

DATE: 21 April 2026
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. Tony Deakin
Cllr. Roy Denney
Cllr. Janet Forey

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

Cllr. Neil Wright

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the Council Chamber - Council Offices, Narborough on **THURSDAY, 30 APRIL 2026** 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 5 - 8)

To approve and sign the minutes of the meeting held on 12 March 2026 (enclosed).

4. Applications for Determination (Pages 9 - 10)
5. 25-0532-FUL - Land to the West of Springwell Lane, Whetstone (Pages 11 - 46)
6. 24-0957-FUL - Land off Butler Close, Sharnford (Pages 47 - 88)
7. 25-0942-VAR - 5 And 7 Groby Road, Glenfield (Pages 89 - 104)
8. 25-0785-FUL - Whiteacres, Whetstone (Pages 105 - 114)
9. 381-DC - Adult Education Centre, Enderby TPO (Pages 115 - 148)

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

PLANNING COMMITTEE

Minutes of a meeting held at the Council Offices, Narborough

THURSDAY, 12 MARCH 2026

Present:-

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

Cllr. Tony Deakin
Cllr. Janet Forey

Cllr. Helen Gambardella
Cllr. Richard Holdridge

Cllr. Bob Waterton

Substitute:-

Cllr. Nigel Grundy (In place of Cllr. Neil Wright)
Cllr. Terry Richardson (In place of Cllr. Roy Denney)

Officers present:-

Jonathan Hodge	- Planning & Strategic Growth Group Manager
Gemma Dennis	- Corporate Services Group Manager
Glen Baker-Adams	- Development Services and Enforcement Manager
Clementyne Murphy-Nelson	- Development Services Team Leader
Chris Bell	- Legal Services Officer
Avisa Birchenough	- Democratic & Scrutiny Services Officer
Nicole Evans	- Democratic & Scrutiny Services Officer
Sophie Wisher	- Senior Elections & Governance Officer

Apologies:-

Cllr. Roy Denney
Cllr. Neil Wright

1. **DISCLOSURES OF INTEREST**

- Cllr. Lee Breckon - 25/0532/FUL - Residential development of 115no. dwellings, with access, public open space and associated infrastructure.
- Nature of Interest - Non Registerable Interest
- Extent of Interest - Cllr. Lee Breckon is the clerk for Whetstone Parish Council. As an employee of the Parish Council, Cllr. Lee Breckon is not a decisionmaker.

2. **MINUTES**

The minutes of the meeting held on 12 February 2026, as circulated, were approved as a correct record.

3. **APPLICATIONS FOR DETERMINATION**

The Chairman informed the Committee application 25/0532/FUL has been withdrawn due to a late objection from a statutory consultee requiring further survey work. The application is expected to go to a future meeting once the relevant information has been provided.

Considered – Report of the Development Services Team Leader.

24/0869/FUL

Full planning application for residential development of 59 dwellings, public open space, drainage attenuation, access from Wright Close and other associated works and infrastructure.

Land to the East of Springwell Lane, Whetstone

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. Les Phillimore – Ward Member
- Elizabeth Fenlon – Agent

DECISION

That Application 24/0869/FUL be approved subject to the applicant entering into a section 106 agreement to secure the following;

S106 Contributions:

1. Provision of 25% affordable housing
2. Secondary education contribution
3. Post 16 education contribution
4. Health care facilities contribution
5. Recycling and refuse contribution (wheeled bins)
6. On-site open space and future maintenance (including LAP)
7. Travel packs
8. Bus passes
9. On-site Biodiversity Net Gain provision and monitoring including HMMP
10. S106 monitoring contributions - District and County Councils

And subject to the statutory biodiversity net gain condition and imposition of conditions relating to the following:

Conditions:

1. Statutory 3-year condition.
2. Development to be built in accordance with approved plans and documents.
3. Details of all external materials to be submitted, agreed and adhered to.
4. Dwellings to be constructed as per finished floor levels on approved plan.
5. Approved landscaping scheme to be carried out and maintained
6. Arboricultural Impact Assessment and Method Statement including tree protection measures to be submitted to and agreed and adhered to
7. Development to be carried out in accordance with the submitted Ecological Appraisal recommendations
8. Details of external lighting to public areas to be submitted and agreed and adhered to.
9. Construction Environmental Management Plan (CEMP) to be submitted and implemented as approved.
10. Construction Environmental Management Plan or Biodiversity (CEMP: Biodiversity) to be submitted and implemented as approved.
11. Foul water drainage scheme shall be submitted, agreed and adhered to.
12. Archaeological mitigation strategy, to include trial trenching, to be submitted and agreed and development carried out in accordance with agreed strategy.
13. Play area design and equipment to be implemented in accordance with submitted plan.

14. Waste collection strategy to be submitted and agreed
15. Noise mitigation measures to be implemented in accordance with Noise Assessment.
16. Removal of permitted development rights for conversion of garages to non-parking purposes.
17. Obscurely glazed windows shall be installed where such openings serve proposed bathrooms and WCs
18. 5% of dwellinghouses as indicated on plans to be constructed as M4(2) compliant dwellings.
19. No gates/barriers/bollards within 5 metres of the highway boundary.
20. Removal of permitted development rights for classes A-D across the site
21. All built development shall be restricted to flood zone 1.
22. There shall be no ground raising in flood zone 3.
23. Phase 2 Land Contamination Report to be submitted and agreed as part of reserved matters application and any recommendations adhered to.
24. Remediation works shall be completed in accordance with the approved method statement.
25. Reporting of unexpected contamination
26. No part of the development hereby permitted shall be occupied until such time as the site access arrangements have been implemented in full
27. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in full
28. Construction traffic management plan to be submitted and agreed
29. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 25 metres have been provided at each shared driveway leading off and at each direct frontage access.
30. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of each access.
31. Surface water drainage to be submitted and agreed
32. Surface water management plan during construction to be submitted and agreed
33. Long-term maintenance of surface water drainage system to be submitted and agreed
34. Infiltration testing to be carried out, submitted and agreed.
35. Fencing, including acoustic fencing, to be carried out in accordance with fencing plans
36. Substation design to be submitted and agreed

THE MEETING CONCLUDED AT 5.24 P.M.

Blaby District Council

Planning Committee

Date of Meeting 30 April 2026
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 **20 April 2026** 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
	25/0532/FUL	9	Land to the West of Springwell Lane, Whetstone	APPROVE
	24/0957/FUL	45	Land off Butler Close Sharnford	APPROVE
	25/0942/VAR	87	5 And 7 Groby Road, Glenfield	APPROVE
	25/0785/FUL	103	Whiteacres, Whetstone LE8	APPROVE
	381/DC	113	Adult Education Centre, Townsend Road, Enderby	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

Glen Baker-Adams Development Services and Enforcement Manager
planning@blaby.gov.uk

Application reference: 25/0532/FUL

Proposal: Residential development of 115no. dwellings, with access, public open space and associated infrastructure

Site address: Land to the West of Springwell Lane, Whetstone

Case officer: Clementyne Murphy-Nelson – Development Services Team Leader

Recommendation: Approve subject to the applicant entering into a section 106 agreement to secure the following;

S106 Contributions:

1. Provision of 25% affordable housing
2. SEND education contribution (primary and secondary)
3. Early Years Education
4. Health care facilities contribution
5. Libraries
6. Leicestershire County Council waste
7. Recycling and refuse contribution (wheeled bins)
8. On-site open space
9. Travel packs
10. Bus passes
11. Residential Travel Plan Monitoring fee
12. Relocation of existing speed limit sign
13. On-site Biodiversity Net Gain provision and monitoring
14. S106 monitoring contributions - District and County Councils
15. Off-site sports facilities contribution
16. Cemeteries contribution (subject to identified need)

Conditions:

1. Statutory 3-year condition.
2. Development to be built in accordance with approved plans and documents.
3. Development to be built in accordance with materials as shown on approved plan
4. Finished site and floor levels to be submitted and agreed and adhered to prior to construction.
5. Approved landscaping scheme to be carried out and maintained.
6. Arboricultural Impact Assessment and Method Statement including tree protection measures to be submitted to and agreed and adhered to prior to commencement.
7. Details of external lighting to public areas to be submitted and agreed and adhered to.
8. Mitigation as outlined in Air Quality report to be followed
9. Construction Environmental Management Plan (CEMP) to be submitted and implemented as approved prior to commencement.
10. Foul water drainage scheme shall be submitted, agreed and adhered to.
11. Archaeological mitigation strategy, to include trial trenching, to be submitted and agreed and development carried out in accordance with agreed strategy.

12. Play area design and equipment to be submitted and agreed.
13. Waste collection strategy to be adhered to as per approved plan
14. Noise mitigation measures to be implemented in accordance with Noise Assessment.
15. Removal of permitted development rights for conversion of garages to non-parking purposes.
16. Obscurely glazed windows shall be installed where such openings serve proposed bathrooms and WCs
17. 5% of bungalows to be constructed as M4(2) compliant dwellings.
18. No gates/barriers/bollards within 5 metres of the highway boundary.
19. Removal of permitted development rights for classes A-D across the site
20. Phase 2 Land Contamination Report to be submitted and agreed and any recommendations adhered to.
21. Remediation works shall be completed in accordance with the approved method statement.
22. Reporting of unexpected contamination
23. No part of the development hereby permitted shall be occupied until such time as the access arrangements have been implemented in full.
24. No part of the development shall be occupied until such time as the offsite works (provision of a new junction, provision of a shared footway/ cycleway and provision of an uncontrolled pedestrian crossing) have been implemented in full.
25. Framework Travel Plan to be submitted and agreed for both LCC Highways and National Highways
26. Parking and turning facilities have been implemented in accordance with the approved plan
27. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 25 metres have been provided at each shared driveway.
28. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of each access
29. Construction Traffic Management Plan to be submitted and agreed for National Highways and LCC Highways.
30. Surface water drainage to be submitted and agreed
31. Surface water management plan during construction to be submitted and agreed
32. Long-term maintenance of surface water drainage system to be submitted and agreed
33. Habitat Management Monitoring Plan (BNG Condition)
34. Bund to be delivered prior to first occupation.
35. Substation design to be submitted and agreed
36. Construction Environmental Management Plan for Biodiversity prior to construction
37. Farmland Bird Compensation Strategy prior to commencement
38. Biodiversity Enhancement Strategy prior to any works above slab level

1. **The site**

- 1.1 The application site is situated at the southern edge of Whetstone within designated countryside and covers approximately 9.12 hectares (22.5 acres) of agricultural land. The site is located to the west of Springwell Lane and existing residential development to the north with employment uses bordering the site to the north west. In addition, the M1 Motorway runs along the western boundary of the site north to south.
- 1.2 The site is generally open and slopes gently down to its north eastern corner boundary with Springwell Lane. Access is from Springwell Lane via an existing 4m-wide field gate on the eastern boundary. The site does sit lower than the M1 Motorway that runs along the sites western boundary.
- 1.3 The site is comprised of two arable fields, together with a small area of scrub/poor semi-improved grassland containing two farm buildings within the adjoining, grassed field. One building is a derelict stable and the other is a metal-framed agricultural building used to store agricultural materials. These buildings have been given prior approval under application 25/1107/DEM to be demolished.
- 1.4 The site is currently enclosed by mature hedgerow that runs along the east boundary of the site adjacent to Springwell Lane. A line of mature trees are located to the north of the site, which currently separate the site from the employment uses to the north west and the western boundary remains largely open with little vegetation. The southern boundary of the site is currently enclosed by a hedgerow that runs east to west through the field.
- 1.5 The site lies immediately to the south of the defined settlement boundary of Whetstone where amenities serving residents of Whetstone are located to the north. The site is c.2-2.5km from Whetstone's village centre, which provides a range of local facilities including a general store, café, pubs, restaurants and places of worship. More locally, approximately 1km north of the site is a supermarket, The Dog and Gun pub; and Badgerbrook County Primary School.
- 1.6 Beyond the site to the east, Blaby Bypass (A426) adjoins the 'Green Wedge' (CS16) that separates Blaby and Countesthorpe. Additional landscape features include Whetstone Brook, run north-south through Whetstone and passes the site approximately half a mile to the east.

2. **The Proposal**

- 2.1 The application is for full planning permission for 115 dwellings, an amendment to the originally sought 116 dwellings. Built development would be contained within the field parcel to the eastern side of the existing hedgerow the runs north to south of the site and entirely within flood zone 1. Principal access to the site will be provided via Springwell Lane to the north, which extends up to Dog and Gun Lane.

- 2.1 The proposals will include a mix of market and affordable dwellings. 88 are to be market and 29 are to be affordable dwellings with a mix of social rent and shared ownership options. The mix provides a range of 1-5 bedrooms across the market mix and 1-4 bedrooms across the affordable mix. 10 bungalows are proposed across the scheme split between market and affordable homes, with the rest proposed as 2 storey dwellings.
- 2.2 A Local Equipped Area for Play (LEAP) is proposed to the centre of the site adjacent to the retained hedgerow, across from plots 90-84. Beyond the built-up limits of the development, and to the west of the retained hedge that runs north to south of the site a large area of open space is proposed. The space proposes both formal and informal footpaths and is to connect to the wider development. Adjacent to the space a noise attenuation bund is proposed.
- 2.3 To the north eastern side of the site where there is a recognised low point in the land levels, a large SuDs area is proposed. This has been located in this location due to the natural drainage route. The basin is to be planted with native, wet-tolerant species.

3. Relevant Planning History

Reference	Description	Decision	Date
25/05/EIASCRC	Environmental Impact Assessment Screening Opinion for the proposed residential development (Class C3) of 116 dwellings	EIA not required	15.08.2025
25/1107/DEM	Prior approval for the demolition of a 3no. buildings	Prior approval given	23.01.2026

3.1 Environmental Impact Assessment (EIA)

- 3.1.1 An EIA Screening Request was made under Regulation 6 of the Town and Country Planning (Environment Impact Assessment) Regulations 2017, to determine whether the proposals comprised EIA development and the requirement of an Environmental Statement. This submission was made with the submission of the application (LPA Reference 25/05/EIASCRC). The Screening Decision from Blaby District Council outlined that it is the authority's opinion, an EIA submission would not be required to accompany a planning application for the development proposals. Blaby District Council's decision to screen out EIA from the proposals was issued on 15th August 2025.

4. Consultation Responses

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 beginning of the report unless stated otherwise.

The numbers in brackets signifies the amount of times consultees have responded to the application and what paragraph these comments have been considered in this report.

4.1 Blaby District Council Consultees

4.1.1 Blaby District Council Environmental Services (4) (7.4.10)

No objections subject to conditions

4.1.2 Blaby District Council Housing Strategy (2) (7.3.6)

No objections and made comments in support of the application

4.1.3 Blaby District Council Principal Planning and Conservation Officer (2)

No objections

4.1.4 Blaby District Council Neighbourhood Services (2)

No objections

4.1.5 Blaby District Council Sports and Recreational Facilities (2).

Request Developer contributions

4.2 Leicestershire County Council Consultees

4.2.1 Leicestershire County Council Highways (3) (7.5)

No objections subject to conditions and contributions

4.2.2 Leicestershire County Council Archaeology (2) (7.12)

No objections subject to conditions

4.2.3 Leicestershire County Council Lead Local Flood Authority (3) (7.6)

No objections subject to conditions

4.2.4 Leicestershire County Council Ecology (3) (7.11)

Outstanding comments at the time of publishing this report – members to be updated prior to committee with full comments and any subsequent conditions.

4.2.5 Leicestershire County Council Forestry (2) (7.13)

No objections subject to conditions

4.3 Other consultees

4.3.1 Whetstone Parish Council (2)

No objections but have made observations relating to landscaping, highways and air quality

4.3.2 Countesthorpe Parish Council (1)

No objections but have made observations relating highways.

- 4.3.3 Blaby Parish Council (2)
No comments to make
- 4.3.4 Ward Councillor
No comments received.
- 4.3.5 National Highways (3)
No objections subject to conditions
- 4.3.6 Environment Agency (2)
No comments to make
- 4.3.7 Active Travel England (2)
Refer to standing advice
- 4.3.8 Leicestershire Police (2)
No objections
- 4.3.9 Leicester, Leicestershire and Rutland Integrated Care Board (NHS) (2) (7.8)
Request developer contributions
- 4.3.10 Leicestershire Developer Contributions (2) (7.8)
Request developer contributions
- 4.3.11 Natural England (3)
No objections
- 4.3.12 Leicestershire Fire and Rescue (1)
No comments to make

5. **Additional Representations**

- 5.1 As part of the consultation process and in accordance with the Council's Statement of Community Involvement (2020); adjacent residents were notified and site notices erected.
- 5.2 27 representation comments were received. 22 of which objected to the scheme, 1 made comments in support of the scheme and 4 made comments neither supporting or objecting to the application. These letters were received both during the initial consultation and the re-consultation for the development.

Letters of objection are summarised into the following concerns;

- Plans don't link up with existing active travel infrastructure
- Limited parking on the new development
- Flood risk assessment not satisfactory
- Increase risk of flooding
- Highways safety impacts

- Existing infrastructure not satisfactory
- Congestion and traffic implications
- Overdevelopment
- One more access to the site
- Flood defences needed
- Whetstone losing its identity
- Impact on landscape
- Air quality concerns
- Noise pollution
- Archaeological and heritage impact
- Environmental and ecological impact

Letters of support were summarised as the following;

- Further development to be expected
- People need housing
- Principle of development is acceptable

6. **Planning Policies and Material Considerations**

6.1 Development Plan

Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be considered in accordance with the Development Plan, unless material considerations indicate otherwise.

The Development Plan in relation to this proposal consists of:

- Blaby District Local Plan (Core Strategy) Development Plan Document (adopted 2013)
- Blaby District Local Plan (Delivery) Development Plan Document (adopted 2019)

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

Policy CS1 Strategy for Locating New Development

Policy CS2 Design of New Development

Policy CS5 Housing Distribution

Policy 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

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

Policy DM2 Development in the Countryside
Policy DM4 Connection to Digital Infrastructure
Policy DM8 Local Parking and Highway Design Standards
Policy DM11 Accessible and Adaptable Homes

6.2 Supporting documents

- The National Planning Policy Framework (NPPF) (2024)
 - Chapter 2: Achieving Sustainable Development
 - Chapter 4: Decision Making
 - Chapter 5: Delivering a sufficient supply of homes
 - Chapter 8: Promoting healthy and safe communities
 - Chapter 9: Promoting sustainable transport
 - Chapter 12: Achieving well-designed places
 - Chapter 14: Meeting the challenge of climate change, flooding and coastal change
 - Chapter 15: Conserving and enhancing the natural environment
- The National Planning Policy Guidance (NPPG)
- 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 Housing Mix and Affordable Housing Supplementary Planning Document (2013)
- 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 Strategy 2021 - 2026

7. Consideration of Application

The main issues to be considered in the assessment of this planning application are as follows:

- The principle of the development
- Landscape and visual impact
- Affordable housing and housing mix
- 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 agricultural land

7.1 The Principle of the Development

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

- 7.1.2 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').
- 7.1.3 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.
- 7.1.4 Outside of the PUA, Core Strategy Policy CS1 states development will be focussed within and adjoining Blaby and within and adjoining the settlements of Enderby, Narborough, Whetstone and Countesthorpe, referred to as the 'Larger Central Villages', with lower levels of growth allowed in the Rural Centre (Stoney Stanton), Medium Central Villages (Littlethorpe, Huncote, Cosby, Croft and Sapcote) and Smaller Villages.
- 7.1.5 Policies CS1 and CS5 identify Whetstone as a 'Large Central Village' (along with the settlements of Enderby, Narborough and Countesthorpe) with modest levels of growth anticipated. These settlements have a combined housing requirement figure (2006 - 2029) of 1250 dwellings with Whetstone having a minimum housing requirement for 365 dwellings. It is important to note that this is a minimum requirement and is not a cap.
- 7.1.6 This Planning Committee has recently resolved to grant planning permission for seven 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), 24/0398/FUL- Land off Ratcliffe Drive/Peers Way/Preston Way, Huncote (151 dwellings),
 24/0770/FUL Springfield Farm, Forest Road, Huncote (191 dwellings)- subject to Section 106 Agreements being completed.
- 7.1.7 It is recognised that releasing this site would result in the minimum requirement for the Larger 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.
- 7.1.8 The application site is located outside of the Settlement Boundary of Whetstone on land designated as Countryside on the Blaby District Local Plan Policies

Map (2019). It is not an allocated site for housing development and in this context is contrary to the adopted Development Plan.

- 7.1.9 However, this is currently an overall under delivery of houses within the District as a whole, with the Council only being able to demonstrate a 2.78 year housing land supply, notably less than the five-year supply requirement outlined in the NPPF. The policies of the Development Plan which relate to the supply of housing are therefore considered out-of-date and the 'tilted balance' towards approval as set out in Paragraph 11d of the NPPF should be applied.
- 7.1.10 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.
- 7.1.11 Limb (i) of NPPF Paragraph 11d sets out that where the proposal conflicts with NPPF policies which protect areas or assets of particular importance, these can offer a clear reason to refuse an application. These are generally nationally designated areas such as SSSI's, designated Local Green Space, AONBs and designated heritage assets.
- 7.1.12 In this instance, the application site is not in a statutory protected area, and therefore the NPPF's presumption in favour of sustainable development and the 'tilted balance' described in Paragraph 11d(ii) applies. The shortfall in the supply of deliverable housing sites should therefore be weighed in the planning balance and means that, in accordance with the presumption in favour of sustainable development (at Paragraph 11d), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits if planning permission is to be refused.
- 7.1.13 With regard to Policy CS1 and CS5 it is considered that the overarching need to deliver sufficient homes as set out in the NPPF should take precedence over the Council's policy to concentrate growth in the PUA, particularly given the Council's shortfall in its housing land supply position. In light of this shortfall and given the lack of deliverable sites within the PUA, it is considered necessary to provide additional housing in the near-term outside the PUA where this provision accords with the NPPF and relevant policies in the Plan. It is therefore considered that the provision of new homes does not significantly conflict with Policies CS1 and CS5, nevertheless it is considered that the weight assigned to Policies CS1 and CS5 with regard to the distribution of housing development throughout the District should be reduced reflecting the Council's lack of sufficient housing supply with respect to the 'tilted balance'.
- 7.1.14 The supporting text to Policy CS5 comments that Whetstone has a wide range of employment facilities including Cambridge Road Industrial Estate (and nearby employment sites in Blaby). It also recognises that the village benefits from two primary schools and has a wide range of services and facilities and is close to Blaby Town Centre. The text also stated that the SHLAA indicated potential significant capacity for developable sites in and adjoining the built up area of Whetstone in the short to medium term.

- 7.1.15 Whetstone benefits from several key services and amenities, including various employment opportunities with the Whittle Estate and Grange Business Park, convenience stores, a supermarket, located approx. 361m on foot from the proposed development site, a chemist and post office, sports facilities, hair and beauty salons, takeaways, public houses and churches. Bager Brook Primary School is also located 0.5km walking distance from the site. Blaby (a 'town centre' which is located below the PUA in the settlement hierarchy) is also located approximately 1km away to the north of the site. Blaby contains an even wider range of services, including GPs, employment opportunities and a small town centre with a range of serves and shops. Furthermore, the proposed development would meaningfully contribute towards the shortfall of housing, including the provision of affordable housing, whilst providing financial contributions to mitigate the impact on local facilities and infrastructure.
- 7.1.16 It is recognised that the 'overprovision' of housing in one of the Larger 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 Larger Villages, mainly Countesthorpe would significantly increase growth at this tier of the hierarchy. However, as outlined above, it is considered that Whetstone 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.
- 7.1.17 It is therefore considered that releasing this site would contribute towards the Council's required 5 year supply of housing as required by the NPPF. Further consideration is given in the remainder of this report to other material considerations that are relevant to the assessment of the development proposals.

7.2 Impact on the Landscape and visual impact

- 7.2.1 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
- 7.2.2 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.
- 7.2.3 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.

7.2.4 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.

7.2.5 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 set out by Natural England 'An Approach to Landscape Character Assessment 2019' and supplementary documents available via the Landscape Institute.

7.2.6 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.

7.2.7 At a local level, the Blaby Landscape and Settlement Character Assessment (BLCSA) identifies the site as being situated within the 'Blaby, Countesthorpe & Whetstone Fringe' Landscape Character Area (LCA). The BLCSA describes the overall character of the area;

"The character area surrounds several of the largest settlements in the District including Blaby, Countesthorpe, Whetstone, Cosby and the smaller village of Littlethorpe. The landscape consists of rolling farmland with a small to medium scale field pattern. Woodland strips give the area a perceived wooded character. However, the landscape is heavily influenced by urbanising features such as a highly developed road network, golf courses and playing fields."

