

DATE: 18 November 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

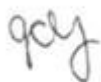
Cllr. Helen Gambardella
Cllr. Richard Holdridge
Cllr. Bob Waterton

Cllr. Neil Wright

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the Council Chamber - Council Offices, Narborough on **THURSDAY, 27 NOVEMBER 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 - 10)

To approve and sign the minutes of the meeting held on 30 October 2025 (enclosed).

- 4. Applications for Determination (Pages 11 - 146)

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, 30 OCTOBER 2025

Present:-

Cllr. Lee Breckon JP (Chairman)

Cllr. Janet Forey

Cllr. Helen Gambardella

Cllr. Richard Holdridge

Cllr. Bob Waterton

Cllr. Neil Wright

Substitute:-

Cllr. Nigel Grundy (In place of Cllr. Roy Denney)

Cllr. Mark Jackson (In place of Cllr. Susan Findlay)

Officers present:-

Jonathan Hodge	- Planning & Strategic Growth Group Manager
Glen Baker-Adams	- Development Services and Enforcement Manager
Helen Wallis	- Senior Planning Officer
Rebekah Newman	- Senior Planning Officer
Kiera Kalym	- Planning Officer
Gemma Dennis	- Corporate Services Group Manager
Katie Shevas	- Elections and Governance Manager
Avisa Birchenough	- Democratic & Scrutiny Services Officer

Apologies:-

Cllr. Susan Findlay, Cllr. Tony Deakin and Cllr. Roy Denney

1. **DISCLOSURES OF INTEREST**

- | | | |
|--------------------|---|---|
| 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. |
| | | |
| Cllr. Neil Wright | - | 21/1155/FUL - 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 |
| Nature of Interest | - | Non Registerable Interest |
| Extent of Interest | - | Cllr. Neil Wright is a Ward Member of Croft, Stoney Stanton and Potters Marston. |

2. **MINUTES**

The minutes of the meeting held on 4 September, as circulated, were approved and signed as a correct record.

3. **APPLICATIONS FOR DETERMINATION**

Considered – Report of the Senior Planning Officer

21/1155/FUL

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

Public Speaking

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

- Selina Lidar - Applicant/Agent

DECISION

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

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

Public Speaking

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

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

DECISION

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 - The library S.106 contribution to contribute towards Huncote Community Library.
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 - Part of the off-site sports facilities contribution (changing facilities) to contribute towards sports facilities within the village of Huncote, rather than Stoney Stanton War Memorial Fields
14. Travel packs.
15. Bus passes and possible contribution towards public information displays.
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. Details of external lighting to be submitted, agreed and adhered to.
20. 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), to include Heras fencing or equivalent around the existing children's play area to the north of the application site and the setting up of a resident help / complaints line.
21. Noise attenuation measures as per Noise Assessment shall be adhered to

- and validation statement to be submitted and agreed.
22. Construction Traffic Management Plan to be submitted and agreed before any development commences.
 23. Access arrangements as per plan to be implemented in full prior to occupation.
 24. A scheme for off-site pedestrian works between the development site and Huncote village centre to be submitted and agreed prior to occupation.
 25. A scheme for the offsite highway works at the B4114 Coventry Road / Huncote Road junction to be submitted and agreed prior to occupation.
 26. Parking and any turning facilities as per plan to be implemented prior to occupation and maintained in perpetuity.
 27. Access drive (and any turning space) to be surfaced with tarmacadam or similar prior to occupation and maintained in perpetuity.
 28. No vehicular access gates or other such obstructions shall be erected at vehicular access points.
 29. Measures and incentives in submitted Travel Plan to be implemented in full prior to first occupation.
 30. A scheme for the treatment of the PROW (V121) to be submitted and agreed prior to first occupation.
 31. Construction Environment Management Plan for biodiversity to be submitted and agreed before any development commences.
 32. 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).
 33. Protected species mitigation measures to be implemented to best practice guidance.
 34. Landscape and Ecological Management Plan to be submitted and agreed prior to commencement of development.
 35. No piling shall take place until a Piling Method Statement has been submitted and agreed.
 36. (Additional condition) – The applicant to submit a request to the LHA for a Traffic Regulation Order along Daultry Road.
- Condition 19 was removed as it is a duplicate of condition 35.

4. BLABY DISTRICT COUNCIL (WINDYRIDGE, GULLET LANE, KIRBY MUXLOE) TREE PRESERVATION ORDER 2025

Considered – Report of the Planning & Strategic Growth Group Manager.

DECISIONS

1. That the confirmation of the Tree Preservation Order at Windyridge, Gullet Lane, Kirby Muxloe.
2. That Authority be delegated to the Planning and Strategic Growth Group Manager to confirm the Tree Preservation Order at Windyridge, Gullet Lane, Kirby Muxloe.

Reason:

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.

THE MEETING CONCLUDED AT 6.10 P.M.

Blaby District Council

Planning Committee

Date of Meeting 27 November 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 **17 November 2025** and information of representations received will be updated at your meeting. This updating will also cover any other information which may come to hand in the intervening period. Closing dates are given where they fall on or after the day of preparation of the list.

3.2	Application No.	Page No.	Address	Recommendation
	24/1092/FUL	13	Land Off Wardens Walk, Leicester Forest East	APPROVE
	25/0723/FUL	66	Land to the East of Sycamore Street, Blaby	REFUSE
	24/0770/FUL	91	Springfield Farm, Forest Road, Huncote, Leicester, Leicestershire, LE9 3LE	APPROVE

3.3 Appropriate Consultations

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

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

3.4 Resource Implications

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

4. Other options considered

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

5. Background paper(s)

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

6. Report author's contact details

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

24/1092/FUL

**Registered Date
7th January 2025**

East Midlands Housing

Full planning application: Demolition existing buildings and structures and erection of 58 affordable dwellings (Use Class C3) and all associated works, with access via Wardens Walk.

Land Off Wardens Walk, Leicester Forest East

**Report Author: Charles Ebdon, Major Schemes Officer
Contact Details: Council Offices. 0116 272 7691**

RECOMMENDATION:

THAT APPLICATION 24/1092/FUL BE APPROVED SUBJECT TO THE APPLICANT ENTERING INTO A SECTION 106 AGREEMENT TO SECURE THE FOLLOWING:

- **Provision of 100% Affordable Housing**
- **On-site open space provision**
- **Biodiversity Net Gain Provision**
- **S106 Monitoring contributions – District and County Councils**
- **A late stage viability review mechanism to establish whether the development becomes viable to pay any contributions relating to the following:**
 - **Secondary education**
 - **Library facilities**
 - **Civic amenity and waste facilities**
 - **Health care facilities**
 - **Off site open space contribution**
 - **Travel packs, bus passes and travel plan monitoring contribution**
 - **Recycling and refuse contribution (wheeled bins)**

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

1. Statutory time limit
2. Accordance with approved plans
3. Details of all external materials to be agreed and adhered to.
4. Details of all boundary treatments to be agreed and adhered to.
5. Details of all hard surfacing to be agreed and adhered to.
6. Finished site and floor levels to be submitted and agreed and adhered to.
7. Soft landscaping details to agreed
8. Approved landscaping scheme to be carried out and maintained
9. Arboricultural Impact Assessment and Method Statement including tree protection measures to be submitted to and agreed and adhered to.
10. Development to be carried out in accordance with the submitted Tree Survey
11. Details of Arboricultural Clerk of Works to be submitted and agreed and adhered to.

12. Development to be carried out in accordance with the recommendations of the submitted Ecology Appraisal and Preliminary Roost Assessment and Bat Emergence Survey
13. Biodiversity Enhancement Strategy to be submitted and agreed and adhered to.
14. Details of external lighting to public areas to be submitted and agreed and adhered to.
15. Submission of Habitat Management and Monitoring Plans
16. Construction Environmental Management Plan (including a piling method and mitigation statement) to be submitted to and agreed and adhered to during development.
17. Scheme to address the management and/or safe disposal of asbestos to be submitted and agreed and adhered to.
18. Unidentified contamination remediation strategy to be agreed.
19. Noise Insulation measures for dwellings to and agreed and adhered to.
20. Noise mitigation measures for the protection of outdoor amenity spaces to be submitted and agreed and adhered to.
21. Implementation of measures for the protection of outdoor amenity spaces to be verified.
22. Notwithstanding the submitted details, provision of a bin collection point serving plots 14-17 to be submitted and agreed and adhered to.
23. Surface water drainage scheme to be submitted and agreed and implemented.
24. Surface water drainage scheme during construction to be submitted and agreed and implemented.
25. Details for the long-term management and maintenance of the surface water drainage scheme to be submitted and agreed and implemented.
26. Infiltration testing to be carried out.
27. Archaeological work to submitted in accordance with the approved Archaeological reports.
28. Details of interpretation boards and public art to be submitted and agreed and adhered to.
29. A play strategy to be submitted and agreed and adhered to.
30. Bathroom windows to be obscurely glazed
31. Removal of Permitted Development Rights for boundary treatments on selected plots
32. Removal of Permitted Development Rights for gates, barriers, bollards or chains
33. Removal of Permitted Development Rights for additional floors
34. Removal of Permitted Development Rights for additional windows on selected plots.
35. Removal of Permitted Development Rights for extensions on selected plots.
36. Access arrangements to be implemented in full.
37. A scheme of widening of Wardens Walk to South Avenue to be submitted and agreed and implemented.
38. Amended Travel Plan to be to be submitted to and agreed and adhered to.
39. A Waste Management Strategy to be submitted and agreed and adhered to.

NOTES TO COMMITTEE

Relevant Planning Policies

National Planning Policy Framework (NPPF) 2024

Planning Practice Guidance (PPG)

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 CS19	Biodiversity and geo-diversity
Policy CS20	Historic Environment and Culture
Policy CS21	Climate Change
Policy CS22	Flood Risk Management
Policy CS23	Waste
Policy CS24	Presumption in favour of sustainable development

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

Policy SA2	Housing Provision – New Allocations
Policy DM1	Development within the Settlement Boundary
Policy DM4	Connection to Digital Infrastructure
Policy DM8	Local Parking and Highway Design Standards
Policy DM11	Accessible and Adaptable Homes
Policy DM12	Designated and Non-Designated Heritage Assets
Policy DM13	Land Contamination and Pollution

Leicester Forest East Neighbourhood Plan (July 2022)

Policy H1	Housing Mix
Policy H2	Affordable Housing
Policy H3	Housing Design

Other Supporting Documents

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

Leicestershire Highways Design Guide

Blaby District Council Active Travel Strategy 2024

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

Blaby District Council Housing Strategy 2021 - 2026

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

Blaby Landscape and Settlement Character Assessment (2020)

Blaby District Council Open Space Audit (December 2019)

Blaby Residential Land Availability Report (March 2024)

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

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

Blaby District Council Waste Storage and Collection Guidance for New Developments

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

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

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

Consultation Summary

Blaby District Council, Environmental Services – No objections subject to conditions

Blaby District Council, Housing Options – No objections

Blaby District Council, Neighbourhood Services – Objected on the basis that the development does not accord with the Council's Waste Management guidance.

Braunstone Parish Council 20.02.2025

Braunstone Town Council welcomes the development of 58 affordable dwellings; however, the following should be considered in the interests of the local amenity:

- a) *a new access to the site being created from Baines Lane for all site construction traffic; a suitable location would be at the same point as the pedestrian and cycle entrance has been proposed;*

- b) *in the event that National Highways and the Local Highways Authority require improvements to the junction of Baines Lane with the A47, Hinckley Road, and these could not be met within the section 106 agreement, then on completion of the site's construction, the vehicular access to the site from Baines Lane be temporarily shut off with bollards or a gate;*
- c) *reopening of the access road onto Baines Lane as part of the improvements carried out, as part of condition 50 and the Section 106 agreement for the Lubbethorpe Development, to Baines Lane to make it an adoptable standard and to the junction with the A47, Hinckley Road; and*
- d) *in the event of (c) above, traffic calming measures being installed on the route to Wardens Walk and there being no break in the road network of the site preventing access to Wardens Walk.*

Leicestershire County Council, Archaeology – No objections subject to conditions

Leicestershire County Council, Ecology – No objections subject to conditions

Leicestershire County Council, Developer Contributions Officer – Requested developer contributions as follows:

- **Waste** – £1,384.46 towards Whetstone RHWS
- **Libraries** – £1,660.87 towards Leicester Forest East Library
- **Secondary Education (11-16)** – £155,235.18 towards The Winstanley School

Leicestershire County Council, Forestry – No objections subject to conditions

Leicestershire County Council, Heritage Officer – No objection subject to conditions.

Leicestershire County Council, Highways (LHA) – No objections subject to conditions. Also requested developer contribution towards, travel packs, bus pass provision and travel plan monitoring.

Leicestershire County Council, Lead Local Flood Authority (LLFA) – No objections subject to conditions.

Leicestershire Fire and Rescue – No comments.

Leicester Forest East Parish Council – 24.01.2025

The parish council have previously agreed to the land in question being used for residential development, as evidenced by the Neighbourhood Development Plan. However, it strongly objects to access being via Wardens Walk (and Holmfield Avenue and Park Drive) as the road there is too narrow, especially for construction traffic. Additionally, there is a school in the vicinity so construction traffic, and then when the development has finished additional vehicular traffic, on those roads will cause a potential danger. Therefore, the parish council would petition hard for access to be via the top end of Baines Lane. Residents have voiced similar concerns, especially that there would not be sufficient room on Wardens Walk for construction traffic as the road

is just too narrow, as are the adjoining roads of Holmfield Avenue East and West, and Park Drive. The parish council implores Blaby District Council to obtain access for the development, from National Highways, via the top of Baines Lane. Whilst the parish council appreciates that Baines Lane is used as an access point for emergency vehicles onto the motorway network, it is keen to remind National Highways that the top of Baines Lane is already used as an access point for those residents who already have properties on Baines Lane, and by the delivery lorries delivering goods to the hotel next door.

Leicestershire Police – No objections or requests for obligations

NHS Integrated Care Board (ICB) – Leicester, Leicestershire and Rutland – Requested £56,144.00 contributions towards local primary health care in the area, specifically, Forest Medical Centre and Forest House Medical, Warren Lane, Leicester Forest East.

National Highways – No objections

Severn Trent Water Authority – No Comments

Third Party Representations

41 letters of representation were received, which objected to the application. The objections were centred around the following issues:

- The single, constrained and narrow nature of the access off Wardens Walk
- Alternative access proposed from Baines Lane and Hinckley Road
- Highway and pedestrian safety, traffic congestion and parking implications
- Pressure on facilities and services, including schools, public transport and health care facilities,
- Pressure on existing infrastructure, including foul and surface water drainage – noting problems with the existing sewage system and water pressure,
- Disturbance during the construction phase,
- Impacts on residential amenities of existing residents, including privacy, loss of light, and noise and disturbance,
- Noise pollution,
- Air pollution,
- Light pollution,
- Flooding risks,
- Habitat loss and ecological impacts associated with the development,
- Loss of boundary trees and hedgerows,
- Loss of open space,
- Need for housing,
- Responsibility for the management of retained trees and vegetation,
- Creation of a ‘rat run’ through the site,
- Loss of views,
- Loss of property value

Relevant Planning History

P977	Residential Development	Refused 02.11.1955
P2103	Residential Development	Approved 07.07.1962
22/0248/OUT	Outline planning application for the development of up to 58 new residential units with associated landscaping, parking and vehicular access (All Matters Reserved).	Approved 28.11.2023

The Site

The application site is a vacant field known as Grange Farm which is to the west of Wardens Walk within Leicester Forest East's Settlement Boundary as defined by the Policies Map of the Blaby District Council (Delivery) Development Plan Document (2019) and is situated on land allocated for residential development in the Blaby District Local Plan Delivery DPD (2019) Proposals Map where Policy SA.2a applies.

The application site benefits from Outline planning permission for the development of up to 58 new residential units (on a market led scheme) with associated landscaping, parking and vehicular access.

The site is an irregular vacant area of land measuring some 2 hectares in area with Wardens Walk, South Avenue and Marriott Close bordering the site along the eastern edge. These are residential streets predominantly comprising of traditional two storey semi-detached dwellings backing onto to the site.

Baines Lane borders the western edge of the site with the M1 motorway situated beyond this. Hinckley Road (the A47) borders the site to the north which is a major arterial road leading into Leicester City to the east.

A Premier Inn is located to the northwest of the site, with the Leicester Forest East services situated to the south off Baines Lane.

The application site is a former farm, known as Grange Farm dating from the early 1900's. The farmhouse and outbuildings, sheds and associated structures are accessed off an existing entrance off Hinckley Road and Baines Lane. The farmhouse and outbuildings, sheds and associated structures are vacant with the farmhouse showing evidence of fire damage. Forest Grange which dates from the late 1800s is situated to the west of the site beyond Baines Lane.

The site is bound by mature hedgerows along the eastern and northern edge, with a well-established tree line bordering the western edge of the site. Several large mature trees are situated throughout the site. The site is covered by the Blaby District Council (Land to the West of Wardens Walk, Leicester Forest East) Tree Preservation Order 2022.

An existing Public Right of Way (PROW) (W3) follows Baines Lane to the west of the site leading over the M1 Bridge.

The site is situated within flood zone 1 which has been shown to be at less than 0.1% chance of flooding in any year.

The Proposal

The proposed development seeks full planning permission for the erection of up to 58 dwellings.

The proposed development seeks to provide an all-affordable scheme with a mix housing comprising 6 x 1 bed maisonettes, 33 x 2 bed dwellings (including 6 bungalows), 18 x 3 bed dwellings and 1 x 4 bed dwellings. The development proposes a tenure split of 39 social rent and 19 shared ownership units.

The application proposes a mixture of single, two storey detached and semi-detached dwellings. The properties will be constructed in a mixture of facing brickwork and render in a traditional manner.

The scheme also proposes approximately 0.36 hectares of public open space interspersed throughout the development, including an area for the Sustainable Urban Drainage System (SuDS) pond.

Access into the site is proposed off Wardens Walk. The suitability and associated implications of such are set out in detail later in this report.

Off-streetcar parking is provided within the curtilage of each dwelling with visitor parking provided on dedicated positions on street in accordance with current highway standards.

The application site tapers towards the south and is defined by boundary hedging to the west that screens the site from Baines Lane as well as a number of prominent protected trees located centrally and on the northern and southern edges of the site.

The site is connected to the existing footpath network providing pedestrian access to Leicester Forest East's services and facilities.

The scheme is generally outward facing, with the existing field boundaries retained and enhanced throughout the development which serves to visually soften the visual impact of the development. The plans show sufficient space to provide an attractive, relatively spacious development designed to minimise the visual impact on the existing environment, whilst also retaining the traditional character of the area and ensuring the protection of the amenities of future and adjoining residents.

The applicant, as a Registered Provider of affordable housing, has confirmed a willingness to enter into a Section 106 Agreement to secure the development as an 100% affordable scheme. However, the proposal has been subject to a viability appraisal carried out on behalf of the applicant which has found that the development is unviable, in particular in the context of paying the various development contributions requested. An independent viability assessment review, commissioned by the District Planning Authority, has also found the development to be unviable. The implications

of such are set out further on in the report.

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. This section of the report will first consider the proposed development against the policy background and then consider any other material considerations.

Planning Policy

National Planning Policy Framework

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 strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

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, including 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 strong reason for refusal (relating to areas or assets of particular importance) or the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits (the so-called 'tilted balance').

Blaby District Council has recently published an updated housing land supply position. This update confirms that as of 1st April 2024 the Authority can currently demonstrate a 3.53-year housing land supply. This is notably less than the five-year supply requirement outlined in paragraph 72 of the NPPF. However, 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 land supply position was now lower, being a maximum of 2.45 years.

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. This is weighed in the balance of the merits of the application when considered against the policies in the Development Plan in accordance with the NPPF. Therefore, sustainable development should be approved unless other material considerations indicate otherwise.

There are no assets or particular importance (as listed in footnote 7 of the NPPF) which provide a strong 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 59 of the NPPF states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning practice guidance, including standardised inputs, and should be made publicly available.

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 124 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.

Chapter 14 of the NPPF (specifically Paragraphs 171 – 182) relate meeting the challenge of flooding

Chapter 16 of the NPPF (paragraphs 202 - 218) relate to the Conservation and Enhancement the Historic Environment

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 seeks to focus new development, including housing in the most sustainable locations in the district, primarily within and adjoining the Principal Urban Area (PUA) of Leicester. The application site is located within the built-up area of Leicester Forest East, which is identified in the Council's Core Strategy as being within the PUA defined by Policy CS5.

The application site has been allocated for housing under Policy SA.2a in the Blaby District Council DPD Delivery (2019) and benefits from planning permission for a market led scheme for 58 houses with access off Wardens Walk. Thus, the principle of residential development in this location is established.

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, including layout and street design, contributing to a better quality of life for the local community. The design of new development should also be appropriate to its context.

Policy CS5 – Housing Distribution

Policy CS5 aims to focus new development in the most appropriate locations. The District Council seeks to distribute housing by settlement in accordance with the figures contained within the Core Strategy. Policy CS5 sets a minimum requirement of 5,750 dwellings (including 4,250 with the new Sustainable Urban Extension at Lubbethorpe) within the PUA. In order to meet the minimum requirements for the number of housings within the District as set out in the Core Strategy over the plan period (2006-2029) an outstanding need for at least 584.8 dwellings per annum within the PUA has been identified.

The application site has been identified and was allocated for up to 55 houses by the District Council as a suitable site for housing under Policy SA2.a of the Blaby District Council Delivery DPD (2019) Local Plan and furthermore the site benefits from planning permission for a market led scheme for 58 houses with access off Wardens Walk.

Policy CS7 – Affordable Housing

Policy CS7's strategic objective is to ensure that new housing developments provide the appropriate quantity and mix of housing for the District's current and future needs. Policy CS7 states that where financially viable, new housing developments of 15 or more dwellings will provide a minimum of 25% of the total number of dwellings as affordable housing in order to meet those needs. The application seeks planning permission for an all affordable housing scheme.

Blaby District Council's Housing Strategy Officers have commented in support of the application stating that the provision of a 58 unit all affordable scheme is critical in order to help address current levels of housing need and homelessness in the District. Blaby District Council's Housing Strategy Officers have identified 169 Households with a recognised local connection to Leicester Forest East (49 of which who are in Priority Need). Over the course of the last 6 years (July 2019 – to present) 198 Households with a local connection to Leicester Forest East have been housed. In the same period only 17 properties in Leicester Forest East have been advertised. This information demonstrates other parishes are picking up the vast majority of housing need generated within Leicester Forest East.

Accordingly, it is considered that the provision of 58 all affordable houses would help to meet the housing needs of the residents of Leicester Forest East and as such the proposal complies with Policy CS7.

Policy CS7 also states that on sites where 100% affordable housing is being provided by a Registered Provider consideration will be given to reducing or removing planning obligations.

Policy CS8 – Mix of housing

Policy CS8 seeks to ensure that new housing developments provide the appropriate quantity and mix of housing for the District's current and future needs. Policy CS8 states that residential proposals for developments of 10 or more dwellings should provide an appropriate mix of housing types, tenures and sizes to meet those needs.

The application seeks planning permission for an all-affordable housing scheme, comprising of 6 x 1 bed maisonettes, 33 x 2 bed dwellings (including 6 bungalows), 18 x 3 bed dwellings and 1 x 4 bed dwellings. The development proposes a tenure split of 39 social rent and 19 shared ownership units.

Blaby District Council's Housing Strategy Officer have commented that the housing mix, 39 Social Rented Units and 19 Shared Ownership Units, spread across the house types (1 bed, 2 bed, 3 bed, 4 bed and bungalows), represents all of our current need criteria. The additional Shared Ownership units also provide a much-needed route onto the housing ladder whilst the Social rented units represent the most affordable of rented housing available. The split between tenures also ensures the site offers a sustainable and mixed housing development (not all rented housing). Accordingly, the proposal accords with Policy CS8.

Policy CS10 – Transport Infrastructure

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.

The application site is located within the PUA and Leicester Forest East Settlement Boundary and in reasonable proximity to its associated services and facilities on Hinckley Road with direct linkages to Leicester City along the A47 Hinckley Road and to the Motorway network via the Leicester Outer Ring Road. The site is also within reasonable walking distance of both primary and secondary schools, with a number of frequent bus services to Leicester City and beyond located opposite the site along the A47. Open space and sport and recreation facilities at Holmfield Park and Kings Walk Park are located to the east and west respectively. Potential pedestrian and cycle linkages are also achievable across the site.

The Local Highway Authority (LHA) are satisfied that the impacts of the development on highway safety and capacity would not be unacceptable, and when considered cumulatively with other developments and that the impacts on the road network would not be severe.

The LHA are also satisfied that a safe and suitable access is achievable at the proposed Wardens Walk entrance, subject to the conditions attached to this report. The full highway and traffic implications are detailed further on in the report.

The proposed development is therefore considered to be located in a sustainable location with reasonable access to public transport and within walking distance of local services and is therefore considered to comply with the aims and objectives of Policy CS10.

Policy CS11 – Infrastructure, Services and Facilities to Support Growth

Policy CS11 indicates that new developments should 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 and viability.

