

DATE: 02 June 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. Terry Richardson (Vice-Chair)

Cllr. Tony Deakin  
Cllr. Roy Denney  
Cllr. Helen Gambardella

Cllr. Richard Holdridge  
Cllr. Mark Jackson  
Cllr. Les Phillimore

Cllr. Bob Waterton

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the Council Chamber - Council Offices, Narborough on **THURSDAY, 11 JUNE 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 - 14)  
To approve and sign the minutes of the meeting held on 30 April 2026 (enclosed).
4. Applications for Determination (Pages 15 - 16)
5. 25/0532/FUL - Land to the West of Springwell Lane, Whetstone (Defferal) (Pages 17 - 56)
6. 25/0810/OUT - Land To The East Of Holt Way And Land To The South Of Warwick Road, Littlethorpe (Pages 57 - 100)
7. 25/1080/RM - Land South of Hinckley Road, Leicester Forest East (Pages 101 - 120)
8. 25/0999/FUL - Land to North of Cemetery, Forest Road, Huncote (Pages 121 - 144)

9. 26/0231/FUL - Land South Of Lychgate Lane, Aston Flamville, LE10 3AQ (Pages 145 - 152)

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.

This page is intentionally left blank

## **PLANNING COMMITTEE**

Minutes of a meeting held at the Council Offices, Narborough

**THURSDAY, 30 APRIL 2026**

Present:-

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  
Cllr. Nigel Grundy

### **Officers present:-**

Jonathan Hodge	- Planning & Strategic Growth Group Manager
Linda Durham	- Solicitor & Deputy Monitoring Officer
Glen Baker-Adams	- Development Services and Enforcement Manager
Clementyne Murphy-Nelson	- Development Services Team Leader
Rebekah Newman	- Senior Planning Officer
Kiera Kalym	- Planning Officer
Sandeep Tiensa	- Senior Democratic Services & Scrutiny Officer
Avisa Birchenough	- Democratic & Scrutiny Services Officer
Nicole Evans	- Democratic & Scrutiny Services Officer
Sophie Wisher	- Senior Elections & Governance Officer

## 1. **DISCLOSURES OF INTEREST**

- |                         |  |
|-------------------------|--|
| Cllr. Lee Breckon       | - 25/0532/FUL - Residential development of 115no. dwellings, with access, public open space and associated infrastructure.<br><br>25/0785/FUL - Erection of a new purpose-built warehouse/storage unit (Class B8) with an ancillary facilities, parking provision and associated works.<br><br>25/0942/VAR - Variation of conditions 2 (approved plans) and 16 (access) attached to planning permission 23/0091/FUL to amend previously approved access. |
| 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.   |
| Cllr. Helen Gambardella | - 25/0942/VAR - Variation of conditions 2 (approved plans) and 16 (access) attached to planning permission 23/0091/FUL to amend previously approved access.  |
| Nature of Interest      | - Non Registerable Interest.   |
| Extent of Interest      | - Cllr. Helen Gambardella has requested information from Sanders Senior Living with thought to move her mother to that care home.  |

## 2. **MINUTES**

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

3. **25-0532-FUL - LAND TO THE WEST OF SPRINGWELL LANE, WHETSTONE**

Considered - Report of the Development Services Team Leader.

**25/0532/FUL**

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

Land to the West of Springwell Lane, Whetstone.

Public Speaking

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

- Cllr. Les Phillimore – Ward Member
- Nick Hodges – Objector
- Julia Mountford – Agent

The Chairperson announced an adjournment at 5.33pm so the Legal advisor, Planning & Strategic Growth Group Manager and Development Services and Enforcement Manager could withdraw to identify the correct plot number, the meeting reconvened at 5.37pm.

**DECISION**

**THAT APPLICATION 25-0532-FUL BE DEFERRED ON THE GROUNDS OF PROXIMITY CONCERNS OF PLOTS 24, 25 AND 32 TO NO. 5 HUMES CLOSE, WHETSTONE.**

4. **24-0957-FUL - LAND OFF BUTLER CLOSE, SHARNFORD**

Considered - Report of the Development Services Team Leader.

**24/0957/FUL**

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

Land off Butler Close, Sharnford

Public Speaking

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

- Cllr. Mike Shirley – Ward Member
- Clive Attard – Objector
- Craig Nixon-Phillips – Agent

**DECISION**

That the application 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. 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

Planning Committee - Thursday, 30 April 2026

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.

Any future discharge of conditions application(s) relating to conditions 22, 23 and 24 to be reviewed by the Committee Chairperson Cllr. Lee Breckon and the Planning & Strategic Growth Group Manager.

The Chairperson announced a comfort break, the meeting was adjourned at 6.40pm and reconvened at 6.45pm.

**5. 25-0942-VAR - 5 AND 7 GROBY ROAD, GLENFIELD**

Considered - Report of the Development Services Team Leader.

**25/0942/VAR**

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

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

**DECISION**

That the application be approved in line with conditions and reasons outlined in the report and subject to a Section 106 Agreement, the applicant entered into 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.

7

Planning Committee - Thursday, 30 April 2026

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 be 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

**6. 25-0785-FUL - WHITEACRES, WHETSTONE**

Considered - Report of the Development Services and Enforcement Manager.

**25/0785/FUL**

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

Whiteacres, Whetstone, Leicestershire LE8 6BB

**DECISION**

That the application be approved in line with conditions reasons outlined in the report, and the applicant entering a section 106 agreement securing monitoring for BNG - Biodiversity Net Gain.

**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

**7. 381-DC - ADULT EDUCATION CENTRE, ENDERBY TPO**

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

**381-DC**

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

**DECISIONS**

1. That the confirmation of the Tree Preservation Order at the Adult Education Centre, Enderby be approved.
2. That authority be delegated to the Planning and Strategic Growth Group Manager to confirm the Tree Preservation Order at The Adult Education Centre, Enderby.

Reason:

There is sufficient grounds to confirm the Order as the trees contribute to the provision of important visual amenity along the public highways of George Street, Shortridge Lane, Townsend Road and Footpath W19.

**THE MEETING CONCLUDED AT 7.08 P.M.**

## Blaby District Council

### Planning Committee

**Date of Meeting** 11 June 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 **01 June 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
	<b>25/0532/FUL</b>	<b>17</b>	<b>Land to the West of Springwell Lane, Whetstone</b>	<b>Approve with conditions</b>
	<b>25/0810/FUL</b>	<b>57</b>	<b>Land off Holt Way, Littlethorpe</b>	<b>Approve with conditions</b>
	<b>25/1080/FUL</b>	<b>101</b>	<b>Land south of Hinckley Road, LFE</b>	<b>Approve with conditions</b>
	<b>25/0999/FUL</b>	<b>121</b>	<b>Land to the north of Cemetery Road, Huncote</b>	<b>Refusal</b>
	<b>26/0231/FUL</b>	<b>145</b>	<b>Land off Lychgate Lane, Aston Flamville</b>	<b>Approve with conditions</b>

### 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

### **Cover Page Summary to Committee Report**

This application was deferred at the Planning Committee meeting held on 30<sup>th</sup> April 2026. The minutes of the Committee recorded that:

*“The committee consider that application 25-0532-FUL be deferred on the grounds of proximity concerns of plots 24, 25 and 32 to no. 5 Hume Close, Whetstone.”*

A formal response has been provided by the Agent on behalf of the Applicant (dated 22 May 2026), this document is publicly available on the Council’s online planning database. This document sets out alternative layout options that have been examined to amend plots 24-25 and 32 however, have been determined less favourable than the current layout.

After examination of possible options without prejudice to the wider development, your officers have reviewed the proposed layout and alternative options for the scheme and concur with the conclusions outlined in the Agents formal response.

Plots 25 and 24 to the south of 5 Humes Close are both bungalows. Furthermore, these bungalows have a minimum side to the rear distance of 15.4m at the closest point. It must be noted that Blaby District Council does not have published space standards, or separation distances, however, typically a 12m side to rear distance is considered acceptable on two storey dwellings. As such, given the side to rear distance greatly exceeds this measurement and the proposed dwellings are bungalows, this separation distance is considered satisfactory to ensure an appropriate level of privacy and to avoid harmful overbearing or overshadowing impacts.

House types on Plots 30 to 32, each contain a single first-floor rear-facing habitable room window, positioned centrally within the rear elevation. Measured from the centre point of this window, a separation distance of 18.3 metres is achieved between Plot 32 and the corner of No. 5 Humes Close. Furthermore, the property at No. 5 Humes Close is positioned at an angle of approximately 33 degrees to the rear flank elevation of Plot 32, resulting in an oblique relationship between the respective elevations.

As outlined above, Blaby District Council does not have adopted separation distance standards. Furthermore, where local authorities have adopted residential design guidance, front-to-rear separation distances vary considerably, typically ranging between 14 and 21 metres depending on the characteristics of the development and the specific site context. Whilst a separation distance of 21 metres is often applied as a rule of thumb for direct rear-to-rear relationships, a rear-to-front relationship is generally considered less sensitive in amenity terms.

In this instance, an 18.3-metre separation distance is achieved between the first-floor rear window of Plot 32 and the corner of No. 5 Humes Close. Given the oblique angle between the rear elevation of Plot 32 and the principal elevation of No. 5 Humes Close, together with the absence of direct overlooking of principal habitable room windows or private amenity areas, the proposed arrangement is not considered to result in an unacceptable loss of privacy for existing or future occupants, nor is it considered that the proposed layout creates a loss of light or overbearing impact that is considered significant as to necessitate revisions to the scheme.

Currently, there is a hedge located along the northern boundary of the site where Hume Close adjoins the site. This is to be retained and an additional 1.8m high close boarded fence is to be erected along this boundary to provide a clear separation to the rear garden of those dwellings adjacent to the northern boundary. Plan No: P24-006\_DE\_016\_F\_1 REV F denotes that this close boarded fence is to be placed with sufficient offset to ensure the integrity of the existing hedgerow is retained and its root protection area is protected.

In response to concerns raised at the previous meeting, the Applicant and Agent have looked at various design alterations to create a larger separation distance between all plots and No. 5 Humes Close, however, all would impede the remaining layout of the scheme by way of parking, road widths or compromise existing vegetation that is to be retained.

Rotating plots 31 to 32 so the rear elevation of the dwellings would sit square with the principal elevation of 5 Humes Close would result in a shorter separation distance between the existing and new built dwellings, as such this was considered unfavourable. Furthermore, moving all plots within this private drive to the west results in a loss of a mature tree that is to be retained and the displacement of parking for plots 26 to 29. A similar result happens if plots are moved to the south, parking becomes disjointed and separated from the dwelling, which is against the aims set out within the National Planning Policy Framework (NPPF) and the Leicestershire Highways Design Guidance. Finally, switching Plots 25 to 24 with Plots 30 to 32 would result in two-storey dwellings facing onto the side and partial rear garden of No. 5 Humes Close. As such, retaining the bungalows in their current position would avoid this concern.

The NPPF, specifically chapter 11, outlines that new development should make effective use of land and achieve appropriate densities based on the site and the surrounding characteristics of the area. 32 dwellings per hectare is considered satisfactory for the type of development and the characteristics of the surrounding area, thus resulting in a layout that is not considered over development or at odds with the layout to the north of the scheme.

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

The following amendments have been made to the Committee report:

- Leicester County Council Ecology comment section has been amended to detail that they have formally responded and raise no objection to the scheme.

The conclusion below is taken from the committee report and repeated here for ease of reference:

### **Overall Planning Balance and Conclusion**

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

As set out in the report above, it is acknowledged that the Council cannot demonstrate a 5-year housing land supply and that the 'tilted balance' must apply in line with national planning policy. This means granting permission for development unless the application of policies in the framework that seek to protect areas or assets of particular importance provide a clear reason for refusing the development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

The proposed development would provide 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.

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.

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.

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

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

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

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

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

**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 15<sup>th</sup> 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 (4) (7.11)

No objections subject to 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 matures 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
<b>Market</b>	4	19	31	12	8	8
<b>Affordable</b>	6	12	7	2	2	2
<b>Total</b>	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 are 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 chance of flooding occurring each year). The majority of the site is also at very low (less than 0.1%) and low chance (between 0.1% and 1%) of surface water flooding in a given year. There are isolated areas of both medium and high risk of surface water flood risk within the site that broadly correlates with field boundaries/localised topography rather than indicating surface water flow routes. 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 2,090m<sup>3</sup> 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;

<b>Typology of Provision</b>	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.

<b>On Site Open Space</b>	<b>Amount per 1000 population in ha (Delivery DPD figures)</b>	<b>Amount for development in ha (260 population)</b>	<b>Actual Provision in ha</b>
<b>Natural Greenspace</b>	2.6	0.67	3.50
<b>Informal Open Space</b>	1.0	0.25	1.57
<b>Children and Young People's Open Space</b>	0.06	0.015	0.04
<b>TOTAL</b>		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:

- 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
- 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
- Grass pitch improvement at Warwick Road Recreation Ground
- 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 CH<sub>4</sub> and low levels of CO<sub>2</sub>, 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.
- 7.11.11A 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.
- 7.11.13A 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.

This page is intentionally left blank

## **Application reference: 25/0810/OUT**

**Proposal:** Outline planning application for the erection of up to 150no. residential dwellings. All matters reserved except for means of access.

**Site address:** Land To The East Of Holt Way And Land To The South Of Warwick Road, Littlethorpe, Leicestershire.

**Applicant:** Davidsons Developments Limited, Alana & Victoria Page

**Case officer:** Helen Wallis - Senior Planning Officer

**Recommendation:** That application 25/0810/OUT be approved subject to the applicant entering into an agreement pursuant to section 106 of The Town And Country Planning Act to secure the following:

### **S106 Contributions:**

1. 25% provision of affordable housing
2. Early years education contribution
3. Secondary education contribution
4. Library facilities contribution
5. Waste facilities contribution
6. Primary SEND education contribution
7. Secondary SEND education contribution
8. Health care facilities contribution
9. Police contribution (subject to this passing the CIL compliance test)
10. On-site open space and future maintenance
11. Off-site open space provision (allotments, subject to identified need and meeting CIL compliance test)
12. On-site LEAP details
13. Off-site sports facilities contribution
14. On-site Biodiversity Net Gain Provision
15. Off-site Biodiversity Net Gain provision
16. Habitat management and monitoring plan (HMMP)
17. Residential Travel Plan monitoring
18. Travel Plan co-ordinator
19. Travel packs
20. Six-month bus passes
21. Bus stop contributions.
22. Recycling and refuse contribution (wheeled bins)
23. S106 monitoring contributions – District and County Councils, including Biodiversity Net Gain

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

**Conditions:**

1. 2-year time limit for submission of reserved matters. Development to begin within 4 years of date of permission or 2 years from reserved matters approval (whichever is the later).
2. Reserved Matters details to be submitted.
3. Development to be in accordance with approved plans
4. Maximum number of dwellings not to exceed 150.
5. Dwellings to not exceed three storeys in height.
6. Provision of appropriate mix of market and affordable housing in accordance with adopted SPD.
7. Provision of a scheme for 5% of the dwellings to be accessible and adaptable homes.
8. Details of all external materials to be agreed.
9. Details of site levels/ finished floor levels to be submitted and agreed and adhered to.
10. External lighting scheme for public areas to be submitted and agreed.
11. Waste Collection Strategy to be submitted and agreed.
12. Construction Environmental Management Plan to be submitted and agreed and adhered to (including dust mitigation measures, noise, vibration, lighting and any pile driving).
13. Phase 2 Land Contamination Report to be submitted and agreed as part of reserved matters application and any recommendations adhered to.
14. Remediation works shall be completed in accordance with the approved method statement.
15. Reporting of unexpected contamination
16. Details of programme of archaeology work to be submitted and agreed and carried out.
17. Submitted Arboricultural Assessment to be adhered to
18. Landscape details (condition 3) to be carried out within 1 year and to be maintained for 5-years.
19. Surface water drainage strategy to be submitted and agreed and implemented.
20. Surface water drainage scheme to be submitted and agreed and implemented.
21. Details of management of surface water during construction to be submitted and agreed and adhered to
22. Details of long-term maintenance of surface water systems to be submitted and agreed and adhered to.
23. Infiltration testing to be carried out
24. Noise mitigation measures to dwellings as per acoustics assessment to be adhered to.
25. Air Quality Assessment recommendations regarding dust management during construction phases shall be adhered to.
26. Buffer Zone for development shall be maintained for the development (relating to golf ball strike). The boundary risk assessment shall be adhered to.
27. Landscape and Ecological Management Plan to be submitted.

28. Construction Environmental Method Statement (CEMP) for biodiversity to be submitted and agreed and adhered to.
29. Updated badger survey to be submitted and approved.
30. Biodiversity enhancement scheme to be submitted (bat boxes, bird boxes, log/rubble piles, insect houses, hedgehog holes, approved and carried out.
31. External lighting to be submitted and approved and to be carried out in accordance with.
32. Access arrangements to be implemented in full.
33. Highway improvement scheme, Stage 1 Road Safety Audit, Designers Response required for Station Road/Coventry Road/Leicester Road mini-roundabout. Scheme to be available prior to occupation of any dwelling.
34. Construction traffic management plan to be submitted, agreed and construction carried out in accordance with.
35. Measures and incentives from Travel Plan to be implemented in full at first occupation.

## **1. The site**

- 1.1. The 8.75 ha application site is located within the Green Wedge as defined by the Local Plan Delivery Plan Document Proposals Map. The site is immediately adjacent to the eastern edge of Littlethorpe, which is identified as a 'Medium Central Village' within the settlement hierarchy set out in policies CS1 and CS5 of the Blaby District Local Plan (Core Strategy) Development Plan Document (DPD) 2013. The site comprises of pasture fields, which the application forms states that are in agricultural use.
- 1.2. The development site is shown on the location plan by the red line and the location plan denotes land to the north of site, to the west of the proposed pedestrian access onto Warwick Road in the applicant's ownership. The red lined application site includes Holt Way to the point where it adjoins the public highway at Cosby Road Littlethorpe.
- 1.3. To the northwest of site, a parcel of agricultural land owned by the applicant (shown in the blue line) is being retained.
- 1.4. To the west of the land, the residential dwellings at Goodman Close, Ridgeway and Plough Road are located and the access would be achieved via the small housing development off Holt Way, which is located off Cosby Road. The nearest dwellings are typically single or two storey and constructed of red or a buff brick with grey tiled roofs.
- 1.5. To the north of the main development parcel a dilapidated brick agricultural building is located in the corner of the agricultural parcel.
- 1.6. To the north of the site, Warwick Road is located, which provides a cycleway along the footpath. To the north-east of the site (near to the Warwick Road access) there is agricultural land not in the ownership of the applicant. The M1 motorway and a bridge run to the east of the site. To the direct east and south of the site lies Whetstone Golf Course. Nearby drainage and SUDs to the west of the development site are located serving nearby residential developments.

- 1.7. The site is located within Flood Zone 1 bar the pedestrian access onto Warwick Road at the north of the site, which is in Flood Zone 2.
- 1.8. The development site is located within a mineral safeguarding area, for sand and gravel.
- 1.9. The applicants submitted an application for an EIA screening at the beginning of the application process (Reference 25/08/EIASCRC) and the Council provided the opinion that an Environmental Impact Assessment was not required. This decision concluded that *'There is no evidence to suggest that the development would cause significant harm to the environment when judged against the selection criteria set out in Schedule 2 of the Regulations in terms of the characteristics of the development, the location of development, and types and characteristics of the potential impact. It is also considered that all of the relevant material impacts of the development can be properly considered and adequately mitigated through the standard major application process.'*

## **2 The Proposal**

- 2.1 The application is for outline planning permission for up to 150 dwellings on the site. The proposed masterplan indicates that out of the total site area of 8.75 hectares will provide a total developable area of 4.74 hectares and open space of 4.01 hectares. The open space is shown to the south and east of the site and acts as a buffer to the nearby golf course to prevent erroneous shots impacting residential dwellings. There is open space along the northern parcel and along the proposed footpath towards Warwick Road. To the north-west of the main development parcel a surface water attenuation pond is illustrated along with a pump station. The masterplan indicates some areas of publicly inaccessible BNG landscaped areas and a proposed pedestrian/cycle link.
- 2.2 The application seeks approval for the means of access to the site, with all other matters reserved for future consideration. A Masterplan has been submitted which indicates the proposed areas for built development and green infrastructure, as described above. A proposed site access has been submitted, which demonstrates the new extension of the road from Holt Way into the proposed development site.
- 2.3 The following documents have been submitted in support of the planning application:
  - Arboricultural Assessment
  - Phase 1 Site Appraisal
  - Flood Risk and Drainage Strategy
  - Transport Assessment
  - Travel Plan
  - BNG Metric Tool (Updated)
  - Covering Letter
  - Landscape and Visual Impact Assessment
  - Agricultural Quality Report
  - BNG Technical Report

- Planning Statement
- Location Plan
- Masterplan (amended)
- Design and Access Statement
- Heritage Assessment
- Site Access – Extension into site from Holt Way
- Site Access – Holt Way
- Utilities Assessment
- Acoustics Assessment
- Air Quality Assessment
- Minerals Assessment
- Boundary Risk Assessment
- Transport Assessment Addendum
- Cover Letter – Ecological Appraisal Report and Biodiversity Technical Note (amended)
- Technical Note: Biodiversity Net Gain

2.4 An updated Masterplan was submitted in December 2025 alongside a Boundary Risk Assessment, which was produced to ascertain the risk of balls landing in areas past the boundaries; and to advise on the type and level of mitigation recommended to provide a suitable level of protection. Due to the amendments to the boundary to protect the proposed property development from ball trajectories from the adjacent golf course the BNG Metrics were also updated.

