

DATE: 21 July 2026  
MY REF: Planning Committee  
YOUR REF:  
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**To Members of the Planning Committee**

Cllr. Lee Breckon JP (Chairperson)  
Cllr. Terry Richardson (Vice-Chairperson)

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, 30 JULY 2026** at **4.30 p.m.** for the transaction of the following business and your attendance is requested.

Yours faithfully



**Gemma Dennis**  
**Assistant Director - Corporate Services 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 2 July 2026 (enclosed).

- 4. 25/0764/FUL - Glenfield Social Centre and Club, Station Road, Glenfield, Leicester (Pages 15 - 32)
- 5. 25/1026/RM - Land to the North of Leicester Road, Sapcote (Pages 33 - 52)
- 6. 25/0489/OUT - Land off Broughton Road, Cosby (Pages 53 - 110)
- 7. 26/0028/RM - Land at Croft Lodge Farm, Broughton Road, Croft, Leicestershire (Pages 111 - 136)

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.

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## **PLANNING COMMITTEE**

Minutes of a meeting held at the Council Offices, Narborough

**THURSDAY, 2 JULY 2026**

Present: -

Cllr. Lee Breckon JP (Chairperson)  
Cllr. Terry Richardson (Vice-Chairperson)

Cllr. Roy Denney  
Cllr. Helen Gambardella

Cllr. Richard Holdridge  
Cllr. Mark Jackson

Cllr. Bob Waterton

**Substitute: -**

Cllr. Nigel Grundy (In place of Cllr. Les Phillimore)

**Officers present: -**

|                          |                                                |
|--------------------------|------------------------------------------------|
| Glen Baker-Adams         | - Development Services and Enforcement Manager |
| Clementyne Murphy-Nelson | - Development Services Team Leader             |
| Charles Ebdon            | - Major Schemes Officer                        |
| Rebekah Newman           | - Senior Planning Officer                      |
| Avisa Birchenough        | - Democratic & Scrutiny Services Officer       |
| Nicole Evans             | - Democratic & Scrutiny Services Officer       |
| Chloe Skipp              | - Legal Advisor                                |

**Apologies: -**

Cllr. Tony Deakin  
Cllr. Les Phillimore

**1. DISCLOSURES OF INTEREST**

Cllr. Richard Holdridge - 26/0291/VAR - Variation of conditions 2 (approved plans), 3 (materials), 4 (boundary treatments), 5 (surfacing), attached to planning application 24/0004/FUL

Nature of Interest - Non-Registerable Interest.

Extent of Interest - This application is within Cllr. Holdridge's ward but has an open mind and reserves the right to participate in the discussion.

**2. MINUTES**

The minutes of the meeting held on 11 June 2026, as circulated, were approved as a correct record.

3. **25/1074/FUL - ENDERBY LIFE CHURCH, MOORES LANE, ENDERBY, LE19 4AN**

Considered - Report of the Senior Planning Officer.

**25/1074/FUL**

Demolition of existing church, erection of children's care home (comprising of 4no. child bedrooms, 1no. staff bedroom and 1no. x bed flat) (Class C2), solar panels to roof slope and associated parking and landscaping.

Enderby Life Church, Moores Lane, Enderby, LE19 4AN

**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:

- Andy Briars – on behalf of Enderby Life Church

**DECISION**

That the application be approved, subject to the following conditions.

**Conditions:**

1. Statutory 3-year condition.
2. Development to be built in accordance with approved plans and documents.
3. A programme of archaeological work (in accordance with a Written Scheme of Investigation (WSI) to be submitted and approved by the LPA) to be completed prior to the commencement of development or any demolition.
4. The parking and turning facilities as per the Proposed Site Plan are to be implemented prior to first occupation of the proposed development.
5. Secure and under cover cycle parking details to be agreed and provided prior to first occupation of the proposed development.
6. The flat hereby permitted to remain ancillary and shall not be occupied or operated separately from the remainder of the premises.
7. A Demolition and Construction Management Plan to be submitted and approved prior to commencement of development.
8. Residential care of no more than four children between the ages of 8 to 18 years (inclusive) at any one time.
9. Maximum of eight members of staff being present on the site at any one

time.

10. The use hereby permitted is limited to that of a children's home only and for no other purpose.
11. All mitigation measures and / or works to be carried out in accordance with Ecological Appraisal recommendations.
12. Biodiversity Enhancement Layout to be submitted and approved prior to occupation.
13. Lighting design strategy for biodiversity to be submitted and approved prior to occupation.
14. Tree works during construction period as per Arboricultural Impact Assessment.
15. All existing trees, shrubs or hedges to be retained on the site shall be protected by suitable fences during the construction period.
16. Requirement to submit a Phase I Desktop study prior to commencement of development.
17. Where required by condition 16, approved remediation works to be completed in accordance with approved remediation method statement prior to commencement of any above ground development. Verification report for remedial scheme to be submitted and approved within 3 months of completion of approved remediation works.
18. Details of proposed tree planting, soft and hard landscaping to be submitted and agreed prior to commencement of development (except any site clearance or demolition).
19. Material specification (all materials and finishes used on external elevations, windows, doors and roofs) to be submitted and approved prior to any development above ground level.
20. Full details of any Air Source Heat Pumps (ASHPs) to be submitted and approved prior to installation.
21. Written confirmation of successful completion of installation of ASHPs to be submitted within three months of installation.
22. Operational Management Plan to be submitted and approved within three months from the grant of this planning application.

**4. 26/0291/VAR - LAND OFF GILLAM BUTTS, COUNTTESTHORPE, LE8 5XY**

Considered - Report of the Major Schemes Officer.

**26/0291/VAR**

Variation of conditions 2 (approved plans), 3 (materials), 4 (boundary treatments), 5 (surfacing), attached to planning application 24/0004/FUL.

Land Off Gillam Butts, Countesthorpe, LE8 5XY

**DECISION**

That application 26/0291/VAR is approved subject to the applicant entering into a Section 106 for application 24/0004/FUL to secure the following:

- 25% provision of affordable housing
- Affordable Housing commuted sum
- Primary Education
- Library facilities
- Civic amenity and waste facilities
- Health care facilities
- Contributions or provision of open space provision/ enhancement/ management
- Contributions towards, travel packs and bus pass provision
- Recycling and refuse contribution (wheeled bins)
- S106 Monitoring – District and County Councils

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

**Conditions:**

1. Implementation of development 3 year from the date of approval of 24/0004/FUL
2. Development to be in accordance with approved plans
3. Development to be carried out in accordance with approved external materials
4. Development to be carried out in accordance with approved boundary treatments
5. Development to be carried out in accordance with approved hard landscaping
6. Construction Management Plan to be submitted, agreed and adhered to during development
7. Details of site/finished floor levels to be submitted, agreed and adhered to.

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8. Details of external lighting to public areas to be submitted, agreed and adhered to.
9. Arboricultural Method Statement including tree protection measures to be submitted, agreed and adhered to.
10. All existing protected trees and boundary hedges shall be retained
11. Soft Landscaping Scheme shall be submitted and agreed and adhered to
12. 30-year Landscape Ecological Management Plan (LEMP) shall be submitted and agreed and adhered to.
13. Construction Environmental Management Plan for Biodiversity (CEMP) shall be submitted and agreed and adhered to.
14. Surface water drainage scheme to be submitted and agreed and implemented.
15. The development shall be carried out in accordance with the Geo-Environment Assessment.
16. Reporting of unexpected contamination
17. Access arrangements to be implemented in full.
18. Parking and turning facilities to be implemented in full.
19. Parking to be retained in perpetuity
20. No gates, access gates, barriers, bollards, chains etc to be erected.
21. Drainage to be provided within the site such that surface water does not drain into the public highway including private access drives.
22. Bathroom windows to be obscurely glazed
23. Removal of Permitted Development Rights for boundary treatments on selected plots
24. Removal of Permitted Development Rights for additional floors Removal of
25. Permitted Development Rights for additional windows on selected plots.
26. Removal of Permitted Development Rights for extensions on selected plots.

**5. 25/1131/OUT - CHURCH FARM, MARSTON ROAD, CROFT, LE9 3GX**

Considered - Report of the Senior Planning Officer.

**25/1131/OUT**

Outline application for the demolition of existing buildings and erection of new commercial building (Use Classes E(g)(i), B2 and B8) and associated staff car parking (all matters reserved except for access, layout and scale).

Church Farm, Marston Road, Croft, LE9 3GX

**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:

- Stephen Mair - Agent

**DECISION**

That the application be approved, subject to the applicant entering into a Section 106 Agreement to secure the following:

1. S106 monitoring contributions – District and County Council, including Biodiversity Net Gain

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

**Conditions:**

1. Statutory outline condition.
2. Submission of reserved matters – appearance and landscaping.
3. Development in accordance with approved plans and documents.
4. Use of development limited to Class E(g)(i) (office), B2 (general industrial) and B8 (storage and distribution) only.
5. External lighting to be installed as per 'Lux Contour Plot' drawing. Any deviation from this plan to be submitted and approved in writing.
6. Details of any additional plant or machinery to be agreed prior to installation.
7. No machinery to be operated, nor any work take place outside the hours of 7:30am to 5pm Monday to Friday inclusive nor at any time on weekends or public holidays.

8. Paragraph 4.16 of Noise Impact Assessment to be adhered to in perpetuity.
9. Noise insulation scheme details for building to be agreed prior to commencement of development. Agreed works to be implemented prior to first use.
10. Written confirmation of completion of noise insulation scheme to be agreed prior to first occupation.
11. Noise Impact Assessment to be submitted within 6 weeks of a written request by the District Council.
12. Access drive to be surfaced with tarmacadam (or similar hard bound material) for a distance of at least 20m behind highway boundary prior to first occupation and be maintained in perpetuity.
13. Parking and turning facilities to be implemented as per Proposed Site Plan drawing prior to first occupation.
14. Secure and under cover cycle parking details to be submitted, agreed and implemented prior to first occupation.
15. Requirement to submit a scheme for the management and safe disposal of asbestos and asbestos containing materials, remediation method statement and verification plan prior to commencement of development (and demolition).
16. Remediation works to be completed as per approved remediation method statement prior to commencement of any above ground development.
17. Requirement to submit package treatment plant details prior to first occupation. Approved details to be implemented prior to first occupation and maintained in accordance with manufacturer's instructions.
18. Requirement to submit a surface water drainage scheme prior to commencement of development.
19. Requirement to submit details for the management of surface water on site during construction of development prior to commencement of development.
20. Requirement to submit details in relation to the long-term maintenance of the surface water drainage system within the development prior to first occupation of the development.
21. Infiltration testing to be carried out (or suitable evidence to preclude testing) and submitted prior to commencement of development.
22. Requirement to submit a Construction Environmental Management Plan (CEMP) prior to commencement of development (or demolition).
23. Any Package Treatment Plant and Sustainable Drainage System (SuDS) used to abide by CIRIA Guidance.
24. Any vegetation clearance or removal of potential hibernacula to be in accordance with submitted Reptile Method Statement.
25. Requirement to submit a biodiversity enhancement scheme prior to the commencement of development.
26. Requirement to submit an updated Otter and Water Vole survey prior to development (including ground works or vegetation clearance).
27. Requirement to submit a scheme for the protection of any existing trees or

hedgerows which are to be retained prior to the commencement of development.

Before closing the meeting the Chair, Cllr Lee Breckon, congratulated the Development Services Team Leader, Clementyne Murphy–Nelson for receiving the “Young Planner of the Year” Awards and the Senior Planning Officer, Rebekah Newman, for being shortlisted at the RTPI East Midlands Awards for Planning Excellence 2026.

**THE MEETING CONCLUDED AT 5.30 P.M.**

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## **Application reference: 25/0764/FUL**

**Proposal:** Demolition of the existing Glenfield Social Club and the erection of a single storey extension to the existing PFS, including a Greggs food to go area, a new bin store, creation of an EV charging zone with EV canopy.

**Site address:** Glenfield Social Centre and Club, Station Road, Glenfield, Leicester LE3 8BQ

**Case officer:** Feargal McEvoy, Development Services Team Leader

**Recommendation:** Approve the application in line with conditions and reasons outlined in the report.

### **Planning Conditions**

1. Statutory three-year commencement period
2. Approved plans and documents
3. Submission of materials
4. Hours restriction (06:00 – 23:00) on approved facilities
5. Submission of soft landscaping planting plan within one month of the commencement of works
6. Approved landscaping scheme (condition 5) to be carried out within one year from the completion of the development
7. Submission of a Construction and Traffic Management Plan prior to commencement of development
8. No part of the development shall be brought into use until the approved access arrangements have been implemented in full.
9. The development shall not be commenced until such time as a scheme to dispose of (i) foul and surface water and (ii) the installation of oil and petrol separators petrol have been submitted to/approved by the District Planning Authority (DPA).
10. The development shall not commence until such time as a scheme to submit the underground tanks have been submitted to/approved by the DPA.
11. The development shall not commence until such time as matters relating to land contamination/remediation have been submitted to/approved by the DPA.
12. No occupation of any part of the development shall take place until a verification report demonstrating completion of works in the approved remediation strategy shall be submitted to and approved, in writing by the DPA.
13. Submission/approval of a strategy for dealing with unsuspected contaminants on site.

14. No development (other than demolition) shall commence until a Written Scheme of Investigation (WSI) has been submitted to and approved by the DPA.
15. Submission of details relating to CCTV and external lighting.
16. Submission of a Biodiversity Enhancement Strategy.

## **1. The site**

- 1.1 The application site is located to the rear within the settlement boundary of Glenfield, adjacent to the Glenfield Conservation Area to the southwest and fronts Station Road. The Petrol Filling Station (PFS) forms part of the Morrisons superstore and the store is located behind the PFS and the site of the former Station and Glenfield Social Club. During the course of the assessment of this application, the former Glenfield Social Club which was previously vacant was demolished and following a recent site visit (16<sup>th</sup> July 2026) it was noted that the site has been enclosed by construction fencing and building works has commenced on site.
- 1.3 The site is located adjacent and to the west of the existing PFS with a public footpath separating both. Access to the site is taken from a private road via a mini-roundabout at the southern corner of the site, while vehicles exit through a priority junction onto Station Road at the north-eastern corner of the site. Both the entry and exit points are shared by the PFS and the Morrisons superstore. The existing PFS comprises eight fuel pumps and a sales building. An additional access point, located between the mini-roundabout and the exit-only junction, is reserved solely for tanker deliveries
- 1.3 The application site is bounded to the southwest by a public house, The Nags Head (where the Glenfield Conservation area begins), hot food takeaways to the northeast and Station Road and public footpath to the east. At present, the site of the social club is enclosed by construction fencing, with the Petrol Station being enclosed by a small wooden fence and grassed verge.

## **2. The Proposal**

- 2.1 The application, as originally submitted, proposed the demolition of the existing Glenfield Social Club and the erection of a single storey extension to the existing Petrol Filling Station sales building, including a Greggs food to go area, a new bin store, creation of an EV charging zone with EV canopy, installation of four jet wash bays, plant room, substation enclosure, Low Voltage (LV) panel and meter cabinet and two new air/water and vacuum units. The works include new hard and soft landscaping and associated highway works, together with 2.4 metre high hit & miss wooden fencing which would screen the plant equipment.
- 2.2 Planning application Ref: 22/0537/FUL was submitted by Wm Morrison

Supermarkets Ltd in May 2022, proposing the demolition of the former Glenfield Social Club and the redevelopment of the site to deliver an extended and enhanced Petrol Filling Station (PFS). The approved scheme included upgrades to the existing access and egress routes; a new PFS kiosk with dedicated customer parking, two additional fuel pumps; air and vacuum and car wash facilities and associated hard landscaping. The application was approved under delegated powers in October 2022.

- 2.3 In September 2024, a Section 73 application (Ref: 24/0786/VAR) was submitted to amend the approved scheme. The revisions comprised a reconfigured site layout, the introduction of six Electric Vehicle (EV) charging bays with associated infrastructure, an increase in jet wash bays from two to three, and an expansion of the PFS kiosk from 225 sqm GEA to 350 sqm GEA. Planning permission for the amended scheme was granted on 3<sup>rd</sup> February 2025 under delegated powers.
- 2.4 The current application proposes an extension to the existing PFS kiosk (rather than a knock and rebuild) of 166sqm other than that the application is very similar to the previously consented scheme of 24/0786/VAR.
- 2.5 It is proposed that access to the site will continue to operate as per the existing arrangement, via the mini-roundabout for entry and the exit-only junction onto Station Road. The dedicated tanker access will also be retained.
- 2.6 The application has been accompanied by the following plans and supporting documents;

### **Plans**

14570-2656-LP Location Plan

14570-2656-BP Block Plan

14570-2656-200A Existing Site Plan

14570-2656-202B Proposed Site Plan

14570-2656-204 Existing Sales Building Floorplan & Elevations

14570-2656-205B Proposed Sales Building Floorplan & Elevations

14570-2656-205-1 Proposed HVAC (Heating, Ventilation and Air Conditioning) Plan

14570-2656-207 EV Canopy Details

14570-2656-208 Substation Details

14570-2656-209 LV Details

14570-2656-210 Meter Cabinet Details

14570-2656-211 Jet Wash Details

14570-2656-212 AW Elevations

14314-2656-213 Plant Room Details

### **Documents**

Heritage Impact Assessment

Transport Statement

Flood Risk Assessment

Site Investigation Report

Noise Impact Assessment

### **3. Relevant Site History**

| Reference    | Description                                                                                                                                                                                                                                  | Decision | Date       |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------|
| 01/0260/1/PX | Demolition of existing sales kiosk and erection of new petrol sales building and forecourt improvements.                                                                                                                                     | Approved |            |
| 22/0537/FUL  | Demolition of the existing Glenfield Social Club to facilitate Petrol Filling Station extension. Works to include 2 additional fuel pumps; New air, vac and jet wash facilities; New hard and soft landscaping and associated highways work. | Approved | 18/10/2025 |
| 24/0786/VAR  | Variation of condition 2 (approved plans) attached to planning permission 22/0537/FUL to amend previously approved design                                                                                                                    | Approved | 03/02/2025 |

### **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 end of the report unless stated otherwise.

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

#### **4.1 Blaby District Council Consultees**

##### **4.1.1 Environmental Services (1) (7.4 and 7.6)**

Make the following comments in relation to (i) land contamination, (ii) flooding, (iii) drainage, (iii) noise and disturbance, (iv) air quality, (v) lighting and (vi) impact of construction.

**Land Contamination** – Land contamination was considered as part of the two recent planning applications on the site and the reports submitted are applicable to this application. Condition 11 is a pre-commencement condition and the previously submitted Site Investigation Scheme (July 2024) suggested that asbestos containing materials (ACM's) were to be found within the existing structure and the roof of the club may have comprised of corrugated asbestos sheeting. Since the social club has now been demolished it is possible that the proposed site investigation had not been conducted prior to the demolition and therefore ACM's may have been found within the former footprint.

It is therefore recommended that the site investigation scheme be revised to include additional soil sampling and testing within the area of the former social club allowing for assessment of any increased risk as a result of the demolition.

**Flooding** – A small area of the application site is located within Flood Zones 2 and 3 and it is noted that the adjacent Morrisons car park is prone to flooding and the Environment Agency are better placed to comment on these technical matters.

**Drainage** – Consider that the Environment Agency and Severn Trent Water are better placed to comment on these technical matters.

**Air Quality** – Whilst there are proposals for six additional parking spaces this is considered to be minimal and the proposal includes the provision of EV charging bays which may act to reduce road traffic emission associated with the development.

**Lighting** – A condition is required which requires full details of an external lighting scheme and the potential impact on nearby receptors. (Condition 15 applies).

**Impact of Construction** – The site is located in close proximity to residential properties which may suffer a loss of amenity due to excess dust, noise and vibration during the construction process and the submission of a Construction Method Statement will be required.

#### **4.1.2 Principal Planning and Conservation Officer (1) (7.2)**

It was considered that the original approval on this site (22/0537/FUL) did not necessarily preserve or enhanced the setting of Glenfield Conservation Area/adjacent NDHA's (Methodist Church and Nags Head PH) as it failed to respect the site's location as a gateway into the Conservation Area due to the clustering of the EV charging points, jet wash bays, plant room, enclosures and various postal lockers immediately adjacent to the site boundary. In relation to the current application, it is considered that there has been a substantial re-organisation of structures, uses and layout, including a reduction in the number of EV charging points and jet wash bays. A much larger landscaping area has been afforded to the site's southern/south-western edge, which is welcomed, along with the proposed hedgerow planting along the boundary of the car park and trees to enclose the postal lockers.

It is considered that with a few more trees along the south-western edge (conditions 5 and 6) this would soften the area further and sufficient mitigation will have been provided to give the site a fair face on the edge of the Conservation Area.

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

##### **4.2.1 Local Highway Authority (2) (7.4)**

Raised a number of concerns in relation to the original application and the proposed site layout. This has now been addressed during the consultation process. They now have no objection subject to the imposition of conditions (nos. 7-10).

##### **4.2.2 Historic & Natural Environment Team (1) (7.2)**

Raise no objections subject to the imposition of a condition relating to a Written Scheme of Investigation (condition 14).

##### **4.2.3 Ecology (1) (7.7)**

Raise no objection subject to the imposition of a condition requiring the submission of a Bat Preliminary Roost Assessment (condition 16).

#### **4.3 Others**

##### **4.3.1 Glenfield Parish Council**

Raise the following concerns in relation to the application;

- There are already existing constraints to the site access from station road with congestion at varying times of the day,
- At weekends and other peak periods, traffic regularly queues within the site and backs up towards the entrance due to congestion around the petrol filling station forecourt and exit arrangements. This problem will be exacerbated as a result of the proposed development,
- The existing entrance and exit arrangements do not appear capable of safely accommodating the anticipated increase in traffic generated by the varying uses proposed,
- Whilst the scheme proposes 13 parking spaces, no dedicated parking provision has been identified specifically for customers using the proposed Greggs facility. This is likely to result in vehicles circulating within the site searching for parking spaces, adding to congestion around the fuel pumps and EV charging area,
- The proposed Greggs operation is likely to require regular servicing and deliveries. There is concern that delivery vehicles could obstruct internal circulation routes, leading to conflict between customers, service vehicles and pedestrians,
- The submitted plans indicate that the proposed pedestrian walkway will divert users away from the existing pedestrian crossing desire line. This may encourage pedestrians to take more direct routes across vehicle circulation areas rather than using designated crossing points, and
- The proposal introduces a greater concentration of vehicle movements within the site, including vehicles accessing fuel pumps, EV chargers, jet wash facilities and parking bays. Further information should be provided demonstrating how pedestrian safety will be maintained, particularly given the increased footfall expected from the Greggs facility.
- The Parish Council consider that a detailed traffic assessment and operational management plan should be provided to demonstrate that the development can operate safely and efficiently without adversely affecting highway safety or neighbouring road users

#### **4.3.2 Ward Councillors**

Cllr Chapman raises concerns in relation to highway safety, traffic generation and pedestrian movements. These concerns are similar to those raised by Glenfield Parish Council (see above).

Cllr Denney states that cars using the Nags Head regularly park down the side of on the access road and has requested that pedestrian protection points should be placed along the roadside of that footway to restrict vehicle parking and ensure pedestrian safety.

#### **4.3.3 Environment Agency (1) (7.6)**

The site is underlain by Secondary A and B aquifers with a culverted drain along the western boundary and the Rothley Brook nearby (approximately 100metres) which are potential receptors for contamination. The site's longstanding fuel use and presence of single-skin steel underground storage tanks present a residual hydrocarbon risk to groundwater.

They are generally satisfied with the detailed site investigation scheme. The investigation should now be implemented in full, with soil, groundwater, and soil leachability samples analysed for contaminants of concern associated with the site's historic and current fuel-related use (including hydrocarbons, BTEX, MTBE, PAHs, and metals).

The presence and condition of any redundant or historic fuel infrastructure, including former pipework or decommissioned tank systems, should be confirmed through available records and during intrusive works. In addition, the locations and condition of the culverted drain along the western site boundary should be investigated to confirm whether it could act as a preferential pathway for contaminant migration. They raise no objections to the application subject to the imposition of conditions (11 and 12) relating to a pollutant investigation and remediation strategy.

#### **4.3.4 Severn Trent Water (1) (7.6)**

Raise no objections to the application but recommend that a condition is attached (no.9) in relation to foul and surface water drainage plans.