7.2.8 The LVA submitted by the applicants has noted varied impacts as a result of the development, noting that the impact of change to the north of the site to the residential dwellings will be major-moderate adverse. Additionally, wide ranging views of the site have been described as moderate-minor adverse impact, moving to minor adverse and negligible after 15 years once landscaping has matured.

7.2.9 The BLCSA notes that the area has a low to medium sensitivity for the provision of 2-3 storey residential housing and transport infrastructure. Moreover, it outlines that future developments should conserve existing hedgerow trees and woodland. It is notes that the proposed development intends to preserve the hedgerows to the boundaries of the site and within the site itself.

7.2.10 Overall, the LVA concludes that proposed development would result in a localised change to the character of the site, primarily through the loss of arable fields and the introduction of new housing; however, this change remains

well-contained by the existing built edge of Whetstone and the M1 corridor, limiting wider landscape effects. Over the longer term, the maturing landscape framework, including new woodland, hedgerows and green space, would help assimilate the development, reducing effects to minor adverse, with no unacceptable long-term harm to the wider landscape character. Officers concur with this conclusion.

Landscape Strategy

- 7.2.11 Overall, the proposed site provides 5.49 hectares of open space, which also includes a LEAP of 0.04ha, SuDs of 0.38ha and an acoustic bund. The open space is located predominantly to the west of the development site, bounded with the M1 motorway, however, there is a large meaningful strip of landscaping, including the SuDs to the east of the development, with built development largely constrained to the middle of the site.
- 7.2.12 Various species trees are to be planted across the open space, including English oak, Field Maple, Scots Pine and Wayfaring Tree. Native shrubs are to also be included across the open space within pockets and are to include; Common dogwood, Holly and Blackthorn.
- 7.2.12 Within the built development of the site similar species of landscaping is also proposed throughout, this includes street trees such as Cherry blossom, Upright hornbeam and Field Maple. Shrubs of a similar mix to the open space are also to be included on a variety of frontages throughout the development. All plots are to benefit from turf or amenity grass formed of a seed mixture.
- 7.2.13 The landscaping proposed and the existing landscaping on site that is to be retained is considered to be favourable and in line with native species and the overall character of the area.
- 7.2.14 With the exception of a small strip of existing hedgerow to the eastern boundary that is to be removed to accommodate visibility splays for Springwell Lane and the new proposed junction into the development, the scheme has been designed to ensure that the majority of the existing hedgerow and mature trees to the northern boundary are retained a condition has been added to ensure the protection of this existing landscape and trees. This position has been echoed by Leicestershire County Council Forestry who also comments that the palette of species to be utilised across the public open space and front of properties provide useful and functional spaces.
- 7.2.15 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.

7.3 Affordable housing and housing mix

- 7.3.1 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.
- 7.3.2 It is considered that Policies CS7, CS8 and DM11 are broadly consistent with the NPPF Paragraph 63 and can therefore be given full weight.
- 7.3.3 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.
- 7.3.4 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 (14 dwellings) which weighs in favour of the development and will help to address the shortfall in the District.
- 7.3.5 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:

	1-bed	2-bed	3-bed	4-bed	5-bed	Bungalow
Market	4	19	31	12	8	8
Affordable	6	12	7	2	2	2
Total	10	31	38	14	10	10

- 7.3.6 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 5-bedroom units across the 115 dwellings proposed.

- 7.3.7 The application proposes that 29 of the 115 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.
- 7.3.8 The location of the affordable units within the scheme have been amended to reduce clustering. The revised layout shows 'clusters' of up to seven 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.
- 7.3.9 In addition, the 6 market bungalows will all meet Building Regulation Standard M4(2) and provide accessible and adaptable homes. This represents an over provision against the requirement of Policy DM11.
- 7.3.10 Overall, the proposed development is considered to accord with Policies CS7, CS8 and DM11.

7.4 Design and layout

- 7.4.1 Policies CS2 and DM2 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.
- 7.4.2 The application site is located on the southern edge of Whetstone, 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 along Emperor Way and the surrounding closes, such as Humes Close. Furthermore, the site partially adjoins an existing industrial site to the north west along Ashville Way. The development also and any new development will need to respect these existing properties and lane uses.
- 7.4.3 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 application was originally submitted and proposed a total of 116 dwellings split across affordable and market dwellings. This resulted in a development of 32 dwellings per hectare (dph), this was considered acceptable however, some of the back to

back and side to rear distances on the site were considered too shallow. As such, an amended design was submitted which reduced the scheme to 115, this resulted in the permitter block to the south having a more satisfactory relationship. This amended resulted in the density being reduced by 0.5dph. As such, this is considered to strike an acceptable balance as required by NPPF paragraph 129.

- 7.4.4 In addition to this minor reduction to the number of dwellings, amendments were also sought to some of the design elements of the scheme, these included, additional footpaths to create more connections throughout the site, street furniture, orientation changes to dwellings to obtain picked of green space and changes to house design and layout to ensure active frontages. The applicant has also worked with the Council to revise the proposed layout to deliver better pedestrian connections within the site that more closely follow likely desire lines.
- 7.4.5 The materials palette shows a mix of red and red multi facing bricks and render, which are evenly distributed across the site, to improve visual interest and to avoid a uniform approach. Roofs of the properties and garages are to be finished in both slate grey and peat brown tiles. A range of porch styles are proposed, including mono-pitched, flat and pitched, again to enhance the architectural quality of the scheme. It is also considered that the proposed dwellings are of an architectural style that follows the development patterns of the area and provides cohesion to the dwellings to the north.
- 7.4.6 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 and DM2.

7.5 Transport and highway impacts

- 7.5.1 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.
- 7.5.2 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.
- 7.5.3 Principle vehicular access to the site is to be provided from a single point of entry off of Springwell Lane, where a priority junction is to be created. The access shall have a carriageway width of 6m with a 3m grass verge and

footpath to the western side and a 5.3m footpath and cycle lane to the western side. The existing vegetation will be removed across this strip to create access and native trees are to be planted either side. In addition to this, a small wall is to be erected at the entrance to the development as a gateway feature.

- 7.5.4 To support the access and junction design the Applicant commissioned a Stage 1 Road Safety Audit (RSA1). Leicestershire County Council Highways is satisfied that the audit team were provided with a suitable RSA1 brief and relevant supporting documentation. The RSA1 did not identify any problems specific to the access design. Therefore, Leicestershire County Council Highways confirm that the Applicant has demonstrated that the proposed development will be served by a safe and suitable access.
- 7.5.5 Leicestershire County Council Highways advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 116 of the National Planning Policy Framework (2024), subject to the conditions and the applicant entering into the planning obligations outlined at the start of this report.

Off site implications – Springwell Lane

- 7.5.6 The existing footway on the western side of Springwell Lane is to be amended to provide an approximate 150.0m long, 3.0m wide footway/ cycleway which will run to a point opposite the existing footway/ cycleway/ emergency access leading through to Cooper Crescent.
- 7.5.7 Leicestershire County Council Highways accept that there are short sections of the route that cannot be widened to 3.0m due to the third-party ownership of the bounding walls and acknowledge that the applicant has widened (when compared to the original proposal) these points to be 2.70m wide.
- 7.5.8 The RSA1 identified a problem (Problem 1-3) that an absence of a pedestrian crossing point could lead to an increase in pedestrian trips or falls due to the difficulty in negotiating a full height kerb. The applicants response states that an uncontrolled pedestrian crossing with tactile paving across Springwell Lane will be created to facilitate access to/ from the footpath. This is shown in the submitted drawings and as such, Leicestershire County Council Highways re satisfied with this approach.
- 7.5.9 A new priority junction is proposed to lead into a 5.50m wide carriageway (the re-aligned Springwell Lane) with a 6.0m corner radii to the south and a 15.0m corner radii to the north to facilitate tractor and trailer combination movements that enable another vehicle to safely pass at the junction. The LHA is satisfied that the junction design, as shown on drawing no. 25465-02-2 Rev. J allows for a tractor- trailer combination to safely undertake turning manoeuvres.
- 7.5.10 The RSA1 considers that there could be an increase in junction overshoot type collisions due to the alignment of the approach and notes there is an existing

verge overrun which could result in mud being brought into the carriageway. The RSA1 recommends that an advanced give-way sign should be provided for northbound vehicles and that the extents of the widening should remove the likelihood of verge overrun at the bend. The applicant states an additional give-way sign will be provided and Leicestershire County Council Highways acknowledge that the applicant has implemented sufficient bend widening to ensure the manoeuvres discussed above can be safely undertaken. As such, no further concerns on this matter was raised by Leicestershire County Council Highways.

- 7.5.11 The RSA1 identified that obstructed visibility at the new junction could increase the likelihood of cross path or pedestrian collisions. In response, and as annotated on the submitted drawings the applicant has advised that established hedgerow and vegetation will be removed to ensure the junction provides suitable junction and forward visibility splays. This is accepted by Leicestershire County Council Highways.
- 7.5.12 As part of the proposals the existing 30mph speed limit terminal is proposed to be re-located east of the new junction. 30mph/ national speed limit signage is to be erected on either side of the carriageway just before the new junction.
- 7.5.13 Leicestershire County Council Highways is satisfied that the proposed off-site works have been designed in accordance with the LHDG and that suitable Designer's Responses have been provided to all problems raised through the RSA1.

Highway Safety

- 7.5.14 Leicestershire County Council Highways have undertaken a further review of Personal Injury Collision (PIC) data available for the previous five-year period whereby data is currently available for up until December 2025. It remains that no PICs have occurred within 500.0m of the site access in the previous five year period. Therefore, Leicestershire County Council Highways has no pre-existing highway safety concerns at this location.

Trip Generation

- 7.5.15 Leicestershire County Council Highways is satisfied with the trip rates proposed. Based on a development of 115 dwellings the proposals are expected to generate 92 two-way trips in the highway network AM peak and 75 two-way movements in the PM peak.
- 7.5.16 The applicant has calculated traffic distribution data using the 2011 'Travel to Work' census data for residents residing in the Blaby 009 Middle Layer Super Output Area using data set WU03EW. Leicestershire County Council Highways confirmed that this is an appropriate approach to provide a suitable indication of likely travel behaviours for the proposed development.

7.5.17 In conclusion, Leicestershire County Council Highways are satisfied with the methodology employed to assign development traffic on to the existing highway network.

Junction Capacity Assessments

7.5.18 The applicant has undertaken an assessment of the below junction;

1. Junction of Springwell Lane and Dog and Gun Lane;
2. Junction of Dog and Gun Lane and Cambridge Road; and
3. Junction (roundabout) of Wychwood Road, the A426 and Lutterworth Road.

7.5.19 Traffic data obtained from surveys has been used to establish baseline traffic flows and Leicestershire County Council Highways have confirmed that an appropriate Temprow growth factors have been applied to establish the future 2029 assessment year base flows.

7.5.20 Leicestershire County Council Highways reviewed the submitted modelling files and outputs and confirmed that the above junctions have been suitably modelled. Given it has been assumed that all development traffic will head north along Springwell Lane, Leicestershire County Council Highways concur with the applicant that the site junction will operate without measurable impact.

7.5.21 Leicestershire County Council Highways also accept that the junction of Springwell Lane and Dog and Gun Lane, the junction of Dog and Gun Lane and Cambridge Road and the A426 roundabout will operate within capacity following the inclusion of the development.

7.5.22 Leicestershire County Council Highways confirmed that the residual impacts of the proposed development on the existing highway network are not considered to be severe in accordance with Paragraph 116 of the National Planning Policy Framework (2024) and that no mitigation measures are required for the proposals to be considered acceptable.

Internal Layout

7.5.23 The acceptability of an adopted road layout is subject to an 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 LHDG.

7.5.24 Leicestershire County Council Highways have advised that the internal layout has now been designed in accordance with the LHDG and that the submitted swept path analysis demonstrates that an 11.20m long refuse vehicle can safely move around the site. It is therefore considered that the internal layout of the site is suitable for a S38 application.

Transport Sustainability

- 7.5.25 The site is located on the southern edge of the village of Whetstone which provides opportunities for retail, employment, leisure and worship. The closest bus stops to the site are located on Dog and Gun Lane from where services between Leicester and Lutterworth operate. As part of the proposals the applicant proposes to extend the public footway network, provide a cycle route and crossing facilities to tie into existing footpath infrastructure.
- 7.5.26 Leicestershire County Council Highways consider that the proposed development provides good opportunities for sustainable travel and is satisfied for the LPA to include this transport context in its wider sustainability considerations for the site.
- 7.5.27 The Applicant previously submitted a Travel Plan (TP) which is a requirement for a development of the proposed scale. Leicestershire County Council Highways considered that the TP provides a good overview of objectives, targets and an action plan that outlines specific details that demonstrates a commitment to delivering a programme of initiatives.
- 7.5.28 The applicant has confirmed that the TP will be monitored using MODESHIFT STARS and that a full TP will be produced post grant of planning provision. Leicestershire County Council Highways have advised that the appointment of a Travel Plan Coordinator will be required whose tenure should run for the required five-year monitoring period. These are matters which are to be secured via the S106.
- 7.5.29 The proposed development is therefore considered to comply with policies CS10 and DM8 of the development plan

7.6 Flood risk and drainage

- 7.6.1 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
- 7.6.2 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 change 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. The largest pocket of surface water

flooding is to be integrated into the SuDs pond at the north eastern corner of the site.

Surface water drainage

- 7.6.3 The Site has an approximate total area of 8.98ha and an approximate development area of 3.77ha. It is assumed that 65% of the development area will be impermeable (2.45ha). A 10% increase to the proposed impermeable area will be applied to account for urban creep as outlined within local guidance, giving an impermeable area of 2.69ha. This excludes the proposed SuDS basin which adds an additional 0.30ha of impermeable area which results in a total impermeable area of 2.99ha. Within the west of the Site there is a proposed acoustics bund, drainage for the bund has been considered separately from the main residential development.
- 7.6.4 Surface water will be managed using a detention basin located on the site. The basin holds up to 2,090m³ of water and has a design water level of 74.60m with 1:5 side slopes. Runoff from the development drains through a network of surface water pipes and manholes that convey flows towards the basin. A flow control device at the basin outlet restricts discharge to 12.6 l/s, ensuring runoff leaves the site at a controlled, greenfield-equivalent rate. From the basin, water is discharged to an existing ditch/land drainage network, which then flows towards Whetstone Brook. This relies on replacing or repairing an existing culvert.
- 7.6.5 An alternative outfall option to the Severn Trent Water sewer is shown however, this is subject to agreement and further level checks.

Acoustic bund run off

- 7.6.6 The drainage for the acoustic bund will be kept separate from the residential and highway drainage. The drainage for the bund will consist of filter drains located around the toe of the bund. The majority of the bund will be drained to the south to a proposed private surface water sewer which will follow the southern boundary to the existing pond within the Site. The remainder of the bund will drain via a series of private surface water sewers through the site. This will ultimately outfall into the existing ditch similar to the detention basin.
- 7.6.7 National Highways have confirmed that they are satisfied with this approach and have no concerns regarding surface water being discharged on the strategic highway.

Foul drainage

- 7.6.8 The development is proposed to connect to the existing Severn Trent foul sewer network. Multiple connection options are shown on the submitted plans, but the final route will depend on agreement with Severn Trent Water and confirmation of sewer levels. Foul flows from the site will be collected via a gravity sewer network of pipes and manholes, directing wastewater towards the chosen connection point. No on-site foul pumping station is indicated as the system is intended to drain by gravity, subject to detailed design checks.

7.6.9 The Lead Local Flood Authority and National Highways have also considered the proposals and have no objections subject to conditions. As such, the proposal is considered to be in accordance with Policies CS21 and CS22 of the Blaby District Local Plan (Core Strategy) and the NPPF and the PPG

7.7 On-site public open space provision

7.7.1 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.

7.7.2 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;

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

7.7.3 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 has been inputted into the open space calculator and the results based on the development yield of 260 residents.

7.7.4 The submitted Design and Access statement and planning layouts that have been submitted by the applicant identifies the different open space typologies. Approximately 5.49ha of open space will be provided on site, split between predominantly to the east of the site located behind the retain hedgerow. The on-site open space comprises 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 (260 population)	Actual Provision in ha
Natural Greenspace	2.6	0.67	3.50
Informal Open Space	1.0	0.25	1.57
Children and Young People’s Open Space	0.06	0.015	0.04
TOTAL		0.93	5.11

7.7.5 The overall amount of (publicly accessible) open space proposed significantly exceeds the requirement of 0.93ha of open space that requires to be 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 and connects well to the existing public open space and pathways to the north of the site.

7.7.6 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 not required on site for dwellings under 200.

7.7.7 On-site open space provision and its long-term maintenance (if taken off by the Parish) 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. The applicant has outlined that all open space will be managed by a private management company.

Off site contributions

7.7.8 The on-site open space does not include provision for outdoor sports space, allotment/ community gardens, or cemeteries/ churchyards. As such, it is considered appropriate for contributions to be provided to provide for new or improved off-site open space of these types, subject to there being an identified

need. The financial contributions will be secured through the Section 106 agreement.

7.8 Developer contributions and infrastructure / facilities

- 7.8.1 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.
- 7.8.2 A request for funding towards, early years education, SEND education provision, Libraires and Waste was received from Leicestershire County Council. Leicester, Leicestershire and Rutland Integrated Care Board (LLR ICB) has also requested a financial contribution to provide the required healthcare facilities to meet the population increase linked to this housing development. Blaby District Council have requested sports provision contributions and Leicestershire County Council have also requested contributions.

Education provision

- 7.8.3 Regarding primary education, the development will yield 31 primary aged children. When taking into account primary schools within the catchment area for the development there is an overall capacity within Badgerbrook Primary School, Cosby Primary School, Blaby Thistly Meadow Primary, Blaby Stokes Church of England Primary School and St Peter's Church of England Primary School Whetstone School, as such no financial contributions are requested in respect of primary education provision.
- 7.8.4 Regarding secondary education, the development will yield 18 secondary aged children (11-16). When examining the catchment schools for the area within a three mile radius there is provision with both South Wigston High School and Countesthorpe Academy Community College as such no financial contributions are requested in respect of primary education provision
- 7.8.5 Regarding post 16 education, the development will yield 4 post 16 students. Taking into account providers within a 3 miles radius catchment of the development have sufficient capacity, so a claim is not required for this sector.
- 7.8.6 Regarding SEND education, this development will yield 1 SEND child. Wigston Birkett House special school and Foxfields Academy have a combined deficit of 95 places. Therefore, a full request for contributions towards primary and secondary SEND education of £58,141.88 is justified.

7.8.7 Regarding early years education, the development will yield 9 (rounded) early years childcare. There are currently 3 providers within a one-mile distance of the proposed development site, providing a total of 204 spaces. In the Summer period 2025, there were 242 children aged from 9 months to 4 year olds who claimed the Free Early Education as recorded on the Headcount. This does not take into account babies and non-funded children. This means that there is a deficit of 38 places. As such, the contribution of £160,706.78 is justified.

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

Libraries

7.8.9 A contribution of £3,291.55 is sought to provide improvements to Cosby 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.

Leicestershire County Council Waste contribution

7.8.10 A contribution of £2,745.05 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).

Sports provision

7.8.11 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 £205,064. is sought and it is recommended that this is used to:

1. Improvements to Leicester Lions RFU including improvements to the training pitch for youth provision and increased flood lighting to support overplay of Rugby Union in Blaby East
2. To support Football provision in Blaby East, it is recommended that a contribution is considered towards improving or replacing the poor changing facilities at the Lutterworth road site
3. Grass pitch improvement at Warwick Road Recreation Ground
4. Funding towards the Artificial Grass Pitches

BDC Waste Contribution

7.8.12 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 £5,635 for the 115-dwelling development.

Health care

7.8.13 The Leicester, Leicestershire and Rutland Integrated Care Board (ICB) requests a contribution of £ 111,320.00 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 to Hazelmere Medical Centre and Northfield Medical Centre within Blaby, to the north of the application site, and to Countesthorpe Health Centre within Countesthorpe, to the east of the application site. These are the nearest GP surgeries for those residing within the new development. The ICB has requested the inclusion of a trigger point to be agreed by them prior to the signing of the S106.

Highways Contributions:

7.8.14 A financial contribution of travel packs to inform new residents from first occupation what sustainable travel choices are in the surrounding area (these can be supplied by LCC at £52.85 per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500.

7.8.15 In addition to this, LCC request six-month bus passes, two per dwelling (two application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at £442.50 per pass).

7.8.16 Finally, Leicestershire County Council Highways also request a contribution for A Residential Travel Plan monitoring fee of £6,000 and a £7,500 contribution toward the consultation process for the relocation of the existing 30/ national speed limit on Springwell Lane, Whetstone.

7.8.17 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.

7.9 Residential amenities

7.9.1 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.

7.9.2 The proposed development is located adjacent to the southern settlement boundary of Whetstone, and the boundary of the application site adjoins existing properties along Eider Close, Humes Close, Greylag Way and Emperor Way. The site also bounds Ashville Way industrial estate to the north west. The properties on the three closes face onto the site and are 15m (side to rear) from

the housing on the application site at their nearest point, as well as being separated by a substantial vegetation, much of which is to be retained. It is noted that some of houses such as plot 1 and 12 are to be built close to the boundary of the houses to the north, however, given their positioning they sit behind the building line of the dwellings to the north, and therefore are not considered to harm to the residential amenities of these dwellings.

- 7.9.3 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. The layout has been designed to ensure that all dwellings, each dwelling has a private rear garden area. It is considered that future residents of the site will enjoy good levels of amenity.
- 7.9.4 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.
- 7.9.5 In addition to this a LEAP is proposed to the centre of the site along the eastern side of the retained hedgerow the runs north to south which is considered to provide good access to all dwellings across the site. 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.
- 7.9.6 As such, the development accords with policies DM2 and CS18 in these respects.

7.10 Environmental implications

- 7.10.1 The application proposals have been supported by an Air Quality assessment, a Noise Assessment and a Site Appraisal. These reports have been given detailed consideration by the Blaby District Council Environmental Services Team.

Air Quality

- 7.10.2 The site is not within an AQMA, but lies approx. 2.1 km from AQMA No. 4b. The air quality assessment under took local monitoring along with examining Defra background mapping which shows the site is baseline air quality is within air quality objections. Therefore, it is concluded that the site is appropriate for residential use.
- 7.10.3 The assessment also took into account construction phases of the development and operational phase. The assessment concluded that the construction phase,

with mitigation, to be secured via a CEMP, the impacts are not significant. Moreover, during the operational phase traffic-related emissions result in negligible impacts with no exceedances of air quality objectives.

- 7.10.4 Blaby District Council Environmental Services concur with these conclusions and request that a CEMP for construction is conditioned.

Contamination

- 7.10.5 The applicants have submitted a land contamination report and Phase II report as part of their submission.

- 7.10.6 Blaby District Council Environmental Services contamination officer concluded the following;

Ground gas monitoring was conducted at varying atmospheric pressures. Results show no CH₄ and low levels of CO₂, with the report concluding a CS1 site, and no requirement for gas precautionary measures within residential dwellings. It is noted that the response zones at locations WS02 and WS03 were flooded (<=30% screen available) on 5 of 6 visits, which has the potential to impact readings. Given that WS02 is located on the northwestern boundary of the site (near to the offsite former landfill site), it is plausible that landfill gases may be detected here. I recommend that an additional monitoring regime be conducted in this location, during drier conditions (or that boreholes are bailed prior), to allow for more representative readings. It may be prudent to also conduct gas monitoring along the northern boundary of the site, e.g. near location TP15.

Remediation is proposed in the form of excavation around the historic farm buildings, followed by validation soil sampling. This is acceptable and the applicant should develop a full Remediation Method Statement with the locations and depths of excavation. During the verification stage, any material taken offsite should be accompanied with appropriate consignment notes. If any backfill material is to be imported, demonstration of its suitability should also be included.

- 7.10.7 The Environmental Services Officer is content that these measures can be dealt with through a pre-commencement condition requiring submission of a Phase II report and remediation method statement and verification plan.

Noise

- 7.10.8 The applicants submitted a noise report as part of the application, this outlined that currently the baseline of the site is dominated by noise from the M1 motorway along the western boundary. As such, the scheme proposes a large bund to be created all along the western boundary of the site, the bund is to feature acoustic fencing to the top to further mitigate noise.

- 7.10.9 The noise assessment has undertaken modelling to show the noise levels, with the mitigation undertaken, would be acceptable on site both within the dwellings

and within their immediate private gardens. Some plots are to be further screened by walls to provide additional mitigation. BDC Environmental Services are satisfied with this approach and request a condition be added to ensure that all mitigation outlined within the noise report is incorporated into the development.