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 the 3 statutory 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 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. Green Infrastructure can include formal open spaces for sport and recreation.

Policy CS15 – Open Space, Sport and Recreation

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

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 (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 2019). 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 and other evidence gives guidance on where there are quantity and quality deficiencies.

Policy SA2 – Housing Provision – New Allocations

The application site has been identified as a suitable site for housing and was allocated for up to 55 houses by the District Council at the adoption of the Blaby District Council DPD (2019) Local Plan under Policy SA2.a. The strategic objective of Policy SA2 is to provide the appropriate quantity and mix of housing to meet the needs of the District's current and future populations and to optimise the provision of affordable housing to meet local needs.

This Policy therefore establishes the principal of residential development on the application site.

Policy SA2.a goes on to states that the development should:

- a) Be accessed from Warden's Walk;
- b) Provide affordable units in accordance with Core Strategy policy CS7;
- c) Retain the important trees and hedgerows along the northern boundary and fronting Baines Lane; and
- d) Provide design solutions and mitigation measures to protect important areas of biodiversity.

Policy DM1 – Development within the Settlement Boundaries

Policy DM1 sets the principle for built development within the Settlement Boundary provided it is consistent with the other policies of the Local and Neighbourhood Plans, and has 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, consideration of, privacy, light, noise, disturbance and an overbearing effect and considerations including vibration, emissions, hours of working and vehicular activity. Policy DM1 further requires development to have a satisfactory layout, design and appearance.

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.

DM11 - Accessible and Adaptable Homes

Policy DM11 requires development proposals for housing of 20 dwellings or more to meet the Building Regulations Standard M4(2) for 5% of the dwelling unless there are site specific factors which make the site less suitable for M4(2) compliance dwellings, and/or where the applicant can demonstrate that the use of this Building Regulation Standard is not viable through an independent viability assessment to be submitted with the application.

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

Policy DM12 - Designated and Non-Designated Heritage 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 seeks to ensure that development proposals are not affected by, or cause, land contamination or pollution. Development proposals where land contamination may be an issue are required to clearly demonstrate that any unacceptable adverse impacts can be satisfactorily mitigated.

Leicester Forest East Neighbourhood Plan (July 2022)

Policy H1 - Housing Mix

Policy H1 states that proposals for new housing must demonstrate how they provide dwellings with 1, 2 or 3 bedrooms; or homes suitable for older people, including 2- or 3-bedroom bungalows; or dwellings suitable for people with restricted mobility, unless the latest assessment of local housing needs indicates otherwise.

Policy H2 - Affordable Housing

Policy H2 states that development proposals that contribute to the provision of affordable homes that are suited to the needs of older people and those with disabilities will be supported.

Policy H3 - Housing Design

Policy H3 states that to be supported, housing development (including extension of existing dwellings) must; (a) be of a size, scale, and massing that is sympathetic to the character of surrounding development; (b) be of a design and materials that enhance the character of the local area; c) Not necessitate on-road parking; and d) Include landscaping proposals that ensure the development integrates with its surroundings.

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 (February 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 2019)

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

Blaby Residential Land Availability Report (August 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 Development And 5-Year Housing Land Supply Position.
- Housing Need and Housing Mix
- Previously Developed Land
- Agricultural Land Classification
- Design and Layout
- Residential amenities
- Highway and Traffic Implications
- Developer Contributions and Viability
- Archaeology and Historic environment
- Environmental Implications
- Flood Risk
- Sustainability and climate change
- Ecological Implications
- Arboricultural implications
- Waste Management

The Principle Of Development And 5-Year Housing Land Supply Position.

Policies CS1 and CS5 of Blaby District Council Core Strategy seek to ensure housing needs are met in the most sustainable way through a principle of 'urban concentration'. New development should be primarily focused within and adjoining the Principal Urban Area of Leicester (PUA) of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town, Glen Parva and New Lubbethorpe). The application site is located within the Settlement Boundary of Leicester Forest East which is located within the PUA.

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

As of March 31st, 2024 a total of 2,826 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.

Policy SA2.a has identified the site to be a suitable site for housing and was allocated for up to 55 houses by the District Council at the adoption of the Blaby District Council DPD (2019) Local Plan under Policy SA2.a. This Policy therefore establishes the principle of residential development on the application site. Furthermore, the site

benefits from outline planning permission for up to 58 dwellings for a market led scheme, further establishing the principle of development in this location.

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 the context of NPPF paragraph 11d (the so-called 'tilted balance') and other material considerations. 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.

The application site is however located within Leicester Forest East Settlement Boundary and the PUA as defined by the Policies Map of the Blaby District Council (Delivery) Development Plan Document (2019) and Policies CS1 and CS5. The site benefits from direct linkages to Leicester City along the A47 Hinckley Road and to the Motorway network via the Leicester Outer Ring Road, providing a strong functional link with Leicester City Centre in terms of its retail, employment and leisure opportunities. The site is also located within reasonable proximity to a range of local services and facilities on Hinckley Road, including a frequent bus service to Leicester City and beyond which is located opposite the site along the A47. The site is also located within reasonable walking distance of both primary and secondary schools and open space and sport and recreation facilities at Holmfield Park and Kings Walk Park located to the east and west respectfully.

Given the residential nature of the proposal in this location it is considered that the principle of development has been established. Given the proximity of the site to the built-up area, which has a range of services and facilities, the site is considered to be located within a sustainable location and therefore the development is compliant with Policies CS1, CS5, SA2.a.

Housing Need and Housing Mix

Policy CS1 of the Blaby District Core Strategy (2013) requires a minimum of 8,740 homes to be developed between 2006 and 2029 and directs most new development to the Principal Urban Area of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town, Glen Parva and New Lubbethorpe).

Between 2006 and 2029, the District of Blaby should provide a minimum of 8,740 houses. Of the 8,740, 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 2024). 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.

Blaby District Council has recently published an updated housing land supply position. This update confirms that as of 1st April 2024 the Authority can currently demonstrate a 3.53-year housing land supply. This is notably less than the five-year supply requirement outlined in paragraph 72 of the NPPF. 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 housing land supply position was now lower, being a maximum of 2.45 years.

It is recognised that there is a shortfall in the housing delivery across the District and that the Council cannot demonstrate a 5-year housing land supply. Whilst the application site benefits from Outline planning permission for up to 58 dwellings (22/0248/OUT refers), given it is an Outline Planning permission that was granted on 28.11.2023, it is unlikely that the planning permission would necessarily deliver in the short term. Consequently, given the overall shortfall of housing across the District and in particular the under delivery of housing in the PUA, and given this application is a Full planning application rather than an Outline, which is likely to deliver housing sooner rather than later, significant weight should be attached to the contribution and delivery of housing in this location that this application represents. It is also understood that the applicant has secured grant funding from Homes England which requires them to commence development by 31st March 2026, demonstrating the likely early delivery of the development, if planning permission is granted.

Policy CS8 seeks to ensure that new housing developments provide the appropriate quantity and mix of housing for the District's current and future needs. Policy CS8 states that residential proposals for developments of 10 or more dwellings should provide an appropriate mix of housing types, tenures and sizes to meet those needs.

Policy H1 of the Leicester Forest East Neighbourhood Plan states that proposals for new housing must demonstrate how they provide dwellings with 1, 2 or 3 bedrooms; or homes suitable for older people, including 2- or 3-bedroom bungalows; or dwellings suitable for people with restricted mobility, unless the latest assessment of local housing needs indicates otherwise.

Policy H2 states that development proposals that contribute to the provision of affordable homes that are suited to the needs of older people and those with disabilities will be supported.

The application seeks planning permission for an all-affordable housing scheme, comprising of 6 x 1 bed maisonettes, 33 x 2 bed dwellings (including 6 bungalows), 18 x 3 bed dwellings and 1 x 4 bed dwellings. The development proposes a tenure split of 39 social rent and 19 shared ownership units. Blaby District Council Housing Officers have stated that they have been working closely together with the applicants to secure an appropriate housing mix that meets the needs of the District.

As such the housing mix, 39 Social Rented Units and 19 Shared Ownership Units, spread across the house types (1 bed, 2 bed, 3 bed, 4 bed and bungalows), represents all of our current need criteria. The additional Shared Ownership units also provide a much-needed route onto the housing register whilst the Social rented units represent the most affordable for of rented housing available. The split between tenures also

ensures the site offers a sustainable housing development and provides a mixed community.

Furthermore, the application is a 100% affordable scheme. Housing Strategy Officers note that in terms of our overall need for affordable housing across the District, there are currently 936 live applications (370 of which are in Priority or High Band). Priority and High band households are either in Emergency Housing Need (Priority) or are experiencing multiple and significant Housing Issues (High Band). Alongside the Housing Register there is also a very high number of Households currently in Temporary Accommodation. The importance of all affordable schemes in relieving this pressure is critical. It should also be noted that over the last 5 years the only times this number has reduced has coincided with the building out of all affordable schemes, for example, Henson Close, in Whetstone for 78 dwellings (17/1176/OUT and its associated 20/1202/RM) and Cambridge Road, Whetstone for 49 dwellings (21/1095/FUL refers).

Regarding the need within Leicester Forest East, there are currently 169 Households with a recognised Local Connection to Leicester Forest East (49 of which who are in Priority Need) on the housing register. Over the course of the last 6 years (July 2019 – to present) 198 Households with a local connection to Leicester Forest East have been housed. In the same period only 17 properties in Leicester Forest East have been advertised. This information demonstrates other parishes are picking up the vast majority of housing need generated by Leicester Forest East.

As a consequence, it is clear that the provision of 58 all affordable units on a single site by a well-established Registered Provider and builder who is the Council's strategic partner for the delivery of affordable units would significantly contribute towards the housing needs of both the District and Leicester Forest East. Consequently, significant weight should also be attached to the contribution and delivery of affordable housing in this location that this application represents.

Consequently it is considered that the application accords with Policy CS8 of the Core strategy 2013 and Policies H1 and H2 of the Leicester Forest East Neighbourhood Plan 2020.

Previously Developed Land

Paragraph 123 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.

Annexe 2 of the NPPF defines previously developed land as land which is or was occupied by a permanent structure, and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.

The application site comprises of a former farm and associated farm buildings dating back from the 1900s. Consequently, this site represents an effective use of previously developed land particularly within the northern section of the site to meet the needs for homes.

Agricultural Land Classification

The NPPF and government guidance expects local planning authorities and developers to protect the best agricultural land, recognising importance of soil as and natural capital asset and 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 into 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.

The application was not submitted with an Agricultural Use and Quality of Land survey, although the government mapping shows that the site is classified as having a grade 3 agricultural land classification. The database does not make a distinction between grades 3a and 3b.

The Local Authority is required to consider the significance of the loss of the land and its wider economic implications. Given that the initial consultation of Natural England starts at 20ha it is considered that this is an initial indication of what is meant by a significant loss of agricultural land. The application scheme proposes the removal approximately 2ha of land from the agricultural category. Whilst the loss of best and most versatile agricultural land is undesirable it is not considered that a reduction of 2ha from the total stock would have wide ranging economic implications for the area, particularly when considering the site has not been in agricultural use since circa 2011, it is now surrounded by residential development rather than other agricultural uses, and the site benefits from an extant planning permission. The loss of this agricultural land is therefore considered to carry limited weight in the determination of this application.

Design and Layout

Policies CS2 and DM1 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. Policies CS2 and DM1 further seeks 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 policy Policies CS2 and DM1 are consistent with the NPPF paragraph 131 and can therefore be given full weight.

Policy H3 states that to be supported, housing development (including extension of existing dwellings) must; (a) be of a size, scale, and massing that is sympathetic to the character of surrounding development; (b) be of a design and materials that enhance the character of the local area; c) Not necessitate on-road parking; and d) Include landscaping proposals that ensure the development integrates with its surroundings.

The application site comprises of a former historic farm know as Grange Farm dating from the 1900s which is now vacant measuring some 2 ha and which is located within the Settlement Boundary of Leicester Forest East. The site is bordered to the east by residential streets, Wardens Walk, South Avenue, and Marriott Close that feature predominantly two storey detached and semi-detached traditional two-storey dwellings. The site is accessed off Wardens Walk, with Baines Lane, a private street leading to the Leicester Forest East Motorway Services bounding the site to the west.

The site is bound by mature trees and hedgerows along the eastern and northern boundaries, with a well-established tree line on the west, and several large mature trees throughout the area. This vegetation is protected by the Blaby District Council Tree Preservation Order 2022.

The proposed development shows a layout broadly defined by three distinct character areas served by an internal avenue circumnavigating the edge of the site. Development within the southern edge of the site is predominantly made up of two storey semi-detached dwellings with rear gardens interlocking with those along South Avenue and which face onto an area of open space arranged around the SUDs Pond. An area of open space arranged around two protected trees is located centrally which is bordered by a number of bungalows served by a private drive facing onto this area.

Centrally two storey dwellings are arranged around two perimeter blocks arranged directly off the main internal avenue.

To the north of the site is a courtyard area, which includes a number of bespoke dwellings, including a large two storey detached dwelling, which have been designed to reflect the sites' previous historic farming use.

The application proposes a mixture of single, two storey detached and semi-detached dwellings will be constructed in a mixture of facing brickwork and render in a traditional manner reflecting the traditional local vernacular. Dual aspect buildings are proposed at key vantage points within the site to assist with legibility.

The layout of the proposed development is considered to provide a suitable orientation of dwellings which limit its impact upon neighbouring properties at the adjoining residential development along Warden's Walk, South Avenue and Marriot Close. It is also considered that there are suitable separation distances between the proposed

and adjoining dwellings to ensure the protection of the amenities of existing residents and future occupiers of the site.

It is considered that the development would respect the traditional character and appearance of the area in terms of its layout and design and the provision of green space and along with structural landscaping at critical boundaries, particularly along Hinckley Road along and the retention and enhancement of the existing field boundaries ensure that the visual impact of the development is suitably screened and softened thus ensuring the development is well integrated into the existing settlement.

Accordingly, it is considered that the development accords with the provisions of Policies CS2, DM1 and H3 and complies with the NPPF and National Design Guide.

Policy SA2.a states that the site will be allocated for 55 dwellings and that the development should:

- a) Be accessed from Warden's Walk;
- b) Provide affordable units in accordance with Core Strategy policy CS7;
- c) Retain the important trees and hedgerows along the northern boundary and fronting Baines Lane; and
- d) Provide design solutions and mitigation measures to protect important areas of biodiversity.

Whilst Policy SA2.a states the site is allocated for 55 houses, the application is seeking permission for up to 58 houses. The Outline Application gained permission for up to a maximum of 58 dwellings.

Officers note that 55 houses was not necessary an upper limit and having reviewed the layout it is considered that a suitable layout has been provided that meets both local and national design standards and ensures the protection of the amenities of existing and future residents. Furthermore, the overprovision of three dwellings contributes towards the provision of housing in the district on a comprehensive development in an area of housing need.

When deducting the areas of the site which will be retained for open space (0.36 hectares or 18% of the site), the net developable area of the site equates to 1.64 hectares (82%). 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 35 dwellings per hectare (dph) within the developable area. Recently approved planning permissions have ranged between 32 – 35 dph. Accordingly, it is considered that the proposed development has an appropriate density and makes an effective use of the land within an urban area such as this.

Whilst Policy SA2a envisaged a market led scheme, which would provide 13 affordable units, Blaby District Council's Housing Strategy Officers have identified a significant need for affordable housing in Leicester Forest East with some 169 families having a local connection to the Parish. As such the development is considered to

meet the needs of the District's current and future populations and optimises the provision of affordable housing to meet local needs and therefore compliant in that regard to Policy SA2a.

The internal layout shows dwellings orientated in a suitable manner to limit the impact upon neighbouring properties at the adjoining residential development and which respects the existing grain and character of the area. The layout shows the provision of onsite open space and shows the integration of the development with its surrounding and connections to the wider settlement and landscape beyond.

Accordingly, it is considered that the development accords with the provisions of Policy SA2a.

Residential amenities

Policy DM2 seeks to ensure that development 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.

The layout of the proposed development is arranged around defined perimeter blocks with dwellings fronting the highway which are provided with suitable rear garden areas. The layout enables suitable separation distances between the proposed and adjoining dwellings ensuring the protection of the amenities of existing residents and future occupiers.

The scale of dwellings is in context with the environment and ensures a satisfactory relationship between proposed dwellings. This in tandem with suitable boundary treatments and appropriate window arrangements to ensure the protection of the amenities of new residents.

It is acknowledged that there is likely to be the impact arising from vehicular activity as a result of both traffic movements and associated headlights from vehicles leaving the development, it is however considered that level of movements would not be significant, and the orientation of the buildings, the intervening separation distances, buildings and landscaping would serve to mitigate the impacts.

Plots 16 and 17 are located to the north of the site backing onto Hinckley Road which is a heavily trafficked road and thus a noise concern. Enhanced boundary treatments are proposed to serve these plots measuring some 2.4m in height. Plots 57 and 58 are situated within the southern edge of the site, with the M1 Motorway situated to the west. An enhanced boundary treatment is also proposed beyond the rear boundary wall measuring some 2.8m in height. The boundary treatments have been proposed to address noise concerns and have been deemed to satisfactorily address the noise implications (this is addressed in further detail later on in the report). It is acknowledged that the height of the fences are in excess of standard boundary treatments. However, in the case of plots 16 and 17, it is on balance considered that the impact in terms of an overbearing impact would not be significant as the fence is only marginally higher than a standard fence and is necessary to ensure that the noise impacts from Hinckley Road. In terms of plots 57 and 58, it is noted that the 2.8m fence would set away from

the curtilage of the plots beyond the proposed 1.8m boundary fence. Given the set back distance, it is considered that this would not result in an overbearing impact.

The application is therefore considered to comply with Policy DM1 of the Blaby District Council Local Plan 2019.

Highway and Traffic 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.

Access

Policy SA2.a states that the site should be accessed from Warden's Walk. During the consideration of planning application 22/0248/OUT Leicestershire County Council Highways concluded that a safe and suitable access from Wardens Walk was deliverable.

Wardens Walk, which is an unclassified road, subject to a 30mph speed limit, is located on the eastern boundary of the site. Hinckley Road (A47) which is a classified A-road subject to a 40mph speed limit, is located on the northern boundary of the site.

Baines Lane is located along the western boundary of the site, is an unadopted road serving vehicles accessing the Leicester Forest East Services, the Premier Inn and existing dwellings. Baines Lane is also the route of Public Right of Way (PRoW) Footpath W3.

Highway Safety

The submitted Transport Note shows a total of 13 (4 serious and 9 slight) personal injury collisions (PICs) within the vicinity of the site between 2024 and 2025. The LHA however acknowledges that the A47 is one of the busiest roads in the county with a high volume of traffic and therefore it is inevitable that there is an increased likelihood of PICs occurring. Upon review of the PICs, the LHA do not however consider that the proposed development would exacerbate the existing highway safety situation.

Wardens Walk

The Applicant seeks to provide the main access via Wardens Walk which measures approximately 5m wide with footways in excess of 2m on both sides of the

carriageway. The submitted details show an internal access leading off Wardens Walk which measures 5.5m in width and shows 2m footways either side of the carriageway.

The Local Highway Authority (LHA) confirm that residential access roads should measure 4.8m in width for developments up to 50 dwellings, and 5.5m for those serving 50-400 dwellings.

The LHA note that they would require a 5.5m carriageway width to comply with the LHDG with the widening ideally taking place gradually over 5.0m with suitable traffic calming measure in place after it has fully widened within the site.

The existing Warden's Walk carriageway leading to the site has an effective width of approximately 5.0m from the site access to Holmfield Avenue West, beyond which it widens to some 5.5m. The section of Wardens Walk leading to the site benefits from footways in excess of 2.0m on either side.

The submitted Transport Assessments states that Wardens Walk from the site access up to the South Avenue junction will be widened to a width of 5.5m.

The LHA note, however, that Wardens Walk between South Avenue and Holmfield Avenue West is also approximately 5m wide. Given that vehicles from the site would also pass over this section of road the LHA have commented that this section of Wardens Walk should also be widened. The LHA requested that the feasibility of the additional widening of Wardens Walk between South Avenue and Holmfield Avenue West be explored noting that this would require resurfacing of the existing carriageway and may require extensive reconstruction of the carriageway and repositioning of existing utilities.

A submitted Transport Supplementary Note provides the applicant's reasoning for their approach in which why they are only proposing to widen Wardens Walk up to the South Avenue junction. The Transport Supplementary Note illustrates that Wardens Walk between Holmfield Avenue West and South Avenue varies between 4.9m wide and 5.4m wide, with the majority (according to the Ordnance Survey data) being in excess of 5m wide. The applicants argue that there would be very little benefit to widening Wardens Walk by such small margins in this location, indeed widening the road would be at the cost of losing space from footways which is contrary to general policy relating to prioritising pedestrian accessibility, particularly within the close vicinity of a primary school.

The applicant carried out a topographical survey to ascertain the exact width of the carriageway and provided a further Transport Supplementary Note which showed that the South Avenue to Holmfield Avenue West section measured between 4.85m at its narrowest and 4.96 at its widest section. The LHA therefore concluded that the road could feasibly be widened. The applicant again argued that the widening of Wardens Walk would be at the cost of losing space from footways which is contrary to general policy relating to prioritising pedestrian accessibility, particularly when considering the proximity of Fossebrook Primary School. Furthermore, the widening and resurfacing of the road would come at significant cost, which would have wider viability issues which are discussed further on in the report.

The LHA have concluded that it is possible to widen the South Avenue to Holmfield Avenue West section of Wardens Walk to 5.5 metres, with 2 metre footways on either side and consider that this work should be carried out at the expense of the applicant. However, crucially, the LHA do not consider the applicant not agreeing to carry out this work to be so detrimental to highway safety as to recommend refusal. Instead, the LHA has advised that they would not adopt the highway on the development site itself due to Wardens Walk not being widened to cater for the additional traffic generated by the development. However, it should be noted this is an existing issue and that the same volume of vehicles will need to use the narrow section of Wardens Walk regardless of whether the application site itself is built or is adopted highway or not. Furthermore, the narrow section of Wardens Walk already serves in excess of 50 dwellings, therefore exceeding parameters set for roads of this width. It is however acknowledged that the volume of traffic using this narrow section would increase following implementation of the development. The LHA could have recommended refusal if they considered that the intensification in the number of vehicles using the narrow section of highway would present an unacceptable impact on highway safety but has not sought to do so.

Notwithstanding the above, it should be highlighted that the adoptability of the highway within the site is not a material planning consideration, albeit it will carry additional financial burdens for the developer through maintenance and upkeep costs and through the provision of alternative waste collection procedures if the road remains unadopted. The waste management implications of the development are discussed further on in the report.

Officers will continue to liaise with the Local Highway Authority with regards to the possibility of the site being adopted.

Hinckley Road

The previous Outline Planning permission indicatively provided an access for a small number of dwellings off Hinckley Road. Following a design review, it was considered this would prejudice the layout of the development and has not been carried forward. A pedestrian and cycle accessway however have been provided. The LHA have not raised any objections to highway safety in relation to the proposed pedestrian and cycle accessway.

Baines Lane

Concerns were raised during the Outline planning application regarding the use of Wardens Walk as an access point both operationally and for construction traffic. During the consideration of planning application 22/0248/OUT, given narrow width of Wardens Walk leading up to the site members requested that an alternative access off Baines Lane should be explored prior to the submission of the Reserved Matters.

The applicant and officers have taken on board these concerns and have separately reached out to the National Highways who own and operate Baines Lane. Despite concerted efforts from both the applicants and officers to facilitate the use of Baines Lane both as an operational and contrition access, National Highways have reiterated

that they are not in a position to allow a construction or a permanent access off Baines Lane to serve the housing development.

National Highways have not objected to the development in terms of its impacts on the Strategic Road Network.

Off Site Improvements

The LHA previously requested that the Applicant either moves the existing eastbound and westbound stops on Hinckley Road closer to the site entrance or install two new bus stops (one eastbound and one westbound) on Hinckley Road, as close as possible to the site entrance so that dwellings are within 400m walking distance.

The Applicant acknowledged that some sections of the development would be outside of the recommended 400m walk to the nearest bus stops, but it should be noted that this is guidance and not a mandate and that based on the current modal split of journeys within the area, 5.7% of journeys to work are made by bus. This would likely translate to up to 4 journeys during a typical weekday AM peak hour and 3 journeys during a typical weekday PM peak hour. The Applicant therefore argued that the LHA's request is not justified.

Further to review, the LHA conclude that a relocation of existing bus stops, or new stops are not required.

Internal Layout

The internal road layout is accessed off Wardens Walk with an internal avenue circumnavigating the edge of the site serving two central perimeter blocks and private drives which serve dwellings to the north and south of the development.

Parking is provided within the curtilage of dwellings in accordance with the Leicestershire Highways Design Guide with visitor parking provided on dedicated positions on street in accordance with current highway standards.