### **5. Additional Representations**

5.1 As part of the consultation process adjacent residents were notified.

5.2 11 objections, and one neutral comment, have been received which raised the following concerns;

- The proposal will exacerbate the existing traffic issues in Glenfield,
- There appears to be issues of pedestrian safety in relation to the proposed layout of the car park,
- Without highway modifications, the existing traffic issues when exiting the site will only worsen,
- The development reinforces the current car dominance in Glenfield,
- The scale of development is wholly inappropriate for a small village,
- There is also no greening of the site. A wider footway with a row of trees down it would both separate vehicle from pedestrians more, making it a much more pleasant environment,
- The installation of multiple jet wash bays and air/water units, in addition to increased vehicle traffic, will raise noise levels considerably,
- Currently, any run-off from the single jet wash area of the petrol station runs into the Fall Brook. It's unclear how the inevitable increase in both surface and foul

water (increased tarmac, additional toilets for the Morrison's petrol station staff and Gregg's staff) will affect the water in the stream, have an increasingly adverse impact on wildlife both locally and downstream as well as increasing the risk of flooding to residential properties.

## **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 CS10 Transport infrastructure

Policy CS11 Infrastructure, Services and Facilities to support growth

Policy CS20 Historic environment and culture

Policy CS21 Climate change

Policy CS24 Presumption in favour of sustainable development

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

Policy DM1 Development within the settlement boundaries

Policy DM8 Local Parking and Highway Design Standards

Policy DM12 Designated and Non-designated Heritage Assets

#### **6.1.3 Glenfield Neighbourhood Plan (Emerging)**

Policy H1 Settlement Boundary

Policy H5 Design Principles

Policy ENV9 Local Heritage Assets

Policy CC1 Flood Risk Resilience

Policy CF1 Retention of Community Facilities and Amenities

Policy CF5 Retail Outlets

## **6.2 Material Considerations**

The National Planning Policy Framework (NPPF)

The National Planning Policy Guidance

Leicestershire Highways Design Guide (2024)

## **7. Consideration of Application**

The main considerations in the determination of this application are; the principle of the development, the impact on character and appearance of the conservation area, the character and appearance of the wider street scene; impacts on residential amenity; highways safety and drainage/flooding.

### **7.1 The Principle of the Development**

7.1.1 Policy CS1 seeks to focus new development in the most sustainable locations in the district, primarily within and adjoining the Principal Urban Area (PUA) of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva). The application site is within the settlement boundary of Glenfield which is within the PUA and as such is considered to be in a sustainable location and compliant with Policy CS1. Policy DM1 sets the principle for development within the settlement boundary provided it has a satisfactory relationship with nearby uses and would not be significantly detrimental to the amenities enjoyed by existing and nearby residents.

7.1.2 Glenfield Social Club is not protected as a community asset and as such, the demolition of this building is not against policy. Furthermore, the Social Club ceased operation and remained vacant for a number of years, therefore, the demolition of the building is not considered a detrimental loss within the community and the principle of demolition had previously been accepted as part of planning permission 22/0537/FUL

7.1.3 Given the Petrol Station is already located within this area, the use of the site has already been established and as such it is not considered to be contrary to policy, subject to its impacts in terms of residential amenities and the character of the area.

7.1.4 As part of this application, 6no. EV charging bays are proposed. The UK has committed to reducing greenhouse gas emissions by 28% by 2035 and moving to Net Zero by 2050. As part of the Net Zero strategy (October 2021), the UK Government have placed a new emphasis on electric vehicle charging

infrastructure in the UK. As part of this drive, it is essential that there is a comprehensive and competitive EV charging network in place. The Department for Transport published 'Taking Charge: The electric vehicle infrastructure strategy'<sup>1</sup>, which notes that *"We expect around 300,000 public chargers as a minimum by 2030."*

7.1.5 Para 157 of the NPPF states; The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

7.1.6 The application site is primarily located within Flood Zone, with a small part of the site on the northern perimeter, partially located within Flood Zones 2 and 3 and a detailed Flood Risk Assessment (FRA) was submitted as part of the application package. The Environment Agency have commented on the application (see para 4.3.3 of this report) and are satisfied with the latest revision of the FRA and as such, do not have any objections to the application, providing that the mitigation measures outlined within the FRA are followed within the construction of the build, which are covered as part of condition 9 attached to this recommendation.

## 7.2 Impact on the character and appearance of the Glenfield Conservation Area

7.2.1 Core Strategy Policy CS20 and Policy DM12, seeks to preserve and enhance the cultural heritage of the District, recognising its contribution to local distinctiveness. These policies seek to ensure that heritage assets are suitably considered and where necessary, protected when affected by a development proposal.

7.2.2 Under these policies designated heritage assets and their settings (including Listed Buildings, Scheduled Monuments and Conservation Areas) will be given the highest level of protection to ensure that they are conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment.

7.2.3 The Glenfield Conservation Area is located adjacent to the application site to the southwest and there are also two NDHA's also in close proximity to the site (Methodist Church and The Nags Head Public House. The Principal Planning and Conservation Officer has concluded that whilst he did not object to the overall development, amendments should be obtained to soften the edge of the development (south edge of the application site boundary) to ensure a favourable transition between the application site and Glenfield Conservation Area. As such, the applicant submitted an indicative landscaping plan to ensure a soft edge to the southern boundary of the development site. A full landscaping

schedule is to be submitted before development commences on site, which will be conditioned as part of this application (conditions 5 and 6). As such, this overcomes harm caused by the expansion of the petrol station and allows for a soft transition between the site and Conservation Area.

7.2.4 Additionally, whilst it is acknowledged that Glenfield Conservation Area is adjacent to the site, weight is given to the public benefit as a result of the development. Whilst the demolition of the Glenfield Social Club is somewhat regrettable, given the fact the building has been vacant for some time and now is enclosed by construction fencing, the loss of this building on balance is considered a betterment to improve the transition to the Glenfield Conservation Area.

7.2.5 A Heritage Impact Assessment (HIA) has been prepared to provide an assessment of the revised proposals. The HIA indicates that archaeological and historical evidence suggests potential for prehistoric, Roman, or medieval remains within the site. However, historic maps and aerial photographs show that the area was developed with residential buildings in the 19th century, followed by the construction of a social club in the 1960s and the addition of a petrol station in the late 20th century.

7.2.6 The HIA further advises that a watching brief conducted in June 2025 did not uncover any archaeological features. It is therefore likely that any earlier remains were removed during previous phases of development. The potential for surviving archaeological remains is considered low, and any that do exist are likely associated with 19th-century residential properties which would be considered to be of low importance due to their prevalence in the archaeological record. Whilst development has commenced on site, the Historic & Natural Environment Team of LCC have recommended that a condition requiring the submission of a Written Scheme of Investigation (WSI) be attached to the recommendation and condition 4 applies.

### 7.3 Impact of the development on the character and appearance of the area (streetscene)

7.3.1 Policies DM1 and CS2 seek to ensure that new development within the district is in keeping with the character and appearance of the area. The application site is located in a prominent location fronting Station Road, a main street running through Glenfield. The PFS is already located fronting this street, as such the expansion to the application site as decided under the previous application, the inclusion of further facilities is not considered to be out of keeping with the character and appearance of the area, given a precedent of this type of development within this location has already been established.

7.3.2 Additionally, the design of the proposed kiosk and additional petrol pumps are in keeping with the existing design of the site. Furthermore, the new air, vac and jet wash facilities are to be located to the rear of the site. Whilst these additions can be viewed from the main public vantage points, given the overall scale and use of the site, it is not considered they would be out of keeping with the development patterns of the area.

#### 7.4 The impact of the development on residential amenity

7.4.1 Policy CS2 seeks to improve design quality in all new developments within the District. Policy DM2 also seeks to ensure new development as a satisfactory relationship with nearby occupiers.

7.4.2 A noise impact assessment has been undertaken in support of the revised proposals for the site. This involved an automated noise survey conducted between 8th and 11th August 2025. The noise impact assessment, undertaken in accordance with BS 4142, shows that noise rating levels of the proposed new items of plant to the nearest noise-sensitive receptor are predicted to be significantly lower than to the representative background noise level at all times, indicating a low impact under typical operating conditions.

7.4.3 The residential amenity of neighbouring occupiers has been considered. Whilst the site is not directly bounded by residential dwellings, dwellings are located within close proximity of the application site. Previously the expansion of the site has been considered by BDC Environmental Services in terms of noise of disturbance and they concluded that they had no objections to make with regard to noise or disturbance subject to the imposition of a condition restricting the use of the approved facilities to between the hours of 07:00 – 23:00 (condition 4) which accords with the existing operational hours of the PFS.

7.4.4 Given the residential dwellings are located further away than the Nags Head, it is considered expansion would not give rise to noise or disturbance whilst in use to those residing in properties within close proximity to the site. Whilst concerns have been raised regarding the increase of traffic to the site as a result of the works. It is not considered that the addition of EV charging facilities together with a fast-food outlet and other associated facilities would give rise to an excessive increase in traffic that would cause a nuisance to residents. Additionally, given the locality of the dwellings compared to the application site, it is not considered the scheme would have many material impacts on residents in terms of loss of light or privacy or have an overbearing impact.

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

7.5.1 LCC Highways (the Local Highway Authority–the LHA) have reviewed and commented on the application in terms of (i) site access, (ii) highway safety, (iii) trip generation and (iv) internal layout.

- 7.5.2 **Site Access:** No changes are proposed to the existing access arrangements with access to the PFS continuing to be taken from a private road that leads from a mini roundabout, on Station Road, into the Morrisons site. The PFS is then reached directly from the Morrisons car park. Whilst the private road is two-way the vast majority of vehicles exiting the supermarket/PFS do so via the northern egress adjacent to the PFS on to Station Road. Exclusive access for tankers will continue to be taken directly from Station Road. On this basis the LHA is satisfied that the existing access arrangements are suitable to serve the proposed development.
- 7.5.3 **Highway Safety:** There has been six recorded Personal Injury Collisions (PICs) within 500 metres of the site in the previous five years (data currently available up until the end of July 2025). All of the PICs resulted in injuries classified as being 'slight' in severity. In October 2023 a PIC occurred at the junction of Station Road and the private road serving Morrisons/ the proposed development. The PIC involved a vehicle turning into the private road colliding with a crossing pedestrian. Three further PICs have occurred to the northeast of the access on Station Road however these were not in the vicinity of the proposed development. Two PICs occurred on Stamford Street with one located at the junction of Stamford Close and the other at the junction with Ashleigh Road.
- 7.5.4 The application as originally submitted proposed is the installation of tactile paving on either side of the private road very close to the roundabout where the private road converges with Station Road. The LHA advised that the proposed location is not suitable as the driver to pedestrian visibility splay on the southern side of the private road passes over third party land in the form of the car park serving the Nags Head public house. Should vehicles park in these splays, drivers heading north on Station Road would be unaware of crossing pedestrians until they enter the roundabout. As detailed above a PIC has occurred at this location where a vehicle struck a crossing pedestrian. Whilst it is not possible to confirm that this PIC occurred due to a lack of driver to pedestrian visibility, by adding tactile paving it would encourage pedestrians to cross at a point that is potentially unsafe. On this basis the applicant deleted this element from the scheme.
- 7.5.5 **Trip Generation:** A Transport Statement (TS) has been prepared in support of the revised proposals for the site. This explains that the development proposals would lead to a negligible difference in vehicle movements to the site when compared to the site former use. This is on the basis that majority of these movements are expected to be associated with trips already being made by customers who are utilising the petrol station or other services available on the site. Rather than generating additional, standalone visits, these movements will largely form part of multi-purpose trips, where the food takeaway and other

facilities are a secondary activity combined with fuel purchase or use of other facilities at the PFS.

- 7.5.6 The LHA have confirmed that they are satisfied that the majority of trips generated by the proposed development will be linked trips to the supermarket or pass by trips that are already on the highway network. The LHA is satisfied that the proposed development will not generate in excess of 30 new two-way trips during the highway network peak hours.
- 7.5.7 **Internal Layout:** The submitted application (Drawing No. 14570-2656-202 Rev B) shows the provision of six, 5.0m by 2.50m customer parking bays, four jet wash bays, two valet bays and eight EV charging spaces. The LHA have confirmed that they are satisfied that the proposed customer parking provision is suitable to serve the proposed extension and will allow vehicles to wait, if required, to use the jet wash, valet or EV facilities. Any additional queuing that may occur will be contained within the site and is unlikely to impact the public highway.
- 7.5.8 The LHA have also requested that a number of changes be made to the proposed layout which are summarised as follows;
- The submitted drawing shows surface markings (zebra lines, give-way signage) where departing vehicles pass over the existing walkway. The LHA requested that similar markings/ signage is added where arriving vehicles cross the existing walkway,
  - A walkway is proposed around the perimeter of the site. The LHA requested confirmation that this would connect into the existing walkway (at the rear of the site) as it appears to terminate a few metres away from the existing walkway. The LHA also request that the Applicant considers setting the jet wash further back to allow users to stand away from the bays whilst operating the high pressure hoses, which would reduce the risk of users conflicting with passing vehicles,
  - As part of application 22/0537/FUL it was proposed to increase the radii of the private access road where it joins the public highway, introduce a priority give way system on the private access road, widen the footway adjacent to the Social Club to 2.0m and provide an uncontrolled crossing point to improve access for pedestrians. The LHA considered that these measures should be introduced as part of this application as it would enhance pedestrian safety and improve the operation of the roundabout, which is currently difficult to navigate when entering the Morrisons site from either direction.
- 7.5.9 The applicant has incorporated all these aforementioned requests into an updated site layout plan and the LHA have confirmed that their concerns have been addressed. On this basis it is considered that the proposed development would accord with Policy DM8 and national policy and guidelines.

## 7.6 Drainage and Flooding

- 7.6.1 Whilst parts of the northern perimeter of the site, and all of the adjoining Morrisons Foodstore lie within Flood Zones 2 and 3, all of the proposed built form as part of this application are within Flood Zone 1. A Flood Risk Assessment (FRA) accompanies the application.
- 7.6.2 The Department for Environment, Food & Rural Affairs (DEFRA) Risk of flooding from surface water map and associated data shows that there is a Very Low to Low surface water flood risk at the site and when accounting for future climate change. The majority of the proposed development will be set across Very Low risk areas however, the proposed substation and LV enclosure would be located across Very Low to Low risk areas. The climate change depth data indicates that the depth would be <0.2m. The substation and LV enclosure will be set on a kerb which will be set at least 0.2m high and therefore above the flood depth.
- 7.6.3 The Environment Agency have provided detailed comments on this application which are summarised in para 4.3.3 of this report. They have raised no objections to the application subject to the imposition of conditions (11 and 12) relating to a pollutant investigation and verification strategy.

## 7.7 Ecology/Biodiversity Net Gain Issues

- 7.7.1 The former social club is located in proximity to a vegetated boundary bordering Rothley Brook which provides important foraging and commuting habitat for bats. The site has good connectivity to valuable habitats in the wider area which increases the likelihood that bats may have been using the site. The Ecology Team of Leicestershire County Council (LCC) commented on the application originally at the time of submission (October 2025) and requested that a Preliminary Roost Assessment (PRA) would be required on the existing building structures on site including the social club and the petrol station building which would be impacted by the proposed development. However at this stage the former derelict social club had been demolished and therefore no longer presents any bat roosting opportunities. In these circumstances, a bat survey is no longer necessary. Nevertheless, paragraph 187(d) of the NPPF requires planning decisions to contribute to and enhance the natural environment, including by providing net gains for biodiversity and incorporating features which support species such as bats. It is therefore considered reasonable and necessary to secure a Biodiversity Enhancement Strategy by condition (no.16) to ensure appropriate ecological enhancements are delivered as part of the development. Such enhancements may include bat boxes and bird nesting features amongst others.

- 7.7.2 With regard to mandatory biodiversity net gains, application are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024. In this particular instance the development meets the de-minimis exemption and as such is exempt from the statutory requirement of mandatory biodiversity net gains.

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

- 8.1 The application seeks planning permission for the expansion and enhancement of the existing petrol filling station through the provision of additional customer facilities, including EV charging infrastructure, jet wash and valet facilities, a food takeaway use and associated works. The site is located within the settlement boundary of Glenfield, within the Principal Urban Area, where the principle of development is supported by Policies CS1 and DM1 of the Development Plan.
- 8.2 The proposal has been assessed against the relevant provisions of the Development Plan and the National Planning Policy Framework. In principle, the development represents an appropriate enhancement of an existing commercial use in a sustainable location, for which planning permission has been granted previously on two separate occasions for similar works. The provision of electric vehicle charging infrastructure will support the transition towards low-carbon transport and contributes positively towards national objectives relating to climate change mitigation and sustainable development.
- 8.3 In heritage terms, whilst the site lies adjacent to the Glenfield Conservation Area and in proximity to non-designated heritage assets, it is considered that the proposed development, subject to the implementation of an appropriate landscaping scheme and archaeological mitigation measures, would preserve the character and appearance of the conservation area. Any limited harm arising from the redevelopment of the former social club site is outweighed by the wider public benefits associated with bringing the vacant land back into productive use and improving the appearance and functionality of the site.
- 8.4 With regard to residential amenity, technical evidence submitted in support of the application demonstrates that noise impacts arising from the development would be limited and capable of being satisfactorily controlled through planning conditions. The proposal would not result in unacceptable impacts

upon neighbouring occupiers through noise, disturbance, overlooking, loss of light or overbearing development.

- 8.5 The LHA has carefully considered the proposal and raises no objection since amendments have been made to the scheme which address their initial comments. The development would not prejudice highway safety, would provide suitable internal circulation and parking arrangements, and is not expected to generate a level of traffic that would adversely affect the surrounding highway network.
- 8.6 In relation to flooding, drainage, contamination and ecological matters, no objections have been raised by the relevant statutory consultees subject to the imposition of appropriate planning conditions. The proposal incorporates suitable mitigation measures and is considered acceptable in these respects.
- 8.7 Accordingly, it is recommended that planning permission be granted subject to the conditions set out below.

## **Application reference: 25/1026/RM**

**Proposal:** Reserved matters approval for development of 80 dwellings and associated infrastructure including layout, scale, appearance and landscaping (outline permission 24/0511/OUT)

**Site address:** Land to the North of Leicester Road, Sapcote

**Applicant:** William Davis Homes

**Case officer:** Clementyne Murphy-Nelson, Development Team Leader

**Recommendation:** That application 25/1026/RM be approved subject to the following:

The conditions set out below (with delegated authority granted to the Assistant Director – Planning and Strategic Growth to amend as deemed necessary);

### **Conditions:**

1. Development to be carried out in accordance with the approved plans
2. Permitted development rights to be removed for residential extensions and alterations to the roof for specific plots
3. Permitted development rights to be removed for conversion of garages
4. Development to be built in accordance with approved materials
5. Mitigation measures, including tree protection measures as outlined in Arboricultural Assessment to be adhered to
6. Permitted development rights removed for fencing/gates/enclosures forward of the dwelling.
7. Parking and turning facilities to be provided in accordance with plans.
8. 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.
9. 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
10. Prior to above ground construction final glazing and ventilation to be submitted and agreed in writing in accordance with the submitted Noise Report.
11. Prior to construction Local Area of Play equipment to be submitted and agreed in writing
12. Prior to construction Substation design to be submitted and agreed

## **1. The site**

- 1.1. The site comprises two arable fields bordered by existing hedgerows and trees with a point of access directly from Leicester Road, where there is already a dropped kerb and agricultural gate and entrance in situ.
- 1.2. The Site is bounded by Leicester Road and Sapcote Telephone Exchange to the southwest. Existing residential development is located immediately to the west of the Site and existing allotments are located to the northwest. Further agricultural land extends to the northwest and northeast with disused Granitethorpe Quarry located to the northern edge of the site. Sapcote Quarry with associated tree planting is located to the southeast. A Public Right of Way also runs adjacent to the northwestern boundary. Existing trees, hedgerows and scrub feature along the site boundaries.
- 1.3. The site falls gradually from the southeast to the northern corner of the Site. The site is located entirely within Flood Zone 1. Two disused quarries are located adjacent to the site. Granitethorpe Quarry to the north-west and Sapcote Quarry to the east. Both quarries are disused.
- 1.4. The site is located outside of, but adjoining, the Settlement Boundary of Sapcote, identified as a 'Medium Central Village' in the Core Strategy, and is designated as Countryside on the Local Plan Policies Map (2019).
- 1.5. There are no designated heritage assets on the site, however, there are some non-designated heritage assets (NDHAs) which bound or site adjacent to the site. Granitethorpe Cottages – six terraced red brick houses with a date plaque that reads '1875', are the only NDHA which immediately border the application site, these are located along the southern boundary. Sapcote does not have a Conservation Area.
- 1.6. There are no Tree Preservation Orders within the site or boarding the sites boundary however, there is a candidate/potential Local Wildlife Site on the southern boundary of the site close to the existing access to the field (a Mature Ash Tree).

## **2. The Proposal**

- 2.1. On 28<sup>th</sup> November 2024, the Planning Committee resolved to approve an outline planning application (reference 24/0511/OUT) for the residential development of up to 80 dwellings and associated infrastructure, with all matters reserved except access. After completion of the Section 106 Agreement, planning permission was granted on 20<sup>th</sup> March 2025.

- 2.2. This application seeks approval for the reserved matters (appearance, layout, landscaping and scale) following the grant of outline planning permission 24/0511/OUT.
- 2.3. Access is not a reserved matter and details of the accesses (vehicular, pedestrian and cycle from a newly created access along Leicester Road) were approved at outline stage, together with associated highway improvements, including an improved footpath to the site and traffic calming measures.
- 2.4. This reserved matters application shows the erection of 80 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 has somewhat changed since the illustrative masterplan was submitted at outline stage, the perimeter blocks have been made larger overall, this is to ensure that the scheme can be designed to an adoptable standard and bin drag distances are satisfactory.
- 2.6. The open space parameters secured through the S106 agreement remain the same. With most open space being secured around the perimeter of the site, the designated Local Area of Play (LAP) space to the north western corner and SuDs feature to the north. The designated open space to the north western corner of the site also includes a small local orchard tree planting for residents.
- 2.7. The proposed highways layout shows a single central spine road running south to north with perimeter blocks to either side. The road corridor includes grassed verges and highway trees.
- 2.8. Within the development, two small cul-de-sacs/parking courts are proposed. With the exception of three dwellings, all properties within these areas are outward-facing, fronting either the main highway or an adoptable road within the development.

### 3. Relevant Planning History

| Reference   | Description                                                                                                                                   | Decision | Date       |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------|------------|
| 24/0511/OUT | Outline Application for the residential development of up to 80 dwellings and associated infrastructure (all matters reserved except access). | Approved | 20.03.2025 |
| 26/0322/DOC | Application for discharge of condition 14 (Construction                                                                                       | Pending  |            |

|             |                                                                                         |         |  |
|-------------|-----------------------------------------------------------------------------------------|---------|--|
|             | Environmental Management Plan) imposed on planning permission 24/0511/OUT               |         |  |
| 26/0332/ADV | Advertisement board and 2 flags (proposed signs in relation to application 24/0511/OUT) | Pending |  |

#### 4. Consultation Responses

Full copies of the representations received are available to view at <https://pa.blaby.gov.uk/online-applications/>

The consultation response comments have been summarised. Where conditions have been proposed, they have been incorporated into the conditions set out at the beginning of this report, unless otherwise stated.

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) (7.5)

No objections

###### 4.1.2. Environmental Services (2) (7.10)

No objections to Reserved Matters application, conditions for final glazing specification. dealing with noise, contamination, lighting and construction management being dealt with under outline conditions.

###### 4.1.3. Housing Strategy Officer (2) (7.2)

No objections, supportive of housing mix for both affordable and market.

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

No objections.

##### 4.2. Leicestershire County Council Consultees

###### 4.2.1. Archaeology (2) (7.5)

No objections.

###### 4.2.2. Ecology (2) (7.9)

No objections.

#### 4.2.3. Forestry

No objections, requested condition to ensure development carried out in accordance with the Arboricultural Assessment.

#### 4.2.4. Lead Local Flood Authority (3)

No objections.

#### 4.2.5. Local Highway Authority (2)

No objections subject to conditions in respect of parking, turning and visibility splays.

### 4.3. **Others**

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

No comments received

#### 4.3.2. Sapcote Parish Council

No comments received.

#### 4.3.3. Environment Agency (2)

No comments to make on reserved matters.

#### 4.3.4. Natural England (2)

No comments to make.

#### 4.3.5. Leicestershire Police

No objections.