7.11 Ecology and biodiversity

7.11.1 Policy CS19 of the Core Strategy seeks to protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve biodiversity, wildlife habitats and corridors through the design of new developments and the management of existing areas. 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.

Ecological appraisal

7.11.2 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. The appraisal concluded that the site is of low ecological value, with limited protected species interest beyond occasional use by bats, farmland birds and barn owl.

7.11.3 In addition to this, approximately 0.69 Ha of the top north western corner of the site is included within the catchment area for Narborough Bog a SSSI located approx. 1.9 km away to the north of the site. As such, Natural England was consulted on the application and requested further information in relation to SuDs and the hydrological impacts to Narborough Bog SSSI. The applicant submitted a technical drainage note regarding this which detailed that the hydrological impacts on the SSSI are considered insignificant given that the development covers 3.77 ha which equates to only 0.02% of the entire catchment for the SSSI. In addition to this, proposed runoff rates match or mimic greenfield conditions in accordance with policy and best practice. Moreover, the applicants outlined that the proposed SuDS would improve water quality compared to the site's current agricultural runoff. The proposed development would result in water travelling 3.5 km downstream through a built-up urban area before reaching the SSSI, providing further dilution and treatment.

7.11.4 Natural England concluded that they are happy with the submitted details for the hydrology matters and will let the Local Planning Authority decide whether it is satisfied with the approach to the SuDs matter. Given that the Lead Local Flood Authority are satisfied with the approach to be undertaken by the applicant the Local Planning Authority consider this satisfactory.

7.11.5 Leicestershire County Council Ecology requested further information regarding breeding birds as such, the applicants provided further information within

January 2026. This information concluded that three breeding bird surveys had been undertaken between April – June 2025 on the site and on the adjacent 45 ha farmland to the south. The survey concluded there was a maximum of 6 skylarks across the site and the adjacent arable farmland, which is considered to be below the average density.

- 7.11.6 Leicestershire County Council Ecology requested further information and required mitigation around the breeding birds, particularly Skylarks, and as such, the applicants submitted a technical note for this. Leicestershire County Council Ecology lifted their objection upon the submission of this but requested a pre-commencement condition in regards to farmland birds.
- 7.11.7 Notwithstanding the catchment area to the north west of Narborough Bog SSSI, there are no statutory sites within the development. The appraisal notes that there are 13 non-statutory sites Local Wildlife Sites and Potential Local Wildlife Sites (LWS/pLWS) lie within 1 km, including Whetstone Brook (pLWS) and Whetstone, Dismantled Railway and Whetstone Brook (cLWS).
- 7.11.8 The appraisal recorded a number of protected or notable species within or close to the red line boundary of the site. These included bats, breeding birds such as; Skylark, Linnet, Redwing and Linnet and barn owls.
- 7.11.9 The assessment has outlined that the vegetation that requires removal for the development can be mitigated against by the extensive public open space and planting of species-rich grassland, scrub and native trees, including fruit/seed-bearing species. Additionally, create a wildlife friendly SuDS area, managed to support biodiversity and to inclusion of bat and bird boxes where practical.

Biodiversity Net Gain

- 7.11.10 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.
- 7.11.11 A Biodiversity Net Gain Metric has been submitted which indicates that the site is capable of providing an on-site net gain of 79.9% in habitat units and 202.52% in hedgerow units. This has been updated as the proposed development has evolved with the most recent iteration of the BNG calculations dated September 2025.
- 7.11.12 Whilst the applicant has demonstrated that this development is capable of providing a significant on site net gain, the overprovision of net gain is to be banked for use in future development, this is to be completed via a S106 agreement. As such, whilst all the credits outline with the statutory BNG metric are to be delivered on site, the over-delivery cannot be considered as a material consideration for this planning application. Members should place weight only

on whether the scheme meets the 10% statutory BNG requirement, as any additional gain is not a material consideration for this development.

7.11.13 A further Technical Note records that there is no high distinctiveness habitat on site. The Technical Note does recognise that there is around 100 m of hedgerow to be lost as a result of access and the visibility splays. It is concluded that this is more than compensated for with new hedgerow creation and enhancement. 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.

7.11.14 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.

7.12 Archaeology

7.12.1 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.

7.12.2 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. Notwithstanding this, the applicant has submitted a Archaeological Desk-Based Assessment. This assessment has concluded that the site holds moderate potential for prehistoric and Iron Age/Roman remains and low potential for other periods. However, Archaeology does not pose a development constraint, and proportionate further investigation (geophysics) is suggested.

7.12.3 Leicestershire County Council concurs with this conclusion and have requested post-determination trial trenching to inform a final archaeological mitigation scheme, if required.

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

7.13 Arboricultural implications

7.13.1 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.

- 7.13.2 The Arboricultural Assessment outlined various trees and vegetation across the site grouping them into Category B: 4 individual trees (T4, T7, T8, T16) and several hedgerows (H1, H2, H4, H5, H6, H7, H9) and Category C: Majority of tree stock (13 individual trees and G1, G2, H3, H8). There are no ancient or veteran trees on or adjacent to the site or Tree Protection Orders and overall, the assessment concluded that most trees are low quality with a minority of moderate quality specimens.
- 7.13.3 Some of the existing vegetation require removal for access to be instated into the site and to provide adequate visibility along Springwell Lane. No individual trees require removal.
- 7.13.4 The vast minority of trees and hedgerows are to be retained, as the existing vegetation sits mainly along site boundaries and can be integrated into green infrastructure. The retained vegetation has 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 and hedgerows 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.
- 7.13.5 Overall, the report detailed that there are no significant arboricultural constraints to development, and that the proposed landscaping is to be of native species.

7.14 Loss of agricultural land

- 7.14.1 The NPPF expects local planning authorities to take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is necessary local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. Agricultural land is graded into 5 categories ranging from Grade 1 (excellent quality agricultural land) to grade 5 (very poor quality). Grades 1, 2 and 3a (grade 3 is subdivided 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.
- 7.14.2 The site is located within land grade 3. Given the size of the site it 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.

8. Overall Planning Balance and Conclusion

- 8.1 When determining planning applications, the District Planning Authority must determine applications in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 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.
- 8.3 The proposed development would provide 115 dwellings, including 29 affordable dwellings on a site which adjoins the Settlement Boundary of Whetstone, a Large 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.
- 8.4 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. The overall design and layout of the proposals are also considered to create a high-quality development and these matters are attributed moderate weight.
- 8.5 Technical matters, including noise and highways 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.
- 8.6 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.
- 8.7 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.

- 8.8 The proposal would conflict with policies of the Development Plan, in particular policies CS1, CS5, CS18 and DM2. However, these policies are deemed out-of-date and the conflict with them consequently attracts significantly reduced weight in the balance.
- 8.9 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.
- 8.10 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.

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Application reference: 24/0957/FUL

Proposal: Erection of 19 dwellings with associated access, landscaping, and parking.

Site Address: Land off Butler Close, Sharnford

Case Officer: Rebekah Newman, Senior Planning Officer

Recommendation: Approve, subject to the applicant entering into a Section 106 Agreement to secure the following:

S106 Contributions:

1. Provision of 25% affordable housing
2. Health care facilities contribution
3. Library facilities contribution
4. Civic amenity and waste facilities contribution
5. Off-site open space contributions (informal open space and children's play space), as necessary
6. Off-site Biodiversity Net Gain provision and monitoring fee
7. Recycling and refuse contribution (wheeled bins)
8. S106 monitoring contributions – District and County Councils

And subject to the statutory biodiversity net gain condition and imposition of conditions relating to the following:

Conditions:

1. Statutory 3 year condition.
2. Development to be built in accordance with approved plans and documents.
3. Proposed site levels and finished floor levels to be agreed prior to commencement of development.
4. All external material details to be agreed prior to above ground construction.
5. Removal of Permitted Development Rights for extensions or additions and additional buildings to plot 14.
6. Removal of Permitted Development Rights for fences, gates or walls.
7. Removal of Permitted Development Rights for any further openings / windows within the first-floor side elevation of plots 1, 12 and 19.
8. Requirement to submit a land contamination desktop study, site investigation scheme, remediation method statement, verification plan and to carry out a site investigation prior to commencement of development.
9. Construction Environmental Management Plan (CEMP: Biodiversity) to be submitted and implemented as approved.
10. Requirement to submit a Biodiversity Enhancement Strategy prior to any works above slab level.
11. Requirement to submit a wildlife sensitive lighting design scheme prior to occupation.

12. Requirement to submit a Landscape and Ecological Management Plan prior to occupation.
13. Tree works as per Tree Survey, Arboricultural Implications Assessment and Method Statement.
14. All existing hedgerows to be retained in perpetuity and protected by suitable fencing during construction works.
15. Proposed tree planting, soft and hard landscaping to be agreed prior to commencement of development.
16. Any trees, hedges, shrubs or plants found to be dead, dying, severely damaged or diseased within five years of completion works to be replaced in next planting season.
17. Requirement to submit a necessary programme of archaeological work prior to commencement of development.
18. Vehicular visibility splays of 2.4m by 65m at the site access to be maintained.
19. Parking and turning facilities to be in accordance with Proposed Site Access drawing prior to occupation.
20. Requirement to submit a Construction Traffic Management Plan prior to commencement of development.
21. Requirement for an amended scheme for the treatment of the PROW prior to commencement of development.
22. Requirement for a surface water drainage scheme prior to commencement of development.
23. Requirement for details in relation to the management of surface water on site during construction prior to commencement of development.
24. Long-term maintenance of the surface water drainage system prior to occupation.
25. Requirement for infiltration testing prior to commencement of development.
26. Bathroom and WC windows of each dwelling to be obscurely glazed and a non-opening design.
27. Flood Evacuation Plan to be fully implemented in accordance with approved details prior to first occupation for the lifetime of the development.

1. The site

- 1.1 The application site is located to the west of Butler Close, to the southwest of the village of Sharnford. The site is currently an unused area of grassland and measures approximately 0.66ha in size, comprising of one field parcel which is rectangular in shape.
- 1.2 There is a mature tree and hedge line along the western and southern boundaries, as well as along the Public Right of Way (PROW) which runs across the middle of the site. The site is bounded to the east by existing residential development, and the B4114 runs along the site's southern boundary. Agricultural fields are located to the north and west of the site. The most recent development to the east (Butler Close) was approved under planning application references 14/0013/1/OX, 16/1579/RM and 17/0435/FUL. Beyond this is further residential development forming the village of Sharnford.
- 1.3 The application site is accessed off Butler Close to the east and is located within a landfill site & buffer zone (no. 284). The northern half of the site is part of a

Local Wildlife Site (The Limes Grassland) and the whole site is within a sand & gravel mineral zone. The topography of the site gradually increases north to south. The existing access onto Butler Close is located within Flood Zones 2 and 3. Two areas within the south of the development site are within 'low' risk of surface water flooding.

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

2. The Proposal

- 2.1 The application is for full planning permission for the erection of 19 dwellings, which would be an extension to the existing development of 17 dwellings to the east, off Butler Close.
- 2.2 New vehicular and pedestrian access is proposed via Butler Close. 18no. of the dwellings would be of 2-storey, and 1no. would be 1- storey.
- 2.3 14no. market housing dwellings would be provided, consisting of 1no. 1-bed bungalow, 3no. 2-bed units, 7no. 3-bed units and 3no. 4-bed units. 5no. affordable housing dwellings would be provided, consisting of 5no. 2-bed units, which therefore provides over 25% of affordable housing within the development scheme. The dwellings will be constructed with different fenestration details and layouts, which include elevation and floor plans for the different house types (7no.).
- 2.4 The proposed development includes car parking for each dwelling, with 16 plots having 2 spaces and 3 plots having 3 spaces. 7no. visitor parking spaces have also been included as part of the scheme (see drawing titled 'Proposed Site Access' – Dwg no. SA01 Rev J).
- 2.5 The existing Public Right of Way (PROW) which runs across the middle of the site is proposed to be retained, with the existing hedgerow retained to the south, and a new hedgerow proposed to the north of the footpath. A footbridge is also proposed over the existing drainage ditch to the west. A combination of trees, hedgerows and shrubs are proposed to the frontage of properties.

3. Relevant Planning History

- 3.1 None within the application site, however the following relates to the most recent residential development approved off Butler Close, to the east of the site:

Reference	Description	Decision	Date
12/0810/1/PX	Erection of 2 detached dwellings (to include demolition of existing workshop and garage).	Approved	28.05.2013
14/0013/1/OX	Residential development of up to 12 dwellings with associated access off Coventry Road (Outline).	Approved	12.09.2014
16/1579/RM	Reserved Matters application for 12 dwellings (details of access, appearance, landscaping, layout and scale) in relation to outline permission 14/0013/1/OX.	Approved	22.02.2017
17/0435/FUL	Demolition of existing dwelling and associated outbuildings and erection of 5 dwellings with detached garages.	Approved	25.08.2017

4. Consultation Responses

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 beginning of the report, unless stated otherwise.

The numbers in brackets signifies the amount of times consultees have responded to the application.

4.1 Blaby District Council Consultees

4.1.1 Environmental Services (3)

No objections subject to conditions.

4.1.2 Housing Strategy (2)

Agree to the market and affordable housing mix proposed.

4.1.3. Neighbourhood Services (6)

No objection, subject to a suitably worded bilateral undertaking agreement.

4.2 Leicestershire County Council Consultees

4.2.1 Archaeology (3)

Recommends the inclusion of a condition, if granted.

4.2.2 Developer Contributions (3)

The following amounts are requested:

Waste - £941.07
Libraries - £558.66
Primary Education - £0
Secondary Education - £0
Post 16 Education - £0

Total = £1,449.73.

4.2.3 Ecology (3)

No objections subject to conditions.

4.2.4 Forestry (3)

A detailed tree planting and landscape maintenance plan should be conditioned.

4.2.5 Lead Local Flood Authority (LLFA) (6)

No objections subject to conditions.

4.2.6 Local Highways Authority (5)

No objections subject to conditions. *"Having reviewed the revised drawings above, the LHA are content that the site will not result in a severe impact upon the highway and specifically that refuse collections could take place internally."*

4.2.7 Minerals and Waste (1)

No objections.

4.3 Others

4.3.1 Environment Agency (2)

No objections. Advised that the Council undertakes appropriate consultation with emergency planners and the emergency services to confirm the adequacy of the flood evacuation proposals.

4.3.2 Leicestershire Fire & Rescue (1)

"Leicestershire Fire and Rescue Service do not consult on planning applications or provide direct comment on access and facilities for new domestic building developments."

4.3.3 Leicestershire Police (1)

Supports the planning application. Requests the addition of a condition, if permission is granted, to ensure that crime prevention design measures are considered and taken account of.

4.3.4 NHS, Leicester, Leicestershire and Rutland Integrated Care Board (3)

Requests a contribution of £14,714 to provide the required GP facilities to meet the population increase from the development.

4.3.5 Ramblers Association

No response received.

4.3.6 Resilience Partnership (Leicester, Leicestershire & Rutland) (1)

Commented that the submitted Evacuation Plan (received 04.02.2026) required further information, however the consultee commented that it does not assess, confirm or comment on the adequacy, completeness or sufficiency of the proposed arrangements, nor validates the safety of the development or the effectiveness of the measures described. The consultee advised for the LPA to consult with the emergency services.

4.3.7 Severn Trent Water

No response received.

4.3.8 Sharnford Parish Council (2)

“The proposed planning application to the land off Butlers Close, Sharnford has raised concerns regarding existing issues with sewage and flooding in the area. Residents are already experiencing problems with drainage and sewerage capacity, and further development will exacerbate the situation. Some residents have only experienced problems, since the development of Butlers Close and the current infrastructure isn’t sufficient to handle additional housing, potentially leading to increased sewage discharge, excess surface water and flood risks. It is crucial that these concerns are thoroughly addressed before any expansion is approved to prevent further strain on the already overloaded system.

The Lead Local Flood Authority has also set out conditions regarding surface water drainage schemes. Since the construction of the Butlers Close development, Sharnford has experienced more frequent flooding.

The developer has proposed that the foul water flows are directed into the foul water drainage network serving the adjoining development. This system is already at full capacity with issues of sewerage overflowing from underground tanks onto the public park in Sharnford, as the Pumping Station is incapable of controlling the already strained system.

In light of these significant concerns, Sharnford Parish Council, strongly recommends that this application be refused, with these issues addressed comprehensively to avoid detrimental effects on the village and its residents.”

4.3.9 Ward Councillor

No comments received.

5. Additional Representations

5.1 As part of the consultation process and in accordance with the Council’s Statement of Community Involvement (2020); adjacent residents were notified.

5.2 41 letters of representation have been received. Of which, 1 letter of support in regards to:

- An appropriate number of dwellings proposed which will contribute towards providing more homes

Whereas 41 letters of objection to the scheme have been received, relating to the following concerns:

Flooding / Drainage

- Existing sewage and drainage issues
- Surface water run-off from neighbouring fields
- Removal of the existing drainage ditch along the site's eastern boundary
- Lack of maintenance of drainage channels
- The proposed development will worsen existing flooding issues

Highways / Parking

- Unsafe access
- No pathways in and out of the village
- No public transport
- Wear and tear of the existing private road which adjoins the application site (Butler Close) and how this will be covered by the applicant financially during the construction phase of development
- Traffic congestion
- Risk to pedestrian safety with extra deliveries
- No parking for visitors and lack of parking for the larger proposed properties
- Lack of pavement in areas
- No safe crossing for school children to cross from Butler Close

Infrastructure

- No capacity at local school
- Lack of amenities in the village
- Existing internet connection issues

Housing

- No need for additional housing in the village
- The proposed density of dwellings being too high and disproportionate with the existing Butler Close development
- The proposed design not being in-keeping with the local character and appearance of the area

Neighbour Amenity

- Loss of light to existing dwellings off Butler Close
- Overlooking and privacy issues to existing dwellings off Butler Close
- Noise and disruption

Natural Environment

- Loss of natural wildlife
- Loss of farm land

6. Planning Policies and Material Considerations

6.1 Development Plan

Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be considered in accordance with the Development Plan, unless material considerations indicate otherwise.

The Development Plan in relation to this proposal consists of:

- Blaby District Local Plan (Core Strategy) Development Plan Document (adopted 2013)
- Blaby District Local Plan (Delivery) Development Plan Document (adopted 2019)
- Leicestershire Minerals and Waste Local Plan (2019)
- Fosse Villages Neighbourhood Plan 2018 – 2029 (June 2021)

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

Policy CS1 – Strategy for locating new development

Policy CS2 – Design of new development

Policy CS5 – Housing distribution

Policy CS7 – Affordable housing

Policy CS8 – Mix of housing

Policy CS10 – Transport infrastructure

Policy CS11 – Infrastructure, services and facilities to support growth

Policy CS12 – Planning obligations and developer contributions

Policy CS14 – Green infrastructure

Policy CS15 – Open space, sport and recreation

Policy CS18 - Countryside

Policy CS19 – Biodiversity and geo-diversity

Policy CS20 – Historic environment and culture

Policy CS21 – Climate change

Policy CS22 – Flood risk management

Policy CS23 – Waste

Policy CS24 – Presumption in favour of sustainable development

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

Updated Core Strategy Policy CS15 – Open space, sport and recreation

Policy DM2 – Development in the countryside

Policy DM4 – Connection to digital infrastructure
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

6.1.3 Leicestershire Minerals and Waste Local Plan (2019)

Policy M11 – Safeguarding of mineral resources

6.1.4 Fosse Villages Neighbourhood Plan 2018 – 2029 (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

6.2 Material Considerations

- The National Planning Policy Framework (NPPF) (2024)

Section 2 - Achieving sustainable development

Section 4 – Decision-making

Section 5 - Delivering a sufficient supply of homes

Section 8 - Promoting healthy and safe communities

Section 9 – Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

Section 17 – Facilitating the sustainable use of minerals

- Blaby District Council Active Travel Strategy (2024)

- Blaby District Council Local Cycling and Walking Infrastructure Plan (2024)
- Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document (2013)
- Blaby District Council Housing Strategy 2021 – 2026
- Blaby District Council Open Space Audit (2019)
- Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Document (2024)
- Blaby District Council Waste Storage and Collection Guidance for New Developments
- Blaby District Council New Development Quick Reference Guide – Waste Storage and Collection
- Blaby Landscape and Settlement Character Assessment (2020)
- Blaby Playing Pitch Strategy & Action Plan (2020)
- Blaby Residential Land Availability Report (2025)
- Blaby Strategic Flood Risk Assessment Level 1 Final Report (2020)
- Building for a Healthy Life Toolkit (BfHL) 2020
- Leicester and Leicestershire Housing and Economic Needs Assessment (HENA) 2022
- Leicester and Leicestershire Housing Market Area Housing and Economic Land Availability Assessment (SHELAA) 2019
- Leicestershire Highways Design Guide (2024)
- National Design Guide – Planning practice guidance for beautiful, enduring and successful places
- The National Planning Policy Guidance (NPPG)

7. Consideration of Application

The main issues to be considered in the assessment of this planning application are as follows:

- The principle of the development and 5-year housing land supply position
- Transport and highway implications
- Impact on the countryside and landscape / visual impact
- Affordable housing and housing mix
- Design and layout

- Flood risk and drainage
- Residential amenities
- Developer contributions and infrastructure / facilities
- Open space, sport and recreation
- Archaeology
- Environmental implications
- Ecology and biodiversity
- Arboricultural implications
- Land contamination
- Construction management
- Waste management
- Mineral safeguarding areas
- Sustainability and climate change

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

Development plan policy

- 7.1.1 The site lies within the countryside beyond the Sharnford settlement boundaries as shown on the adopted Policies Map. Policy CS18 of the Core Strategy is therefore relevant. It is not an allocated site for housing development and in this context is contrary to the adopted Development Plan. 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.
- 7.1.2 In considering the most sustainable locations for housing, the Council's spatial strategy is outlined in Core Strategy policies CS1 and CS5. These policies 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.
- 7.1.3 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 and Smaller Villages, reflecting the settlement's range of available services and facilities and public transport alternatives.
- 7.1.4 Policies CS1 and CS5 identify Sharnford as a 'smaller village' (along with the settlements of Elmesthorpe, Kilby and Thurlaston) with modest levels of growth anticipated. Only hamlets and very small villages lie below the 'smaller village' tier of the hierarchy. Policy CS5 does not identify a housing requirement figure for each individual settlement within the 'smaller village' tier but sets a minimum provision of 80 dwellings 2006-2029 across all four villages in this level of the hierarchy.
- 7.1.5 The Fosse Villages Neighbourhood Plan (FVNP) reflects the Core Strategy Policy C5 and apportions a specific minimum housing requirement for the two

'smaller villages' in the Fosse Villages neighbourhood area, namely Sharnford and Thurlaston. Policy FV7 in the FVNP sets a minimum provision of 25 dwellings for Sharnford 2006-2029. 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.

- 7.1.6 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 Sharnford), a development of 19 dwellings on the edge of Sharnford on an unallocated site in the countryside would be contrary to the adopted development plan.

Housing Requirements and Supply Position

- 7.1.7 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').
- 7.1.8 As of 31st March 2025, a total of 2,965 homes had been completed in the PUA. To meet the identified PUA requirement there is a need for around 696 homes per annum to be delivered in the PUA until the end of the plan period (total 2,785). Forecast completions in the PUA to 2029 are less than half this number (1,196) and it is unlikely that housing delivery will accelerate in the PUA sufficiently to address the shortfall by the end of the Plan period.
- 7.1.9 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 2025, 3,968 homes had been delivered in the non-PUA, significantly exceeding the minimum requirement in the non-PUA of 2,990 dwellings. Overprovision has occurred in all settlements/tiers in policy CS5, with the exception of Narborough and Earl Shilton (land adjoining) where there are currently small shortfalls. The RLA report indicates that around 379 further homes may be completed in the non-PUA before 2029. Opportunities to deliver housing development of a type and scale needed to facilitate an increase in delivery in the near term are greater in the non-PUA than the PUA mainly due to the constrained nature and large scale of the sites being promoted for development in the PUA.
- 7.1.10 Forming part of the non-PUA area, the Smaller Villages (which includes Sharnford) have a combined minimum housing requirement of 80 dwellings across the local plan period (2006 to 2029). Against this requirement, 199 houses have been completed and committed as of 31 March 2025 within or adjacent to the named villages; resulting in the requirement within the 'smaller village' tier of the hierarchy having been exceeded by 148.75%, although it is recognised that the policy requirement is expressed as a minimum.

