying the TEMPO

	methodology, the score was 6, and 'TPO indefensible' • The local planning authority has provided no details of how it has evaluated amenity in this case. • The tree is likely to succumb to Ash Die-Back and require removal on the grounds of health & safety within the next few years due to its roadside location.
--	---

BIBLIOGRAPHY

The Planning Practice Guidance

(<http://planningguidance.communities.gov.uk/blog/guidance/tree-preservation-orders/>)

TEMPO Tree Evaluation Method for Preservation Orders ([TREE EVALUATION METHOD FOR PRESERVATION ORDERS: \(flac.uk.com\)](#))

Appendix E - TEMPO Assessments

T1: Horse Chestnut

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 18/09/2025

Surveyor: Adam Goodall

Tree details

TPO Ref (if applicable):

Tree/Group T1 – Horse Chestnut

Owner (if known):

Location: Windyridge, Gullet Lane

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair/satisfactory | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

*Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes

- 3) Large mature horse chestnut within hedgerow and boundary of road.

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes

- 4) in good health and reasonable to assume 40+ yrs potential.

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes

- 4) Large tree clearly visible.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | | |
|--|--|
| 5) Principal components of formal arboricultural features, or veteran trees | Score & Notes
1) No additional features. |
| 4) Tree groups, or principal members of groups important for their cohesion | |
| 3) Trees with identifiable historic, commemorative or habitat importance | |
| 2) Trees of particularly good form, especially if rare or unusual | |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) | |
- 1) Trees with poor form or which are generally unsuitable for their location

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|---|--|
| 5) Immediate threat to tree inc. s.211 Notice | Score & Notes
2) Planning application received for the site. |
| 3) Foreseeable threat to tree | |
| 2) Perceived threat to tree | |
| 1) Precautionary only | |

Part 3: Decision guide

- | | |
|-------|------------------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | <u>Definitely merits</u> TPO |

Add Scores for Total:

14

Decision:

TPO defensible.

T2: Ash

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 18/09/2025	Surveyor: Adam Goodall
------------------	------------------------

Tree details	
TPO Ref (if applicable):	Tree/Group T2 - ASH
Owner (if known):	Location: Windyridge, Gullet Lane

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair/satisfactory | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes

- 3) Early mature ash which stands within the former garden site.

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes

- 2) Early stages of ash dieback present within canopy.
Assessment based on potential for the tree to withstand decline.

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes

- 4) Large tree with clear visibility

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
4) Tree groups, or principal members of groups important for their cohesion
3) Trees with identifiable historic, commemorative or habitat importance
2) Trees of particularly good form, especially if rare or unusual
1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
-1) Trees with poor form or which are generally unsuitable for their location

Score & Notes

- 1) No additional features.

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
3) Foreseeable threat to tree
2) Perceived threat to tree
1) Precautionary only

Score & Notes

- 3) Planning application received for the site indicating removal of the tree.

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:

13

Decision:

TPO defensible.

T3: Pine

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 18/09/2025

Surveyor: Adam Goodall

Tree details

TPO Ref (if applicable):

Tree/Group T3 - Pine

Owner (if known):

Location: Windyridge, Gullet Lane

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- 5) Good ~~Highly~~ suitable
3) Fair/satisfactory ~~Suitable~~
1) Poor ~~Unlikely~~ to be suitable
0) Dead/dying/dangerous* Unsuitable

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes

- 3) Mature black pine which stands within the former garden site.

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
4) 40-100 Very suitable
2) 20-40 Suitable
1) 10-20 Just suitable
0) <10* Unsuitable

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes

- 4) Reasonable to assume another 40+ years.

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees ~~Highly~~ suitable
4) Large trees, or medium trees clearly visible to the public ~~Suitable~~
3) Medium trees, or large trees with limited view only ~~Suitable~~
2) Young, small, or medium/large trees visible only with difficulty ~~Barely~~ suitable
1) Trees not visible to the public, regardless of size ~~Probably~~ unsuitable

Score & Notes

- 3) Large tree set back from the road/PROW but clearly visible over existing farm buildings.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
4) Tree groups, or principal members of groups important for their cohesion
3) Trees with identifiable historic, commemorative or habitat importance
2) Trees of particularly good form, especially if rare or unusual
1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
-1) Trees with poor form or which are generally unsuitable for their location

Score & Notes

- 1) No additional features.

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
3) Foreseeable threat to tree
2) Perceived threat to tree
1) Precautionary only

Score & Notes

- 2) Planning application received for the site.

Part 3: Decision guide

- Any 0 Do not apply TPO
1-6 TPO indefensible
7-11 Does not merit TPO
12-15 TPO defensible
16+ Definitely merits TPO

Add Scores for Total:

13

Decision:

TPO defensible.