#### 4.3.6. Severn Trent Water

No comments received.

#### 4.3.7. 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. 8 letters of representation have been received, all of which objected to the application. The objections raised the following issues:

- Highway Safety and Traffic Impact
- Pressure on Local Infrastructure and Services
- Loss of Green Space and Impact on the Local Environment

- Drainage and Flood Risk Concerns
- Cumulative Impact of Development
- Overdevelopment and Impact on Village Character
- Impact on non-designated Heritage Assets.

## **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. Blaby Local Plan 2025-2042 (Emerging)

The emerging Local Plan, published under Regulation 19 and currently subject to consultation, is a material consideration in the determination of this application. However, as the Plan has not yet been independently examined or adopted, it can only be afforded very limited to limited weight.

In accordance with paragraph 48 of the NPPF, the weight attributed to emerging policies depends on: (i) the stage reached in the plan-making process, (ii) the extent of unresolved objections to relevant policies, and (iii) the degree of consistency with national planning policy. As the Plan has reached the Regulation 19 stage, weight can now be applied in decision making. Nevertheless, the weight afforded can only be very limited to limited at this stage, depending on consistency with the NPPF, pending examination by an independent Inspector.

Weight to policies will increase as we take the document through the formal submission and examination stages with the Planning Inspectorate, who will be assessing whether our Local Plan should be adopted, but much depends on whether there are objections to the policies within it.

#### 6.1.4. Fosse Villages Neighbourhood Plan (2021)

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

#### 6.2. Material Considerations

#### 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)
- 6.6. National Design Guide - Planning practice guidance for beautiful, enduring and successful places
- 6.7. Developer Contributions SPD (2024)
- 6.8. Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document (2013)
- 6.9. Blaby Landscape and Settlement Character Assessment (2020)
- 6.10. Blaby District Council Open Space Audit (December 2015)
- 6.11. Blaby Residential Land Availability Report (March 2023)
- 6.12. Joint Strategic Flood Risk Assessment Final Report (October 2014)
- 6.13. Blaby Strategic Housing and Economic Land Availability Assessment (SHELAA) 2019
- 6.14. Leicester and Leicestershire Housing Market Area Housing and Economic Land Availability Assessment (SHELAA) 2019
- 6.15. Leicester and Leicestershire Housing and Economic Needs Assessment (HENA) 2022

## **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 24/0511/OUT. This consent has determined certain parameters for the development, including a maximum of 80 dwellings and a means of access to the site
- 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, library, waste 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 14 on the outline consent requires the submission of a proposed housing mix as part of the reserved matters application. Condition 15 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.
- 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 six dwellings (7.5% above the

5% requirement) will meet M4(2) requirements, compliant with the outline permission.

Affordable housing mix:

| <i>Social Rented</i> | <i>Proposed Mix</i> |
|----------------------|---------------------|
| 1 Bed                | 2                   |
| 2 Bed                | 9                   |
| 3 Bed                | 3                   |
| 4 Bed                | 2                   |

| <i>Shared Ownership</i>   | <i>Proposed Mix</i> |
|---------------------------|---------------------|
| 2 Bed                     | 2                   |
| 3 Bed                     | 2                   |
| <b>Total (affordable)</b> | <b>20 (25%)</b>     |

Market Housing:

| <i>Market housing</i> | <i>Proposed Mix</i> |
|-----------------------|---------------------|
| 1 Bed                 | 0                   |
| 2 Bed                 | 15                  |
| 3 Bed                 | 24                  |
| 4 Bed                 | 8                   |
| 5 Bed                 | 7                   |
| Bungalow              | 6                   |
| <b>Total (Market)</b> | <b>60</b>           |

7.2.6. The Housing Strategy Team has advised that they are satisfied with the mix and tenure proposed. They have commented that the market mix is very good and represents our need for a significant portion of the units being two-bedroom entry level market homes. The provision of six market bungalows is also welcomed.

7.2.7. The Housing Strategy Team has also advised that the affordable mix is one that the developer has directly liaised with the team to formulate. The provision of two larger four-bedroom homes to rent is very positive on a scheme of this size whilst also maintaining the Districts core need of two-bedroom properties to rent.

7.2.8. Dwellings are generally provided in clusters of four to six, however, it is acknowledged that two market dwellings separate clusters along the eastern boundary. Broadly the scheme aligns with paragraph 3.6.9 of the Housing Supplementary Planning Document (2013) of allowing no more than six dwellings within a cluster, and it considered that the affordable dwellings are spread well across the site. Blaby District Council's Housing Strategy team are supportive of the scheme and have commented that whilst one of the clusters

does not align with the exact policy position, given the advantageous market mix and all other factors being to our approval on this occasion this is accepted.

7.2.9. 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 west of the application site comprises of the built up edge of Sapcote, comprising of a variety of houses and uses, including cottages (NDHA), modern built dwellings, including new dwellings, a holiday cottage and farm/agricultural to the north west, allotments and business use. All of these buildings feature a mix of materials and heights. In this respect, the proposed layout of the development and the use types proposed would be in keeping with the character and appearance of the immediate surroundings.

7.3.3. The reserved matters proposals build on the illustrative masterplan submitted as part of the outline application. However, as outlined earlier in this report, the perimeter blocks have been enlarged under this reserved matters application due to the overuse of private drives and ensuring bin drag distances are complied with. A large proportion of the open space is located to the northwest of the site which includes open space, a small orchard for use by the community and a Local Area of Play (LAP).

7.3.4. Footpath routes through this area from the centre of Sapcote, with a singular point of entry along Leicester Road, enhancing connectivity within the site itself and providing an attractive area of green infrastructure. It is noted that there is a bridleway outside of the site along some of the western boundary. Efforts by the developer have been made to see if it was possible to connect into this however, unfortunately they do not have the legal rights to provide this as it is beyond their ownership.

7.3.5. 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, there is in regard to house types, with the 2.5 storey dwellings being located towards

the centre of the development and 2 and single storey dwellings being located on the periphery. Housing is set back from the site boundaries behind the proposed landscaping and

- 7.3.6. It is acknowledged that this development will create and define the new eastern gateway into Sapcote. However, the proposed variety of dwellings along this edge takes cues from the character of the existing properties within the village, helping to integrate the development with its surroundings. Furthermore, substantial retained and proposed vegetation will frame the eastern boundary of the site, creating a well-landscaped transition from the open countryside to the built form and ensuring a sensitive edge to the settlement.
- 7.3.7. 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 various dwellings throughout the site by integrating these within the ridge of the plot or having a projecting design. These have been positioned on prominent plots and where a property has two frontages, a dual aspect house design or additional windows have been sought to ensure good surveillance and active elevations from all aspects.
- 7.3.8. The proposed materials palette incorporates a mix of three brick types and render features in off -white on some properties. The brick types consist of Oakwood Multi, Abbeydale Red Multi and Tabasco Red. Two roof types are proposed of both a dark grey and brown tiles. All materials are evenly distributed across the site, to improve visual interest and to avoid a uniform approach. The properties that include a render feature have been positioned on visually prominent plots, to aid way finding and to promote a sense of place. A range of porch styles are proposed, including mono-pitched, flat and pitched again to enhance the architectural quality of the scheme.
- 7.3.9. 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 Leicester Road B4669 and singular holiday let to the rear, which bounds the northern boundary of the development site and is accessed via a private drive off of Leicester Road B4669. The site is also bounded by a telephone exchange building to the south which is located next to the cottages along the B4669. Granitethorpe Cottages – six terraced red brick houses classed as a NDHAs are located within the group of houses along the B4669.
- 7.4.3. The closest residential dwellings are the NDHA's located along the B4669. The closest dwelling located on the development site to these dwellings is approximately 41m away to the rear elevation of these dwellings, specifically, Nos. 50 and 52 which sit the closest on an angle to the development site. This relationship is a side to rear relationship whereby typically a separation distance of 12m is secured. As such, this separation distance is considered significantly above that usually secured and there is considered to be no overlooking or overbearing impact as a result. Moreover, there is a small parking court to the rear of the NDHA's and to the side of the proposed dwellings. Given the separation distance of approximately 26.8m at the closest point, it is not considered this addition would give rise to noise and disturbance. In addition, an evergreen hedge is to be planted behind these car parking spaces to act as an additional boundary treatment for these properties and development.
- 7.4.4. Dwellings which are located to the rear of the site are to face onto the largest area of open space and the holiday let location beyond. Between the closest dwelling and the holiday let there is an approximate separation distance of 31m, as such, there is not considered to be significant adverse effects of the occupiers for this holiday let. Moreover, a general trees are to be planted to the boundary of this holiday let to ensue that the use remains private and to ensure that no overlooking or perceived overlooking from the play space and wider public open space occurs.
- 7.4.5. 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 LAP from the nearest dwellings are approximately 17 metres at the closest point, which meet and go well beyond the standards set out with the Councils Developer Contributions Supplementary Planning Document, which require a 5-metre buffer zone. Therefore, it is 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.

7.4.6. Land levels on the site are generally flat across with some minor variation. Details of all existing and proposed levels are required to be submitted under condition 17 of the outline consent and assessment will also be necessary at that point.

7.4.7. 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 six terraced red brick houses classed, known as Granitethorpe Cottages are located on the southern boundary of the site and are classed non-designated heritage assets (NDHAs).

7.5.2. 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 Non-Designated Assets*

7.5.3. The outline planning permission established the parameters for the redevelopment of fields to the east of Sapcote for up to 80 dwellings. In addition, condition 32 of the original outline permission requires the recording of archaeological remains not previously found by trial trenching to be reported in writing, recorded and archived in consultation with the County Archaeologist.

7.5.4. The reserved matters proposals include some dwellings and their parking to the southern boundary of where the NDHAs adjoins the site. As outlined there is a substantial separation distance between the proposals and the existing cottages however, it is considered that this boundary is sensitive. The Principal Planning and Conservation Officer outlines that the setting to these cottages has already been compromised to some degree by the telephone exchange building to the east of the cottages, however, the site of the exchange building has been heavily planted-up and the mature vegetation has established to largely conceal the building's view from Leicester Road.

7.5.5. Notwithstanding this, the Principal Planning and Conservation Officer advised at outline that the harm caused by the development as a whole would be at the

lower end of the scale of less than substantial, perhaps even negligible, but that any harmful impacts to the setting of a non-designated heritage asset would need to be outweighed by public benefits. The Principal Planning and Conservation Officer that any harmful impacts could potentially be screened by a robust planting scheme along the site's south-western boundary with the rear gardens of the cottages.

7.5.6. As such, and at the request by the Principal Planning and Conservation Officer an evergreen hedge is to be planted along this boundary and this has been included in the latest set of landscaping plans. An evergreen hedge is to be planted along this boundary to offer mitigation, to the NDHAs to the rear of the site.

7.5.7. 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. It is understood that the open space 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, including open space where a footpath is located around the periphery of the site, a small orchard and large SuDs feature to the northern tip. It is considered that the layout provides 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 LAP is located in the north of the site and will comprise of pieces of equipment for children's play, consistent with the guidance provided by Fields in Trust and the Councils Developer Contributions Supplementary Planning Document. The area is to be enclosed by natural greenery with bins and benches shown.
- 7.6.6. The application has been accompanied by an updated Arboricultural Impact Assessment, Method Statement and Tree Protection Plan as required by condition 19 on the outline permission. As acknowledged at outline stage, development on the site will necessitate the removal of some vegetation to create access however, the majority of perimeter vegetation is retained and strengthened through additional native tree and hedge planting. The vegetation along the eastern boundary with the disused quarry is to be retained and additional trees planted. 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). In addition, issues were raised relating to junctions within the site, swept path analysis for 11.20m refuse vehicles and Seven Trent Water tanker and vegetation obstructing vehicular visibility splays.
- 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 visibility splays within the site for pedestrians and vehicles emerging from shared driveways.
- 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. Conditions imposed on the outline permission require details of a surface water drainage scheme to be submitted and agreed (conditions 25, 26 and 27). An application for these details are yet to be submitted.

7.8.3. 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).

7.8.4. Further details of surface water drainage calculations and an updated surfaces plan indicating permeable paving to private drives and driveways in order to intercept the first 5mm of rainfall.

7.8.5. 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. Condition 7 imposed on the Outline permission required that a Habitat management and monitoring plan (HMMP) to be submitted and agreed under a discharge of condition application in relation to the required Biodiversity Net Gain. This is yet to be submitted by the applicant.

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 30 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 Leicester 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. The highest predicted garden noise level is 55 dB (Plot 35) with most gardens

predicted to be below the BS8233 upper guideline of 55 dB as such no additional outdoor noise mitigation is recommended. The highest recorded internal noise is 49 dB with windows open and 32dB with windows closed for dwellings nearest the noise receptors. These are to be achieved via acoustic glazing and ventilation. Specific details of the choice of glazing and ventilation are to be submitted via condition (condition 10).

- 7.10.3. 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.

#### *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. Furthermore, condition 8 of the outline permission required that a Waste Collection Strategy to be submitted and agreed.

### **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 24/0511/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.

## Application reference: 25/0489/OUT

**Proposal:** Outline application for the erection of up to 180 new dwellings, creation of associated new vehicular access off Broughton Road, allotments, associated infrastructure and enabling earthworks and off-site highway improvements, with all matters to be reserved except access points into the Site

**Site address:** Land off Broughton Road, Cosby

**Applicant:** Bloor Homes Limited

**Case officer:** Maria Philpott – Senior Planner (Consultant)

**Recommendation:** That application 25/0489/OUT be approved subject to the following:

- 1) The conditions set out below including the statutory biodiversity net gain condition (with delegated authority granted to the Assistant Director – Planning and Strategic Growth to amend as deemed necessary);
- 2) The completion of a planning obligation under section 106 of the Town and County Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following contributions (with delegated authority granted to the Assistant Director – Planning and Strategic Growth to amend as deemed necessary):

Affordable Housing:

- 25% provision of affordable housing

Highways:

- Residential Travel Plan monitoring fee (£6,000)
- Appointment of a Travel Plan Co-Ordinator
- Provision of Travel Packs for new residents
- Two 6-month bus passes for each dwelling
- A proportional contribution towards improvements to the wider highway network along the A426 corridor
- A £7500 contribution towards the consultation process for the relocation of the existing 30mph speed limit
- A £7500 contribution towards the consultation process for the implementation of a one-way system on The Nook.

Education:

- £280,846.80 contribution towards Early Years education
- £697,528.00 contribution towards Primary Education
- £507,624.77 contribution towards Secondary Education
- £42,904.86 contribution towards Primary SEND Education
- £58,702.32 contribution towards Secondary SEND Education

Healthcare:

- £174,240 to GP facilities

Waste:

- £4,296 contribution towards Waste Management Facilities
- £49 per dwelling for refuse bins

Libraries:

- £5,435.59 contribution towards library facilities

Open Space, Sport and Recreation:

- Management and maintenance of on-site open space and the attenuation basins
- On-site LEAP details
- Contribution towards off-site sports provision

Community facilities:

- Village hall/community facilities contribution (TBA)

Ecology and Biodiversity:

- On-site BNG provision and Habitat Management and Monitoring (HMMP)
- Monitoring fees

Police contributions:

- Police vehicles and identification technology

Monitoring Fees:

- Leicestershire County Council monitoring costs
- Blaby District Council monitoring costs

**Conditions:**

1. Outline time limit
2. Reserved matters time limit
3. Approved plans
4. Reserved matters design parameters –
  - a. dwellings not to exceed two storeys in height,
  - b. a separation gap of 20m to be provided between the proposed dwellings and the boundary of 15 Kingsfield Road
  - c. retention of existing field boundaries and hedgerows throughout the site (except where access required)
  - d. retention of woodland
  - e. provision of an on-site LEAP and recreation area
  - f. provision of on-site green space and informal open space
5. Housing mix – market and affordable housing
6. Foul and Surface water drainage strategy

7. Surface water drainage scheme
8. Management of surface water drainage
9. Maintenance of surface water drainage
10. Infiltration testing
11. Access arrangements implemented
12. Off-site highway works implemented
13. Closure of existing access
14. Construction Traffic Management Plan (CTMP)
15. Scheme for the treatment of public rights of way
16. Construction Environment Management Plan for biodiversity (CEMP: Biodiversity)
17. External lighting in relation to ecology
18. Bat and Bird boxes
19. Programme of Archaeological works
20. Construction Environment Management Plan (CEMP)
21. Contamination
22. Submission of further Noise Assessment
23. No built development in Flood Zones 2 and 3
24. Details of any new road restraint system or upgrades to existing barriers in The Nook shall be submitted and approved
25. Maximum number of dwellings not to exceed 180

## **1. The site**

- 1.1 The application site comprises 18.03ha of agricultural land to the southwest of Cosby village, outside the settlement boundary and therefore in an area designated as Countryside. The site is accessed via Broughton Road and the land rises quite substantially from the road to the western end of the site. The site consists of seven parcels of land projecting to the west from Cosby Road. Immediately adjacent to the northern boundary of the site is existing housing along Elm Tree Road and Kingsfield Road which are accessed from Croft Road, together with existing allotments. Opposite the site is existing housing and Cosby Golf Club. To the south and west of the site lies primarily open fields/farmland with sporadic farm sites and small commercial premises.
- 1.2 There are a number of rights of way that transverse the site from west to east connecting the village to adjacent settlements. The fields are separated by hedgerows with some sporadic trees within the hedgerow boundaries. There is an area of woodland to the western corner of the site and part of a Group Tree Preservation Order (hedgerow and trees) lies to the north-western corner of the site. The site is also partially located in a mineral safeguarding area for sand and gravel.
- 1.3 A tributary of Cosby Brook runs through the southern part of the site and along Broughton Road into the village (via the Golf Course and Chapel Lane), through The Nook and out of the northern side of the village. The application site is located primarily in Flood Zone 1 (low risk of fluvial flooding) with the very

southern part of the site being located in Flood Zones 2 and 3, however no built development is proposed in that area. The access to the east of the site is in Flood Zone 1, but part of Broughton Road in the vicinity of the access is in Flood Zones 2, 3 and 3b (medium to high risk of fluvial flooding including the functional floodplain). The area around The Nook in the centre of the village is also within Flood Zones 2 and 3. There are very minor pockets of very low surface water risk sporadically across the site with other medium/higher areas noted as ditches.

- 1.4 Although the application site is not within Cosby Conservation Area, the site lies to the south of the conservation area (although it does not immediately abut it) and the development proposes off-site highway works within the historic core of the village. This part of the village is within Cosby Conservation Area and there are several listed buildings in and around The Nook. Furthermore, Cosby Cottages are located to the north of the site on Kingsfield Road and are considered to be Non-Designated Heritage Assets (NDHAs). There are also several other buildings within the historic core of the village considered to be NDHAs.

## **2. The Proposal**

- 2.1 The application is for outline planning permission for up to 180 dwellings on the site. All matters are reserved except for access which relates to the access points into the site. The indicative net developable area will be around 5.9ha of the overall site area. The proposal includes the creation of a new vehicular access road from Broughton Road and expansion of the existing allotments by 0.86ha including additional car parking and access from within the development site.
- 2.2 The scheme will include an attenuation area to the south-east of the site adjacent to the site entrance, a proposed play area (LEAP) within a focal point of the site, natural green space and informal open space and additional landscaping which are all shown indicatively on the Illustrative Framework Plan.
- 2.3 The proposal also includes off-site highway works around The Nook in the centre of the village which comprises:
- The creation of a mini roundabout with associated new signage and road markings;
  - The creation of a one-way system on the northern side of The Nook going from west-east and associated signage and road markings
- 2.4 The application has been submitted with the following supporting documents:

### *General:*

- Planning Statement
- Statement of Community Involvement
- Agricultural Quality Report

### *Design:*

- Design and Access Statement

*Highways:*

- Road Safety Audit Stage 1
- Road Safety Audit – Designer’s response
- Travel Plan
- Transport Assessment
- Speed Survey Results and Documents
- Highways Technical Note
- Transport Assessment Addendum

*Landscape and Visual Impact:*

- Landscape and Visual Impact Appraisal

*Heritage:*

- Geophysical Survey
- Archaeological Desk Based Assessment
- Archaeological Evaluation Interim Statement
- Archaeology Evaluation Report
- Heritage Statement
- Heritage Addendum

*Flood Risk:*

- Flood Risk Assessment and Drainage Strategy
- Flood Risk Technical Note
- Flood Emergency Evacuation Plan
- Flood Evacuation Plan Peer Review

*Environmental:*

- Contamination Report (Combined Phase 1 and Phase 2)
- Air Quality Assessment
- Noise Impact Assessment
- Foul Sewage and Preliminary Utilities Appraisal Report

*Trees and Landscaping:*

- Arboricultural Assessment

*Ecology and Biodiversity:*

- Biodiversity Metric Calculation (as amended)
- Ecological Assessment (as amended) (including BNG Report)
- Bat Report
- Bird Report
- Skylark technical Note (as amended)

*Minerals:*

- Mineral Resources Assessment

*Developer Contributions:*

- Heads of Terms (within Planning Statement)

- 2.5 The Council undertook a Screening Opinion of the proposal under the Environmental Impact Assessment Regulations 2017 to determine if the proposal was EIA development. The decision concluded that there was no evidence to suggest that the development would cause significant harm to the environment when judged against the selection criteria set out in Schedule 3 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. The proposal was therefore considered not to be development requiring consideration under the EIA Regulations.

### 3. Relevant Planning History

#### 3.1 Application Site:

| Reference   | Description                                                                                                 | Decision     | Date       |
|-------------|-------------------------------------------------------------------------------------------------------------|--------------|------------|
| 25/04/EIASC | Environmental Impact Assessment screening opinion for the proposed residential development of 180 dwellings | Not required | 10.07.2025 |

#### 3.2 Land at Croft Road, Cosby:

| Reference   | Description                                                                                                                                                                                            | Decision              | Date       |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------|
| 23/01/EIASC | Environmental Impact Assessment Screening Opinion                                                                                                                                                      | Not required          | 20.08.2024 |
| 23/0182/OUT | Residential development of up to 200 dwellings including provision of public open space, associated infrastructure – all matters reserved except for access.                                           | Approved              | 05.02.2026 |
| 26/0142/RM  | Reserved matters application for the erection of 200 residential dwellings (Use Class C3) including details of appearance, landscaping, layout and scale (relating to outline application 23/0182/OUT) | Pending consideration |            |

### 4. Consultation Responses

Full copies of the representations received are available to view at <https://pa.blaby.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= SX7XPECY LJH00>

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

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

#### **4.1 Blaby District Council Consultees**

##### **4.1.1 Blaby District Council Environmental Services (2)**

**No objection subject to conditions.**

##### **4.1.2 Blaby District Council Housing Strategy (1)**

**No objection subject to the proposal complying with the affordable housing policy requirements and mix** *[Officer comment: This would be secured by a legal agreement to provide a policy compliant scheme as set out in the Recommendation with a condition relating to the housing mix]*

##### **4.1.3 Blaby Neighbourhood Waste (1)**

**Refer to Standing Advice.** Cannot comment at this stage as it is an outline application.

##### **4.1.4 Blaby Health and Leisure (1)**

Request a financial contribution of £291,838 is requested to improvements to the following:

- Changing facilities at Vipers RFC to support growing demand and disability support.
- Improving the pitch quality of Meadows Sports Ground, to support youth provision in Blaby East and reduce overplay.
- Towards pitch upgrades at Vipers RFC, including pitch lighting and drainage improvement, to improve useability of the site and reduce Blaby East Overplay.
- Towards multi-sport Artificial grass pitch site at Holmes park, to reduce huge demand for AGP's in Blaby East.

*[Officer comment: The Parish Council have responded to these comments. Health and Leisure have provided some further comments in response to the Parish Council and these have been made available to the Parish Council, however as they were marked up on the Parish Council's comments they are not in a format for publishing. A full further response will be provided as an update to committee which will be published on the website. However a summary of the further comments from Health and Leisure is discussed at Para. 7.14.13 of this report]*

## 4.2 Leicestershire County Council Consultees

### 4.2.1 Local Highway Authority (3)

**Further information required** regarding the site access arrangements, more detail regarding the off-site highway works and trip generation, including visibility splays, swept path analysis and speed survey information.

**Further information required** regarding The Nook junction arrangements and trip generation.

**No objection** subject to conditions and financial contributions.

### 4.2.2 Leicester, Leicestershire and Rutland Integrated Care Board (1)

**No objection subject to a financial contribution.** A financial contribution of £174, 240 is requested to mitigate the impact of the development and provided funding towards Orchard Medical Practice, Station Road Surgery, The Limes Medical Centre and Hazelmere Medical Centre.