- 7.1.11 The RLA report records that 45 of these dwellings have been completed or committed in Sharnford. In respect of the level of housing provision anticipated for Sharnford in policy FV7 of the FVNP, the actual amount of housing development has almost doubled.
- 7.1.12 Turning to the short-term picture, there is currently an under delivery of houses within the District as a whole, with the Council only being able to demonstrate a 2.78-year housing land supply, notably less than the five-year supply requirement outlined in paragraph 78 of 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 are no conflicts with policies that seek to protect areas or assets of particular importance and the provisions of paragraph 11(d)(ii) of the NPPF which apply a presumption in favour of granting permission are therefore engaged (the ‘tilted balance’).

Summary

- 7.1.13 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. In addition, in these circumstances the NPPF directs that permission should be granted unless any adverse impacts caused by the proposal significantly and demonstrably outweigh its benefits. Further consideration is given in the remainder of this report to other material considerations that are relevant to the assessment of the development proposals.

Sustainability of the location

- 7.1.14 As outlined in the section above, policies CS1 and CS5 of the development plan consider Sharnford to be a location suitable for modest growth only. However, in light of the reduced weight to be given to the spatial strategy, further consideration of the sustainability of the location is required.
- 7.1.15 The NPPF places great emphasis on significantly boosting the supply of homes and paragraph 61 states that it is important that a sufficient amount and variety of land can come forward where it is needed. Paragraph 82 deals with housing in rural areas and notes that housing development that reflects local needs should be supported. Paragraph 83 continues that “*to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities*”.
- 7.1.16 Chapter 9 of the NPPF deals with promoting sustainable travel and endorses using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. Paragraph 110 states that the significant development should be focused on locations which are or can be

made sustainable though limiting the need to travel and offering a genuine choice of transport modes. It is recognised however, that *“opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”*.

- 7.1.17 As noted above, Sharnford is within one of the lowest tiers within the settlement hierarchy, with paragraph 7.5.26 in the supporting text to policy CS5 of the Core Strategy noting that the villages in this tier have a limited range of employment opportunities, services and facilities. Although the Core Strategy was adopted some time ago, this is considered to remain the case.
- 7.1.18 Employment within the village is limited to a haulage company, a small industrial estate and other small-scale employers including the pub and Sharnford garage. Whilst the submitted application draws attention to a potential employment land allocation off Aston Lane, the Local Plan is at an early stage of preparation with the Regulation 19 consultation not due to take place until Summer 2026. It therefore has very limited weight in the consideration of the current proposals. It is expected that the majority of residents would need to travel outside of the village for work.
- 7.1.19 In respect of services and facilities, Sharnford benefits from a primary school, public houses, recreation grounds and a car garage, but note that there is no shop or post office (which have now closed). Facilities for daily essentials and convenience are therefore not available within the village itself, with residents needing to travel to other nearby settlements, such as Sapcote or Stoney Stanton for day-to-day services and facilities. There are also no healthcare facilities in Sharnford, with the nearest surgeries being in Burbage, Stoney Stanton and Broughton Astley. The nearest secondary schools are located in Hinckley (Hastings School and The Hinckley School) and Broughton Astley (Thomas Estley). Opportunities for residents and future residents to meet their day-to-day needs in the village itself are therefore limited.
- 7.1.20 In terms of accessibility and potential for sustainable travel, the services within Sharnford, including the primary school, are all within a reasonable walking distance (approximately 1km) of the site and along dedicated, lit footways as well as walkable access to the recreation ground, pub and church (although would involve road crossings and in places, narrow footways).
- 7.1.21 Sharnford is not a remote settlement and is relatively close to Sapcote and Stoney Stanton, and slightly further afield, Broughton Astley and Burbage, where secondary schools and other services are located. Sapcote, Stoney Stanton and the edge of Burbage are within 6.4km of the application site and, as such, offer potential for access by cycle in distance terms.
- 7.1.22 Beyond the edge of Sharnford, however, routes to Burbage are along unlit highways without footways and subject to the national speed limit. Whilst these routes may not be heavily trafficked, the nature of the route would limit its appeal for cyclists. Similarly, though Sapcote and Stoney Stanton are both within a reasonable cycling distance of the development site, the routes present

challenges. Bridleway V28 along Mill Lane/Donkey Lane provides a traffic free route of c. 1.5km connecting Sharnford with Sapcote. This route, whilst short and direct, is unsurfaced for a large proportion of its length, unlit and uneven. Its potential for use as a cycle and walking route, particularly for Sharnford residents wanting to access the Co-op or Post Office, would be limited, especially in inclement weather. Its poor surfacing would also rule out its use by those with reduced mobility. The alternative would involve travel along the B4114, which is a busy road without footways and subject to the national speed limit beyond the village.

- 7.1.23 Sharnford is served by an on-demand bus service, the southwest Leicestershire Fox Connect, which has been recently relaunched with a new bus operator, Centrebus. This service connects the village to surrounding settlements and some key destinations including Hinckley and Enderby Park and Ride, Monday to Saturday 6am to 7.30pm. A timetabled LC14 bus service operated by Arriva has also been launched in June 2025, connecting Sharnford to Hinckley and Fosse Park, Monday to Saturday providing four services a day. This service has been provided in part with two-year revenue funding from the Government and its commercial viability and long-term future is consequently uncertain. Notwithstanding this, the site presently offers some accessibility by public transport. However, in the Appeal Decision for Land to the north of Leicester Road in Sharnford for up to 98 dwellings (Ref: APP/T2405/W/25/3369148), it is noted that the Inspector considered that this bus service does not offer a realistic alternative route to such locations (for example, one would not be able to access Enderby Park and Ride or Fosse Park before 10am using the scheduled bus service).
- 7.1.24 It is also noted that evidence from 2020, commissioned to support the emerging development plan (which was published in advance of the closure of the shop and post office in Sharnford), found that the settlement was one of the least sustainable in the district. Only limited development was therefore considered appropriate in view of the reliance on the private car.
- 7.1.25 However, the FVNP Sharnford Settlement Statement raises concerns about declining population in Sharnford, particularly a reduction in the number of young people in the village (based on 2011 census data). The most recent 2021 Census however indicates that the village's population has increased to 1,060, slightly exceeding 2001 levels, and the number of under-15s also returning to 2001 levels. The continuing increase in the proportion of Sharnford's population aged 65 and above (27% in 2021) is noted, reflective of the national pattern of an aging population. It is recognised that some housing growth in Sharnford could help avoid population decline and could support its existing services and facilities, including Sharnford Church of England Primary School. Some development in Sharnford could therefore contribute to maintaining services in line with NPPF paragraph 83.
- 7.1.26 This modest sized development of 19 dwellings needs to be considered in the context of the sustainability of the location as outlined above. There is sufficient capacity within Sharnford Primary School to accommodate this level of growth, it has beneficial aspects in terms of supporting existing services and facilities in

Sharnford, Sapcote and Stoney Stanton, supporting the bus provision, provision of affordable housing, provision of additional housing options and helping to maintain the vitality of the community, as set out in NPPF paragraph 83 and would provide affordable housing. This needs to be balanced against the negative sustainability considerations including the likely continuation of unsustainable travel patterns. On balance, your Officers have concluded that the benefits of this modest sized housing development outweigh the negative factors in relation to the sustainability of the location.

7.2 Transport and highway implications

- 7.2.1 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.
- 7.2.2 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.
- 7.2.3 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.
- 7.2.4 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. However, it is noted the LHA has not requested any contributions towards bus passes and since adoption of the Fosse Villages Neighbourhood Plan, the Fox Connect service has been launched by Leicestershire County Council, improving public transport links in South Leicestershire. The nearest bus stop is located on Leicester Road in Sharnford, located approximately 480m from the site. In addition, due to the minor scale of the proposed development, and policy FV3 stating that such developments '*...will be supported where proposals include a viability statement*', rather than being a requirement, the provision of a viability statement is not considered to be reasonable for this proposal.

Site Access

- 7.2.5 Access to the site will be via a continuation of Butler Close, which is a private road. The development proposes to create a 4.8m wide carriageway with 1.8m wide footways.
- 7.2.6 Butler Close connects to the public highway on Coventry Road (B4114), which is a classified 'B' road, subject to a 30mph speed limit. The speed limit on Coventry Road (B4114) changes approximately 65m south of Butler Close to 50mph.
- 7.2.7 The applicant has confirmed by email to the Local Highway Authority (LHA) that Butler Close is to remain private, as the existing development to the east is also privately maintained. However, the proposed layout includes a shared surface access with carriageway dimensions which accords with the LHA's 'Shared Surface Residential Access' specification as per Table 3 of the Leicestershire Highway Design Guide (LHDG).
- 7.2.8 The LHA conducted a site visit on 04.03.2025 and measured visibility splays of at least 2.4m x 65m in either direction of the site access. The consultee has confirmed that these splays would be suitable for 85th percentile vehicle speeds of up to 40mph in accordance with Table 6 of the Local Highway Design Guide (LHDG). The consultee also commented "*Given that traffic calming measures, including a village gateway, dragon's teeth and a speed camera are already in situ along Coventry Road (B4114), the LHA consider that the achievable splays are suitable for the anticipated 85th percentile speeds of vehicles along Coventry Road. Therefore, the LHA will seek to secure the splays above by way of planning condition.*"
- 7.2.9 The applicant also provided swept path analysis, which demonstrates that a refuse vehicle measuring 11.2m in length, a fire tender and a pantechnicon / removal lorry can access and egress the site in both directions.
- 7.2.10 The LHA also note that a turning head is proposed within the site, and given the carriageway width of 4.8m will be maintained throughout the development, the consultee is satisfied that refuse vehicles along with fire tenders and pantechnicons can access and egress the site in a forward gear.

Highway Safety

- 7.2.11 The LHA identified that there has been one Personal Injury Collision (PIC) recorded within 500m in either direction of the site within the most recent five-year period. The PIC was recorded as 'slight' in severity and took place approximately 370m from the site on Coventry Road.
- 7.2.12 However, the LHA confirmed in their consultation response dated 03.01.2025, that the proposed development is unlikely to exacerbate the likelihood of further such incidents occurring.

Internal Layout

- 7.2.13 The applicant has confirmed that it does not seek for the site to be adopted, as the existing development to the east, which the proposed development will extend from, is currently privately maintained.
- 7.2.14 However, the LHA has confirmed in its latest consultation response (dated 17.03.2026) that it is content that the site will not result in a severe impact upon the highway and specifically that refuse collections could take place internally. The LHA has also confirmed in writing (via an email dated 01.04.2026) that the drawing titled 'Proposed Site Access' (Dwg no. SA01 Rev J) demonstrates a shared surface access with carriageway dimensions which accords with the LHA's 'Shared Surface Residential Access' specification as per Table 3 of the LHDG.
- 7.2.15 The LHA continues to advise approval, subject to the conditions listed at the beginning of this report.

Public Rights of Way (PROW)

- 7.2.16 In one of the LHA's earlier consultation responses (dated 06.03.2026) the consultee commented the following:

"The LHA previously noted that Public Footpath (U80) ran through the proposed development and requested the Applicant to provide further details on how the Public Footpath will be affected.

The LHA have reviewed the details within the submitted Proposed Footpath (drawing number FP01) and note that the drawing shows a hedge immediately next to the tarmac footpath surface between the footpath and the site of Plot 11. The LHA Public Right of Way (PROW) guidance requires a clear 1.0m grass verge beside surfaced paths which also means no trees or shrubs should be planted within 1.0m of the edge of the PROWs and any nearby trees or shrubs beside the PROW should be of a non-invasive species. The LHA therefore consider that an amended treatment plan be submitted for this PROW. This could be secured by way of condition."

- 7.2.17 Accordingly, this recommended condition has been included at the beginning of this committee report (condition 21).

7.3 Impact on the countryside and landscape / visual impact

- 7.3.1 The application site is situated outside the Settlement Boundary of Sharnford, on land designated as Countryside as defined by the Policies Map of the Blaby District Council (Delivery) Development Plan Document (2019).
- 7.3.2 Outside the confines of (or adjacent to) the PUA, Rural Centres, Medium Central Villages and Smaller Villages, in the case of the application site, land is designated as Countryside, where Policies CS18 and DM2 apply.

- 7.3.3 Policy CS18 states that in the countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. It requires the need to retain countryside to be balanced against the need to provide new development (including housing) in the most sustainable locations.
- 7.3.4 Policy DM2 provides more specific policy guidance for development that is appropriate in the Countryside, consistent with Policy CS18. Policy DM2 permits only certain categories of residential development in the Countryside, including those dwellings that meet the essential needs for a rural worker in agriculture, forestry, employment, and leisure, or other similar uses appropriate to a rural area and replacement or the change of use, adoption and extension of existing dwellings.
- 7.3.5 The site does not fall under any of the categories identified in Policy DM2 and is contrary to both policies CS18 and DM2. The purpose of these policies is to protect the open and generally undeveloped nature of the countryside. Neither does it fit with any of the specified development types appropriate in countryside locations in the NPPF. However, as noted previously the policies set out in the Local Plan and the NPPF should be applied flexibly in the context of the 'tilted balance' given the identified housing land supply position and given that new housing sites to meet the lack of supply will, in most instances, need to be outside of existing settlement boundaries within the Countryside.
- 7.3.6 Policy DM2, sets out criteria to be met for development proposals consistent with Policy CS18. This includes that the development shall be in keeping with the appearance and character of the existing landscape, development form and buildings, having regard to the Blaby Landscape and Settlement Character Assessment, Leicestershire and Rutland Historic Landscape Characterisation Study, National Character Areas and any subsequent pieces of evidence.
- 7.3.7 A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application. This identifies that the site lies within Natural England's National Character Area (NCA) 94 'Leicestershire Vales'. It is described as an open, uniform landscape of low-lying vales and varied river valleys. Settlements visually dominate the area and views towards surrounding higher ground is characteristic. At a local level, the Blaby Landscape and Settlement Character Assessment identifies the site as being situated in the 'Aston Flamville Wooded Farmland' Landscape Character Area, which is located to the southwest of the District. The condition of the area is described as follows:

"This LCA has a distinct rural character. The two settlements within it, Aston Flamville and Wigston Parva, are relatively small and both are designated Conservation Areas. Neither have been significantly influenced by recent development. The relative abundance of woodland within the LCA provide a well-wooded character, with trees and woodland featuring prominently in skylines. The management of hedgerows varies throughout the LCA, with some lengths becoming scrubby through lack of management. Traffic noise and

movement from the M69 has a discernible impact on tranquillity where these routes cross the landscape.”

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

- *“Respect and enhance the existing settlement character, ensuring new development complements existing context with regards to scale, form, materials and boundary features.”*
- *“Explore opportunities to strengthen and increase the public rights of way network, linking settlements to strategic recreation destinations such as Burbage Common and the Leicestershire Round trail.”*
- *“Conserve hedgerow trees within the landscape by encouraging natural establishment and planting of new hedgerow trees. Species chosen for planting should reflect those present within the fields immediately surrounding to enhance local distinctiveness within the character area.”*
- *“Protect the rural working agricultural setting the landscape provides to development. Avoid siting development on the more open, visible slopes and where ridge and furrow is evident.”*

7.3.9 Paragraph 8.9 of the submitted LVIA states that the application site and surrounding landscape have been assessed as having a low landscape quality and medium landscape visual sensitivity. The value and susceptibility to change have been assessed as low and therefore the overall weighted landscape sensitivity has been assessed as low. The Assessment also commented that whilst the introduction of new residential development may be prominent, it is considered to be *“... substantially uncharacteristic when set within the attributes of the receiving landscape. The overall landscape character effect is negligible.”*

7.3.10 The site baseline has been assessed as having a weak contribution to the character of the village edge. The proposed development is considered to reduce the view of close board fencing present from the existing development to the eastern boundary of the site, and, some of the proposed property frontages will face the open fields to the west, which will create a stronger relationship and outlook to the landscape context. Therefore, despite encroachment outside of the village boundary, the development will create a more positive village edge and be set within the context of existing residential properties and Sharnford.

7.3.11 Paragraph 8.16 of the Assessment states that all viewpoints with an overall visual effect above negligible will be reduced after a 15-year period. Mitigation measures include: improvements to the tree line to the western boundary, a species-rich hedgerow lined PRow corridor through the site, sparse vegetated boundaries will be enhanced, and the western boundary will have space to mature and thicken.

7.3.12 Paragraph 8.18 states that *“Butler Close residential property receptors within proximity to the site, that have elevated, and unrestricted views are likely to*

appreciate a change by the introduction of residential housing. However, the tree canopy within the site will increase, to provide visual benefit.”

7.3.13 PRow users within the application site will experience the largest change by the introduction of residential housing, however, the Assessment states that the quality of the PRow will be enhanced with proposed hedgerow planting and improvements and tree planting.

7.3.14 Overall, the Assessment concludes that the proposals will have a small impact on the local character area and will create a visual impact within, and local to the site. Mitigation planting will increase the quality of the landscape of the development and both reduce the visual impact of the development and ease the impact on the character of the site.

7.4 Affordable housing and housing mix

7.4.1 Policies CS7 and CS8 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.

7.4.2 It is considered that Policies CS7 and CS8 are broadly consistent with the NPPF paragraph 63 and can therefore be given full weight.

7.4.3 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.

7.4.4 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.

7.4.5 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 delivery 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 (5 dwellings) which weighs in favour of the development and will help to address the shortfall in the district.

7.4.6 Policy CS8 states that residential developments of 10 or more dwellings should provide an appropriate mix of housing types (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.

7.4.7 The percentages are considered for this development below:

Mix	1-bed	2-bed	3-bed	4-bed
Market	1	3	7	3
Affordable – Social rent	0	4	0	0
Affordable – Shared ownership	0	1	0	0

7.4.8 During the statutory consultation period, discussions took place between the Council's Housing Strategy Team, the applicant and the Case Officer. The Housing Strategy Team agree with the above proposed housing mix.

7.4.9 The provision of 25% of the dwellings as affordable housing will be secured through the Section 106 Agreement.

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

7.5 Design and layout

7.5.1 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, DM2 and FV6 are consistent with the NPPF paragraph 131 and can therefore be given full weight.

7.5.2 The application site is located on the southwestern edge of Sharnford, with established residential development to the east. It is therefore in an urban / rural fringe location with semi-rural character. The application site is accessed off Butler Close, which are generally two-storey detached and semi-detached properties.

7.5.3 The Proposed Site Layout (Dwg no. SK001 Rev M) provides details of how the site would be developed. The plan shows a combination of new hedgerows, trees and shrubs to the frontage of properties and to break up parking spaces, as well as native hedgerows either side of the public footpath that runs across the centre of the site. New trees are also proposed along the site's western boundary, as well as a new footbridge over a drainage ditch.

- 7.5.4 The existing land drainage ditch will be retained along the southern and western boundaries of the site, as well as a further extension of the ditch to the northwest.
- 7.5.5 The proposed access off Butler Close would continue southwards and form a cul de sac. The PRow would be partially intersected by the road. Plots 7 – 11 and 14 would face outwards towards the open countryside.
- 7.5.6 The density of the proposed development equates to approximately 28.8 dwellings per hectare (dph).
- 7.5.7 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. In addition, recent developments in the district have been approved (or have a resolution to approve) at Ratcliffe Drive, Huncote (32.96 dph), Wardens Walk, LFE (58 dph) and Springfield Farm, Huncote (30 dph). Additionally, the application allowed at appeal on Land off Oak Road, Littlethorpe was approved with an anticipated density of 35 dwellings per hectare. It is noted that the existing development off Butler Close has a density of approximately 22.7dph, which is lower than the proposed development, however taking into consideration the size and shape of the application site, the proposed density is considered to be acceptable.
- 7.5.8 An in-person meeting was held in April 2025, with the applicant's agent and architects, to discuss the urban design of the scheme. Key issues raised by Officers included: the presence of significant hard-standing at the frontage of properties; some of the parking spaces being awkwardly arranged; impracticalities of some of the boundary treatments within rear gardens; management and maintenance responsibilities of areas to the south and west of the site; public / private delineation improvements; security and safety concerns with the PRow route within the site and architectural design improvements.
- 7.5.9 Following the meeting, the applicant provided a revised Proposed Site Layout plan. The drawing included the following amendments: the breaking up of hard-standing through the incorporation of high-quality landscaping; the addition of a window on the side elevation of plot 11, to overlook the PRow route; the addition of 6no. new chimneys to dwellings and 2no. bay windows; removal of the existing parking space to the front of plot 14; amending the type and height of the proposed boundary treatments to the rear of plots 15 – 19 to 1.8m close boarded fencing; the addition of native hedgerow along the southern boundary of the site, to the rear of the proposed boundary treatments; and additional shrubs to the frontage of properties.
- 7.5.10 Leicestershire Police requested the addition of a planning condition to ensure that crime prevention design measures are considered and taken account of. However, as this application is for full planning permission, the layout and design of the proposal has been assessed to ensure that dwellings are orientated in a way to ensure sufficient overlooking of public spaces etc. In addition, this condition is not considered to meet the CIL tests for conditions.

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

7.6 Flood risk and drainage

7.6.1 Paragraph 173 of the NPPF (now Paragraph 181 in the revised version) 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.

7.6.2 The application site is located within Flood Zone 1, however the existing access onto Butler Close (which would be used by the new residents) is located within Flood Zones 2 and 3. The Environment Agency were consulted on this application and in its response (dated 30.10.2025), it stated the following:

“We have no objections to the erection of 19 dwellings with associated access, landscaping, and parking as the site lies within Floodzone 1. We would like to raise that the access road North of Butler Close, the B4114, lies within Floodzone 2, and we remind the LPA that the adequacy of access and egress procedures are within their remit to assess. We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood... Planning Practice Guidance (PPG) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered... We recommend you refer to ‘Flood risk emergency plans for new development’ and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with Paragraph 173 of the NPPF and the guiding principles of the PPG.”

7.6.3 Paragraph 181 of the NPPF states the following:

“When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment⁶³. Development should only be allowed in areas at risk of flooding where, in the

light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) any residual risk can be safely managed; and*
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”*

7.6.4 Accordingly, the applicant was requested to prepare a proportionate Emergency Plan, in line with the requirements of paragraph 181 and the ‘Flood risk emergency plans for new development’ guidance by ADEPT and the Environment Agency (dated September 2019).

7.6.5 The applicant subsequently submitted a Flood Evacuation Plan (received 21.11.2025) and the Environment Agency, LLFA and Leicestershire Fire & Rescue were consulted to provide comments. No response was received from the LLFA on the Evacuation Plan and the Leicestershire Fire & Rescue Team stated that it does not consult on residential development applications. The Environment Agency also stated that it would not be assessing the acceptability of the plan, as this is the role of the Emergency Planners.

7.6.6 Leicester, Leicestershire & Rutland (LLR) Resilience Partnership were subsequently consulted on the Evacuation Plan, and whilst the consultee reviews the plan against the ADEPT and Environment Agency guidance for flood risk emergency planning, the review does not assess, confirm or comment on the adequacy, completeness or sufficiency of the proposed arrangements. The consultee provided comments (dated 05.02.2026) on their review, and identified where additional information was required. The applicant subsequently provided a revised Evacuation Plan, based on this review.

7.6.7 Due to the lack of any statutory consultees commenting on the acceptability of the Evacuation Plan, the applicant was requested to have the Plan peer reviewed by another flood risk expert. Accordingly, the applicant has provided a statement by Infrastructure Design Ltd (dated 10.04.2026) which concludes that the Evacuation Plan “... *adheres to the principles of ADEPT and Environment Agency guidance and satisfies the requirements of the ADEPT emergency plan checklist.*” It must also be noted that the Evacuation Plan has been prepared by Welland Design & Build, a multi-disciplinary consultant that specialises in residential and commercial development and the access is an

existing access, currently used by residents in the existing Butler Close development.

Sequential Test

- 7.6.8 The NPPF sets out the sequential, risk-based approach to individual applications in areas known to be at risk now or in the future from any source of flooding. Paragraph 174 states that the aim is to steer new development to areas with the lowest risk of flooding from any source, and that development should not be allocated or permitted if there are reasonably available sites appropriate for the development in areas with a lower risk of flooding. Paragraph 175 states that the sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now or in the future.
- 7.6.9 As two areas of the application site are within a 'low' risk of surface water flooding, a Sequential Test has been undertaken for the site. The search parameters for the test were first discussed with Officers, which has guided the search for possible alternative sites. It was agreed that a suitable search area would be the entire district and that sites able to accommodate between 10 and 35 dwellings should be considered.
- 7.6.10 Of the 28 potential alternative sites identified, the assessment found that 4 sites were sequentially preferable, and two had the same level of risk as the application site. The four sites were as follows: Land to the south west of Cork Lane, Glen Parva; Land west of Blue Banks Avenue, Glen Parva; Land of Station Street, Whetstone; and Nursery, Hill View Nurseries, Thurlaston.
- 7.6.11 The Council's Planning Policy Team were consulted on the Sequential Test and stated:

“Land south west of Cork Lane is subject to a planning application currently and is considered reasonably available. This site is sequentially preferable. “Land west of Blue Banks. This site has been built out for housing and is no longer available. Therefore please discount this site from the assessment “Land of Station Street, Whetstone. The council’s SHELAA identifies this site is not available in the next five years and identified likely build out in years 11-15. This site is therefore is not reasonably available and can be discounted from the assessment “Nursery, Hill View Nurseries, Thurlaston. The council’s SHELAA identifies this site is not available in the next five years and identified likely build out in years 11-15. This site is therefore is not reasonably available and can be discounted from the assessment.”