2.5 The expected housing density on the developable area of the site at 4.74 hectares when deducting the open space would be approximately 31.6 dwellings per hectare although the exact densities will differ across the site and are not set out in this outline application. 31.6 dwellings per hectare is, however, considered appropriate for a new development which also provides for a good amount of open space and makes effective use of the land available. Nearby developments 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.

### 3 Relevant Planning History

Reference	Description	Decision	Date
18/0466/FUL	Erection of 46 (affordable) dwellings and associated parking with new vehicular access from Warwick Road, landscaping and associated drainage works	Application Permitted	14.12.2018

13/0854/1/PX	Erection of 31 dwellings and associated garages with vehicular access from Warwick Road, provision of open space and storm water attenuation feature	Application Permitted	06.04.2017
09/0758/1/OX	Outline application for residential development (maximum 150 dwellings) with associated landscaping, open space and infrastructure with access from Warwick Road and Cosby Road	Application Withdrawn	15.04.2010

## 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

No objection subject to the imposition of conditions

#### 4.1.2 Blaby District Council, Health and Leisure

Requested financial contributions towards playing pitches (artificial and grass) at Holmes Park and Leicester Recreation Ground and towards ancillary facilities and improvements at Cosby Recreation Grounds of £267,512.

#### 4.1.3 Blaby District Council, Housing Strategy

Provided comments on the required Market and Affordable Housing Mix and aims.

#### 4.1.4 Blaby District Council, Neighbourhood Services

No waste collection information provided; therefore, no comment can be made.

#### 4.1.5 Blaby District Council, Principal Planning and Conservation Officer

No objection

### 4.2 Leicestershire County Council Consultees

- 4.2.1 Leicestershire County Council, Archaeology  
No objection subject to condition
- 4.2.2 Leicestershire County Council, Developer Contributions  
Requests financial contributions towards library service provision, waste, early years education, secondary school sector provision, primary SEND Education and secondary SEND education of £774,615.60.
- 4.2.3 Leicestershire County Council, Ecology  
No objection subject to the imposition of conditions and the applicants entering into a S06 agreement for BNG.
- 4.2.4 Leicestershire County Council, Forestry  
No objection.
- 4.2.5 Leicestershire County Council, Highways  
The Local Highway Authority 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 subject to conditions and planning obligations.
- 4.2.6 Leicestershire County Council, Lead Local Flood Authority  
No objection subject to conditions.
- 4.2.7 Leicestershire County Council, Minerals and Waste  
Holding objection removed.
- 4.2.8 Leicestershire Fire and Rescue  
No comment.
- 4.2.9 Leicestershire Police  
Made comments regarding Designing out Crime, will await more detailed plans should the application progress to reserved matters stage.
- 4.3 **Others**
- 4.3.1 Active Travel England  
Standing Advice issued.
- 4.3.2 Cosby Parish Council  
No response received.
- 4.3.3 Environment Agency  
No objection.
- 4.3.4 Historic England  
No comments (no need to consult)

4.3.5 Narborough Parish Council :

Objects to the development on ground of size, lack of facilities and infrastructure, increase in traffic. S106 monies requested for speed indicator device.

4.3.6 Natural England

No Objection

4.3.7 NHS, Leicester, Leicestershire and Rutland Integrated Care Board

Sought a contribution of £145,200.00 funding for The Limes Medical Centre, Hazelmere Medical Centre & Northfield Medical Centre.

4.3.8 Network Rail

Comments awaited – updates will be provided at the committee meeting.

4.3.9 Office of Road and Rail

No comments received.

4.3.10 Severn Trent Water

No comments received

4.3.11 Whetstone Parish Council

Made the following observations: mitigation should be given to widen the footway on Cosby Road and allow for a suitable centre refuge nearer to the village centre to allow safe crossing. That the speed limit sign from 30mph to 40 mph could be pushed further out as cars coming into the village from Cosby would still be slowing down by the time they come to Holt Way.

4.3.12 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. 47 representations were noted to have received from members of the public making the following comments on the application (46 in objection to the application):

Flooding:	<ul style="list-style-type: none"><li>• Loss of greenfield land will reduce natural drainage and worsen flood risks;</li><li>• Recent housing developments have worsened flooding within the area, residents worry this new development will exacerbate the problem;</li><li>• Increase in impermeable surface area;</li><li>• Drains can't handle the excess flooding;</li></ul>
-----------	---

	<ul style="list-style-type: none"> <li>• Littlethorpe has already been cut off during flood events (notably 2024). All three existing access routes are vulnerable, and this application does not adequately address the real risk of the village being isolated during future extreme weather.</li> <li>• There appears to be no consideration of flood events cutting off evacuation routes, even if the proposed homes themselves remain dry.</li> <li>• No independent, up-to-date FRA modelling extreme rainfall, exceedance flows, local watercourses, climate change allowances, or village-level flood behaviour rather than just on-site impacts.</li> <li>• The speed limit on Cosby Road is constantly breached.</li> <li>• Bottlenecks and congestion already exist in the area.</li> </ul>
Sewerage/ drainage	<ul style="list-style-type: none"> <li>• Insufficient sewerage/drainage</li> <li>• Residents contend that the sewage and drainage system near the proposed site is outdated and inadequate with residents experiencing sewage backflow during rainfall.</li> </ul>
Traffic/Parking:	<ul style="list-style-type: none"> <li>• Increased traffic/congestion in Littlethorpe; inadequate local road infrastructure</li> <li>• Concerns regarding traffic at the access points in and out of Littlethorpe;</li> <li>• Road safety;</li> <li>• Road sustainability;</li> <li>• Pedestrian safety – no pedestrian crossing in areas which will suffer from increased traffic, such as Holt way;</li> <li>• Concerns regarding the single access road into the new development being inaccessible to emergency vehicle during peak hours;</li> <li>• A survey carried out by the Littlethorpe Residents Group in March 2019 showed that between 7am and 9am, 1461 vehicles passed through the Naborough crossing, 9 trains came through the station, and the barriers were closed for 27 minutes representing 23% of all time. Between 4pm and 6pm, 1580 vehicles passed through the crossing, 13 trains came through the station, and the barriers were closed for the 40 minutes, representing 33% of time. Residents worry the erection of 150 new dwelling will greatly add to the number of vehicles congesting the Nabrough crossing;</li> <li>• Concerns regarding parking;</li> <li>• There will be a huge impact on the 25 dwellings of Holt Way due to it becoming the main access for the development.</li> <li>• Note that Holt Way has existing on-street pressures (parking) and constrained visibility.</li> <li>• Holt Way is a small cul-de-sac.</li> </ul>

	<ul style="list-style-type: none"> <li>Concerns raised over emergency vehicle access along Holt Way.</li> </ul>
Over development, loss of character:	<ul style="list-style-type: none"> <li>Loss of semi-rural character;</li> <li>Loss of local character;</li> <li>Impacts on residential amenity – concerns that proposed homes will overlook neighbouring properties, having a negative impact on residents' privacy;</li> <li>This development will not only negatively effect the lives and environment of Holt Way residents, but have detrimental impacts with many aspects of local villages around us.</li> <li>Will reduce the desirability of Holt Way and the market value of existing homes.</li> </ul>
Infrastructure:	<ul style="list-style-type: none"> <li>Narrow footpaths are a health and safety issue;</li> <li>Concerns that Littlethorpe's current infrastructure cannot support 150 extra houses;</li> <li>Littlethorpe lacks school and medical facilities needed to support 150 extra houses;</li> <li>Lack of local shops;</li> <li>Public transport will struggle to cope;</li> <li>Unrealistic walking and cycling assumptions;</li> <li>Key services cited (e.g. dental provision) are not realistically available to new residents, overstating local infrastructure capacity.</li> <li>Transport and infrastructure impacts do not appear to fully consider already approved developments or likely future sites, rendering the assessment incomplete.</li> </ul>
Pollution:	<ul style="list-style-type: none"> <li>Increase in traffic and vehicle movement in and out of Holt way will increase local CO2 emissions;</li> <li>Increase in noise and air pollution;</li> <li>Environmental pollution issue.</li> </ul>
Loss of habitat:	<ul style="list-style-type: none"> <li>Residents report seeing, foxes, badgers, bats, newts, owls, woodpeckers, pheasants and birds of prey in Littlethorpe – building on the green belt will destroy habitats.</li> </ul>

## 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 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 (superseded)
- Policy CS16 – Green Wedges
- 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)

- Policy CS15 – Open Space, Sport and Recreation (updated Core Strategy Policy)
- Policy DM2 – Development in the Countryside
- Policy DM4 – Connection to Digital Infrastructure
- Policy DM8 – Local Parking and Highway Design Standards
- Policy DM11 – Accessible and Adaptable Homes
- Policy DM12 – Designated and Non-designated Heritage Assets
- Policy DM13 – Land Contamination and Pollution
- Policy DM15 – Minerals Safeguarding Areas

#### 6.1.3 Leicestershire Minerals and Waste Local Plan (2019)

- Policy M11 - Safeguarding of Mineral Resources

### 6.2 Material Considerations

#### 6.2.1 The following documents are material considerations:

- The National Planning Policy Framework (NPPF) (2024)
- 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 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 (2025)
- Blaby Strategic Flood Risk Assessment Level 1 Final Report (2020)
- Leicester and Leicestershire Housing Market Area Housing and Economic Land Availability Assessment (SHELAA) 2019
- Leicester and Leicestershire Housing and Economic Needs Assessment (HENA) 2022
- Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document (2013)
- Building for a Healthy Life Toolkit (BfHL) (2020)
- Blaby District Council Housing Strategy 2021 - 2026
- Blaby District Council Waste Storage and Collection Guidance for New Developments
- Blaby District Council New Development Quick Reference Guide - Waste Storage and Collection

## **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
- The Loss of Green Wedge
- The impact of the development on the countryside and its landscape and character;
- The impact of the development on the amenity of nearby residents;
- The impact of the development on the neighbouring golf course;
- The impact of the development on the surrounding highway network;
- Waste Collection;
- Flood risk;
- The impact on designated heritage assets and archaeology;
- The Ecological Impact and Biodiversity Net Gain (BNG);
- Trees and Hedgerows
- Air Quality;
- Minerals assessment;
- Contamination;
- Developer contributions and infrastructure/facilities;
- Affordable housing and housing mix;
- Open space; and
- Overall planning balance and conclusion.

### **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 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 566 homes per annum to be delivered in the PUA until the end of the plan period (total 2829). 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 Work is complete on collating housing completions for the 2024/25 monitoring year. A total of 165 new homes were delivered, contributing to the continued growth of the District's housing stock. Based on the Standard Methodology target of 539 dwellings per annum, the District-wide five-year housing land supply is calculated at 2.78 years, providing a clear basis for ongoing planning and future delivery, highlighting the Councils continued need and desire to progress its emerging local plan.
- 7.1.5 Outside of the PUA, Core Strategy Policy CS1 states development will be focussed within and adjoining the settlements of Enderby, Narborough, Whetstone and Countesthorpe, referred to as the 'Larger Central Villages', as identified in the Housing Distribution Policy CS5. Outside the non-PUA, development should be focused within and adjoining Blaby and the Larger Central Villages (i.e., Enderby, Narborough, Whetstone and Countesthorpe), with lower levels of growth allowed in the Rural Centre (Stoney Stanton), Medium Central Villages and Smaller Villages. Littlethorpe is classified as a Medium Central Village.
- 7.1.6 Housing delivery in the non-PUA has exceeded the minimum housing requirement set out in the Plan. The Council's recently published Residential Land Availability (RLA) report indicates that as of the 31st March 2025, 3,968 homes had been delivered in the non-PUA. The plan indicates a minimum requirement in the non-PUA of 2,990 dwellings. The RLA indicates that around 389 further homes may be completed in the non-PUA before 2029. Although delivery is now slowing in the non-PUA (mainly as a result of a lack of available committed sites) opportunities to deliver housing development of a type and scale needed to facilitate an increase in delivery in the near term are greater in the non-PUA than the PUA mainly due to the constrained nature and large scale of the sites being promoted for development in the PUA.

7.1.7 This Planning Committee has recently resolved to grant outline planning permission for several sites in the non-PUA, the below are those that are all subject to Section 106 Agreements being completed.

- 24/0004/FUL - Land off Gillam Butts, Countesthorpe (41 dwellings),
- 23/0968/OUT - Land east of Lutterworth Road, Blaby (up to 53 dwellings),
- 23/0182/OUT - Land off Croft Road, Cosby (up to 200 dwellings).
- 23/1071/OUT - Land adjacent to Leicester Road and Foston Road, Countesthorpe (up to 170 dwellings) and
- 24/0398/FUL- Land off Ratcliffe Drive/Peers Way/Preston Way, Huncote (151 dwellings)
- 24/0770/FUL - Springfield Farm, Forest Road, Huncote (191 dwellings)

7.1.8 Additionally, a site for up to 155 dwellings was allowed by the Inspector at appeal on land off Oak Road, Littlethorpe in November 2025 (Our reference 24/0527/OUT).

7.1.9 Policies CS1 and CS5 identify Littlethorpe as a 'Medium Central Village' (along with the settlements of Sapcote, Huncote, Cosby and Croft). The medium central villages have a minimum combined housing requirement of 815 dwellings between 2006 and 2029. It should be noted that this figure is a minimum requirement and is not a cap. Against this requirement, 1262 houses had been committed and provided across the medium central villages as of 31st March 2025, resulting in the minimum requirement having been exceeded by 447 dwellings.

7.1.10 It is recognised that releasing this site would result in the minimum requirement for the Medium Central Villages as set out in Policy CS5 being further exceeded. However, given the shortfalls in both the PUA and district wide, the proposed development is considered to provide the potential to deliver additional homes in the period up to 2029.

7.1.11 The application site is located outside of the Settlement Boundary of Littlethorpe on land designated as Green Wedge on the Blaby District Local Plan Policies Map (2019). It is not an allocated site for housing development and in this context is contrary to the adopted Development Plan. However, there is currently an overall under delivery of houses within the District as a whole, with the Council only being able to demonstrate a 2.78-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.

7.1.12 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.

- 7.1.13 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.
- 7.1.14 In this instance, the application site is not in an area statutory protected area, and therefore the NPPF's presumption in favour of sustainable development and the 'tilted balance' described in paragraph 11d(ii) applies. The shortfall in the supply of deliverable housing sites should therefore be weighed in the planning balance and means that, in accordance with the presumption in favour of sustainable development (at paragraph 11d), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits if planning permission is to be refused.
- 7.1.15 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'.
- 7.1.16 The supporting text to Policy CS5 comments that Littlethorpe has only a limited range of services and facilities within the village. Notwithstanding this, it is located close (within walking and cycling distance) to the centre of Narborough which contains a wide range of services and the only passenger train station within the District. The strong functional relationship between Littlethorpe and Narborough entails that new development could allow easy access to services and public transport in the latter. Littlethorpe has some policy and physical limitations including flooding and Green Wedge. The SHLAA indicated significant potential for residential development in the long term.
- 7.1.17 The application site is approximately 0.70 miles away from the village centre of Narborough by road from Holt Way (where there are shops and other facilities such as a library and cafés). The site is located some 0.75 from the train station when using the cycleway/pedestrian link onto Warwick Road from the proposed developable area of the site. The site is also located approximately 0.8 miles from the two Public Houses on Station Road. Furthermore, the application site is located approximately 1.0 mile away or a 20-minute walk from the closest primary school, Greystoke Primary School which has capacity for 420 with online information stating that 334 pupils are enrolled here. Cosby Primary School is located some 0.8 miles from the site (17 minute walk) and has a capacity for 280 pupils, online information states that the number of pupils is 281 (Get Information about Schools - GOV.UK).

7.1.18 The proposed development would meaningfully contribute towards the shortfall of housing, including the provision of affordable housing, whilst providing financial contributions to mitigate the impact on local facilities and infrastructure. It is therefore considered that releasing this site would contribute towards the Council's required 5- year supply of housing as required by the NPPF.

## 7.2 **The Loss of the Green Wedge**

7.2.1 The development site is located within an area of Green Wedge, which is an important strategic area. Policy CS16 states that the need to retain Green Wedges will be balanced against the need to provide new development (including housing) in the most sustainable locations. The detailed boundaries of the existing Green Wedges will be formally reviewed through the Allocations, Designations and Development Management DPD.

7.2.2 As noted above, the Council cannot currently demonstrate a 5-year housing land supply, currently only being able to demonstrate 2.78 years supply, therefore there is a need to balance Green Wedge retention against the need to provide new development in the most sustainable locations. This development site is located close to Narborough village and its services (as noted above) including a train station with regular trains running to Birmingham and Leicester.

7.2.3 The loss of land within the Green Wedge attracts substantial weight against the proposed development, as this designation performs a strategic function in preventing the coalescence of settlements, guiding the form of development, providing a green lung in urban areas and providing a recreation resource, in accordance with Policy CS16. The introduction of residential development within the Green Wedge is therefore acknowledged to conflict in principle with this policy and represents clear planning harm.

7.2.4 However, the extent and nature of that harm must be carefully considered. The application site currently comprises agricultural land which, while open in character, has no public access, no public rights of way, and no recreational function. As such, although the site contributes visually and spatially to the Green Wedge designation, it does not presently fulfil one of the key objectives of the policy relating to public accessibility or recreational use.

7.2.5 The proposal would result in the development of approximately 4.74 hectares out of a total site area of 8.75 hectares, with over 45% of the site retained as open space. Importantly, the built development is confined to land that directly adjoins the existing settlement edge, thereby avoiding piecemeal encroachment into the wider countryside. Land to the north, south and east would remain undeveloped and continue to function as Green Wedge, ensuring that the strategic separation between settlements is largely preserved.

7.2.6 In visual and landscape terms, the harm to openness is localised and contained. The site is well screened by existing mature landscaping along its eastern and southern boundaries, with limited public visibility from the wider area. This reduces the perceived impact of built development on the openness of the Green Wedge when viewed from the public realm.

- 7.2.7 Crucially, while the proposal fails to fully retain the open and undeveloped character of the Green Wedge, it would significantly enhance other core objectives of Policy CS16. The development would introduce new public access where none currently exists, including pedestrian and cycle routes connecting Holt Way and Warwick Road, alongside a publicly accessible green corridor around the site perimeter. This would materially improve permeability and connectivity between the urban edge and the surrounding countryside.
- 7.2.8 In addition, the provision of public open space, on site play facilities (LEAP), and enhanced landscaping would transform formerly inaccessible agricultural land into a usable recreational resource for the local community. This represents a tangible improvement in the functional value of the Green Wedge, particularly in terms of health, wellbeing and informal recreation
- 7.2.9 These enhancements mean that, although there is a loss of Green Wedge land in policy terms, the proposal would nonetheless retain and create green networks and significantly enhance public access, which are explicit objectives of Policy CS16. The qualitative improvement to public use and accessibility therefore carries material weight in reducing the overall level of harm.
- 7.2.10 When these factors are considered alongside the Council's inability to demonstrate a five year housing land supply, and the site's sustainable location adjacent to Narborough village and its services, it is clear that the planning balance is finely judged. While the harm to the Green Wedge is given substantial weight, it is mitigated by the limited scale of encroachment, the containment of development to the settlement edge, the retention of a substantial proportion of the site as open land, and the delivery of significant public access and recreational benefits where none currently exist.

### 7.3 **Impact on the character and appearance of the area**

- 7.3.1 Policies CS2 (Design of new development) and DM2 (Development within the countryside) 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.
- 7.3.2 The application site is situated outside the Settlement Boundary of Littlethorpe, on land designated as Green Wedges as defined by the Policies Map of the Blaby District Council (Delivery) Development Plan Document (2019).
- 7.3.3 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 Green Wedges where Policies CS16 and DM2 apply.
- 7.3.4 Policy DM2 provides more specific policy guidance for development that is appropriate in the Green Wedge, consistent with Policy CS16. 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 CS16 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 CS16. 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 In the Blaby District Character Assessment, the site is within the Blaby, Countesthorpe and Whetstone Fringe, which describes the character area as *'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 field'*.
- 7.3.8 It goes on to note *'the landscape is a largely agricultural and with fields enclosed by well-managed hedgerows and woodland strips. The landscape has retained much of its rural character, despite development pressures from surrounding settlements. Mature hedgerows and shelterbelts often screen the urban edges, although there are areas where intervisibility detracts from perceptions of tranquillity and emits light pollution into the landscape. Some marginal areas of degraded or neglected farmland are falling out of traditional use. Alternative land uses such as horse keeping, playing fields and golf courses have a suburbanising effect on the landscape. The presence of major infrastructure routes has led to fragmentation and compartmentalisation of the area which results in an overall lack of cohesion and continuity. The densely populated surrounding area introduces urban-fringe issues including litter and fly tipping, which reduce the landscape's visual appeal'*.
- 7.3.9 The Character Assessment notes that the development scenario of 2-3 storey residential housing / transport infrastructure would have a L-M Sensitivity within this area. The Character Assessment provides some guidance and opportunities for future development within this character area such as:
1. Protect the character of the open and undeveloped nature of the land within the character area. This is important in maintaining distinctiveness

between the villages and also to distinguish this part of Blaby District from the suburbs of Leicester to the north.

2. Soften urban edges and filter views of infrastructure development with increased woodland cover.
3. Restore fragmented hedgerows and improve the hedgerow condition particularly in urban fringe areas. This should be achieved through new and infill planting which should include native hedgerow trees.
4. Conserve existing hedgerow trees and woodlands. There is evidence of ageing trees with dead branches in some areas. In these locations new planting and management of trees should be undertaken, thus ensuring the retention of wooded character.
5. Enhance connectivity between woodlands through planting of new woodland and hedgerows to retain linear woodland as landscape features and create wildlife corridors.
6. Make use of the disused railway line as public rights of way such as cycle routes, in order to provide better interconnectivity between settlements and reduce traffic pressures on roads. Improve the network of public rights of way between settlements.