### 4.2.3 Leicestershire Police Designing out Crime (1)

**No objection subject to securing fencing to the allotments.** Support the design principles set out in the Design and Access Statement and will review further at reserved matters stage. Suggest fencing to the allotments to mitigate against potential for burglaries. *[Officer comment: As the design and layout is reserved for future consideration, the requirement for fencing will be considered at that stage]*

### 4.2.4 Leicestershire Archaeology (3)

**Further information required** – pre-determination trial trenching. The desk-based assessment identifies the site as having a low potential for remains of all periods to be present but the potential for the site remains unknown.

**Further information required** – would expect to see the full trial trenching evaluation report rather than just an Interim Statement.

**No objection subject to a condition** for a programme of archaeological works.

### 4.2.5 Leicestershire County Forestry (1)

**No objections.**

### 4.2.6 Leicestershire County Council Planning Obligations (2)

**Request financial contributions** towards waste management facilities, libraries, Early Years Education, Secondary Education, Primary SEND Education and Secondary SEND Education.

**[Second Response] 12 month refresh consultation response** – primary education has increased as there is now a deficit in capacity. Second education has gone down due to an increase in capacity.

#### 4.2.7 Leicestershire Council Ecology (5)

**Further information required** initially to clarify information regarding the hedgerows and baseline hedgerow section of the BNG metric and labelling on the metric, photos of habitats and features from habitat survey, bat survey report and wintering and breeding bird survey addendum reports to be submitted.

**Further information still required** regarding the hedgerows, breeding/wintering bird reports and a method statement required regarding the retention of tree T7 whilst the non-cereal crops area removed (which is a habitat for bats).

**Further information required** regarding skylark mitigation due to the loss of their breeding habitat, amendments to BNG report required to match the metric and figures displaying incorrectly as black backgrounds in the PEA.

**Further information required** regarding off-site compensation for Skylarks.

**No objection** subject to conditions and a legal agreement to secure the significant on-site biodiversity enhancements.

#### 4.2.8 Lead Local Flood Authority (2)

**No objection subject to conditions.**

Initial response required an amended Surface Water Drainage Strategy to further consider and mitigate significant existing flood risk downstream and consideration given to natural flood management (NFM) techniques.

The subsequent response considered the Technical Note submitted by the applicant which resolved their concerns subject to conditions.

#### 4.2.9 Leicestershire County Council Minerals and Waste (1)

**No objections.**

### 4.3 Others

#### 4.3.1 Cosby Parish Council (1)

Object to the proposed development for the following reasons:

- Overdevelopment of Cosby and excess of housing growth in the medium central villages
- Lack of services and facilities to support the growth
- The development is not sustainable
- Conflict with Policies CS1, CS5, CS18 and the SHELAA 2019
- Out of keeping with Cosby Conservation Area
- Detrimental impact on listed buildings including Cosby House and Cosby Barn

- Out of keeping with the residential area known as The Settlement (Cosby Cottages)
- Loss of open countryside and significant change to the landscape creating a hard edge to the village
- Site was deemed unsuitable for development in the Strategic Housing and Economic Land Availability Assessment (SHELAA) 2019
- Dangerous site access as is the junction with Shuttleworth Lane
- In conflict with the Leicestershire Highways Design Guide and will have a detrimental impact on the local road network
- Mini-roundabout proposal will be ineffective and detrimental to the conservation area
- There is already congestion on Broughton Road due to the parked cars
- Proposed footway will result in pedestrians encouraged to cross a dangerous road
- Concern the traffic survey was conducted at a quieter time

#### 4.3.2 Broughton Astley Parish Council (1)

**Concerns expressed** regarding highway safety (access and visibility) and flood risk and drainage.

#### 4.3.3 The Environment Agency (3)

**No comments** as all built development will be in Flood Zone 1 and therefore they had no fluvial flood risk concerns. [*Officer comment: The EA was made aware that the off-site highway works are in Flood Zones 2 and 3*]

**Objection.** FRA insufficient and needs to be amended.

**No objection.** Following the submission of a Flood Risk Technical Note to address the EA's concerns. However the EA advised that a Flood Risk Emergency Evacuation Plan will be required to be submitted and that this is the LPA's remit to consider.

#### 4.3.4 Active Travel England (1)

**Refer to their Standing Advice.**

#### 4.3.5 Leicestershire Police (1)

**Request a financial contribution** of £88,833.68 which would go towards 1) personal equipment for the Neighbourhood Policing Area and Centralised Support; 2) Infrastructure and Estate Support; 3) Fleet Vehicles; 4) Transforming Policing Through Technology and 5) Crime Reduction Initiatives. [*Officer comment: Only points 3 and 4 are considered to be CIL compliant at this stage*]

#### 4.3.6 Sport England (1)

**No comment to make** but provided general advice with reference to the NPPF.

4.3.7 Leicester, Leicestershire and Rutland Resilience Partnership [2]

**Further information required** as the Flood Evacuation Plan (FEP) does not fully meet the ADEPT Guidance.

**Further information required** - The FEP still does not meet the ADEPT guidance. [*Officer comment: This consultee does not fully confirm or consider the acceptability of the FEP in relation to the proposal and therefore the FEP was independently peer reviewed in order for a proper assessment to be made of the FEP specific to this site.*]

4.3.8 Council for the Protection of Rural England (CPRE) [1]

**Objection** – the site is not allocated, represents an unjustified and harmful encroachment into the open countryside. It is an unsustainable location and will result in substantial additional vehicle movements.

4.8.9 Severn Trent

**No comments received.**

4.8.10 Natural England

**No comments received.**

4.8.11 Ramblers Association

**No comments received.**

4.8.12 Leicestershire Fire and Rescue

**No comments received.**

4.8.13 Leicestershire Archaeological Society

**No comments received.**

4.8.14 Harborough District Council

**No comments received.**

4.8.15 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, together with various site notices being placed around the village and an advertisement placed in the local press.

5.2 80 letters of objection have been received covering the following grounds:

Principle:

- Unsustainable development
- Increase in population
- Open land should be protected so that Cosby remains physically separate from nearby settlements
- Erosion of rural, historic and community-centred character
- Loss of rural identity
- Lack of local demand for housing
- Housing mix – large homes will not address local housing needs (affordable homes for young families or elderly)
- Risk of second homes or buy-to-let
- Premature – not an allocated site in the Local Plan
- Contrary to the Cosby Neighbourhood Plan
- Overdevelopment of the village
- Cumulative effects - already granted 200 homes on Croft Road in 2024 (Jelson Homes) and 500+ homes in Broughton Astley in past 5-8years

#### Infrastructure

- Lack of facilities in the village – no doctors, dentist or post office
- Provides no new amenities
- Pressure on village shops and those in other towns
- Pharmacy not open on a Saturday
- Impact on utilities – water supply, drainage and sewage
- Local schools a distance away
- Insufficient playground space

#### Design:

- New dwellings out of keeping with the area
- Will be a blot on the landscape and change the character on the approach to the village
- Should be a restriction on height of new dwellings – no 2.5 or 3 storey houses

#### Flood Risk:

- Increase to flood risk in the village and brook which is in a high risk zone
- Impact of new roundabout on flow of flood waters and potential to risk flooding around The Nook
- Query facts in FRA – does not comply with the methodology
- Impact on Cosby Brook which is a key feature and Policy CNDP1 of the Neighbourhood Plan seeks for it to be protected and enhanced and the proposal puts this feature at risk from polluted waters
- Highest point of the village
- Balancing ponds will not be sufficient to alleviate the issue
- Flood Evacuation Plan is inadequate – no mention of residents who may be off-site and need to park in the village and trapped/abandoned vehicles and restrictions to emergency vehicles.

## Highways:

- Increase in traffic and congestion through the village
- The new traffic calming measures – mini-roundabout, one-way systems and traffic calming will not mitigate the impact
- Access is unsafe – there is a history of accidents at the Broughton Road/Shuttleworth Lane junction
- Extra traffic in the village will conflict with the safe and community-spirited vision in the Neighbourhood Plan
- No safe walking route from the site into the village and schools resulting in more congestion and parking by school
- Parked cars on one side are already dangerous
- No cycle connections – roads too busy so very few cycle
- Pedestrian access issues making the village less safe
- Broughton Road is a 60mph and creating a new access here will cause potential accidents
- Traffic survey carried out at a quieter time of the day
- Lack of parking in the village will be exacerbated which will be dangerous for residents with pushchairs, wheelchairs and mobility scooters etc.
- Increase in traffic through the village to reach the school which is the other side of the village
- Buses need plenty of room to turn in the village and the mini-roundabout will make things worse
- One-way system around The Nook will cause congestion
- Shuttleworth Lane is not a suitable exit route from the village
- Village is used as a rat run
- Speeding an issue when cars not queuing
- Bus service needs improving
- Entrance to site is too close to a bend
- Moving the 30mph speed limit sign will have no impact – only a chicane or speed cameras would enforce
- Trip generation modelling does not consider new consent on Croft Road
- A lot of HGVs over 7.5t use the village
- Footpath to village not wide enough without removing trees
- Extra traffic load on village roads – unclear how sound existing roads are
- Junction of Countesthorpe Road and Lutterworth Road not assessed
- Mini-roundabout and one-way system will cause significant disruption
- Inadequate Transport Assessment regarding the methodology and scoping, baseline conditions, development layout and internal strategy, trip generation and distribution, junction capacity and modelling, proposed access arrangements, one-way proposal on The Nook and strategic policy and sustainability. *[Officer comment – The Local Highway Authority have noted this objection which is from a Transport Consultant on behalf of a local resident – many of these points have been addressed with amended information. In addition a lot of the omissions noted as not relevant to this application as it is an outline application, e.g. the internal layout and road hierarchy. The Local Highway Authority are also satisfied that the traffic data collected was at*

*an acceptable time undertaken over a period of 7 days and within 3 years of the submission of the application.]*

Heritage:

- The new mini-roundabout will cause significant harm to Cosby conservation area and setting of adjacent listed buildings
- The “open” appearance, particularly in The Nook, should be maintained and the historic pattern of development respected
- Introducing modern, high-capacity road infrastructure to this sensitive historic setting would be harmful and contrary to the Neighbourhood Plan
- Views of the conservation area would be changed
- Harm to Cosby Cottages estate – consider to be a Non-Designated Heritage Asset (NDHA)
- Inadequate Heritage Statement

Environmental:

- Poorer air quality impacting health and well-being
- Loss of green open space and degradation to the local ecosystem
- Negative impact on wildlife and habitats
- Impact to ducks that live near the proposed roundabout
- Reduced access to nature and dog walking area
- Generation of noise, dust and pollution during construction
- Building of new homes will increase carbon footprint
- Increase in pollution including light pollution to wildlife
- Removal of trees to create footpath into village
- Inadequate Ecology report and bat/bird surveys

Amenity:

- Loss of privacy to houses on Kingsfield Road and Elm Tree Road
- Overbearing from houses as development site on higher land
- Light reduction
- Green space is valuable to health and wellbeing
- Should be green space or single storey dwellings between existing and new housing

General/Miscellaneous:

- Inadequate public consultation
- Impact on village life and rural character – eroding sense of community and identity
- Impact on events held in the village – the Cosby Yarn Bomb, events at Victory Park, Victory Show, the Cosby Christmas Fair, Annual Duck Race etc. by changes to the public realm, reduced safety for pedestrians and a permanent disruption to national and local events
- The Nook is a social and community space which will be cut off from pedestrian traffic and a community gathering point

- The application site fields area also used as parking for some of these events.
- Will allotments change ownership and be potentially developed in the future – the allotments is a key community asset.

Non-material planning:

- Devalue of properties due to restriction of view
- Increase in insurance premiums due to flooding

**5.3 Cosby Cottages Association** (which represents 50 households) – Object for the following reasons:

- Conflict with national and local policies, particular relating to cumulative traffic impacts, heritage and sustainability
- Fails to respect the rural and historical character of the village and Cosby Cottages estate
- Worsen flood risk with insufficient safeguarding for existing drainage
- Serious pedestrian and highway safety risk, especially for children
- Undermines the continued functioning of vital community events such as the Cosby Yarn Bomb
- Cumulative impact with other proposed developments

## **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)
- The Cosby Neighbourhood Plan 2023-2029 (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 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 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 – Mineral safeguarding areas

#### 6.1.3 Cosby Neighbourhood Plan 2023-2029

Policy CNDP1 – Development within and affecting the setting of Cosby Conservation Area  
Policy CNDP2 – Development affecting locally valued heritage assets  
Policy CNDP3 – Design Principles  
Policy CNDP5 – Protecting other green space  
Policy CNDP7 – Access to the countryside  
Policy CNDP8 – Access and road safety

#### 6.1.4 Leicestershire Minerals and Waste Local Plan 2019-2031 (adopted 2019)

Policy M11 – Safeguarding of Mineral Resources

#### 6.2 Material Considerations

- The National Planning Policy Framework (NPPF) (2024)
- The National Planning Policy Guidance (NPPG)
- Blaby District Council Planning Obligations and Development Contributions Supplementary Planning Document (February 2010)
- Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document (2013)
- Blaby Residential Land Availability Report (November 2025)
- Blaby Strategic Housing and Economic Land Availability Assessment (SHELAA) 2024
- Leicester and Leicestershire Housing and Economic Needs Assessment (HENA) 2022

- Blaby District Council Housing Strategy 2021 - 2026
- Blaby District Council Open Space Audit (December 2015)
- Play Pitch Strategy Stage E Update March 2024
- Blaby Landscape and Settlement Character Assessment (January 2020)
- Leicestershire Highways Design Guide (2024)
- Blaby District Council Local Cycling and Walking Infrastructure Plan (2024)
- Blaby District Council Active Travel Strategy (2024)
- Blaby Strategic Flood Risk Assessment Level 1 Final Report (2020)

#### Emerging Blaby Local Plan 2025 - 2042 – Proposed Submission Version

The emerging Local Plan, published under Regulation 19 and currently subject to consultation, is a material consideration in the determination of this application. However, as the Plan has not yet been independently examined or adopted, it can only be afforded very limited to limited weight.

In accordance with paragraph 48 of the NPPF, the weight attributed to emerging policies depends on: (i) the stage reached in the plan-making process, (ii) the extent of unresolved objections to relevant policies, and (iii) the degree of consistency with national planning policy. As the Plan has reached the Regulation 19 stage, weight can now be applied in decision making. Nevertheless, the weight afforded can only be very limited to limited at this stage, depending on consistency with the NPPF, pending examination by an independent Inspector.

Weight to policies will increase as we take the document through the formal submission and examination stages with the Planning Inspectorate, who will be assessing whether our Local Plan should be adopted, but much depends on whether there are objections to the policies within it.

This application site is allocated within the emerging Local Plan as a site for housing development (Policy H1H – Land West of Broughton Road, Cosby).

## **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 the 5-Year Housing Land Supply (7.1);
- Loss of Agricultural Land (7.2);
- Affordable Housing and Housing Mix (7.3);
- Design, Layout and Landscape and Visual Impact (7.4);
- Transport and Highway Safety (7.5);
- Residential Amenity (7.6);
- Historic Environment and Archaeology (7.7);
- Flood Risk and Drainage (7.8);

- Environmental Implications (Noise, Contamination, Air Quality and Construction Management) (7.9);
- Trees and Landscaping (7.10);
- Ecology and Biodiversity Net Gain (BNG) (7.11);
- Mineral Safeguarding Area (7.12);
- Community Events (7.13)
- Infrastructure Requirements and Developer Contributions (7.14);

## 7.1 The Principle of the Development and the 5-Year Housing Land Supply

- 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 (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 31<sup>st</sup> March 2025 a total of 2,965 homes had been completed in the PUA. To meet the identified PUA requirement there is a need for around 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. Lower levels of growth are allowed in the Rural Centre (Stoney Stanton), Medium Central Villages and Smaller Villages. Cosby is classified as a Medium Central Village (together with Littlethorpe, Huncote, Croft and Sapcote).
- 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)
- 25/0532/FUL – Land to the west of Springwell Lane, Whetstone (up to 115 dwellings)
- 25/0810/OUT – Land to the east of Holt Way and Land to the South of Warwick Road, Littlethorpe (up to 150 dwellings)

7.1.8 155 dwellings were allowed by the Planning Inspectorate at appeal on land off Oak Road, Littlethorpe in November 2025 (Our reference 24/0527/OUT).

7.1.9 Most recently, up to 200 dwellings were allowed by the Planning Inspectorate at appeal on the Blaby Golf Course on Monday, 13<sup>th</sup> July 2026.

7.1.9 Policies CS1 and CS5 identify Cosby as a 'Medium Central Village' (along with the settlements of Sapcote, Huncote, Littlethorpe 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 Cosby and therefore on land designated as Countryside in the Blaby District Council

Policies Map (2019). It is not an allocated site for housing development in the current Local Plan and in this context is contrary to the adopted Development Plan. However, as set out above, 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 Cosby offers some key services and facilities required to accommodate sustainable communities. It acknowledges the village has limited employment opportunities and an infrequent bus service to higher order centres. It indicated the potential for significant residential development in the long term, but the village does not have the level of services and facilities to deliver a significant number of houses.

However, it does have a number of facilities that would be expected in a village of this type.

7.1.17 Whilst the limited provision of services and facilities to sustain a significant number of houses is acknowledged, it is noted that the village has the potential for such in the long term. The proposed development is adjacent to and would be integrated into the settlement of Cosby, with direct linkages into Cosby and to the B4114 leading between Hinckley and Leicester City and the Strategic Road Network (SRN) and with reasonable access to public transport.

7.1.18 Although it is acknowledged that the site is a good 20-30 minutes walking distance to Cosby Primary School, it is only approximately 600m from the middle of the application site to the middle of The Nook where there are a number of shops and services, including 2 x takeaways, a public house, shops, a pharmacy, butchers, hair salon, convenience stores and post office. The application site is also close to the existing allotments which will be expanded as part of the proposals. It is also opposite Cosby Golf Club offering recreational opportunities as well as cricket and football fields. The site is approximately 20mins walking distance from Victory Park and the play area, but the application site proposes a play area and areas of open space on the site with access to the open countryside. The application site is approximately 2 miles from Narborough train station which has a public car park. There will also be pedestrian link from the application site along Broughton Road to connect the site to the village. The site is also connected to the village and open countryside via the existing public right of way network which will be maintained through the site.

7.1.19 Furthermore, the proposed development would meaningfully contribute toward the shortfall of housing, including provision of affordable housing, whilst providing ecological enhancements and significant financial contributions towards the improvement of local facilities and infrastructure including education and highways. This location for new housing is considered to be a sustainable location for new development. It is therefore considered that releasing this site would not result in a material conflict with Policies and would contribute towards the Council's required 5-year supply of housing as set out in Government Guidance.

7.1.20 It is acknowledged that in situations where the presumption in favour of sustainable development and the 'tilted balance' apply as described at paragraph 11(d) of the NPPF, paragraph 14 of the NPPF states that applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits and should be given significant weight in the planning balance. Paragraph 14 however states that primacy of the Neighbourhood Plan only applies where:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement

The Cosby Neighbourhood Plan is now more than five years old. It also does not include any housing allocations to meet the identified housing requirement. Instead, it relies on sites allocated within the Local Plan to do this.

7.1.21 It is acknowledged that Cosby has recently had permission granted for up to 200 dwellings on Croft Road and that there will be a cumulative impact with this development. However, each site is required to off-set the impacts of the development and whilst it is acknowledged that this increase will appear large to residents, Cosby has had little other growth over previous years.

7.1.22 As already mentioned, it is recognised that releasing this site would result in the minimum requirement for the Medium Central Villages in Policy CS5 being further exceeded. Cosby has contributed 101 dwellings which have completed over the plan period to date, a further 7 homes are committed up to 2029. Within this context, the proposed development is considered to provide potential to deliver additional homes in the period up to 2029 and is not considered to significantly conflict with Policy CS5.

7.1.23 Finally, the emerging Local Plan has been published under Regulation 19 and is currently subject to consultation. It is a material consideration in the determination of this application but the weight afforded ranges from 'very limited' to 'limited' at this stage. The application site is however allocated within the emerging Local Plan as a site for housing development under Policy H1H (Land West of Broughton Road, Cosby). As part of the Strategic Housing and Economic Land Availability Assessment (SHELAA) (2024), the site was considered to be developable and deliverable within 11-15 years. It is therefore intended that this site forms part of the site allocations for Blaby to meeting the housing requirements over the next plan period.

7.1.24 As a result of the detailed assessment process undertaken above, it is considered that the 'tilted balance' applies to this application and therefore the principle of the development is acceptable in accordance with the NPPF.

## 7.2. Loss of Agricultural Land

7.2.1 Policy DM13 of the Blaby Delivery Local Plan and Para. 187 of the NPPF require consideration to be given to the economic and other benefits of the best and most versatile agricultural land. Footnote 65 of the NPPF states that where a significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. This is to reserve the best agricultural land in the UK for food production.

7.2.2 In order to assess this, the applicant has submitted an Agricultural Quality report. The whole of the agricultural area comprises of grassland. Agricultural land is ranked from Grade 1 (excellent) to Grade 5 (very poor). Grade 3 is subdivided into 3a and 3b. The "best and most versatile" land is land that falls within Grades 1, 2 and 3a of this agricultural land classification.

7.2.3 The report assesses the condition of the soil at the site together with climate data. This has concluded that the application site comprises Grade 3 land. The majority of the land is Grade 3b which comprises a moderately high topsoil clay content and poor drainage. This combination means that the land is usually too wet for spring sowings and arable use and is mainly limited to autumn sowings. Two small areas of Grade 3a land were determined in the west and east of the site.

7.2.4 Despite the presence of two small areas of Grade 3a land to the west and east of the site, this represents a very small proportion of the total area. As such, the loss of these small areas of “best and most versatile” agricultural land is considered to be acceptable, particularly in the context of the ‘tilted balance’. In this case, greater weight is considered to be attributed to the need to provide additional housing than the loss of a small amount of best and most versatile agricultural land. As such, the development of this area of agricultural land is considered acceptable in principle and accords with Policy DM13 of the Blaby Delivery Local Plan and the NPPF.

### 7.3 Affordable Housing and Housing Mix

7.3.1 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%) which will equate to 45 dwellings across the site (based on 180 dwellings).

7.3.2 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 45 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>%</b>   |
|-----------------------------------------|--------------|---------------|---------------|---------------|-----------------|--------------|------------|
| <b>Social Rent</b>                      | <b>8</b>     | <b>13</b>     | <b>8</b>      | <b>3</b>      | <b>4</b>        | <b>36</b>    | <b>80%</b> |
| <b>Shared Ownership</b>                 | <b>0</b>     | <b>4</b>      | <b>4</b>      | <b>1</b>      | <b>0</b>        | <b>9</b>     | <b>20%</b> |

|              |          |           |           |          |          |           |             |
|--------------|----------|-----------|-----------|----------|----------|-----------|-------------|
| <b>Total</b> | <b>8</b> | <b>17</b> | <b>12</b> | <b>4</b> | <b>4</b> | <b>45</b> | <b>100%</b> |
|--------------|----------|-----------|-----------|----------|----------|-----------|-------------|

| Market Mix Based on 135 Units | 1 bed | 2 beds | 3 beds | 4+ bed | Bungalow |
|-------------------------------|-------|--------|--------|--------|----------|
| Market                        | 6     | 34     | 47     | 34     | 14       |
|                               | 5%    | 25%    | 35%    | 25%    | 10%      |

7.3.3 The tenure mix is typically split 80% social rent and 20% shared ownership. The housing needs assessment for Cosby demonstrates that there is the largest need for 3-bedroom market dwellings as well as provision for bungalow and 1-bedroomed properties at the site at the current time. The quantum of affordable housing will be secured via the S106 agreement for 25%. However, the exact tenure mix and type of housing will be secured via a planning condition (Condition 5) as it will be based on a more up to date housing needs closer to implementation. The market mix may also change slightly from this.

7.3.4 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.

7.3.5 The proposal will therefore comply with Policies CS7 and CS8 of the Core Strategy, Policy DM11 of the Blaby Delivery Local Plan and the NPPF.

#### 7.4 Design, Layout and Landscape and Visual Impact

##### *Design and Layout:*

7.4.1 Policies CS2 of the Core Strategy and DM2 of the Blaby Delivery Local Plan 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. Policy CS21 of the Core Strategy also seeks to promote sustainable design principles to reduce energy demand and increase efficiency.