- 7.6.12 As such, land south west of Cork Lane is sequentially preferable and the application site fails the sequential test. The NPPF states that *“development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of*

flooding” (para. 174). However, the failure of the sequential test is a matter which needs to be weighed in the planning balance in the context of other material considerations.

- 7.6.13 There are recent examples of appeal decisions and court cases whereby it has been considered that even where the sequential test has failed, planning permission may be granted if there are strong reasons for still granting permission. In the recent Yatton appeal case (APP/D0121/W/24/3343144) a Planning Inspector considered that even though the proposal did not pass the Sequential Test, this was not necessarily fatal to the application and that wider sustainability benefits outweighed the flood risk. The Inspector in that case considered that a rigid application of the test, in the face of urgent housing need and the site’s relatively low flood hazard, would be disproportionate. The Inspector also gave weight to the design appropriate which included elevated finished floor levels, attenuation measures, and a strategy for safe access and egress during flood events. The Inspector also had regard to the Mead Judgement ([2024] EWHC 279) where the Judge stated “*the policy objective is to direct development away from areas at highest risk [of flooding], not to preclude development altogether*”.
- 7.6.14 Therefore, whilst the proposed development fails the flood risk sequential test and therefore does not accord with Policy CS22 (which seeks to direct developments to locations at lowest risk of flooding), this is a matter which must be weighed in the planning balance alongside other material considerations.

Surface water drainage

- 7.6.15 The applicant initially submitted a Flood Risk Assessment and Drainage Strategy (dated October 2024, by Welland Design and Build). The LLFA were consulted during the determination of this planning application. In their response dated 29.11.2024, the consultee requested for the following information to be provided: evidence that the proposals cannot drain in full to existing watercourses on-site; a drainage strategy plan with greater detail; support in principle from Severn Trent Water to discharge into their asset; confirmation of connectivity of the existing on-site drainage and the areas which they serve; and evidence that the existing drainage within Butler Close can accommodate flows from the proposals.
- 7.6.16 After several revisions, the applicant provided the latest revised Flood Risk Assessment (dated November 2025), which seeks to discharge at a total 3.8 l/s via pervious paving, oversized pipes and attenuation tanks to the on-site watercourse. The LLFA commented that the culvert linking the two western watercourses will be daylighted and a new open watercourse put in place to connect the two.
- 7.6.17 In a statement (dated 08.09.2025) by Brampton Valley Homes, the applicant confirms that the attenuation tanks would be located within management / maintenance company-controlled areas only, and all necessary legal provisions would be made to ensure that access rights for inspection,

maintenance and, where necessary, replacement of any drainage assets in perpetuity.

7.6.18 The consultee also commented the following:

“Based on the currently submitted details the applicant is suggesting that the “interception ditches” are not part of a diverted watercourse. The unconsented works, and subsequent land drainage consent to create the ditches, from 2019 would suggest otherwise. Any changes to ditches would need to apply for land drainage consent separately to the planning approval process. During this process evidence would need to be submitted to confirm the viability of removal of these ditches, and the effect this would have on the surrounding area. It is not guaranteed that land drainage consent will be granted just because planning approval is in place, therefore any plans approved at this stage of planning may be delayed, or be unable to be built at all if land drainage consent is not granted. It is therefore imperative that the applicant is certain that the information submitted in relation to these ditches is accurate.

“The LLFA are now satisfied with the surface water drainage details provided.”

7.6.19 The consultee advised the addition of four conditions relating to surface water drainage details and infiltration testing, as well as the use of informatives.

7.6.20 The Environment Agency was also consulted on this application, and in its latest response dated 30.10.2025, raises no objections.

7.6.21 It is noted that a number of objections to the planning application have raised issues regarding flood risk, in particular in relation to the removal of the existing drainage ditch along the eastern boundary of the site. This concern was raised with the LLFA and in their response dated 02.06.2025, the consultee confirmed that the removal of this ditch has been considered within its response, and it is noted that a pre-commencement condition has been recommended in terms of providing a surface water drainage scheme. In addition, as mentioned in paragraph 7.6.18, any changes to ditches would need to apply for land drainage consent, which is separate to the planning approval process. It is not guaranteed that land drainage consent will be granted.

7.6.22 Residents also raised concerns regarding existing sewage issues experienced on Butler Close and surrounding areas. Severn Trent Water were consulted several times during the determination of this planning application and no response has been received. However, it is noted that under the Water Industry Act 1991, sewerage undertakers must ensure the provision of adequate systems for the drainage and treatment of wastewater.

7.6.23 Overall, it has been demonstrated that, through the use of appropriate conditions, an acceptable drainage scheme can be provided and 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.

7.7 Residential amenities

- 7.7.1 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.
- 7.7.2 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.
- 7.7.3 The proposed development is located adjacent to the settlement boundary of Sharnford and so would be located in reasonably close proximity to some existing properties, in particular backing onto the gardens of properties on Butler Close to the east.
- 7.7.4 In terms of privacy / overlooking, it is noted that plot 1 would have a window on the ground floor WC, which would face towards no. 18 Butler Close. However, a condition is recommended to ensure that any windows accommodating WCs are obscurely glazed. No windows are proposed on the first-floor of plot 1, which would face towards no.18.
- 7.7.5 Plots 7 – 11's rear elevations would back onto nos. 9, 11, 15 and 17 Butler Close. The separation distance between plots 7 – 8 and 15 and 17 Butler Close is approximately 29m. Plots 9 – 11 are set slightly further forwards. Despite this, the separation distance between these plots and nos. 9 and 11 Butler Close is still approximately 28m. The resident at no.9 Butler Close raised concerns that the Proposed Site Layout did not include their recent single storey rear extension, and therefore their separation distance would be less. Your Officers have reviewed and assessed the approved plans for no.9 Butler Close's extension (ref: 21/0060/HH). The drawings show that the extension extends beyond the dwelling's existing rear building line by 3m. Therefore, 25m would still be maintained between the plots and no.9's rear extension. This distance is considered acceptable and no concerns are raised by Officers.

- 7.7.6 Plot 12's side elevation would face towards no. 3 Butler Close, however, it is noted on the proposed elevation drawings that plot 12 would not have a window on this elevation and therefore no concerns are raised. Plot no. 19's side elevation would also face towards no. 1 Butler Close, however similarly, no windows are proposed on this elevation.
- 7.7.7 In terms of potential loss of light, a Shadow Calculator was used on plot 1 to assess the likely shadow path of the property in relation to 18 Butler Close which demonstrates that shadows would be cast to the north of the dwelling and not towards the neighbouring dwelling. No concerns are raised in terms of the remaining plots along the site's eastern boundary, as the separation distance is at a minimum distance of approximately 15m, which is considered acceptable.
- 7.7.8 It is noted that objections have been raised from local residents regarding noise as a result of construction traffic. However, following the consultation response from the Council's Environmental Services team, the applicant agreed to the addition of a pre-commencement condition requiring the submission of a Construction Management Plan (CMP), which would be required to be approved in writing by the District Planning Authority. The CMP would be required to detail the following, which relate to construction vehicle movements: b) measures to control the emissions of noise during construction referring to appropriate standards and c) hours of construction and deliveries.
- 7.7.9 The application is therefore considered to comply with Policy DM2 of the Local Plan and Policy FV6 of the Fosse Villages Neighbourhood Plan.

7.8 Developer contributions and infrastructure / facilities

- 7.8.1 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).
- 7.8.2 A request for funding towards waste management facilities and libraries was received from Leicestershire County Council. Leicester, Leicestershire and Rutland Integrated Care Board (LLR ICB) has also requested a financial contribution to provide the required healthcare facilities to meet the population increase linked to this housing development.

Education provision

- 7.8.3 No contributions have been requested from Leicestershire County Council in terms of primary, secondary or post-16 education. In its initial consultation response (dated 19.12.2024), LCC requested a financial contribution of

£12,118.03 towards post-16 education, however the Case Officer raised with the consultee that no contribution was requested for the proposed development for Land north of Leicester Road in Sharnford (ref: 24/0834/OUT) for this infrastructure category. The consultee advised that, as there is secondary place capacity at The Hinckley School, no contribution is sought for post-16 education, and revised its response accordingly.

Libraries

- 7.8.4 The nearest library to the development is Sapcote Library and it is considered that the development will create additional pressures on the availability of facilities at that library, and others nearby. A contribution of £558.66 is sought to provide improvements to the library and its facilities.

Waste

- 7.8.5 A contribution of £941.07 is sought to be used for site reconfiguration, including the development of waste infrastructure to increase the capacity of the Barwell Household Waste and Recycling Centre (HWRC), or any other HWRC directly impacted by this development.

Waste Collection

- 7.8.6 The new Planning Obligations and Developer Contributions SPD 2024 makes provision for developments of over 10 dwellings to provide contributions for suitable facilities for recycling and waste collection, for example wheelie bins. It states that to cover the cost of bins for recycling and refuse £49.00 per household will be sought on all major schemes. This amounts to £931 for the development.

Health care

- 7.8.7 The Leicester, Leicestershire and Rutland Integrated Care Board (ICB) requests a contribution of £14,714 for GP surgeries to help mitigate / support the needs arising from an increase in population. The ICB requests that the funding is allocated for use either at any named GP Surgery or to develop alternative primary / community healthcare infrastructure that will be directly impacted. The 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.*"

Utilities

- 7.8.8 It is noted that a number of objections to the planning application have raised issues regarding existing internet connection issues. 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.

7.9 Open space, sport and recreation

- 7.9.1 Policy CS14 seeks to ensure that the District's natural environment, wildlife, habitats, landscape and geology are considered and protected through good design practices, seeking to protect existing green spaces and provide new good quality, multi-functioning green networks and corridors. Updated Policy CS15 indicates that Blaby District Council will seek to ensure that all residents have access to sufficient, high quality, accessible open space, and sport and recreation facilities, access to the Countryside and links to the existing footpath, bridleway, and cycleway network.
- 7.9.2 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).
- 7.9.3 Updated Policy CS15 standards for the provision of open space, sport and recreation per 1000 population in the District, indicates that these standards will be used to ensure that development proposals provide sufficient accessible open space, sports and recreation, taking into account any local deficiencies. It states that new on-site provision or, where appropriate, financial contributions to improve the quality of, or access to existing open space, sport and recreation facilities, will be expected and commuted maintenance sums will be sought.
- 7.9.4 Blaby District Council's Planning Obligations and Developer Contributions Supplementary Planning Document includes guidance to support the Local Plan in relation to open space, sport and recreation requirements for developer contributions. It states that open space and play facilities should normally be provided within the development but recognises that open spaces of less than 2200 square metres in size are of limited recreational value, are expensive to manage and maintain, often lead to conflict with neighbours and therefore have little overall community benefit.

Open space provision

7.9.5 The Proposed Site Layout (Dwg no. SK001 Rev M) indicates that no open space would be provided on-site, due to the size and shape of the application site. Table 1 (see below) in the Planning Obligations and Developer Contributions SPD (2024) demonstrates that open space is required to be provided off-site for development proposals for 1 – 19 dwellings.

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

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

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

Typology	Amount per 1000 population in ha (Delivery DPD figures)	Amount in m ²	Cost*
Parks and Recreation Grounds	0.23	95.45	£8,607.68*

Natural Greenspace	2.6	1,079	£16,098.68*
Informal Open Space	1.0	415	£7,918.20*
Provision for children and young people	0.06	24.12	£6,046.64*
Allotments and community gardens	0.25	103.75	£3,828.38*
TOTAL			£42,499.58*

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

7.9.7 Paragraph 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 Sharnford. The table below shows this provision and whether there is a deficit or surplus.

Typology	Existing provision in ha / 1000 population	Provision required in ha / 1000	Difference (Deficit / Surplus)	Amount required for this development of 19 dwellings (65 population)	Justified
Parks and Recreation Grounds	0.35	0.23	+0.12	0.01	No
Natural Greenspace	55.76	2.6	+53.16	0.17	No
Informal Open Space	0.64	1.0	-0.36	0.07	Yes
Provision for children and young people	0.29	0.06	+0.23	0.004	No
Allotments and community gardens	0.4	0.25	+0.15	0.02	No
Cemeteries	0.78	0.21	+0.57	0.01	No

7.9.8 It is not considered necessary to require a financial contribution towards parks and recreation, natural greenspace, allotments or cemeteries, as there is shown to be a surplus of this as set out in the table above.

7.9.9 Paragraph 4.3.10 of the SPD states that when determining the amount of open space required, the Council will consider the quantity, accessibility and quality of existing open space within the parish area. Whilst there is a surplus for children's play in Sharnford, it is noted that in Appendix 3 of the Open Space Audit 2019 (Quality Maps), the closest play spaces are: Leicester Road Play Area, Leicester Road Basketball and Leicester Road Recreation Ground. Both the play area and recreation ground have been assessed as Grade 'B' and the basketball area has been assessed as Grade 'C', and are therefore of a poorer quality and require improvements. Following discussions with the Council's Planning Policy Team, it is considered that the full contribution amount for children's play space is required, for associated improvements.

7.9.10 There is also a deficit for informal open space, so a contribution towards this typology is considered to be justified.

Cemeteries

7.9.11 No evidence of need for additional cemetery provision for burial plots has been provided and so no contribution is required for this.

Sports pitches

7.9.12 Sports pitch provision is not required as this is only required for sites of over 100 dwellings.

7.10 Archaeology

7.10.1 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.

7.10.2 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.

7.10.3 An Archaeological Desk-based Heritage Assessment (dated October 2024) was submitted with the planning application. Leicestershire County Council's Archaeology team's initial consultation response dated 02.12.2024 stated that there is a likelihood that buried archaeological remains will be affected by the proposals and further evaluation is required in order to assess the character, quality and extent of those remains. As such, the consultee recommended that the LPA defer determination of the application and request that the applicant complete an Archaeological Impact Assessment of the proposals.

7.10.4 The applicant provided a response to the consultee's comments, highlighting that due to the application site being used as a compound and storage facility for materials and muck storage during the construction phase of the adjacent development, a geophysical survey is unlikely to produce any meaningful data, due to the likely presence of debris and disturbed surface. The consultee responded that "... we would also recommend that, taking into account that the archaeological requirements for the adjacent site were secured as condition and given the likely nature of the buried remains present, we would also be happy to revise our recommendation for trial trenching to a post-determination requirement." The applicant agreed to the wording of the recommended pre-commencement condition.

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

7.11 Environmental implications

Land contamination

7.11.1 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, can be satisfactorily mitigated.

7.11.2 Blaby District Council's Environmental Services team were consulted as part of the determination of this planning application. The consultee commented that "*the application site is agricultural in nature, which may give rise to land contamination that could impact future site users. Additionally, the site is located within 250m of a former landfill site, where any migrating landfill gases may impact the proposed dwellings.*" The applicant also informed the Council that the site was used as a compound for the previous development. Accordingly, a Phase I Desktop Study is required either prior to determination or as a pre-commencement condition, to assess the risk of the above and other potential off-site sources of contamination. The applicant agreed to the inclusion of a pre-commencement condition, if permission is granted.

7.11.3 Therefore, the proposals is considered to accord with Policy DM13 of the Delivery DPD.

Construction impacts

7.11.4 The Council's Environmental Services Team have been consulted during the determination of this planning application. In terms of impact of construction, the consultee commented the following: "*Due to the close nature of nearby dwellings, a Construction Management Plan will be required with any permissions granted for this application*". The wording of the condition has been agreed between the consultee and the applicant and the impacts associated with construction are considered to be addressed. The statement must include: measures to control the emissions of dust and dirt during construction; measures to control the emissions of noise during construction; hours of

construction and deliveries; measures to control any temporary lighting installations that may be required during construction; and, details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities and a timetable for their provision.

7.12 Ecology and biodiversity

7.12.1 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.

7.12.2 Policy FV4 states that new development will be expected to maintain and enhance existing ecological corridors and landscape features to support biodiversity.

Ecological appraisal

7.12.3 A Preliminary Ecological Appraisal has been submitted with the application (dated October 2024).

7.12.4 The Appraisal notes that there is one pond within 250m of the site, and a second pond approximately 130m north of the site. The site is located within the same historic field margin as the adjacent residential development immediately to the east. Paragraph 2.4 states that the application site is “... *set within a wider landscape that is of low/medium interest for biodiversity, whilst dominated by agricultural land, used mainly for intensive arable crop production, and by built up residential land to the north and east, which are habitats of relatively low ecological interest, it does include features of higher ecological interest including hedgerows, ditches, meadows and sites designated for ecological interest including a country park (Fosse Meadows Nature Area, deciduous woodland and floodplain grazing marshland (priority habitats).*”

7.12.5 Section 7 of the Appraisal concludes that the proposed development would result in a minor and insignificant negative impact on modified grassland, bramble scrub habitat and tall ruderal vegetation within and bordering the survey area. There would also be a potential minor negative impact on any on-site bat population via light disturbance. The findings also concluded that local hedgehogs and other small mammals would experience a potential minor negative impact, which could be mitigated by fitting any open excavations with escape ramps and having precautionary methods of material storage and movement. On-site nesting birds were also found to experience potential minor negative impacts, which could be mitigated by the timing of works or using watching briefs to confirm nest absence and retention of boundary trees and hedges.

- 7.12.6 LCC's Ecology Team have been consulted during the determination of this planning application. In their response dated 11.12.2025, the consultee raised a holding objection, requesting further clarification in terms of the BNG Metric and BNG Assessment.
- 7.12.7 The applicant provided your Officers with an updated BNG Assessment, and following further consultation with the consultee, they raised no objection, confirming that they are now satisfied that there is sufficient ecological information available for determination of the application. The consultee advised that the mitigation measures identified in the Preliminary Ecological Appraisal should be secured by a condition of any consent and implemented in full, to conserve and enhance protected and priority species, particularly those recorded in the locality.

Biodiversity Net Gain

- 7.12.8 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 November 2024, a 10% biodiversity net gain provision is legally required.
- 7.12.9 A Biodiversity Net Gain Assessment has been submitted which indicates that the development proposals would result in a biodiversity net loss of approximately -27% (-0.76) habitat units, with a unit deficit of 1.03 habitat units. There is a net gain for hedgerows of +66% (+0.68) habitat units and a net gain of +0.45 habitat units for watercourse units. Paragraph 8.2 of the report states that the proposal will therefore require the purchase of habitat units to achieve the required 10% net gain target, and would require purchase of a minimum of 1 habitat unit. As habitat units are usually purchased as a whole or half unit, it is proposed that 1 habitat unit is obtained and the remaining 0.03 habitat units achieved on site, with additional enhancements.
- 7.12.10 The BNG Assessment utilises the Statutory BNG Metric, which is acceptable. To establish the habitat baseline, broad habitat areas have been identified based on the survey work undertaken at the site.
- 7.12.11 The Assessment identified that no high or very high distinctiveness habitats were present on site therefore like-for-like or bespoke compensation will not be required for any habitats that are to be lost under the current proposals. The scheme proposes the following on-site habitat / enhancements: 1,758m² of vegetated garden habitat; 3,409m² of developed land / sealed surface (buildings, patios, paths, hard standing etc); 1,363m² of other neutral grassland, 448m² of rural trees in 'moderate' condition target-11 medium sized trees – 30-60cm DBH (outside of vegetated gardens); 110m length of native species rich hedging (outside of vegetated gardens) and 80m land drainage ditch.

7.12.12 In their latest response, LCC Ecology confirmed that it supports the submitted BNG Assessment and revised Statutory BNG Metric. The consultee commented that *“We have reviewed the statement in relation to habitat degradation within the Revised BNG Assessment (Section 1.4-1.5) and are satisfied that the baseline habitat has been correctly assessed in reflection of the previous habitat removal in 2018. We note that the site includes a Local Wildlife Site, The Limes Grassland, within the boundary but as the site has undergone habitat degradation in 2017/2018, we consider we cannot defend an objection now or at appeal if necessary.”* LCC Ecology advised that a Biodiversity Gain Plan and Habitat Management and Monitoring Plan (HMMP) should be included as pre-commencement conditions, if granted approval. However, both of these documents will be secured within the S.106 Agreement.

7.13 Arboricultural implications

7.13.1 A Tree Survey, Arboricultural Impact Assessment (AIA) and Method Statement (received 13.06.2025) and Tree Protection Plan (received 13.06.2025) have been provided by the applicant, which considers the arboricultural impacts of the development and includes analysis of the trees present on site and a categorisation of their quality.

7.13.2 LCC’s Forestry Team were consulted as part of the determination of this application. In their original response dated 23.12.2024, the consultee commented that all the existing trees are proposed for retention within the design and have been given appropriate protection recommendations. The consultee also stated that the submitted documentation *“... provides practical and best practice solutions for the proposed development within the immediate surrounding of the trees. The report also clearly articulates current best practice solutions to construct the driveways/access to the development will be constructed within the RPA of T3, T4 & T5 by use of no-dig methods.. Should the detailed techniques for construction on site be properly utilised then the risk to existing trees is greatly reduced and there is no reasonable objection to the development on arboricultural grounds.”* The consultee advised that a full detailed tree planting and landscape maintenance plan should be conditioned to ensure that appropriate planting and establishment maintenance is undertaken throughout the site.

7.13.3 Following amendments to the site layout, LCC Forestry were re-consulted and the consultee confirmed that its previous comments remained.

7.14 Waste collection / management

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

7.14.2 Blaby District Council’s Neighbourhood Services Team were consulted as part of the determination of this planning application. The consultee initially raised an objection in their consultation response, as the existing Butler Close development to the east of the site (which waste collection vehicles would need

to drive through to access the proposed scheme) is not publicly maintained. However, in its latest response, the consultee commented the following:

'Whilst the scheme does not fully satisfy the guidance on new developments referenced within the waste collection policy of the Waste Collection Authority (as the proposed road layout will not be adopted and the existing Butler Close development to the east is not publicly adopted) in terms of road adoption the WCA recognises the road layout would be to adoptable standards and the applicant has put forward a proposal by way of indemnity to overcome the issue of the highway not being formally adopted. Therefore, subject to a suitably worded bilateral undertaking agreement, the Waste Collection Authority raise no objection.'

7.14.3 The applicant has also confirmed that it would be agreeable to entering into a bilateral undertaking agreement. Accordingly, no concerns are raised in terms of the proposed waste collection arrangements.

7.15 Mineral safeguarding areas

7.15.1 Policy DM15 states that development proposals in areas identified for mineral safeguarding will need to ensure that mineral resources of national or local significance are not needlessly sterilised by non-mineral development. The application site is located within a Sand & Gravel Mineral Zone.

7.15.2 LCC's Minerals and Waste Team were consulted as part of the determination of this planning application. In their response (dated 26.11.2024), the consultee raised no objections to the proposal.

7.15.3 Accordingly, the proposed development is considered to comply with Policy DM15 of the Delivery DPD and Policy M11 of the Leicestershire Minerals and Waste Local Plan (2019).

7.16 Sustainability and climate change

7.16.1 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.

7.16.2 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.

7.16.3 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.

8. Overall Planning Balance and Conclusion

8.1 The development would be located in an area of designated countryside and does not fall within any of the forms of development deemed appropriate for that location and is therefore in conflict with policies CS18 and DM2, which seek to protect the open and undeveloped nature of the countryside.

8.2 The conflict with the Development Plan is an adverse impact of the proposals. However, the NPPF establishes that in light of the district's housing shortfall, these policies are out-of-date, and the weight that can be given to conflict with these policies is therefore diminished.

8.3 The spatial strategy set out in Policy CS1 of the Core Strategy allocate only a modest amount of growth in the Smaller Villages reflecting the limited range of employment opportunities, services and facilities and Policy CS5 and Policy FV7 reflect this. The Smaller Villages have a combined minimum housing figure of 80 dwellings within the Local Plan period which has already been exceeded by at least 199 dwellings.

8.4 Sharnford contains few facilities for meeting day-to-day needs and is likely to result in future residents of the development, being reliant on the private car to access the necessary services and facilities to meet their needs. It is recognised that Sharnford is not particularly sustainable in location terms. This is a matter that weighs against the development proposals and is given significant weight.