The acceptability of an adopted road layout is subject to a Section 38 (S38) agreement in accordance with the Highways Act (1980). For the site to be suitable for adoption, the internal layout must be designed fully in accordance with the Leicestershire Highway Design Guide (LHDG). The Applicant is advised that any review of the site layout provided by the LHA prior to determination of this planning application does not prejudice any future S38 application made to the LHA post granting of planning consent. Furthermore, adoptability of a site cannot be formally established until such time as S38 technical approval has been obtained through the S38 technical appraisal process with the LHA following the grant of planning permission. A site layout design submitted as part of a planning application which addresses all comments below does not guarantee a successful S38 application. Again, the LHA highlight that adoptability of a site is not a material planning consideration.

Irrespective of the issues around the widening of Wardens Walk, the LHA highlighted that forward visibility adjacent to the attenuation pond would be required to fall within

the highway extents in order for the internal layout to meet the requirements for adoption.

Additional elements of the proposals were also highlighted as not according with the LHDG. These included extending the currently proposed speed control table to start adjacent to plot 37 and either the removal of an area of grass verge adjacent to plot 24, or the payment of a commuted sum. These however were not expected to alter plot positions and therefore could be addressed as part of any future S38 technical appraisal process.

In summary, the internal layout currently does not meet the requirements for adoption (albeit it is considered that these matters could be addressed by the applicant in amended drawings), consequently it is considered that the application does not fully comply with the Leicestershire Highways Design Guide with respect to its adoptability.

Members however should however note that the adoptability of the road is not a material consideration, and its construction would be controlled through the Advanced Payment Code (APC) and Building Control regime which controls the construction of private roads on sites over 10 dwellings. The maintenance and upkeep of the road would fall to the developer. The LHA have not raised any concerns around the suitability of the road in terms of accessibility or highway safety, nor have they recommended refusal in highway terms concluding that the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe.

The application is therefore considered to comply with Policy CS10 of the Core Strategy 2013 with regards to the accessibility of the development. Whilst there is some conflict with Policy DM8 of the Blaby District Local Plan 2019 with regards to compliance with the Leicestershire Highways Design Guide, the LHA consider that the development would not be unacceptable in highway safety terms and the impacts on the highway would not be severe.

Developer Contributions and Viability

Developer Contributions

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 seeks to ensure that the requirements for infrastructure, services and facilities arising from any development will be sought in accordance with Blaby District Council's Planning Obligations and Developer Contributions Supplementary Planning Guidance (2024). Contributions should be made by providing the infrastructure (on or off-site) or by making financial contributions towards its provision and / or

maintenance. Contributions will be phased or pooled to ensure the timely delivery of the necessary infrastructure, services and facilities.

Blaby District Council's Planning Obligations and Developer Contributions Supplementary Planning Document's (SPD) key objective is to indicate the likely level of planning obligations that can be expected from proposed development.

This proposal will generate the need to provide financial contributions towards essential infrastructure, services and facilities.

Based on the above and in accordance with the requirements of Regulation 122 of the CIL Regulations and consultation with infrastructure and service providers, the following contributions are being sought:

- i) Provision of Affordable Housing
- ii) Secondary Education
- iii) Library facilities
- iv) Contributions toward civic amenity and waste facilities
- v) Healthcare facilities
- vi) On-site open space and future maintenance
- vii) Off-site sports facilities contribution
- viii) Contributions or provision of off site open space provision/enhancement
- ix) Contributions towards, travel packs, travel plan monitoring and bus pass provision
- x) Recycling and refuse contribution (wheeled bins)
- xi) On-site Biodiversity Net Gain Provision
- xii) S106 Monitoring contributions – District and County Councils

The scheme has, however, been subject to viability appraisal which has found it to be unviable in the context of paying developer contributions. This is discussed further later in this section after further context relating to each contribution has been provided.

Education Provision

Leicestershire County Council Education Authority have stated that the proposed development will yield 16 primary aged children. Schools within the two-mile catchment of the development have a net capacity of 1995 and there will be a surplus of 94 places if this development goes ahead. Consequently, a contribution in respect of primary education has not been requested.

Leicestershire County Council Education Authority have also stated that the proposed development yields 9 secondary aged children. The Winstanley school has a net capacity of 615 places and there will be a deficit of 28 places if this development goes ahead. There are no other secondary schools within a three-mile walking distance from the development resulting in an overall deficit of 28 places. Therefore, a full request for contributions in respect of the Secondary education sector of £155,235.18 has been requested.

The development will yield 2 Post 16 aged children. Schools within the Three-mile catchment of the development have a net capacity of 374 and there will be a surplus of 130 places if this development goes ahead. Consequently, a contribution in respect of post-16 education has not been requested.

A contribution in respect of Primary and Secondary SEND education has not been requested for this sector as the development falls below the 100-dwelling threshold.

Libraries

A contribution of £1,660.87 is sought to provide improvements to Leicester Forest East 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.

Waste

A contribution of £1,384.46 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 £2,842 for the 58-dwelling development.

Health Care

The Leicester, Leicestershire and Rutland Integrated Care Board (ICB) requests a contribution of £56,144.00 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 Forest House Medical and Warren Lane Surgery or to develop alternative primary / community healthcare infrastructure.

Highways Contributions

Leicestershire County Council as the Local Highways Authority have also requested financial contributions towards travel packs, travel plan monitoring and bus passes.

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 which is the responsibility of the water companies.

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

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. Policy CS15 indicates that Blaby District Council will seek to ensure that all residents have access to sufficient, high quality, accessible open space, and sport and recreation facilities, access to the Countryside and links to the to the existing footpath, bridleway, and cycleway network.

Contributions for open space provision or improvements within the parish are requested in line with the provisions of Policy CS15 and the Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Guidance, February 2024.

The submitted plans show the provision of approximately 0.36 Ha of open space, SuDS and ecological enhancements within the site. The SPD shows a requirement for 0.41 Ha of on-site open space and as such the proposals represent a shortfall of onsite open space as required under updated policy CS15. Consequently, it is considered appropriate for contributions to be provided to provide for new or improved off-site open space within the Parish.

The application site is located within Leicester Forest East Settlement Boundary with direct linages to its associated services and facilities on Hinckley Road, with open space and sport and recreation facilities at Holmfield Park and Kings Walk Park located to the east and west respectfully. Links to the W3 footpath leading to Hinckley Road along the edge of Baines Lanes have been provided to the north of the site. Accordingly, it is considered that the development accords with policies CS14 and CS15.

Viability

Policy CS7 states that (inter alia) that on sites where 100% affordable housing is being provided by a Registered Provider consideration will be given to reducing or removing planning obligations.

Paragraph 59 of the NPPF states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan

and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning practice guidance, including standardised inputs, and should be made publicly available.

The applicants are maintaining that that due to its tenure the development is not sufficiently viable to provide the Section 106 contributions requested. Where the financial viability of a development has been raised in relation to the scheme, the applicant is expected to provide the Council with clear and transparent evidence to support their case.

In line with the Planning Obligations and Developer Contributions Supplementary Planning Document 2024 and national guidance the applicants have provided a viability appraisal which has been independently assessed. Following extensive scrutiny of the applicants' appraisal, the independent assessor working on behalf of the Council found and agreed that the scheme is unviable with the S106 contributions included.

As noted above National Planning Policy is clear that the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case. In this scenario, clear evidence has been provided and verified which confirms that the proposed development is unviable. The provision of affordable housing should therefore be balanced against the provision of contributions towards services and facilities that occupiers of the development would use, including education, healthcare facilities, libraries, waste facilities and open space and sustainable travel.

Leicestershire County Council have requested contributions towards education, waste, libraries, sustainable travel and monitoring of legal agreements totalling £193,865.81.

The Leicester, Leicestershire and Rutland Integrated Care Board (ICB) have requested contributions totalling ££56,144.00 towards improvements at medical facilities.

Blaby District Council require contributions toward off site open space provision and maintenance and recycling and refuse collection and monitoring of legal agreements totalling £24,907.00.

A further £5,360 is required to monitor onsite BNG provision.

Housing Strategy Officers have highlighted that in terms of our overall need for affordable housing across the District, there are currently 936 live applications (370 of which are in Priority or High Band). Priority and High band households are either in Emergency Housing Need (Priority) or are experiencing multiple and significant Housing Issues (High Band). Alongside the Housing Register there is also a very high number of Households currently in Temporary Accommodation.

The provision and delivery of affordable housing in this instance is afforded significant

weight, given the importance of all affordable schemes in relieving pressure and significantly increasing the overall supply of housing for those in critical need. Policy CS7 provides a clear policy position that for 100% affordable schemes, consideration will be given to removing or reducing the requirement for other contributions. In this case, where the scheme has been demonstrated to be financially unviable in the context of other contributions being requested, there is a clear steer to remove the requirement for such contributions to be paid. Whilst it is acknowledged that this would impact on the provision of other infrastructure and facilities (for example, the development would not meet the need for additional secondary school places generated by the development), your officers consider that the significant weight attributed to the ability of the scheme to deliver affordable housing would take precedence.

However, it is recommended that a late stage viability review is built into the Section 106 in the event that the viability position changes over the implementation period of the development, so that contributions may still be secured in the event that the development does become viable.

Accordingly, the application is considered to comply with policies CS7, CS11 and CS12 of the Core Strategy 2013 and paragraph 59 of the NPPF.

Archaeology and Historic environment

Policy CS20 of the Council's Core Strategy states that Blaby District has a number of important buildings, sites and areas of historic value including Scheduled Monuments (SMs), Listed Buildings, Conservation Areas, archaeological remains and other heritage assets. These (including heritage assets most at risk through neglect, decay or other threats) will be preserved, protected and where possible enhanced.

The policy goes on to state that the Council takes a positive approach to the conservation of heritage assets and the wider historic environment through:

- a) Considering proposals for development on, in, or adjacent to historic sites, areas and buildings against the need to ensure the protection and enhancement of the heritage asset and its setting. Proposed development should avoid harm to the significance of historic sites, buildings or areas, including their setting.
- b) Expecting new development to make a positive contribution to the character and distinctiveness of the local area.
- c) Ensuring that development in Conservation Areas is consistent with the identified special character of those areas, as well as working, where appropriate, to identify other areas of special architectural merit or historic interest in designating additional Conservation Areas;
- d) Securing the viable and sustainable future of heritage assets through uses that are consistent with the heritage asset and its conservation; and
- e) Promoting heritage assets in the District as tourism opportunities where appropriate.

Policy DM12 of the Council's Delivery DPD (2019) 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.

All proposals affecting either a designated or non-designated heritage asset and/or its setting will need to submit a statement which includes the following:

- a description of the heritage asset and its setting, proportionate to its significance;
- a clear identification of the impacts of the development proposal on the heritage asset and its setting;
- a clear justification as to why the impacts could be considered acceptable; and
- demonstrate how the proposal is consistent with Core Strategy Policy CS20.

The policy goes on to state that the Council will consider the submitted information having regard to the importance of the heritage asset(s) as follows:

Designated heritage assets

Designated heritage assets and their settings (including Listed Buildings, Scheduled Monuments and Conservation Areas) 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.

Non-designated heritage assets

A balanced consideration will be applied to proposals which may impact non-designated heritage assets. Proposals will be supported where the benefits of the scheme are considered to outweigh the scale of any harm or loss, having regard to the significance of the heritage asset.

The application before Members follows on from the granting of Outline planning permission under application ref: 22/024/OUT in which Blaby District Council's Principal Planning and Conservation Heritage Officer has noted that the existing farmhouse and associated outbuildings date from the early twentieth century and that the existing farmhouse and its associated farm buildings possessed some potential for heritage interest that would merit the status of a non-designated heritage asset, albeit they have and have suffered from fire damage and vandalism.

The submitted HIA as part of planning permission 22/0248/OUT indicated that the farmhouse and associated barns and outbuildings possessed "negligible" heritage significance.

As part of planning permission 22/0248/OUT several conditions were imposed which required the applicant to produce a programme of archaeological work, including the submission of a Historic Buildings Investigation/Recording to be completed by a competent person. In addition, there was also a requirement for the submission of an

Options Appraisal to be completed by a competent person to explore the possibility of retaining and reusing the existing farm complex as part of the development.

A follow-up Reserved Matters application has not been submitted, but instead a full application has been submitted and is supported with a Heritage Statement, Level 2 Historic Building Record (HBR), Statement of Significance, Structural Appraisal and Options Appraisal.

The heritage significance of the farmhouse and group of associated farm buildings is again considered by the submitted HIA to have low significance with limited architectural interest, a point agreed by Blaby District Council's Principal Planning and Conservation Heritage Officer.

Blaby District Council's Principal Heritage Officer has noted that one of the barns associated with Grange Farm still has evidence of its mechanised pulleys, conveyor belts and watering systems which could be an indicator that the barn was built with perhaps a greater level of sophistication than what has been detailed in the Heritage Statement. The presence of this equipment may suggest evidence of a purpose-built system or later additions/upgrades, moving away from manual labour to mechanised processes which forms an important chapter in the evolution of agricultural practices, providing evidence that historic and agricultural industries were once prevalent in the local area prior to the area's suburbanisation following the Second World War. However, the Council's Principal Planning and Conservation Officer wishes to acknowledge that this suggestion has not been confirmed by any research and is merely a hypothesis.

To help inform the Options Appraisal, a Structural Survey and report has been submitted by the applicant. The survey provides insight into the overall condition of each building within the complex and identifies a variety of defects, including a grading system for the severity of each defect and the urgency for action to be taken to remedy that defect.

The submitted Structural Survey explains that the fire damage to the farmhouse (Building 1) and subsequent exposure to the elements has resulted in multiple structural issues across the building, which is understood from the survey as being critical. The survey notes that many of the structural timbers (roof, floors in the property) have perished and the knock-on effect of this is the building lacks structural support internally. The building would need extensive propping, and the timbers would need to be replaced in their entirety to enable the building to be brought back into use.

The other buildings (Buildings 2 and 4) in the complex are in generally better condition, although their conversion to residential use would still require further structural works to the floor, walls and roof and some rebuilding in some instances. Finally, both the steel-framed, open-sided barns (buildings 3 and 5) are deemed unsuitable for residential conversion due to their poor condition, though Building 3 could potentially be repurposed as a garage.

Whilst it is considered that the undertaking of repurposing of the buildings would not be unfeasible, it is acknowledged that there would be cost implications of such works.

The proposal would result in the total loss of a non-designated heritage asset that has been prescribed as having local significance that is regarded as 'low' in heritage terms.

Blaby District Council's Principal Planning and Conservation Heritage Officer however noted that the retention and inclusion of all or some of the farmstead structures could be beneficial as they could potentially enrich the local distinctiveness of the development and provide a focal point and tangible link with the previous use of the site. The reuse of the buildings would also avoid the total loss of the existing craftsmanship and carbon embodied within the historic structures.

The developers are proposing to demolish the existing farm buildings and as such would result in the total loss of a non-designated heritage asset. The applicants have justified this decision on the basis that the buildings have low historic interest, are derelict and structurally unsound, and the retention of the buildings would render the scheme unviable.

The retention of the buildings could see the reuse of the building and conversion of such to residential use, resulting in a 50-unit scheme.

The developers have provided a Historic Buildings Investigation/Recording and an Options Appraisal for the existing buildings to ascertain their suitability for retention and potential options of appropriate future use. Alongside this a viability appraisal was provided that reviewed the viability of both a 50-unit scheme including the repurposing of the existing building and a 58-unit scheme which would see the demolition of the existing buildings.

Following an external review of the viability appraisal put forward for the 50-unit scheme it was agreed that the renovation and retention of the existing buildings would render the scheme significantly more unviable than the 58 unit scheme now proposed in this planning application and would result in the loss of 8 affordable units.

Consideration has also been given to the requirements of paragraph 209 of the NPPF, which states that *"where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision."* The deteriorating condition of the existing buildings has been taken into consideration and based on the evidence provided and based on previous surveys provided by the applicants under planning permission 22/024/OUT, there is no evidence to suggest that the buildings have been deliberately neglected by the applicant. This decision is based on the application of the other relevant paragraphs within the NPPF and our adopted Local Planning Policies.

Having been satisfied that the retention of the buildings would render the scheme significantly more unviable and that no deliberate neglect has occurred, it is considered that the provision of an additional eight affordable units within the Principal Urban Area, would carry significant weight and have sufficient public benefits which on balance, would sufficiently outweigh the harm to heritage significance in this respect. Consequently, it is considered that the demolition of the existing farm buildings would be justifiable.

Having regard to the loss of a non-designated heritage asset, officers have worked to ensure that the proposed development of 58 units before members includes a sympathetic reconceptualization of the existing built form within exiting farmstead area, which is set within its own setting, thus delineating the old from new. In addition, the applicants have agreed in principle to retain and exhibit various pieces of the existing farm equipment as public art as well as providing interpretation boards (to be secured by condition), which in combination, will provide a tangible link and a homage to the existing historic farmstead and the sites' historic agricultural legacy. Furthermore, the provision of an advanced recording and early submission of a Level 2 Historic Building Report ensures there is a public record of the farmstead's existence which will help to enrich the local Historic Environment Record. These factors are considered to both increase the quality of the built form and will provide additional public benefits to offset and overcome the harm to the significance of the non-designated heritage assets.

Archaeology

Leicestershire County Council Archaeologist under planning permission 22/0248/OUT previously considered that the area is of archaeological interest and has the potential for unidentified archaeological deposits to be situated in the site. Based upon the available information, they considered that these remains whilst significant and warranting further archaeological mitigation prior to the impact of development, were not of such importance to represent an obstacle to the determination of the application.

Having reviewed the submitted Archaeological Evaluation Report and Level 2 Historic Building Survey submitted as part of the application currently under consideration, Leicestershire County Council Archaeology have confirmed that no additional archaeological involvement will be required. Leicestershire County Council Archaeology note that the reports include a commitment to OASIS reporting with the Archaeological Data Service (ADS) and an accession number for the Leicestershire Museums Service (LMS). The latter is supported by a description of the archive content and a note stating the intention to deposit the paper (LMS) and digital archive (LMS/ADS) in accordance with professional standards. These provisions are in accordance with the planning requirements and the approved Written Scheme of Investigation and are to be secured by condition.

Accordingly, and subject to the imposition of suitable conditions, it is considered it is considered that the demolition of the non-designated heritage asset is justified and that no further archaeological investigations are required. The proposal is therefore considered to accord with Policies CS20, DM12 and the proposition of Chapter 16 of the NPPF.

Environmental Implications

Policy DM13 seeks to ensure that development proposals are not affected by, or cause, land contamination or pollution. Development proposals where land contamination may be an issue are required to clearly demonstrate that any unacceptable adverse impacts can be satisfactorily mitigated.

Land Contamination

The application was submitted with both a Phase 1 and Phase 2 Geo-Environmental report which shows made ground in areas of the application site, with occasional materials like brick, glass, pottery, and ash. Soil testing reported levels of lead and certain PAHs above relevant human health general assessment criteria in the northern area of the application site. Additionally, a small quantity of asbestos containing materials was found in one trial pit. Further assessments report a relatively shallow groundwater which may impact on foundation design. Ground gas monitoring was undertaken on six occasions, reporting no CH₄ and low levels of CO₂. No flow rates were recorded and therefore the report considers that gas protection measures are not necessary.

Blaby District Council Environmental Services officers have assessed the submitted information and are satisfied with regards to land contamination at the site, subject to the suitable remediation of the site and the implementation of the recommendations included in the reports.

Consequently, it is considered that the application complies with Policy DM13 of the Blaby District Local Plan 2019.

Noise

The application is located within a built-up area in close proximity to heavily trafficked roads, namely Hinckley Road to the north and the M1 Motorway to the west of the site, which constitute the primary noise sources in the area.

A comprehensive noise assessment has been undertaken of the likely noise environment and impacts that will prevail in the proposed development. The levels within the residential properties and external amenity areas have been considered. The majority of the built form has been designed to present a structural noise barrier to the majority of houses and garden areas to the rear which along with enhanced glazing, passive acoustic ventilation methods, closed windows to the front of the houses along the critical elevations, boundary treatments and acoustic fencing around private amenity space have been recommended as mitigations measures. Blaby District Council's Environmental Services Team are satisfied that these measures would provide future residents with adequate noise mitigation at the site and that they would also provide suitable living conditions both internally and within private amenity spaces within the plots.

During the consideration of the application, Blaby District Council's Environmental Services officers have raised concerns regarding the noise levels within the northern (plots 16 and 17) and southern edges (plots 57 and 58) of the site, due to their proximity to the primary noise sources. Following further assessment enhanced mitigation including heightened boundary treatments which measure some 2.6m to the rear of plots 16 and 17 and a 2.8m acoustic fence set beyond the proposed boundary wall serving plots 67 and 58 are proposed to be provided.

Blaby District Council's Environmental Services Team are satisfied that the enhanced mitigation measures will adequately protect the residential amenities of these plots.

Blaby District Council's Environmental Services Team have also requested the submission of a scheme of sound insulation and ventilation from external noise to ensure the predicted internal day time and night-time noise levels within the dwellings as well as technical specification for acoustic fencing to serve the external amenity spaces on the most affect plots are achieved.

Air Quality

The application site fronts Hinckley Roads with the M1 Motorway running along the western edge of the site beyond Baines Lane. The northern aspect of the site was previously designated as an Air Quality Management Area (AQMA 3), however since the determination of application 22/0248/OUT this has been revoked as air quality in the area has improved. In terms of the operational phase of the development the submitted Air Quality Assessment has concluded that no mitigation measures are required, to which Blaby District Council's Environmental Services Team agree.

The potential air quality impacts of the demolition and construction work associated with the proposal have also been assessed the submitted Air Quality Assessment which recommends a number of measures to control any dust and particulates arising during the construction phase. Blaby District Council's Environmental Services Team have requested that a Construction Environmental Management Plan should be submitted and agreed, and which should include the measures set out in the Air Quality Assessment.

Other Environmental Considerations

Blaby District Council's Environmental Services Team have not raised any objections with regard to flooding and drainage have been assessed by Leicestershire County Council as the Lead Local Flood Authority.

Leicestershire County Council, as Lead Local Flood Authority has not objected to the proposal subject to the imposition of conditions in relation to surface water drainage.

Flood Risk

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 majority of the site is at very low risk of flooding from surface water being in Flood Zone 1 (less than 1 in 1000 chance) although flood risk data shows a section within the central area of the site, and the entrance of the site outside the site boundary on Wardens Walk has a high risk of surface water flooding. These areas of high risk have a 3.3% chance of flooding each year.

Paragraph 175 states that a sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except 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).

National Planning Policy Guidance at Paragraph 27a has been updated in September 2025 to state that “*where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (taking climate change into account), without increasing flood risk elsewhere, then the Sequential Test need not be applied.*”

The submitted Flood Risk Assessment has concluded that the proposed levels on the site shall be set such that an appropriate drainage system for both foul and surface water can be provided on the site which will discharge to suitable outfalls and subject to the mitigation measures proposed that the development may progress without being subject to significant flood risk and would not significantly increase flood risk elsewhere. The Leicestershire County Council as Lead Local Flood Authority have not raised any objections with regard to flood risk and have concurred with the conclusion of the report. Furthermore, they are satisfied that the proposed drainage scheme is achievable and have requested via condition that a detailed drainage strategy be provided. In addition, the application site is an allocated site and benefits from an extant planning permission. Consequently, it is considered that a sequential test is not required in this instance.

The proposals seek to discharge at 4.5 l/s for the northern outfall from attenuation tanks to the Severn Trent surface water sewer and 2 l/s for the southern outfall from the attenuation pond to the Severn Trent combined sewer. Leicestershire County Council as Lead Local Flood Authority advises the Local Planning Authority that the proposals are considered acceptable subject to the conditions outlined in the report above.

Concerns were raised by the Leicestershire County Council as Lead Local Flood Authority regarding the presence of a ditch set along the southern edge of the site, however it has been confirmed that this has no connectivity and would not be used as an outfall. Leicestershire County Council as Lead Local Flood Authority are satisfied with this conclusion subject to the submission of a detailed surface water drainage scheme.

Leicestershire County Council as Lead Local Flood Authority have reviewed the submitted Flood Risk Assessment and drainage proposals as well as an addendum to the Flood Risk Assessment in relation to the updated surface water flood information and have concluded that they were satisfied that the site could be suitably drained, subject to a condition requiring the submission, approval and implementation of a

detailed surface water drainage scheme prior to commencement and further ground investigation to inform this. These conditions will be attached to any approval. Consequently, your Officers consider that there are sufficient controls to ensure that any surface water flood risk is adequately addressed and mitigated.

Foul drainage

In terms of foul water drainage, the District Council has consulted with Severn Trent Water Authority but not received a response. The applicant has however liaised with Severn Trent Water Authority (STWA) and confirms that the nearest foul water sewer capable of receiving flows is within the highway on Marriott Close. STWA advised that a new / indirect connection to this sewer would be subject to a formal S.106 sewer connection approval. Connections to the sewer are dealt with separately to the planning regime under a separate regulatory regime.

In conclusion, it is considered that the proposed development offers the potential for a good quality surface and foul water drainage scheme to be developed which is based on sustainable principles. It is therefore considered that the proposal would comply with Policy CS22 of the Adopted Core Strategy 2013.

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.

Ecological Implications

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.