7.4.2 Policy CNDP3 of the Cosby Neighbourhood Plan requires all new developments to respond positively to the key attributes of the neighbourhood area. Local distinctiveness should be reinforced and a positive response to local landform and settlement pattern. Policy CNDP5 seeks to protect other

open spaces in the village, which in this case relates to Cosby Brook any proposals along Broughton Road and The Nook.

- 7.4.3 The application has been submitted in outline form at this stage and therefore the detail of the final design and layout is not known at this stage. However, an Illustrative Framework Plan has been submitted with the application to show how the site could be laid out together with an Indicative Landscape Plan which shows the areas of residential development related to the allotments, Local Equipped Area for Play (LEAP), Sustainable Urban Drainage (SUDs), woodland and natural, informal and incidental green space.
- 7.4.4 The Indicative Landscape drawing shows the net developable area of the whole 18.03ha site is to be 5.9ha. This results in a density of approximately 30 dwellings per hectare. This is a relatively low density but is appropriate given the edge of village location. Of the seven fields across the whole site, only 3.5 fields are shown to be developed with housing with one other field proposed as an extension of the existing allotments and a further field comprising the attenuation basins. The housing is shown as arranged across 13 perimeter blocks which would result in the creation of an average of 13-14 houses to each block. The housing blocks would be separated by tree lined access roads.
- 7.4.5 All existing field boundaries will largely be retained, with the exception of some small areas required for access. Existing public rights of way will be retained through the site and a play area is proposed in a central part of the site. The proposal seeks to maintain a separation gap of around 20m to the existing boundary of existing housing to the north but this will be conditioned (Condition 4) specifically regarding the nearest property (No. 15 Kingsfield Road). The proposal will include focal space and key landmark buildings on prominent corner locations. The development will also provide higher density towards the centre of the site with lower density on the outside sites to provide a transition at the edge of the open countryside and to respect existing housing.
- 7.4.6 From a crime prevention perspective, the proposal will seek to provide active frontages from outward facing perimeter blocks, which creates a clear distinction between public and private space. There will be dual aspect dwellings in key locations such as corners to ensure passive surveillance with properties overlooking the public realm.
- 7.4.7 The Design and Access Statement also sets out how the proposals will accord with the Building for a Healthy Life initiative by creating integrated neighbourhoods, distinctive places and streets for all. Sustainable development measures to the dwellings will be considered at the detailed design stage however the proposal will have plenty of opportunities to ensure the development achieves high sustainability credentials.
- 7.4.8 The land rises quite substantially to the west and in this area it is not proposed for any new housing to be provided. This area will be maintained as natural green space and informal public open space which will be fully accessible. An attenuation area is shown at the south-eastern end of the site just to the north of the existing Cosby Brook and to the south of the access into the site.

- 7.4.9 One of the unique features of Cosby is the brook that runs through the centre of the village which creates an attractive and pleasant feature in the village. Understandably the Parish want to ensure through their Neighbourhood Plan that the areas of open space around Cosby Brook are protected. In relation to this proposal, that relates to the highway works proposed around the brook along Broughton Road and The Nook.
- 7.4.10 The highway works proposed in the vicinity of Cosby Brook relate to the provision of a mini roundabout, the creation of a one-way system on the northern side of The Nook and new signage. These works will not alter Cosby Brook or the green space around the brook which will remain as it is. Whilst the introduction of a mini roundabout will create a change in this area, there is already a lot of highway infrastructure and signage in this location and therefore it is not considered that the change will result in significant adverse visual harm.
- 7.4.11 Whilst the details of the proposals, and therefore that mentioned above, are only indicative at this stage, Officers are content that the proposal for up to 180 dwellings will be able to be comfortably accommodated on the site whilst providing for a range of house sizes, types and tenures as well as providing suitable space between dwellings and green areas throughout the site with connectivity through to the village via Broughton Road and the existing public rights of way network. Condition 4 imposes some design parameters for the reserved matters which is to include the provision of the on-site play area and open space as well as the retention of the field boundaries, hedgerows and woodland as shown indicatively on the Illustrative Framework Plan and as referred to in the Design Strategy chapter of the Design and Access Statement.

*Landscape and Visual Impact:*

- 7.4.12 Policy CS18 of the Core Strategy states that within areas designated as Countryside, planning permission will not be granted for built development which would have a significantly adverse effect on the appearance or character of the landscape. The Policy goes on to state that the need to retain the Countryside will be balanced against the need to provide new development, which includes housing.
- 7.4.13 The application has been submitted with a Landscape and Visual Impact Assessment which has considered the Blaby Landscape and Settlement Character Assessment. The application site is located within National Landscape Character (NCA) Area 94 – ‘Leicestershire Vales’, the Regional Landscape Type (RLT) ‘Upper Soar’ and Local Landscape Character Area (LCA) ‘Cosby Agricultural Parklands’
- 7.4.14 The character of the Cosby Agricultural Parkland LCA is described as:

*“a mixed agricultural landscape situated to the west and southwest of Cosby, in the south of Blaby District. Individual mature trees give the landscape a distinctive estate parkland character. The landform rises gently to a prominent ridge to the south of Croft Road. From here the*

*area falls gently away to the south and southwest from the ridgeline. Fields vary in size and are mostly rectilinear with a uniform pattern and well-maintained hedges. Blocks of woodland are prominent features of the landscape in the north of the LCA due to their location on elevated ground.”*

The area is considered to be moderately sensitive to 2-3 storey residential dwellings. Many parts of the LCA are elevated in comparison to surrounding landform and the area is very gently undulating. The spire of the Grade II\* listed Church of St Michael and All Angels in Cosby is visible from parts of the site although the LCA acknowledges that although there is some intervisibility with Cosby it is well screened by hedgerows containing a high proportion of evergreen trees.

7.4.15 The Landscape and Visual Impact Assessment submitted with the application acknowledges the character areas that the site falls within. It does however consider that the application site, being adjacent to the settlement edge and with the golf club to the east means it is relatively enclosed from the surrounding characteristic undulating topography. It further considers that the eastern part of the site where the built form is proposed also reduces its contribution to the wider host landscape character area.

7.4.16 Full views of the site area are available from existing public rights of way that cross the site. More distant views are restricted from the west as the landform drops away and from the east due to vegetation. Intervisibility is restricted between the site and Cosby Conservation Area.

7.4.17 The LVIA concludes that the residual effect of the proposed development on the Cosby Agricultural Parklands LCA is minor adverse on a local scale with the effect diminishing to negligible with distance from the site. The retention of existing hedges and trees and the proposed enhancement to the landscaping will further reduce the impact in years to come.

7.4.18 The LVIA also concludes that the visual impact of the development from the public rights of way is moderate to minor adverse residual effects with the effects being less from close range public rights of way due to the existing context of properties at the edge of the village. The proposed development has been specifically designed to avoid development on the higher landform to the west of the site and is set back from the southern and eastern boundaries. With the landscaping strategy intended to enhance the landscape resource of the site the proposed development is not considered to be incongruous to the area and it is considered that it will be in keeping with the scale and pattern of existing development with the wider settlement of Cosby.

7.4.19 Officers generally concur with the assessment made in the LVIA and consider it represents a fair assessment of the landscape and visual impact of the proposed development. Although it is noted that development is not proposed on the higher ground, the proposed development is noted as having moderate sensitivity to residential development of 2-3 storeys. The Cosby Neighbourhood Plan Policy CNDP3(I) also considers new developments should

be no more than two storeys. Whilst the proposal has been designed to respect the topography it is considered reasonable to impose a parameter for the reserved matters that the dwellings are no more than 2-storeys in height. The justification for this is partly due to the exposed location and the potential for views to the Grade II\* listed Church to be compromised but also due to the nature of this edge of village location. 2.5 or 3-storey dwellings are more suited to more urban locations as they infer higher density and a more urban context. This edge of village more rural location should maintain the appearance of a lower density development to provide a suitable transition with the open countryside and therefore this restriction is considered reasonable. This will be secured via condition (Condition 4).

7.4.20 With condition 4 imposed, the proposal is considered to comply with Policies CS2, CS18 and CS21 of the Core Strategy, Policy DM2 of the Blaby Delivering Local Plan, Policies CNDP3 and CNDP5 of the Cosby Neighbourhood Plan and the NPPF.

## 7.5 Transport and Highway Safety

7.5.1 Policies CS2 and CS10 of the Core Strategy seek to ensure that the design of new developments is acceptable and that full consideration is given to the highway requirements of developments to ensure that the proposals maximise the opportunities for modal shift and reduce the reliance on the private car. Policy DM8 of the Blaby Delivery Local Plan seeks to ensure that new developments have the appropriate highway design and parking standards and this is also reflected in the Leicestershire Highways Design Guide. The Cosby Neighbourhood Plan contains two relevant policies to this section – CNDP7 seeks to ensure that there is continued access to the countryside via the public right of way network and that routes consider the needs of cyclists, wheelchair users, buggies and mobility aids. Policy CNDP8 seeks to ensure new development is accessible for all types of users and that the design will include or enhance access to the village centre and associated community facilities.

7.5.2 The application proposes the following highways works:

- the creation of a new priority junction access into the site
- the relocation of the existing 30mph speed terminal 170m south beyond the junction of Broughton Road with Shuttleworth Road
- creation of new section of public footways to north and south of proposed access with tactile crossing points
- installation of a mini roundabout in the centre of Cosby with minor build out section
- one-way system on northern side of The Nook with minor build out section
- associated signage
- improvements to existing nearby bus stops with Real Time Passenger Information
- provision of highway related contributions

The application has been submitted with a Transport Assessment together with a Road Safety Audit Stage 1 and Designer's response and a Travel Plan.

The Travel Plan has been amended following Highway comments and further speed survey data, a Highways Technical Note, Transport Addendum and further Designer's Response has been submitted. Highway drawings have also been updated. Notification on these documents was not carried out with the public as these amendments relate to technical matters of highway detail only and the fundamental aspects of the proposed highway works have not changed.

#### *Site Access*

- 7.5.3 The site access arrangements have been amended to provide a 10m corner radii and an access width of 6.75m as required for this sized development in accordance with the LHDG. 2m wide footways are proposed on either side of the carriageway with pedestrian tactile crossing points and suitable visibility splays of 2.4m x 54m in either direction. Amended swept path drawings have also been submitted which now show appropriate vehicle tracking for all required vehicles. The LHA therefore considers that the proposed access is considered to be safe and suitable for the proposed development.
- 7.5.4 As a point of clarification, there is not proposed to be a vehicular access via the extension of the existing allotments through to Croft Road.

#### *Off-site Highway Implications and Road Safety Audit*

- 7.5.5 Re-location of 30mph extents - The proposal includes for the existing 30mph speed limit signs to be moved from their current location (by the application site PROW entrance and Cosby golf course entrance) to before the Broughton Road/Shuttleworth Road junction (both arms), a distance of approximately 170m to the south. It will be accompanied by a gateway feature and dragon's teeth markings in accordance with the County Council's specifications. The 30mph zone will be extended by virtue of street lighting (the LHA's preference where street lighting indicates the speed limit zone) but should this not be possible (as street lighting will be agreed at the detailed stage) then it will be extended by virtue of a Traffic Regulation Order (TRO).
- 7.5.6 Footways and pedestrian crossings – The proposal includes the provision of new footpath connections to the north and south of the proposed access to link up with existing footways via the use of tactile crossing points. Regarding the northbound footway, it is proposed to install pedestrian restraints adjacent to the footway. Although the LHA would prefer a 2m wide footpath and verge adjacent to the ditch, this may not be possible without culverting or diverting the ditch which would be subject to the LLFA approval. Vegetation needs to be removed before this can be further assessed (including the stability of the existing guard rail and path areas). However, at this outline stage, the LHA are satisfied that there are several feasible options available and this can be further assessment and confirmed at the detailed design stage with structural integrity assessed at the same time. Footway widening will take place at the pedestrian crossing points to facilitate the dropped kerbs. Bus stop kerbs will also be installed and existing road gullies more as appropriate. Pedestrians will have suitable visibility.

- 7.5.7 The Nook – The application proposes to replace the existing priority junction where Broughton Road meets The Nook and Croft Road in the centre of the village with a mini-roundabout and a one-way system on the northern section of The Nook with associated minor build out sections and designated parking bays. The one-way system will require a consultation exercise with the LHA, Parish Council, emergency services and residents and a formal Traffic Regulation Order (TRO) would be required. The LHA required the production of a Land Acquisition and Resettlement Action Plan (LARAP) to address their concerns regarding the proximity of the roundabout to Cosby Brook.
- 7.5.8 The LHA confirm that they are satisfied that the roundabout design and measurements meet the required standards and take into account the requirement visibility splays and stopping sight distances. A report regarding the Provision of Road Restraint Systems on Local Authority Roads has been produced and the LHA concur with the applicant's Risk Rating Score of medium on all arms. Options for any improvements to the existing railings and any potential road restraint system will be agreed at the detailed design stage but could take the form of matching the existing railings or similar, maybe the use of timber. As set out further in this report, the area where the proposed roundabout is intended to be located is in a conservation area and there are some listed buildings around The Nook and so the design of any restraint system or changes to the existing railings would need careful consideration but this could provide the opportunity for enhancements. This is addressed in the 'Historic Environment and Archaeology' section below.

#### *Public Rights of Way*

- 7.5.9 There are four existing public rights of way routes that run through the site – W35, W37, W38 and W39. Footpaths W35 and W39 run along the eastern side of the site from north-east to south-west and will not be impacted by the proposals, although they will be connected with a new footpath across the site frontage/access. Footpaths W37 and W38 run more prominently through the site from west to east, and are parallel to each other. The western end of W37 will continue in its existing alignment as this is in the west part of the site that is to remain undeveloped. The remainder of W37 and W38 will be combined and realigned through the site where it is shown on the Illustrative Framework Plan for them to be routed through green corridors and alongside existing hedgerows which will maintain its identity. Boundary crossings along the PROW should use options that are the least restrictive to users with reduced mobility and in this case the LHA would expect the use of low-maintenance metal kissing gates. The final design of the realignment of the footpaths to ensure they are accessible and safe for all users will be determined at the detailed design stage. A suitably worded condition will also be included for the treatment of public rights of way (Condition 15).

### *Trip Generation*

- 7.5.10 The applicant has conducted a Pan-Regional Transport Modelling (PRTM) exercise to assess the potential trip generation as a result of the development and the impact this will have on the local highway network.
- 7.5.11 The results of the PRTM show that in the AM peak most trips (outbound and inbound) will be to/from The Nook (66% and 68% respectively) with the remaining to/from Broughton Astley direction. In the AM peak this results in 76 two-way trips passing through The Nook. At The Nook 37 two-way trips will pass the A426/Countesthorpe Road junction and 31 two-way trips will pass through the Croft Road/Park Road junction. The latter will also pass through the roundabout where Park Road, Cambridge Road and Narborough Road converge.
- 7.5.12 In the PM peak, the figures are similar to the AM peak with most vehicle trips (74 two-way) passing through The Nook. 43 two-way trips will pass through the A426/Countesthorpe junction and 28 two-way trips will pass through the Croft Road/Park Road junction.
- 7.5.13 New trips through the new access to the new section of the allotments due to the proposed allotment expansion are considered to be minimal and likely outside of peak hours.
- 7.5.14 The PRTM exercise shows that the following junctions will be subject to 30 or more two-way trips as follows:
- Broughton Road/ Site Access - 112 AM, 107 PM.
  - The Nook – 76 AM, 74 PM.
  - Countesthorpe Road/ A426- 37 AM, 43 PM.
  - Croft Road/ Park Road- 31 AM
  - Park Road/ Cambridge Road/ Narborough Road- 31 AM.

### *Junction Capacity*

- 7.5.15 The current capacity of all the junctions listed above is within acceptable limits except for The Nook with Broughton Road/Croft Road. This is already operating over the practical capacity and the performance of the junction would deteriorate further in the peak PM by 2030 without mitigation with delays greater than one minute for vehicles exiting Broughton Road and in the peak AM the performance would deteriorate but still be within capacity limits. The mitigation for this is the introduction of the mini-roundabout which has been modelled following implementation and shows a material improvement in capacity which the LHA have accepted.
- 7.5.16 At the A426/Countesthorpe Road junction, most arms are already operating at or over the capacity of the junction in both the AM and PM peak hours. By 2030 without the development the junction will deteriorate further and this will be exacerbated by the proposed development. During the AM peak, the worst affected arm would increase by 4% and during the PM peak it would reach 10%

increase which would result in the Countesthorpe E left ahead arm reaching capacity. However, this modelling was done on the basis that the A426/Countesthorpe Road junction is a crossroads whereas it is a staggered junction. The LHA has remodelled it and notes that with the re-modelling the proposed development will have a greater material impact on the capacity of this junction.

- 7.5.17 In order to mitigate the impact on the A426/Countesthorpe Road junction, the LHA has already independently identified draft proposals to signalise this junction to offer significant capacity benefit in future years and given the additional pressure from cumulative development. As a result, it is requested that the applicant make a proportional contribution to improve the operation of this junction which would negate the need for further assessment of the junction and suitably mitigate the residual impacts the proposals will have on the junction. The applicant has agreed to provide a proportional contribution which, at the time of writing the committee report, is to be agreed between the applicant and the Council. Officers have requested delegated authority to finalise contributions post-committee.

#### *Highway Safety*

- 7.5.18 All recorded Personal Injury Collisions (PICs) within the study area (application site in the vicinity of The Nook) have been recorded as 'slight'. The LHA is satisfied that there are no patterns in the data which are likely to be exacerbated by the proposals. Additionally, the LHA is of the view that the proposed off-site works, specifically the extension to the 30mph speed limit zone by the virtue of street lighting and the new proposed mini roundabout may reduce the likelihood of similar PICs occurring in the future. The proposal is not therefore considered to have a detrimental impact on highway safety following the demonstration of a suitable access and trip generation mentioned above.

#### *Internal Layout*

- 7.5.19 As this is an outline application with 'layout' a reserved matter, the internal highway layout is not for consideration at this stage. However, the Illustrative Framework Plan shows how the proposal could provide a network of streets through the development with a hierarchy to the roads to provide identity and character. The LHA advise that it should be designed fully in accordance with the LHDG guidance and be subject to a Section 38 agreement. Suitable visibility splays, junction and turning head radii will be required to be demonstrated along with speed control features and pedestrian infrastructure. Vehicle tracking for an 11.20m long refuse vehicle moving and turning within the site will also be required. Satisfactory parking and turning provision will be required and the Applicant should note that space for visitor parking should be incorporated into the design of the site.

#### *Transport Sustainability*

- 7.5.20 The application site is considered to be within good distance of amenities and services via other modes of transport including walking and cycling. In addition

there will be improvements to the nearby bus stop by providing Real Time Passenger Information . All properties will be provided with EV charging points as well as safe and secure covered cycle parking facilities.

7.5.21 The LHA previously requested the Applicant to consider creating a footpath link from the site to Kingsfield Drive. The TP advises that this not possible due to the land required to route the footpath being in third party ownership. The LHA accept this and acknowledge that Croft Road, Kingsfield Road and Elm Tree Road can be accessed via the existing PRow network.

7.5.22 The amended Travel Plan (TP) submitted with the application is considered by the LHA to be acceptable. It includes the appointment of a Travel Plan co-ordinator who will engage with new residents. The TP includes targets to reduce weekday peak hour vehicle trips by 10% within the first three years of occupation on the site; and for the whole development to have a 100% Travel Plan awareness. The TP will be promoted in the marketing and promotion of the development and alternative means of travel will be sold as an attractive benefit for potential new residents. Residents will be provided with Welcome Travel Packs and two six-month bus passes per dwelling. Monitoring of the TP will be for a five year period.

7.5.23 The LHA have no objections to the proposals subject to the imposition of conditions (Conditions 11-15) relating to

*Highway Contributions:*

7.5.24 As set out above, the applicant will be required to provide the following measures to mitigate the impact of the proposed development and to ensure sustainable transport:

- Residential Travel Plan monitoring fee (£6,000)
- Appointment of a Travel Plan Co-Ordinator
- Provision of Travel Packs for new residents
- Two 6-month bus passes for each dwelling
- A proportional contribution towards improvements to the wider highway network along the A426 corridor
- A £7500 contribution towards the consultation process for the relocation of the existing 30mph speed limit
- A £7500 contribution towards the consultation process for the implementation of a one-way system on The Nook.

7.5.25 The application will comply with Policies CS2 and CS10 of the Core Strategy, Policy DM8 of the Blaby Delivery Local Plan, Policies CNDP3, CNDP7 and CNDP8 of the Cosby Neighbourhood Plan, the NPPF and the Leicestershire Highways Design Guide.

## 7.6 Residential Amenity

- 7.6.1 Policy CS2 of the Core Strategy, together with Policy DM2 of the Blaby Delivery Local Plan and Policy CNDP3 of the Cosby Neighbourhood Plan seek to ensure that new development suitably considers the impact on residential amenity, both existing and proposed.
- 7.6.2 Given the application is in outline form, a more detailed consideration of the potential impact on residential amenity will be considered at the reserved matters stage when layout, scale and appearance are considered. However, at outline stage, a high level assessment can be made of the likelihood of any potential impacts.
- 7.6.3 In terms of the impact on proposed occupiers, Officers are satisfied that the site will be able to accommodate up to 180 dwellings in a layout that will ensure good separation distances between properties and an appropriate layout, resulting in a good standard of development. The Illustrative Framework drawing adequately demonstrates the likely general arrangement of the site. Perimeter blocks will likely result in some minor mutual overlooking to neighbours but this is typical of most residential areas.
- 7.6.4 In terms of the impact on existing residential amenity, the properties to the northern boundary of the site are those most likely to be affected by the proposals as well as some of the properties on Broughton Road which will be closer to the proposed vehicular entrance. Existing housing on Elm Tree Road backs onto the proposed development. There are also a couple of properties on Kingsfield Road that are positioned so that they are side onto the development.
- 7.6.5 The properties that are side onto the development on Kingsfield Road are No.'s 15 and 16 and are likely to be the most affected by the proposals. No. 16 is positioned close to the boundary of the site with a separation gap of around 7m. However this property's main outlook is fronting Kingsfield Road and its rear garden extends east along the site boundary. There is substantial landscaping at the front and rear garden areas of this property within the owner's boundary that will provide good screening from the development. No. 15 Kingsfield Road is positioned a little further from the site boundary at around 11m however this property's rear garden backs onto the development site and is much shorter than other adjacent properties on Elm Tree Road, with less landscape screening. Although separation distances are likely to be acceptable, it is acknowledged that a new development of this scale will have an impact on the amenities of the properties along the northern boundary, although to a lesser extent those on Elm Tree Road due to their long rear gardens (approximately 45m-60m in length to their rear boundary). It is also acknowledged that due to the topography of the site, the new development will be more visible to these closest properties. Due to the separation distance, it is not considered that the topography of the site and positioning of the dwellings will equate to a significant loss of amenity.
- 7.6.6 Following the public consultation exercise carried out by the applicant prior to the submission of this planning application (as set out in the Statement of Community Involvement), the Illustrative Framework Plan was revised and a

landscaping strip shown with private access driveways positioned adjacent to the northern boundary, which has the result of setting back the built form. The separation gap between the proposed built form and the existing properties on Elm Tree Road and in particular the closest properties on Kingsfield Road is therefore considered to be acceptable. A condition will be imposed (Condition 4) to require a separation gap of 20m to be incorporated into the design to protect the amenities of No. 15 Kingsfield Road.

- 7.6.7 Residential amenity impacts from the proposed works in the highway and around the proposed site entrance are likely to be minimal and mainly associated with the construction phase of the works which will be for a temporary period, rather than the operational phase of any new highways layout. The properties along Broughton Road to the east and south of the site, together with existing properties around The Nook are not considered to be significantly adversely affected by the proposals.
- 7.6.8 For the reasons set out above, the application is considered to accord with Policy CS2 of the Core Strategy, Policy DM2 of the Blaby Delivery Local Plan, Policy CNDP3 of the Cosby Neighbourhood Plan and the NPPF.