8.5 However, the village does contain a primary school which would be accessible on foot or by bike from the site and the school has sufficient existing capacity to accommodate the increased population. There is opportunity to use public transport from the village. These are matters that weigh in favour of the development proposals and is given significant weight.

8.6 Despite encroachment outside of the village boundary, the development will create a more positive village edge and be set within the context of existing residential properties and Sharnford and this is accorded moderate weight.

8.7 The site is located within Flood Zone 1, however the existing access onto Butler Close is located within Flood Zones 2 and 3. An Evacuation Plan has been provided, and relevant technical consultees have been re-consulted several times, however no comments have been received. The LLR Resilience

Partnership has reviewed the plan against relevant guidance and identified where additional information was required, and a revised Evacuation Plan has subsequently been submitted. The Evacuation Plan has been prepared by a professional multi-disciplinary consultant that specialises in residential and commercial development and the plan has been independently peer reviewed by another flood risk expert. The access is also currently used by residents in the existing development to the east. Accordingly, no concerns are raised in this regard.

- 8.8 Other technical matters and ecological impacts can be appropriately addressed or mitigated and, in so far as they relate to these matters, the proposals are in compliance with the policies of the development plan. A satisfactory access design has been proposed and mitigation measures will be secured in relation to highways impacts. These matters afford neutral weight in the balance.
- 8.9 Developer contributions are also requested, where appropriate, to mitigate the impacts of the development where necessary and make it acceptable in planning terms and address the needs generated by the development itself. As such, neutral weight is attached to this matter.
- 8.10 The housing shortfall in the district and the expected continuation of this, together with the high level of need for affordable housing, means that the provision of housing and affordable housing attracts substantial weight in the planning balance.
- 8.11 The development scheme will deliver the statutory requirement of a minimum 10% biodiversity net gain. This attracts moderate weight.
- 8.12 In terms of benefits, the development would make a modest contribution to economic objectives through construction related employment, and additional population in Sharnford may help in supporting existing businesses in the village. However, construction impacts would be relatively short term and it is difficult to quantify the contribution that future residents would have in sustaining existing businesses. Limited weight is therefore given to this consideration.
- 8.13 The proposed development would provide 19 dwellings, including 5 affordable dwellings on a site which adjoins the Settlement Boundary of Sharnford, a Smaller Village (along with the settlements of Elmesthorpe, Kilby and Thurlaston). The weight to be given to the benefits of providing additional housing is substantial.
- 8.14 Finally, the proposed development would read as a coherent and proportionate existing development off Butler Close and therefore from a design perspective is acceptable and aligns well with relevant policies.
- 8.15 On balance, your Officers have concluded that the benefits of this modest sized housing development outweigh the negative factors in relation to the sustainability of the location and the application is 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.

Application reference: 25/0942/VAR

Proposal: Variation of conditions 2 (approved plans) and 16 (access) attached to planning permission 23/0091/FUL to amend previously approved access.

Site address: 5 And 7 Groby Road, Glenfield, Leicester, Leicestershire, LE3 8GN

Case officer: Clementyne Murphy-Nelson – Development Services Team Leader

Recommendation: Approve subject a section 106 agreement;

The applicant entered into an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following developer contributions (as previously secured under application 23/0091/FUL), which applies in full force in respect of this application for.

1. Travel Packs.
2. Employee Bus Passes.
3. NHS contribution towards local GP practices

And subject to the imposition of conditions relating to the following:

Conditions:

1. List of approved plans.
2. Materials to be in accordance with details submitted under application 24/0640/DOC
3. Approved landscaping to be implemented and retained.
4. Finished floor levels in accordance with application details submitted under application 24/0640/DOC
5. Archaeological survey work/trenching etc to be undertaken in accordance with details submitted under application 24/0640/DOC
6. Arboricultural Impact Assessment to be carried out in accordance with application 24/0640/DOC and the updated addendum
7. External lighting details and CCTV to be submitted and agreed.
8. Construction Method Statement to be carried out in accordance with details submitted under application 24/0640/DOC
9. Protected species surveys and any mitigation works identified to be carried out in accordance with details submitted under application 24/0640/DOC
10. Approved BNG measures identified in the BNG Assessment Report and shown on the approved landscaping drawings to be undertaken and subsequently retained thereafter.
11. Construction Ecological Management Plan (biodiversity) to be carried out in accordance with details submitted under application 24/0640/DOC
12. Odour assessments to be undertaken on request and results submitted.
13. Timings of deliveries to site restricted in accordance with Noise Impact Assessment.
14. Prior to its construction, details of the proposed substation to submitted and agreed.

15. Access arrangements to be constructed in accordance with the submitted plans prior to first occupation.
16. Vehicular visibility splays of 2.4m x 120m to be provided at site access.
17. Pedestrian visibility splays to be provided.
18. No gates or barriers to be erected to the site access.
19. Car parking and servicing areas to be provided as shown on the submitted drawings.
20. Secure cycle parking to be provided in accordance with details to be submitted and agreed.
21. Drainage details to be carried out in accordance with details submitted under application 24/0640/DOC.
22. Submitted Travel Plan to be implemented.
23. Surface water management during construction to be carried out in accordance with details submitted under application 24/0640/DOC.
24. Surface water drainage scheme to be carried out in accordance with details submitted under application 25/0041/DOC

1. The site

- 1.1 The application site is located to the north side of Groby Road, which is located on the northwest side of Glenfield within the Principal Urban Area. The site comprises of the previous curtilages of No.'s 5 and 7 Groby Road residential dwellings, however, these have since been demolished as the permission has been implemented. Glenfield Parish Council's sports ground lies to the north (classed as important open space within the Neighbourhood Plan), residential properties to the east and west and to the south is Groby Road (A50) dual carriageway across which are residential properties. It is approximately 0.8 ha in area and generally level.
- 1.2 The site contains a large amount of established landscaping including mature trees which are located around the boundaries of the site and are covered by Blaby District Council (5 and 7 Groby Road) Tree Preservation Order, 2007. The site is located within Flood Zone 1 and is also identified as an 'area of significant archaeological interest' within the Leicestershire Historic Record.
- 1.3 Currently the site is accessed by two separate access points providing entry/egress to the previous dwellinghouses - No. 5 and 7 Groby Road. Original application reference 23/0091/FUL included a condition (19) that the two accesses should be closed and a singular access point to the south of the site onto the A50 should be implemented for the site.
- 1.4 The site previously had planning permission for the retention of the existing vacant dwellings (which have now been demolished) and the erection of up to 8 new dwellings. This was an outline planning permission with all matters reserved other than access (21/0052/OUT), this application could have been implemented up until December 2024, however, it is now lapsed.
- 1.5 In addition, Planning Committee resolved to approve previous application 23/0091/FUL, given the S106 signing for this application, the application was officially approved on 27 February 2024. A first variation of conditions imposed

upon this application was approved under application 24/0564/VAR. This application sought permission to amend the design of the building previously approved under the original application. Planning Committee resolved to approve this variation. As such, this application seeks a second amendment to the original application to amend the previously approved access. This development has also had design amendments approved under application references 24/0564/VAR and 25/0420/NMAT.

2. The Proposal

- 2.1 The application seeks to vary condition 2 and 16, which relate to the approved plans and access, attached to planning application 23/0091/FUL. The original application permitted a singular point of access to the southern side of the site out onto the A50. Furthermore, The original arrangements for parking and drainage, together with the previously approved design in respect of the scheme's overall footprint and building heights, are unchanged by this application. Minor changes to the previously approved landscaping are also proposed to accommodate the new joined up access.
- 2.2 The development of a 74 bed care home as approved under previous application 23/0091/FUL are unchanged. This application included facilities such a dining and day rooms, cinema room, treatment room, café, activities room and staff training facilities. The building would still have the capacity to meet a range of individual needs including frail elderly care, dementia nursing care, respite and palliative care as previously approved.
- 2.3 The new access proposes to utilise the existing access points on site for the previous dwellinghouses instead of the previously approved singular access point. The proposal seeks to create an 'in' 'out' access with access into the site the eastern side of the A50 and egress to the western side of the A50. The access would create a horseshoe-shaped access route that would sit behind the group of trees located at the front of the care home. This design makes effective use of the current access layout, avoids the need for additional openings onto the highway, and provides a logical and legible internal movement pattern within the site.
- 2.4 To facilitate the access arrangement, including the widening of the internal highways, the proposal requires the removal of two trees. These are identified as low-category specimens with limited amenity value, and their removal is therefore considered acceptable.

3. Relevant Planning History

Reference	Description	Decision	Date
07/0500/1/OX	Outline application for residential development and ancillary works with vehicular access from Gynsill Lane (to include demolition of 5 & 7 Groby Road)	Withdrawn	15.04.2008
08/0715/1/OX	Erection of 24 dwellings with associated vehicular access from Gynsill Lane (outline application) (to include demolition of No. 8 Gynsill Lane, The Paddock and Meadway, Groby Road and Nos. 5, 7, 9 and 15 Groby Road)	Withdrawn	23.10.2008
15/0722/OUT	Land off Groby Road / Gynsill Lane, Glenfield, Erection of seven dwellings with associated vehicular access from Gynsill Lane (to also serve No.'s 5 and 7 Groby Road) (Outline)	Refused	01.04.2016
21/0052/OUT	Outline application for the retention of no.s 5 and 7 Groby Road plus the erection of a maximum of 8 new dwellings all served by a new shared access (access to be determined - all other matters reserved).	Approved	09.12.2021
23/0091/FUL	Demolition of 5 and 7 Groby Road and erection of a 74 bed care home (Use Class C2) with associated access, parking, landscaping and infrastructure.	Approved	27.02.2024
24/0564/VAR	Variation of condition 2 (approved plans) attached to planning permission 23/0091/FUL to amend previously approved design.	Approved	17.02.2025

24/0640/DOC	Discharge of conditions 3 (Materials), 5 (Finished Floor Levels), 6 (Archaeological Works), 7 (Arboricultural Impact Assessment), 9 (Construction Method Statement), 10 (Ecological Survey), 12 (Construction Environmental Management Plan), 23 (Drainage), 25 (Surface Water Drainage during construction) and 26 (Surface Water Drainage) attached to planning permission 23/0091/FUL.	Approved	14.01.2025
24/0933/TPO	Works to various trees as identified in full arboricultural assessment.	Approved	06.12.2024
25/0041/DOC	Discharge of condition 26 (Surface Water Drainage) attached to planning permission 24/0564/VAR.	Approved	18.02.2025
25/0420/NMAT	Non material amendment to planning permission 24/0564/VAR to amend mansard roof pitches to 60 degrees without increasing the ridge height and include a small single storey extension to the rear laundry room.	Approved	18.07.2025

4. Consultation Responses

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 beginning of the report unless stated otherwise.

The numbers in brackets signifies the amount of times consultees have responded to the application and what paragraph these comments have been considered in this report.

4.1 Blaby District Council Consultees

4.1.1 Blaby District Council Environmental Services (1)

No comments to make

4.1.2 Blaby District Council Housing Strategy (1)

No comments received

4.1.3 Blaby District Council Neighbourhood Services (1)

Bin presentation points not identified – given the nature of the site, the site will utilise commercial private bin collection

4.2 Leicestershire County Council Consultees

4.2.1 Leicestershire County Council Highways (1)

No objections

4.2.2 Leicestershire County Council Archaeology (1)

No comments to make

4.2.3 Leicestershire County Council Lead Local Flood Authority (1)

No comments received

4.2.4 Leicestershire County Council Ecology (2)

No objections

4.2.5 Leicestershire County Council Forestry (1)

No objections

4.3 Other consultees

4.3.1 Glenfield Parish Council (1)

No comments received

4.3.2 Environment Agency (1)

No comments to make

4.3.3 Leicestershire Police (1)

No further comments to make

4.3.4 Leicester, Leicestershire and Rutland Integrated Care Board (NHS) (1)

No change to previous developer contributions

4.3.5 Severn Trent Water (1)

No comments received

5. Additional Representations

5.1 As part of the consultation process and in accordance with the Council's Statement of Community Involvement (2020); adjacent residents were notified.

5.2 4 representation comments were received, all of which objected to the scheme.

Letters of objection are summarised into the following concerns;

- Site Access Arrangements
- Mitigation tree planting not satisfactory
- Drainage
- Hedging not in the ownership of the developers
- Harm to the character and appearance of the area
- Risk of soil slippage
- Highway safety concerns

6. Planning Policies and Material Considerations

6.1 Development Plan

Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be considered in accordance with the Development Plan, unless material considerations indicate otherwise.

The Development Plan in relation to this proposal consists of:

- Blaby District Local Plan (Core Strategy) Development Plan Document (adopted 2013)
- Blaby District Local Plan (Delivery) Development Plan Document (adopted 2019)
- Glenfield Neighbourhood Plan (adopted 2023)

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

Policy CS1 Strategy for Locating New Development

Policy CS2 Design of New Development

Policy CS5 Housing Distribution

Policy CS6 Employment

Policy CS8 Mix of Housing

Policy CS10 Transport Infrastructure

Policy CS12 Planning Obligations and Developer Contributions

Policy CS19 Bio-diversity and Geo-diversity

Policy CS20 Historic Environment and Culture

Policy CS21 Climate Change

Policy CS22 Flood Risk Management

Policy CS24 Presumption in favour of sustainable development

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

Policy DM2 Development in the Countryside

Policy DM8 Local Parking and Highway Design Standards

Policy DM12 Designated and non-designated Heritage Assets

6.1.3 Glenfield Neighbourhood Plan (2023)

Policy H2 Housing Mix

Policy H5 Design Principles

Policy ENV1 Air Quality

Policy ENV2 Important Open Spaces

Policy ENV4 Protection of Sites of Local Historic Environment Significance

Policy CC2 Energy Efficient Buildings

Policy CF4 Medical Facilities

Policy T1 Traffic Management

Policy T2 Car Parking

6.2 Supporting Documents

- The National Planning Policy Framework (NPPF) (2024)
 - Chapter 2: Achieving Sustainable Development
 - Chapter 4: Decision Making
 - Chapter 5: Delivering a sufficient supply of homes
 - Chapter 8: Promoting healthy and safe communities
 - Chapter 9: Promoting sustainable transport
 - Chapter 12: Achieving well-designed places
 - Chapter 14: Meeting the challenge of climate change, flooding and coastal change
 - Chapter 15: Conserving and enhancing the natural environment
- The National Planning Policy Guidance (NPPG)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- 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 Housing Mix and Affordable Housing Supplementary Planning Document (2013)
- 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 Strategic Flood Risk Assessment Level 1 Final Report (2020)
- Leicester and Leicestershire Housing and Economic Needs Assessment (HENA) 2022
- Blaby District Council Housing Strategy 2021 - 2026

7. Consideration of Application

The main issues to be considered in the assessment of this planning application are as follows:

- The principle of the development;
- The impact of the development on the character and appearance of the area;
- The impact of the development on the residential amenities of adjacent occupiers;
- The impact of the development on the surrounding highway network;
- The impact of the development on the environment, biodiversity and Historic Assets;
- Developer contributions and Section 106 Agreements.

7.1 The Principle of the Development

7.1.1 Policies CS1 and CS5 seek to focus new development in the most sustainable locations in the district, primarily within and adjoining the Principal Urban Area (PUA) of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva). The application site is positioned within the settlement boundaries of Glenfield and within the PUA and as such is considered to be in a sustainable location which complies with Policies CS1 and CS5.

7.1.2 The principle of the development has been established under previous application 23/0091/FUL and minimal changes are sought under this

application. The application seeks to retain all parking, footprint, scale and height and width as previously approved. The amendments relate solely to the access arrangements which propose to now utilise the existing access points.

- 7.1.3 As advised in the submitted Planning Statement the previously approved access arrangements would result in extensive works to telecommunications infrastructure which would cause significant disruption to Groby Road for over 12 months. As an alternative the Applicant is proposing to utilise the two existing accesses that originally served number 5 and 7 Groby Road which would negate this issue.
- 7.1.4 The proposal would also provide a type of accommodation for which there is an identified need within the district. The type of accommodation proposed is encouraged by Core Strategy Policy CS8 which indicates that the Council will work with partners to meet any identified needs of specific groups through the delivery of Special Needs Housing, including the provision of extra care accommodation to meet identified needs of older persons. It is also supported by Policy H2 and CF4 of the Glenfield Neighbourhood Plan

7.2 The impact on the character and appearance of the area

- 7.2.1 Policies CS2 (Design of new development), DM1 (Development within the settlement boundaries) and Policy H5 (Design Principles) seek to ensure that a high-quality environment is achieved in all new development proposals, respecting distinctive local character and contributing towards creating places of high architectural and urban design quality. The design of new development should also be appropriate to its context and development proposals that are consistent with the policies of the Local Plan are to be supported.
- 7.2.2 The site benefits from mature landscaping throughout, including along its boundaries. This is particularly the case on the front boundary with the A50. The boundary is made up of large mature trees and hedges which would effectively screen much of the generous scale of the building particularly as it would be set back from the frontage within the site.
- 7.2.3 The building will also be effectively screened from Gynsill Lane by the natural landscaping and properties already present.
- 7.2.4 Previous applications 24/0564/VAR and 25/0420/NMAT permitted minor amendments to the previously approved design which included design amendments to the elevation, amendments to the proposed pitch of the roofs to 60 degrees without increasing the overall height and addition laundry room.
- 7.2.5 This application will result in the loss of two trees to the front cluster of trees of the development. The addendum to the original tree survey (submitted for the original application and the previous discharge of conditions application) notes that the two trees which are to be lost are a Yew and Lime tree. Both trees are considered to be moderate quality but require removal to ensure the access can be created in a horseshoe shape behind the larger cluster of trees to the front boundary.

- 7.2.6 Whilst the removal of the two trees is regrettable, on balance, the site does benefit from significant tree coverage, specifically from a large cluster to the front boundary where the two trees are located. Therefore, the removal of these trees to facilitate the amended access is not considered to change the overall character and appearance of the area. Further to this the landscaping plan does propose additional tree planting to the front boundary and to the site boundaries internally, LCC Forestry raise no objection to this and are satisfied with this approach
- 7.2.7 In this regard, the proposal is considered to comply with Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013), Policy DM1 of the Blaby Local Plan Delivery Development Plan Document (Delivery DPD) (2019) and Policy H5 of the Glenfield Neighbourhood Plan (2023)

7.3 Design and layout

- 7.3.1 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. 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. This is echoed by Neighbourhood Plan Policy H5
- 7.3.2 The residential amenities of the scheme were considered at length under previously approved application 23/0091/FUL. It was acknowledged that a care home on this site would change the nature of the site and the amount of development on it significantly. For the reasons determined under previous application 23/0091/FUL it is considered that the footprint of the proposal, the distance of openings to the surrounding boundaries, the presence of quality mature landscaping, the proximity of neighbouring properties and the use of conditions all combine to reduce the impact of the proposal on residential amenities to a degree that can be considered acceptable.
- 7.3.3 Previous applications 24/0564/VAR and 25/0420/NMAT proposed minimal changes to the elevations and whilst it was acknowledged that these amendments included some additional windows and dormers. It was considered that the addition of some minimal fenestration, whilst retaining the previously approved design to shield residents from overlooking and loss of privacy, was not considered to be unacceptable.
- 7.3.4 In regard to the amendments to the previously approved access it is considered to provide a minor betterment to the current and future residents of No. 3 Groby Road, Glenfield given this amendment moves the principal access away from the boundary of this dwellinghouse. Furthermore, consideration has been given to the current and future occupants of 9 Groby Road, given the access is to utilise the existing access of No. 7 Groby Road, located near to the boundary of this neighbouring dwelling. Notwithstanding this, given the significant positioning of No. 9 Groby Road, the access is not considered to cause undue

harm to those residential amenities of the current or future occupiers of this dwellinghouse.

- 7.3.5 In this regard, the proposal is considered to comply with Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013), Policy DM1 of the Blaby Local Plan Delivery Development Plan Document (Delivery DPD) (2019) and Policy H5 of the Glenfield Neighbourhood Plan (2023)

7.4 Transport and highway impacts

- 7.4.1 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.
- 7.4.2 Policy T1 ensures that all development demonstrates that the cumulative impact on traffic flows will not be severe, unless appropriate mitigation measures are undertaken, and ensures that development be designed to minimise additional traffic generation, incorporate sufficient off-road parking and manoeuvring space, consider improvements to footpaths and cycleways, and encourage the use of public transport.
- 7.4.3 Policies DM8 and T2 seek to provide a consistent approach to local car parking standards and highway design. Policy DM8 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.
- 7.4.4 The highway elements of the scheme were considered at length under previously approved application 23/0091/FUL. Leicestershire County Council Highways considered evidence and concluded that 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.
- 7.4.5 This Section 73 application seeks to amend the previously approved singular access point. The Applicant has outlined within their submitted Planning Statement the proposed access arrangements would result in extensive works to telecommunications infrastructure which would cause significant disruption to Groby Road for over 12 months. As an alternative the Applicant is proposing to utilise the two existing accesses serving number 5 and 7 Groby Road.
- 7.4.6 Leicestershire County Council Highways were consulted on the application, they concluded that they have no objection to the application. The newly proposed access arrangements are shown in the revised Site Plan (drawing No. WD25) and swept path analysis (SPA) is demonstrated for a car, fire tender

and refuse vehicle through drawing No. 3001 and drawing No. 3002 Rev. P02. It is proposed that the western access will serve as an entrance only and the eastern access will solely be used by departing vehicles which is to be internally signposted on site.

- 7.4.7 Leicestershire County Council Highways are satisfied that the eastern access provides a vehicular visibility splay of 2.40m by 120.0m to the west. It is also noted that this splay length has been secured through Condition 17 of the approval notice for 23/0091/FUL. 2.0m by 2.0m pedestrian visibility splays have also been secured through Condition 18 of 23/0091/FUL.
- 7.4.8 In regard to the swept path analysis (SPA), Leicestershire County Council Highways have confirmed that they have no concerns for the vehicle tracking for a car. For a fire tender and a refuse vehicle the drawings show both vehicles can enter the site whilst contained solely in the left-hand carriageway lane. Upon exiting the site, the Leicestershire County Council Highways note both vehicles are required to briefly enter the right hand lane however given the access provides suitable visibility and that these movements will be infrequent the LHA advise this is acceptable.
- 7.4.9 Furthermore, Leicestershire County Council Highways also noted that a refuse vehicle with a length of 10.29m has been tracked. Whilst The Leicestershire County Council Highways would typically expect refuse vehicle SPA to be undertaken for a refuse vehicle with a length of 11.20m as this is the current maximum refuse vehicle length utilised by Local Authorities in Leicestershire. It is however acknowledged that the LHA deemed tracking for a 10.29m long refuse vehicle appropriate in the consultation for 23/0091/FUL and therefore the submitted refuse tracking is suitable to support this application. Given the intended use of the site the LHA assume that a private waste company may be used to collect waste which will likely have a shorter length vehicle than 11.20m.
- 7.4.10 Leicestershire County Council Highways undertook a further review of Personal Injury Collisions (PICs) that have occurred during the previous five year period (data currently available until September 2025). The previous Leicestershire County Council Highways PIC review, undertaken March 2023, identified that nine PICs had occurred within the study period/ area. Through the response issued 10th March 2023 Leicestershire County Council Highways advised that there were no patterns in the data that were likely to be exacerbated by the proposals. Following this four further PICs have occurred with the closest to the site being a PIC that occurred in 2024 between the site access and the County Hall roundabout. This resulted in injuries recorded as 'slight' in severity following a rear shunt type collision. On the opposite side of the carriageway there has been three PICs close to the exit for the filling station. Two of these were recorded in injuries classified as 'slight' in severity with the third sadly resulting in a fatality. Leicestershire County Council Highways remain of the view that there are no patterns in the data that are likely to be exacerbated by the proposals.
- 7.4.11 In this regard, the proposal is considered to comply with Policy CS10 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013),

Policy DM8 of the Blaby Local Plan Delivery Development Plan Document (Delivery DPD) (2019) and Policy T2 of the Glenfield Neighbourhood Plan (2023)

7.5 Flood risk and drainage

- 7.5.1 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
- 7.5.2 The development is located within Flood Zone 1 which is considered to be the most suitable zone for development as it is at low risk of flooding.
- 7.5.3 Drainage has been discharged for the development under applications 24/0640/DOC and 25/0041/DOC, which were considered acceptable by both Leicestershire County Council Highways and Leicestershire County Council Flood Authority. As such, no further drainage matters arise from this application and the change to the existing access.