7.3.10 A Landscape and Visual Impact Assessment (LVIA) by Golby and Luck has been submitted by the applicant in support of the outline planning application, this concludes that:

1. *'At a site level this assessment identifies short-term adverse landscape effect of major to moderate significance. This level of effect is typical of most housing development and not unexpected given the scale and nature of change proposed within the site. Due to the commitment to green space provision and structural landscaping measures this level of effect is likely to reduce to moderate adverse in the long-term.'*
2. *In terms of the local landscape setting of the Blaby, Countesthorpe and Whetstone Fringe, this assessment has recorded a likely short-term adverse effect of moderate to minor significance. In the long-term this level of effect is likely to reduce to minor adverse significance once the structural landscaping measures have matured.*
3. *In visual terms, this assessment has identified likely local receptors groups and assessed a number of representative views commensurate with the visual setting of the site. Notably, the visual setting of the site is particularly well contained, constrained to the north by the layering of vegetation cover and settlement, to the east by the M1 motorway on embankment, to the west by the modern settlement, and to the south by a combination of landform and the mature treed setting of Whetstone Golf Course.*
4. *In the short-term, adverse effects of major to moderate and moderate significance have been recorded for receptor groups at the immediate boundaries of the site. These include views from the immediate settlement and highways to the west, and views from the immediate setting of the golf course to the south. In the long-term once the structural*

*landscaping measures mature this level of effect reduces to moderate adverse and moderate to minor adverse respectively.*

5. *Over distance from the site, short term adverse effects of moderate and minor significance have been recorded from the local highways. In the long-term once the structural landscaping measures mature this level of effect reduces to minor significance’.*

7.3.11 Following the site visit, officers do not disagree with the above assessment.

7.3.12 The proposal would result in the loss of agricultural land mainly falling as Grade 2, Subgrade 3a and Subgrade 3b (as per the applicants Agricultural Quality report submitted with the application) in the Agricultural Land Classification system. Grades 2 and Grade 3a are classed as ‘best and most versatile agricultural land’ and its loss should be recognised in accordance with paragraph 187 of the NPPF. but nevertheless, given the area which would be lost is not strategically significant, the loss of agricultural land is not considered to outweigh the benefits of the proposed development in this instance.

7.3.13 The site is located on the eastern edge of Littlethorpe, just set off the defined settlement boundary and separated from existing dwellings off Ridgeway, Plough Road and Holt Way by existing balancing ponds and drainage. This edge of Littlethorpe has a loose grain with some dense residential roads at Goodman Close, Plough Road and Holt Way. The Ridgeway has larger residential properties set in larger gardens set back from the edge of the settlement boundary.

7.3.14 To the east and south of the site, Whetstone Golf Course is located, which is bound by established vegetation, reducing views into and out of the development site from this facility.

7.3.15 Bar the pedestrian/cycle way from the south of the site to the north (at Warwick Road), will have some visibility from Warwick Road but of a limited level due to the separation of the proposed dwellings from the road. It is considered that a detailed lighting scheme by means of planning condition is required for this element of the site, ensuring that it is usable during dark hours but does not impact on the open and undeveloped nature of the field.

7.3.16 It is anticipated that there may be occasional, fleeting views of the development from sections of the M1 Motorway and the adjoining highway network; however, given distance, intervening features and the transient nature of views from these routes, any visual effects would be minimal.

7.3.17 Overall, there will be some impacts of the proposed development on nearby visual receptors especially those dwellings to the west of the proposed development site. The LVIA submitted by the applicant notes that in the long-term once the structural landscaping measures mature this level of effect reduces to between moderate adverse and minor adverse.

7.3.18 It is further considered that some of the harm that could be caused by the delivery of housing on this site could be mitigated through a careful landscaping

and planting scheme, which will be required as part of the Reserved Matters Application and further to this, the measures for Biodiversity Net Gain to improve the biodiversity in the area would also be enforced for a period of 30-years. The harm in this instance to the character of the area and landscape is given moderate weight in the planning balance.

#### **7.4 Impact of the development on the amenity of nearby residents**

7.4.1 The proposed residential development would be closest to existing residential dwellings on the eastern boundary of Littlethorpe. The indicative masterplan, however, indicates that a buffer of land will separate the new dwellings from existing dwellings, that include a surface water attenuation pond and proposed pedestrian/cycle link. Additionally, there are existing balancing ponds separating the development from Plough Road and the Ridgeway. At the northern part of the site, the masterplan indicates that the nearest proposed dwellings will be located some 150m from the rear boundary of 10 Ridgeway. The masterplan indicates that 40 Plough Road would be separated from the nearest residential dwelling on the site by some 33m. The nearest properties at Holt Way to the proposed residential units as shown on the masterplan would be some 6m from the boundaries of the existing dwellings.

7.4.2 The plans indicate that the 150 proposed dwellings can satisfactorily be accommodated within the development site, with sufficient distance being provided between existing dwellings in Littlethorpe of generally more than 21m, which allows for an acceptable level of privacy to neighbouring properties. The properties located within 6m of each other could be positioned so that no windows overlook the adjacent properties and front the proposed access from Holt Way. The details for the design, layout and appearance would be agreed through any reserved matters application and be conditioned accordingly.

#### **7.5 The impact of the development on the neighbouring golf course**

7.5.1 The application site is located in close proximity to the boundaries of Whetstone Golf Course, which lies to the south and east. The golf course represents a long established recreational use, and the proposal has therefore been assessed having regard to the Agent of Change principle outlined in paragraph 200 of the NPPF, which requires that new development mitigates its own impacts rather than placing unreasonable restrictions on existing uses.

7.5.2 During the application process, a Boundary Risk Assessment was undertaken by LABOSPORT, which considered the relationship between the proposed development and potential golf ball strike risks. The assessment identified that there is a possibility of occasional errant shots intersecting the site boundary.

7.5.3 The Assessment concluded that no physical mitigation measures, such as netting, are required, provided that a publicly inaccessible landscaped buffer is retained along the affected site boundaries. This buffer comprises mixed scrub habitat, including dense hawthorn, blackthorn and holly planting, and would provide effective separation between the golf course and future occupiers, ensuring that the operational use of the golf course is not constrained by the introduction of the new residential development.

- 7.5.4 As noted earlier in this report, the masterplan has been amended to demonstrate that the proposed development can be accommodated alongside the required inaccessible landscaped buffer, without compromising the layout or quantum of development.
- 7.5.5 BDC Environmental Services Officers confirmed that the latest Masterplan (Revision M, dated 16.12.2025) appropriately reflects the buffer zone identified in the Boundary Risk Assessment. Officers advised that this approach is reasonable and recommended that planning conditions be used to secure the buffer zone and include the Boundary Risk Assessment within the list of approved documents.
- 7.5.6 In accordance with the Agent of Change principle, it is therefore recommended that conditions are imposed to secure the boundary risk mitigation and inaccessible landscaped buffer, ensuring the development provides a safe living environment for future occupiers over the long term, while avoiding any adverse impact on the continued operation of Whetstone Golf Course.
- 7.6 **The impact of the development on the surrounding highway network**
- 7.6.1 Policy DM8 of the Local Plan Delivery DPD requires that development meets the requirements of the Leicestershire Highway Design Guide (LHDG). The application is accompanied by a Transport Assessment (and further Addendums) and a Travel Plan, both undertaken by ADC Infrastructure. Highways Technical Notes were submitted on 5 February 2026 and 25 February 2026, responding to the initial comments of the Local Highway Authority (LHA) along with additional modelling data. Further drawings were submitted during the application providing additional details of the access into the site from Holt Way. These documents and drawings have all been assessed by the LHA.
- 7.6.2 Access to the development is to be provided via a continuation of Holt Way which has a 5.5m wide carriageway. This road would, following development, serve a total of 171 dwellings, whereas this width of road should typically not serve more than 150 dwellings. However, the Local Highway Authority is satisfied that the additional 21 dwellings would not create any highway safety issues and that it would not have a material impact upon the highway network.
- 7.6.3 The LHA has also advised that the existing access to Holt Way from Cosby Road is safe and suitable for accommodating the requirements of the development. Furthermore, it was noted that there have been no recorded PICS within 500m of the site access in the previous five years. LHA data is currently available for up until the end of December 2025.
- 7.6.4 The Transport Assessment considers the location of the site in sustainability terms and concludes that there would be good opportunities for pedestrian travel and that facilities within Littlethorpe, Narborough and Cosby are within the preferred maximum walking distance of the site. It also notes that there are good opportunities for cycling with Warwick Road and roads in Littlethorpe being categorised as recommended routes for cyclists by LCC. It also notes that bus stops are located on Leicester Road. The stops serve the x84 service running between Leicester and Lutterworth. There is also a demand-

responsive bus service called Fox Connect where residents within Littlethorpe and the surrounding areas can book through the phone on an app. To enhance bus travel, it is proposed that contributions are made towards sustainable transport.

- 7.6.5 The Transport Assessment concludes that the development would generate 135 pedestrian trips, 25 by bus, and 17 by cycle during the day. The existing and proposed infrastructure would be able to accommodate that increase in demand.
- 7.6.6 In respect of the highway impacts related to the increased vehicular movements associated with the development, the LHA required off-site junction modelling using the Pan Regional Transport Model (PRTM). A total of five junctions were assessed with three of the junctions adequately accommodating the development. The Leicester Road/Coventry Road/Station Road mini-roundabouts (two junctions) were noted to operate above capacity in the design year (2030). The impact on the Station Road arm of the roundabout was assessed by the LHA as requiring mitigation in order to overcome severe impacts at this junction. A scheme has been designed by the applicants for the roundabout, including an increased entry width and flare of the Station Road arm achieved by utilisation of and alteration to the kerb of the build out in front of 2 Coventry Road (newsagents); as well as pedestrian improvements incorporating dropped kerbs and tactile paving.
- 7.6.7 The Station Road mitigation scheme has also been modelled to the satisfaction of the LHA and they have advised that the development impacts on this junction would not be unacceptable with the mitigation in place. A condition is recommended to ensure delivery of the scheme. Accordingly, the proposed development with mitigation would not result in a severe impact on the performance of any off-site junctions.
- 7.6.8 The LHA has advised that Jelson, the developers of Holt Way, have made an application for S38 agreement and that this has been signed, with a Provisional Certificate in place, but the adoption of the road has not yet formally taken place. It is understood that this is due to works to a ditch at the access under the S278 agreement not having been completely satisfactorily. Should Holt Way not be adopted this would mean that the roads within the development would also not be able to be adopted.
- 7.6.9 An update has been provided by the applicant, Davidsons, outlining that the issue with the ditch is currently being addressed by Jelson who is in the process of obtaining a new watercourse consent for the S278 works. Jelson is currently targeting around 15 months to achieve adoption of both the S278 and S38 works, taking into account the 12-month maintenance period for the S278 works. Subject to the grant of outline planning permission, Davidsons anticipate a start on site in July 2027 and with the first legal completions in January 2028. In this context, Holt Way should be adopted prior to any legal completions taking place on the Davidsons site.
- 7.6.10 At this outline stage, the internal road layout of the development has not been designed. It is also highlighted that whether a road is adopted or not under a

Section 38 agreement is not, in itself, a material consideration or a basis for refusing a development, particularly when matters of highway safety and impact have been satisfactorily addressed. Nonetheless, there could be implications for waste collections and adoptable matters are considered further in section 7.8.

7.6.11 Network Rail has been consulted in respect of increased traffic using the level crossing on Station Road. Their comments are awaited and will be reported at the committee meeting.

7.6.12 In summary, and based on the Local Highway Authority's comments, it is not considered that the impacts of the development on highway safety would be unacceptable and therefore the application can be approved in lines with Policy CS10 and DM8 and the relevant policies of the National Planning Policy Framework. This is subject to the imposition of conditions, sustainable travel obligations and off-site mitigations.

## 7.7 **Sustainable Travel**

7.7.1 Active Travel England provided Standing Advice for the application, which states that for outline planning applications it is advised that an appropriate design code is included with the submission and secured by design where appropriate. The development site is located some 0.7 mile from local amenities in Narborough, which is greater than the distance recommended by the Active England Standing Advice. It is however recognised that this development would support through planning obligations improvements to nearby infrastructure such as the local bus route and will connect to the cycleway along Warwick Road.

7.7.2 To ensure that the development site is laid out in a sustainable manner for travel, the following will be considered at the Reserved Matters stage of the application: site permeability (fully accessible internal routes, pedestrian and cyclist priority at road crossing points, considering of the layout in regard to the Manual for Streets), Placemaking (appropriate natural surveillance and lighting, not including sharp turns, continuous and legible routes) and Cycle Parking.

## 7.8 **Waste Collection**

7.8.1 As the planning application has been submitted for outline permission, Neighbourhood Services are unable to comment on the site waste collection points, therefore this detail will be conditioned for the reserved matters stage of the application.

7.8.2 It is recognised that the site would be accessed off Holt Way, which is not currently an adopted highway. If the adoption of Holt Way to Cosby Road cannot be achieved then the internal road serving the development would also remain unadopted. The Councils 'Waste Storage and Collection Guidance for New Developments' states that '*New developments and their access roads should be designed to accommodate these vehicles and be adopted as public highway by the local highway authority. Blaby District Council do not consider the option of indemnity agreements to be suitable to enable domestic waste*

*collections to take place on roads that are not adopted as public highway. Similarly the Council will not support or allow the deferment of its statutory duty to collect household waste to a separate management company or contractor’.*

- 7.8.3 It is understood that the Council’s waste collection service currently enters Holt Way to carry out collections. As noted above in the section 7.6 on highway impacts, whilst Holt Way is not adopted at present it has been designed to an adoptable standard and is proceeding through the legal agreements required to secure adoption with Leicestershire County Council. In addition, the applicant has outlined that in all likelihood, Holt Way will have been formally adopted by the time any properties on the proposed development are completed.
- 7.8.4 It is therefore considered that by the time this proposed housing is occupied, the development will be capable of providing adequate waste collection arrangements. In any case, a waste management strategy condition is recommended to ensure that the Council can give detailed consideration to waste collection matters. Accordingly, the development provides an appropriate provision for waste collection and complies with policy CS2 in this respect.

## 7.9 **Flood risk and the Sequential Test**

- 7.9.1 Policy CS22 of the Core Strategy directs development towards locations at the lowest risk of flooding within the District, giving priority to Flood Zone 1. A Flood Risk Assessment has been submitted with the application which demonstrates that most of the site is located within Flood Zone 1 along with the access/egress.
- 7.9.2 The application forms note that surface water will be disposed of by sustainable drainage system and to an existing water course and that foul sewerage will be disposed of by mains sewer.
- 7.9.3 The Flood Risk Assessment submitted by the application concludes that *‘the surface water drainage strategy has been considered, and a calculation of the anticipated discharge rates and attenuation volumes has been carried out. The proposed development shall look to discharge surface water runoff into the drainage ditch on the western boundary of the land ownership’.*
- 7.9.4 It also notes that *‘attenuation is proposed via the use of a SuDS basins. The basin will be designed to attenuate surface water runoff for all storm events up to and including the 1 in 100 year plus 40% climate change storm event, in line with local planning guidance. The basin outflow will be restricted to the equivalent 1 in 2-year greenfield runoff rate for the developable area.*

*Provided that the recommendations of this report are followed, then the development can proceed without being at any significant flood risk and without increasing flood risk elsewhere. The development proposals are considered sustainable from a flood risk and drainage perspective’.*

- 7.9.5 The LLFA provided the following comments on the application:

- *'Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 8.75ha greenfield site is located within Flood Zone 1 and 2 being at low to medium risk of fluvial flooding and a low to medium risk of surface water flooding. There are large areas of flood zones 2 and 3, including functional floodplain to the north, associate with the River Soar, which is a main river at the location.*
- *The proposals seek to discharge via an attenuation basin to the on-site watercourse. The base of the proposed basin is approximately 0.5m above the predicted Q100 flood level'.*
- *'Notwithstanding any surface water drainage details submitted under this application, as the proposals are for outline permission, no specific drainage elements are fixed at this stage. As such, the LLFA would require that later reserved matters and detailed design fully comply with the new National Standards for SuDS and to any other amended local or national policy/guidance relevant at the time of submission of those details. This includes (but is not limited to) a reassessment of discharge rates, contributing areas, attenuation scale and evidence of retention of the first 5mm of rainfall on-site. Any departure from the standard should be fully substantiated and agreed with the LLFA'.*

7.9.6 In addition, the LLFA provided suggested conditions, which have been included as recommendations at the beginning of this report.

7.9.7 The Environment Agency were consulted on the application and as the built development falls within flood zone 1 they had no fluvial flood risk concerns associated with the site.

7.9.8 The applicants have provided a copy of their pre-development enquiry from Severn Trent Water (dated 7th February 2020 within the Flood Risk Assessment) which noted that connection to the foul sewer in Riverside Way provides a feasible means for discharge of foul water. Their response notes the following:

- *'A gravity foul discharge from the development can be made into the 150mm dia. public foul sewer in Riverside Way, however this will need modelling due to a property in this area being on the Floods Register due to issues relating to flooding in a 1 in 1 yr return period event. The foul sewer in Riverside Way surcharges in a return period assessment as in less than a 1 in 1 yr event.*

7.9.9 The correspondence from Severn Trent goes on to state that the required modelling will only be undertaken once there is certainty that the development is likely to proceed (e.g. that planning permission is granted).

7.9.10 The House of Commons Library note that *'water companies are legally required to provide water and sewerage services to new developments within the region they serve. In practice, this means that new developers have a right to connect their drains to the main sewers operated by water companies'* and that *'it is for the local planning authority to decide whether the capacity of wastewater infrastructure is a relevant consideration to a specific planning application. This will depend on the circumstances of each application'*. For this application,

consultees have not advised that foul drainage capacity is a matter that should prevent the development proceeding or that significant new infrastructure is required to accommodate the development. Disposal of foul water is not therefore considered an issue on which refusal of the application could be substantiated.

7.9.11 BDC Environmental Services provided the following comments '*In relation to the disposal of foul sewage, the submitted application form indicates that the mains sewer would be used. The applicant will need to comply with the requirements of Severn Trent Water. I have no further comments to make at this time.*'

## 7.10 **The Sequential Test**

7.10.1 The sequential test should be applied to 'Major' and 'Non-major' development proposed in areas at risk of flooding, as set out in paragraphs 173 to 174 of the National Planning Policy Framework. Paragraphs 175, 176 and 180 set out exemptions from the sequential test.

7.10.2 In applying paragraph 175 a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.

7.10.3 An area of the site along the northern boundary is identified as lying within Flood Zone 2. This area is proposed to accommodate a pedestrian and cycle access leading to Warwick Road only. The development design confirms that no built development or vehicular access is proposed within this flood zone.

7.10.4 In accordance with the indicative site layout, all built development is located entirely outside areas at risk of fluvial flooding. As a result, the proposal does not introduce more vulnerable development into Flood Zone 2 and therefore the Sequential Test is not required.

7.10.5 Areas of surface water flooding are shown to affect the northern part of the site. These areas coincide with the location of the existing balancing pond and the proposed locations of new balancing ponds as indicated on the masterplan. No built development is proposed within these surface water flood risk areas.

7.10.6 Given that all built development is located outside Flood Zones 2 and 3, and that surface water flood risk areas are reserved for drainage infrastructure and open space, the proposed development does not require the application of the Sequential Test.

7.10.7 The proposed development is therefore not considered to be vulnerable in terms of flood risk to the site and is not considered to increase flood risk elsewhere, subject to an appropriate surface water drainage scheme being

agreed. The proposal is therefore considered to accord with policy CS22 of the Core Strategy.

#### **7.11 The impact on designated heritage assets and archaeology**

7.11.1 A Heritage Assessment conducted by Pegasus Group was to accompany the application. The assessment notes that the application site lies within an area of archaeological potential. LCC Archaeology note that: *'Historic Ordnance Survey mapping and aerial photographs indicate that the site has remained largely undeveloped in recent times, so any archaeological remains present are likely to be well-preserved. Consequently, there is likelihood that buried archaeological remains will be affected by the proposals'*.

7.11.2 The Heritage Assessment notes that there are *'no built heritage assets lie within the site, or its immediate vicinity. The proposed development is not anticipated to result in any harm to the significance of any identified assets in the wider vicinity, through changes to setting'*

7.11.3 BDC Principal Planning and Conservation Officer considers that the impacts on nearby heritage assets would not be harmful. The consultation response notes *The closest assets are located within the centre of Littlethorpe on Station Road and comprise The Plough – Grade II listed and The Old House, which is also Grade II listed'...[...] 'I do not consider that the application site makes a meaningful contribution to the setting of these listed buildings given the absence of any apparent historical or functional associations between the assets and the application site in question. In addition, due to the substantial amount of development that has occurred during the growth and expansion of the Littlethorpe, I do not consider a development on this site would compromise the setting of these assets and therefore, would not lead to any harm to their heritage significance in that regard'*.

7.11.4 The County Archaeology team has considered the submitted information and recommends that any planning permission is granted subject to a condition requiring a programme of archaeological work, including further post-determination trial trenching, in accordance with a written scheme of investigation, to be submitted to and approved by the District Planning Authority. A condition is recommended to accord with this advice.

7.11.5 The development therefore is in accordance with Policy CS22 of the Local Plan Core Strategy and DM12 of the Blaby Delivery Development Plan.