## 7.7 Historic Environment and Archaeology

### *Policy Context*

- 7.7.1 Policies CS20 of the Core Strategy and Policy DM12 of the Blaby Delivery Local Plan seeks to ensure the protection and enhancement of all types of heritage assets and their settings by considering the harm to their significance. New development should make a positive contribution and in the case of any less than substantial harm being caused, this should be weighed against the public benefits. This is consistent with the approach in the NPPF. The Cosby Neighbourhood Plan Policy CNDP1 and CNDP2 consider the impact on Cosby Conservation Area and the impact on locally valued heritage assets respectively. Within the Conservation Area proposals will be supported whereby they respect the village's character and in particular the openness and views around the Brook (amongst other criteria) and taking a balanced judgement to the scale of any harm to local heritage assets (Non-Designated Heritage Assets (NDHAs)). Policy CS2 of the Core Strategy and Policy CNDP3 of the Cosby Neighbourhood Plan seek to ensure that the design of new development is in keeping with the character of the area. The application has been submitted with a Heritage Statement and further Heritage Addendum, an Archaeological Desk Based Assessment and Archaeological Evaluation reports.

### *Historical Significance*

- 7.7.2 Cosby dates from at least as early as the medieval period and its medieval core and street pattern is still evident which focuses on the Grade II\* Church of St Micheal and All Angel's (dating from the 14<sup>th</sup> century) and historic buildings around The Nook. It is possible that it has earlier origins from the Saxon or Roman times give the proximity to the Fosse Way. Following the industrial revolution, Cosby became a more industrial village with framework knitting and

boot and shoe manufacturing dominating during the 19<sup>th</sup> and 20<sup>th</sup> centuries. It was during this time that the population rapidly expanded.

- 7.7.3 Some of the earliest buildings in Cosby are located around the Nook and the historic core of the village. Adjacent to the Church of St Michael and All Angel's is 'Coates Barn', a timber framed cruck and box framed building dating from the C17 (Historic England list description) and known locally as the Tithe Barn. There is another timber framed barn associated with Cosby House which is a significant building fronting onto Croft Road and makes a positive contribution to Cosby Conservation Area. These buildings are of significant architectural and historic interest.
- 7.7.4 There are 13 listed buildings within 1km of the application site. These are all located within Cosby village and centred around Chapel Lane, Croft Road, The Nook, Countesthorpe Road and Main Street. All of the buildings with the exception of the Church of St Michael and All Angels are Grade II listed with the Church being Grade II\*. The setting of these listed buildings comprises the immediate village core and proximity to other neighbouring historic buildings with the rural countryside landscape forming a backdrop. Their significance lies in their historical, evidential and aesthetic values in connection with the age of the village.
- 7.7.5 There are a number of other historic buildings within the village that the Council and Parish Council would identify as worthy of being locally listed (Non-Designated Heritage Assets (NDHAs)). Policy CNDP2 of the Neighbourhood Plan lists the following:
- Cosby Community Church, Croft Road (Baptist Church);
  - Cosby Methodist Church Park Road;
  - Toc H building, Croft Road
  - Brooke House Day School, Croft Road;
  - Former Vicarage, 58 Main Street;
  - 60 Main Street

In addition, the Council consider the following also to be worthy of NDHA status:

- Cosby Land Settlement Association Area (known as Cosby Cottages), Kingsfield Road;
  - Old Primitive Methodist Chapel on Chapel Lane
  - The Barn, Broughton Road
  - Cosby Spinneys, Croft Road
- 7.7.6 These NDHAs all form part of the history and historical development of the village, from various periods. Many of the buildings have aesthetic qualities that contributes to their significance with others having more communal values such as the Toc H building which was formally an air raid shelter. All of the buildings have an element of historical and evidential value. Cosby Cottages is an area that is characterised by large, detached dwellings set back from the road with steep root pitches and front projecting gables. They create an open character to the area similar to a garden village and were provided by the Cottage Homesteads Division of the Land Settlement Association to provide

houses for unemployed workers. Whilst some are original, many have been considerably extended and altered or rebuilt.

7.7.7 Cosby Conservation Area was first designated in 1970. There has been no review of the conservation area since its designation. As mentioned above, the village potentially dates back to the Roman period due to its proximity to the Fosse Way (Roman road). However evidence suggests the village at least dates to the early medieval period and it is mentioned in the Domesday Book of 1086. Originally a farming community, following land enclosure the landscape surrounding the village changed with the creation of hedged holdings. The framework knitting industry began in the 17<sup>th</sup> Century as a cottage industry. Cosby has developed around a brook which gives it a distinctive character and an open appearance. The Conservation Area Appraisal (CAA) for the village, considered at the time of its designation, that the primary function of the village was that of a commuter village with this village being selected for expansion in the 1960s. At the time of the CAA it was considered that there were features around The Nook that detracted from its character such as the bus shelter (since removed), advertisements and street furniture including the concrete posts and railings that still exist today. The non-listed buildings around The Nook, whilst some not of architectural merit, were nonetheless considered collectively to contribute to the character of the area. The CAA noted key views along Broughton Road, Countesthorpe Road and Main Street.

7.7.8 In terms of archaeology, the application site has been in arable farming use for most of its history therefore is unlikely to hold much archaeology significance from later centuries. Although very little fieldwork has previously been undertaken in the vicinity of the site, the Leicestershire and Rutland Historic Environment Record (HER) do include several significant archaeological finds and crop marks nearby. A number of ring-ditch cropmarks have been identified c.450m to the north of the site which indicate an extensive Barrow cemetery as well as other associated crop marks suggestive of a pre-historic settlement. A Roman brooch was also recovered from the application site in 2012. In addition to the impact on buried remains, the proposal may also impact earthworks or medieval/post medieval open field system (e.g. ridge and furrow). The site therefore has the potential for significant pre-historic – medieval archaeology.

*The Proposals and how they relate to the Heritage Assets*

7.7.9 The application site is located adjacent to the southern boundary of Cosby. The application site itself has the potential for archaeological significance, but does not contain any listed buildings, other non-designated heritage assets and is not located within Cosby Conservation Area. The proposal is located to the south of Cosby Conservation Area and Cosby House (Grade II listed), but it does not abut it as there is a parcel of farmland between the site and Cosby House and the conservation area boundary. The site lies opposite Chapel Lane where 4 Chapel Lane (Grade II) is located.

7.7.10 The proposed off-site highway works are however proposed within Cosby Conservation Area and relate to the area around The Nook and the roads that converge at that point. There are also a number of listed buildings and non-designated heritage assets around The Nook.

- 7.7.11 The mini-roundabout is proposed at the Broughton Road/Croft Road/The Nook junction and will comprise new road markings on the ground and give-way markings. The mini-roundabout will need to be built to highway specification and can either be flush or slightly domed to allow for larger vehicles to drive over it (this is the case with many mini-roundabouts). The final design would be agreed at the S278 stage with Highways. New signage will be proposed in the vicinity. There will be a slight build out section with reflective marker posts facing approaching traffic from Croft Road.
- 7.7.12 The one-way system will comprise a slight kerb build out section to the western end (where it meets Croft Road), new parking bays on the northern side, new/amended road markings and associated signage.
- 7.7.13 To the middle and eastern end of The Nook, minimal changes are proposed which mainly comprise new signage and tie in of road markings with existing. In the vicinity of No. 26 The Nook and the red telephone box (both Grade II listed), the existing pedestrian crossing will remain and new signage will be installed to alert people of the new roundabout. Signage will be kept to a minimum throughout but will be required to meet highway standards.
- 7.7.14 Consideration needs to be given to the following:
- The impact of the proposed development site on the setting of the nearby listed buildings, the setting of non-designated heritage assets, the setting of Cosby Conservation Area and archaeology at the site.
  - The impact of the off-site highway works on the setting of the listed buildings and other NDHAs around The Nook as well as the impact on the Character and Appearance of the Conservation Area.

*Impact on the Setting of Listed Buildings*

- 7.7.15 It is not considered that the development site itself will cause any harm to the setting of the listed buildings due to the distance and lack of visibility. The spire of the Church of St Michael's and All Angels is evident from the application site and from longer distance views from the public rights of way. However, intervisibility is somewhat limited due to the presence of landscaping on the edge of the village. The development of the site with two-storey dwellings and extending the envelope of the village beyond the existing housing boundary is not considered to cause any harm to the setting of the Church. However, it is intended to impose a condition (Condition 4) that the proposed dwellings are no more than 2-storey's in height, in part to preserve the setting of the Church in addition to its wider visual impact on the landscape.
- 7.7.16 It is noted that Cosby House (Grade II) and Cosby Barn (Grade II) are located close to the site, but it is not adjacent to it as there is a parcel of arable farmland in-between. The application site contributes a degree of rural setting to Cosby House and the Barn but this setting has been somewhat eroded with the development of the Cosby Cottages area to the west. The rural setting will in part remain due to the field immediately adjacent (and not part of the application site) and the lack of built development by the site access. There will be distance views of the built development from Cosby House but this will be across the adjacent arable field and the allotments with a substantial amount of mature

vegetation in-between. Views from Cosby House towards the site entrance will comprise the site access and the attenuation basins but all built development will be at ground level only therefore any harm is considered to be negligible from this part of the development. Overall it is considered that the impact of the proposal on the significance of the setting of Cosby House and Cosby Barn is considered to be at the lower end of less than substantial harm given the distance and intervening landscaping and lack of above ground development near the site entrance.

- 7.7.17 The proposed development on the application site is not considered to cause any harm to the setting of 4 Chapel Lane or detrimentally affect its significance. The setting of this property comprises the immediate built development within Chapel Lane where it is nestled amongst other later development. The rural landscape forms part of the wider setting only and development of this site will not be immediately visible from 4 Chapel Lane or alter how this property is experienced.
- 7.7.18 The off-site highway works proposed in The Nook will have some impact on the setting of the listed buildings in that area. Most notably is the timber framed barn associated with Cosby House (listed Grade II in its own right), 26 The Nook and the telephone kiosk which are the closest to the proposed mini-roundabout and one-way system to the northern side of The Nook. It is accepted and acknowledged that the proposed mini-roundabout in the heart of the historic core of the village is not ideal and this will represent a change to the setting of the nearby listed buildings. However, whilst there will be new road markings and signage etc., there is already quite a lot of road markings and highways paraphernalia in this part of the village due to the converging of several roads. The roundabout is also not located immediately outside any listed buildings and by being located within an existing highway context, the harm is reduced. Notwithstanding that, it is acknowledged that there will be some harm and this harm is considered to be less than substantial harm to the setting of the listed buildings.
- 7.7.19 The listed buildings around the Countesthorpe Road/Main Street/The Nook junction are less likely to be affected as in this area there are minimal changes to the existing. Road markings at this end will just be amended – for example a new give-way at the eastern end of the one way system and the removal of give-way markings on Main Street to change the priority. Therefore whilst there will be a change, this change is considered to be negligible in this area and the setting of these listed buildings unaffected.

*Impact on the Setting of Non-Designated Heritage Assets*

- 7.7.20 The NDHAs most closely related to the application site and therefore more likely to be affected comprise Cosby Cottages to the north of the site on Kingsfield Road and Cosby Spinneys approximately 700m to the west of the application site. Cosby Spinneys is considered to be a sufficient distance away that only distance views will be evident read against the context of the rest of the village. Although the site lies adjacent to the area known as Cosby Cottages which is characterised by spacious housing set back from the road, the proposal is unlikely to detrimentally affect their setting or the character as the site will be read as an independent development accessed separately from Broughton

Road. There will also be landscaping in between, along the northern boundary. Notwithstanding this, it is intended that the density of the development is lower along the northern boundary to provide a transition between the existing and proposed development which will help to retain its character.

- 7.7.21 In terms of the impact of the off-site highway works on the identified NDHAs, the only ones more likely to be affected are those closer to and around The Nook. This includes The Barn on Broughton Road which is close to the proposed mini-roundabout. Whilst not individually identified, there are a number of other buildings around The Nook, particularly on the southern side which collectively add architectural and historic interest to The Nook. However, the proposals, whilst creating a change in the conservation area, the impact on these NDHA will be indirect and in proportion to their significance, particularly given the existing highways context in which they are located. All other NDHAs mentioned will also only be indirectly affected, only really impacted by passing traffic as per the current situation.

*Impact on the Setting and Character and Appearance of the Cosby Conservation Area*

- 7.7.22 The application site is a sufficient distance from the boundary with the conservation area (closest part being at Cosby House) such that it will preserve its setting and not have a significant detrimental impact on its setting. That is not to say that the site will not be visible from the conservation area or that views of parts of the conservation area will not be visible from the application site. However, the development of the site will be read as an expansion of the existing built form of the village in a way which has happened at various times in its history. The impact is reduced due to the distance, the context of the adjacent built form (both to the north and east of the site) and the landscaping in-between.
- 7.7.23 The proposed mini-roundabout in the conservation area will have an impact on the character and appearance of the conservation area and is considered to cause less than substantial harm. It will create a new highway feature with associated infrastructure which will change how the conservation area is experienced and views into and across the conservation area. However, it is considered that there is already a lot of existing road markings and highway infrastructure within the village which has changed and grown incrementally over a number of decades. Old photographs from the 1960s show little in the way of road markings or highway signage. It is noted that there are already problems in the village with congestion, particularly at the junction of the proposed mini-roundabout. The intention of the mini-roundabout is to alleviate congestion and aid free flow of traffic and increase capacity. Whilst the physical changes to the conservation area in the provision of the mini-roundabout road markings and associated works may appear to detract from its existing character and appearance, the potential to reduce congestion may balance this out by reducing the impact of queuing traffic in this central part of the village. The reduction in traffic through the village would have a positive impact on the conservation area by reducing noise and traffic fumes. It is not claimed that the traffic congestion would be removed altogether but there are likely to be some residual benefits from the roundabout to existing traffic congestion that are likely to enhance the character and appearance of the conservation area by

improving the experience within it and these should be considered as part of a balanced consideration of the impact of the mini-roundabout.

- 7.7.24 As part of the mini-roundabout the LHA advises that there may need to be new road restraint systems installed or upgrades to the existing to prevent vehicles from entering the water. Following a discussion with the LHA officer and the applicant's Heritage Consultant, it is considered that these road restraint systems could be similar to the existing or a timber style. There are options available for a system that is in keeping with the heritage context of the conservation area and in this respect any proposals should be designed to be heritage-led. However this represents an opportunity for enhancement of the conservation as the existing barriers are in a poor condition. A condition (Condition 24) will be imposed for more details of the road restraint system (either new or upgrades) to be submitted and approved by the District Planning Authority before any works are commenced.
- 7.7.25 There are also proposals to extend the existing guard rail and open up the Brook along Broughton Road closer to the application site. This accords with Policy CNDP1 of the Neighbourhood Plan which seeks to support proposals that will re-open sections of the Brook.
- 7.7.26 The one-way system on the northern side of The Nook will also aid traffic flows and congestion in the village as it is not necessary for this parallel road to be two-way. The ability to have specifically designated parking bays on the northern side, with a small build out section on the approach from the west will allow this part of The Nook to feel safer and more pedestrian friendly which will be an enhancement to the character and appearance of the conservation area, despite the associated signage.

#### *Impact on Archaeology*

- 7.7.27 Given the potential significance of the application site for archaeology, the County Archaeologist required a field evaluation including trial trenching to be undertaken pre-determination to determine the presence of any archaeological remains and suitable treatment to avoid or minimise damage by the development.
- 7.7.28 The results of the evaluation have largely confirmed results of the submitted Geo-Physical Survey and has identified Roman period ditches and gullies indicative of a series of enclosures with activity potentially dating from the mid-late 1<sup>st</sup> century AD continuing to the late 3<sup>rd</sup> or early 4<sup>th</sup> century AD. There were several undated features and some domestic material and fragments of roof tile suggesting possible presence of a nearby building although no evidence of such has been found. There were small quantities of building material and substantial quantities of well-preserved pottery which indicated the site could like in close proximity to settlement activity. There is also evidence of the presence of a substantial Roman ditch.
- 7.7.29 In accordance with Para 218 of the NPPF the developer is required to record and advance understanding of the significance of the resource prior to its loss. This includes the publication of the results and deposition of the archive proportionate to the impact of the proposals upon the significance of the asset. The applicant will therefore need to undertake an appropriate programme of

archaeological investigation prior to the commencement of the development. This will involve further excavations of the application site area. A condition will be imposed to secure these works (Condition 19).

#### *Conclusion of Impact on Heritage Assets*

- 7.7.30 The Heritage Statement submitted with the application concludes that the proposed development will bring a low level of less than substantial harm to the significance of Cosby Conservation Area, the Grade II Cosby House and the Grade II barn. It also considers that there will be no harm to the significance of the Grade II\* listed Church of St Michael and All Angels and No. 4 Chapel Lane or the NDHA of the former Primitive Methodist Church at 3 Chapel Lane. The Heritage Addendum considered the impact of the off-site highway works on Cosby Conservation Area and concluded that the works would not give rise to harm in relation to the significance of the Conservation Area.
- 7.7.31 Whilst Officers are broadly in agreement with the conclusions of the Heritage Statement and Addendum, it is considered that the main heritage impact of the proposal relates to the creation of the proposed mini-roundabout in the centre of the village as part of the off-site highway works. It is noted that residents and the Parish Council are very concerned about this and their concerns are acknowledged and understood. However, there are likely to be some residual benefits in the creation of the mini-roundabout in terms of how the conservation area is experienced which should be weighed up against the physical highway changes proposed. There is also the potential for enhancements to the existing road restraint system around the roundabout.
- 7.7.32 The proposal seeks a change and new feature within an existing highway context and the impact is not considered to be so severe as to warrant a refusal of the application. Furthermore there are significant public benefits that weigh in favour of the proposal by the contribution of 180 dwellings to the housing land supply in the District, including the provision of 25% affordable housing, the provision of additional infrastructure and biodiversity net gain as referred to in this report.
- 7.7.33 Therefore on balance, the proposal is considered to be acceptable and will not cause significant harm to the setting of listed buildings or NDHAs, the character and appearance of the conservation area will be preserved and archaeology at the site will be recorded. The proposal therefore accords with Policy CS20 of the Core Strategy, Policy DM12 of the Blaby Delivery Local Plan, Policies CNDP1, CNDP2 and CNDP3 of the Neighbourhood Plan and the NPPF.

#### 7.8 Flood Risk and Drainage

- 7.8.1 Policies CS21 and CS22 of the Core Strategy seeks to minimise the impact on the environment and provide resilience to climate change which includes minimising vulnerability to flood risk. Development should be directed to areas at lowest risk of flooding (Flood Zone 1) with mitigation measures in place where development is within flood risk areas. Sustainable Urban Drainage Systems (SUDs) should also be used to ensure that the risk from flooding and surface water flooding is not increased on-site or elsewhere. Policy CNDP3 of the Neighbourhood Plan seeks to ensure that all new development is water

efficient and that sustainable urban drainage is provided with appropriate management and maintenance in place. The application has been submitted with a Flood Risk Assessment (FRA) and Drainage Strategy and further Flood Risk Technical Note.

- 7.8.2 The application site is located mainly in Flood Zone 1 (low risk of fluvial flooding) however, there is a small area to the south of the site that is located in Flood Zones 2 and 3. Para. 175 requires a sequential test to be applied to sites at risk of flooding, except where a site-specific FRA demonstrates that no built development would be on an area that would be at risk of flooding from any source. There is a very minor part of the proposed attenuation basins (classed as built development) which appears to very slightly encroach into Flood Zones 2 and 3. As the precise locations of the attenuation basins will be fixed at reserved matters stage which can ensure the Flood Zones are fully avoided (given this encroachment is only very minor) and as the applicant is agreeable to a condition that there will be no built development in Flood Zones 2 and 3 (Condition 23), a Sequential Test is not required in this instance
- 7.8.3 Despite the built development (including the access) being located in Flood Zone 1, the access into the site will require crossing through part of Broughton Road that is within Flood Zones 2, 3 and 3b (functional floodplain). The proposal for residential development on this site is categorised as “more vulnerable” development in accordance with the Environment Agency’s Vulnerability Classification. The area is also in a low risk of surface water flooding and at a moderate risk of groundwater flooding.
- 7.8.4 The Environment Agency have assessed the Drainage Strategy (as amended following their comments) and have no objections but have flagged up that the site access crosses through Flood Zone 3b. As a result, they have advised that an Emergency Evacuation Plan should be submitted and reviewed by the Council’s Emergency Planning Team.
- 7.8.5 An emergency Flood Evacuation Plan (FEP) (amended) has been carried out by the applicant and this has been independently peer reviewed and found to be acceptable and in line with the principles of the ADEPT (Association of Directors of Environment, Economy, Planning and Transport) guidance. Leicester, Leicestershire & Rutland (LLR) Resilience Partnership were also consulted on the Evacuation Plan, and whilst the consultee reviewed the plan against the ADEPT and Environment Agency guidance for flood risk emergency planning, the review does not assess, confirm or comment on the adequacy, completeness or sufficiency of the proposed arrangements, hence an independent review was required. The fully detailed plan cannot be provided at this stage as the proposal is in outline form. However the FEP submitted is considered proportionate at this stage given the site is all located in Flood Zone 1 and is at a low risk of fluvial flooding. Flood depths on Broughton Road are

estimated to be approximately 150mm which is passable for some vehicles but not all. There are alternative pedestrian access and egress routes that will be available to occupiers and will remain dry during flood events. Early awareness of off-site flood risk will be managed through resident awareness at point of sale and the flood risk constraint managed through future detailed design and operational procedures and does not constitute grounds for deeming the application to be at an unacceptable flood risk.

- 7.8.6 In addition to the provision of an Emergency Evacuation Plan, the EA required more information regarding the proposed works in The Nook. The subsequent Technical Note provided by the applicant has confirmed that the road improvements to The Nook will not include any alterations to road levels, drainage or culverts associated with the watercourse and therefore there will be no impact on the existing and established flood risk as mapped for this area.
- 7.8.7 The Lead Local Flood Authority considered the Drainage Strategy and subsequent Technical Note and have considered it acceptable subject to conditions (Conditions 6-10). Sustainable drainage will be provided via filter drains, pervious paving and three online detention basins located to the west of the proposed access (eastern side of the application site boundary). The basins will each take surface water from two catchment area from the development. The basins have been designed to work with the natural topography of the site and will have storage capacity for the 1 in 100 year plus climate change event. All basins will drain into the existing watercourse via a flow controlled chamber which will be restricted to provide a 20% betterment on the greenfield equivalent run-off rates.
- 7.8.8 Due to the concerns regarding flooding further downstream in the village, the LLFA had requested a betterment of more than 20%. However the Technical Note advised that the January 2025 flood events were mainly associated with the main river system and that the betterment strikes a reasonable and proportionate balance between mitigating site generated runoff and the wider catchment issues in accordance with national policy expectation and therefore this has been accepted.
- 7.8.9 Foul drainage is considered as part of the submitted Drainage Strategy and will be connected to the mains sewer for foul disposal. Severn Trent are responsible for the capacity of the drainage system. They have been consulted on this application but no comments have been received. Notwithstanding this, the developer will require approval from Severn Trent in order to connect to the existing system, at such time capacity in the system will be assessed. Further detail will also be provided via condition (Condition 6).
- 7.8.10 With the conditions in place, the proposal is considered to comply with Policies CS21 and CS22 of the Core Strategy, Policy CNDP3 of the Cosby Neighbourhood Plan and the NPPF.

## 7.9 Environmental Implications (Noise, Contamination and Pollution etc.)

- 7.9.1 Policy CS2 of the Core Strategy seeks to ensure new developments create safe and high quality environments. Policy DM2 and DM13 of the Blaby Delivery Local Plan seeks to ensure developments are not significantly detrimental to new or existing occupiers. These matters are also reiterated in Policy CNDP3 of the Cosby Neighbourhood Plan.

### *Noise:*

- 7.9.2 The application has been submitted with an Acoustic Assessment to assess the impact of road traffic noise (considered to be the dominant noise) on the proposed occupants. The assessment concludes that the BS 8233 lower external living criteria of 50 dB can likely be met across the site without the need for any additional mitigation. Mitigation measures will include standard thermal double glazing with standard direct airpath window mounted trickle vents across the site. There is a low risk of noise exposure during periods of overheating but as night-time maximum sound levels will influence the acoustic design, it is recommended that further investigation is carried out at reserved matters stage.
- 7.9.3 The Council's Environmental Service's Team have considered the noise report and consider it to be generally acceptable. It has been noted that there is the potential for noise from a nearby commercial premises (RJ Contracting) to have an impact on the prevailing noise environment due to its proximity to the site. Assessment of this property in relation to the proposals has not been included in the Acoustic Assessment, however it is recommended at this can also be carried out at the detailed stage and this will be covered by a condition for further noise assessment investigations to be carried out (Condition 22). In accordance with para 200 of the NPPF, the applicant (or 'agent of change' is required to provide suitable mitigation before the development has been completed to ensure the new homes are designed to cope with the existing noise, odour, or other impacts. The burden should not fall on the established business to restrict its operations.