7.6 Heritage Assets

- 7.6.1 Policies CS20, DM12 and Policy ENV4 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.
- 7.6.2 Previously the District's Historic Buildings Officer reviewed the proposal and concluded that there are no designated heritage assets on the site or within its immediate vicinity and advised that that the only heritage considerations relating to this application principally concern the site's archaeological potential. Given the minimal design changes to the scheme the Historic Buildings Officer position has not changed.
- 7.6.3 Previously Leicestershire County Council Archaeology requested the implementation of a Written Scheme of Investigation for the proposal due to the site lying within an area of significant archaeological interest. Such pre-commencement conditions were implemented under original application 23/0091/FUL, however, were discharged under application 24/0640/DOC and subsequent investigations carried out. As such, no further heritage matters arise from this application and the change to the existing access.

7.7 Ecology and biodiversity

- 7.7.1 Policy CS19 of the Core Strategy seeks to protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve biodiversity, wildlife habitats and corridors through the design of new developments and the management of existing areas.
- 7.7.2 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.
- 7.7.3 Notwithstanding this, BNG does not apply to Section 73 applications on applications that were made prior to the mandatory introduction of BNG. As such, there are no further Biodiversity Net Gain requirements to what was already permitted and agreed either via design or condition during the determination of application 23/0091/FUL.
- 7.7.4 Given the removal of two trees Leicestershire County Council Ecology requested some further information in relation to bats and the possibility of bats utilising the trees for roosting. A Ground Level Tree Assessment (GLTA) was carried out by suitably qualified and licensed ecologists on 18 February 2026 and concluded that the Yew and Lime tree, those which are to be removed as part of the revised access, have no bat roosting potential. As such, Leicestershire County Council Ecology raised no objection to the application is considered to comply with policy CS19 of the Blaby Core Strategy.

7.8 Arboricultural implications

- 7.8.1 An Addendum to the original approved 'Tree Survey', 'Arboricultural Impact Assessment' and 'Arboricultural Method Statement' and 'Tree Protection Plan' has been submitted to outline the need for the felling of the two trees and the mitigation proposed to compensate for this loss. This is also detailed on the landscaping plan.
- 7.8.2 Leicestershire County Council Forestry have confirmed that they have no objection to the scheme and confirm that the reports and the mitigation strategy for the additional tree planting is acceptable. Given the high number of trees within the site and on the boundary, it is not considered that the removal will alter the overall tree coverage of the site or impact the character and appearance of the boundaries.

7.9 Developer contributions and infrastructure / facilities

- 7.9.1 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).

- 7.9.2 Under application 23/0091/FUL a request for funding towards sustainable travel options for residents and employees was subsequently received from Leicestershire County Council. Furthermore, NHS England also requested a financial contribution towards medical practices within the locality that will serve the needs of this development. No changes to these previously agreed contributions have been requested under this application and there are no changes to the number of beds, staff or subsequent transport. Furthermore, the previously signed Section 106 included a caveat to ensure that in the event of a Section 73 application that the legal agreement for application 23/0091/FUL shall apply in full force. As such, there is no change to the previously signed legal agreement.

8 Overall Planning Balance and Conclusion

- 8.1 Overall, the proposed development is in conformity with the Development Plan. The three dimensions of sustainable development have been considered (economic, social and environmental) as set out in the NPPF, and taking into account the adopted Development Plan considerations and all other material considerations your Officers are of the opinion that the proposal is acceptable, and accordingly it is recommended that planning permission is granted subject to the imposition of the conditions outlined at the start of this report.

Application reference: 25/0785/FUL

Proposal: Erection of a new purpose-built warehouse/storage unit (Class B8) with an ancillary facilities, parking provision and associated works

Site address: Whiteacres, Whetstone, Leicestershire LE8 6BB

Case officer: Glen Baker-Adams

Recommendation: Approval with conditions and the applicant entering into a section 106 agreement securing BNG.

Conditions:

1. Statutory 3-year condition.
2. Development to be built in accordance with approved plans and documents.
3. Materials as specified in document ref. WABPA001.
4. Parking and turning facilities to be implemented in accordance with submitted drawings and kept available for such uses in perpetuity.
5. Proposed development to remain ancillary to the existing use of the site and not be occupied or operated separately from the remainder of the premises.
6. Secure (and under cover) cycle parking details to be submitted and agreed in writing by the Local Planning Authority prior to occupation.
7. All mitigation measures and/or works to be carried out in accordance with the Preliminary Ecological Appraisal Report
8. Prior to any works above slab level a biodiversity enhancement strategy to be submitted and agreed
9. Prior to commencement a habitat management and monitoring plan to be submitted and agreed
10. Surface water drainage scheme
11. Management of surface water on site during construction
12. Long-term maintenance of surface water management
13. Prior to commencement of any above ground development, the approved remediation works shall be completed in accordance with the approved
14. Hours of operation between 0900-1700 Monday-Friday only

1. The site

- 1.1 The application is located on the Cambridge Road Industrial Estate to the south west of Whetstone.
- 1.2 It is within close proximity to existing industrial buildings with B1, B2 and B8 uses within. These buildings are mostly two storey brick and steel clad constructed with concrete aprons for parking of staff and visitors.

1.3 The specific location of the development proposed will be an area of underutilised parking spaces and a small grassed area in between to existing industrial buildings

2. The Proposal

2.1 The application is for full planning permission for a storage building incorporating a mezzanine floor. It will incorporate the associated office, hardstanding, parking, and incidental landscaping.

2.2 The proposed unit will provide a gross internal area of 1535m² with a mezzanine floor of 153m². It will have a width 31.5m, and a length of 51.3m and height of 19.8m to ridge and 15m to eaves.

2.3 The proposed elevations are proposed as the following:



3. Relevant Planning History

Reference	Description	Decision	Date
97/0918/1/OX	Erection of warehouse and office unit and associated car parking	Permitted	10/11/1997
98/0186/1/MX	Erection of warehouse and office unit and associated car parking	Permitted	22/06/1998

4. Consultation Responses

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 beginning of the report unless stated otherwise.

The numbers in brackets signifies the amount of times consultees have responded to the application and what paragraph these comments have been considered in this report.

4.1 Blaby District Council Consultees

4.1.1 Blaby District Council Environmental Services (3)

No objections subject to conditions

4.2 Leicestershire County Council Consultees

4.2.1 Local Highway Authority (2) (xx)

No objection subject to conditions

4.2.2 Forestry (1)

No objection subject to conditions

4.2.3 Lead Local Flood Authority (2)

No objection subject to conditions

4.2.4 Ecology

No objection subject to conditions

4.3 Others

4.3.1 Enderby Parish Council

No comments received.

4.3.2 Ward Councillor

No comments received.

5. Additional Representations

- 5.1 As part of the consultation process and in accordance with the Council's Statement of Community Involvement (2020); adjacent occupiers were notified and a site notice was erected adjacent to the development site.
- 5.2 No letters of objection have been received.

6. Planning Policies and Material Considerations

6.1 Development Plan

Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be considered in accordance with the Development Plan, unless material considerations indicate otherwise.

The Development Plan in relation to this proposal consists of:

- Blaby District Local Plan (Core Strategy) Development Plan Document (adopted 2013)
- Blaby District Local Plan (Delivery) Development Plan Document (adopted 2019)
- Leicestershire Minerals and Waste Local Plan 2019-2031

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

Policy CS1 – Strategy for locating new development

Policy CS2 – Design of new development

Policy CS6 – Employment

Policy CS19 – Biodiversity and geo-diversity

Policy CS21 – Climate change

Policy CS24 – Presumption in Favour of Sustainable Development

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

Policy DM1 – Development within the settlement boundaries

Policy DM8 – Local Parking and Highway Design Standards

6.2 Material Considerations

- The National Planning Policy Framework (NPPF) (2024)
 - Chapter 2: Achieving Sustainable Development
 - Chapter 4: Decision Making
 - Chapter 6: Building a strong, competitive economy
- The National Planning Policy Guidance (NPPG)
- Leicestershire Highways Design Guide (2024)

7. Consideration of Application

The main issues to be considered in the assessment of this planning application are as follows:

- The principle of the development;
- The impact of the development on the character and appearance of the area;
- The impact of the development on the amenity of nearby residents;
- The impact of the development on the surrounding highway network; and
- The ecological impact and Biodiversity Net Gain (BNG).
- The impact on surface water flooding
- The impact concerning contamination
- Climate change

7.1 The Principle of the Development

7.1.1 The proposed developed is located on existing industrial estate where policy CS6 applies being a key area for employment in the district.

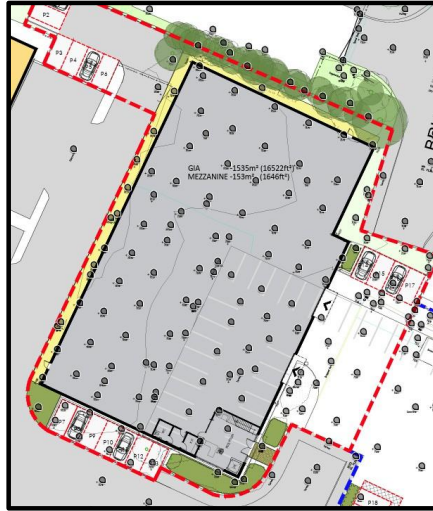
7.1.2 As a result, the proposed development is acceptable in principle subject to amenity and design concerns. Other considerations of supporting ambitions on biodiversity net gain, mitigating against surface water flood risk and the local highways network are also considered.

7.2 Impact on the character and appearance of the area

7.2.1 Policies CS2 (Design of new development) of the Blaby Core Strategy and specifically DM1 (Development within the settlement boundaries) of the Development Management Plan Document seek to ensure that a high-quality environment is achieved in all new development proposals, respecting distinctive local character and contributing towards creating places of high architectural and urban design quality. The design of new development should also be appropriate to its context and development proposals that are consistent with the policies of the Local Plan are to be supported.

7.2.2 A design and access statement has been provided by the applicant which provides a comprehensive overview of how the proposed development will be appropriate to the area in which it is proposed.

7.2.3 The proposed building will be proportionate in scale to existing buildings locally with enough room around it to accommodate incidental planting to soften the scale impact within the local area.



7.2.4 On the building itself discrete and integrated roof lights are proposed and will have materials that are similar to those nearby with insulated metal cladding panels in shades of grey to compliment the surrounding buildings and to minimise any impact and retain the character of the industrial area. In addition, the cladding panel orientation (horizontal and vertically) has been designed to create interest and variation to the proposal. The elevation treatment of the proposed unit has been designed so is easily identified upon approach when coming up Whiteacres Road. Window and doors styles have been chosen to complement the industrial contemporary style of architecture.

7.2.5 In conclusion, the proposed will comply with policy CS2 of the Blaby Local Plan, DM1 of the Development Management Plan Document and NPPF.

7.3 Impact of the development on the amenity of nearby residents

7.3.1 Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document states that development proposals should provide a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by the existing or new occupiers.

7.3.2 Being located on an existing industrial area, there is an existing level of noise associated with this site. The nearest neighbouring properties are however located on Cambridge Road with intervening industrial buildings and the busy Cambridge Road itself at over 100m away.

7.3.3 The applicant has been given time to confirm the operating hours for the unit, confirming they will be 0900-1700 on weekdays only. These times, which are standard office hours, along with having no fixed plant operating as further highlighted that there will be no significant amenity issues created by the development.

7.3.3 The Blaby District Council environmental health team have also had no objection to the proposals. As a result, there is considered to not be a significant impact on amenity and the proposal will conform to policy DM1 of the Development Plan Document and NPPF.

7.4 The impact of the development on the surrounding highway network

7.4.1 Development Management Policy 8 in the Development Plan Document states employment use development will be required to provide an appropriate level of parking and servicing provision as set out in the most up-to-date Leicestershire Local Highway Guidance.

7.4.2 The proposed development will provide 17 car parking spaces and 4 spaces for cycles. Each parking bay will be 2.5m by 5m which larger than those required by LCC standards at 2.4x4.8m. The quantum is also in accordance with the Leicestershire Highway Design Guide.

7.4.3 The road design and geometry are capable of accommodating substantial HGV and commercial vehicular movements as they are present.

7.4.4 Bus stops (service 84) are within 300m from the Application site; the stops are flag n post and serves a substantial quantum of commercial / industrial and residential catchment allowing sustainable transport options to the site.

7.4.5 As a result, the proposed development will be compliant with policy 8 in the Development Plan Document and the NPPF.

7.5 The ecological impact and Biodiversity Net Gain (BNG)

7.5.1 Policy CS19 of the Core Strategy seeks to protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve biodiversity, wildlife habitats and corridors through the design of new developments and the management of existing areas. 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.

7.5.2 A Preliminary Ecological Appraisal Report (PEAR) (Futures Ecology, November 2025) has been submitted with this application relating to the likely impacts of development on designated sites, protected and Priority species and habitats and identification of appropriate mitigation measures. The recommendations within are acceptable to LCC ecologists and the planning assessment has no reason to take a different view. The recommendations are to be conditioned to ensure compliance with what is stated.

7.5.3 To meet the requirements of related BNG legislation, there is a requirement to provide a Biodiversity Net Gain Plan and Habitat Management and Monitoring Plan prior to commencement which again will be requested via a condition.

7.5.4 As a result of the aforementioned details, the proposal is adjudged to be in conformity with CS19 of the Core Strategy and the NPPF.

7.6 Impact upon Surface Water Flooding

7.6.1 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.

7.6.2 The site is located within Flood Zone 1 being at low risk of fluvial flooding and a low to medium risk of surface water flooding.

The proposals now seek to discharge at QBar (1.1l/s) via pervious paving and a geo-cellular attenuation tank to the adjacent STW sewer. Evidence of suitability of this connection from Severn Trent Water been submitted and as a result provides a suitable method of sustainably draining water from the site. Further works are also required to show maintenance which are contained within relevant conditions. As a result the development would therefore meet the requirements of guidance on this and overall policies in CS22 of the Blaby Core Strategy.

7.7 Contamination

7.7.1 Policy DM13 of the Blaby Local Plan (Delivery) Development Plan Document 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.

7.7.2 Reports submitted with the application comment that remediation will be required to deal with the lead exceedance, and that a Remediation Scheme is to follow. This is to be obtained by suitable conditions relating to remediation and verification and have been subsequently applied for this application.

7.8 Climate Change

7.8.1 Policy CS21 of the Blaby Local Plan states that the council will encourage the use of renewable, low carbon and decentralised energy at the commercial, community and domestic scale. NPPF paragraph 167 states that local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, including through installation of solar panels.

7.8.2 To minimise visual impact at roof level, discrete and integrated roof lights and solar PV panels have been proposed to provide natural light and renewable energy for the buildings use.

7.8.3 As a result, the proposal would meet the requirements of policy CS21 of the Blaby Local Plan and the NPPF.

8. Overall Planning Balance and Conclusion

- 8.1 The proposed development will see an industrial building constructed within an existing industrial site. This will continue to develop the existing Cambridge Road Industrial area to acceptable limits and provide new employment opportunities and therefore align with relevant policies on this and wider council objectives.
- 8.2 There is adjudged to be no significant impacts upon the amenity of those living nearby, highway safety, ecology and flood risk. The proposals are designed sympathetically, similar to those nearby. By incorporating solar panels; renewable energy will be used which will aim to meet climate change objectives. BNG gains will be generated and in addition with some small areas of natural greenspace will allow for natural environmental gains in compliance with relevant policies.
- 8.2 Overall, the proposed development is in conformity with the Development Plan. The three dimensions of sustainable development have been considered (economic, social and environmental) as set out in the NPPF, and taking into account the adopted Development Plan considerations and all other material considerations your Officers are of the opinion that the proposal is acceptable, and accordingly it is recommended that planning permission is granted.

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Blaby District Council

Planning Committee

Date of Meeting 30 April 2026

Title of Report Blaby District Council (Adult Education Centre, Enderby),
Tree Preservation Order 2025

Report Author Planning & Strategic Growth Group Manager

1. What is this report about?

- 1.1 The purpose of the report is to consider whether or not to confirm the provisional Tree Preservation Order (TPO) made 01 December 2025 on the trees situated within the curtilage of the site known as The Adult Education Centre.

2. Recommendations

- 2.1 The Planning Committee approve the confirmation of the Tree Preservation Order at The Adult Education Centre, Enderby.
- 2.2 The Authority be delegated to the Planning and Strategic Growth Group Manager to confirm the Tree Preservation Order at The Adult Education Centre, Enderby.

3. Reason for Decisions Recommended

- 3.1 Having considered the representations received regarding the TPO, it is concluded that there are sufficient grounds to confirm the Order.
The trees contribute to the provision of important visual amenity along the public highways of George Street, Shortridge Lane, Townsend Road and Footpath W19.

4. Matters to consider

4.1 Background

The trees are situated within the curtilage of the site known as The Adult Education Centre, Enderby.

The provisional order (Appendix A) includes a group of seven trees (noted as G1 in the order), the group is comprised of seven total trees, One Sycamore, One Lime, One Ash, One Cherry and Three Poplars. G1 is situated to the North-West of the site and to the North-East of Footpath W19. It is noted that there are further trees located within this group, however only the seven noted are considered to be worthy of inclusion within the order as a result of their size, visibility, condition and retention span.

The provisional order also includes two individual trees T1 a Swedish Whitebeam and T2 an Ash Tree. T1 and T2 are situated along the Western Boundary of the Site and adjacent to 2A George Street. As with G1, it is noted that there are further trees located along this boundary, however these trees are in a poorer condition overall and some feature defects that prevent them from scoring sufficiently to warrant inclusion within the order.

T1 and T2 are trees of moderate arboricultural and landscape quality. Both T1 and T2 have an estimated life expectancy of approximately 20-40 years given their condition and species and are trees of fair condition with no notable defects to them.

All trees included within the order are mature or semi-mature trees, of fair/satisfactory condition, that offer considerable amenity value to the area by virtue of their size, grouping and position within the site. The trees offer a positive contribution to the character of the immediate and surrounding area, given the visibility of the trees from multiple surrounding streets and from as far away as 80m as such it was considered expedient and in the interests of amenity to issue a provisional TPO, and in due course to confirm the same.

The site is located some 100m to the West of the Enderby Conservation Area (which terminates at adjacent Cross Street). To the west of the provisional order, is an existing area Tree Preservation Order, known as the 'The Blaby District Council (2-14 George Street, Enderby) Tree Preservation Order 1999' (Appendix C).

Given the close proximity of the neighbouring Tree Preservation Order, the trees collectively form a wider canopy that spans over footpath W19, with trees from 'The Blaby District Council (2-14 George Street, Enderby) Tree Preservation Order 1999' to the east of the footpath (Appendix C) and the provisional protected trees within the 'The Blaby District Council (Adult Education Centre, Enderby), Tree Preservation Order 2025' to the west of the footpath. The coalesced canopy above the footpath creates a picturesque feature to the footpath (Appendix D).

A planning application has been received in relation to the site, for the 'Change of use of land and erection of Primary Care Building (Health Centre) with pharmacy. Proposed new access and parking area. External works including hardstanding, landscaping, cycle and bin store and proposed fencing'.

During due process of this application, a site visit was undertaken by an Officer of the Council to assess the merits of the site, in doing so, an assessment was made of the trees within the site and their worthiness for formal protection.

In creating the provisional TPO, the Case Officer undertook a Tree Evaluation Method for Preservation Orders Assessment (TEMPO) for the trees collectively. The TEMPO gave the group an overall score of 15. The TEMPO gave T1 (Swedish Whitebeam) a score of 13 overall and T2 (Ash) a score of 15 giving the trees an initial category of 'TPO Defensible' (Appendix F).

Following this initial assessment and prior to the imposition of the provisional order, The Principal Tree and Woodlands Manager at Leicestershire County Council reviewed the TEMPO assessments conducted and concurred with the scoring awarded to the trees.

It is noted within the TEMPO assessments undertaken that all of the trees in question are of fair/satisfactory condition, T1 is noted to be a semi-mature tree with a potential retention span of 70-100 years, T2 is noted to be in reasonable condition with no notable defects to the tree and having a potential retention span of 100-150 years. T1 and T2 are also noted as being large trees, or medium trees clearly visible to the public' and as such suitable for TPO.

The group of trees comprises of seven large trees, clearly visible to the public given their position within the site, the two individual trees are also clearly visible to the public. The trees are visible to those accessing the road by either vehicle, bicycle, on foot along the public highways George Street, Shortridge Lane, Townsend Road or along Footpath W19, which is situated along the Western Boundary of the site.

All of the trees have been scored as having a perceived threat given the planning application received on the site, subsequently the trees have been scored for expediency as having a 'foreseeable threat to the tree' given the indication to remove the trees as part of the planning application.

4.2 Representations received

Three representations were received in objection to the Tree Preservation Order at The Adult Education Centre, Enderby (Appendix E) on the grounds of the following:

- Conflict with Local Plan Landscape and Environmental Policies.
- Local Plan Approach to Trees, Green Infrastructure and Biodiversity
- The TPO Appears Premature and Inconsistent with Plan-Led Decision-Making
- The level of visibility of the trees in question is not of itself sufficient justification to create a TPO.
- The trees are located on private land and are not accessible to the public
- Individually and collectively, as species and as a contribution to the landscape, the trees in question have little future potential as an amenity, have little rarity, cultural or historic value and have a worth that can be enhanced and replaced by a thoughtful replanting scheme.

4.3 Consideration of Representations Received

With regard to the objections statement that the imposition of the provisional Tree Preservation Order conflicts with the current local plan landscape and environmental policies and is inconsistent with plan-led decision-making, and contrary to local plan approach to trees, green infrastructure and biodiversity.

It is important to note that the application of Local Plan Policies is immaterial in the consideration of a Tree Preservation Order. Further, given that the creation of provisional Tree Preservation Orders often stems from either a Case Officers site visit, or note of valuable trees within Blaby district, it is not feasible that Tree Preservation Orders can be 'plan-led' in the way that housing schemes are.

Instead, the methodology for assessing the suitability of trees for Tree Preservation Orders is a separate three-part system that considers the amenity value of the trees, by scoring: the condition, retention span, relative public

visibility of the trees and the expediency of an order. In balancing the respective scores, the TEMPO assessment identifies the appropriate outcome for the trees based on the accumulated score.

The objections received also states that 'the trees subject to the proposed TPO do not make a significant or demonstrable public amenity contribution in terms of visual prominence or landscape value from public vantage points.'

As previously noted, the trees are highly visible to those passing or accessing the site by either vehicle, bicycle, or foot along the public highways George Street, Shortridge Lane, Townsend Road or along Footpath W19 (which is situated along the Western Boundary of the site). As such the trees would be considered to be clearly visible to the public given their position within the site, this is reflected in the scores given to the trees in the TEMPO assessment.

It is noted earlier in the report that there has been a planning application received, the objections state that 'the proposed development has been designed to retain and integrate existing vegetation where appropriate, including new tree planting proposals that will contribute to longer-term local landscape character and biodiversity outcomes as part of the scheme'.

However, the plans currently submitted for consideration (Appendix show the removal of the tree group and without adequate protection of the trees located within the site it cannot be ensured that the trees can be retained, prevented from future felling, or damage during the construction of the site. Nor can it be ensured that if a tree is required to be removed, that a suitable replacement tree will be planted in its place.

The presence of a planning application submitted on the site has contributed to the expediency of the Order and has been reflected in the scores given to the trees in the TEMPO assessment.

It is important to note, that the presence of a Tree Preservation Order does not by virtue of its existence mean that a property owner is not able to undertake works to the protected trees.

But that the property owner must first make an application to the Council as the Local Planning Authority prior to undertaking works so that the Council can consult with Forestry Officers to ensure that the works to the tree are justifiable and in the interest of good tree management.

The imposition of a Tree Preservation Order also allows the Local Planning Authority the opportunity to impose conditions such as ensuring works are conducted in accordance with British Standards or the opportunity to condition the planting of replacement trees where required. It can also ensure that in circumstances where development is permitted on site, that conditions can be imposed to protect the trees from damage during the course of development.

4.4 Conclusions

The TEMPO Assessment concludes that the trees score between 13 and 15 therefore a TPO is defensible.

It is considered that the trees shown on the TPO plan and schedule, are worthy of protection due to their public amenity value. Having regard to the points

raised by the representations received (Appendix E) and the professional advice received from Leicestershire County Council's Forestry and Arboricultural Officer, your Officers have balanced all other issues and considered that there is no over-riding reason not to confirm the Tree Preservation Order.

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

5.1 Not applicable

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

6.1 There are no risks.

7. Other options considered

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

7.2 That the Tree Preservation Order be modified to remove Trees and subsequently confirm. This option is not recommended for the reasons outlined in the report.