#### **7.12 The ecological impact and Biodiversity Net Gain (BNG)**

7.12.1 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.

- 7.12.2 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.
- 7.12.3 An Ecological Appraisal was submitted with the application, which was updated during the application process to address comments made by LCC Ecology. The Ecological Appraisal notes that there are no statutory designated sites of international importance sites recorded within 10km of the site boundary. Additionally, it notes that one statutory designated site of national importance was recorded within 2km from the site boundary; Narborough Bog SSSI. This is located approximately 845m north and comprises a complex of wet woodland, upland neutral grassland, and lowland fens. This designation is separated from the site by the M1. Additionally it is noted that four Local Wildlife Site (LWS), one potential Local Wildlife Site (pLWS), and one candidate Local Wildlife Site (cLWS) were identified within 1km of the site, all sites are dissected from the site by the M1.
- 7.12.4 The Non-Technical Summary notes that *'features of ecological value (hedgerows and mature trees) will be retained as part of the proposals where possible. Hedgerow removal required for access will be mitigated via the creation of new native hedgerows'* Furthermore it notes that habitats within the site were considered to provide limited foraging resource for badgers and offer local level value to the local breeding bird assemblage and bat population, *with perimeter habitats providing suitable foraging / commuting / nesting habitat.*
- 7.12.5 Suitable terrestrial habitat was noted for great crested newts (GCN) and eDNA testing was undertaken due to the presence of 14 water bodies within 250m of the site. Of the pond tested, five were subsequently subject to population assessment surveys, during which GCN were recorded in only two ponds.
- 7.12.6 Leicestershire County Council Ecology has been consulted and raised no objection to the application, confirming that the information submitted was satisfactory, subject to the imposition of conditions and, the applicants entering into a S106 agreement for securing BNG.
- 7.12.7 Natural England was also consulted on the application and had no objection to the application. In regard to Narborough Bog Site of Special Scientific Interest, they noted that *'Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection'*. They advised that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.
- 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. This site was submitted after the introduction of Mandatory BNG, therefore this applies to the development.

7.12.9 The submitted Biodiversity Net Gain (BNG) Metric (31 March 2026) demonstrates that the proposed development would result in a net loss of 26.35% in habitat units, alongside an increase of 12.21% in hedgerow units within the site. As the on-site measures are insufficient to achieve the required net gain in habitat units, the identified shortfall will need to be delivered off-site. This will be secured through a Section 106 agreement, which will also secure the implementation and long-term management of on-site BNG through a Habitat Management and Monitoring Plan.

7.12.10 LCC Ecology were consulted on BNG for the proposed development and noted that following the submission of amended BNG note and Ecological Appraisal, they agree on the baseline habitat and have no objection on ecology grounds.

7.12.11 The development will be subject to the mandatory BNG condition, conditions relating to construction mitigation (CEMP), biodiversity enhancements and a condition for a Landscape and Ecological Management Plan (LEMP). The S106 agreement will also need to include provision for the BNG on-site and off-site enhancements. With these requirements, the development will comply with Policy CS19.

### 7.13 **Trees and Hedgerows**

7.13.1 The applicants submitted an Arboricultural Assessment with the application, which was conducted by FPRC. The assessment notes that *'The proposed layout will result in the part removal of sections of low-quality hedgerows and the pruning back of a linear group of trees. The impact of this can be easily mitigated for from an arboricultural perspective through new tree and hedgerow planting'*.

7.13.2 It notes that *'Due to the peripheral nature of the surveyed tree stock, all individual trees and groups of trees can be retained and incorporated into the development.'* And *'overall, the proposed development will have a negligible impact upon the arboricultural quality of the site and by developing this land, there is an opportunity to increase tree planting within the area'*.

7.13.3 Leicestershire County Council Tree and Woodlands (Forestry) were consulted on the application and provided the following comments:

*'The proposed masterplan and arboricultural assessment indicate that the design of the development will retain the majority of trees/hedgerows across the site, with existing hedgerows and trees being incorporated into the wider landscape strategy. The tree protection plan submitted demonstrates that it will be able to successfully retain trees with appropriate tree protection measures in accordance with BS5837:2012. The only loss proposed being small sections of hedgerows/tree groups to facilitate vehicular and pedestrian access routes to the development. Whilst this may result in a small loss of biodiversity the*

*master plan indicates wider creation of open space and new tree planting which will strengthening existing natural features’.*

7.13.4 The proposal is therefore considered to be acceptable and compliant with policies CS2 and CS19 of the development plan.

#### 7.14 **Air Quality**

7.14.1 An Air Quality Assessment, undertaken by MEC Consulting Group, has been submitted to accompany the application. The report considers air quality and construction dust risk assessment, in accordance with ‘Guidance from Environmental Protection UK, May 2017, and the Institute of Air Quality Management for the consideration of air quality within the land-use planning and development control processes’ and ‘Guidance on the assessment of dust from demolition and construction’.

7.14.2 The report concludes that air quality assessment indicates that annual mean air quality objectives will be met at the most exposed receptor locations. Mitigation measures have been proposed to minimise the potential effects associated with increased air pollutant concentrations.

7.14.3 BDC Environmental Health Officers were consulted on the Air Quality Assessment and considered that the submitted Air Quality Assessment (M-EC, August 2025) is acceptable, appropriately assesses operational and construction impacts, and identifies mitigation measures to be secured through detailed design at Reserved Matters stage and via a Construction Environmental Management Plan.

7.14.4 Additionally, BDC environmental Service Officers considered that the following measures should be incorporated into proposed scheme at reserved matters stage

- Electric vehicle charging – in accordance with Approved Document S ‘Infrastructure for charging electric vehicles’;
- Low NO<sub>x</sub> heating and boilers; and
- Measures to support cycling and walking infrastructure

7.14.5 The first two matters are requirements under Building Regulations and the later will be included within the scope of the reserved matters application.

#### 7.15 **Minerals assessment**

7.15.1 Policy DM15 of the Delivery DPD requires development proposals in areas identified for mineral safeguarding to ensure that mineral resources of national or local significance are not needlessly sterilised by non-mineral development. Leicestershire County Council, as the Minerals and Waste Planning Authority, were consulted due to the site lying within the Sand and Gravel (and brick clay) Mineral Consultation Area.

7.15.2 A Mineral Resource Assessment by GRM Development Solutions Ltd was submitted which concluded that:

*'It is considered that the site does have the potential to sterilise a relatively small quantity of mineral below the site. It has been demonstrated, however, that the tonnage being sterilised is small compared to the overall resources available and as such would not adversely impact the overall reserves. It has also been suggested that due to the nearby existing residential development present, and access issues the proposed site is unlikely suitable for mineral extraction.*

*Therefore, for the reasons outlined above, there is considered to be no merit in the commercial extraction of the mineral prior to development, though a mineral recovery plan should be considered to take advantage of suitable site won material for use during construction of the residential development and reduce the impact of the development on local existing mineral reserves'.*

7.15.3 Leicestershire County Council were consulted and confirmed that the information and supporting evidence provided was sufficient to address previous concerns and to enable removal of the initial holding objection. They noted that *'The overall conclusions set out are agreed with, although it should be noted that the need for housing is a material consideration for the Local Planning Authority to consider in any planning balance rather than the mineral planning authority who consider the potential for sterilisation'.*

7.15.4 The development is considered to accord with Policy DM15 of the Delivery DPD and with Policy M11 of Leicestershire's adopted Minerals and Waste Local Plan. Any the impact of any sterilisation of minerals resource should be weighed in the planning balance.

## 7.16 **Contamination**

7.16.1 A Phase 1 Site Appraisal has been submitted, which was produced by GRM. This concludes that the site is suitable for the proposed development, assuming compliance with all the recommendations contained within this report. It is recommended that a Phase II ground investigation is carried out to determine more accurately the effect of the identified hazards on the development.

7.16.2 BDC Environmental Service Officers were consulted on the application and concurred with the conclusions of the Phase 1 Site Appraisal, namely that the site presents a low contamination risk and is suitable for residential development.

7.16.3 A condition is recommended to require a Phase II Assessment at the planning condition stage to ensure that the site is suitably assessed with additional requirements relating to remediation.

## 7.17 **Developer contributions and infrastructure/ facilities**

7.17.1 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).

7.17.2 A request for funding towards early years education, secondary education provision, special educational needs and disability provision (SEND) for primary and secondary education, library services, and civic amenity and waste facilities was received from Leicestershire County Council. Leicester, Leicestershire and Rutland Integrated Care Board (LLR ICB) has also requested a financial contribution for use at an existing GP surgery and/or to develop alternative primary/community healthcare infrastructure that will be directly impacted due to the increase in population linked to this housing development. Leicestershire Police request a contribution to mitigate the additional impacts of this development because the Force's existing infrastructure will not have the capacity to meet with new demand.

Education provision:

7.17.3 Based on the 150 dwellings proposed, the development would yield 12.75 early years children, 45 primary aged children, 26 secondary aged children, 5 Post-16 children, 0.5455 primary SEND children and 0.60 secondary aged SEND children. A request for contributions was made by the County Council, which took into account deficits or surpluses in existing provision, and so £234,039.00 is sought for early years education, £447,793.80 is sought for Secondary Education (11-16), £35,754.05 for Primary SEND Education and £48,918.60 for Secondary SEND education. No contribution is required for primary education and Post 16 on the basis of an existing surplus of places.

Highways Contributions: LCC

7.17.4 Highways seek the following contributions to encourage sustainable travel to and from the site:

1. A Residential Travel Plan monitoring fee of £6,000 for Leicestershire County Council's Travel Plan Monitoring System.
2. Appointment of a Travel Plan Co-ordinator from commencement of development until five years after the occupation of the last unit. The Travel Plan Co-ordinator shall be responsible for the implementation of measures as well as monitoring and implementation of remedial measures.
3. Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (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.

4. 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).
5. Improvements at the two nearest bus stops (outside 58 and opposite 62, Cosby Road, Littlethorpe) comprising of a timetable case (£180 per stop), raised kerb (£4950 per stop), road markings (£1500 per stop), pole (£198, southern stop only) and flag (£66, southern stop only). Total Cost of £13524 (£6630 for the northbound stop and £6894 for the southbound stop).

#### Narborough Parish Council

7.17.5 The Parish Council sought a contribution towards a Speed Indicator Device (SID) along Cosby Road, as this request relates to the works to the highway, advice was sought from LCC Highways to determine if these works were required to make the development acceptable and therefore meet the tests of Paragraph 58 of the NPPF. LCC Highways confirmed that they would not seek this contribution as subject to an agreement with Jelson Homes (if both sites are to be adopted) the proposals do not result in any highway safety concerns.

#### Libraries

7.17.6 The nearest library to the development is Narborough 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 £4,529.65 is sought to provide improvements to the library and its facilities on the basis of a 150 dwelling development. This contribution may also be spent to fund new library provision.

#### Waste contribution

7.17.7 A contribution of £3,580.50 is sought for the 150 dwelling development to be used for site reconfiguration, including the development of waste infrastructure to increase the capacity of the Whetstone Household Waste and Recycling Centre (HWRC), or any other HWRC directly impacted by the development.

#### Health Care

7.17.8 The Leicester, Leicestershire and Rutland Integrated Care Board (ICB) requests a contribution of £145,200.00 for GP surgeries to help mitigate/ support the needs arising from an increase in population. The ICB requests that the funding is allocated for use either at any named GP Surgery (The Limes Medical Centre, Hazelmere Medical Centre & Northfield Medical Centre) or to develop alternative primary/ community healthcare infrastructure that will be directly impacted due to the development.

#### Police:

7.17.9 Leicestershire Police requested a contribution of £47,009.31 for the up to 150 dwelling development to mitigate the additional impacts. The consultation response from the police states that the need for the developer contributions is to maintain current levels of policing and ensure sustainable community safety, developer contributions toward capital infrastructure are essential.

7.17.10 The police have calculated that the following is required:

1. Personal Equipment NPA and Centralised Support - £4,802.45
2. Infrastructure and Estate Support - £23,179.82
3. Fleet Vehicles - £4,507.04
4. Transforming Policing through technology - £7260.00
5. Crime Reduction Initiatives - £7260.00

7.17.11 Of the five areas where contributions are sought, the Council consider that only the contributions for police vehicles and identification technology are those which can comply with the CIL tests and can therefore legally be secured through Section 106 agreements.

7.17.12 Officers at Blaby District Council have informed Leicestershire Police of the above and requested that future requests are limited to these two areas unless Leicestershire Police are able to demonstrate otherwise to the satisfaction of officers.

#### Playing Pitches

7.17.13 Blaby District Council Sport and Physical Activity Team have utilised the Sport England Playing Pitch Calculator to request a contribution towards playing pitches within the local area of the site, calculating the need based on the estimated population of the site at 360 residents. The final sum is calculated as follows:

- *Artificial Grass Pitches* - capital cost of £31,904 plus 10-year lifecycle cost to maintain the surface of £9,380. Contributions from the FA (who fund up to 75%) plus other development funding should result in a viable business case for the construction of an Artificial grass pitch at Holmes Park.
- *Grass pitch improvement at Leicester Recreation Ground* - capital cost of £33,481. The PPC calculates funding for new provision, so an assessment report of the site would have to be carried out to calculate the cost of improvements to the pitches currently in place for an accurate costing. 3-year maintenance of the pitch improvement would total £20,133.
- *Improvements to changing facilities at Cosby Recreation Ground* - capital cost of £155,275 to enhance current poor facilities to support football and Cricket provision.

- *Improvements to Cosby Recreation ground* – capital cost of £11,150-and 3-year maintenance of pitch surface at £6,189 to include improved drainage and improved pitch quality to support overplay of Rugby Union in Blaby East.

7.17.14 The total developer contribution for the proposed projects listed above would be £267,512.

7.17.15 The above contribution request is in lines with the Playing Pitch Calculator and Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Document regarding sports and sports clubs and therefore considered acceptable.

#### Blaby District Council Refuse Bins

7.17.16 The recently adopted Blaby District Council's Planning Obligations and Development Contributions Supplementary Planning Document (September 2024) sets out that the Council will seek and encourage developers to make contributions appropriate to provide suitable facilities for recycling and waste collection, for example wheelie bins. Paragraph 4.3.34 notes that to cover the cost of bins for refuse and recycling, £49.00 per household will be sought on all major schemes. A contribution of £7,350 would therefore be required of a scheme of 150 dwellings.

#### Affordable housing and housing mix

7.17.17 Policy CS7 of the Core Strategy states that the Council will seek to secure a minimum of 25% of the total number of dwellings as affordable housing on all developments of 15 or more dwellings, which should be provided on site, except in exceptional circumstances. The submitted Planning Statement confirms that the proposed development will provide for a policy compliant provision of affordable housing (25%).

7.17.18 Notwithstanding this, the application form indicates that the proposed development would provide 37 affordable dwellings, 0.5 dwellings fewer than the policy requirement of 25% affordable housing (37.5 dwellings). Indicated tenures are 30 units for social, affordable or intermediate rent and 7 units for affordable home ownership.

7.17.19 The Council's Housing Strategy Officers advise that where the application of the 25% affordable housing requirement does not result in a whole number, the Housing Strategy Team will normally seek to round the figure up to the nearest whole unit. This approach is particularly applied where the shortfall equates to half a unit or more. In this instance, rounding up would require the provision of 38 affordable homes rather than 37.5.

7.17.20 The applicant has confirmed that they are content to round up the affordable housing provision to 38 units, should the full quantum of 150 dwellings be delivered. This ensures that the scheme is fully compliant with adopted affordable housing policy. Overall, the delivery of 38 affordable dwellings carries significant weight in favour of the proposal and will contribute positively

towards addressing the identified affordable housing shortfall within the District.

7.17.21 The layout of affordable homes and exact housing tenure and size will be established through the outline planning application.

7.17.22 Policy CS8 of the Core Strategy requires residential proposals for developments of 10 or more dwellings to provide an appropriate mix of housing types, tenures and sizes to meet the needs of existing and future households in the District. The housing mix is a matter which would be determined at reserved matters stage. However, the Council's Housing Strategy team has outlined its preferred mix at this stage, for both the affordable and market housing. This is set out below:

<b>Affordable Mix Based on 38 Units</b>	<b>1 bed</b>	<b>2 beds</b>	<b>3 beds</b>	<b>4 beds</b>	<b>Bungalow</b>	<b>%</b>
<b>Social Rent</b>	<b>6</b>	<b>12</b>	<b>8</b>	<b>2</b>	<b>2</b>	<b>80%</b>
<b>Shared Ownership</b>	<b>0</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>20%</b>

**Market mix table**

<b>Market Mix Based on 112 Units</b>	<b>1 bed</b>	<b>2 beds</b>	<b>3 beds</b>	<b>4 beds</b>	<b>Bungalow</b>	<b>Total</b>
<b>Market</b>	<b>6</b>	<b>28</b>	<b>39</b>	<b>28</b>	<b>11</b>	<b>112</b>
	<b>5%</b>	<b>25%</b>	<b>35%</b>	<b>25%</b>	<b>10%</b>	<b>100%</b>

7.17.23 In addition, in order to secure Accessible and Adaptable Homes to make homes adaptable for changing and unforeseen circumstances, policy DM11 of the Delivery DPD requires development proposals for housing of 20 dwellings or more to meet the Building Regulations Standard M4(2) for 5% of the dwellings (unless site specific circumstances indicate this cannot be achieved or there are viability issues). This is also a matter which would be determined at any future reserved matters stage.

#### Open space

7.17.24 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

7.17.25 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.

- 7.17.26 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 Document 2024.
- 7.17.27 Updated Policy CS15 standards for the provision of open space, sport and recreation per 1000 population in the District, and 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.
- 7.17.28 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. Its 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.

#### On-site open space provision

- 7.17.29 Based on the requirements of Policy CS15, the requirements for public open space necessary to serve the development have been calculated. The calculations assume a household size of 2.4 persons per dwelling (meaning the development of 150 dwellings would have a total population of 360 people). This is consistent with the average estimated household sizes in the 2021 Census where the average household size is 2.41 for England, 2.4 for Leicestershire, and 2.42 for Blaby District.

7.17.30 The types of open space that should be delivered on the development site for any given size of residential scheme is detailed on the table below.

Table 1: Open space requirements by number of units per site					
Typology of Provision	1-19 dwellings	20-49 dwellings	50-99 dwelling	100-199 dwelling	200 dwellings
Parks and Recreation Grounds	Off-site	Off-site	Off-site	Off-site	On-site
Natural Greenspace	Off-site	Off-site	Off-site	On-site	On-site
Informal Open Space	Off-site	On-site	On-site	On-site	On-site
Provision for children and young people	Off-site	Off-site	On-site (LAP)	On-site (LEAP)	On-site (NEAP)
Allotments and community gardens	Off-site	Off-site	Off-site	Off-site	On-site

Source: Blaby District Council's Planning Obligations and Developer Contributions Supplementary Planning Document

7.17.31 The on-site open space comprises the drainage attenuation, footpath and cycleway, play area (LEAP), new planting and site boundary buffer zones (inaccessible). No outdoor sports space, allotments or cemeteries are proposed on the site.

Type of open space	Amount per 1000 population in ha (Delivery DPD figures)	Amount for 150 dwellings (360 population) in ha	Actual Provision in ha
Natural Greenspace	2.6	0.94	
Informal Open space	1.0	0.36	
Children and Young People's Open space	0.06	0.021	
<b>TOTAL</b>	-	1.491ha	Indicative open space (masterplan) – 4.01ha.

7.17.32 The overall amount of open space proposed exceeds the requirement of 1.491 hectares for those open space typologies being provided for on site. The open space will also include areas which may require specific maintenance or limited public access for Biodiversity Net Gain (BNG) purposes. Nevertheless, the ample provision of open space on site would help to provide a high-quality development and create a pleasant environment for future residents.

7.17.33 Although the proposed masterplan is illustrative only and layout is to be agreed as part of future reserved matters applications, it is anticipated that the development will come forward broadly in line with the masterplan. The Section 106 agreement can ensure that a minimum amount of open space is provided on-site.

Off-site open space contributions

7.17.34 Para 4.3.10 of the SPD states that the Council will consider the quantity, accessibility and quality of existing open space within the parish when considering contributions. The Open Space Audit (2019) sets out the existing provision for Narborough. The table below shows this provision and whether there is a deficit or surplus based on 2021 census population, also taking into account the addition of the development population.

Typology/ policy CS15 standards	Existing provision in ha / 1000 pop	Provision required in ha / 1000 pop	Provision (including additional 360 pop)	Difference (Deficit / Surplus) ha / 1000 pop	Amount required for development of 150 dwellings (360 pop)	Justified
Parks and Recreation Grounds	0.67	0.23	0.64	+0.03	0.08	No
Allotments and community gardens	0.19	0.25	0.18	-0.07	0.09	Yes

7.17.35 Based on the deficit in allotment provision in the Parish, a contribution towards allotment provision is considered to be justified in order to mitigate the impacts of the development. This can form part of the S106 agreement relating to the development where justified and subject to compliance with the CIL tests.

Cemeteries

7.17.36 Updated Policy CS15 of the Delivery DPD sets a standard of 0.21 hectares per 1000 people for cemeteries, meaning the development would result in a requirement for 0.076 hectares of additional cemetery space. As set out in paragraph 4.3.43 of the SPD, it should be noted that these standards and requirements are in relation to cemeteries and churchyards functioning as open spaces rather than their primary function as burial sites.