### *Contamination:*

- 7.9.4 A Phase 1 Desk Study and a Phase 2 Exploratory Investigation has been carried out and submitted with the application and includes an appropriate assessment of potential contaminant linkages with a worse case of a 'moderate/low' risk. Further investigation works are recommended in relation to potential lead contamination at the site. This will be secured by the standard condition (Condition 21) in relation to contamination relating to further investigation, remediation and verification.

*Air Quality:*

- 7.9.5 An Air Quality Assessment has been submitted with the application to consider the impact of road traffic associated with the proposed development on existing receptors on local roads. Pollutant concentrations for the most exposed dwelling would be well below the national objective level. The impact from the traffic associated with the development is considered to be negligible. The Council's Environmental Service's Team have considered the report and its conclusions and consider it to be acceptable. The conclusions of the report should inform the Construction Environment Management Plan (CEMP) which will be conditioned (Condition 20). A Construction Dust Risk Assessment also forms part of the AQA and the mitigation measures for dust should also be included in the CEMP. The conclusions reached in relation to the operation stage are reasonable and should be incorporated into the scheme as it develops.

*Construction Management:*

- 7.9.6 The proposed development is likely to give rise to a loss of amenity to adjacent residents for a temporary period of time whilst construction work is carried out. Therefore a condition for a Construction Environmental Management Plan (CEMP) (Condition 20) should be submitted to control the potential impacts from noise, vibration, dust and lighting during the construction phase.
- 7.9.7 With the proposed conditions in place, the proposal will accord with Policy CS2 of the Core Strategy, Policy DM2 of the Blaby Delivery Local Plan and Policy CNDP3 of the Cosby Neighbourhood Plan.

7.10 Trees and Landscaping

- 7.10.1 Policy CS2 of the Core Strategy and Policy DM2 of the Blaby Delivery Local Plan seek to ensure high quality development which includes the provision of landscaping throughout the site. Existing landscaping should be retained and protected where possible.
- 7.10.2 The application site comprises mainly field hedgerows throughout the site with a handful of isolated trees within the hedgerows. There is a small woodland of trees to the south-western corner of the site and to the north-western corner of the site part of a group Tree Preservation Order borders the site.
- 7.10.3 Although "landscaping" is a reserved matter, the outline application proposes that the development is a landscape-led scheme. This means that the development will utilise the existing framework of trees and hedgerows to structure the proposals. This respects the existing field pattern with retained and enhanced trees and hedgerows set within linear green corridors. New tree planting is proposed in addition along proposed roads and in the natural and informal areas of open space.

7.10.4 The Illustrative Framework Plan and Arboricultural Assessment show that the design will retain the majority of trees and hedgerows across the site, with existing trees and hedgerows being incorporated into the wider landscape strategy. The Group TPO to the northern corner of the site will be unaffected by the development and be retained. The only loss are small sections of hedgerows to facilitate vehicular access routes throughout the development together with 2 No. U category trees (poor condition) around the south of the site. Whilst this will result in some loss of biodiversity through the site there is scope for sufficient tree and shrub planting throughout the site to mitigate the loss and through the strengthening of existing natural features and new tree planting. The County's Arboricultural Officer has considered the proposals and has no objections at this outline stage.

7.10.5 As the proposals are only outline at this stage, no conditions are necessary in relation to landscaping at this time as those matters will be considered in more detail when the reserved matters are submitted. The Arboricultural report sets out suitable tree protection measures, but these details will be more applicable at the reserved matters stage. The parameters condition (Condition 4) will however ensure that the reserved matters scheme retains existing hedgerows and field boundaries (except where breaks needed for access) and the woodland as indicated on the Illustrative Framework Plan.

7.10.6 Although a reserved matter, it is considered that the proposal will more than adequately be able to provide suitable landscape proposals for the site and comply with Policy CS2 of the Core Strategy, Policy DM2 of the Blaby Delivery Local Plan and Policy CNDP3 of the Cosby Neighbourhood Plan.

#### 7.11 Ecology and Biodiversity Net Gain (BNG)

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. This is also reiterated in Policy CS2 of the Core Strategy and Policy CNDP3 of the Cosby Neighbourhood Plan as well as the NPPF.

##### *Protected Species:*

7.11.2 The application has been submitted with a Preliminary Ecological Appraisal (PEA) (as amended) together with a Bat Report, Bird Report and Skylark Technical Note. There are no international, national or local statutory protected sites designed for nature conservation within 15km of the application site. There are five non-statutory sites designated for nature conservation located within 1km radius of the site but these are considered to be far enough away from the site with suitable buffers that the construction of the development will not impose any direct or indirect effects.

- 7.11.3 In terms of habitats, there are four hedgerows identified as important hedgerows through the site. Two hedgerows (H2 and H7) are to be fully retained and enhanced with more native planting. The other two hedgerows (H3 and H14) will also be retained fully with the exception of minor sections to facilitate access to the proposed allotments and for a footpath connection respectively. Minor losses of other hedgerows will be required for accesses but on the whole the intention is to retain much of the existing network of hedgerows which will be suitably protected during the development.
- 7.11.4 Arable land comprises no/negligible habitat and its loss will not cause any ecological impact. Habitat with low ecological value comprises modified grassland, coniferous plantation woodland and natural grassland. The woodland is to be retained. Any loss of the remainder will be mitigated for with higher ecological level habitat. Higher ecological habitat comprises broadleaved trees, hedgerows and the watercourse. In addition to the hedgerows already mentioned the broadleaved trees and watercourse will also be retained.
- 7.11.5 Mitigation will include the retention and enhancement of modified grassland at the western end of field 2 to neutral grassland. Neutral grassland will be established within the western and southern arable fields. Three SUDs basins will be established within the east of the site with a bioswale, meadow mixture for wetlands and pond edge mixture. New mixed scrub will be planted along the southern boundary and small sections within neutral grassland. New broadleaved tree planting will also be included within green infrastructure and the street trees. Modified grassland will be established within and surrounding the development parcels which will provide more formal and managed habitat along with new allotments.
- 7.11.6 There are habitats suitable within the site for protected species including bats, breeding birds and wintering birds. Mitigation is set out in the PEA and associated reports (Bat Report, Bird Report and Skylark Technical Note) and includes the provision of bat and bird boxes and sensitive lighting. New landscape enhancements and retention of existing hedgerows will provide new habitat for these species. These matters will be secured by condition (Conditions 16-18).
- 7.11.7 In particular, four pairs of breeding Skylarks were found at the site. However this is not considered significant as the carrying capacity of the agricultural land surrounding the site is sufficient to support displaced foraging and breeding Skylarks, particularly in combination with the inclusion of beetle banks and breeding plots within the green infrastructure of the site which will raise the overall carrying capacity of the surrounding agricultural fields by providing additional high-value foraging and breeding opportunities.
- 7.11.8 The site was not considered to have suitable habitat to support Great Crested Newts, reptiles and water voles and these protected species were not considered to be a constraint to the development. Badger information is confidential but the PEA has appropriately covered this protected species and if any mitigation is required it is allowed for within the PEA.

### *Biodiversity Net Gain:*

7.11.9 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.

7.11.10 Whilst there will be some loss of existing biodiversity due to the proposed development, the 10% biodiversity can be achieved on-site through new habitat creation. Primarily the new habitat creation will be to the west of the site in the area of natural greenspace as well as enhancement to hedgerows, the planting of new trees and enhancements around the watercourse. This will achieve an increase in habitat units of +26.21BU (69%), hedgerow units of +2.73BU (10.15%) and watercourses +0.07BU (16%) demonstrating that the 10% net gain in biodiversity is more than achievable on site. The trading rules for new habitat creation have also been met (compensation must be on a like-for-like or like-for-better basis).

7.11.11 As a result the proposal is considered to comply with Policies CS2 and CS19 of the Core Strategy, Policy CNDP3 of the Cosby Neighbourhood Plan and the NPPF.

### 7.12 Mineral Safeguarding Area

7.12.1 The site is located in a mineral safeguarding area for sand and gravel. Policy M11 of the Minerals and Waste Local Plan seeks to protect areas from development that could otherwise been used for mineral extraction. As required by Policy M11, a detailed Mineral Resource Assessment has been submitted which concludes that the site has no prospect of prior extraction due to impacts on the public rights of way and existing residential amenity. The mineral resource is also considered to be too small to be of economic value.

7.12.2 The County Council has reviewed the Mineral Resource Assessment in relation to these proposals and has no objections. As such, the proposal is not considered to conflict with Policy M11 of the Minerals and Waste Local Plan or Para. 224 or 225 of the NPPF.

### 7.13 Community Events

7.13.1 It is noted that Cosby benefits from a number of community events throughout the year including the Cosby Yarn Bomb Festival, annual Duck Race and Christmas Fair. However it is not considered that the proposal will result in any detrimental impact to these events. The highway works proposed are designed to ensure that they are safe for all road users. Any events which take place in close proximity to the highway need to ensure that they are safe for those events taking place in the same way as they would at the present time. It is not considered that the provision of a mini-roundabout and one-way system will alter the appeal of this area or worsen pedestrian arrangements and space in

The Nook to gather that would compromise their ability to go ahead as normal. The highway works are largely confined to the western side of The Nook where there are already existing highway junctions in place, it is just the design and priority of these junctions that will change. The one-way system to The Nook is likely to improve pedestrian safety as there will no longer be traffic movements in two directions on either side of the central area in The Nook.

#### 7.14 Infrastructure Requirements and Developer Contributions

- 7.14.1 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). The applicant has submitted a draft Heads of Terms which is contained within the Planning Statement which demonstrates the willingness of the applicant to fund infrastructure requirements as necessary, providing these relate to the development and are proportionate and comply with the Community Infrastructure Levy Regulations.

##### *Affordable Housing:*

- 7.14.2 As already mentioned in this report, the proposed development will provide for a policy compliant provision of affordable housing (25%) which will equate to 45 dwellings across the site (assuming 180 dwellings). This will be a mix of shared ownership and social rent depending on the need. This will accord with Policy CS7 of the Core Strategy.

##### *Highways:*

- 7.14.3 The Local Highway Authority have requested a number of planning obligations and financial contributions as already referred to in this report. These are to encourage sustainable transport modes (Travel Plan, Travel Plan co-ordinator, travel packs and bus passes) as well as contributions towards off-site highway works (relating to the A426 corridor, the relocation of the 30mph speed limit and the one-way system at The Nook).

##### *Education:*

- 7.14.4 The County Council have requested contributions towards Early Years Education (£280,846.80), Primary Education (£697,528.00), Secondary Education (£507,624.77), Primary SEND Education (£42,904.86) and Secondary SEND Education (£58,702.32). \*Figures updated 11<sup>th</sup> June 2026, final amounts may be subject to change.

The development would see an increase of 15.3 Early Years children to the area and therefore this equates to a full contribution to ensure there is childcare provision to meet this demand.

The development will yield 54 primary school places and there will be a deficit of 38 places at the local primary schools (Cosby and Badgerbrook) as a result of this development.

The development will yield 31 secondary aged children (11-16) and there will be a deficit of 28 places at Thomas Estley Community College as a result of this development.

- 7.14.5 The development will yield 0.6534 primary ages SEND children and there will be an overall deficit of 46 places at Wigston Birkett House Community Special School following this development. The development will also yield 0.72 secondary aged SEND children creating an overall deficit of 64 places at the same school. (There is clearly already a deficit in this provision and the developer will only be providing funding towards the provision required as a result of this development. Please see the full consultation response from the County Council for more information which is available on the website).

*Healthcare:*

- 7.14.6 This development is considered to result in an additional 436 patients to be accommodated. At the time of writing a financial contribution of £174,240.00 has been requested towards Orchard Medical Practice, Station Road Surgery, The Limes Medical Centre & Hazelmere Medical Centre. The funding would be used at one or all of these surgeries or for any other Primary/Community healthcare infrastructure (e.g. a new healthcare facility) that would be directly linked to the population increase of the development. The funding could be used for an extension, alterations of enhancement works or new equipment.

*Waste:*

- 7.14.7 As a result of the creation of up to 180 new dwellings, a contribution would be sought on a per dwelling basis towards the Whetstone Household and Waste Recycling Centre (HWRC) or any other HWRC directly impacted by this development as they would be under additional pressure due to the development.
- 7.14.8 Provision of wheeled refuse bins of £49 per dwelling would also be required to provide this service to new residents in accordance with the Council's SPD on Developer Contributions.

*Libraries:*

- 7.14.9 The assumed occupancy of this development in this respect is considered to be 540 persons which results in an increased need for library provision at Cosby Library towards more stock, materials and equipment as required.

*Open space:*

7.14.10 Policy CS15 (updated in the Blaby Delivery Local Plan) is also relevant in relation to open space, sport and recreation and states that where appropriate financial contributions will be sought to ensure that there are suitable amounts of open space provision for each local area.

Required provision:

In accordance with the SPD (Table 1), development proposals of 100-199 dwellings should provide the following:

| <b>Typology of provision</b> | <b>100-199 dwellings</b>        |
|------------------------------|---------------------------------|
| Allotments                   | Off-site (contribution in lieu) |
| Parks and Recreation         | Off-site (contribution in lieu) |
| Children's Play (LEAP)       | On-site                         |
| Natural Green Space          | On-site                         |
| Informal Open Space          | On-site                         |

Quantity of Required Provision

The quantity of open space provision is set out in the SPD (page 18) and is calculated on the basis of an amount in hectares for each typology per 1000 population as follows:

| <b>Typology</b>        | <b>Amount (ha) per 1000 population</b> |
|------------------------|----------------------------------------|
| Allotments             | 0.25                                   |
| Parks and Recreation   | 0.23                                   |
| Children's Play (LEAP) | 0.06                                   |
| Natural Green Space    | 2.6                                    |
| Informal Open Space    | 1.0                                    |

The SPD breaks the quantity of provision down further depending on the occupancy of each dwelling. However as this is an outline application, the precise number of occupants are not able to be calculated at this stage and so the calculations assume a household size of 2.4 persons per dwelling. 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. On this basis this development of 180 dwellings would have a total estimated population of 432 people.

The table below sets out how much provision this development should provide based on these standards,

|                        | Existing total provision in Cosby (based on 3446 residents) in ha.* | Amount required for 180 dwellings (432 population) in ha. | Actual amount being provided on this site (ha.)** |
|------------------------|---------------------------------------------------------------------|-----------------------------------------------------------|---------------------------------------------------|
| Allotments             | 2.03                                                                | 0.108                                                     | 0.86                                              |
| Parks and Garden       | 4.9                                                                 | 0.099                                                     | 0.21                                              |
| Children's Play (LEAP) | 0.18                                                                | 0.026                                                     | 0.04                                              |
| Natural Green Space    | 0                                                                   | 1.123                                                     | 9                                                 |
| Informal Open Space    | 0.69                                                                | 0.432                                                     | 1.4                                               |

\* Figures taken from Table 5.3 of the Open Space Audit 2019

\*\* Figures taken from the applicant's Design and Access Statement and further clarification with the applicant.

As the tables above show, although open space for allotments and parks and gardens is not required on a site of this size, the developer is nevertheless providing in excess of the required space amounts rather than a contribution in lieu. Children's Play (LEAP), natural green space and informal open space is also being provided on site above the required amounts. Therefore financial contributions will not be required for any open space on this site.

#### 7.14.11 *Management and Maintenance of On-Site Open Space and Attenuation Basin:*

The long term management and maintenance of the on-site open space and sustainable urban drainage in the form of an attenuation basin would need be secured through a S106 agreement which would include options to transfer the land to the Parish Council with a commuted sum or for it to be managed and maintained by a Management Company. The open space will also include areas which may require specific maintenance or limited public access for Biodiversity Net Gain (BNG) purposes.

#### *Cemeteries and churchyards:*

7.14.12 No evidence of need for additional cemetery provision for burial plots has been provided and so a contribution for this is not considered to be justified.

#### *Outdoor Sports Facilities:*

7.14.13 The Council's Health and Leisure team have advised that a financial contribution of £291,838 is required. This is calculated with reference to the Blaby District Playing Pitch Strategy (Update E) and Sport England Planning Pitch Calculator.

In summary this contribution would go towards the following:

- Contribution to improving changing facilities at Vipers RFC to support growing demand and disability support.
- Contribution to improving the pitch quality of Meadows Sports Ground, to support youth provision in Blaby East and reduce overplay.
- Contribution towards pitch upgrades at Vipers RFC, including pitch lighting and drainage improvement, to improve useability of the site and reduce Blaby East Overplay.
- Contribution towards multi-sport Artificial grass pitch site at Holmes park, to reduce huge demand for AGP's in Blaby East.

The Parish Council have responded to this consultation response and queried the allocation of funds and why none of this funding will be allocated to Cosby. The Parish Council considers there to be a need due to historic over-playing and the need to enhance the sports pitches, sports provision, flood lighting and changing facilities on Cosby Victory Park.

The Council's Health and Leisure team have provided some further comments in direct response to the Parish Council's comment. These are not yet in a format to be published on the website but this will be provided prior to committee as an update. In essence however, they advise that:

The spending is calculated on demand and need based on Sport England's Neighbourhood Areas (Blaby East, West and North) rather than by Parish. Although it is noted that improvements are required to Cosby Victory Park, this has been secured via application 23/0182/OUT for £273,000 and so funds will be allocated for that purpose. The condition of existing facilities is based on the Play Pitch Strategy Update Document E which provides the latest evidence and the comments are made on the basis of this evidence. They also advise that unfortunately Cosby is not suitable for 3G sports pitches (higher standard of sports pitch) due to waterlogging. 3G pitches have to be within 20 minutes drive of the site which is why the Meadows Sports Ground has been considered for this funding.

The Play Pitch Strategy is only legally required to be updated every 3 years and whilst every effort is made to obtain up to date information it is not always possible to do this for every application as the situation changes. It is noted from the Parish Council's comments that Leicester Lions lease the Rugby pitch on Cosby Victory Park – this is a recent change since the PPS was updated and therefore there could be scope to change the recommendation to provide funds towards Cosby recreation ground for this purpose.

At the time of writing this report, this is being discussed further with the Council's Recreation team and the Parish Council. Delegated authority is requested for the final details of the heads of terms to be agreed with Officers. An update on this matter, together with updated comments from Health and Leisure will be provided at the committee meeting to Members.

*Allotments:*

- 7.14.14 An expansion to the existing allotments on Croft Road will be provided on-site and will connect to them with additional car parking.

*Village hall and community facilities:*

- 7.14.15 At the time of writing this report, Officers are negotiating with the Parish Council and the applicant for the provision of a financial contribution towards the village hall or other community related facilities in the village. The applicant is willing to fund a contribution towards enhancements or improvements to community facilities where the need is justified and costs are provided proportionate to the development, however Officers will need to be satisfied that this will be fully CIL compliant. Delegated authority is requested from Members for Officers to negotiate this post-committee.

*Biodiversity Net Gain:*

- 7.14.16 On-site biodiversity net gain will be provided. A Habitat Management and Monitoring Plan will be included in the S106 agreement to secure the on-site BNG for a period of 30 years. This will also need to secure the payment of BNG monitoring fees.

*Police contributions:*

- 7.14.17 Leicestershire Police requests a contribution of £88,833.68 at the time of writing the report to mitigate the additional impacts of this development because their existing infrastructure will not have the capacity to meet the new demand generated by the development. They indicate that the funding will be used for start-up personal equipment (for police officers, PCSO's, specials and staff), infrastructure and estate support, police vehicles, identification technology and crime reduction initiatives.
- 7.14.18 The Council considers that only the contributions for police vehicles and identification technology are those which can comply with the CIL tests and can therefore legally be secured through S106 Agreements. Accordingly, a total contribution amount of £9,764.45 is required.

*Broadband and Digital Infrastructure:*

- 7.14.19 No contribution is required for this, however the developer has confirmed that all properties will be provided with broadband facilities which is set out in the Preliminary Utilities Appraisal Report. This complies with Policy DM4 of the Blaby Delivery Local Plan.

*Monitoring fees:*

- 7.14.20 The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allow for a sum to be paid in respect of the cost of monitoring planning obligations. In this respect the county council charges £300.00 or 0.5%

depending upon which is the greatest for each planning obligation. Blaby District Council monitoring fees are £360 or 5% for each planning obligation, depending on which is the greater.

- 7.14.21 The proposals will offer a significant amount of financial and other contributions which are considered to be fully CIL compliant and will appropriately mitigate the impact of the development on the local area.

## **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. Where aspects of a proposal do not strictly comply with the policies in the Development Plan, a balanced judgement should be considered with reference to other material considerations that may outweigh the policy conflict.
- 8.2 In this case, the proposal will result in the provision of up to 180 new dwellings which will significantly contribute to the Council's Housing Land Supply which has dropped to 2.78years from the previous year of 3.53yrs. 25% of this housing will be affordable compliant with the Council's policies. These matters are to be given **significant positive weight** in the planning balance.
- 8.3 Other matters that contribute **moderate positive weight** in favour of the proposed development include the provision of considerable on-site natural green space and informal open space which will enable existing and proposed residents to access this part of the village and countryside. This will be enhanced with significant biodiversity net gains on-site (well in excess of the required 10%). The provision of an extension to the existing allotments and contributions to existing local services including community facilities and education is also considered to be of moderate positive weight.
- 8.4 Of **limited positive weight** are the improvements to The Nook and the provision of a mini-roundabout that will create a material improvement to the capacity of this junction and enable traffic to flow more freely through the village which will more than mitigate the impact of the proposed development. Other aspects which are to be given limited positive weight are the economic benefits from direct and indirect construction work and the expenditure of future residents in the village and local economy.
- 8.5 Of **limited negative weight** is the loss of the site for mineral extraction but as this has no reasonable prospect of being used for this purpose, this carries little weight. Equally the loss of the land for arable production is given limited negative weight given the majority of the site is classified as 3b which is not considered the "best and most versatile land". The small areas of the site to the south that are located in Flood Zones 2 and 3 is also of limited negative weight given no built development will be located in this location. Although it is acknowledged that there is concern regarding the flood risk impact to Cosby brook in the village, Sustainable Urban Drainage planning conditions will ensure that existing flood risk in the village is not worsened by this development.

- 8.6 The impact on residential amenities (existing and proposed) and other environmental concerns (noise, air quality, contamination and construction management) is given **low-moderate negative weight**. Although it is acknowledged that the proposal will create a change to the edge of village environment experienced by existing residents, particularly those closest to the site, nevertheless the proposal ensures an appropriate landscaped buffer distance of 20m in the vicinity of two of the neighbouring properties to the north of the site by condition with good separation distances to all other properties. Appropriate conditions will mitigate any harm relating to air quality, noise, contamination or construction work. Also of **low-moderate negative weight** in the planning balance is the visual impact of the development and the encroachment beyond the existing settlement boundary. The proposal will result in the loss of countryside in this location with the provision of new built development. However, the impact is mitigated significantly by the lack of housing to the higher sections of the site where views of the proposal would be more evident. The provision of a significant amount of landscaping as part of the on-site BNG will also mitigate the impact of the development. A condition restricting the height of the dwellings to 2-storey only will also minimise the visual impact. The development of this site, whilst an encroachment into open countryside has a very close relationship with the existing village and abuts the existing boundary such that it will be in keeping with the pattern of development.
- 8.7 Finally, of **moderate negative weight** is considered to be the less than substantial harm to Cosby Conservation Area as a designated heritage asset and the setting of nearby listed buildings by the off-site highway works proposed. Officers fully acknowledge that the provision of a mini-roundabout in the centre of the village is not popular and there are concerns that this will adversely affect the conservation area and will not have any benefit. Officers acknowledge the concerns that the proposal will have some negative impacts on the character and appearance of the conservation area and the setting of listed buildings. However, the alterations proposed in the highway are in the context of an existing highway junction which has gradually had many highway alterations over recent decades and in particular since being designated as a conservation area. This existing junction already negatively impacts the character and appearance of the conservation area and setting of listed buildings and NDHAs due to the high levels of traffic and congestion through the village as well as existing road markings and associated signage and infrastructure. The proposed mini-roundabout is considered to help with the free flow of traffic and significantly improve the capacity of this junction, resulting in less stationary/queuing traffic and associated noise and fumes. Although the mini-roundabout is a product of the proposal and required to mitigate the development, it will have some benefits on the existing highway situation to outweigh the negativity of its provision including opportunities to enhance the existing road restraint system. The loss of the archaeology at the site is regrettable, but archaeology is present in many locations, particularly the open countryside and cannot be a constraint to development. Provided the archaeology of the site is properly evaluated and recorded for the future, which will be secured by condition, the impact on archaeology of the site will be mitigated.