An Ecological Appraisal has been submitted with the application along with a revised Ecological Appraisal, a Preliminary Roost Assessment and Bat Emergence Survey and Biodiversity Net Gain Metrics. These reports confirmed that there are no habitats on the site that are of significant ecological value and that the majority of the higher value habitats on the site including the mature trees, the hedgerow on the eastern boundary, and most of the woodland on the eastern boundary will be retained.

The Preliminary Roost Assessment and Bat Emergence Survey that the buildings had negligible potential for roosting bats, with the trees woodland and hedgerows having potential for supporting individual or very small numbers of bats. No bats were observed emerging from the buildings or trees during the survey with a small number of bats recorded passing and foraging across the farmyard and trees. There was potential for birds to nest throughout the on-Site buildings. No evidence of, or platforms for, barn owl nesting was noted within the buildings of the site.

Leicestershire County Council Ecology have confirmed that they are satisfied that no significant ecological impacts will arise because of the development and that the likely impacts on designated sites, protected and priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable. The Preliminary Roost Assessment and Bat Emergence Survey recommended avoidance and mitigation measures with respect to tree protection, bats and nesting birds which included sensitive lighting design for foraging and commuting bats with potential to be utilising the site, and sensitive methods and timing of works to ensure that no bats or nesting birds will be harmed during works.

Leicestershire County Council Ecology have requested that the mitigation measures identified in the updated Ecological Appraisal and the Preliminary Roost Assessment and Bat Emergence Survey be secured by a condition as outlined in the report above.

Leicestershire County Council Ecology have also requested conditions requiring the submission of a suitable wildlife sensitive lighting scheme to be submitted and agreed.

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 January 2025, a 10% biodiversity net gain provision is legally required.

A Biodiversity Net Gain Metric has been submitted which indicates that based on the current landscaping proposals, the development will result in a biodiversity loss of 0.43 habitat units on the site (-4.80%) and a gain in hedgerow units of 0.18 (12%). Due to the overall loss of biodiversity value, the trading rules have not been satisfied which seek to provide a Biodiversity Net Gains on site.

Whilst the majority of higher value habitats on the site have been retained, the proposals will still result in a net loss of biodiversity on the site. Due to space limitations on the site, the proposal is unlikely to be able to meet the target of 10% Biodiversity Net Gain on-site without a decrease in the number of houses. Therefore, offsite compensation would be required to meet the 10% increase target. The 10% increase target for hedgerow will be met based on the current proposals.

Leicestershire County Council Ecology have stated that the BNG Assessment utilises the Statutory BNG Metric, which they consider to be acceptable.

Leicestershire County Council Ecology have stated that they are satisfied that submitted information provides sufficient information at application stage. The BNG will be secured through a, Biodiversity Gain Plan to be submitted prior to commencement, which should include the following:

A Biodiversity Gain Plan form, a completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values. Pre and post development habitat plans and proof of purchase of off-site Biodiversity Units or Statutory Credits.

In addition, Leicestershire County Council Ecology has requested that as part of the Biodiversity Gain Plan condition a Habitat Management and Monitoring Plan (HMMP) should be secured for all significant on-site enhancements. This is a condition listed in the report above.

Accordingly, and subject to the imposition of suitable conditions, it is considered that the development accords with Policy CS19.

Arboricultural Implications

A Tree Preservation Order is present and includes a total of 11 individual trees and tree groups. The application has been submitted with a tree survey in detailing all trees on/adjacent to the site which may be impacted by the development.

Based on the site design, four individual trees are proposed for removal within the centre of the site to facilitate the internal drive around plots 38-42. Two additional trees are in declining/poor condition and unsuitable for retention.

Leicestershire County Council Forestry have commented that the loss of 2 trees is regrettable, however it ensures the retention and space for the two larger more prominent trees to flourish and to facilitate the internal driveway.

Concerns have also been raised in relation to the proximity of building plots 16 and 17 to protected trees in the north of the site. Both plots are located close to the group of trees and whilst the buildings sit outside of the root protection areas of these trees, there is insufficient separation between the trees and the proposed buildings.

Leicestershire County Council Forestry considers that this would give rise to future conflict from shading and potential overbearing nature of the trees and unreasonable pressure to prune or remove trees as a result of perceived nuisance issues.

The applicants have contested that the houses in this location are bungalows and as such due to their lower height would not impede the branched of these trees. It should also be noted that the dwellings and surrounding landscaping and vegetation will be managed by the applicants not the occupiers. As such it is considered that the present of dwellings in this location would not necessarily result in their removal. Furthermore given their protected status, any works to the trees would be subject to a formal application to the District Council for such works.

Leicestershire County Council Forestry subsequently have not raised any objections on arboricultural grounds, subject to the submission via condition of an Arboricultural Impact Assessment and Method Statement including tree protection measures.

Waste Management

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.

Blaby District Council's Neighbourhood Services Team were consulted as part of the determination of this planning application. Submitted plans and tracking drawings show that a waste collection vehicle can satisfactorily enter and navigate the site. The submitted details also show the suitable provision of bin storage and presentation areas throughout the scheme.

Concerns were raised regarding the location of the Bin Collection Points serving plots 14-17. Due to time contains the location and provision of bin collection points for these plots however remain unresolved/ Officers however have requested a condition to require bin collection points for these plots to be submitted and agreed should the application be permitted.

Late comments from the Local Highway Authority however have stated that they would not adopt the internal road network due to the applicant being unwilling to widen Wardens Walk between South Avenue and Holmfield Avenue West.

Blaby District Council's Waste Collection Guidance states householders are required to present their wheeled bins at the boundary of the public highway. If the LHA did refuse to adopt the roads on the site, the nearest adopted road would be at the site entrance at Wardens Walk. This would require householders to drag their bins significant distances to the site entrance. Furthermore there is insufficient space in the control of the applicants to provide a suitable area for residents to present their bins that would not interfere with vehicular and pedestrian traffic or harm the visual amenity of the area.

The Waste Collection Guidance, whilst not forming part of the development plan, remains a material consideration in the Waste Collection Authority's consideration of the development and operation of their service in the District.

The Waste Collection Authority has advised that it cannot support the proposal at this stage, if the development is not to be served by an adopted public highway.

The applicant is actively engaging with the Local Highway Authority to secure an adoptable highway within the site. Should this be achieved, and should the scheme meet the other requirements of the Waste Collection Guidance (which it does) the Waste Collection Authority would be able to provide a standard service.

In the event that adoption cannot be secured, the applicant would be required to implement alternative waste management arrangements to ensure the development is adequately serviced. Accordingly, it is considered necessary to impose a condition requiring the submission and approval of a Waste Management Strategy setting out measures to demonstrate that the site will be appropriately serviced to the satisfaction of the Local Planning Authority.

Accordingly, and subject to the imposition of suitable conditions, it is considered that the development accords with Policy CS23.

Conclusion and Planning Balance

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

As set in the report above, it is acknowledged can only demonstrate a 2.45-year housing land supply which is significantly lower than the requirement set out in government guidance. 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 provides a strong reason for refusing the development proposed; or 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.

The proposal does not conflict with NPPF policies that seek to protect areas or assets of particular importance listed in Paragraph 11, Footnote 7, however the site has been allocated for housing in the Leicester Forest East Neighbourhood Plan 2020, is located within Leicester Forest East Settlement Boundary and the PUA where development should be primarily focused within, and as such it is considered that the principle of development has been established. The site also benefits from direct linkages to Leicester City and the strategic road network. The site is also in close proximity to a range of services and facilities, and it is therefore considered that the site is located within a sustainable location and therefore the development is compliant with Policies CS1, CS5, DM1, SA2.a.

It is recognised that there is a shortfall in the housing delivery across the District and that the Council cannot demonstrate a 5-year housing land supply. Whilst the application site benefits from Outline planning permission for up to 58 dwellings

(22/0248/OUT refers), given it is an Outline Planning permission that was granted on 28.11.2023, it is unlikely that the planning permission would necessarily deliver in the short term. Consequently, given the overall shortfall of housing across the District and in particular the under delivery of housing in the PUA, and given this application is a Full planning application rather than an Outline, which is likely to deliver housing sooner rather than later, significant weight should be attached to the contribution and delivery of housing in this location that this application represents.

Furthermore, the provision of 58 all affordable units on a single site by a well-established Registered Provider and builder who is the Council's strategic partner for the delivery of affordable units would significantly contribute towards the housing needs of both the District and Leicester Forest East. Consequently, significant weight should also be attached to the contribution and delivery of affordable housing in this location that this application represents.

The site will likely build out over a number of years and will provide a temporary boost to the local economy during site build out. Post development residents will contribute to the wider local economy and will help support local shops and services. Reflecting on the scale of proposals a moderate beneficial economic impact is considered likely.

The site is considered to make effective use of previously developed land and respects the traditional character and appearance of the area in terms of its layout and design and provision of green space ensuring the development is well integrated into the existing settlement. It is also considered not to unduly impact on the amenities of residents of the proposed development and neighbouring properties. Moderate positive weight is given to these matters.

A combination of on-site and off-site delivery of the statutory requirement of a minimum 10% biodiversity net gain will be secured via condition and legal agreement.

Developer contributions have been 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.

However, a viability appraisal has concluded that the development is not viable, which has been verified by an independent viability consultant appointed by the Council. Your officers therefore recommend that the requirement for these contributions should be removed in this instance as the payment of such would render the scheme unviable and would risk the delivery of much needed affordable housing of which there is a critical need in the District. It is acknowledged that not contributing towards, services and facilities in the area weighs negatively in the planning balance. A late stage review of the viability of the development is proposed so that should the development be found to be viable, the contributions will be paid, either in part or in full.

The removal of developer contributions in this instance is however considered to be justified and backed by policy and will contribute towards the deliverability of 58 much needed affordable houses which in this instance is considered to outweigh the loss of contributions towards services and facilities in the area.

The LHA have not raised any concerns around the suitability of the road in terms of accessibility or highway safety concerns, nor have they recommended refusal in highway terms concluding that the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, concluding that the impacts on the road network would not be severe. They have however concluded that the internal road layout would not be adoptable given the applicants would not widen Wardens Walk between South Avenue and Holmfield Avenue West, as the existing highway network would not be of a suitable standard. The adoptability of the road network is not a material consideration and as such this aspect of the proposal carries limited weight in the planning balance. Your officers will continue to engage with the Local Highway Authority with regards to the possibility of the road being adopted.

Consequently, the Local Waste Authority have stated that they cannot currently support the proposal due to the unadopted nature of the internal road network. The applicant is working to secure adoption, which if achieved would enable waste collection by the Waste Collection Authority. If adoption is not achieved, the applicant would be required to implement alternative waste management arrangements which are to be secured via a condition. The application site is therefore considered to be capable of being adequately serviced. The waste collection implications are therefore considered to carry neutral weight in the planning balance.

Whilst the loss of non-designated heritage assets weighs against the proposal, following the submission of a viability appraisal, officers are satisfied that the retention of the existing farm buildings would render the scheme unviable and that no deliberate neglect has occurred, it is therefore considered that the provision of an additional eight affordable units within the Principal Urban Area, would carry significant weight and have sufficient public benefits which on balance, would sufficiently outweigh the harm to heritage significance in this respect. Consequently, it is considered that the demolition of the existing farm buildings would be justifiable.

In order to further mitigate the loss of the non-designated heritage assets, officers and the applicants have worked to ensure that a sympathetic reconceptualization of the existing built form within existing farmstead area has been provided which along with the exhibition of various pieces of the existing farm equipment as public art and the provision interpretation boards will provide a tangible link and a homage to the existing historic farmstead and the sites' historic agricultural legacy. Furthermore, the provision of an advanced recording and early submission of a Level 2 Historic Building Report ensures there is a public record of the farmstead's existence which will help to enrich the local Historic Environment Record. These factors are considered to both increase the quality of the built form and will provide additional public benefits to offset and overcome the harm to the significance of the non-designated heritage assets.

A part of the site is located in an area of surface water flood risk, however, suitable mitigation and adequate drainage will be provided and as such a Sequential Test is not required.

There are no technical constraints relating to flooding, drainage, environmental, ecological or arboricultural constraints that cannot be mitigated.

Whilst the proposal would result in the loss of agricultural land it is considered that the size of the reduction from the total stock would not have wide ranging economic implications for the area. Limited weight is given to the loss of agricultural land in this instance given the site has been allocated for housing and is not actively being used for agricultural purposes.

The proposal would also see the loss of two protected trees within the centre of the site. The loss of such trees would however enable the suitable functioning of the development and enable two adjacent more prominent trees to be retained. A moderate negative weight has been attributed to the loss of these trees.

In conclusion, it is considered that the principle of development has been established and the presumption in favour of sustainable development applies. The benefits relate to contribution of the proposal to the Council's housing land supply, and significant contribution to the Council's affordable housing provision, economic benefits during the construction phase and to the local economy through household spending and provision of onsite open space. Whilst the development would not contribute to the provision and enhancement of local services and facilities, due to the issue with the viability of the scheme, and would result in the loss of agricultural land and a small number of protected trees, the provision of housing (along with the other benefits referred to) are considered to significantly outweigh this conflict.

There are therefore no impacts of the development of this site that cannot be mitigated and that outweigh the benefits of providing housing development in this location.

The application is therefore recommended for approval subject to the conditions and obligations outlined at the beginning of this report.

25/0723/FUL

**Registered Date
09/09/2025**

Mr Martin McDonagh

Retrospective change of use of land to enable standing of residential static caravan. Erection of new entrance gates.

Land to the East of Sycamore Street, Blaby

Report Author: Senior Planner (Consultant)

Contact Details: Council Offices. Tel: 0116 272 7789

RECOMMENDATION:

THAT APPLICATION 25/0723/FUL BE REFUSED FOR THE FOLLOWING REASONS:

- 1** The development is situated in land designated as Countryside and is within the Blaby Conservation Area. The proposed residential Gypsy and Traveller caravan site will form a discordant feature in the verdant green street scene of Sycamore Street / Welford Road and the parkland setting of Bouskell Park. The removal of part of the boundary hedge to create access into the site the proposal significantly harms the character and appearance of the landscape and fails to conserve or enhance the Blaby Conservation Area, contrary to Policies CS2, CS9, CS18 and CS20 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013), SA4, DM2 and DM12 of the Local Plan (Delivery) Development Plan Document (2019) and BNP1, BNP3 and BNP8 of the Blaby Neighbourhood Plan (2018).
- 2** The proposed development is situated within the settings of Blaby Hall and the Icehouse of Blaby Hall which are both Grade II Listed Buildings. The proposed residential Gypsy and Traveller caravan site will form a discordant feature in the verdant green street scene of Sycamore Street / Welford Road and the parkland setting of Bouskell Park. Therefore, the proposal fails to conserve or enhance the setting of these designated heritage assets, contrary to Policies CS20 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and SA4 and DM12 of the Local Plan (Delivery) Development Plan Document (2019).
- 3** The applicant has failed to demonstrate that the proposal would not affect the habitats for wildlife and protected species by way of an ecology survey in accordance with the ODPM Regulations which require protected species surveys to be submitted prior to determination of a planning application contrary to Policies CS9, CS18 and CS19 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013), SA4 and DM2 of the Local Plan (Delivery) Development Plan Document (2019) and BNP1, BNP3 and BNP8 of the Blaby Neighbourhood Plan (2018).

NOTES TO COMMITTEE

Relevant Planning Policy

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 CS9 Accommodation for Gypsies and Travellers
- Policy CS14 Green Infrastructure
- 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 (Adopted Feb 2019)

- Policy SA4 Broad Locations for Accommodating Gypsies & Travellers and Travelling Show people
- Policy DM2 Development within Settlement Boundaries
- Policy DM8 Local Parking and Highway Design Standards
- Policy DM12 Designated and Non-Designated Heritage Assets
- Policy DM13 Land Contamination and Pollution
- Policy DM15 Mineral Safeguarding Areas

Blaby Neighbourhood Plan (2018)

- Policy BNP1 Character and Environment
- Policy BNP3 – Countryside
- Policy BNP8 – Design of New Development
- Policy BNP9 – Settlement Boundary

Other Relevant Documents

National Planning Policy Framework (NPPF)

National Planning Practice Guidance

Planning Policy for Travellers Sites (PPTS) December 2024

Policy H : Determining Planning Applications for traveller sites

Blaby Landscape and Settlement Character Assessment (2020)

Leicester and Leicestershire Gypsy and Traveller and Travelling Show People Accommodation Assessment (GTAA) 2017

Consultation Summary

Blaby District Council, Environmental Services – Request a revised site layout to reflect the presence of the touring caravan on site. Details to be submitted of on site provision of water and electricity supply.

Blaby District Council Neighbourhood Services (Refuse and Recycling) Gives standard advice in relation to new developments

Blaby District Council, Parks and Open Space Manager – No comments received.

Blaby Parish Council –

Blaby Parish Council would like to make the following comments relating to the above planning application

- 1 There are a number of queries relating to the accuracy of the information contained within this application.

It is not clear from the information exactly where the access is, but it is currently directly opposite the Welford Road junction with Sycamore Street. This is a busy junction as all traffic leaving the Aldi store has to exit via this route. Also there have been a number of accidents recorded in this area.

The current location of the static caravan is not as shown on the plan and appears to be within 6 metres of the stream.

There is some uncertainty as to whether the site encroaches into flood zone 3.

There is the potential for road flooding when the hard standing has been laid if the water can't soak away.

It is claimed there are no works to existing trees and hedges, but part of the hedge has been removed to allow access and trees have again been chopped down.

It is claimed the land is a previously developed area of land, but this has lain derelict for decades when its use as an allotment was discontinued. In our opinion it has never been a developed plot.

It is claimed in the Design and Access Statement that there have been no accidents reported through use of the access. However as a derelict plot

which has not been used for decades there has been no vehicular ingress or access so no accidents would have occurred.

- 2 The Inspector's dismissal of the previous application was heavily weighted towards the location of the site within the conservation area and its proximity to Blaby Hall and the Ice House. It is our opinion that the new plan does nothing to address the Inspector's conclusions and so should be rejected for the same reason.
- 3 As well as the above observations the Parish Council wish to make the following specific objections to this application:-

The site in question sits between the historic estate of Blaby Hall and Bouskell Park (formally part of the Blaby Hall Estate) and between them these 3 pieces of land comprise a green corridor adjacent to the built-up area of the village. Development of any nature on this sensitive site would have a seriously adverse effect on the character of this green corridor and the street scene along this section of Sycamore Street and Welford Road.

The Blaby Neighbourhood Plan was developed to allow the control of future development of the village and to demonstrate the importance of green spaces to the character of the village. This proposed development is not in keeping with the aims of the plan for the following reasons:-

The above area of land along with adjoining countryside is designated Character Area A in the Blaby Neighbourhood Plan (Map 2) and is dedicated largely to recreation and agriculture. Development on this site would not be in keeping with the above designation.

This site along with Blaby Hall and Bouskell Park also forms part of the Conservation Area (Character Area D in the Neighbourhood Plan) which provides a green recreation area which protects the Conservation area from further erosion. Development in this area would negate the aims of the plan.

Map 15 in the Neighbourhood Plan designates the proposed site as countryside. BNP3 in the Neighbourhood Plan relating to countryside states that "The area designated as Countryside, would not be suitable for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape (Blaby Core Strategy Policy CS18). Obviously, any development on the site in question would significantly affect the appearance of the green frontage and would not meet with the aims of this policy.

The entrance to the proposed travellers site exits onto the busy Sycamore Street which has a high volume of traffic making egress from the site a potential hazard. Further to this it is also adjacent to the junction with Welford Road which increases traffic volumes, and potential hazards, as this junction is the sole egress for all traffic leaving the Aldi supermarket.

The site sits within the conservation area in Blaby and as such so does its trees and hedges, they are of importance to the local landscape character.

CE9 of Conservation and the Environment Policies and Proposals document published by Blaby District Council states “Planning permission will not be granted for development which would have a detrimental effect on vistas” which in light of the lack of action on the tree replacement notice by the landowner, has already happened. We also believe it contradicts sections CE1, CE6, CE10, CE11, CE12 & CE26 just by being proposed.

Trees on the site were cleared before the original planning application was considered in late August 2018. It was confirmed in January 2020 that the District Council have undertaken a site visit and new trees have been planted. Some of these trees appear to have been removed.

Site Access – There are highway safety issues around the site and there is a lack of visibility shown on the current site plan.

Ecology – There are records for Water Voles in the stream on the eastern boundary of the site as this requires at least a 6 metre buffer to protect the habitat, the plan only shows a 4 metre buffer which is insufficient.

Environmental Services – There appears to be a lack of information in relation to the water, drainage, waste, gas and electric supplies, lighting of the site and licensing requirements of the landowner.

Blaby District Council, Principal Planning and Conservation Officer – Objects the development fails to achieve the statutory duty of preserving or enhancing the character and appearance of Blaby Conservation Area.

Leicestershire County Council, Ecology – Holding objection requests an ecological survey to be submitted.

Leicestershire County Council, Forestry – The site is the subject of a tree replacement notice dated 15th July 2019 in relation to unauthorised clearance works previously undertaken to the site. The proposed application is in direct contravention of that notice and has already impacted upon replacement trees which were planted within the site.

Leicestershire County Council, Highways – No objections conditions recommended relating to access, visibility splays, parking.

Leicestershire County Council, Lead Local Flood Authority – Application is not a major application and has no comments to make and refers to the Environment Agency standing advice.

Leicestershire County Council Mineral and Waste – site is within a minerals safeguarding area for sand and gravel. No objections due to the location and scale of the proposed development.

Alberto Costa MP – The previous application was refused based on the proposal's significant harm to the character and appearance of the landscape and its failure to

conserve or enhance the Blaby Conservation Area. It was found to be contrary to policies CS2, CS9, CS18, and CS20 of the Blaby District Local Plan, as well as policies within the Development Plan Document 2013, the Local Plan Development Plan Document 2019, and the Blaby Neighbourhood Plan 2018. This was upheld by the Planning Inspectorate. the Planning Inspector also cited that the proposed residential Gypsy and Traveller site would form a discordant feature within the verdant green street scene of Sycamore Street/Welford Road and the parkland setting of Bouskell Park.

It is evident that the concerns regarding harm to the landscape and conservation area remain highly relevant. These concerns have not been addressed or mitigated in the current application.

The recent unauthorised works on the site, carried out before the application was determined, demonstrate a premeditated disregard for planning law. The submission of an application prior to undertaking the works further underscores the applicant's intent to circumvent due process, despite clear and well-established reasons why development on this land is inappropriate.

Third Party Representations

Letters of Objection and Representation

441 letters of objection and one letter supporting the proposal have been received and have raised numerous points including but not limited to:.

The need for the proposal and its location

- Site is not suitable for proposed development
- Site should not be developed at all
- Other travellers sites nearby
- No need for this site – other sites are available
- No public benefits

Enforcement and breach of planning

- Work has already commenced
- Land should be put back to original condition
- No one is above the law
- Concerns Planning Laws would not be followed
- Concerns that it would result in more caravans
- If approved would set a precedent

Relevant History of the site and surrounding area

- Permission has previously been refused
- Objections to previous application remain valid and unchanged
- No evidence to justify

Impact on the surrounding area

- The gates are an eyesore
- Adverse visual impact out of keeping with the area
- Area is a buffer between the homes and parkland

Character and appearance in the Conservation Area

- Visually detrimental
- Impact on Listed Buildings (Blaby Hall)
- Negative impact on its setting
- Site is in Conservation Area and should be protected
- Detrimental impact on the Park
- Open Space should be protected
- Causes significant harm to the heritage and historic character of the village.

Tourism

- Negative impact on the enjoyment of the park
- Would harm tourism in the area

Services on site and the surrounding area

- Site lacks infrastructure
- No details about services required
- Disruption when utilities put in

Information supplied by the applicant

- Application is full of inaccuracy – states no trees or hedges on site but boundary hedge has been removed for the gates/access
- States it is not within 20m of a water course, but site lies adjacent to the brook/stream.

Residential Amenity

- Noise from Generator
- Loss of Privacy

Flooding and Contamination

- Area is prone to flooding
- Proposal would increase risk of flooding
- Hard surfaced area would increase surface water flood risk

Trees and ecology

- Site is subject of tree replacement notice
- Loss of Wildlife
- Loss of Trees and boundary hedge
- Risk to Biodiversity
- Loss of habitat for wildlife, ecosystem and biodiversity
- Work undertaken without out any ecological surveys

Highways

- Increase traffic
- Risk to pedestrians
- Vehicular access is not safe
- Entrance Opposite a road junction

Other Matters

- No details of caravan Licensing
- Impact on property value
- No concern about the residents of Blaby
- The majority of residents do not want this to go ahead

Support

- Structure already in place
- Doesn't impact on wellbeing of others

Relevant History

<u>Reference</u>	<u>Description</u>	<u>Decision</u>	<u>Date</u>
20/0140/FUL	Change of Use of Land for the stationing of caravans for residential purposes for 2 no. Gypsy pitches, together with the formation of hardstanding and utility/dayroom ancillary to that use (revised Scheme)	Refused	29/05/2020 Appeal Dismissed 21/11/2022
19/1143/FUL	Change of Use of land for the stationing of caravans for residential purposes	Withdrawn	27/11/2019

	for 3 no. Gypsy pitches, together with the formation of ancillary hardstanding and utility/day rooms		
02/0703/1/OX	Proposed residential development (Outline Application).	Refused	28/04/2003
88/0625/1/PX	Erection of 6 sheltered bungalows and associated garage court.	Refused	17.06.1988

EXPLANATORY NOTE

This application is being presented to the Planning Committee for determination as it has been called in by the ward member

The Site

The application site is a vegetated piece of land that was formerly an allotment garden. The site fronts Sycamore Street an arterial route through Blaby and is part of an extensive area of Green space that includes the formal grounds of Blaby Hall (Grade II Listed) and Bouskell Park which includes the renovated Ice House (Grade II Listed) and together forms a significant portion of the Blaby Conservation Area. The site is in a prominent location in relation to the surrounding area fronting Sycamore Street sitting between Blaby town centre and the entrance to Bouskell Park, and opposite Welford Road and close to Freer Close which connect to the town centre.