7.17.37 The Open Space Audit 2019 identifies the existing standard for cemeteries in Narborough parish is 0.22 per 1,000 people, in excess of the policy requirement. This development would increase the population of Narborough by a further 360 people to 9073 people. With the increased population, the existing cemetery open space provision would be 0.212 ha / 1000 people This is just above the Policy CS15 standard of 0.21 ha / 1000 people. When taking

into account the additional population of both this development proposal and the residential development off Oak Road, Littlethorpe, cemetery provision would be 0.20/1000 population therefore not compliant with the policy standard. However, this is in broad lines with the existing District open space standards for cemeteries and churchyards at 0.2ha/1000 and in this case a contribution would not be deemed necessary.

## **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 However, as set out in the report above, it is acknowledged that the Council can only demonstrate a 2.78-year housing land supply. The NPPF, which is a material consideration in decision making, requires that planning authorities identify a five-year supply of deliverable housing sites. Where a five-year supply of deliverable sites cannot be identified then the provisions of paragraph 11 of the NPPF apply. This means granting permission for development unless the application of policies in the framework that seek to protect areas or assets of particular importance provide a clear reason for refusing the development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 8.3 The proposal does not conflict with NPPF policies that seek to protect areas or assets of particular importance listed in Paragraph 11, footnote 7. In accordance with paragraph 11 of the NPPF, this means that the so called 'tilted balance' is engaged and any harm arising from the proposal must 'significantly and demonstrably' outweigh the benefits in order to refuse planning permission.
- 8.4 The proposed development would provide up to 150 dwellings, of which 25% would be affordable dwellings on a site which adjoins the Settlement Boundary of Littlethorpe, a Medium Central Village. The spatial strategy set out in Policy CS1 of the Core Strategy outlines that outside the Principal Urban Area development will be focused within and adjoining Blaby and the Larger Central Villages and therefore whilst the focus is on development in the PUA, sites adjoining the Medium Central Villages are set out as being appropriate locations for housing development in the spatial strategy for lower levels of growth.
- 8.5 Due to the absence of a five-year land supply, the provision of up to 150 houses weighs significantly in favour of the proposal. Significant weight is also given to the provision of much needed affordable housing in the District. The development would also provide associated economic, social and environmental benefits, including contributions to improve local infrastructure and facilities to meet the needs of the development, and the enhancement and provision of open space (exceeding on-site policy requirements) and improvements to biodiversity through a combination of on and off site provision (Biodiversity Net Gain). The site will likely be built out over a number of years and will provide economic benefits during construction, and post-development future residents will contribute to the wider local economy and will help support local shops and services in Littlethorpe. Given that some of these impacts will

not be permanent and are required to meet the needs of the development, moderate weight is given to these considerations.

- 8.6 The site is also located in land designated as Green Wedge and there would be conflict with the functions of this designation and its requirements for development to retain the open and undeveloped character of the Green Wedge. Nonetheless, policy CS16 also states that the need to retain Green Wedge will be balanced against the need to provide new development (including housing) in the most sustainable locations.
- 8.7 Taking in to account the current housing supply position, this policy is considered to be out of date (as set out in the footnote to paragraph 11 of the NPPF) and therefore attracts reduced weight in the planning balance. Furthermore, the proposed development would be in a broadly sustainable location where policy CS16 states that a balanced consideration is required. Overall, moderate weight is accorded to Green Wedge policy in this particular instance.
- 8.8 It is acknowledged that the proposed development would have landscape impacts at the local level. However, these impacts would be mainly experienced in the immediate surrounding area rather than over a greater geographic extent, due to the extensive existing landscaping around the site. There would also be a modest loss of BMV agricultural land. Nonetheless, significant harmful impacts cannot be demonstrated and thus moderate weight is attached to these negative impacts.
- 8.9 Additionally, the development would build upon a mineral safeguarding area within the District, which should not be 'needlessly sterilised', however, no objection has been raised to the development by Leicestershire County Council on this basis and only moderate weight is given to this aspect of the proposals.
- 8.10 The proposed development would also result in an increase in traffic with additional residents using local roads in the village and surrounding area. However, the Local Highway Authority does not consider the highway impacts of the development to be severe. The vehicular access to the site is considered suitable, and mitigation measures are required to the Leicester Road/Station Road mini roundabout. Additionally, due to the proximity of the site to Narborough train station and nearby facilities in Narborough, the site is considered to be sustainably located for occupants to access services and public transport links.
- 8.11 There are no technical constraints relating to flooding, heritage impacts, environmental constraints or ecology that cannot be mitigated.
- 8.12 Overall, the proposal would conflict with some policies of the Development Plan, notably policies CS2, CS16 and DM2 given the site is located beyond the settlement boundaries in the Green Wedge and there is landscape harm, visual impacts and loss of agricultural land. However, in the context of the 'tilted balance', as set out in paragraph 11d of the NPPF, any harm is required to significantly and demonstrably outweigh the benefits of the development in order to refuse planning permission. In this context, and accounting for the

significant contribution which the development makes to housing land supply and provision of affordable housing, it is not considered that the harms identified significantly and demonstrably outweigh the benefits.

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

This page is intentionally left blank

## **Application reference: 25/1080/RM**

**Proposal:** Reserved matters approval (appearance, landscaping, layout and scale) for the demolition of buildings and the erection of 145 new dwellings (Use Class C3) and associated infrastructure pursuant to outline planning application ref: 24/0615/OUT.

**Site address:** Land south of Hinckley Road, Leicester Forest East

**Applicant:** Bloor Homes

**Case officer:** Helen Wallis - Senior Planning Officer

**Recommendation:** APPROVE subject to conditions

### **Conditions:**

1. Development to be carried out in accordance with the approved plans
2. Submission of further details of materials (use of reclaimed bricks, brick bond, roofing and courtyard surfacing, windows, doors, rooflights) for plots 144 and 145 (courtyard dwellings) and their boundary walls
3. Permitted development rights to be removed for enclosures within the courtyard.
4. Permitted development rights to be removed for residential extensions, outbuildings and alterations to the roof, including conversion of garage (Plots 144 and 145 (courtyard dwellings)).
5. Permitted development rights removed for fencing/gates/enclosures forward of the dwelling.
6. Implementation and maintenance of landscaping.
7. Parking and turning facilities to be provided in accordance with plans.
8. No windows to overhang the highway.

### **1. The site**

- 1.1. The application site is located on the western edge of Leicester Forest East and comprises the land and buildings known as Kingstand Farm; the adjacent bungalow, Green Acres; and a strip of the former golf course land and its buildings to the west, as well as its former access off Beggars Lane. Access is provided from Hinckley Road (A47) which runs east-west adjacent to the northern boundary of the site. The site lies within an area designated as countryside, outside of the settlement boundaries of Leicester Forest East.
- 1.2. The site measures approximately 9.34 hectares. The part of the site associated with Kingstand Farm and its timber business operations is comprised of fields, farm buildings, hardstanding, storage containers and the former farmhouse, which is in a state of some dereliction. Whilst the farmhouse does not benefit from any statutory protection, by virtue of its age, materials and surviving

architectural details, is recognised as meeting the definition of a non-designated heritage asset.

- 1.3. Green Acres is a modern detached bungalow with enclosed domestic gardens and horse paddock adjacent to Hinckley Road. The western most area of the site incorporates an area formerly part of the Kingstand Golf Club (closed since 2013), its former access from Beggars Lane (also closed), car park and modern functional style buildings, which are now significantly dilapidated.
- 1.4. In respect of topography, the site falls gradually from 109-111 AOD in the north to 106m AOD in the south of the site. The site is well vegetated with hedgerows and mature trees across the site and contains three ponds of varying sizes. Hedgerows screen the site from Hinckley Road and a wide hedgerow separates the site from the neighbouring residential development. The conifer hedge to the southern boundary and within the western part of the site are noticeable features within the landscape.
- 1.5. Beyond the site boundaries, the remaining area of Kingstand Golf Club lies to the west. To the north, on the opposite side of Hinckley Road, are the Leicester Ivanhoe Cricket ground, Old Newtonians Rugby Club, Leicester Forest East Tennis Club and Leicester Forest Rugby Club. The application site is also located approximately 200 metres from the western edge of the New Lubbethorpe development to the east.
- 1.6. To the south the landscape is predominately agricultural/pastureland. Approximately 170 metres to the south east of the site and separated by an agricultural field is the nationally important Scheduled Monument comprising the remains of a medieval 'rabbit warren'. The remains of the warren survive as a series of earthworks, largely under pasture.
- 1.7. The site is also affected by the following additional site constraints; it lies within a great crested newt buffer zone; is adjacent to public right of way footpath W6 which runs adjacent to the site's southern boundary and the former Golf Club access off Beggars Lane.

## **2. The Proposal**

- 2.1. On 8<sup>th</sup> May 2025, the Planning Committee resolved to approve an outline planning application (reference 24/0615/OUT) on the site for the demolition of buildings, alterations to existing farmhouse, and the erection of up to 145 new dwellings and creation of associated vehicular access to Hinckley Road and pedestrian/cycle access to Beggars Lane, and associated infrastructure and enabling earthworks. After completion of the Section 106 Agreement, planning permission was granted on 21<sup>st</sup> November 2025.
- 2.2. This application seeks approval for the reserved matters (appearance, layout, landscaping and scale) following the grant of outline planning permission 24/0615/OUT.
- 2.3. Access is not a reserved matter and details of the accesses (vehicular from Hinckley Road and pedestrian/cycle from Beggars Lane) were approved at outline stage, together with associated highway improvements.

- 2.4. This reserved matters application shows the erection of 145 dwellings of single, two and two and a half storey designs, including 25% provision of affordable housing, as required by the outline permission.
- 2.5. The proposed layout is closely aligned with the illustrative masterplan submitted at outline stage and accords with the open space parameters secured through the S106 agreement. The north eastern area of the site is proposed as an area of public open space with a Local Equipped Area for Play (LEAP), community orchard and informal open space, pathways and seating. A smaller area of amenity open space is located approximately midway in the site, along the spine road.
- 2.6. The south eastern area of the site contains an area of ridge and furrow and is left undeveloped, as required by the terms the outline permission. Two surface water attenuation ponds are located adjacent to this area.
- 2.7. The Kingstand Farmhouse (non-designated heritage asset) is to be retained and renovated. All other buildings on the site, including the derelict traditional farm buildings, are to be demolished. A 'farmyard' arrangement is replicated within the proposals with two proposed single storey dwellings positioned to reflect the character and layout of traditional barns.
- 2.8. The proposed highways layout shows a single central spine road running north to south with cul-de sacs to either side. The road corridor includes grassed verges, highway trees and visitor parking.

### 3. Relevant Planning History

Reference	Description	Decision	Date
17/1735//FUL	Residential development for 160 dwellings, including associated access, public open space, parking and landscaping.	Withdrawn	18.02.2019
24/0615/OUT	Outline application for the demolition of buildings, alterations to existing farmhouse, and the erection of up to 145 new dwellings and creation of associated vehicular access to Hinckley Road and pedestrian/cycle access to Beggars Lane, and associated infrastructure and enabling earthworks, with all matters to be reserved except access points into the Site.	Approved	21.11.2025

26/0064/DOC	Application to discharge condition 23 (badger survey)	Approved	24.03.2026
26/0089/DOC	Application to discharge condition 27 (Waste Management)	Pending	
26/0099/DOC	Application to partial discharge of condition 33 (archaeological WSI only)	Approved	27.04.2026
26/0106/DOC	Application to discharge condition 21 (Construction Management Plan (CMP))	Pending	
26/0127/DOC	Application for discharge of condition 17 (Construction Surface Water Management Plan)	Pending	
26/0132/DOC	Application for discharge of conditions 22 (Construction Environmental Management Plan for Biodiversity) and 24 (Biodiversity Enhancement Management Plan)	Approved	06.05.2026
26/0135/DOC	Application to discharge condition 9 (Travel Plan)	Pending	
26/0182/DOC	Application to discharge conditions 15 (surface water drainage) and 16 (foul water drainage)	Pending	
26/0188/DOC	Application to discharge condition 19 (infiltration testing)	Pending	
26/0319/BNGDOC	Application to discharge the Biodiversity Gain Plan	Pending	

#### 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. Conservation Officer (2)**

No objections subject to conditions relating to materials and removal of permitted development rights.

##### **4.1.2. Environmental Services (3)**

No objections. Conditions dealing with noise, contamination, lighting and construction management being dealt with under outline conditions.

##### **4.1.3. Housing Strategy Officer (2)**

Agreement given to housing mix, location and tenure proposed.

##### **4.1.4. Neighbourhood Services (2)**

No objections.

#### **4.2. Leicestershire County Council Consultees**

##### **4.2.1. Archaeology (1)**

No objections. Conditions on outline permission remain to be complied with.

##### **4.2.2. Ecology (1)**

No objections – conditions on outline permission noted.

##### **4.2.3. Forestry**

No comments received.

##### **4.2.4. Lead Local Flood Authority (2)**

No objections.

##### **4.2.5. Local Highway Authority (1) (7.4)**

No objections subject to conditions in respect of parking, turning and overhanging windows.

#### **4.3. Others**

##### **4.3.1. Active Travel England (1)**

No comments to make on proposals – referred to standing advice.

##### **4.3.2. Braunstone Town Council**

No comments received.

4.3.3. Environment Agency(1)

No comments to make on reserved matters.

4.3.4. Historic England(1)

No comments to make - Planning Authority conservation officer advice should be sought.

4.3.5. Kirby Muxloe Parish Council

No comments received.

4.3.6. Leicester Forest East Parish Council

No comments received.

4.3.7. Leicester Forest West Parish Council

No comments received.

4.3.8. Lubbesthorpe Parish Council (1)

Objects to the development.

4.3.9. National Grid

No comments received

4.3.10. Severn Trent Water

No comments received.

4.3.11. Sport England (1)

Development not within statutory remit for consultation. General guidance offered.

4.3.12. 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 and site notices displayed.

5.2. Two letters of objection have been received, raising the following issues:

- Too many housing being built
- Traffic impact particularly on Beggars Lane
- Pollution and poor air quality
- Loss of wildlife and hedgerows
- Increase in local flooding
- Object to access onto the A47
- Poor access to public transport due to lack of footpath
- Unsafe for cyclists.

## 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
- Leicester Forest East Neighbourhood Plan (made 2022)

#### 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 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 Policy CS15 – Open space, sport, and recreation

Policy DM2 – Development in the countryside

Policy DM8 – Local parking & highway design standards

Policy DM9 – A47 High load route

Policy DM11 – Accessible and adaptable homes

Policy DM12 – Designated and non-designated heritage assets

Policy DM13 – Land contamination and pollution

#### 6.1.3. Leicester Forest East Neighbourhood Plan

Policy H3 – Housing mix

Policy H4 – Affordable housing

Policy H5 – Housing design

Policy ENV2 – Local heritage assets of historical and architectural interest

Policy CF2 – New or improved community facilities

#### 6.2. Material Considerations

#### 6.3. 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

#### 6.4. The National Planning Policy Guidance (NPPG)

#### 6.5. 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,
- Housing mix and affordable housing
- The impact of the development on the character and appearance of the area and design;
- The impact of the development on the amenity of existing and future residents;
- Open space and landscaping

- Internal road layout
- Flood risk and drainage

## 7.1. The Principle of the Development

- 7.1.1. The principle of a residential development on the site has been established by the granting of outline planning permission 24/0615/OUT. This consent has determined certain parameters for the development, including a maximum of 145 dwellings, means of access to the site, a framework for development around the farmhouse and retention of an area of ridge and furrow.
- 7.1.2. A section 106 agreement has also been completed to secure the provision of affordable housing, the quantum of open space on the site, future management of biodiversity net gain and financial contributions towards education, health care, sports and recreation facilities and highways related improvements.
- 7.1.3. As this submission is for reserved matters approval, the principle of residential development on the site is not a matter for consideration.

## 7.2. Housing Mix and Affordable Housing

- 7.2.1. 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 provision of affordable housing and accessible and adaptable homes.
- 7.2.2. 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.
- 7.2.3. Condition 11 on the outline consent requires the submission of a proposed housing mix as part of the reserved matters application. Condition 12 also requires that a minimum of 5% of the total number of dwellings are to be provided as 'Accessible and Adaptable Homes', meeting the Building Regulations Standard M4(2) in order to secure compliance with policy DM11. The S106 Agreement also requires that 25% of the dwellings on the site are provided as affordable housing with a financial contribution mechanism included for dealing with fractions of a unit.
- 7.2.4. During consideration of the outline planning application, the Council's Housing Strategy team provided an assessment outlining the preferred mix of affordable and market housing for the development, including tenure. The emphasis within this was on provision of two and three bedroom properties within both

the affordable and market housing elements. The preferred tenure for the affordable housing was for 80% to be social rent with the remaining 20% to be shared ownership.

7.2.5. The mix proposed as part of this reserved matters application is outlined in the tables below. Within the proposed mix a total of eight dwellings (5.5%) will meet M4(2) requirements, compliant with the outline permission.

Affordable housing mix:

<i>Social Rented</i>	<i>Proposed Mix</i>	<i>Shared Ownership</i>	<i>Proposed Mix</i>
1 Bed	6	2 Bed	4
2 Bed	10	3 Bed	3
3 Bed	9	<b>Total (affordable)</b>	<b>36</b>
4 Bed	1		
Bungalow	3		

Market Housing:

<i>Market housing</i>	<i>Proposed Mix</i>
1 Bed	0
2 Bed	16
3 Bed	46
4 Bed	41
Bungalow	6
<b>Total (Market)</b>	<b>109</b>

7.2.6. There is some deviation from the preferred mix specified at outline stage, most notably in the reduction in two-bedroom properties in both the market and affordable sectors and a higher number of three- and four-bedroom properties in the market mix. Nonetheless, the Housing Strategy team has advised that they are satisfied with the mix and tenure proposed.

7.2.7. These dwellings are generally provided in clusters of seven or eight with the exception of one cluster amounting to ten units (although this is provided on two separate road frontages). It is acknowledged that clusters of more than six affordable dwellings does not accord with paragraph 3.6.9 of the Housing Supplementary Planning Document (2013). Consultation with Blaby District Council's Housing Strategy team has taken place and following further discussion between the applicants and the Housing Strategy team, they have raised no objections to the proposed clusters in this instance.

7.2.8. Overall, the proposed development is considered to accord with policies CS7, CS8 and DM11 in the development plan.

7.3. Design and layout

- 7.3.1. Policies CS2 (Design of new development) and DM2 (Development within the countryside) 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.
- 7.3.2. The area immediately to the east of the application site comprises extensive areas of modern housing development. In this respect, the proposed layout of the development and the house types proposed would be in keeping with the character and appearance of the urban fringe surroundings.
- 7.3.3. The reserved matters proposals build on the details presented in the illustrative masterplan submitted with the outline application. A large area of open space is located in the north east of the site providing a Local Equipped Area for Play (LEAP) as well as a community orchard. A footpath routes through this area from the A47, enhancing connectivity within the site itself and providing an attractive area of green infrastructure. The existing pond located half way along the eastern edge of the site is to be retained, adding interest to the development and helping to create a sense of place. Green infrastructure in the northern part of the site is complemented by further open space in the southern part of the site, including retention of the historic ridge and furrow. The retained farmhouse and courtyard of buildings will also provide a focal point for the site and give the development a unique character.
- 7.3.4. The layout makes use of perimeter blocks with dwellings facing outwards onto the public realm to create an engaging and coherent streetscene. Matters of density were addressed at the outline stage and deemed to be acceptable. Whilst there is not much variety in density between the perimeter blocks, this is considered acceptable given the urban edge location and the fact that, with the exception of the western edge of the frontage block, housing is set in from the site boundaries behind proposed landscaping.
- 7.3.5. The proposed house types show an acceptable mix of type and design to ensure that there is visual interest whilst also giving the site a cohesive character. The majority of the houses are two storeys in height with only four plots proposed to utilise a two and half storey design. These are located within the site, rather than on the periphery. 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 all aspects.
- 7.3.6. The proposed materials palette incorporates a mix of red and red multi facing brick and off-white rough cast rendered properties, which are evenly distributed

across the site, to improve visual interest and to avoid a uniform approach. The rendered properties have been positioned on visually prominent plots, to aid way finding and to promote a sense of place. There will also be a mixture of dark grey and multi red roof tiles across the site. A range of porch styles are proposed, including mono-pitched, flat and curved, again to enhance the architectural quality of the scheme.

- 7.3.7. As highlighted at outline stage, land ownership constraints have prevented any form of access to the adjoining housing to the east, (Rangers Close/Kirkwood Close and Bosworth Way). However, the footway/cycleway to the south of the site will provide good links to Beggars Lane and New Lubbethorpe. There is a potential future road link to the west to provide future connectivity. In addition, a footpath is proposed close to the southern boundary of the site to provide future westward linkages.
- 7.3.8. In summary, it has been demonstrated at this outline stage that the site could deliver a development of acceptable design which would be compliant with policies CS2 and DM2.

#### 7.4. Impact of the development on the amenity of existing and future residents

- 7.4.1. Policy DM2 of the Delivery DPD states that development in areas designated as countryside will be supported where new development will have satisfactory relationships with nearby uses that would not be significantly detrimental to the amenities enjoyed by the existing or new occupiers.
- 7.4.2. The nearest existing residential properties to the application site are those on Kirkwood Close, Ranger Close and Bosworth Way. These are separated from the application site by a substantial hedge and adjoin the areas of the development site that are proposed for open space or where a landscape buffer will be incorporated. At their closest points the proposed dwellings would be 38m from the neighbouring dwellings and as such, no harmful impacts upon the residential amenities of these properties are anticipated.
- 7.4.3. Within the site itself rear to rear distances are between 20m and 21m. Where a principal elevation faces a flank elevation of an adjoining dwelling (such as on the corners of perimeter blocks) a separation distance of between 12.5m and 14m is provided. Blaby District Council does not have published space standards, however it is considered that the separation distances proposed are appropriate to ensure satisfactory levels of privacy and to avoid harmful overbearing or overshadowing impacts. Off-set distances to the LEAP from the nearest dwellings meet benchmark standards and are therefore unlikely to result in nuisance being caused through children's use of the play equipment. It is therefore considered that future residents would enjoy acceptable levels of amenity.