8. Other significant issues

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

9. Appendices

1. Appendix A - Tree Preservation Order (To Be Confirmed)
2. Appendix B - Google Overhead Images
3. Appendix C - Nearby Tree Preservation Order and Conservation Area
4. Appendix D - Site visit Photographs
5. Appendix E - Representation Received
6. Appendix F - Tempo Assessment
7. Appendix G - Appendix G - Currently submitted Proposed Block and Site Plans

10. Report author's contact details

Kiera Kalym
Planning@blaby.gov.uk

Planning Officer
0116 272 7705

Appendix A - Tree Preservation (to be confirmed)

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

Town and Country Planning Act 1990

Blaby District Council (Adult Education Centre, Townsend Road, Enderby) Tree Preservation Order 2025

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

Citation

1. This Order may be cited as the Blaby District Council (Adult Education Centre, Townsend Road, Enderby) Tree Preservation Order 2025.

Interpretation

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

Effect

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

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

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

Application to trees to be planted pursuant to a condition

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

Dated this 01st December 2025

Signed on behalf of the Blaby District Council



Development Services Team Leader
Authorised by the Council to sign in that behalf

SCHEDULE
SPECIFICATION OF TREES
Trees specified individually

(encircled in black on the map)

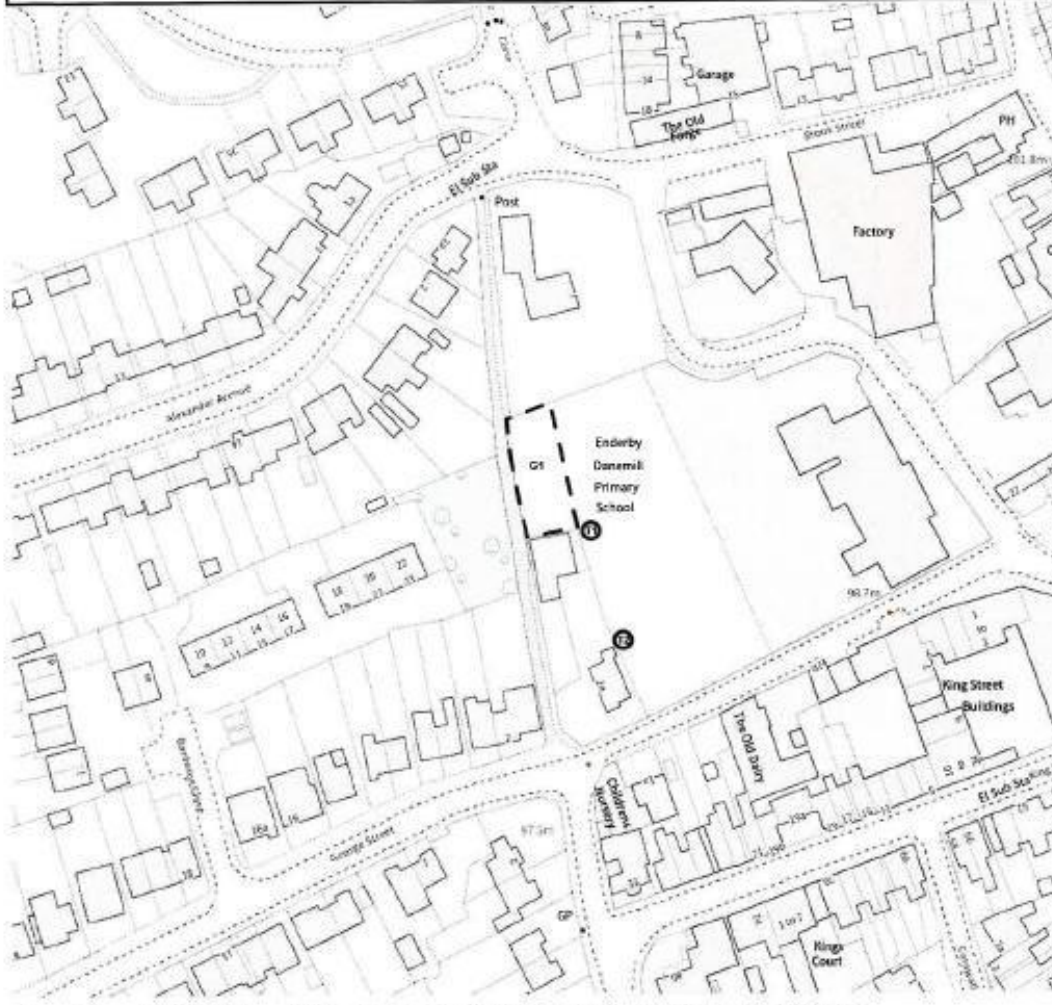
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Swedish Whitebeam	Situated along the Western Boundary of the Site and adjacent to 2A George Street
T2	Ash	Situated along the Western Boundary of the Site and adjacent to 2A George Street

Trees specified as a group

(within the black dashed line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
G1	Group of Seven trees, including One Sycamore, One Lime, One Ash, One Cherry and Three Poplars	Situated to the North-West of the site and to the North-East of Footpath W19

Town and Country Planning Act 1990
Blaby District Council (Adult Education Centre, Townsend Road, Enderby)
Tree Preservation Order 2025



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

(December)
 Dated this 01. Day of Dec. Two Thousand and Twentyfive
 Signed on Behalf of Blaby District Council
 [Redacted Signature]
 Authorised by the Council to sign in that behalf

Scale
 1:1250

Extract
 SP5399SW

Appendix B - Google Overhead Images





Appendix C - Nearby Tree Preservation Order and Conservation Area

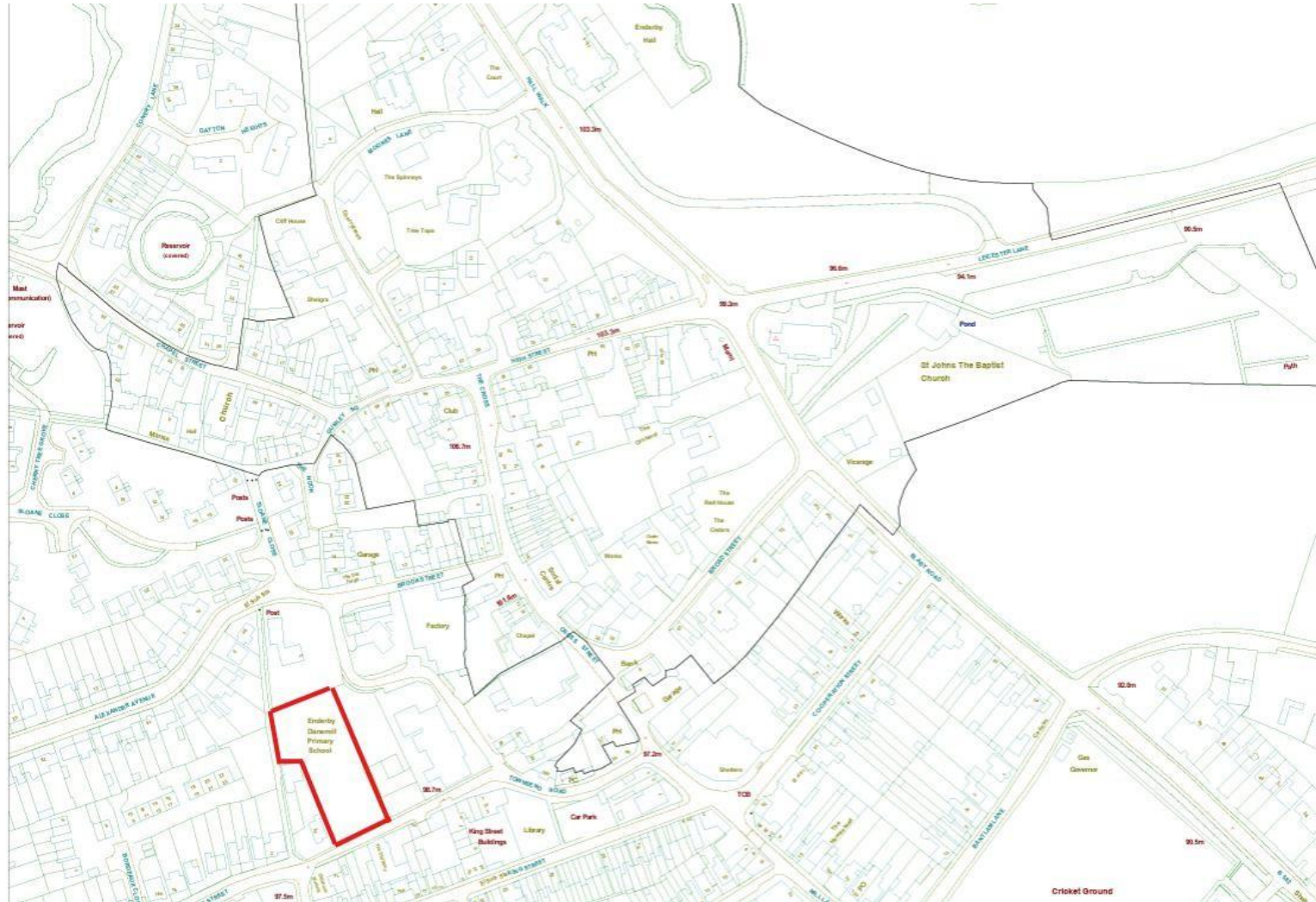
The Blaby District Council (Land rear of 2-14 George Street, Enderby) Tree Preservation Order 1999 - Yellow

The Blaby District Council (Adult Education Centre, Enderby), Tree Preservation Order 2025 - Red



Appendix C - Nearby Tree Preservation Order and Conservation Area

Enderby Conservation Area - Designated 30 May 2004



Appendix D - Site Visit Photos

Photographs From Within The Adult Education Centre Car Park





View of Trees From George Street





View of Trees From Footpath W19









View Of Trees From Townsend Road (Google Streetview)



View Of Trees From Shortridge Road (Google Streetview)



Appendix E - Representation Received



WB · Greenhouse · Beeston Road
Hunslet · Leeds · LS11 6AD
Email - info@qad.co.uk
Twitter - @qadarchitects
Web - www.qad.co.uk
T - 0113 331 4700

Kiera Kalym
Blaby District Council
Council Offices
Desford Road
Narborough
Leicester LE19 2EP

17th December 2025

20-047/4.01/PAW/PAW

By email & post

Dear Sirs

**Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation) (England) Regulations 2012
Blaby District Council (Adult Education Centre, Enderby), Tree Preservation
Order 2025**

We are writing as Agents for the site planning application for planning permission for a new primary care centre at the above site. We object to the proposed Tree Preservation Order (TPO) for the reasons set out below:

1. Conflict with Local Plan Landscape and Environmental Policies

The Blaby District Local Plan (Core Strategy 2013 and Delivery DPD 2019) seeks to **balance development needs with protection of the natural environment** and landscape character, including the delivery of green infrastructure and biodiversity enhancement as part of sustainable development.

The proposed development has been designed to retain and integrate existing vegetation where appropriate, including new tree planting proposals that will contribute to longer-term local landscape character and biodiversity outcomes as part of the scheme.



Directors:

Nicola A. Voase BSc (hons); M.Arch; RIBA

Ian J. Bryant BA(hons); Grad Dip Arch; RIBA

Paul A. Walwright BA(hons); Dip Arch; Grad Dip Arch; RIBA



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It is a fundamental principle of the Local Plan that development should be **consistent with planning policies that support sustainable growth while protecting and enhancing environmental assets**. Statutory protection through a TPO should be reserved for trees which make a demonstrable and significant **public amenity contribution** and where long-term retention as static features is appropriate to the overall planning and landscape strategy for the area. However:

- The trees subject to the proposed TPO **do not make a significant or demonstrable public amenity contribution** in terms of visual prominence or landscape value from public vantage points.
- The Local Plan requires landscape and green infrastructure to be planned as part of development proposals, including retention of trees where appropriate **and replacement/mitigation planting where loss is necessary to achieve sustainable development**. Mitigation measures for this site have been included in the planning submission.

On this basis, statutory protection through a TPO is **not justified** and would conflict with the Local Plan's broader approach to delivering net environmental and landscape gain through development, rather than rigid preservation in circumstances where trees are of limited long-term public benefit.

2. Local Plan Approach to Trees, Green Infrastructure and Biodiversity

Policies within the Local Plan (Core Strategy and Delivery DPD) require development to **respond positively to landscape context and integrate green infrastructure**, including landscape planting and ecological enhancements where appropriate, but do not elevate all trees to a level requiring TPO protection unless they contribute significantly to **character, biodiversity or amenity**.

The planning application submission demonstrates a balanced and policy-aligned approach to landscaping and tree retention:

- Existing trees that have **amenity and biodiversity value are being retained and reinforced** through new woodland, hedgerow and specimen planting.
- Where necessary, tree removal is mitigated through high-quality replacement planting, in accordance with Local Plan



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principles regarding **green infrastructure and landscape integration**.

- This approach is consistent with the Local Plan's strategic objectives to deliver sustainable development while **protecting and enhancing the natural environment** (including landscape character and biodiversity), rather than preventing development outright.

3. The TPO Appears Premature and Inconsistent with Plan-Led Decision-Making

The Local Plan and the National Planning Policy Framework require planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The timing of the proposed TPO — coming after submission of the planning application — suggests it is being used as a reactive tool to constrain or frustrate an otherwise policy-compliant development rather than as a means to protect trees of genuine, demonstrable amenity value.

Such use of TPO powers is inconsistent with the plan-led system that the Local Plan embodies and is not aligned with the Local Plan's overall strategy to **integrate appropriate landscape and green infrastructure planning within sustainable development proposals**.

Conclusion and Request

For the reasons above, the proposed Tree Preservation Order:

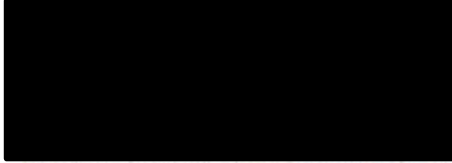
- **Fails to align with the operational principles and objectives of the Blaby District Local Plan** concerning landscape, green infrastructure and sustainable development;
- **Applies statutory protection disproportionately** to trees that do not make a significant amenity or landscape contribution justified for long-term protection;
- **Risks undermining the plan-led decision-making process** by elevating speculative tree protection as an instrument to oppose development rather than as a justified environmental safeguard.

Accordingly, we respectfully request that Blaby District Council **does not confirm the proposed TPO**.



We reserve the right to make further detailed representations with supporting evidence should the Authority proceed to confirmation.

Yours faithfully



for and on behalf of **QAD Architects Ltd.**

Cc: Charlene Hurd - Blaby District Council
Natalie Westwood - One Medical Property



Directors:

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Paul A. Walwright BA(hons); Dip Arch; Grad Dip Arch; RIBA

QAD Architects Ltd - Trading as **QAD Architects** - Registered Number: 5373044



Re: Objection to Proposed Tree Preservation Order

Site: GoLearn! Adult Education Centre, Enderby, Leicestershire

TPO Reference: Adult Education Centre, Townsend Road, Enderby Tree Preservation Order 2025

We write to you to formally submit our objection to the proposed Tree Preservation Order (TPO) for the reasons set out below.

1. Lack of Justification and Evidence for TPO Designation

Tree Preservation Orders should only be used where trees make a demonstrable, significant contribution to public amenity and where long-term retention is justified. In this instance, insufficient evidence has been provided to support the imposition of statutory protection.

In particular:

- No clear assessment has been presented demonstrating that the trees proposed for protection are of exceptional visual, landscape, or amenity value when viewed from public vantage points.
- There is limited evidence to show that the trees are prominent, distinctive, or integral to the wider character of the area.
- The justification does not demonstrate why these trees, as opposed to others in the locality, merit statutory protection.

Without a robust and transparent assessment of public amenity value, the proposed TPO appears disproportionate and unjustified.

2. Longstanding Vacancy of the Site and Timing of the TPO

The site has been vacant for a number of years, during which time no Tree Preservation Orders were imposed, despite the trees being present throughout that period. This raises concerns as to why the trees are now considered worthy of statutory protection only at this stage.

The timing of the TPO: introduced after submission of a planning application strongly suggests that it is a reactive measure rather than the result of a long-standing or evidenced concern regarding tree protection. T

TPOs should not be applied retrospectively as a mechanism to constrain development where no prior concern or protection has been deemed necessary.

3. Conflict with the Blaby District Local Plan's Plan-Led Approach

The Blaby District Local Plan (Core Strategy 2013 and Delivery DPD 2019) promotes a balanced approach to development, requiring environmental protection to be considered alongside sustainable growth, community infrastructure delivery, and public benefit.

The planning application has been designed to align with Local Plan policies through:

- The retention of existing trees where they provide genuine amenity or biodiversity value;
- The introduction of new tree planting, landscaping, and green infrastructure to enhance long-term landscape character;

- Mitigation measures where tree removal is necessary to deliver a sustainable and policy-compliant development.

The Local Plan does not seek to elevate all existing trees to a status requiring permanent protection. Instead, it supports a holistic approach to landscape and biodiversity enhancement through development, rather than rigid preservation where trees do not offer significant long-term public benefit.

The proposed TPO conflicts with this approach by prioritising speculative tree protection over a comprehensive, policy-aligned landscape strategy.

4. Inconsistency with Local Plan Landscape and Environmental Policies

Local Plan policies require trees and green infrastructure to be considered as part of the overall development framework, with retention, replacement, and enhancement balanced against site constraints and public benefit.

In this case:

- The trees subject to the proposed TPO do not make a significant contribution to the wider public realm or landscape character;
- The development proposals include appropriate mitigation and enhancement planting that will provide long-term environmental and visual benefits;
- Applying a TPO in these circumstances risks preventing the delivery of a much-needed healthcare facility without achieving meaningful environmental gain.

Statutory protection should be reserved for trees of clear, demonstrable importance, which has not been evidenced in this instance.

5. Prematurity and Procedural Concerns

The National Planning Policy Framework and the Local Plan both require decisions to be made in accordance with the development plan. Introducing a TPO at this stage risks prejudicing the planning process and runs counter to the principle of plan-led decision-making.

Conclusion

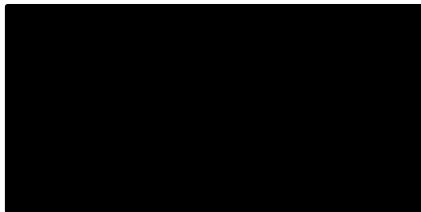
For the reasons outlined above, we consider that the proposed Tree Preservation Order:

- Is not supported by sufficient evidence demonstrating significant public amenity or landscape value;
- Is inconsistent with the plan-led approach of the Blaby District Local Plan;
- Is disproportionate, given the site's longstanding vacancy and the absence of previous tree protection;
- Risks undermining sustainable development by preventing a policy-compliant healthcare facility without delivering commensurate environmental benefit.

Accordingly, we respectfully request that Blaby District Council does not confirm the proposed Tree Preservation Order.

We reserve the right to submit further representations and supporting technical evidence should the Authority proceed towards confirmation.

Yours faithfully,



Registered in England & Wales, Company Number 10190566





Mr Jonathan Hodge,
Group Manager – Planning & Strategic
Growth
Blaby District Council,
Council Offices,
Desford Road,
Narborough,
Leicester,
LE19 2EP

Date: 16 January 2026
Contact: Mr Peter Gregory
Phone: 0116 305 2587
Email: Peter.gregory@leics.gov.uk

Dear Mr Hodge

Ref: 381/DC
Blaby District Council (Adult Education Centre, Townsend Road, Enderby) Tree Preservation Order 2025

I am writing in response to your letter and notice dated 01 December 2025, notifying the County Council of your intention to apply a tree preservation order to the above site.

The County Council, as owner of the land in question, would like its objections to the Order, as informed by specialist advice, to be recorded and taken into account in the District Council's further considerations.

The level of visibility of the trees in question is not of itself sufficient justification to create a TPO. Nor are the trees, located on private land, accessible to the public. Individually and collectively, as species and as a contribution to the landscape, the trees in question have little future potential as an amenity, have little rarity, cultural or historic value and have a worth that can be enhanced and replaced by a thoughtful replanting scheme.

Further, whilst it is acknowledged that the trees in question are mature and have yet to reach end of life, their age and size mean that their quality and stability are on a downward trajectory, which, even when subjected to proactive management, will present an ever-increasing risk to public safety and to nearby property.

Finally, in respect of process, whilst the Order Notice and covering letter specified submission of objections to the Order to the "Group Manager – Planning and Strategic Growth, Blaby District Council", no address for the officer concerned was publicised within the paperwork, an omission that could conceivably prejudice the successful submission of this and other objections. The County Council therefore respectfully submits that the Order should be cancelled on the grounds of prejudicial administration.

Strategic Property Services, Corporate Resources Department.
Leicestershire County Council, County Hall, Glenfield, Leicestershire, LE3 8RE.
Telephone: 0116 232 3232 Fax: 0116 305 6722 Email: property@leics.gov.uk

Taking account of both the questionable value and the future and foreseeable risk inherent in these trees, the County Council registers its objections to the proposed Order.

Yours sincerely



Peter Gregory BA (Hons) MRICS,
Interim Asset Manager,

Appendix F - TEMPO Assessments

G1:

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 22/09/25	Surveyor: Adam Goodall
----------------	------------------------

Tree details	Tree/Group G1 Group – hybrid poplar, ash & lime Location: George Street, Enderby
--------------	---

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

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

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

Score & Notes

- 3) Large canopy trees growing within a distinct group. Trees in reasonable condition.

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

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

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

Score & Notes

- 1) Mature poplar in particular likely to become problematic as they age. Ash is in decline. Single lime in reasonable condition. 10-20yrs reasonable to assume for poplar.

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

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

Score & Notes

- 4) Large trees clearly visible to public.

d) Other factors

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

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

Score & Notes

- 4) Tree group to edge of site.

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

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

Score & Notes

- 3) Planning application received for site. Foreseeable threat.

Part 3: Decision guide

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

Add Scores for Total:

15

Decision:

TPO defensible.

T1: Swedish Whitebeam

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 04/11/25	Surveyor:
----------------	-----------

Tree details	
TPO Ref (if applicable):	Tree/Group: T11 Swedish Whitebeam
Owner (if known):	Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- 5) ~~Good~~ Highly suitable
 - 3) ~~Fair/satisfactory~~ Suitable
 - 1) ~~Poor~~ Unlikely to be suitable
 - 0) ~~Dead/dying/dangerous~~ Unsuitable
- * Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes

- 3) Tree in reasonable condition. No notable defects to tree, some deadwood and ivy visible.

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

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

Score & Notes

- 2) Semi-mature tree. AA 4 places whitebeam in 70-100 category.

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

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

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

Score & Notes

- 4) Large trees clearly visible to public.

d) Other factors

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

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

Score & Notes

- 1) Tree outside of nearby established Tree group

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

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

Score & Notes

- 3) Planning application received for site. Foreseeable threat.

Part 3: Decision guide

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

Add Scores for Total:

13

Decision:

TPO defensible.

T2: Ash

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 04/11/2025	Surveyor:
------------------	-----------

Tree details	
TPO Ref (if applicable):	Tree/Group T14 Ash
Owner (if known):	Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- 5) ~~Good~~ Highly suitable
 - 3) ~~Fair/satisfactory~~ Suitable
 - 1) ~~Poor~~ Unlikely to be suitable
 - 0) ~~Dead/dying/dangerous*~~ Unsuitable
- * Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes

- 3) Tree in reasonable condition. No notable defects to tree, some deadwood and ivy visible.

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

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

Score & Notes

- 4) Semi-mature tree. AA 4 places Ash in 100-150 category.

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

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

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

Score & Notes

- 4) Large trees clearly visible to public.

d) Other factors

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

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

Score & Notes

- 1) tree outside of established group to the north

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

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

Score & Notes

- 3) Planning application received for site. Foreseeable threat.

Part 3: Decision guide

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

Add Scores for Total:

15

Decision:

TPO defensible.

Appendix G - Currently submitted Proposed Block and Site Plans





Note:
Contractors must verify all dimensions on site before commencing any work or shop drawings. Use figured dimensions only. If in doubt, please call OAD.



KEY	
—	Application Boundary
—	Ownership Boundary

#	102333	Rev (The boundary updated to all previous comments)	DA	PL10
#	002733	Rev (The boundary updated to include land applied for access to the UK site)	PL10	PL10
W/Site	102333	Site	102333	102333
Status	PLANNING			
Project	Enderby Medical Centre One Medical Group			
Drawing Title	Proposed Block Plan			Drawing Size A3
Job No.	20-047	Drawing No.	PL10	Scale
Drawn by	LR	Reviewed by	PL10	Date
				10/11/22



Geotechnical
Survey
Level: 107.125
Date: 10/11/22
10/11/22

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