There are residential properties opposite the site and residential properties south of the entrance to Bouskell Park.

Historic Maps show no significant town centre within the immediate area. Additionally the historic maps show no significant historic built form within the application site. A band of land also owned by the applicant separates the site from the boundaries of Bouskell Park.

There have been three previous proposals for residential development on the land, two of which were refused and the other withdrawn prior to determination. The reasons for the refusals included harm to the character and appearance of the area.

In 2018, a large number of trees were removed from within the site without consent of the District Planning Authority which resulted in the Authority serving a Tree Replacement Notice in 2019.

Following the submission of the application, and prior to it being validated the applicants have moved onto the site removing some of the boundary trees to create a vehicular access and the area has been surfaced with loose gravel and a static

caravan sited, along with an area for a touring caravan, the applicant's vehicles and a portable toilet.

The site has been enclosed with iron gates set back between closed boarded fences.

The updated flood map 2025 (NaFRA2) extends the flood zone further south and as such the site lies within Flood Zones 1, 2 and 3.

The Proposal

The proposal seeks to change the use of part of the land to a residential Gypsy/Traveller site for a single pitch comprising of a static caravan, touring caravan and car park. The pitch occupies the southern part of the site with 1020 square metres of permeable hardstanding proposed by way of loose gravel.

Access into the site is by utilising an existing dropped kerb opposite Welford Road and removing part of the boundary hedge to create the vehicular access into the site.

The proposed layout differs from the unauthorised layout in that the static caravan is located further south and off set from the vehicular access.

A 42.5m of new hedge is proposed along the eastern edge of the site adjacent to the brook/stream.

The application was submitted with the following Supporting documents:

- Design and Access Statement
- Natural History Survey
- Severn Trent Water Plan
- BNG Statement
- Utilities Plan
- Flood Risk Assessment
- Heritage Impact Assessment

(It should be noted that some of the submitted documents formed part of the previous application and appeal and are dated 2020.)

Planning Policy

DEVELOPMENT PLAN

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

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, 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 CS9 – Accommodation for Gypsies and Travellers

Policy CS9 seeks to make provision for Gypsy and Travellers Accommodation and sets out a requirement that planning applications should take account of the most up to date Gypsy and Traveller Accommodation Needs Assessment

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 planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape

Policy CS19 Biodiversity 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

Policy CS20 states that proposed development should avoid harm to the significance of historic sites, buildings or areas, including their setting and ensuring that

development in Conservation Areas is consistent with the identified special character of those areas

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 states that the Council will ensure all development minimises vulnerability and provides resilience to flooding, taking into account climate change. Among other measures the policy refers to managing surface water run-off to minimise the net increase in the amount of surface water discharged into the public sewer system.

Policy CS23 – Waste

Policy CS23 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; To improve the design quality of all new developments in the District including the need to design out crime; To protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve bio- diversity, wildlife habitats and corridors through the design of new developments and the management of existing areas by working with partners; and To minimise energy use and use of valuable resources and to encourage renewable energy production in suitable locations.

Policy CS24 – Presumption in Favour of Sustainable Development

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

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

Policy SA4 Broad Locations for accommodating Gypsies and Travellers and Travelling Show People

Policy SA4 seeks to make provision for gypsies and travellers / travelling show people through the development management process. It also highlights the need to take account of the latest GTAA. The policy identifies Broad Locations for new sites and to extend existing sites.

Policy DM2 – Development within Settlement Boundaries

Policy DM2 requires development to be in keeping with the appearance and character of the existing landscape, development form and buildings and that decisions in

respect of impact on landscape will be informed by the Blaby landscape and settlement Character Assessment, L&R Historic landscape Characterisation Study, NCAs and subsequent evidence.

Policy DM8 – Local Parking and Highway Design Standards

Policy DM8 seeks to provide an appropriate level of parking provision which complies with Leicestershire Local Highway Guidance and is justified by an assessment of the site's accessibility, type and mix of housing and the availability of and opportunities for public transport.

Policy DM12- Designated and Non-Designated Heritage Assets

Policy DM12 states that designated heritage assets and their settings (including Listed Buildings and Conservation Areas) 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

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 requires that development proposals in areas identified for mineral safeguarding will need to ensure that mineral resources of national or local significance are not needlessly sterilised by nonmineral development.

Blaby Neighbourhood Plan

Policy BNP1 -Character and Environment

Policy BNP1 states that all new development shall create a sense of place appropriate to its location (using the identified Character Areas Maps) by reflecting the principal characteristics of adjacent area(s) in regards to scale, layout and materials.

Policy BNP3 – Countryside

Policy BNP3 states that the area designated as Countryside, would not be suitable for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape (Blaby Core Strategy Policy CS18).

Policy BNP8 – Design of New Development

Policy BNP8 requires that any new development within Blaby should incorporate design features which enhance and complement Blaby's important housing,

commercial and historic character and reflect the following principles in the relevant areas.

Policy BNP9- Settlement Boundary

Policy BNP9 states that the location of future development will be focused within the identified settlement boundary whilst allowing for sustainable development within the Green Wedges and countryside. Such sustainable development to include the development of the reserve sites in accordance with Policy BNP6. New development will be supported within the settlement boundary, subject to the proposed development having a satisfactory relationship with other nearby uses.

OTHER MATERIAL PLANNING POLICY AND 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, flood risk and light pollution.

Planning Policy for Travellers Sites (PPTS) (2024)

Identifies the legal definition of gypsies and travellers and that a relevant matter for consideration of planning applications for travellers is the existing level of local provision and need for sites. More specifically, local planning authorities should identify and update annually a supply of deliverable sites sufficient to provide 5 years' worth of sites against their local set targets.

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
- Gypsy and Travellers Status
- The design and appearance and impact on the character of the area and countryside setting
- Impact on heritage assets – Conservation and Listed Buildings
- Impact upon residential amenities
- Flood risk and drainage impacts
- Ecology and biodiversity impacts
- Highway impacts
- Environmental impacts

Principle of development

Core Strategy Policy CS1 deals with the strategy for locating new development outside of the PUA focusses development within and adjoining Blaby.

Core Strategy Policy CS5 sets out the settlement hierarchy and seeks to provide the appropriate quantity and mix of housing to meet the needs of the District's current and future populations.

Core Strategy Policy CS9 seeks to make provision for Gypsy and Traveller Accommodation. It sets out a requirement but makes it clear that planning applications should take account of the most up to date Gypsy and Traveller Accommodation Needs Assessment.

The latest Gypsy and Traveller Accommodation Assessment 2022 shows a total need for 93 pitches between 2022 and 2041, with 41 plots in the first 5 years. The current supply is 14 plots.

CS9 includes criteria against which traveller sites (for local plan allocations and planning applications) are to be assessed:

- Reasonable distance to settlement/ access to arrange of services
- Avoid significant adverse impact on landscape, countryside and built environment
- Safe highway access
- Appropriate scale to the settlement, its local services and infrastructure
- Satisfactory living conditions for residents in terms of hazards / nuisance caused by for example flooding, noise or land contamination
- No unacceptable nuisance to existing neighbours in terms of noise and other disturbance caused by vehicle movement

Taking account of the total scale of need and the existing supply, there is clearly an outstanding need for additional pitches for gypsy and traveller accommodation. In terms of the criteria there is potential for impacts in terms of criteria (b), (c), (d), (e) and (f).

Core Strategy SA4 seeks to make provision for gypsies and travellers / travelling show people through the development management process. It also highlights the need to take account of the latest GTAA.

The policy identifies Broad Locations for new sites and to extend existing sites. These broad locations are consistent with the wider Local Plan locational strategy policies set out in Policies CS1, CS5, CS16, CS17 and CS18. This includes locations within the areas designated as Countryside as well as sites within and adjoining the main sustainable settlements in the District.

The policy sets out criteria that will mean the application is not supported. These relate to:

- Other development plan policies including CS9
- Air quality and noise
- Physical constraints such as flood risk
- Protected areas including wildlife, geology and scheduled monuments
- Overdevelopment

The site is located on land outside, but adjoining, the settlement boundary of Blaby. This is a location supported by Policy SA4 for sites for Gypsies and Travellers.

Gypsy and Travellers Status

There is a generally accepted national need for more traveller sites. The National Planning Policy Framework (NPPF) expects that the housing needs for different

groups in the community should be reflected in planning policies. The PPTS makes it clear that a relevant matter for consideration of planning applications for travellers is the existing level of local provision and need for sites. More specifically, local planning authorities should identify and update annually a supply of deliverable sites sufficient to provide 5 years' worth of sites against their local set targets.

Policy CS9 ensures that gypsies and travellers have access to suitable accommodation and sets out minimum provision which will be made within the plan period. The 'Blaby District Council Gypsy and Traveller Accommodation Assessment (GTAA) Final Report December 2022 identified the need for 93 pitches in Blaby from 2022-2041 for Gypsy and Traveller households that meet the planning definition

The District Planning Authority agrees with the Traveller Liaison Officer that the applicant satisfies the definition of a traveller as set out in Annex 1 of the Planning Policy for Travellers Sites (December 2024) (PPTS) (Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such).

The PPTS indicates only that the ability to demonstrate a 5-year supply should be a significant material consideration when assessing an application for temporary accommodation. As there is an outstanding need for Gypsy and Traveller Accommodation within the District which weighs in favour of the proposal it needs to be assessed against other relevant policies in the Local Plan.

The design and appearance and impact on the character of the area and countryside setting

The site forms part of a verdant green boundary to the countryside land and Conservation Area on the eastern side of Sycamore Street, providing a well vegetated and relatively rural setting to the edge of the town which is disrupted only by the accesses into Blaby Hall to the north and Bouskell Park to the south. It emphasises the division between the suburban settlement and open parkland east of Sycamore Street, comprising an influential part of the area's character and appearance

From within Bouskell Park, the application site forms part of its western vegetated boundary, blocking views to the urban centre of Blaby.

The scheme which is now retrospective is to retain the use of the site as a residential caravan site, the hard standing, gates, fencing, static caravan, touring caravan, parked vehicles and other associated residential paraphernalia.

A consideration of the proposal is the Inspectors decision for application 20/0140/FUL where he states that, "The new access serving the Gypsy pitches would interrupt the seamless green frontage running between the existing entrances to Blaby Hall and Bouskell Park". With the occupation of the site and removal of the boundary vegetation and installing the gates and fences it is considered that the development has a significantly adverse effect on the character and appearance of the area, forming a

discordant feature in the street scene of Sycamore Street and harming the parkland setting of Bouskell Park and Blaby Hall.

The proposal is considered to be contrary to Policy CS2, as it fails to respect the distinctive local character of this area. There would also be conflict with Policy BNP1, through it failing to create a sense of place appropriate to this location.

Policy CS9 sets out a number of requirements for new gypsy and traveller sites. These include criterion (b) which states that sites should avoid significant adverse impact on landscape, countryside and the built environment including by reason of its scale, prominence or layout. Sensitive landscaping and screening will be required to ameliorate any adverse visual impacts.

It is considered that the adverse visual impact on the townscape in this part of Blaby would fail criterion b) of Policy CS9.

The proposed development is situated in land designated as countryside and the development results in significant harm to the character and appearance of the landscape and does not constitute any of the exception uses described in Policy CS18 and is therefore contrary to that Policy and to Policies BNP3 and BNP9 of the Blaby Neighbourhood Plan.

Heritage

The application site lies within the Blaby Conservation Area and is considered to be within the setting of Blaby Hall and the Ice House of Blaby Hall, both of which are grade II listed.

Conservation Area

The Blaby Conservation Area can be divided into three character areas: the primarily residential areas to the north of Church Street; the developed area around Hall Farm, and the historic landscape associated with Blaby Hall and Bouskell Park. While it is unclear if the application site was formerly part of the ownership of Blaby Hall, it is a vegetated piece of land east of Sycamore Street undoubtedly within the later character area.

As stated above, the proposal is considered to be contrary to the character and appearance of the area and, similarly, will harm the character and appearance of the Blaby Conservation Area.

Listed Buildings

The application site is located on the eastern half of Sycamore Street and its character is predominantly derived from the scale and length of mature trees and vegetation which abut the narrow pavement. The trees and accompanying vegetation make an important visual contribution to the verdant character and appearance of the Conservation Area's western boundary, with this substantial 'green wall' running in a northerly direction before eventually giving way to a long, red brick wall in Flemish bond topped with blue brick copings. The canopies of established, mature trees

overhang the wall's upper limits and screens direct views into the grounds of Blaby Hall, but maintain the sense of verdancy.

Whilst the Hall can be glimpsed through the tree's canopies above the wall, these natural features which includes the surrounding parkland make a significant contribution to the setting of the Hall itself. The greenery continues to the south where the vehicular and pedestrian entrance to Bouskell Park is bounded by metal railings and a large metal gate. Whilst the character is still verdant in this location, the set back of the trees and vegetation is noticeable and not as close to the footway as the trees/vegetation further north of the park access.

The Council has a statutory duty to pay special attention to the desirability of preserving the character and appearance of the Blaby Conservation Area, and to pay special regard to the desirability of preserving the setting of Blaby Hall and the Ice House. The NPPF states that great weight should be given to the conservation of the heritage assets and the harm to those assets should be weighed against the public benefits of the proposal.

It is considered that the harm associated with the development would not directly impact upon the heritage values of the Blaby Hall and the Ice House, but there would be indirect impacts by virtue of the development eroding their setting respectively.

The proposal is therefore contrary to the special character and distinctiveness of the Blaby Conservation Area and harms the setting of Blaby Hall and the Ice House associated with Blaby Hall. Consequently, the scheme results in the less than substantial harm to the significance of those heritage assets contrary to Policies CS20 and DM12.

Policy SA4 sets the broad locations for accommodating those Gypsies and Travellers in Blaby meeting the PPTS planning definition. This is permissive in locations immediately adjoining Blaby's defined Settlement Boundaries and outside either a Green Wedge or Area of Separation. This would be unless, under part d), a proposal was demonstrated to cause adverse effects to protected areas. As less than substantial harm has been found in respect of the Conservation Area and the settings of the listed Blaby Hall and Ice House it is therefore considered that the proposal conflicts with policy SA4.

Highways

Policy DM8 states that all new developments and changes of use will be required to meet highway design standards. Development will be required to provide an appropriate level of parking and servicing provision as set out in the Leicestershire Local Highway Guidance.

Access into the site is via an existing dropped kerb and along with the removal of the boundary hedge creates an access of 3.6m in width with inward opening gates set within a 2m high closed boarded fence. The access joins the public highway at a point where Sycamore Street and Welford Road merge. Both roads are adopted, 'C' classified roads subject to a 30mph speed limit. It is unclear from historic records that the access was a vehicular access into the allotment site but however from mapping it would appear to be pedestrian access only.

The access currently measures 3.60m in width with inward opening gates. These gates are setback approximately 5.0m to 6.0m from the back of the footway. Consideration of the access in accordance with the Local Highway Authority design guide (LHDG) would be for a single dwelling.

The LHDG requires that an access serving a single dwelling should have a minimum effective width of 2.75m for a distance of at least 5.0m behind the highway boundary.

Where an access is bounded by a wall, fence, hedge, line of trees or other similar obstruction on one side then an additional 0.5m in width is required and where the access is bounded on both sides 1.0m should be added to the access width.

Following consultation with the Highways Authority who are of the opinion that the proposed development should be served by an access with a width of 3.75m. Given that the access as currently formed is only substandard in width by 0.15m the LHA deem the access, in terms of width, to be acceptable.

Given the site is located close to a town centre and within the vicinity of a public park and primary school, a significant level of pedestrian movements passes the site access. The LHA therefore have advised that pedestrian visibility splays of 2.0m by 2.0m should be provided on either side of the access.

The LHA have stated that these pedestrian visibility splays must be contained solely within land under the control of the Applicant with nothing above 0.6m in height obstructing either splay.

The Local Highway Authority have also stated that the access should be surfaces with a hard bound material for a distance of 5m behind the highway boundary to reduce the possibility of deleterious material being deposited in the highway (loose stones etc.). Currently the access is laid with gravel stones.

The LHA advise that at present the site access is not safe and suitable to serve the proposed development due to substandard visibility splays. However, have recommended conditions to enable a satisfactory access into the site.

In terms of parking provision, a dwelling up to 3 bedrooms require parking spaces of two cars the static caravan has two bedrooms and it is considered that the site is of a scale that two parking spaces can be provided. Although details of the location of the parking spaces are not indicated on the plan.

In terms of sustainability the site is located close to Blaby town centre future residents will have access to key services and public transport links without reliance on the use of a private vehicle.

Drainage and flood risk

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

measures the policy refers to managing surface water run-off to minimise the net increase in the amount of surface water discharged into the public sewer system. Policy CS21 states that development that mitigates and adapts to climate change will be supported.

The Council's 2014 Joint Strategic Flood Risk Assessment identifies some of the site as potentially being within Flood Zone 2, 3a, and 3b.

The application was submitted with an FRA which is dated 2020 and submitted as part of the appeal on the previous application. This FRA states that the Site is mapped as being located within Flood Zone 1, which is the lowest risk of flooding.

The flood map indicates that an area of the site to the east and an area to the south fall within Flood Zones 2 and 3. The Surface Water map indicates that the proposed development site may be in an area associated with a low chance of surface water flooding.

The applicant has also submitted a document relating to the site-specific flood risk, prepared by GeoSmart Information Ltd.

Since the FRA was prepared in 2020 the national flood map has been updated in 2025 (known as NaFRA2) mapping. This does extend the flood zones further south along the watercourse adjacent to the site. With the fluvial flood risk and adding in climate change results in the flood zones being extended. As such the proposed location as identified in the submitted plan is within a flood risk zone.

As the caravan is for residential use which is considered highly vulnerable use this it is not appropriate to be located within Flood Zone 3 and within Flood Zone 2 would be subject to the sequential test. The National Planning Policy Framework sets out strict tests to protect people and property from flooding where these tests are not met, new development should not be allowed.

The National Planning Guidance notes that areas at risk of flooding are those at risk of flooding from any source, now or in the future. Sources include rivers and the sea, direct rainfall on the ground surface, rising groundwater, overwhelmed sewers and drainage systems, reservoirs, canals and lakes and other artificial sources. Flood risk also accounts for the interactions between these different sources.

It is considered that an up to date FRA should be submitted which includes fluvial risk of flooding as a result of climate change would need to be submitted to address the above and to comply with policies CS21 and CS22.

Drainage and Environmental Health

The submitted Design and Access Statement, paragraph 7 states that 'the site already has water, electricity and sewage services available.

The Environmental Services Department have been consulted and commented that the submitted application form does not provide any information in relation to foul drainage. The applicant has submitted an extract from Severn Trent Water's sewer

maps which indicates that mains sewers run along Sycamore Street. However, no information has been provided in relation to the provision of foul drainage for the site itself.

In relation to surface water drainage, it indicates that this would be disposed of to the existing watercourse and soakaway. The submitted layout plan indicates that the surface of the site is to be covered with permeable material. However the permeability of the surface will only be effective if the layers below are also permeable and able to deal with the quantity of water involved. This also links to the flooding risk that is associated with the site.

Ecology and biodiversity net gain

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 application site is situated on the edge of Blaby and adjacent to a watercourse and linked to Bouskell Park. The Parks and Open Space Strategy identifies Bouskell park as a wildlife rich asset.

The application site is boarded by mature hedgerows and trees and appears to be well vegetated. All providing foraging and commuting routes for a range of wildlife species including birds, bats and water vole.

The application was submitted with a Natural History Survey which comprised a desk study and a walk over survey. This survey indicates that no trees are to be removed.

However, as a result of the creation of the vehicular access into the site resulted in a substantial amount of vegetation being removed and the ecology officer has requested that considering the nature of the works and suitability of the surrounding habitat an ecology survey will be required.

This has been requested however no details or survey have been submitted. It is therefore considered that the proposal is contrary to policy CS19.

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.

The County ecologist has requested details of degradation prior to the submission of the application. However as the applicant moved onto the site prior to the application

being validated and as such is a retrospective application and as such BNG does not apply.

Other Matters

Previous appeal decision

In terms of considering the site for use as a gypsy and Traveller's site of relevance to this application is the appeal decision for the previous proposal. Again, this included the creation of a new access onto Sycamore Street and removing the vegetation boundary hedge and trees. The Inspector concluded that *"The new access serving the Gypsy pitches would interrupt the seamless green frontage running between the existing entrances to Blaby Hall and Bouskell Park, opening up views of the block paved area accommodating the proposed mobile homes, touring caravans and plainly designed dayroom."*

Whilst the proposal is for a smaller scheme and doesn't include a dayroom the applicant has removed the hedge/trees along the boundary creating an enlarged access and as stated by the planning inspector the access interrupts the seamless green frontage which forms part of the distinctive character of the area.

The planning Inspector concluded in assessing the impact of the proposal on the Conservation area that the *"proposal would be contrary to Policy CS2, in failing to respect the distinctive local character of this area. There would also be conflict with Policy BNP1, through it failing to create a sense of place appropriate to this location. The adverse visual impact on the townscape in this part of Blaby would fail criterion b) of Policy CS9, required to support a new Gypsy site. Within an area designated as countryside, the proposal fails to meet Policy CS18 by having a significantly adverse effect on the appearance and character of the landscape. For broadly the same reasons, the proposal conflicts with DP Policy DM2 and Policy BNP3, as these relate to development in the countryside."*

It is considered that as there is no change to the development plan since the appeal decision it is evident that the proposal remains entirely discordant with the otherwise previously undeveloped and thickly vegetated character of this prominent stretch of land fronting the grounds to Blaby Hall and Bouskell Park.

As stated in the Inspectors decision the Static Caravan and residential paraphernalia of the Gypsy pitch would comprise a highly incongruous feature, out of keeping with the surroundings and unrelated to the prevailing pattern of development. As such, there is substantial harm to the townscape character of this prominent and sensitive part of Blaby.

Human Rights, Equality and Children

The Human Rights Act 1998 has incorporated into English Law, a number of the Articles of the European Convention on Human Rights, including the following which is relevant in the determination of this application:

Article 8

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Article 8(1) seeks to protect, amongst other things, a person's right to their home. In the case of a residential caravan / mobile home, the home comprises of the physical caravan / mobile home itself and the land upon which it is positioned. A refusal of planning permission by denying any person the opportunity of their home, and any interference with resulting in the loss of a person's existing home may, therefore, amount to an interference with this right. Regard should therefore be had to any harm that would be caused this right must be proportionate to the benefits that would be achieved - proportionality being inherent in the framework and substance of the planning decision making process.

The applicant is currently occupying the application site with his family of which 3 are children. The eldest is home-schooled, the middle child goes to a local Primary School and the youngest is at Nursery. The considerations set out in relation to this current planning application have had due regard to the proportionality of any interference in the right to a home that would be caused by the refusal of planning permission. This decision has been made with due regard to the District Planning Authority's public sector equality duty under the Equality Act 2010, its responsibility to place the best interests of the children as a primary consideration set out under Article 3 of the UNCRC, and the need to safeguard and promote the welfare of children by the Children's Act 2004.

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.

The NPPF, which is a material consideration in decision making, requires that planning authorities to identify a five-year supply of deliverable homes to meet the needs of all communities which include inter alia travellers.

Planning Policy for Travellers Sites (PPTS) (2024) Identifies the legal definition of gypsies and travellers and that a relevant matter for consideration of planning applications for travellers is the existing level of local provision and need for sites. More specifically, local planning authorities should identify and update annually a supply of deliverable sites sufficient to provide 5 years' worth of sites against their local set targets

As set out in the report above, it is acknowledged that there is an outstanding need for Gypsy and Traveller accommodation in the District.

However in this instance, the provision of a single pitch for the applicant and his family is considered to be outweighed by the harm to the character and appearance of the area, the Blaby Conservation Area, the setting of Blaby Hall and the Ice House of Blaby Hall and the Development Plan's Gypsy and Traveller Policies. Therefore, it is recommended that the application is refused for the reasons stated.

Demolition of buildings, construction of 191 no. dwellings and Village Hall, associated new vehicular and pedestrian/cycle access off Forest Road, open space including play provision, landscaping, SuDs, enabling earthworks, and associated infrastructure.