7.4.4. Land levels on the site generally fall gradually from north to south. The indicated finished floor levels do not show any significant differences between dwellings. In the eastern part of the site, where the proposed levels change between the properties is greatest, it is considered that the separation distances are adequate to ensure that any levels difference does not result in unacceptable levels of amenity due to overbearing impact, loss of privacy or poor outlook. Details of all existing and proposed levels are required to be submitted under condition 14 of the outline consent and assessment will also be necessary at that point.

7.4.5. The site is therefore considered to be compliant with Policy DM2 in terms of ensuring that existing and future residents will enjoy acceptable standards of residential amenity.

#### 7.5. The impact of the development on heritage assets

7.5.1. The site does not contain any statutorily designated heritage assets though the historic farmhouse and buildings are considered to be non-designated heritage assets (NDHAs). An area of medieval ridge and furrow also survives in the southeastern corner of the site.

7.5.2. Outside the site a scheduled monument comprising a medieval 'rabbit warren' is situated to the south east of the application site.

7.5.3. 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. In respect of non-designated heritage assets, policy DM12 states that a balanced consideration will be applied to proposals which may impact on these assets. Paragraph 212 to 2016 are also relevant to the consideration of heritage assets.

#### *Impact on the Scheduled Monument*

7.5.4. The impact of residential development on the scheduled monument was assessed at outline stage. In the context of the surrounding mix of urban and rural landscape it was not considered that the proposal would cause significant harm to the setting of the scheduled monument. A condition was imposed on the outline consent securing retention of the south-eastern corner of the site as an undeveloped area to maintain a rural offset between the scheduled monument and the new housing. This has been included within the proposed development layout and accordingly, the reserved matters are not considered to result in additional harm above that already considered at outline stage.

### *Impact on Non-Designated Assets*

- 7.5.5. The outline planning permission established parameters for the redevelopment of the farmyard around the non-designated heritage asset, Kingstand Farm under conditions 28 and 30. In addition, condition 29 requires archaeological building recording to be carried out prior to the commencement of any development, including demolition and remains to be discharged.
- 7.5.6. The reserved matters proposals include the demolition of later, and in some cases unsympathetic extensions to the existing farmhouse and its refurbishment. Ancillary elements to the north, south and west of the house are to be removed which will allow the principal existing farmhouse to be better revealed, enhancing the building as a non-designated heritage asset.
- 7.5.7. Within the setting of the farmhouse, the former 'traditional', brick built barns have been demonstrated through the submission of a structural survey (as required by condition 28), to be in such a poor state of repair that their retention is not feasible. It is therefore proposed that these buildings are demolished. The replacement buildings, Plots 144 and 145, are of bespoke design and accord with the framework set out in condition 30 of the outline permission. This required buildings of single storey height and narrow plan depth, retention of an open courtyard arrangement with garden areas located to the outer side of the courtyard and access from the north. In line with comments provided by the Conservation Officer, revisions have been made to the proposals to remove window openings on the northern elevation of Plot 1, to add timber lintels and to re-size the garage serving the farmhouse.
- 7.5.8. Conditions are recommended at the start of this report requiring submission of details of the bricks and brick bond to be used, surfacing materials within the courtyard, windows/door and rooflight designs. To ensure that the character of the farmhouse and its setting is secured in the longer term, a condition is also recommended to remove permitted development rights for the erection of additional enclosures within the courtyard and to remove rights for extensions and alterations to plots 1 and 2.
- 7.5.9. In summary, the proposed details submitted for the redevelopment of the farmhouse and farmyard are considered acceptable and compliant with policy CS20 and DM12.

### 7.6. Open Space and Landscaping

- 7.6.1. Policy CS15 sets standards for the provision of open space, sport and recreation in the District, and 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.

- 7.6.2. Policy CS2 outlines a range of design relates requirements. This includes that new development should take account of and provide opportunities to enhance, the natural and historic environment, including improvements to Green Infrastructure and opportunities to promote biodiversity. Policy CS14 also relates to green infrastructure and encourages use of opportunities to incorporate key landscape features to create a range of high quality, functional and useful open spaces and links.
- 7.6.3. The quantum of open space required on the site was assessed at outline stage and a policy compliant area of open space, expressed as a minimum requirement, has been incorporated in the S106 agreement. The area of public open space proposed on site exceeds policy CS15 requirements and is structured around the design concepts established at outline stage. A public open space plan has been submitted that also confirms the areas of land that will be transferred to a Management Company for future maintenance.
- 7.6.4. The proposed reserved matters show areas of public open space throughout the development site. These perform differing functions including play space, informal open space, orchard and natural greenspace. They provide a strong green infrastructure network within the site that is considered to enhance the character of the development, provide opportunities for improved biodiversity and contribute to creating healthy communities.
- 7.6.5. A LEAP is located in the north east of the site and comprises six pieces of equipment for younger children's play, consistent with the guidance provided by Fields in Trust. The area is to be enclosed by estate style railings with bins and benches shown. 'Play on the way' equipment is also proposed adjacent to the footpath/cycle way that connects to Beggars Lane. This ensure that there are appropriate opportunities for play at both ends of the site.
- 7.6.6. The application been accompanied by an updated Arboricultural Impact Assessment, Method Statement and Tree Protection Plan as required by condition 10 on the outline permission. As acknowledged at outline stage, development on the site will necessitate the removal of trees; these are mostly trees that are internal to the site and the majority of perimeter vegetation is retained and strengthened through additional native tree and hedge planting. The conifer belt of trees across the southern boundary of the site is to be removed and replaced with more appropriate native tree specimens. The County Forestry Officer has been consulted on the proposals but has not provided any comments.
- 7.6.7. Proposed on-plot and public open space landscaping is considered to be acceptable with an appropriate mix of species shown to create visual interest and to enhance the development. Tree planting and landscaping has been used, where possible, to lessen the impact of expansive areas of hard surfacing

associated with parking areas. A condition is recommended in respect of the implementation and maintenance of landscaping. In the interests of safeguarding the appearance of the development it is also recommended that permitted development rights are removed for the erection of any means of enclosure (fencing, gates, walls etc) forward of the front elevation of any dwelling.

7.6.8. Furthermore, as required by the National Planning Policy Framework (NPPF) paragraph 137, highway trees and grass verges are shown to be included within the proposed adopted highway corridor. Boundary treatments are also deemed satisfactory with brick boundary walls being utilised in the most prominent locations.

7.6.9. The proposed details submitted in respect of public open space and landscaping have been assessed and are considered to provide a visually attractive development which would be compliant with policies CS2, CS14, CS15 and DM2.

#### 7.7. Internal road layout

7.7.1. Policy DM8 of the Delivery DPD requires new development to provide an appropriate level of parking and to meet the highway design standards set out in the most up-to date Leicestershire Local Highway Guidance.

7.7.2. The means of access to the site and off-site works within the highway are approved as part of the outline planning permission for the development and this reserved matters application cannot revisit these elements. The impacts of the development upon the highway were also assessed at outline stage. Only the details relating to the internal road layout and parking design are therefore to be considered at this stage.

7.7.3. As originally submitted, the proposed road layout was not fully compliant with the Leicestershire Highways Design Guide (LHDG) in respect of parking provision (including visitor parking) and dwellings served from an adoptable section of road. In addition, issues were raised relating to speed control measures, the shared footway/cycleway and refuse vehicle tracking which could impact upon the potential adoptability roads within the development.

7.7.4. The applicant has responded to the points raised by the Local Highway Authority (LHA) through the submission of additional information and amended plans. On the basis of revised information, the LHA has advised in its consultation response that the internal road layout accords with the LHDG and also that the submitted details are suitable for submission of a Section 38 application to the LHA in the event that planning permission is granted (i.e. the road layout has been designed to adoptable standards). Furthermore, on-plot

and visitor parking provision is made in accordance with the LHDG. Conditions are recommended in respect of parking and turning and overhanging windows.

7.7.5. The LHA considers that the impacts of the development on highway safety and the road network would not be unacceptable and the proposals are consistent with the requirements of policy DM8.

## 7.8. Flood Risk and Drainage

7.8.1. 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.

7.8.2. The site lies within Flood Zone 1 with some surface water flood risk in the northern part of the site, which was addressed through the submission of a sequential assessment at outline stage.

7.8.3. Conditions imposed on the outline permission require details of a surface water drainage scheme, as well as foul drainage, to be submitted and agreed (conditions 15 and 16). A discharge of condition application is currently pending relating to these details (26/0182/DOC).

7.8.4. Notwithstanding the conditions on the outline consent, the Lead Local Flood Authority (LLFA) were not satisfied that sufficient information had been submitted with the reserved matters to demonstrate that the development would be capable of meeting requirements for surface water drainage and sustainable drainage systems (SuDS).

7.8.5. Further details of surface water drainage calculations, proposed outfall and the intended SuDS strategy have been provided, including an updated surfaces plan indicating permeable paving to private drives and driveways in order to intercept the first 5mm of rainfall. Two detention basins are also proposed in the southern part of the site, as indicated at outline stage.

7.8.6. The LLFA is satisfied with the updated information provided and has advised in an updated consultation response that they have no objections to the proposed reserved matters. The application is therefore considered to make satisfactory provision for suitable drainage in accordance with policy CS22.

## 7.9. Ecology/Biodiversity Net Gain

- 7.9.1. Ecology and biodiversity net gain matters were assessed at the outline stage and are controlled by condition. Conditions have been discharged relating to the submission of an updated badger survey (condition 23), a Construction Environmental Management Plan for Biodiversity (condition 22) and a Biodiversity Enhancement Management Plan (condition 24). There is a pending application relating to submission of the Biodiversity Gain Plan.
- 7.9.2. Leicestershire County Council Ecology have given a response to the reserved matters consultation confirming that they have no objections. It is noted in their comments that the landscaping scheme will feed into the post development biodiversity net gain calculations.

## 7.10. Other Material Considerations

### *Environmental Matters – Noise*

- 7.10.1. Condition 20 on the outline permission requires the reserved matters to be supported by an updated Noise Impact Assessment. At the outline stage it was acknowledged that some mitigation measures were likely to be required to the most noise sensitive plots adjacent to Hinckley Road, and that this would be likely to be achieved through dwelling design.
- 7.10.2. The updated Noise Assessment provides consideration of the monitored noise and proposes mitigation to protect internal and extension noise levels. This is to take the form of standard 1.8m close boarded fencing in gardens and glazing and ventilations solutions. No objections are raised to this by Environmental Services and condition 20 requires that any proposed mitigation is implemented prior to the occupation of any of the related dwellings.
- 7.10.3. The proximity of the foul pumping station to dwellings on the site exceeds the requirements of 'Sewers for Adoption (SfA) 7th Edition Guidance', which sets out minimal distances for wet wells from habitable dwellings. Accordingly, no objections are raised in respect of this aspect of the layout.

### *Waste*

- 7.10.4. Bin storage and collection points are indicated on the layout plan and BDC Neighbourhood Services have raised no objections to the proposed layout.

## 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. The principle of the development and matters relating to access have been established through the approval of the outline planning permission 24/0615/OUT. This reserved matters application therefore solely considers the

layout, scale, appearance and landscaping relating to the proposed development. It is considered that the design and appearance of the proposal, would be appropriate and in keeping with the surrounding area. The applications makes satisfactory provision for affordable housing and overall housing mix and would provide acceptable residential amenity standards for existing residents and future occupiers.

- 8.3. The internal highways layout and provision of parking is acceptable. The design indicated for the roads also meets the LHA's standards for adoption, allowing the applicant to make a section 38 application to have the roads adopted by the Leicestershire County Council (subject to this process).
  - 8.4. The proposed landscaping provision, including the provision of public open space is considered a positive aspect of the development's design which will contribute to creating an attractive and characterful place to live. The renovation of the farmhouse and the re-creation of the former farmyard layout with two single storey dwellings will provide a focal point for the scheme.
  - 8.5. In conclusion it is considered the proposal is acceptable that the proposal would comply with the policies as set out in the Development Plan and the NPPF (2024). There are no material considerations which would indicate that the Development Plan should not be followed in this instance and approval is therefore recommended.
-

This page is intentionally left blank

## **Application reference: 25/0999/FUL**

**Proposal:** Erection of 47 dwellings with landscaping, open space, access works and associated infrastructure

**Site address:** Land to North of Cemetery, Forest Road, Huncote

**Applicant:** Mr. Mitesh Rathod

**Case officer:** Molly Wright - Senior Planning Officer

**Recommendation:** That application 25/0999/FUL be refused for the following reasons:

### **Reasons:**

1. The proposed development would reintroduce significant built development beyond the 'soft' edge of the settlement formed by Huncote Cemetery by removing the established historic boundary between the built-up area and countryside on the western side of Forest Road. In addition, the complete and permanent destruction of ridge and furrow agricultural land, would result in an unacceptable level of harm to the character and understanding of the landscape. The perceived benefits of the proposed development are not considered to outweigh this level of adverse harm and the development is therefore considered to be contrary to Policies CS1, CS5, CS18, of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013), Policy DM2 of the Blaby District Local Plan (Delivery) Development Plan Document (2019) and Policies FV6 and FV8 of the Fosse Villages Neighbourhood Plan (2021) and in accordance with paragraphs 11(d) and 216 of the National Planning Policy Framework (2024).
2. The proposed development, by reason of its layout, would result in development which fails to achieve high quality design, contrary to Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013), Policy DM2 of the Blaby District Local Plan (Delivery) Development Plan Document (2019) and Policy FV6 of the Fosse Villages Neighbourhood Plan (2021).
3. The application fails to demonstrate that a suitable drainage strategy can be achieved and that the development would not increase flood risk on-site or elsewhere, contrary to Policy CS22 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013).
4. The application fails to demonstrate the impact of the development on great crested newts and that it would not result in harm to a protected species or

that appropriate mitigation can be secured, contrary to Policy CS19 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and The Conservation of Habitats and Species Regulations (2017).

## 1. The site

- 1.1 The application site is located in designated Countryside, to the north of Huncote, on the western side of Forest Road and to the immediate north of Huncote Cemetery. It comprises approximately 2.2 hectares of ridge and furrow agricultural land. There is an existing vehicular/farm access to the site from Forest Road.
- 1.2 The application site appears to comprise two defined fields, with a triangular shaped field to the north and a rectangular shaped field to the south. It is bounded by established trees and hedgerows along its northern, western and southern boundaries. The eastern boundary is also defined by an established hedgerow, which separates the site from Forest Road. Mature trees are also present between the two fields, although the planting here is sparser.
- 1.3 In terms of topography, as set out above, the site is formed of ridge and furrow, giving it a distinct undulating appearance. The land generally falls towards the south-western corner, where drainage is directed, and an existing pond is located within this lower area. The site is located wholly within Flood Zone 1, however, has a small number of isolated areas along the eastern part of the site which are at risk of surface water flooding.
- 1.4 The site is located immediately to the east of a former landfill site and lies within the consultation buffer zones of three historic landfill sites (76, 77 and 286).

## 2. The Proposal

- 2.1 The application seeks full planning permission for the erection of 47 dwellings, together with landscaping, open space, access works and associated infrastructure.
- 2.2 The proposed development would comprise 35 market dwellings and 12 affordable dwellings, equating to 25% on-site affordable housing for the development. The housing mix and distribution across the site are shown on the submitted plans but comprise of:

<b>Bedrooms</b>	<b>Market housing</b>	<b>Social, affordable or intermediate rent</b>
1 bedroom	0	2
2 bedroom	14	5
3 bedroom	15	3
4+ bedroom	6	2

- 2.3 A new vehicular access to the site would be provided from Forest Road. The existing agricultural access at the north-eastern corner of the site would

closed for vehicular access, however, would be retained and used to provide pedestrian and wheeling access into the development.

- 2.4 Areas of open space are incorporated within the layout. This includes a children's play area located along the western edge of the site and a sustainable drainage system (SuDS) feature positioned along the northern boundary, which incorporates a footpath and associated publicly accessible green space.

### **3. Relevant Planning History**

- 3.1 There is no planning history relevant to the site.

### **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. The number in brackets signifies the number 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 Environmental Services (3) (7.5.3, 7.9.3)

No objection subject to the imposition of conditions.

4.1.2 Housing Strategy (1) (7.2.5)

Support application.

4.1.4 Neighbourhood Services (1) (7.3.20)

No objection.

#### **4.2 Leicestershire County Council Consultees**

4.2.1 Archaeology (3) (7.7.3)

No objection subject to imposition of conditions.

4.2.2 Developer Contributions (1)

Confirmed no requirement for developer contributions towards education, libraries and civic amenities.

4.2.3 Ecology (1) (7.13.3)

Holding objection. Require further information.

4.2.4 Forestry (2) (7.12.2)

No objection subject to imposition of conditions.

4.2.5 Local Highway Authority (3) (7.6.3)

No objection subject to imposition of conditions.

4.2.6 Lead Local Flood Authority (2) (7.8.4)  
Require further information.

4.2.7 Minerals and Waste (1) (7.10.3)  
No objection.

### **4.3 Others**

4.3.1 Environment Agency (1) (7.9.4)  
No objection subject to imposition of conditions.

4.3.2 Huncote Parish Council  
No comments received.

4.3.3 Leicestershire Fire and Rescue Service (1)  
Made no comments.

4.3.4 Leicestershire Police (2) (7.11.2)  
Requested developer contribution of £18,025.18.

4.3.5 Natural England  
No comments received.

4.3.6 NHS (1) (7.11.2)  
Requested developer contribution of £45,496.00.

4.3.7 Police Architectural Liaison & Designing (2)  
No objection. Suggested conditions.

4.3.8 Severn Trent  
No comments received.

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 and opposite residents were notified, a site notice was displayed, and the application was published in the Leicester Mercury newspaper.

5.2 11 letters of representation were received, including 9 objections with concerns summarised as follows:

- Loss of countryside
- Loss of nature / green space
- Impact on local character
- Will cause strain on existing infrastructure

- Overlooking and loss of privacy to existing dwellings on Field View Close
- Noise and disturbance
- Overdevelopment
- Highway safety
- Increase in traffic
- Inadequate drainage and increase in flooding
- Land contamination issues

## **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 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)**

Policy DM2 – Development in the Countryside

Policy DM8 – Local Parking and Highway Design Standards

Policy DM11 – Accessible and Adaptable Homes

Policy DM12 – Designated and Non-designated Heritage Assets

Policy DM13 – Land Contamination and Pollution

Policy DM15 – Mineral Safeguarding Areas

## 6.2 Fosse Villages Neighbourhood Plan 2018-2029 (June 2021)

Policy FV1 – Road Traffic  
Policy FV3 – Bus Services  
Policy FV4 – Biodiversity  
Policy FV6 – Design  
Policy FV7 – Housing Provision  
Policy FV8 – Windfall Housing  
Policy FV12 – Housing Mix

## 6.3 National Guidance

- The National Planning Policy Framework (NPPF) (2024)
  - Chapter 2: Achieving Sustainable Development
  - Chapter 4: Decision Making
  - Chapter 16: Conserving and enhancing the historic environment

## 6.4 Material Considerations

- The National Planning Policy Guidance (NPPG)
- Leicestershire Highways Design Guide (2024)
- Leicestershire Minerals and Waste Local Plan (2019)
  - Policy M11 – Safeguarding of Mineral Resources
- 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 Landscape and Settlement Character Assessment (2020)
- The Leicestershire, Leicester and Rutland Historic Landscape Characterisation Project (2010)

## 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;
  - Development Plan Policy
  - Suitability of the site for further development
- Affordable housing and housing mix;
- The impact of the development on the character and appearance of the area;
  - Landscape and visual impact
  - Design and layout
- On-site open space provision;
- The impact of the development on the amenity of nearby residents;
- The impact of the development on the surrounding highway network;

- Archaeology;
- Flood risk and drainage;
- Contamination;
- The impact of the development on minerals provisions;
- Developer contributions and infrastructure / facilities;
- Arboricultural implications;
- The ecological impact and Biodiversity Net Gain (BNG); and
- Other material considerations

## 7.1 The Principle of the Development

### *Development Plan Policy*

- 7.1.1 The application site lies outside the defined settlement boundary of Huncote and on land designated as Countryside on the adopted Policies Map. Huncote itself is identified as a Medium Central Village within the settlement hierarchy under Policy CS5 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013). Policy CS5 identifies Huncote as containing some key services and facilities but with limited employment opportunities. Huncote has a combined minimum housing requirement of 815 dwellings for the Medium Central Villages (Huncote, Littlethorpe, Cosby, Croft and Sapcote) for the period 2006–2029. At a local level, Policy FV7 of the Fosse Villages Neighbourhood Plan identifies a minimum housing provision of 140 dwellings for Huncote during the same plan period. It should be noted that this is a minimum requirement and is not a cap. As of 21<sup>st</sup> November 2025 (the most recently published data), 1,262 houses have been completed or committed in the Medium Central Villages, exceeding the requirement by 447 dwellings. It is acknowledged that planning application 24/0770/FUL, located opposite the site on the eastern side of Forest Road, has recently been resolved to approve at Committee for the demolition of existing buildings and the construction of 191 dwellings, together with a village hall, access, open space, landscaping, SuDS and associated infrastructure.
- 7.1.2 Policy CS1 sets out the strategy for locating new development towards the most sustainable locations within the District. This Policy uses a hierarchical approach, directing the majority of new development to the Principal Urban Area (PUA) of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town, Glen Parva and New Lubbethorpe), then Blaby and the Larger Central Villages (Enderby, Narborough, Whetstone and Countesthorpe). Only lower levels of growth are envisaged within the Rural Centre (Stoney Stanton), Medium Central Villages (including Huncote) and Smaller Villages, and such growth is expected to be appropriately located relative to the range of available services, facilities and public transport alternatives.
- 7.1.3 Policy FV8 of the Fosse Villages Neighbourhood Plan restricts housing development outside the limits to the built development to specific categories. These categories include: the re-use and adaptation of redundant rural buildings, small scale housing in the most sustainable locations, replacement dwellings, dwellings to meet essential need, dwellings to meet the essential need for a rural worker, or rural exception sites.