Springfield Farm, Forest Road, Huncote

Report Author: Helen Wallis, Senior Planning Officer

Contact Details: Council Offices. Tel: 0116 272 7705

RECOMMENDATION:

THAT APPLICATION 24/0770/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. Civic amenity and waste facilities contribution
9. Recycling and refuse contribution (wheeled bins)
12. On-site open space and future maintenance (including LEAP)
13. Off-site sports facilities contribution
14. Village Hall transfer
15. Bus stop contribution
16. Traffic Regulation Order (TRO) removal contribution
14. Travel packs
15. Bus passes
16. Residential Travel Plan monitoring fee
17. Appointment of a Travel Plan Co-ordinator
18. On-site Biodiversity Net Gain provision and monitoring
19. S106 monitoring contributions - District and County Councils

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. Materials and colour finish of door to be carried out in accordance with materials plan.
4. Construction Environmental Management Plan (CEMP) to be submitted and implemented as approved.

5. Construction Traffic Management Plan to be submitted and implemented as approved.
6. Construction Environmental Management Plan or Biodiversity (CEMP:Biodiversity) to be submitted and implemented as approved.
7. Details of precautionary method of working in relation to Great Crested Newts to be submitted and agreed. Landscaping and Ecological management plan to be submitted and implemented as agreed.
8. Submission of final tree protection plan and arboricultural method statement to be submitted and implemented as approved.
9. No development until a scheme for treatment of PRoW footpath V64 and bridleway V65 has been submitted and approved. Implementation to be carried out as approved.
10. Surface water drainage scheme shall be submitted, agreed and adhered to.
11. Foul water drainage scheme shall be submitted, agreed and adhered to.
12. Details for the management of surface water on site during construction to be submitted for approval.
13. Details for the long-term maintenance of the surface water drainage system to be submitted for approval prior to occupation.
14. Infiltration testing to be carried out before any development commences.
15. Archaeological mitigation strategy to be submitted and agreed and development carried out in accordance with agreed strategy.
16. Asbestos survey; remediation 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.
17. If contamination not previously identified is found then a remediation strategy is required.
18. Air Quality mitigation measures to be implemented in accordance with Air Quality Assessment.
19. Noise mitigation measures to be implemented in accordance with Noise Assessment.
20. Play area design and equipment to be implemented in accordance with submitted plan.
21. Site access arrangements and off-site highway works to be implemented prior to occupation.
22. Visibility splays to be provide prior to occupation.
23. Offsite highway works at the B4114 Coventry Road / Huncote Road junction to be implemented prior to occupation.
24. Off-site highway works at the Forest Road/Desford Road junction to be implemented prior to occupation.
25. Amended travel plan to be submitted prior to occupation and implemented as approved.
26. Parking and turning facilities for each residential unit to be implemented prior to occupation and maintained in perpetuity.
27. Access drives to be surfaced with hard bound material prior to occupation and maintained in perpetuity.
28. No gates/barriers/bollards within 5 metres of the highway boundary.
29. Village hall not to be used until secure, covered cycle parking has been provided in accordance with details submitted and approved and maintained in perpetuity.

30. Village hall parking and turning to be implemented and provision kept available in perpetuity.
31. Details of any village hall lighting and CCTV provision to be submitted to and approved prior to its implementation.
32. Hours of use for village hall and patio area – 0700 to 2300.
33. Details of any village hall external plant to be submitted and approved. Details to accord with Noise Assessment.
34. Village hall enhanced glazing to be implemented in accordance with Noise Assessment.
35. Landscaping to be implemented in accordance with approved details and maintained/replaced.
36. Details of site levels / finished floor levels to be submitted, agreed and adhered to prior to any above ground construction.
37. Bin Collection Points and Bin Storage Points to be provided and retained as per Refuse Plan.
38. Bungalows as indicated on plans to be constructed as M4(2) compliant dwellings.
39. Obscurely glazed windows shall be installed where such openings serve proposed bathrooms and WCs.
40. No occupation of plots 93, 94 and 95 prior to submission of scheme for window revisions on adjacent barn conversion.
41. Removal of permitted development rights for conversion of garages to non-parking purposes.
42. Details of all external lighting to be submitted, agreed and adhered to prior to installation.

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 CS6 | Employment |
| 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 CS17 | Areas of Separation |
| 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 SA5 Key Employment Sites and Other Existing Employment Sites
Policy DM2 Development in the Countryside
Policy DM4 Connection to Digital Infrastructure
Policy DM8 Local Parking and Highway Design Standards
Policy DM11 Accessible and Adaptable Homes
Policy DM12 Designated and non-designated heritage assets
Policy DM13 Land Contamination and Pollution
Policy DM15 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

Whilst every effort has been made to accurately summarise the responses received, full copies of the representations received are available to view at

<https://pa.blaby.gov.uk/online-applications/>

The consultation responses comments are précised if conditions are proposed these are included within the conditions at the end of the report unless stated otherwise.

Active Travel England – Standing advice issued.

Further comments Sept 2025 (further information and plans) – Previous comments reiterated.

Blaby District Council Neighbourhood Services – No objections. Waste collection guidance provided to be referred to the developer.

Further comments Sept 2025 (further information and plans) – Previous comments reiterated.

Blaby District Council Environmental Services – Further information required prior to determination in respect of proposals for addressing the potential malodours from Greens Lodge Farm and use of village hall. Conditions recommended to require implementation of mitigation measures included in air quality and noise reports and additional site investigation works and subsequent remediation in relation to contamination.

Further comments May 2025 (further site investigation report) – Revised condition recommended in respect of contamination, with revised remediation zones incorporated in the Remediation Method Statement.

Further comments October 2025 - Further consideration to be given to impact of village hall on nearby dwellings within the development.

Further comments November 2025 - No objections subject to conditions.

Blaby District Council Housing Strategy – Support the affordable and market housing location, formation and mix as started on the most recent plans.

Blaby District Council Health and Leisure – Developer contributions requested towards provision of changing facilities, 3G pitch provision, upgrading of grass football pitch and improvement of cricket pitch.

Environment Agency – Comments. Consideration should be given to proximity of anaerobic digestion activity and mitigation may be needed through the design of the new development to minimise exposure. Huncote quarry landfill (200m to north west) is progression towards eventual surrender, Narborough Landfill 150m to south east) is in a phase of gas and leachate management/monitoring.

Further comments Sept 2025 (further information and plans) – Previous comments reiterated.

Huncote Parish Council – Provides objections and comments on the grounds of traffic impact, road and pedestrian safety, construction impacts, delivery of village hall prior to occupation, upgrading of bridleway V65, impact in wider area of development in the countryside, flood risk and section 106 monies.

Leicestershire County Council, Archaeology – Further information required.

Archaeological Desk Based Assessment and Geophysical Survey welcomed. As the site lies within an area of archaeological interest, recommend pre-determination trial trenching.

Further comments June 2025 (Written Scheme of Investigation) – WSI for investigation of site by trial trenching is satisfactory.

Further comments August 2025 (Archaeological Evaluation Report) – Evaluation has not identified any remains beyond ridge and furrow. Revised report required to provide further clarification regarding understanding of ridge and furrow.

Further comments October 2025 – Recommend condition is imposed in respect of a mitigation strategy.

Leicestershire County Council, Developer Contributions – Request the following developer contributions are provided, totalling £1,549,496.93.

Waste - £4559.17 (Whetstone Household Waste Recycling Centre)

Libraries - £5,586.57 (Enderby Library)

Primary Education - £679,172.00 (Huncote Primary School)

Secondary Education - £534,367.27 (Brockington College)

Post 16 Education - £0.00 (Countesthorpe Academy)

SEND Education - £101,042.69 (Wigston Birkett House Community Special School)

Early Years Education - £224,769.22 (Huncote Primary School)

Monitoring fees - £300 or 0.5% for each obligation

Leicestershire County Council, Ecology – Objection. Further information needed in respect of impact on great crested newts and how retained grassland will be protected and enhanced to good condition. Net gain of 21.93% habitat units and 13.56% hedgerow units achieved, however, BNG trading rules not satisfied.

Further comments February 2025 (further information provided) – Recommend conditions requiring a Construction Environmental Management Plan for Biodiversity is provided (CEMP:Biodiversity), Habitat Management and Monitoring Plan (HMMP) and to secure a precautionary method of working relating to great crested newts

Further comments October 2025 (further information and plans) – Objection.

Inconsistencies between BNG metric and BNG report need clarification.

Further comments October 2025 (further information and plans) – No objections subject to condition.

Leicestershire County Council, Forestry – No objections. The proposed development retains the majority of trees and hedgerows with only small loss to facilitate access. Significant open space with new tree and shrub planting will adequately mitigate any loss. Retained trees properly assessed and adequate protection recommendations made.

Leicestershire County Council, Highways – Highway impact of the proposal has not been fully assessed. Further information required in relation to site access; Stage 1 Road Safety Audit; visibility, proposed footway/cycleway; off-site highway works; trip generation/ junction impacts; internal road layout and public rights of way.

Further comments April 2025 (further information relating to site access only) - Highway impact of the proposal has not been fully assessed. (1) Concerns raised about whether the visibility splays are sufficient to cater for the 85th percentile speeds. (2) Proposed internal path link along frontage of the site should be designed in accordance with LHDG (3) shared footway/cycleway needs to be designed to adoptable standard and with appropriate visibility (4) further consideration of design of footway along Forest Road required.

Further comments July 2025 (further information relating to site access and trip generation/distribution) – Highway impact of the proposal has not been fully assessed. (1) Revised drawings address outstanding concerns and proposed access design and pedestrian/cycle connectivity is acceptable (2) trip rates agreed and LHA satisfied that appropriate method of distributing development trips has been adopted – full junction capacity assessment models need to be submitted.

Further comments November 2025 (further information relating to internal layout and off-site mitigation) – Impacts would not be severe. Conditions and S106 contributions recommended.

Leicestershire County Council, Lead Local Flood Authority – Further information required:

(1) Additional SuDS should be proposed within the eastern catchment

(2) Details of on-site watercourse connectivity downstream required

Further comments December 2024 (additional information received) – Further information/evidence required to demonstrate that there is a ditch connection that convey flows off-site to the east.

Further comments February 2024 (additional information received) – Sufficient information has been provided demonstrating downstream connectivity from within the boundary. Conditions recommended to require surface water drainage scheme and management of surface water during construction.

Further comments October 2025 (further information and plans) – New drainage strategy information has been submitted following a site layout change. The information does not change previously LLFA comments.

Leicestershire County Council, Minerals and Waste – No objections. Site is largely underlain by made ground and clay materials. Given this, no comments to make from a minerals or waste safeguarding perspective.

Leicestershire Police – Comments provided on crime prevention measures for dwellings and village hall.

Leicestershire and Rutland Integrated Care Board – Request developer contribution of £147,910.40 for use at any of the named GP surgeries (Enderby Medical Centre, The Limes Medical Centre) and /or to develop alternative primary/community healthcare infrastructure that will be directly impacted due to the increase in population linked to this housing development.
Further comments Sept 2025 (further information and plans) – No further comments.

Narborough Parish Council – Objects on grounds of increased pressure on services; increased traffic volumes on Forest Road and Huncote Road; speeding traffic; more could be done to encourage use of cycles.
Further comments June 2025 (further information) – Objection maintained.
Further comments October 2025 (further information and plans) – Objection maintained.

National Gas Transmission – No National Gas Transmission assets in this area.
REPRESENTATIONS

50 representations received in total (48 representations responding to the original consultation, 2 responding to later consultation in September 2025).

46 representations objecting to the proposals, raising the following matters:

Principle/loss of countryside

- 191 dwellings is excessive for a small settlement like Huncote
- Leicestershire has a housing shortage but a small village is not the place to bolt on additional parcels.
- Clear separation between areas needed.
- Not sustainable.
- No need for more housing.
- Loss of farmland.
- Countryside already sparse compared with what it used to be.
- Loss of countryside bridle paths and views as well as hedgerows and grassland.
- Loss of wildlife habitat.
- Fear that more farms will be lost to development.
- Huncote will lose identity as a village.
- Not a brown or grey site and limited affordable housing, contrary to latest government objectives.
- Merging with Enderby and Narborough
- Loss of green land has adverse effect on mental health

Highways/Traffic Impact

- Transport Assessment is standardised
- Occupants of development will not use public transport or walk. Cars will utilise Forest Lane and Denman Lane to get to Narborough, which are not fit for through route traffic.

- Traffic going through village is already bad.
- Construction traffic will increase risk to residents, especially around Denman Lane.
- Limited visibility at site access – vegetation that would need to be cut back to provide visibility splays is outside of the development boundaries. How will this be maintained in the long term?
- Development exceeds the recommended number of 150 dwellings for a single point of access. No second point of access provided.
- Removing access only onto Denman Lane would increase traffic by school which is already bad a drop off times.
- Transport Assessment will not have taken into account application 24/0398/FUL for development of 154 dwellings off Peers Way/Preston Way.
- Shropshire's on Forest Road has recently requested an increase in HGVs.
- Routes out of the village are unsafe on foot or for people using mobility scooters, pushing prams; no street lighting and the path is narrow but access to doctors/pharmacy/dentists are all in Narborough along this route.
- Forest Road narrow and already very congested.
- 100 plus cars leaving Huncote to join the B4114 would increase already congested area.
- No safe cycle routes out of the village.
- Previous promises made re footpaths never happened.
- Increase in traffic along Narborough Road close to dangerous exit from Daultry Way.
- CCTV covering Denman Lane shows between 500 and 1000 vehicles per 24 hours, many breaking access only restriction.
- Increased risk to children crossing Denman Lane.
- Trips to village hall underestimated as people will drive due to the location of the hall some way from the village centre.
- Length of restricted carriageway space on Forest Road due to on street parking underestimated and no account taken of parking on Main Street.
- No change to justify removing restrictions on Denman Lane and no Road Safety Audit carried out for unrestricted access.
- RSA for Huncote Road/B4114 uses another developer's proposals.
- Concern about access for emergency vehicles.
- Highway infrastructure unsuitable for increased traffic flows.
- Traffic lights will be needed to get onto B4114.
- Traffic calming should be provided on Denman Lane or should be made a 20mph zone.
- On street parking obstructs Forest Road/Denman Lane junction and compromises its safe operation.
- No walking or cycling improvements beyond the site are identified. Improvement could include pedestrian crossing on Denman Lane,

- Forest Road is used as a rat run to avoid Desford Crossroads
- Traffic calming needed on Forest Road

Infrastructure/Services

- Schools are full.
- No doctors in the village.
- Demand from all these additional people can't be met.
- Insufficient infrastructure.
- Doctors already struggle to provide a service.
- Who would be responsible for and pay for the Village Hall?
- Existing community centre no longer used due to excessive fees charged by Leicestershire County Council.
- Already have village hall on school site.
- Elderly who are most likely to use village hall, can't get to that part of the village.
- Poor bus service
- Can we have a new BMX track for the village
- Village hall would be fantastic for the village
- Need more shops in the village
- Free bus travel is not provided for children attending local secondary school
- Nothing for teenagers in the village

Flood Risk/Drainage

- Gardens on Spence Lane flood. Development will increase flood risk to houses.
- Road to Croft floods frequently leaving two ways in/out of village.
- Spence Lane development is built on a flood plain.

Environmental Issues

- Pollution will increase.
- Increased noise pollution.

3 representations making comments on the proposals, raising the following matters:

- Travel plan lacks ambition in meeting Active Travel targets for 2030.
Ambitious targets could be set for wheeling/walking if there is better route to Narborough by joining V65 track from site to Copt Oak Road.
- 15 min cycle time comments in travel plan need to take account of night time with restricted space.
- Footpath V64 should be improved through surfacing through site.
- Travel plan should aim to increase walking/cycling/wheeling not just reduce vehicle trips.
- Better to have houses here than off Peers/Preston Way and Ratcliffe Road.

1 representation in support of the proposals, raising the following matters:

- Blaby District needs more homes to ease the shortage and it's good for local businesses.
- Narborough Health Centre was recently refurbished but is barely used.
- School has enough land for portacabins until new classrooms can be built.

RELEVANT PLANNING HISTORY:

87//1311/1/PY	Extension to existing caravan site to hold 20 more caravans	Approved 17.09.1987
89/0762/1/PY	Proposed extension to caravan storage site	Approved 06.07.1989
91/0837/1/OX	Proposed residential development and construction of relief road	Refused 19.09.1991
03/0247/1/PX	Demolition of stables and barn, removal of mobile home and conversion of stables	Approved 08.07.2003
03/0795/1/PX	Replacement dwelling	Approved 11.09.2003
04/0253/1/PX	Erection of detached garage with tractor store	Approved 29.04.2004
07/0100/1/PX	Erection of stable block	Approved 11.06.2007
15/0559/HH	Erection of detached double garage	Approved 23.06.2015
19/0288/FUL	Siting of one static caravan	Approved 02.08.2019

Neighbouring development off Spence Lane:

15/0115/OUT	Residential development for up to 60 dwellings including access	Approved on appeal 28.06.2016
16/1334/RM	Residential development of 60 dwellings - reserved matters	Approved 02.03.2018

The Site

The application site, known as Springfield Farm, lies on the northern edge of Huncote and extends to approximately 16ha. The site is predominantly in agricultural use, comprising six roughly rectangular field parcels with boundaries marked by hedgerows. Access to the site is obtained from Forest Road which is situated to the west of the site.

Part of the site is developed, containing Springfield Farmhouse, ancillary buildings, stabling and manage. An extensive area of hardstanding to the north of the farmhouse is used for commercial caravan storage. Existing housing (Spence Lane) adjoins the southern boundary of the site, with agricultural land to the east and north. To the west, on the opposite side of Forest Road, is Huncote Cemetery and a former quarry. Approximately 200m to the north of the site is Greens Lodge Farm which operates as an anaerobic digester facility for the production of animal feed and bio gas.

Narborough lies to circa 500m to the east and is connected to the site via Public Right of Way bridleway V65 which crosses the northern most part of the site on a east-west axis, Public Right of Way footpath V64 lies partially within the site, crossing on a north-south axis to the rear of the farmhouse buildings. This continues through the Spence Lane development onto Denman Lane, where Huncote Primary School is located.

In respect of topography the site gently slopes from approximately 88m AOD on the western boundary of the development parcel to the lowest point of 76m AOD on the eastern boundary. The site is wholly located within Flood Zone 1 with isolated pockets of low, medium and high-risk surface water flooding across the site.

The Proposal

The application seeks full planning permission for the erection of 191 dwellings on the site. Built development would be contained within the two field parcels directly adjacent to the existing residential development at Spence Lane. The existing farmhouse, converted barn and associated garaging would be retained on the site with all other structures being demolished. The caravan storage use and associated hardstanding would also be removed from the site.

Access is to be provided from Forest Road via a T-junction arrangement. The existing access to the site is to be closed to vehicular traffic but is proposed to be retained to provide a shared pedestrian and cycle route into the site.

A new village hall with car park is proposed close to the western boundary of the site and adjacent to the shared footpath/cycleway.

The proposals will include a mix of market and affordable dwellings. In total there are 143 market dwellings ranging from two to four bedrooms and 48 affordable dwellings (25% of the dwellings on site) across social rented, shared and affordable rent tenures. Twenty bungalows are incorporated within the housing mix with the remainder of the dwellings all being two storeys in height.

Extensive areas of open space are to be provided on site, including a Locally Equipped Area of Play (LEAP) and community orchard, located adjacent to the village hall, a central green space and retention of the 4 northern field parcels as publicly accessible green space.

The existing route of public right of way (PRoW) footpath V64 will be retained within the site with a new footpath connection within the site from V64 to connect with PRoW bridleway V65 close to the northern edge of the site.

Sustainable drainage systems (SuDS) infrastructure is to be provided on site and comprises two surface water detention ponds and two swales.

Documentation

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

Plans

- Location plan
- Topographical survey
- Drainage strategy
- Demolition plan
- Planning site layout
- Detailed public open space landscape proposals
- Detailed on-plot landscape proposals
- Play area design
- Village hall site plans, floor plans and elevations
- House type pack
- Levels strategy plan
- Internal highways layout
- Swept path analysis drawings
- Access drawings
- Off-site junction improvement drawings (Huncote Road/B4114 Coventry Road and B582/ Forest Road)
- Surface materials plan
- Materials plan
- Means of enclosure plan
- Storey heights plan
- Car parking strategy
- Refuse strategy
- Typical street sections
- Open space strategy
- Development visuals

Documents

- Aboricultural Assessment
- Agricultural Land Classification and Soil Resources Report
- Air Quality Assessment
- Archaeology Desk-based Assessment
- Archaeology Evaluation Report (Trial Trenching)
- Archaeology Geophysical Survey
- Biodiversity Metric Calculation Tool
- Biodiversity Net Gain Technical Note
- Design and Access Statement
- Flood Risk Assessment & Drainage Strategy
- Flood Risk Sequential Test
- Ground Gas Monitoring Report
- Groundwater Quality Monitoring Report
- Landscape and Visual Appraisal
- Noise Assessment
- Odour Assessment
- Phase 1 and Phase 2 Geotechnical and Environmental Reports and technical notes

- Planning Statement
- Preliminary Ecological Appraisal
- Preliminary Utilities Appraisal
- Road Safety Audit 1 Reports (Access, Huncote Road/B4114 junction and Forest Road/B582 junction)
- Transport Assessment and Addendum
- Travel Plan
- Walking, Cycling and Horse Riding Assessment

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.

Paragraph 2 of the NPPF reminds 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.

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

In order to achieve sustainable development, at the heart of the NPPF is a presumption in favour of sustainable development. The application of this presumption is set out at paragraph 11. For decision-taking this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) 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.

Where a local planning authority cannot demonstrate a five year housing land supply, the most important policies for determining the application are rendered 'out-of-date' NPPF, footnote 8) and the presumption set out in paragraph 11(d) above applies. This does not mean that the policies of the Local Plan are ignored but that their requirements can be considered, and given weight, depending on the extent to which accord with the policies of the NPPF.

Blaby District Council's published housing land supply position (November 2024) states that the Council has 3.53 years supply. Following the publication of the revised NPPF in December 2024 and the Council's revised housing requirements, the land housing land supply position is likely to have further reduced.

Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as 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 states 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 sets out that 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 states 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 (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. 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 (Stoney Stanton), 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.

Policy CS6 – Employment

Policy CS6 states that the Council will ensure that the District has a range of employment opportunities to meet the needs of its residents and wider communities, allowing for growth of existing businesses and for inward investment, particularly in the 'priority' employment sectors. The policy also seeks to protect key employment sites, allow re-use of agricultural buildings in rural areas for employment purposes and enable provision of live-work units on residential proposals.

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 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

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

Policy CS17 – Areas of Separation

Policy CS17 identifies areas of open land designated specifically to maintain the character and identity of individual settlements through preventing their coalescence. These areas are located between Narborough and Huncote; between Stoney Stanton and Sapcote; and between Whetstone and Cosby. Development will only be allowed in Areas of Separation where it would not result in the reduction in the separation between the built-up areas of these settlements. The need to retain Areas of Separation will be balanced against the need to provide new development (including housing) in the most sustainable locations.

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 or 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 (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 through the application of locally derived standards.

Policy SA1 – Key Employment Sites and Other Existing Employment Sites

Policy SA1 outlines the key employment sites within the District which will be protected for employment uses (Use Classes B1, B2 and B8). For other employment sites, proposals for non-employment development will be supported where the site is vacant and has been subject to marketing for use classes B1, B2 and B8 for at least 6 months without success; the site is no longer capable of meeting modern business needs and the change of use would result in demonstrable environmental benefits to the immediate area.

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.

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.

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 (2021)

The Fosse Villages Neighbourhood Plan was made on 15 June 2021 and forms part of the Development Plan.

Policy FV1 - Road Traffic

Policy FV1 states that measures that provide reductions in traffic on the B4114 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 re-use of rural buildings, small scale housing in the most sustainable locations, assessed against the need to retain countryside; replacement dwellings and essential dwellings to meet the needs of rural workers and rural exceptions 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.

OTHER GUIDANCE

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 the main material planning considerations in the determination of this planning application:

- The principle of the development
 - Development Plan Policy
 - Housing Land Supply Position
 - Suitability of Huncote for further development
- Landscape and visual impact
- Affordable housing and housing mix
- Provision of Village Hall
- Design and layout
- Transport and highway impacts
- Flood risk and drainage
- On-site public open space provision
- Developer contributions and infrastructure / facilities
- Residential amenities
- Environmental implications
- Ecology and biodiversity
- Archaeology
- Arboricultural implications
- Loss of employment land use (B8 Storage and Distribution)
- Loss of agricultural land

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

Development Plan Policy

The site lies within the countryside beyond the Huncote settlement boundaries as shown on the adopted Policies Map. Policy CS18 of the Core Strategy is therefore relevant. Large scale residential development is not one of the forms of development generally considered appropriate to the countryside and there is therefore conflict with this policy. Nonetheless, the policy does recognise that the need to retain countryside will be balanced against the need to provide new development (including housing) in the most sustainable locations.

Policies CS1 and CS5 of the Blaby District Council Core Strategy seek to ensure housing needs are met in the most sustainable way through a principle of 'urban concentration'. New development should be primarily focused within and adjoining the Principal Urban Area (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.

Outside the PUA, Policy CS1 states that development should be focused within and adjoining Blaby and the Larger Central Villages (i.e. Enderby, Narborough, Whetstone and Countesthorpe), with lower levels of growth allowed in the Rural Centre (Stoney Stanton), Medium Central Villages (including Huncote) and Smaller Villages, reflecting the settlement's range of available services and facilities and public transport alternatives.

Policies CS1 and CS5 identify Huncote as a 'Medium Village (along with the settlements of Littlethorpe, Cosby, Croft and Sapcote) with modest levels of growth anticipated. 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. As of 31 March 2024 (the most recently published data), 1,166 houses had been completed or committed in the Medium Central Villages, exceeding the requirement by 352 dwellings.

Policy FV7 of the Fosse Villages Neighbourhood Plan (FVNP) reflects Core Strategy Policy CS5 and apportions a minimum housing provision of 140 dwellings (2006-2029) for Huncote, stating that this will be met by existing commitments and development within the Limits to Built Development. Policy FV8 'Windfall Housing' 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.

In the context of development plan policy CS18 (which seeks to protect the countryside) and the development strategy set out in policies CS1, CS5 and FV7, (which suggest only modest levels of growth for Huncote), a development of 191 dwellings on the edge of Huncote on an unallocated site in the countryside would be contrary to the adopted development plan.

Housing land supply position

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 585 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.

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 are greater in the non-PUA than the PUA, largely 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), 23/1071/OUT - Land adjacent to Leicester Road and Foston Road, Countesthorpe (up to 170 dwellings) and 24/0398/FUL - Land off Ratcliffe Drive/Peers Way/Preston Way, Huncote (151 dwellings) subject to Section 106 Agreements being completed.

As noted above, housing provision in the Medium Villages exceeds the minimum requirement by 352 dwellings. 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, the proposed development is considered to provide the potential to deliver additional homes in the period up to 2029 which would address shortfalls in the PUA and district as a whole.

Turning to the short-term picture, there is currently an under delivery of houses within the District as a whole. Notwithstanding the Council's published position, 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 that the current five-year housing land supply is 2.4 years, significantly below the five years required by the NPPF. Footnote 8 of the Framework establishes that in the absence of a five year housing land supply, the policies most important for determining the application will be out-of-date.

There is no housing requirement figure specific to the neighbourhood area and whilst the FVNP does identify a quantum of development for each settlement, it does not make any housing allocations. Consequently, the provisions of paragraph 14(b) of the NPPF, which in effect 'disapply' the tilted balance presumption, are not engaged in this case. Furthermore, there are no conflicts with policies that seek to protect areas or assets of particular importance. The provisions of paragraph 11(d)(ii) of the NPPF are therefore engaged and the presumption in favour of granting permission applies, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.(the so-called 'tilted balance').

In these circumstances, policies CS1, CS5, CS18 and FV7 are 'out-of-date' and they consequently attract reduced weight in the consideration of the proposals. This is assessed in the balance of the merits of the application when considered against the policies in the Development Plan.

Suitability of Huncote for further development

In light of the housing land supply shortfall, it is recognised the Council's preferred urban focus for housing distribution as set out in the Development Plan will no longer

prevail and that this will inevitably result in an increase in development taking place outside of the PUA. Nonetheless, the 'tilted balance' still requires regard to be given to directing development to sustainable locations.

The Settlement Audit and Hierarchy Report (2020) prepared by Blaby District Council as part of the New Local Plan evidence base notes that Huncote is ranked as the 12th most sustainable settlement in the District (out of 25). It has a primary school, convenience store, post office and superfast broadband and so offers some of the essential services and facilities required to enable sustainable communities. Furthermore, the village has an off licence, car repairs garage, hair and beauty salons, takeaways, library, a public house, leisure centre (containing gym, fitness studio, sports hall, 3G pitches) and two churches. The site is within walking distance (approximately 800m) of these facilities and therefore offers potential for active travel.

Narborough contains a wider range of services, including GPs, employment opportunities and further retailers, and is within walking distance (along a bridleway) or within cycling distance. The limitations of these routes are acknowledged, however, they remain an option for non-car accessibility.

Although there are limited employment opportunities in Huncote, the village benefits from a bus service (Arriva x84) that allows access to the large employment areas at Junction 21 in around 20 minutes (Mondays to Saturdays) as well as being served by the Fox Connect, an on-demand service. Overall, Huncote is considered to provide day-to-day services and facilities sufficient for the village to be considered a sustainable location for residential development. Connectivity tool 46 out of 100, placing connectivity at a similar level to Littlethorpe.

Summary

By being located within the countryside, the proposed development is considered contrary to the policies of the development plan. However, in this case there are other important material considerations that must be taken account of in the planning balance to reach a conclusion on the proposed development. One of these is that the NPPF establishes that the Council's policies most important for determining the application are out of date, thereby reducing the weight that can be assigned to Policies CS1, CS5, CS18 and FV7.

The National Planning Policy Framework directs in these circumstances that permission should be granted unless any adverse impacts caused by the proposal significantly and demonstrably outweigh its benefits.

It is recognised that the 'overprovision' of housing in one of the Medium Central Villages risks further imbalance in the spatial strategy of the District through continued concentration of development within the non-PUA. Together with the existing exceedance of the minimum housing requirement, this development and the recently approved developments in the Medium Villages, would significantly increase growth at this tier of the hierarchy. In addition, it is noted that in combination with the proposed Jelson development off Ratcliffe Drive/Peers Way/Preston Way, (24/0398/FUL), this planning application would add an additional 345 dwellings to Huncote. However, Huncote does have the services and facilities which could support growth, as well as offering scope for non-car-based journeys to continue to demonstrate sustainable development as per the requirements of national and local planning policy.

These matters will require consideration in the overall planning balance. Further consideration is given in the remainder of this report to other material considerations that are relevant to the assessment of the development proposals.

Landscape and Visual Impacts

The application site is situated in the countryside where there is potential for large scale residential development 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. The policy requires the need to retain countryside to be balanced against the need to provide new development (including housing) in the most sustainable locations.

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 Appraisal (LVA), undertaken in accordance with 3rd Edition of 'Guidelines for Landscape and Visual Impact Assessment (GLVIA3). The assessment also takes account of guidance in the Landscape Institute Technical Guidance Note 02-21 'Assessing landscape value outside national designations'.

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 (BLCSA) identifies the site as being situated within the 'Thurlaston Rolling Farmland' Landscape Character Area (LCA), and immediately adjacent to the 'Croft Hill and Quarries' Landscape Character Area. The BLCSA describes the overall character of the area:

"The landscape character area is located in the western part of the district to the west of Kirby Muxloe and Leicester Forest East. It extends towards the M69 in the central part of the district. The LCA is primarily arable agriculture, with pasture fields located close to settlements and farms. The low-cut hedgerows and undulating landform often

enables long views across the landscape. To the east, the LCA is bounded by significant amount of urban development, although this is relatively well contained by boundary vegetation. The M69 motorway and several pylon lines detract from the otherwise rural character.”

The landscape is noted to retain a strong rural character despite the urban influences from adjacent development and busy roads and electricity infrastructure which fragment the landscape. The LCA is noted to have a medium sensitivity to 2 – 3 storey residential development and hedgerows trees, open and expansive views across the countryside and surviving ridge and furrow are highlighted as attributes relevant to this application that would be sensitive to change.

Accordingly, the BLCSA recommends that future development within the LCA includes enhanced hedgerow management; new woodland planting; prevention of the coalescence of settlements (Huncote and Narborough), avoid siting development where ridge and furrow is evident; respecting character of adjacent rural villages and explore opportunity to strengthen and increase public rights of way network to provide links between settlements.

The submitted landscape appraisal has assessed landscape value and concludes that the site and immediate landscape have a medium landscape value. Officers concur with this conclusion.

Landscape Strategy

The landscape and green infrastructure proposals seek to respect and conserve the landscape character of the site through retaining and reinforcing existing landscape elements, minimising visual effects and providing a filtered edge to the site, as well as providing new planting and habitats to maximise opportunities for biodiversity and recreation benefits.

The landscape strategy includes;

- The retention of existing trees and hedgerow enhanced with new planting. Boundary planting will be enhanced to the north and east. Tree planting will be implemented to the Public Right of Way green corridor and additional planting will be implemented to open space.
- The provision of land to the northeastern area of the Site dedicated to Green Infrastructure and recreational open space. Additional planting in this area will provide ecological enhancement and assist in screening views from the north.
- Provision of a broad swathe of green space through the centre of the residential area, which will allow for the existing PROW and tree and hedgerow cover in this area to be retained and enhanced. The green corridor would also help to break up the massing of built form. The green corridor would link with and extend the existing public open space to the south.

- Detention ponds to the eastern boundary which can be planted up for ecological and aesthetic benefits. Native tree planting and management and enhancement of existing hedgerow to further soften and filter views of new housing.
- Additional footways will be provided around the Site to provide good pedestrian access and connect into the existing Public Right of Way network both to the north and south.
- Provision of a tree lined road to provide access to the development. This will assist with legibility whilst also providing further planting within the Site, filtering views and enhancing character.

Landscape Impacts

The site is noted to be partly reflective of the Landscape Character Area and displays some of the common features, however, the previously developed nature of part of the site has a detracting influence. The proposed development will alter the character of the site, including during the construction phase, by introducing new residential development on to areas of previously undeveloped farmland. However, development will be confined to the southern field parcels where it sits adjacent to existing housing and where housing on the settlement edge is not uncharacteristic. A significant portion of the site will be retained as green infrastructure with existing hedgerows and trees retained and enhanced to provide a robust landscape framework for the development. Overall, by year 15 once planting has become established, the impacts upon the LCA and site itself are considered to be minor/negligible adverse and moderate/minor adverse respectively.

Visual Effects

The primary receptors to the new development include the residential properties on Spence Lane, Springfield Farm, Little Acres and users of public rights of way (PRoW) footpath V64 and bridleway V65 and Forest Road. These receptors would experience the greatest magnitude of change as a result of the development with the new housing being clearly visible, albeit with the filtering effects of existing and proposed landscaping. In the worst-case scenario, effects on these receptors will be major/moderate adverse reducing to moderate adverse by year 15 as planting matures.

Other receptors include the residential edge of Narborough, The Ashlands and Hardwicke Lodge Farm, Huncote Road, PRoW V68 (opposite side of Forest Road) and W32 (adjacent to Whistle Way), Green Lodge Farm (to the north) and Croft Quarry and Hill (to the south). For these receptors, views of the proposals will be seen in the context of the existing settlement edge and screening effects provided by existing vegetations. The effects on these receptors are assessed as being Minor Adverse, reducing to Minor Adverse/ Negligible as planting matures at 15 years.

Area of Separation

The application site lies outside of the Area of Separation between Huncote and Narborough as shown on the adopted Policies Map. The proposed development will

not extend further to the east towards Narborough than the existing Huncote settlement edge. The development will not therefore contribute to any increase coalescence between the two settlements or undermine the existing Area of Separation designation, as noted in policy CS17.

Landscape and Visual Impacts Summary

The proposed residential development of the site will alter the site's landscape character and its perception from the selected visual receptors, changing it from one largely characterised by farmland to one occupied by houses, roads and associated development. Some moderate harm is considered to result to the landscape as a result of the changes. The development would give rise to a greater level of harm for neighbouring residential properties and users of the public rights of way network in particular. Nonetheless, the appearance of the development will be characteristic of other settlement edge housing developments in Huncote and will assimilate over time as landscaping strategy is implemented and matures.

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 strategy and, in this respect, recognise the intrinsic character and beauty of the countryside, as required by paragraph 187 of the NPPF.

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 (48 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 scheme includes the following proposed housing mix:

Mix	1-bed	2-bed	3-bed	4-bed	Bungalow
Market	0	25	59	51	8
Affordable	8	18	16	2	4
Total	8	43	75	53	12

Overall housing mix table

As indicated in the table above, there is a relatively broad mix of accommodation across the site, which is deemed to be acceptable by BDC Housing Strategy Officers. The scheme would provide both affordable housing and a mix of housing including single storey (bungalows) and two storey dwellings across ranging from 1-bedroom units to 4-bedroom units across the 191 dwellings proposed.

Affordable Mix Based on 48 units	1 bed	2 bed	3 bed	4 bed	Bungalow	Total	%
Social Rent	8	11	0	0	0	19	40%
Shared Ownership	0	4	6	0	0	10	20%
Affordable Rent	0	3	10	2	4	19	40%
Total	8	18	16	2	4	48	100%

Affordable housing mix table

The application proposes that 48 of the 191 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 to reduce clustering. The revised layout shows six 'clusters' of eight affordable dwellings dispersed evenly across the site. Whilst the Blaby Housing Mix and Affordable Housing SPD expresses a preference for clusters of affordable housing not to exceed

six houses, the proposals have been discussed with the Housing Strategy Team and are considered acceptable. 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.

In addition, the eight market bungalows will all meet Building Regulation Standard M4(2) and provide accessible and adaptable homes. This represents a deficiency in provision of 1.5 dwellings against the requirements of Policy DM11. Nonetheless, given that these units are also bungalows, the Housing Strategy Team are satisfied with this slight shortfall in M4(2) provision.

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

Provision of Village Hall

The application proposes the construction of a village hall on the development site. This is to be constructed by Bloor Homes and then transferred to Huncote Parish Council.

Updated Core Strategy Policy CS15 (updated in 2019 as part of the Local Plan Delivery DPD) requires that a village or community hall per 2,200 people is provided. Huncote already has a small community centre adjacent to Huncote Primary School on Denman Lane and, in quantitative terms, the requirements of Policy CS15 are met by the existing provision. The Huncote Parish Council notes that the centre is used for a Pre-School, Rainbows/Brownies/Guides, Scouts and a Car Club.

Policy CS15 is underpinned by the Open Space Audit 2015. This assessment noted that the Huncote Community Centre had some capacity issues and required quality improvements. Part of the action plan within the Audit included investigating the feasibility of developing additional hall capacity at Huncote, as well as making general condition improvements.

It is acknowledged that this assessment is now ten years old and therefore not up-to-date for the purposes of assessing provision. Nonetheless, the updated Planning Obligations and Developer Contributions SPD notes at paragraph 4.4.1 that adequate provision of, and capacity in, community facilities is important in order to meet the additional demands arising from new development and states that where there is a lack of provision and/or capacity new facilities will be needed.

Paragraph 98 of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments. Paragraph 96 of the NPPF promotes social interaction, including opportunities for meeting between people who might not otherwise come into contact with each other. Local Plan policy CS11

also states that new development must be supported by the required physical, social and environmental infrastructure at the appropriate time.

Whilst the evidence for requiring a village hall to be provided as part of the development (or requesting developer contributions for this) is out-of-date and therefore cannot be robustly relied upon, Bloor Homes has worked with Huncote Parish Council to devise a suitable building and overall this element of the development is considered to be a social benefit of the development that is consistent with policy CS11, CS15 and the NPPF. Delivery of this facility and transfer to the Parish Council can be managed through the Section 106 Agreement.

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 northern edge of Huncote, with established residential development to the north. It is therefore in rural fringe location with semi-rural character. The site adjoins the modern two-storey housing development on Spence Lane and as the existing Springfield Farm and barn conversion are to be retained, and any new development will need to respect these existing properties.

The Planning Site Layout (EM036-SL-001 Rev Q) details how the site would be developed. The plan shows two 'parcels' of development located either side of a central section of open space crossed by PRow footpath V64. Built development is contained within the two southern most field parcels with the four northern fields providing open space, a new footpath connection to PRow bridleway V65 and SuDS infrastructure.

Two detention ponds and are proposed within the site, within the northern open space and in the northeastern corner of the eastern development parcel. A swale is proposed alongside footpath V64 and within the northern open space. A foul pumping station is sited close to the boundary of the eastern development parcel with the northern open space.

The proposed village hall is located close to Forest Road and will be accessed from a shared footway/cycleway which continues to join up with the main spine road through the development. A Locally Equipped Area of Play (LEAP) and community orchard are sited alongside the village hall, creating a community focus for the development which will also be easily accessible to existing residents. Significant areas of open space on the site and retention of existing vegetation will provide a strong green infrastructure framework to the development.

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 overall density of the proposal equates to an average of 30 dwellings per hectare (dph) across the two development parcels (excluding the central open space). The eastern development parcel is slightly more dense than the western parcel and has a density of circa 33dph. This aligns with recently approved rural edge of settlement developments in Croft (Croft Lodge Farm ref: 24/0559/OUT), Countesthorpe (Land east of Willoughby Road, Countesthorpe ref: 24/0001/OUT) and Huncote (land off Ratcliffe Drive/Peers Way/Preston Way, Huncote ref: 24/0398/FUL). The overall density of the development is considered to strike an acceptable balance as required by NPPF paragraph 129.

The proposed house types show an acceptable mix of type and design to ensure that there is visual interest whilst also giving the site to have a cohesive character. Chimneys have been added to dwellings positioned on prominent plots and where a property has two frontages, a dual aspect house design has been utilised to provide good surveillance and active elevations from aspects.

The materials palette shows a mix of red and red multi facing brick and white rough cast rendered properties, which are evenly distributed across the site, to improve visual interest and to avoid a uniform approach. The rendered properties have been positioned in most of the visually prominent plots, 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 mono-pitched, flat and curved, again to enhance the architectural quality of the scheme.

The village hall has a modern, civic building design featuring two connected, gable fronted buildings. The proposed building will be constructed in red brick with red roof tiles and grey powder coated aluminium doors and windows. The village hall's appearance is considered to be attractive, reflective of its proposed use and appropriate to the site.

The applicant has worked with the Council to revise the proposed layout to deliver better pedestrian connections within the site that more closely follow likely desire lines, to improve the relationship between the village hall, LEAP and residential properties and to ensure a satisfactory relationship between the proposed dwellings. Areas of 'left over' space have been addressed through alterations to the layout and additional landscaping has been incorporated within parking areas to soften their appearance and to reduce vehicle prominence within the streetscene. Additionally, the main spine road incorporate highway trees along its full length, in accordance with paragraph 136 of the NPPF which requires that decisions ensure that new streets are tree lined.

It is considered that the proposed layout would represent good design 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 development would comply with development plan Policies CS2, DM2 and FV6.

Transport and highway impacts

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.

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

Vehicular access to the site is to be provided from a single point of entry from Forest Road. The access shall have a carriageway width of 5.5m with 6m kerbed radii and a 2m grass verge on either side. The existing ditch at the frontage of the site will be culverted for a short distance in order to provide access.

The Local Highway Authority (LHA) initially raised concerns that the site access would create a priority-controlled crossroad junction (the access to the former Huncote quarry site is opposite the proposed development access). Achieving a 30m stagger between the junctions was not achievable due to land ownership constraints which prevent locating the access further to the south. Provision of a roundabout was explored but, again, due to the extent of land within the public highway/controlled by the applicant, a roundabout design was not considered feasible.

Information provided by the applicant indicated that the quarry site has now been restored in accordance with its planning permissions and that any future use of the quarry would require further consent. Leicestershire County Council Minerals and Waste planning team have liaised separately with the LHA and further to these discussions, the LHA were satisfied that a safe and suitable access could be provided in principle.

Visibility concerns were also raised by the LHA, as well as in third party representations. The applicant has addressed this matter to the satisfaction of the LHA through extension of street lighting on Forest Road, allowing relocation of the 30mph speed limit to a point just to the north of Little Acres (exact position to be finalised at S278 detailed design stage). A traffic calming gateway feature (dragons teeth markings) is also to be provided to alert vehicles to the approaching speed limit. Appropriate visibility splays of 2.4m x 65m can be provided for the reduced speed limit and submitted drawings demonstrate that this can be achieved within land controlled

by the applicant or the highway boundary. Similarly, the drawing indicates that any vegetation required to be trimmed to ensure visibility is within the highway boundary and does not encroach on third party land.

A second 3m wide shared pedestrian/cycle only access point is to be provided adjacent to the southern boundary of the site, utilising the existing vehicular access to Springfield Farm off Forest Road. This shared pedestrian/cycle way will connect to the proposed vehicular access via a footway to be provided within the site. Third party landownership prevent this being provided adjacent to the highway.

The shared route will then exit the site and continue southwards on the eastern side of Forest Road via a new section of footway/cycleway as far as 105 Forest Road. A crossing point is to be provided to the western side of the of Forest Road, with a widened footway continuing to the junction of Field View Close. A second crossing point is to be provided to enable pedestrians to re-cross Forest Road to continue along the eastern side of Forest Road or Denman Lane. The presence of a ditch within the highway on the eastern side of Forest Road prevents provision of a continuous footway along the side of the road.

Conditions to secure the site access arrangements, visibility splays and new footways as outlined above are recommended.

Traffic Regulation Order

It is proposed by the applicant to remove the existing Traffic Regulation Order (TRO) from Denman Lane, with the intention that this disperses traffic from the development within Huncote. The LHA has assessed this proposal and concludes that due to existing vehicle speeds and measures that are in place on Denman Lane, including the 20mph speed limit outside Huncote Primary School, a traffic calming scheme would not be required.

However, as removal of the TRO is subject to public consultation there is no guarantee of a successful outcome to the process. The impacts of development traffic on the Forest Road/Narborough Road junction have been considered in the event that TRO removal does not occur. Even without removal of the TRO the LHA advise that the impacts on the highway would not be severe when considered against the requirements of the NPPF.

A contribution for £7,500 is sought from the applicant for undertaking the legal and consultation processes involved in this procedure.

Highway Safety

The applicant reviewed the Personal Injury Collision (PIC) data from 1 January 2019 to 3 March 2024. Given the time since the PIC data was assessed by the applicant the LHA has rechecked its database in Huncote and there have been two further collisions recorded between 1 March 2024 and the end of 31 July 2025. One of the collisions occurred on Denman Lane and the other happened at the Huncote Road / B4114 Coventry Road junction. Both collisions occurred in September 2024 and were classified as slight in severity.

Based on the expanded study area the LHA does not consider the proposed development would exacerbate any existing highway safety issues on the wider highway network.

Highway Impact

The applicant has carried out testing using the Pan Regional Transport Model (PRTM) as advised by the LHA to carry out detailed assessments of eight junctions in the vicinity of the site in base and future scenarios with the results set out in a Transport Assessment Addendum (May 2025). The junction capacity assessments indicate that mitigation is required at the B4114 Coventry Road/Huncote Road junction (by the Honda garage) and at the B582 Desford Road/Forest Road junction (known as Mandalay). A traffic light scheme at the B4114 Coventry Road/Huncote Road junction would mitigate the development impacts on this junction (delivery of these junction improvements are also a requirement of the Jelson development off Ratcliffe Drive/Peers Way/Preston Way (24/0398/OUT).

For the B582 Desford Road/Forest Road junction, the applicants have submitted details of a mitigation scheme that entails an additional carriageway of the Forest Road arm of the junction to allow a dedicated left and right turn lane. Whilst further details will be required at the detailed design stage, the LHA are content with the principles of this scheme. The mitigation scheme will ensure a nil detriment improvement to the operation of the junction during the typical weekday morning peak. However, no significant change will result to the operational capacity of the junction in the evening peak hour. Nonetheless, the LHA consider the scheme is fair and reasonable based on the impact of the proposed development on this junction and a condition is recommended to secure its delivery.

Internal Layout

The LHA has reviewed the internal road layout in detail and is satisfied that there are no significant issues with the presented layout. Further detail is required in respect of the site access/footway tie-in, however, as it is intended the internal road layout is adopted, these detailed matters can be addressed within the technical approval under Section 38 of the Highways Act (1980).

Parking

The amount of parking and size of the spaces proposed are generally in accordance with the Leicestershire Highways Design Guide (LHDG) and proposed garages accord with the LHDG size guidance. There are some instances on the site of remote parking (e.g. parking provided at the end of rear gardens) and some tandem planning. These arrangements can lead to on-street parking by residents as a result of the inconvenience of this layout of parking. Notwithstanding this, the parking provision across the site is considered acceptable and a reason for refusal due to the instances of remote/tandem parking could not be sustained.

Private Drives

The width of private driveways complies with the requirements set out in the LHDG.

Village Hall

The vehicular access to the village hall has a width of 5m, allowing two vehicles to pass. Segregated pedestrian access is possible through provision of a link from the footway within the site frontage.

A small car parking area is provided for 15 vehicles, including two EV parking spaces and one accessible parking space. Secure and sheltered cycle parking will also be provided for eight cycles. The LHA do not have any specific guidelines for a village hall, however, the LHA consider the level of parking provided is acceptable given the bespoke nature of this element of the proposed development. Furthermore, residents within the proposed development could walk / cycle to the new village hall.

Transport sustainability

Walking and cycling

The site incorporates a network of footways and cycle friendly routes through the site to encourage short trips by foot or bicycle. The site provides good connectivity to adjacent residential areas through the public right of way network and residents will have access to a street lit footway on Forest Road between Denman Lane and the centre of the village.