7.1.4 Residential development within designated countryside is also restricted by Policy CS18 of the Core Strategy, which states that planning permission will not be granted for built development that would have a significantly adverse effect on the appearance or character of the landscape whilst recognising that the need to retain the countryside must be balanced against the need to provide development in sustainable locations.

7.1.5 The Council is currently only able to demonstrate a 2.78-year supply of deliverable housing, falling short of the required 5-year supply. In line with paragraph 11(d) of the NPPF, in the case where a Council cannot demonstrate a 5-year supply of housing, the relevant policies for the supply of housing are considered to be out of date, and the presumption in favour of sustainable development applies. In this circumstance, the application must be considered using the tilted balance approach, whereby planning permission should be granted unless the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.

*Suitability of the site for further development*

7.1.6 The above policies confirm that Huncote is a settlement where further development may be appropriate, however, do not support residential development beyond the defined settlement boundary.

7.1.7 As a Medium Central Village, Huncote is seen to provide a range of local services and facilities but with limited opportunities for employment. The range of services within Huncote includes a primary school, leisure centre and local shops, as well as opportunities for public transport.

7.1.8 The application site is located approximately 300 metres walking distance from Huncote Leisure Centre and benefits from an existing footpath connection to the village centre, approximately 500 metres away. Bus services operate from within Huncote, including the X84 service, which provides hourly connections (between 09:00 and 18:00hrs) between Rugby and Leicester. The closest bus stop to the application site is currently located approximately 500 metres away, within the village centre. For application 24/0770/FUL on the adjacent side of Forest Road, the Local Highway Authority have requested a developer contribution towards the provision of two new bus stops along Forest Road. It is therefore possible that there will be bus stops in closer proximity to the application site going forward.

7.1.9 Policy CS10 seeks to reduce reliance on the private car by directing development to locations where residents can reasonably access services and facilities without the need to travel by private motor vehicle. In this regard, the site's proximity to services and public transport means that it performs reasonably well in accessibility terms and would allow future residents to access a range of facilities on foot or by public transport.

7.1.10 Accordingly, whilst the application site lies outside the defined settlement boundary, it cannot be regarded as isolated or disconnected from the village.

In purely locational and accessibility terms, the site represents a broadly sustainable location relative to the services and facilities available within Huncote.

### *Summary*

7.1.9 The proposed development is outside the settlement boundary and falls within designated countryside. Whilst it benefits from proximity to the existing services and public transport within Huncote, it does not meet any of the categories outlined in Policy FV8 as being acceptable for new residential development outside the limits for built development. By virtue of its location, it is therefore contrary to Policies CS1, CS5 and FV8. However, as the Council cannot demonstrate a 5-year supply of deliverable housing, the tilted balance applies. Consideration is therefore given to the following relevant material considerations:

### 7.2 Affordable housing and housing mix

7.2.1 Policy CS7 of the Core Strategy requires a minimum of 25% affordable housing on sites of 15 or more dwellings. The proposed development includes 12 affordable units, equating to 25.5% of the total, and therefore complies with the requirements of the policy.

7.2.2 Policy CS7 also requires residential development to integrate affordable and market housing through the dispersal of affordable housing units within the residential development (pepper-potting) and a consistent standard of design quality. The Housing Mix and Affordable Housing Supplementary Planning Document (2013) provides clarity on this, stating that affordable dwellings should be pepper-potted around development sites in clusters of no more than 6 dwellings. However, this should not be considered an impediment to delivery.

7.2.3 The affordable housing would be delivered to a consistent design standard, with no clear distinction between market and affordable units. The use of a varied but consistent palette of materials across the development assists in achieving an integrated and tenure-blind layout. However, there is a larger cluster of 8 affordable housing units.

7.2.4 Policy CS8 and Policy FV12 require development to provide an appropriate mix of house types and sizes to meet identified needs. The proposed mix includes a strong proportion of 2-bedroom dwellings, which responds positively to identified need for smaller homes. Whilst there is limited provision of bungalows, this is considered acceptable in this instance given the overall mix and the provision of entry-level housing.

7.2.5 The Council's Housing Strategy team has prepared a Housing Needs Assessment in support of the application, which identifies a significant and increasing need for affordable housing within the District, particularly for smaller properties, and highlights an ongoing shortfall in supply.

7.2.6 Housing Strategy officers confirm that the proposed market and affordable housing mix is acceptable, that the affordable units meet required standards,

and that the scheme would make a meaningful contribution towards addressing housing need. The proposed tenure split of 80% social rent and 20% shared ownership is also supported.

7.2.7 Overall, the proposal complies with Policies CS7, CS8 and FV12. It would deliver 12 affordable units as part of a wider scheme of 47 dwellings, which would provide a meaningful but limited contribution towards identified housing need. As such, the benefits of both market and affordable housing provision attract moderate weight in favour of the scheme.

### 7.3 Impact on the character and appearance of the area

#### *Landscape and visual impact*

7.3.1 Policy CS18 of the Core Strategy seeks to protect the appearance and character of the countryside, while recognising that decisions must balance the retention of countryside against the need to provide development in appropriate locations. Policy DM2 of the Delivery DPD supports development in the countryside only where it is in keeping with the appearance and character of the existing landscape and development form, with decisions informed by the Blaby Landscape and Settlement Character Assessment, National Character Areas and other relevant evidence.

7.3.2 In addition, Policy CS2 (Design of New Development) requires proposals to respect distinctive local character, be appropriate in their context, and demonstrate that they have taken account of local patterns of development, landscape features and views. Development should be sympathetic to its surroundings through layout, landscaping and design, and should take opportunities to enhance the natural and historic environment, including green infrastructure and biodiversity.

7.3.3 Similarly, Policy FV6 requires development to reflect the distinctive and traditional character of the Fosse Villages, as described in the Settlement Statements, protecting locally significant features such as traditional walls, hedgerows and trees.

7.3.4 The NPPF requires development to recognise the intrinsic character and beauty of the countryside (paragraph 187(b)).

7.3.5 The application site lies within National Character Area (NCA) 94: Leicestershire Vales, which is characterised by gently undulating farmland, a strong agricultural influence and villages set within a predominantly rural landscape.

7.3.6 At a local level, the site is located within the 'Croft Hill and Quarries' Landscape Character Area, as defined by the Blaby Landscape and Settlement Character Assessment. This character area lies within the central part of the District, adjacent to the settlements of Huncote and Croft, to the west of the M1 and immediately south of the M69. The landscape is influenced by past and present quarrying, with Croft Hill forming a notable landmark within Blaby District and the active Croft Quarry a distinctive feature.

Elsewhere, land use is primarily agricultural, with recreational uses present on the edges of settlements. While tranquillity is affected locally by the M69, the landscape retains a predominantly rural character, with settlements generally well-integrated through mature vegetation.

- 7.3.7 The application is supported by a Landscape and Visual Appraisal (LVA), undertaken in accordance with the 3<sup>rd</sup> Edition of 'Guidelines for Landscape and Visual Impact Assessment' (GLVIA3). The LVA has also taken account of guidance in the Landscape Institute Technical Guidance Note 02-21 'Assessing landscape value outside national designations'. However, this LVA has not addressed the loss of ridge and furrow earthworks or the existing 'soft' edge formed by Huncote Cemetery.
- 7.3.8 The application site is located outside of the northern edge of the village on the western side of Forest Road where Huncote Cemetery currently provides a 'soft' and landscaped visual transition between the existing built-up edge of the village and the surrounding countryside. It is considered that the proposal would reintroduce significant built form and its associated infrastructure beyond the cemetery, into land which forms part of the rural setting of Huncote. Whilst the development would introduce landscaping along its northern boundary, this would not represent the creation of a new 'soft' edge, as the cemetery currently performs this function. The proposal largely retains existing boundary vegetation rather than the establishment of a new transitional area and does not overcome the erosion of the established 'soft' edge. The loss of the existing defined transition between the settlement and the countryside would harm the historic character of the area.
- 7.3.9 The site is formed of extensive areas of ridge and furrow, which forms part of the wider historic agricultural landscape and positively contributes towards Huncote's rural character. While not designated, these features are a recognised characteristic of the Leicestershire Vales and represent an important historic understanding of the landscape. The ridge and furrow in this edge of settlement location, along with the adjacent cemetery also contributes towards the attractive visual transition from built development into open countryside.
- 7.3.10 The proposal includes the retention of much of the existing boundary vegetation and the provision of landscaped areas and green infrastructure to the north of the development. These elements align with the objectives of Policy CS14, which seeks to protect existing and provide new networks of multifunctional green spaces. The provision of green infrastructure alongside the retention of existing vegetation, is considered acceptable in principle.
- 7.3.11 However, notwithstanding these measures, the development would remain highly visible from nearby and further afield locations, particularly from Huncote Cemetery and from sections of Forest Road, where views into the site are available through gaps in boundary vegetation.
- 7.3.12 It is considered, by virtue of its dislocated position, along with the total destruction of ridge and furrow, that the proposal would be visually harmful to

the landscape character and historic settlement edge, to the detriment of the countryside, contrary to Policies CS2, CS18, DM2 and FV6.

*Design and layout*

- 7.3.13 Policy CS2 requires new development to take into account local patterns of development and to be appropriate within its context. New development should create safe environments where crime and disorder or fear of crime does not undermine quality of life. Consideration needs to be given to access and mobility needs with full connectivity, permeability and legibility. The Council will use Building for a Healthy Life to encourage high quality design across all new housing developments.
- 7.3.14 Policy DM2 requires development within the countryside to be in keeping with the appearance and character of the development form and buildings and not result in the overdevelopment of the site due to factors including footprint, scale and massing.
- 7.3.15 Policy FV6 also requires development to be in keeping with the scale, form and character of its surroundings.
- 7.3.16 The site is located on the edge of the settlement but benefits from reasonable connectivity to Huncote. The proposal includes a pedestrian link to Forest Road, which connect to the existing footway network leading into the village and its services. In addition, it is noted that planning permission has been resolved to approve development on land opposite the site (24/0770/FUL), which includes provision of a new village hall and associated infrastructure. In this context, whilst the site lies within the countryside, it would not be isolated and would have access to some facilities.
- 7.3.17 The proposed development comprises predominantly two-storey dwellings arranged across the site at a built density of approximately 36 dwellings per hectare. This density is reflective of the edge-of-settlement context and is comparable to other modern residential developments within Huncote, which are generally characterised by relatively low-density layouts. The use of limited materials, including two brick types, a render option and two roof colours, is also consistent with modern development in the locality.
- 7.3.18 Notwithstanding this, it is considered that the layout does not meet the high-quality design aims of the Council's design policies CS2 and DM2. The proposal includes a significant number of private, severed and unconnected drives and a poor provision of pedestrian linkages, which results in poor connectivity and walkability throughout the development, at odds with good urban design principles and the design aims of policies CS2 and DM2.
- 7.3.19 The siting of a substation and pumping station in the location proposed, is considered would result in an incongruous feature on a highly prominent part of the site contrary to good urban design principles. The proposed pedestrian route to the north of the site, crosses through public open space and close to a children's play area and connects to Forest Road. This route and location is shown as remote and visually separated from the development, screened by

established and proposed landscaping and unoverlooked by nearby dwellings, which are all designed to have their rear elevations, including 2m rear garden boundary facing towards the only area of public open, play area and external pedestrian link within the development site. Contrary to good urban design principles and the design quality aims of Policies CS2 and DM2.

7.3.20 The submitted plans also fail to demonstrate that satisfactory arrangements can be achieved for the storage and collection of household refuse within the site. All the internal roads, including the several severed and unconnected private drives are proposed to remain private and unadopted by the Local Highway Authority (LHA). The Council's current and established guidance states that council waste collection vehicles will not enter onto roads and drives which are not adopted by the LHA. Whilst details have been submitted showing that a refuse sized collection vehicle could physically enter and exit the site, there have been no details provided which show that satisfactory turning and visibility requirements can be achieved within the site. Similarly, no details of an alternative method of refuse collection arrangement (other than Council refuse services) have been provided as part of the application.

7.3.21 In the absence of such detailed information and an alternative collection service arrangement, it is reasonable to conclude that residents of all 47 dwellings would be required to meet the Council's requirement to present their bins adjacent to an adopted road and as such drag their refuse bins to Forest Road, approximately 200 metres from the furthest dwelling within the site. Such an arrangement (or lack of) is contrary to current up to date waste and refuse design guidance and at odds with the good design aims and principles of Policies CS2 and DM2.

7.3.22 The proposal fails to demonstrate that a high-quality design can be achieved and as such conflicts with Policies CS2, DM2 and FV6.

#### 7.4 On-site open space provision

7.4.1 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. Policy CS15 indicates that the 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.

7.4.2 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;

Table 1: Open space requirements by number of units per site					
Typology of Provision	1-19 dwellings	20-49 dwellings	50-99 dwelling	100-199 dwelling	200 dwellings
Parks and Recreation Grounds	Off-site	Off-site	Off-site	Off-site	On-site
Natural Greenspace	Off-site	Off-site	Off-site	On-site	On-site
Informal Open Space	Off-site	On-site	On-site	On-site	On-site
Provision for children and young people	Off-site	Off-site	On-site (LAP)	On-site (LEAP)	On-site (NEAP)
Allotments and community gardens	Off-site	Off-site	Off-site	Off-site	On-site
Source: Blaby District Council's Planning Obligations and Developer Contributions Supplementary Planning Document					

7.4.3 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 104 residents.

7.4.4 The submitted Design and Access statement and planning layouts that have been submitted identify the different open space typologies proposed. On-site there are areas of informal open space and a play area. SuDS features and areas of natural greenspace also bring benefits to a development in terms of visual amenities. In total, approximately 0.77ha of open space will be provided on site, predominantly on the northern and western side of the site.

Table 2: On-site open space requirement for 25/0999/FUL		
Open space requirement	Required quantity on site for 104 residents (ha)	Actual provision (ha)
Allotments and community gardens	None	None
Natural Greenspace	None	0.603
Informal Open Space	0.104	0.162
Provision for children and young people	None	0.008
Parks and recreation grounds	None	None
<b>TOTAL</b>	<b>0.104</b>	<b>0.773</b>

7.4.5 As a development proposing 47 dwellings, Table 1 shows that only 'informal open space' is required on-site. The calculator has shown that there is only a requirement for 0.104ha of 'informal open space' on-site. However, the applicant has also shown that there would be a small provision for children and young people, and additionally large areas of natural greenspace provided on site. The overall amount of open space proposed therefore significantly exceeds the policy requirements as outlined in Table 1.

7.4.6 No parks and recreation grounds, allotments and community gardens will be provided on-site in accordance with the requirements outlined above, which indicates that such open space typologies are not required on site for development proposals of less than 200 dwellings.

7.4.7 On-site open space provision, together with its long-term maintenance (should it not be adopted by the Parish Council), could be secured through a Section 106 agreement in accordance with the submitted drawings to ensure that the needs of future residents are met. The applicant has indicated that the open space would be managed by a private management company.

7.4.8 Weight is given within the planning balance to the fact that there is an over provision of open space across the site, with three different typologies being provided, when only informal open space is required. However, this over provision is not considered to outweigh the impact on the wider landscape and is not considered to overcome that the proposed development would reintroduce significant built development beyond the 'soft' edge of the settlement formed by Huncote Cemetery by removing the established historic boundary between the built-up area and countryside on the western side of Forest Road.

7.5 Impact of the development on the amenity of nearby residents

7.5.1 Policy DM2 requires new development to provide a satisfactory relationship with nearby uses and to ensure that there are no significant adverse impacts

on the amenity of existing or future occupiers, having regard to matters such as privacy, outlook, light, noise and disturbance.

- 7.5.2 In terms of relationships within the proposed development, the layout generally provides acceptable separation distances between dwellings which would not likely result in significant overlooking or overbearing impacts in this respect. The distance between the development and existing dwellings is similarly considered to be acceptable to avoid adverse impacts in this regard.
- 7.5.3 Environmental Services officers have advised that the submitted Noise Impact Assessment requires updating to reflect the revised layout (Revision D). This information was publicised on the Council's website. No additional information was received from the applicant to address this. However, given the principle reasons for recommendation to refuse, this information was not directly requested from the applicant. Notwithstanding this, it is acknowledged that at the time of writing this report, it has not been demonstrated that future occupiers would be afforded an acceptable level of amenity in respect of noise although it is also acknowledged that this could likely be addressed via an appropriate and suitable planning condition.
- 7.6 The impact of the development on parking, highways safety and the surrounding highway network
- 7.6.1 Policy DM8 requires development to provide an appropriate level of parking provision and to be designed in accordance with the Leicestershire Highway Design Guide (LHDG), having regard to accessibility, the type and mix of development and opportunities for sustainable transport. Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.6.2 The applicant has advised that the internal layout of the site will not be proposed for adoption by Leicestershire County Council and will be maintained by a private management company.
- 7.6.3 The Local Highway Authority (LHA) confirms that, subject to conditions and contributions, the impacts of the development on highway safety would not be unacceptable and would not result in a severe impact on the wider highway network, in accordance with the NPPF.
- 7.6.4 A new access is proposed from Forest Road, and the LHA is satisfied that suitable visibility splays and intervisibility have been demonstrated in accordance with the LHDG. The access arrangements are therefore considered safe and suitable to serve the development.
- 7.6.5 The internal layout and parking provision are shown to comply with the requirements of the LHDG, including provision for visitor parking. The development would also provide pedestrian connections to the existing footway network, improving accessibility to services within Huncote and supporting opportunities for sustainable travel.

7.6.6 While some detailed matters remain outstanding, including confirmation of refuse collection arrangements and certain detailed design elements, the LHA is satisfied that these can be addressed through planning conditions and are not matters that would warrant refusal of the application.

7.6.7 Overall, subject to the imposition of the recommended conditions and obligations, the proposal is considered to comply with Policy DM8 of the Local Plan and the relevant provisions of the NPPF.

## 7.7 Archaeology & Historic Environment

7.7.1 Policy CS20 of the Core Strategy seeks to preserve and protect archaeological remains and requires development proposals to avoid harm to the significance of heritage assets and to make a positive contribution to the character and distinctiveness of the local area. Similarly, Policy DM12 expects development to avoid harm to heritage assets and applies a balanced judgement to proposals affecting non-designated heritage assets, support being given only where the benefits of the scheme outweigh the scale of harm, having regard to the significance of the asset.

7.7.2 In accordance with Section 16 of the National Planning Policy Framework, decision-makers must take into account the effect of an application on the significance of a non-designated heritage asset. Paragraph 216 requires a balanced judgement to be made having regard to the scale of any harm and the significance of the asset. Paragraph 218 confirms that, where loss occurs, developers should be required to record and advance understanding of the asset in a proportionate manner but makes clear that the ability to record evidence of the past should not be a factor in deciding whether such loss should be permitted.

7.7.3 The application has been subject to consultation with Leicestershire County Council's Archaeology officers who have confirmed that the application site contains extensive and well-preserved historic ridge and furrow earthworks, which extend across much of the site. These features represent an important surviving element of the historic agricultural landscape and constitute a non-designated heritage asset. Ridge and furrow earthworks are an increasingly scarce resource locally and regionally and make a valuable contribution to understanding historic land use and settlement patterns.

7.7.4 An archaeological evaluation undertaken by ULAS did not identify any buried archaeological remains predating the ridge and furrow. However, subsequent topographic survey work confirmed the extent and legibility of the ridge and furrow and identified the potential presence of a plough headland within or immediately adjacent to the site boundary. The submitted masterplan makes no provision for the preservation of these earthworks and, as a result, the proposals would lead to their total and permanent loss.

7.7.5 While the applicant has provided a comprehensive record of the ridge and furrow on site, it is considered that this cannot compensate for or offset their destruction and permanent loss from the landscape. The loss of these well-

preserved and increasingly scarce remains therefore results in a level of harm to the historic environment and to the understanding of the historic agricultural history of the area, contrary to Policies CS20 and DM12 and Section 16 of the NPPF.

## 7.8 Flood risk and drainage

- 7.8.1 Policy CS22 requires development to minimise vulnerability and provide resilience to flooding, taking into account climate change. This will be achieved by directing development to the areas at the lowest risk of flooding, using Sustainable Drainage Systems (SuDS) to ensure that flood risk is not increased on-site or elsewhere and managing surface water run-off.
- 7.8.2 The application site is located within Flood Zone 1 and is therefore at low risk of fluvial flooding. However, parts of the site are at risk of surface water flooding, particularly towards the eastern side. These areas are refined to the ditches and lower points of the site.
- 7.8.3 The application is supported by a drainage strategy which proposes the use of SuDS, including an attenuation basin and controlled discharge to a ditch to the north of the site at a restricted runoff rate.
- 7.8.4 The Lead Local Flood Authority (LLFA) has been consulted on the application and has raised concerns regarding the adequacy of the submitted information. They have advised that the application documents are insufficient to enable them to provide a substantive response and has requested further information, including an updated drainage strategy using 2l/s runoff rate and evidence of capacity within receiving watercourses for the increase in flow and volume leaving the site post development. This information was publicised on the Council's website. No additional information was received from the applicant to address this.
- 7.8.5 In the absence of a substantive response from the LLFA and insufficient evidence to demonstrate that runoff can be appropriately managed, including an updated drainage strategy using an appropriate rate and confirmation of the capacity of receiving watercourses to accommodate an increase in flow and volume, it has not been adequately demonstrated that the development would comply with the requirements of Policy CS22. The proposal therefore fails to demonstrate that it would not increase flood risk on-site or elsewhere.