Public Transport

The closest bus stops to the site, which are served by the Arriva X84, are on Narborough Road in the centre of the village. These stops are approximately 600m walking distance for residents who will live within the site, which is above the preferred 400m walking distance for urban areas.

The Transport Assessment acknowledges that the site is within the Fox Connect Zone. To encourage bus use, a Section 106 contribution is requested to secure two new bus stops on both sides of Forest Road within the vicinity of the site. A request is also made for travel packs and two six-month bus passes be available per dwelling.

Travel Plan

The LHA has reviewed the Travel Plan (TP) and welcomes the applicant's commitment to increase sustainable travel around the village of Huncote. Whilst the TP is generally acceptable a revised TP is required to incorporate a list of initiatives and incentives that will be used to encourage modal shift, an action plan and two free six month bus passes per dwelling as outlined above. This can be appropriately addressed by condition.

Public Rights of Way

The LHA notes that the development proposals broadly align with adopted LHDG Guidance 'Development and Public Rights of Way' and comply with the requirement in NPPF paragraph 105 to enhance public rights of way. The submitted documentation refers to potential improvements to footpath V64 and bridleway V65 within the site including upgraded surfacing, better definition of the routes and

improved waymarking. Such details can be agreed by condition through submission of a written scheme for the treatment of the rights of way. The applicant has incorporated the LHA suggestions for providing better linkages from pathways within the site to the rights of way.

PRoW bridleway V65 connects the site to Copt Oak Road in Narborough. Whilst upgrading this bridleway to provide an improved route to Narborough would have some benefits, it is not necessary to make the development acceptable and has not been requested by the Highway Authority. Taking into account the services and facilities in the village, it is not considered that a financial contribution to deliver improvements to bridleway V65 would meet the legal tests for planning obligations.

Transport and Highways Summary

Based on the additional 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 conditions and contributions. The proposed development is therefore considered to comply with policies CS10, DM8, FV1 and FV3 of the development plan.

Flood risk and drainage

Flood risk

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 entirely within Flood Zone 1, being at a low risk of flooding from rivers (with a less than 1 in 1000 chance of flooding occurring each year). The majority of the site is also at very low (less than 0.1%) and low chance (between 0.1% and 1%) of surface water flooding in a given year. There are isolated areas of both medium and high risk of surface water flood risk within the site that broadly correlates with field boundaries/localised topography rather than indicating surface water flow routes. Groundwater flood risk is also assessed as being low.

Sequential Test

In accordance with NPPF paragraph 175 and policy guidance in the PPG, a sequential test has been undertaken by the applicant as built development will not be excluded from all areas noted to be at risk of surface water flooding within the site. The scope of this assessment was agreed with BDC development management and policy

officers. Given the development proposals include a village hall for Huncote which has been the subject of discussion with the Parish Council, the search area was confined to Huncote. Sites identified in the Strategy Housing Land and Economic Land Availability Assessment (SHELAA, 2019) were considered as well as the Jelson site (24/0398/FUL). Of the four sites assessed, all were subject to surface water flood risk and the Jelson site also included areas within Flood Zone 2. Consequently no alternative sites were sequentially preferable and the sequential test is passed.

Surface water drainage strategy

The surface water drainage strategy will comprise of a piped network and open swales with attenuation provided in two detention basins located in the eastern part of the site. Surface water will outfall to the ditch located along the eastern boundary at two different locations; infiltration is not considered suitable due to underlying ground conditions. Discharge rates will be restricted to greenfield equivalent run-off rates.

In response to consultation comments from the Lead Local Flood Authority (LLFA) further information has been provided in respect of drainage catchments on the site and proposed outfall locations, as well as downstream connections. Additional SuDS have also been provided within the eastern drainage catchment to ensure a suitable treatment train and to minimise any increase in the volume of water leaving the site. Further to the receipt of this additional information the LLFA are satisfied with the proposals and conditions are advised in relation to a surface water drainage.

Representations submitted to the application highlight flooding within existing gardens on Spence Lane. The Gov.uk flood maps show some of the Spence Lane properties within areas of medium to high risk of surface water flooding. The surface water drainage strategy has been designed to retain surface water on the site and discharge at greenfield rates to ensure that flood risk is not increased elsewhere. Neighbouring residential areas will not be at increased flood risk as a result of the development.

Foul drainage

Foul water is proposed to discharge to the existing Severn Trent Water sewer network in Denman Lane. A pumped foul water outfall will be provided via a new adoptable pumping station located in the eastern area of the site. Whilst Severn Trent has not provided a consultation response to BDC, their response to the developer enquiry advises that the existing sewer system has capacity to accept foul flows from the development.

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. The proposals are therefore compliant with policies CS21 and CS22.

On-site public open space provision

Policy CS14 seeks to ensure that the District's natural environment, wildlife, habitats, landscape and geology are considered and protected through good design practices, seeking to protect existing green spaces and provide new good quality, multi-functioning green networks and corridors. Updated Policy CS15 indicates that Blaby District Council will seek to ensure that all residents have access to sufficient, high

quality, accessible open space, and sport and recreation facilities, access to the Countryside and links to the to the existing footpath, bridleway, and cycleway network.

Contributions for open space provision or improvements within the parish will be sought in line with the provisions of Policy CS15 and the Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Guidance (February 2024). The SPD includes guidance to support the Local Plan in relation to open space, sport and recreation requirements and establishes the types of open space that should be delivered on the development site for any given size of residential scheme. This is detailed on the table below.

Table 1: Open space requirements by number of units per site					
Typology of Provision	1-19 dwellings	20-49 dwellings	50-99 dwelling	100-199 dwelling	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
Source: Blaby District Council's Planning Obligations and Developer Contributions Supplementary Planning Document					

Based on the requirements of Policy CS15, the quantum of public open space required to serve the development has been calculated using the Blaby District Council 'Off-site contributions for open space provision'. The details of the proposed housing mix as set out in the housing schedule on the Planning Site Layout (Dwg no. EM036-SL-001Q) has been inputted into the open space calculator and the results based on the development yield of 451 residents.

An Open Space Strategy has been submitted by the applicant that identifies the different open space typologies to be provided on the site. Approximately 10 hectares of open space will be provided on site, predominantly in the northern field parcels and around the PRow footpath V64 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 (comprising a LEAP). Whilst SuDS features and areas of scrub bring benefits to a development in terms of visual amenities they have not been included in the calculator

On Site Open Space	Amount per 1000 population in ha (Delivery DPD figures)	Amount for development in ha (451 population)	Actual Provision in ha
Natural Greenspace	2.6	1.2	6.53 (publicly accessible, excluding SuDS and ponds)
Informal Open Space	1.0	0.45	2.18
Children and Young People's Open Space	0.06	0.03	0.05 (LEAP)
TOTAL		1.9	8.76

24/0770/FUL On-site open space provision

The overall amount of (publicly accessible) open space proposed significantly exceeds the requirement of 1.9 hectares for those open space typologies being provided on site, 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 in accordance with the table included above from the Planning Obligations and Developer Contributions SPD (2024) which indicates that such open space typologies are required to be provided off-site for development proposals of between 100 - 199 dwellings.

On-site open space provision and its long-term maintenance will be secured in accordance with the submitted drawings within the S106 agreement in order to ensure that the needs of future residents are met. Huncote Parish Council has expressed interest in taking on responsibility for some parts of the open space (the LEAP and orchard area) and further discussion will take place on this as part of the S106 process. Otherwise, it is anticipated that on-site open space provision will become the responsibility of a developer appointed management company.

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). Policy CS15 is also relevant in relation to open space, sport and recreation and states that where appropriate financial contributions will be sought.

Off-site open space provision

As set out in the Planning Obligations and Developer Contributions SPD (2024) open space typologies 'parks and recreation grounds' and 'allotments and community gardens' should be secured via a contribution in lieu of on-site provision for a development of this scale. Any necessary contributions are calculated in accordance with the Blaby District Council 'Off-site contributions for open space provision' document and accompanying cost calculator.

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, also taking into account the addition of the development population.

Typology	Existing provision in ha / 1000 pop	Provision required in ha / 1000 pop	Provision in ha/1000 pop (with additional 451 pop)	Difference (Deficit / Surplus) ha / 1000 pop	Amount required for development of 191 dwellings (451 pop)	Justified
Parks and Recreation Grounds	3.15	0.23	2.57	+2.34	0.08	No
Allotments and community gardens	0.69	0.25	0.56	+0.31	0.09	No

As shown above there is a surplus of 'parks and recreation grounds' and 'allotments and community gardens' open space typologies within Huncote Parish. Both typologies are also within the accessibility distances set out in policy CS15. Furthermore, the Appendix 3 of the Open Space Audit 2019 (Quality Maps) records the quality of these typologies within Huncote as being Grade B (good).

Taking into account the above surplus, as well as extensive open space and provision of a LEAP on the site, it is not considered necessary or reasonable to require a financial contribution towards parks and recreation grounds or allotments and community gardens, as such a request would not meet the legal tests for developer contributions.

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 0.09 hectares of additional cemetery space. As set out in paragraph 4.3.43 of the SPD, it should be noted that these standards and requirements are in relation to cemeteries and churchyards functioning as open spaces rather than their primary function as burial sites. 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 451 people to 2,616 people. With the increased population, the existing cemetery open space provision would be 0.24 ha / 1000 people. This is above the Policy CS15 standard of 0.21 ha / 1000 people. Even taking into account the additional population of both this development proposal and the residential development off Ratcliffe Drive/Peers Way/Preston Way, cemetery provision would be 0.22/1000 population and thus still compliant with the policy standard. Accordingly, it is not considered that a contribution for off-site cemetery open space would be necessary or justified.

Sports provision

The Council's Health and Leisure Team has used Sport England's Playing Pitch Calculator and the Council's Playing Pitch Strategy (Update E Document) to assess and quantify requirements for meeting the increased demands associated with the development for the provision for sport and physical activity. A contribution of £335,068 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 and youth football demand;
- Contribute towards a new 3G pitch within Blaby West at a viable site no more than 20 minutes' drive from the development. A possible site being identified as Stoney Stanton Memorial Fields
- Contribution towards ancillary facilities at Huncote Sport and Social club (if needed) and/or to support changing facilities at new 3G pitch site.
- Contribution towards upgrading the cricket square at Huncote Sport and social club from 'standard' to 'Good'

Education provision

Leicestershire County Council (LCC) has made requests for education contributions across primary, secondary, SEND (primary and secondary levels) and Early Years provision.

At primary level, the development will yield 54 primary aged children. When taking into account primary schools within a two-mile walking distance from the development there is an overall deficit of 37 places if the development goes ahead. Therefore, a full request for contributions in respect of the primary education sector of £679,172 is justified.

Regarding secondary education, the development will yield 30 secondary aged children (11-16). Brockington College has a net capacity of 1,200 and there will be a deficit of 76 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 76 places. Therefore, a full request for contributions in respect of the secondary education sector of £534,367.27 is justified.

A contribution in respect of post-16 education will not be required for this sector. This development will yield 6 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 (rounded). Wigston Birkett House special school has a net capacity of 236 and there will be a deficit of 25 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 35 places. Therefore, a full request for contributions towards primary and secondary SEND education of £101,042.69 is justified.

For Early Years education, the development will yield 15.12 early years children. There is one childcare provider within a 1-mile radius of the development providing a total of 28 places. At the summer 2025 headcount, there were 25 funded 2-, 3- and 4-year-olds in that provider, meaning a surplus of just 3 places. A request for contributions of £224,769.22 for 12.215 places is therefore justified. The contribution could be used at Huncote Primary school or by enhancing facilities at other schools or early learning provision within the locality of the development.

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 £5,586.57 is sought to provide improvements to Enderby 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 Contributions Team, LCC 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.

LCC Waste contribution

A contribution of £4,559.17 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.

BDC Waste Contribution

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 £9,359 for the 191-dwelling development.

Health care

The Leicester, Leicestershire and Rutland Integrated Care Board (ICB) requests a contribution of £147,910.40 for GP surgeries in the vicinity of the site 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 this housing development would be Enderby Medical Centre and The Limes Medical Centre.

Highways Contributions:

A financial contribution of £7,500 in relation to the legal and consultation process involved in the proposed removal of the existing Traffic Regulation Order on Denman Lane. The LHA also requests £29,788 to provide two new bus stops on Forest Road/Denman Lane to serve the development. In addition, a residential travel plan monitoring fee of £6,000 is requested, as well as travel packs for each dwelling (£52.85 per pack or an administration charge of £500 if not supplied through LCC) and two six-month bus passes for each dwelling (£445.00 per pass if supplied through LCC).

These contributions are considered to be CIL compliant being necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

Environmental impacts

The application proposals have been supported by an Air Quality Assessment, a Noise Assessment, a Phase I Desk Study and a Phase II Exploratory Investigation, Ground Gas Monitoring Report and Odour Assessment. These reports have been given detailed consideration by the Blaby District Council Environmental Services Team.

Contamination & Ground Gas Monitoring

The Phase I and II studies have identified the presence of contamination on the site and at the request of the Environmental Services Officer, additional site investigation works have been carried out. The ground gas monitoring also reported elevated levels of CO₂ and a series of mitigation measures for the development have been included within the report which should be incorporated into a remediation method statement. The Environmental Services Officer is content that these measures can be dealt with through a pre-commencement condition requiring submission of an asbestos survey, remediation method statement and verification plan.

Odour

The site is approximately 200m to the south of Green Lodge Farm, an anaerobic biodigester facility that operates on a commercial basis and an Odour Risk Assessment was therefore submitted with the application. In response to comments made by the Environment Agency and BDC Environmental Services, further consideration has been given to addressing the potential for malodours and an updated Odour Risk Assessment, including the results of subjective ‘sniffer tests’ has been provided to determine the potential for odour impacts from the facility. The information provided indicates that the area proposed for housing is unlikely to be affected by malodours from Greens Lodge Farm. However, users of the amenity

space to the north of the application site may experience unpleasant odours. This cannot be reasonably addressed by conditions and consideration also needs to be given to paragraph 200 of the NPPF which states that existing businesses should not have unreasonable restrictions placed on them.

The part of the site most likely to be affected by odours is not proposed to be developed for housing. Whilst it is recognised that the development will see an increase in the number of people in the area, the general location is already crossed by a network of footpaths and bridleways and is therefore already publicly accessible. Furthermore, it is likely that people will be walking through the area so that any odours experienced will be transitory in nature. It is not considered that the possible impact of odour on this part of the site would warrant refusal of the development. Other areas of open space are provided on the site and alternative walking routes will be available. Most importantly, the proposed dwellings are unlikely to be affected, ensuring that satisfactory levels of amenity are provided for future residents.

Air quality

In respect of Air Quality, the methodology used is deemed to be acceptable. Modelling has predicted that the relevant air quality objectives would be met at the most exposed receptor locations and the influence of the proposed development would not be significant. Mitigation measures are recommended in respect of both the construction and operational phases. The construction phase measures are related to dust management and can be taken forward into the Construction Environmental Method Plan (CEMP) for the development which will be a conditional requirement. The operational phase measures include provision of walking and cycling infrastructure, low NO_x boilers and heating and electric vehicle charging in accordance with building regulations.

Noise

The submitted Noise Assessment is considered acceptable by the BDC Environmental Services and suitable measures are suggested to deal with construction noise and vibration. Implementation of these measures can be incorporated within the CEMP which is recommended to be required by condition.

Based on the planning layout, BS8233's lower-level criterion of 50 dB L_{Aeq16hr} will be satisfied across the site through the use of standard close 1.8m boarded fencing in rear gardens. Standard thermal double glazing and either standard or acoustic trickle vents will ensure BS8233 compliant internal acoustic conditions. I

The LEAP is separated from the nearest noise sensitive receptors with appropriate buffers and the play area design does not include any items of equipment that are specifically designed to make noise.

In relation to the village hall, the Environmental Services Officer raised some concerns about the potential for noise breakout, particularly if music is being played and visitors are entering/leaving the building. In addition, the hall's rear patio area and car park has some potential to cause disturbance in the evening.

To address these concerns an updated noise assessment has been provided and the design of the village has been revised to have full length windows instead of opening doors on the main room's southern elevation and for upgraded glazing to be used across all glazed elements, including rooflights. An entrance porch has also been added to the external door from the main room to the patio area to limit noise break-out. Furthermore, the applicant has suggested that use of the patio could be subject to restrictions preventing use of the patio area between the hours of 2300 – 0700. The Environmental Services team have been consulted on this additional information and are satisfied with the information provided by the applicant and have recommended that conditions are imposed to manage noise impacts.

Whilst necessary to ensure that future residents are not adversely impacted by the village hall on the site, it must also be recognised that village halls, and their associated car parks, by their very nature tend to be located alongside housing so as to be accessible to village residents. No objections are raised by Environmental Services and the proposals achieve an acceptable balance between providing a facility that would deliver community benefits and the need to ensure acceptable standards of amenity.

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 the boundary of the application site adjoins Spence Lane. The properties on Spence Lane face onto the site and are 30m from the housing on the application site at their nearest point, as well as being separated by a substantial mature hedgerow. No impacts upon the residential amenities of existing dwellings on Spence Lane are anticipated.

The nearest property to the proposed development is 107 Forest Road; this neighbour is approximately 30m from the village hall building and 15m from the shared

footpath/cycleway within the site, as well as being separated from the site by existing mature trees and hedges. These are considered to be acceptable levels of separation to ensure that the neighbour's amenities are not harmed. Little Acres, a bungalow to the north of the application site, is approximately 28 metres from its rear garden boundary to boundary of the development site. This separation distance is considered acceptable.

The existing farmhouse and barn conversion are retained within the site layout. The barn conversion has a window that would be in close proximity to the gardens of plots 93, 94 and 95. Although outside of the application site, the applicant has provided further information to demonstrate that a Grampian condition can be imposed to prevent occupation of these plots until the window arrangement is revised.

Within the development site itself the layout has been received to ensure that back-to-back distances between dwellings are between 19 and 21 metres. Similarly, for corner locations adequate distances have been provided between the rear elevation of one property and side elevation of the neighbouring property to avoid any overbearing impacts or overshadowing. With the exception of the one bed properties, which have communal garden space, each dwelling has a private rear garden area. It is considered that future residents of the site will enjoy good levels of amenity.

The development accords with policies DM2 and FV6 in these respects.

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 which provides an assessment of the habitats on the site and the potential for the site to support priority and protected species. At the request of LCC Ecology, further information has been provided in respect of bats and great crested newts (GCN), given the location of five ponds with suitable GCN habitat within the site and nine ponds within 250m of the site.

The site does not contain any statutory designations but is within 2km of Croft Hill SSSI. There are numerous Local Wildlife Sites (including potential and historic sites) within 1km of the site, however, none of these are located on the site itself.

In respect of protected species, bat surveys have been conducted in relation to the potential for roosting bats in buildings and trees. Transect and flightline surveys have also been undertaken which only showed low levels of bat activity across the site. Assessments have been carried out to establish the presence/absence of GCN on the site. Although no GCN were recorded during the surveys, these were incomplete due to the survey team being unable to access some of the ponds. LCC Ecology have advised that a precautionary method of working will be required under a Non-Licence Method Statement the details of which will need to be agreed with Natural England. A condition is therefore recommended for a GCN mitigation strategy to be submitted to provide details of this.

Several ecological enhancements are outlined in Chapter 4 of the Ecological Appraisal and a condition is proposed that requires that the development is implemented in accordance with these recommendations. Furthermore, LCC have advised that a Construction Environmental Plan for Biodiversity (CEMP:Biodiversity) condition is imposed to reduce impacts upon habitats, to safeguard protected and priority species and to outline use of sensitive working practices during construction. Subject to these conditions it is not considered that ecological considerations represent a constraint to development.

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 September 2024, a 10% biodiversity net gain provision is legally required.

A Biodiversity Net Gain Technical Note has been submitted which indicates that the site is capable of providing an on-site net gain of 16.6% in habitat units and 23.41% in hedgerow units. This has been updated as the proposed development has evolved with the most recent iteration of the BNG calculations dated November 2025.

The Technical Note records that no high or very high distinctiveness habitats were present on site with the majority of the site being neutral grassland of medium distinctiveness and poor condition. Hedgerows within the site are recorded as ranging from low to high distinctiveness and of moderate condition. LCC Ecology have been consulted at various stages through the application process and agree with the applicant on the baseline habitat and submitted BNG assessments.

In accordance with legislation, any permission given will be subject to the statutory Biodiversity Gain Plan condition. In order to ensure that biodiversity gains are secured for the necessary 30-year period, it is recommended that a Habitat Management and Monitoring Plan (HMMP) is submitted, agreed and implemented. This provision can be incorporated into the Section 106 Agreement, together with the necessary developer contribution to ensure long-term monitoring of compliance with the HMMP.

Arboricultural implications

An Arboricultural Assessment as well as detailed public open space and on-plot landscaping drawing have been submitted within the application. These consider 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 on the application proposals and have commented that the development has been designed to retain the majority of trees and hedgerows across the site with only a small loss of vegetation to facilitate the access (part of G1) and to accommodate the proposed internal design (T4, T40, T41, part of H1 and part of G7). The loss of trees and vegetation within the site will be mitigated by the significant areas of open space with new tree and shrub planting and internal landscaping. The retained trees have been assessed in accordance with the British Standard and the protection recommendations within the report are noted by the Forestry Team to be adequate and will ensure that retained trees are protected from any disturbance as a result of the development. The implementation of the protection measures and new planting can be secured by condition.

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 have been consulted throughout the application process. They have advised that archaeological evaluation has not identified any remains beyond the ridge and furrow on the site. Some of the ridge and furrow lies within the development parcels and will therefore be lost as a result of the proposals, however, the preservation of ridge and furrow earthworks will be possible within the areas of open space in the northern part of the site. To secure the non-intrusive preservation *in situ* of earthwork remains within areas of the site excluded from development; a condition is therefore recommended that would prevent any groundworks or development until an Archaeological Mitigation Plan has been agreed.

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

Loss of employment land use (B8 Storage and Distribution)

The development will result in the loss of the caravan storage use on the site which has been present for many years. As a B8 storage and distribution use, the storage falls within a Use Class category normally considered as an employment use. Whilst the storage may have been considered a complementary/farm diversification scheme relating to the agricultural use, its employment generating capacity and contribution to the wider local economy is expected to be modest. The caravan storage utilises an area of open hardstanding. There are no buildings on the site, other than a storage container, that would make the site attractive for alternative business uses. The loss of the B8 use would conflict to a degree with policies CS6 and SA5, which seek to protect employment land. However, on balance, the use is small scale and any harms arising from the loss would be modest and refusal of the proposals on this basis would not be warranted.

Waste management

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. The refuse strategy ensures that waste collection can be satisfactorily achieved from the new development. This includes bin storage within dedicated, screened areas on private drives and suitable bin collection points positioned close to the public highway.

Blaby District Council's Neighbourhood Services Team have been consulted on the proposed development no objections have been raised from a waste collection perspective.

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 granted 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 into 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 concludes that 1.7ha (11%) of the site area is non-agricultural and 12.4ha (77%) of the site is sub-grade 3b quality. Only 2ha (12%) of the site is sub-grade 3a quality and classed as BMV land. This is considered to be a modest amount both within the context of the site itself and the wider area which would not have any significant impacts on capacity for farming and food production. Accordingly, the development of the site is not considered to conflict with the principles of the protection of BMV land set out in the NPPF.

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.

As set out in the report above, it is acknowledged that the Council cannot demonstrate a 5-year housing land supply and that the 'tilted balance' must apply in line with national planning policy. 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

The proposed development would provide 191 dwellings, including 48 affordable dwellings on a site which adjoins the Settlement Boundary of Huncote, a Medium Central Village which contains several facilities that would enable future residents to meet some of their day-to-day needs without reliance on the car. Taking into account the shortfall in housing supply and the acute affordable housing needs in the District, the provision of housing on this site is a benefit that attracts substantial weight in the planning balance.

The development would deliver economic benefits through the construction process, albeit that this impact would be temporary in duration. Post-development, future residents will contribute to the local economy in the village and the wider surrounding area, helping to support local services. Overall these are benefits of the development that are assigned moderate weight in the balance. Whilst provision of a village hall on the site is not a determinative matter within the assessment of the proposals, it will contribute positively to social interaction and a sense of community. The overall design and layout of the proposals are also considered to create a high-quality development and these matters are attributed moderate weight.

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.

Developer contributions are requested to mitigate the impacts of the development where necessary and make it acceptable in planning terms and address the infrastructure needs generated by the development itself. These are not benefits as such as are thus afforded neutral weight in the balance.

There would be some harms associated with development due to the loss of an area of countryside, however, these impacts are adjudged to not be significant, and development could be relatively well contained within the existing and proposed landscape infrastructure of the site. These harms are given moderate weight in the planning balance.

The proposal would conflict with policies of the Development Plan, in particular policies CS1, CS5, CS18, DM2, FV7 and FV8. However, these policies are deemed out-of-date and the conflict with them consequently attracts significantly reduced weight in the balance.

The harms associated with the development (landscape and visual impact and conflict with the development plan) are not considered to significantly and demonstrably outweigh the benefits of the development. In this context, NPPF paragraph 11(d) directs that planning permission should be granted.

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.