## 7.9 Contamination

- 7.9.1 Policy DM13 of the Blaby District Local Plan (Delivery DPD) requires development proposals to demonstrate that any unacceptable adverse impacts arising from land contamination, landfill, land stability and pollution can be satisfactorily mitigated. Where land is (or has the potential to be) subject to contamination, or land is close to an aquifer or surface water feature that may result in groundwater or surface water pollution; proposals should be supported by appropriate investigation and mitigation measures to avoid harm to the site and surrounding area.

7.9.2 The application site is located immediately adjacent to three historic landfill sites (sites 76, 77 and 286), which adjoin the western boundary. The site also lies within a sensitive hydrogeological setting, with potential for groundwater contamination. The site therefore lies within a context where there is potential for contamination and landfill gas migration to affect both the development and surrounding water network.

7.9.3 Environmental Services officers have raised no in principle objection to the contamination strategy, confirming that risks from land contamination and landfill gas can be appropriately mitigated through further ground gas monitoring, remediation details and verification secured by condition.

7.9.4 Similarly, the Environment Agency raises no objection subject to a condition requiring investigation and remediation of any previously unidentified contamination, to ensure protection of controlled waters, having regard to the site's location on a Secondary Aquifer.

7.9.5 On this basis, contamination matters are capable of being addressed through planning conditions and the development would comply with Policy DM13.

#### 7.10 The impact of the development on minerals provisions

7.10.1 Policy DM15 of the Delivery DPD and Policy M11 of the Leicestershire Minerals and Waste Local Plan seek to ensure that mineral resources are not unnecessarily sterilised by non-mineral development within identified Mineral Safeguarding Areas. In such cases, applications should be supported by a Minerals Assessment to demonstrate the potential effect of the development on safeguarded resources.

7.10.2 The application site lies partly within Mineral Safeguarding Areas, with the southern part of the site safeguarded for igneous rock and the western part safeguarded for sand and gravel. A Minerals Assessment has been submitted in support of the proposal and has been reviewed by Leicestershire County Council as the Minerals and Waste Planning Authority.

7.10.3 Leicestershire County Council as minerals authority raises no objection to the proposal. It is noted that, due to the location of the site adjacent to the existing settlement edge and Huncote Cemetery, future mineral extraction is unlikely to be feasible or viable in this location. The proposal is therefore considered to comply with Policy DM15 and Policy M11, and it is not considered that the development would result in the unnecessary sterilisation of mineral resources.

#### 7.11 Developer contributions and infrastructure / facilities

7.11.1 Policy CS11 requires that new development is supported by the necessary physical, social and environmental infrastructure at the appropriate time. It emphasises that the Council will work in partnership with relevant delivery agencies to ensure that development provides the infrastructure, services and facilities needed to meet community needs and address any adverse impacts arising from growth. Policy CS12 further states that, where infrastructure, service and facility requirements have been identified through robust

evidence, developers will be expected to contribute towards their provision, and in some cases their ongoing maintenance. In addition, Policy CS15 is relevant in respect of open space, sport and recreation, confirming that financial contributions will be sought where appropriate.

7.11.2 Leicestershire ad have requested £18,025.18 for funding to mitigate the impact of the proposed development on policing infrastructure has been made. The Leicester, Leicestershire & Rutland Integrated Care Board (NHS) have requested a contribution of £45,496.00 to provide the required GP facilities to meet the population increase resulting from the development.

#### 7.12 Arboricultural implications

7.12.1 An Arboricultural Impact Assessment has been submitted which identifies numerous existing trees, groups and a small woodland on and adjacent to the site. This includes trees protected by the area TPO 172/CC along the western boundary adjoining the site. The assessment confirms that the layout has sought to retain the majority of trees, with only limited removals and pruning required to facilitate the development, including the loss of a short section of boundary hedgerow to form the proposed access.

7.12.2 Leicestershire County Council Forestry raise no objection to the proposals, noting that the submitted landscaping scheme includes native tree and hedgerow planting which would reinforce existing vegetation and provide enhancement across the site. Overall, the impacts on trees and hedgerows are limited and subject to appropriate protection and replacement planting, are considered acceptable.

#### 7.13 Ecological impact and Biodiversity Net Gain (BNG)

7.13.1 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.

7.13.2 An Ecological Assessment was submitted in support of the application. This identified that the site comprises predominantly grazed neutral grassland, with features of ecological value including hedgerows, areas of scrub and adjacent woodland. The assessment identified the potential presence of protected species, including bats, breeding birds and great crested newts, and set out mitigation measures to address impacts arising from the development. In particular, the site lies within an amber risk zone for great crested newts and evidence confirms the presence of great crested newt in ponds within 500m of the site, with suitable terrestrial habitat present on-site.

7.13.3 Leicestershire County Council Ecology officers have reviewed the submitted information and raised a holding objection, advising that insufficient

information has been provided to fully assess the impacts on protected species, specifically great crested newt. Further survey work, including population class surveys of ponds where newts have been identified, together with a mitigation strategy, is required to support any necessary European Protected Species licence. The Ecologist advises that this information must be provided prior to determination to establish the presence or absence of protected species and the extent to which they may be affected.

7.13.4 With regard to BNG, the baseline unit value for the site is 18.22 habitat units and 2.09 hedgerow units. The post-development unit value for the site is proposed to be -6.89 habitat units (-37.83%) and 0.65 hedgerow units (+31.06%). The net gain has therefore been achieved on-site through hedgerow units, but not for habitat units, with a deficit of 8.72 habitat units to be purchased via off-site habitat credits. Ecology officers have confirmed that the submitted metric and supporting information are considered acceptable and demonstrate that the development is capable of achieving the required net gain, subject to detailed matters being secured through a Biodiversity Gain Plan and associated management and monitoring.

7.13.5 However, in the absence of the required survey information and mitigation strategy in respect of great crested newts, the District Planning Authority cannot be satisfied that the development would not result in harm to a protected species or that appropriate mitigation can be secured. As such, it has not been demonstrated that the proposal accords with Policy CS19.

#### 7.14 Other material considerations

7.14.1 Application 24/0770/FUL was resolved to be approved at Planning Committee on 27<sup>th</sup> November 2025. This site is to the east of Forest Road, opposite the application site. The application was for 191 dwellings and associated development was for a significant scheme where a finely balanced decision was arrived at. In terms of its location however, whilst comparable due to its close proximity to the current proposed development, it directly adjoins existing residential development, unlike this current application which differs significantly in this respect in that it is located beyond the cemetery grounds and therefore dislocated from existing development., resulting in a materially different relationship to the existing settlement of Huncote. All applications are judged on their individual merits.

### **8. Overall Planning Balance and Conclusion**

8.1 Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 As set out in the assessment above, the proposal is contrary to the development plan in principle, by reason of its location outside the defined settlement boundary, within the countryside, and due to the identified harm to landscape character and the historic environment.

- 8.3 However, as the Council cannot currently demonstrate a five-year supply of deliverable housing land, the application is therefore assessed against the presumption in favour of sustainable development under paragraph 11(d) of the NPPF. Paragraph 11(d) states that planning permission should be granted unless it can be demonstrated that the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole.
- 8.4 In applying this tilted balance, the benefits of the proposal have been given due consideration. The provision of new housing, including affordable housing, is given weight in favour of the scheme, particularly in the context of identified shortages of both market and affordable housing within the wider District. In addition, the provision of on-site open space in excess of policy requirements attracts further limited weight in favour of the proposal. Taken together, these benefits attract moderate weight in support of the scheme.
- 8.5 These benefits must, in accordance with the provisions of the NPPF however, be weighed against the harms identified. The proposal would conflict with the development plan in a number of areas. Significant weight is afforded to the harm to the countryside arising from the reintroduction of built development beyond a clearly defined and established historic soft settlement edge, resulting in a development that would harm the existing character and appearance of the area. In addition, substantial weight is given to the total destruction and permanent loss of well-preserved and increasingly scarce ridge and furrow. This permanent loss from the landscape represents an irreversible harm to the historic environment and the understanding of the areas historic agricultural past which cannot be mitigated or off set through recording alone.
- 8.6 Separately, the proposal would fail to achieve a high standard of design. The layout is poorly connected and lacks coherence, with extensive reliance on private drives, poorly located infrastructure and insufficiently overlooked pedestrian routes. The absence of satisfactory refuse collection arrangements further demonstrates that the development would not function effectively. The proposal is therefore unacceptable in design terms.
- 8.7 Furthermore, the proposal fails to demonstrate that an acceptable drainage strategy can be achieved, with insufficient information provided to confirm that flood risk would not increase elsewhere. Similarly, insufficient ecological information has been submitted to assess the impacts of the development on Great Crested Newt, meaning that it has not been demonstrated that harm to a protected species could be avoided or appropriately mitigated.
- 8.8 Taking all matters into account, the adverse impacts arising from the development significantly and demonstrably outweigh the benefits of the proposal, including the provision of 47 dwellings. The proposal therefore fails to represent sustainable development when assessed against the policies of the NPPF as a whole.

8.9 Accordingly, the proposal fails to accord with the development plan when read as a whole and does not satisfy the presumption in favour of sustainable development. The proposed development conflicts with policies CS1, CS2, CS5, CS18, CS19, CS22, DM2, FV6 and FV8. Planning permission is therefore recommended for refusal.

This page is intentionally left blank

## **Application reference: 26/0231/FUL**

**Proposal:** Retrospective change of use of land as a residential caravan site, comprising 10 Gypsy and Traveller pitches accommodating a total of 10 static caravans/mobile homes, installation of hardstanding, construction of earth bunding and installation of package sewage treatment plant

**Site address:** Land South Of Lychgate Lane, Aston Flamville LE10 3AQ

**Applicant:** Mr Alex Doherty

**Case officer:** Glen Baker-Adams - Development Services and Enforcement Manager

**Recommendation:** Permitted with conditions

### **Conditions:**

1. Site shall not be occupied by any persons other than gypsies and travellers as defined by guidance.
2. No more than 10 pitches approved
3. Detailed soft and hard landscaping scheme to be provided
4. Landscaping scheme shall be carried out within one year of completion of the development
5. No commercial activities shall take place on the land
6. No external lighting shall be installed on the site until details (including luminance levels and measures provided
7. Within one month of the decision hereby permitted, full until details of a scheme for foul and surface water drainage has been submitted to, and approved

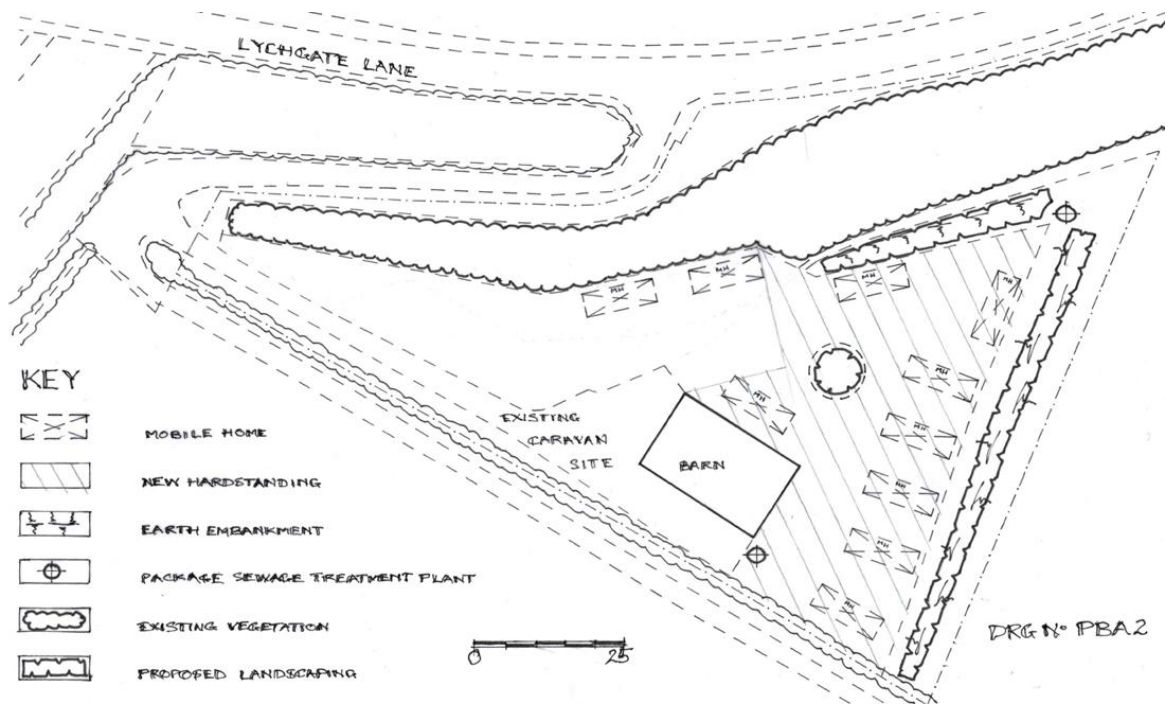
### **1. The site**

- 1.1 The site is a site designated as countryside of 0.5 hectares in area.
- 1.2 The M69 motorway lies to the west with intervening vegetation and the site access to the north along an access road of around 91m in length. Agricultural fields adjoin the site on the other sides.
- 1.3 The site itself contains a large agricultural building and the two caravans and one touring caravan that was given permission in 2025 referenced in the history section below.

1.4 There are no protected buildings and does not lie in a conservation area. It is in flood zone 1.

## 2. The Proposal

2.1 The application is for full planning permission for the siting of ten mobile homes for gypsy and travellers. These units will occupy the whole of the site in the following layout:



2.2 Along with the mobile homes, hardstanding will be applied within along with a sewage plant for dealing with wastewater.

2.3 The application is retrospective as the applicant has identified that people are approaching the site for occupation owing to the need that exists for travellers in the local area. Mobile homes have been brought onto the site as a result.

## 3. Relevant Planning History

Reference	Description	Decision	Date
20/0621/FUL	Change of use of land to a residential Gypsy/Traveller caravan pitch for one family, comprising two caravans (mobile homes), one touring caravan and provision of hardstanding and shed	Application Permitted	06/03/2025

## 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 objection

#### **4.2 Leicestershire County Council Consultees**

##### **4.2.1 Local Highway Authority (1) (7.4)**

No objection

##### **4.2.2 Ecology (1)**

No objection as the application is retrospective and the work was restricted to poor quality grassland.

##### **4.2.3 Multi Agency Travellers Unit Co-ordinator**

Support the proposals along with justification

##### **4.2.4 Forestry**

No objection

#### **4.3 Others**

##### **4.3.1 Aston Flamville Parish Meeting**

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 residents were notified.

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 CS9 – Accommodation for Gypsies and Travellers

Policy CS18 – Countryside

Policy CS19 – Biodiversity and geo-diversity

Policy CS21 – Climate change

Policy CS23 – Waste

Policy CS24 – Presumption in Favour of Sustainable Development

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

Policy SA4 – Broad Locations for Accommodating Gypsies and Travellers and Travelling Showpeople.

Policy DM2 - Development in the Countryside .

Policy DM8 – Local Parking and Highway Design Standards

### 6.1.3 Fosse Villages Neighbourhood Plan

Policy FV8 -Windfall Housing

Policy FV17 – Aston Firs

## 6.2 Material Considerations

- The National Planning Policy Framework (NPPF) (2024)  
Chapter 2: Achieving Sustainable Development  
Chapter 4: Decision Making

- Planning Policy for Traveller Sites
- Blaby District Council Gypsy and Travellers Accommodation Assessment (GTAA) 2022
- 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;
- The impact on ecology including trees and
- Human Rights

### 7.1 The Principle of the Development

7.1.1 Policy CS18 of the Blaby Core Strategy states that within areas designated as Countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape... The need to retain Countryside will be balanced against the need to provide new development (including housing) in the most sustainable locations. The detailed boundaries of Countryside will be determined through the Allocations, Designations and Development Management DPD.

7.1.2 The development involves the siting of mobile homes on land designated as countryside which in their truest form would not be considered built development. As to whether it would have a significant impact effect on the appearance or character of the landscape, it is defined by the specific location of the site which is located down an access track and further lower than natural ground level whereby visibility is severely limited. As a result, it is considered that the proposal would not have this significant effect on the appearance of character of the landscape. As a result, the development would accord with CS18 of the Blaby Core Strategy.

7.1.3 CS9 of the Blaby Core Strategy states that provision of sites will be made through a combination of the development management process and the Allocations, Designations and Development Management DPD. In this case of this application, it is the former as the current policies highlight a shortage of traveller sites in the district.

- 7.1.4 As a result, considerations of new sites have been considered and in line with CS9 a) to f) insofar as:
- a) the development would be located within reasonable distance to Burbage to the west and Aston Flamville to the east;
  - b) does not pose a significant adverse impact on landscape, countryside and the built environment by reasons stated provides sensitive landscaping and screening;
  - c) is capable of being accessed without detriment to highway safety and adequate parking, turning and servicing space is provided;
  - d) it is of an appropriate scale in relation to the settlement to which it relates, and its local services and infrastructure; capable of providing satisfactory living conditions for residents without hazards / nuisance caused by (amongst other things) flooding, noise or land contamination;
  - e) The development capable of implementation without causing unacceptable nuisance to existing neighbours by virtue of noise and other disturbance caused by movement of vehicles to and from the site.

The proposal is in broad accordance with the 'Designing Gypsy and Traveller Sites, Good Practice Guide'.

- 7.1.5 The most current evidence suggests there is a significant lack of supply of accommodation for gypsies and travellers. As with traditional housing, there is a duty for local planning authorities. Taking this and the above considerations into account, the development is considered be acceptable in principal.

## 7.2 Impact on the character and appearance of the area

- 7.2.1 Policies CS2 (Design of new development) and DM1 (Development within the settlement boundaries) 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 As discussed at section 7.1.4 above, the proposal is considered to be designed appropriately and with the imposition of a landscaping scheme, it is viewed the proposal would accord with this policy.

## 7.3 Impact of the development on the amenity of nearby residents

- 7.3.1 NPPF paragraph 135 states that planning decisions should ensure that developments: create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

7.3.2 There are no immediate neighbours to the site with the nearest residential property over 130m across the road from the land in which the development is proposed.

7.3.3 Conditions have been imposed in respect of external lighting which aims to control the amenity considerations of this should be required.

7.3.4 As a result, the development is considered to not significantly impact the amenity of those living nearby and will accord with relevant policies.

#### 7.4 The impact of the development on the surrounding highway network

7.4.1 Policy DM8 requires development to provide an appropriate level of parking provision and to be designed in accordance with the Leicestershire Highway Design Guide (LHDG), having regard to accessibility, the type and mix of development and opportunities for sustainable transport. Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

7.4.2 The site will be accessed using a comprehensive access of the appropriate widths that is deemed acceptable to the Leicestershire County Council highways department.

7.4.3 As a result, the development is considered to accord with DM8 of the Local Plan (Delivery) Development Plan Document.

#### 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 The application is retrospective with no known biodiversity impacts known. The area in which the development has taken place is restricted to poor quality grassland and therefore there are no significant biodiversity impacts identified by the proposed development.

#### 7.6 Human Rights

7.6.1 When considering an application for planning permission for gypsy pitches, the Council needs to consider whether Article 8(1) of the European Convention on Human Rights (ECHR) is engaged. Article 8(1) provides that everyone has the

right to respect for his private and family life, his home and his correspondence. Case law has established that Article 8(1) of the ECHR is engaged in applications for planning permission for residential Gypsy caravan pitches irrespective of whether the applicants are occupying the site as their home at the time the application is made.

7.6.2 Article 8(2) of the ECHR allows interference by a public authority with the right to respect for private and family life where the interference accords with the law and is necessary in a democratic society for the wider public interest, in terms of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of rights and freedom of others.

7.6.3 Case law has also established that the greater interference with ECHR rights, the greater will be the need to justify the interference by reference to necessity and proportionality. The concept of proportionality can be equated to the balancing exercise which should be undertaken by all decision makers and in the case of applications for Gypsy sites, any action must be evenly balanced and fully considered in order to avoid the criticism that it is disproportionate relative to the harm caused. These cases suggest that legally it will not be sufficient for local authorities to rely on a breach of Development Plan policies in refusing planning permission. Rather there must be clear evidence of demonstrable harm which outweighs the consequences of the Council's decision for Gypsies. There is thus a need for the Council to weigh demonstrable harm against the consequences of a refusal for the applicant, including health, education, other social issues and the availability of alternative sites. It has however been found that the fact that no alternative site has been identified does not necessarily mean that it is disproportionate to refuse planning permission.

## **8. Overall Planning Balance and Conclusion**

8.1 Blaby District Council has a recognised shortfall in sites for gypsies and travellers. As a result, there is a presumption to look at alternative sites positively.

8.2 The proposed site is already in use for one family and owing the site characteristics discussed above with no objection from relevant consultees it is considered to accord with the relevant planning policies with no material considerations dictating that an alternative view to be taken.

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.