- 8.8 Overall, the public benefits of the provision of up to 180 houses and affordable housing on this site is considered to significantly and demonstrably outweigh the low to moderate negative effects of the development which will be mitigated as far as reasonably practicable. 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 Officers are of the opinion that the proposal is acceptable, and accordingly it is recommended that planning permission is granted.

## **Application reference: 26/0028/RM**

**Proposal:** Reserved matters application for the erection of 95 dwellings (Use Class C3) including details of appearance, layout, scale and landscaping (in relation to outline planning permission 24/0559/OUT)

**Site address:** Land at Croft Lodge Farm, Broughton Road, Croft, Leicestershire

**Applicant:** Bellway Homes Limited and John Louis Massarella

**Case officer:** Stephen Dukes

**Recommendation:** That application 26/0028/RM be approved subject to the conditions set out below (with delegated authority granted to the Assistant Director – Planning and Strategic Growth to amend as deemed necessary)

### **Conditions:**

1. Development to be carried out in accordance with approved plans
2. Permitted development rights to be removed for residential extensions and outbuildings to plots 8, 9, 12, 16, 17, 38, 39, 43, 44, 49, 55, 56, 58, 59, 60, 86, 87, 88, and 93
3. Permitted development rights removed for fencing/gates/enclosures forward of the principal elevation of each dwelling
4. Obscure glazing of first floor windows to the side elevations of plots 3, 5, 8, 9, 22, 23, 38, 39, 52, 79, 80, 93, 94.
5. Plot 5 (Weaver house type) to only feature bathroom windows to first floor side elevation, with window obscure glazed as per condition 4.
6. Implementation and maintenance and retention of landscaping (including on plot frontage landscaping)
7. Parking and turning facilities to be provided in accordance with plans
8. No vehicular gates within 5 metres of highway boundary.
9. 1 metre by 1 metre pedestrian visibility splays on both sides of all private accesses.
10. No means of access to be created from turning heads to southeast and southwest of site to adjacent fields.

### **1 The site**

- 1.1 The application site is located to the south of the village of Croft and is approximately 400 metres north of the B4114 Fosse Way. The site covers a parcel of land measuring 4.49 hectares and comprises largely of arable fields and horse paddocks which are subdivided by low-rise post and rail fencing and native hedgerows. To the southwest is an area of woodland which falls outside of the application site and is proposed to be retained.

- 1.2 The site is relatively flat with a gradual slope from the north to the eastern boundary. To the north and northeast of the site are a number of residential properties. The age and nature of these properties is mixed, with more recent development directly adjacent to the site to the east (Poplars Road) and northeast (Windsor Gardens), with properties from the 1980s to 90s situated along Broughton Road. The majority of the existing dwellings consist of two-storey semi-detached and detached dwellings, however there are bungalows on Poplars Road and Sopers Road.
- 1.3 The site is located outside of but immediately adjoining the Settlement Boundary of Croft, a 'Medium Central Village' as defined in the Core Strategy and is classified as Countryside in the Policies Map within the Blaby District Local Plan (Delivery) Development Plan Document.
- 1.4 Outline planning permission was granted in December 2025 in application 24/0559/OUT for the erection of up to 95 dwellings (Use Class C3) and associated infrastructure, public open space and landscaping with all matters reserved except access (to entail works to existing site access and the creation of an additional access to serve the car boot sale operations on land to the south). An illustrative masterplan showed a mixture of semi-detached and detached properties at an overall density of approximately 35 dwellings per hectare, with the site including open space and surface water attenuation areas.

## **2 The Proposal**

- 2.1 This reserved matters application seeks approval for the details of appearance, layout, scale and landscaping for the proposed development of 95 dwellings on the site.
- 2.2 The proposed dwellings are a mixture of two, one and a half, and single storey designs and includes dwellings ranging from 1 to 5 bedrooms. The housing mix has been amended slightly during the consideration of the application and this is discussed further in the Planning Considerations section of the report.
- 2.3 The proposed layout differs somewhat from the indicative layout shown in the illustrative masterplan provided at reserved matters stage, with the proposed play area relocated on the site and the central area of open space removed. The main road layout comprised the primary road into the site, with the access point being agreed at outline stage. This follows the line of the existing farm access to Croft Lodge Farm. A secondary road is accessed off this road, following the line of the existing access to the Croft Car Boot site (which was agreed to be relocated to further along Broughton Road as part of the outline permission). A further, 'adoptable standard' road is accessed off this secondary road down to the southern part of the site. Other dwellings are accessed directly off private drives.
- 2.4 The proposed layout includes a surface water attenuation pond to the east of the site, close to Broughton Road which is located at the low point of the site. The full details of the surface water drainage scheme will be agreed as part of a condition on the outline permission.

2.5 The following plans and documents have been submitted with the application:

- Location Plan
- Site Layout
- Planning Statement
- Design and Access Statement
- Accommodation schedule
- Affordable Housing Layout
- Boundary and Dwelling Materials Layout
- Storey Height Layout
- Parking Allocation Plan
- Refuse Collection Plan
- Street Elevations
- House Type Plans
- Garage Plans
- Sales Office Plan
- Sub Station Plan
- Landscape Masterplan
- Detailed On Plot Planting Proposals

2.6 The following additional or amended documents have been provided during the course of considering the application:

- Amended plans (Site Layout, Affordable Housing Layout, Boundary and Dwelling Materials Layout, Storey Height Layout, Parking Allocation Plan, Refuse Collection Plan, Street Elevations, House Type Plans, Landscape Masterplan, Detailed On Plot Planting Proposals
- Tractor Swept Path Analysis Plan
- Surface Water Drainage Layout
- Pond Cross Sections
- Engineering Layout
- Section 38 Refuse Vehicle Swept Path Analysis
- SuDS provision technical note
- Housing Mix Report
- Updated Bat Tree Assessment Technical Note

### 3 Relevant Planning History

| Reference    | Description                                                             | Decision | Date           |
|--------------|-------------------------------------------------------------------------|----------|----------------|
| 90/0703/1/PX | Conversion of part of agricultural building into farm shop              | Approved | 16 August 1990 |
| 99/0023/1/PY | Proposed cattery consisting of 15 blocks of 2/3 cat pens and store shed | Approved | 8 March 1999   |

|                     |                                                                                                                                                                                                                                                                                                       |                       |                  |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------------|
| <b>04/0320/1/PX</b> | Change of use of redundant agricultural building to boarding kennels                                                                                                                                                                                                                                  | Approved              | 26 July 2004     |
| <b>05/0710/1/PY</b> | Change of use of boarding kennels to retail to allow sale of animal feeds                                                                                                                                                                                                                             | Approved              | 25 August 2005   |
| <b>10/0294/1/PY</b> | Retention of internal access road to Croft Car Boot                                                                                                                                                                                                                                                   | Approved              | 9 June 2010      |
| <b>12/0511/1/PX</b> | Relocate existing cattery into animal feed sales area within dog boarding building.                                                                                                                                                                                                                   | Approved              | 6 September 2012 |
| <b>24/0559/OUT</b>  | Erection of up to 95 dwellings (Use Class C3) and associated infrastructure, public open space and landscaping with all matters reserved except access (to entail works to existing site access and the creation of an additional access to serve the car boot sale operations on land to the south). | Approved              | 19 December 2025 |
| <b>26/0192/DOC</b>  | Discharge of condition 21 (amended Travel Plan) attached to planning permission 24/0559/OUT                                                                                                                                                                                                           | Approved              | 11 May 2026      |
| <b>26/0193/DOC</b>  | Discharge of condition 29 (Phase 2 Site Investigation) attached to planning permission 24/0559/OUT                                                                                                                                                                                                    | Pending consideration |                  |
| <b>26/0352/DOC</b>  | Discharge of conditions 11 (site levels and finished floor levels) 24 (updated badger survey) and 27 (arboricultural method statement) attached to planning permission 24/0559/OUT                                                                                                                    | Pending consideration |                  |
| <b>26/0372/DOC</b>  | Discharge of condition 23 (Construction Environmental Management Plan for biodiversity) attached to planning permission 24/0559/OUT                                                                                                                                                                   | Pending consideration |                  |
| <b>26/0558/DOC</b>  | Discharge of condition 10 (materials) attached to planning permission 24/0559/OUT                                                                                                                                                                                                                     | Pending consideration |                  |
| <b>26/0559/DOC</b>  | Discharge of conditions 12 (surface water drainage), 13 (foul water drainage) and 14 (management of surface water during construction) attached to planning permission 24/0559/OUT                                                                                                                    | Pending consideration |                  |

|                    |                                                                                                      |                       |  |
|--------------------|------------------------------------------------------------------------------------------------------|-----------------------|--|
| <b>26/0569/DOC</b> | Discharge of condition 28 (Waste Collection Strategy) attached to planning permission 24/0559/OUT    | Pending consideration |  |
| <b>26/0584/DOC</b> | Discharge of condition 20 (Construction Management Plan) attached to planning permission 24/0559/OUT | Pending consideration |  |

#### **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 Environmental Services (2) – No objection.

4.1.2 Housing Strategy (2) (7.2.4 – 7.2.12) – Initially raised concerns regarding the market housing mix and clustering of affordable housing. Following amendments, the proposals are accepted.

4.1.3 Neighbourhood Services (2) (7.3.6) – No objection – Initially commented that design changes were required to bin collection points. Following amendments commented that bins for plots 19 and 84 should be presented nearer to the kerbside

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

4.2.1 Archaeology (2) - No objection

4.2.2 Ecology (1) (7.6.4, 7.6.6) – Holding objection – No updated ecology information relating to impact of development on designated sites and protected species submitted, and no assessment of changes to the layout and details of mitigation. In subsequent response – maintained holding objection but indicated an amended ecology report should be provided before a decision issued if Planning Committee minded to approve.

4.2.3 Forestry (2) (7.5.9) – Initially commented that the Arboricultural Impact Assessment required updating to accommodate design changes and requested details of maintenance/ management of trees and hedges. Following amendments, confirmed no objections.

- 4.2.4 Local Highway Authority (3) (7.7.3 – 7.7.7) – Requested further information. Following reconsultation, confirmed that there would be no objections to reserved matters approval being granted but the internal road would not be suitable for adoption under Section 38. A further response advised that whilst a number of issues regarding the adoptability of the internal roads had been addressed, some issues remained.
- 4.2.5 Lead Local Flood Authority (4) (7.8.3 – 7.8.5)– Requested further information regarding the drainage plans to ensure they align with the layout and scale of the proposals and the commitments made at outline stage. Following the provision of additional information, comments that evidence of approval from a third party for connection to their watercourse is required, and details of source control SuDS on site. Following the receipt of further information showing two stages of surface water treatment, the LLFA confirmed no further objection.
- 4.2.6 Minerals and Waste Authority (1) - No objection
- 4.3 Others**
- 4.3.1 Active Travel England (2) – No comments
- 4.3.2 Croft Parish Council (1) – Makes comments in relation to village signage, speed limit measures, chicanes on Broughton Road, construction traffic management measures, details of drainage and proximity to the play area, and responsibility for management of open space.
- 4.3.3 Health and Safety Executive (1) – No objection
- 4.3.4 Leicestershire Police (1) (7.3.7) – No objection. Makes comments in relation to the revised car boot access, traffic management, cycle storage, boundary treatments, gating of alleyways, lighting, alarm systems, surveillance of footpaths, maintenance of landscaping, CCTV, and the ‘Secured by Design’ award.
- 4.3.5 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 commercial properties were consulted.
- 5.2 Three letters of objection have been received with the following matters raised:
- Concern about the impacts of noise and dust during construction on health from a resident on Sparkenhoe.
  - Concern about the impact of overlooking from a resident on Sparkenhoe.
  - Concern about noise, pollution and disruption from the relocated car boot access from a resident on Broughton Road.

## **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)
- Fosse Villages Neighbourhood Plan 2021
- 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)**

Updated Policy CS15 – Open space, sport and recreation  
Policy DM2 – Development in the Countryside  
Policy DM4 – Connection to Digital Infrastructure  
Policy DM8 – Local Parking and Highway Design Standards  
Policy DM11 – Accessible and Adaptable Homes  
Policy DM12 – Designated and Non-designated Heritage Assets  
Policy DM13 – Land Contamination and Pollution  
Policy DM14 – Hazardous Sites and Installations  
Policy DM15 – Mineral Safeguarding Areas

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

Policy M11 – Safeguarding of Mineral Resources

#### 6.1.4 Fosse Villages Neighbourhood Plan (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

#### 6.1.5 Blaby Local Plan – Regulation 19 - Proposed Submission Version

The emerging Local Plan, published under Regulation 19 and currently subject to consultation, is a material consideration in the determination of this application. However, as the Plan has not yet been independently examined or adopted, it can only be afforded very limited to limited weight.

In accordance with paragraph 48 of the NPPF, the weight attributed to emerging policies depends on: (i) the stage reached in the plan-making process, (ii) the extent of unresolved objections to relevant policies, and (iii) the degree of consistency with national planning policy. As the Plan has reached the Regulation 19 stage, weight can now be applied in decision making. Nevertheless, the weight afforded can only be very limited to limited at this stage, depending on consistency with the NPPF, pending examination by an independent Inspector.

Weight to policies will increase as we take the document through the formal submission and examination stages with the Planning Inspectorate, who will be assessing whether our Local Plan should be adopted, but much depends on whether there are objections to the policies within it.

#### 6.2 Material considerations

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)
- Leicestershire Highways Design Guide (2024)
- National Design Guide - Planning practice guidance for beautiful, enduring and successful places
- Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Document (2024)
- Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document (2013)
- Blaby Landscape and Settlement Character Assessment (2020)
- Blaby District Council Open Space Audit (December 2015)
- Blaby Playing Pitch Strategy 2020
- Blaby Residential Land Availability Report (March 2023)
- Joint Strategic Flood Risk Assessment Final Report (October 2014)
- Blaby Strategic Housing and Economic Land Availability Assessment (SHELAA) 2019
- Leicester and Leicestershire Housing Market Area Housing and Economic Land Availability Assessment (SHELAA) 2019

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

## **7 Consideration of application**

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

- Principle of development
- Housing mix and affordable housing
- Design and the impact of the development on the character and appearance of the area
- Impact of the development on the amenity of existing and future residents
- Open space and landscaping
- Ecology
- Internal road layout
- Flood risk and drainage
- Other matters

### **7.1 Principle of development**

- 7.1.1 The principle of a residential development on the site has been established by the granting of outline planning permission 24/0559/OUT. This consent has determined certain parameters for the development, including a maximum of 95 dwellings, means of access to the site, dwellings being a maximum of two and a half storeys in height, 5% of homes being 'Accessible and Adaptable'.
- 7.1.2 Furthermore, in the new Blaby Local Plan Proposed Submission version (published on 8<sup>th</sup> July 2026), the site is now included within the Settlement Boundaries of Croft, in recognition that the site is a committed site, having the benefit of outline planning permission. However, it is acknowledged that the Proposed Submission version Local Plan currently has very limited weight in the decision-making process as it has not yet been through consultation or examination.
- 7.1.3 The Section 106 Agreement which accompanied the outline permission requires 25% of the dwellings on site to be affordable housing units, public open space on the site to be no less 0.88 hectares (with a requirement for ongoing maintenance), biodiversity net gain provision and monitoring, and contributions to secondary education, library facilities, civic amenity and waste facilities, health care facilities, the police, off site sports facilities, community facilities, travel packs, bus passes, Travel Plan monitoring, a Traffic Regulation Order consultation fee, recycling and refuse collection and Section 106 monitoring fees.

7.1.4 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. The SPD indicates that in the interests of creating sustainable and mixed communities, affordable units should be fully integrated with market properties and should be spread across the development in clusters of no more than 6 dwellings.

7.2.3 Condition 8 on the outline consent requires the submission of a proposed housing mix as part of the reserved matters application. Condition 9 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 requires that 25% of the dwellings on the site are provided as affordable housing and in the event that 25% not being a whole number, the number of affordable dwellings is rounded up or a commuted sum is paid.

7.2.4 The Council's Housing Strategy team provided an assessment at the time of the outline planning application, setting out the preferred mix of affordable and market housing for the development, including tenure. This was used as the basis for discussions on the housing mix proposed in this reserved matters application. The tables below show the Council's preferred mix against the applicant's proposed mix for both the market and affordable units. In the case of the market mix, this was revised following negotiations. 24 of the 97 units are proposed as affordable and so the applicant has opted to round up the affordable units to the nearest whole number, rather than paying a commuted sum.

Affordable mix

|                   | Tenure           | 1 bed             | 2 bed               | 3 bed               | 4+ bed            | Bungalow (2 bed)  | Total                |
|-------------------|------------------|-------------------|---------------------|---------------------|-------------------|-------------------|----------------------|
| BDC preferred mix | Shared Ownership | 0                 | 2                   | 3                   | 0                 | 0                 | 5<br>(21%)           |
|                   | Social Rent      | 2                 | 8                   | 7                   | 1                 | 1                 | 19<br>(79%)          |
|                   | <b>Total</b>     | <b>2<br/>(8%)</b> | <b>10<br/>(42%)</b> | <b>10<br/>(42%)</b> | <b>1<br/>(4%)</b> | <b>1<br/>(4%)</b> | <b>24<br/>(100%)</b> |
| Proposed Mix      | Shared Ownership | 0                 | 4                   | 1                   | 0                 | 0                 | 5<br>(21%)           |
|                   | Affordable Rent  | 2                 | 7                   | 8                   | 1                 | 1                 | 19<br>(79%)          |
|                   | <b>Total</b>     | <b>2<br/>(8%)</b> | <b>11<br/>(46%)</b> | <b>9<br/>(38%)</b>  | <b>1<br/>(4%)</b> | <b>1<br/>(4%)</b> | <b>24<br/>(100%)</b> |

Market mix

|                       | 1 bed     | 2 bed       | 3 bed       | 4+ bed      | Bungalow (2 bed) | Total        |
|-----------------------|-----------|-------------|-------------|-------------|------------------|--------------|
| BDC preferred mix     | 4<br>(5%) | 18<br>(25%) | 25<br>(35%) | 18<br>(25%) | 6<br>(10%)       | 71<br>(100%) |
| Bellway preferred mix | 0<br>(0%) | 10<br>(14%) | 31<br>(44%) | 26<br>(37%) | 4<br>(6%)        | 71<br>(100%) |
| Revised mix           | 0<br>(0%) | 12<br>(17%) | 29<br>(41%) | 26<br>(37%) | 4<br>(6%)        | 71<br>(100%) |

7.2.5 The proposed affordable mix largely aligns with the Housing Strategy team's preferred mix. The number of 2-bed units has been increased by one and the number of 3-bed units decreased by one but this is considered acceptable by officers. It is noted that the rental tenure proposed is affordable rent rather than the preferred social rent (which is a more affordable rental type). However, the Section 106 Agreement did not specify the exact tenures but rather required shared ownership, social rented units and/or affordable rented units. For the affordable rent units it specifies they shall be let at no more than 80% of the local market rent or the Local Housing Allowance, whichever is the

lesser. By tying the maximum rent which can be charged to the Local Housing Allowance rate it is considered this would ensure that the units remain affordable.

- 7.2.6 In the initial layout, the affordable units were clustered towards the southern edge of the site. Whilst each cluster did not exceed more than 6 dwellings, there was generally little separation between each cluster. In the revised layout, the clusters have been reduced or spaced further apart, with some affordable housing being brought towards the front of the site
- 7.2.7 The proposed market mix does not achieve the Council's preferred mix, with a significantly lower number of 2-bed units (14% rather than 25%) and more 3-bed units and 4-bed units.
- 7.2.8 The applicant provided a Housing Market Assessment seeking to justify the proposed mix. The Council's Housing Strategy team commented that this document sought to justify what the applicant will be able to sell in the current housing market rather than the real-world need for different housing types in the district. They argued that using house sales data as a benchmark for what house types are needed in the district is fundamentally flawed. Croft and Blaby District have an above average existing supply of larger 3 to 4+ bedroom homes (when compared to Leicestershire and England) and a population demographic of predominantly 1 and 2 person households, as demonstrated by Office for National Statistics (ONS) data:

**Housing Stock**

| Area                    | 1-bed homes | 2-bed homes | 3-bed homes | 4+-bed homes | Total 3+ homes |
|-------------------------|-------------|-------------|-------------|--------------|----------------|
| Croft (parish)          | 3%          | 23%         | 52%         | 22%          | 74%            |
| Blaby District          | 7%          | 19%         | 48%         | 27%          | 75%            |
| Leicestershire (county) | 8%          | 21%         | 44%         | 27%          | 71%            |
| England                 | 13%         | 26%         | 40%         | 21%          | 62%            |

Source: Office for National Statistics – Census 2021, **T5050: Number of bedrooms** (households with residents)

**Household Make-up**

| Area                    | 1-person households | 2-person households | 3-person households | 4+-person households | 1 And 2 Person Households |
|-------------------------|---------------------|---------------------|---------------------|----------------------|---------------------------|
| Croft (parish)          | 26%                 | 41%                 | 15%                 | 19%                  | 67%                       |
| Blaby District          | 26%                 | 37%                 | 16%                 | 21%                  | 63%                       |
| Leicestershire (county) | 27%                 | 36%                 | 16%                 | 21%                  | 63%                       |
| England                 | 30%                 | 35%                 | 16%                 | 19%                  | 65%                       |

Office for National Statistics – Census 2021, **T5017: Household size**

- 7.2.9 The Housing Strategy team pointed out that most of the sales activity in Croft and Blaby District will be for larger homes simply due to the properties available, but that this is not an indication of the need for future homes. The lack of transactions on smaller homes does not indicate a lack of need but a lack of supply. The Housing Strategy team indicated they were unable to accept the market mix as initially proposed.
- 7.2.10 The applicant referred to other planning applications in seeking to justify the smaller number of 2-bedroom properties. However, the Housing Strategy team

has reviewed the other applications referred to which are within Blaby District. The three most recent Blaby applications had a far higher percentage of 1, 2 bed and 2 bed bungalow accommodation than the applicant's proposal.

- 7.2.11 The applicant has provided a revised mix (referred to in the table above), changing two 3-bed properties to two 2-bed properties (increasing the percentage of 2-beds to 17%). Officers requested that two further 2-bed properties be provided, by reducing the number of 4+ beds (increasing the percentage of 2-beds to 20% and decreasing the 4+ beds to 34%). However, the applicant was unwilling to make further changes to the market mix.
- 7.2.12 The Housing Strategy team has expressed disappointment that their preferred market mix has not been achieved but has accepted the revised proposals so as to not hold up the development of the site, and because the applicant has met all of the affordable housing considerations. The Housing Strategy team acknowledges and supports the changes which have been made to the clustering of affordable units on the site. The Housing Strategy officer notes that the scheme will provide important additional housing to the affordable housing stock and as such supports the application in its current form.
- 7.2.13 Regarding the requirement for 5% of homes to be accessible and adaptable, a total of five properties are proposed as bungalows. In addition to the bungalows, 41% of the properties are part of the applicant's 'Life' collection, including features such as step-free entrances, wider hallways and doorways, clear access zones within rooms, and more spacious ground floor toilets for future conversion to shower rooms. As such, the proportion of dwellings meeting the M4(2) standard exceeds the required 5%. This also helps accord with Policy FV12 of the Fosse Villages Neighbourhood Plan which indicates that for development of 10 or more dwellings will need to demonstrate how their proposed mix will meet the needs of older households and the need for smaller, low-cost homes.
- 7.3 Design and the impact of the development 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 located on the southern edge of Croft, with established residential development to the north and recent residential development at Poplars Road to the northeast. The proposed layout of the site would be in keeping with the character and appearance of the urban fringe surroundings. Surrounding properties are predominantly two storey with some bungalows (such as those on Poplars Road). The proposed development would follow a similar character and appearance.
- 7.3.3 The layout makes use of perimeter blocks with dwellings facing outwards onto the public realm to create an engaging and coherent street scene. This includes generally larger properties facing out onto the retained hedgerow along Broughton Road, accessed via private drives. This helps to retain the rural aspect of the entrance into Croft from the B4114, with the new dwellings being set back from the road behind the hedgerow. Internally within the site, the properties generally face onto roads, or private drives and edge areas of open space. On the western edge the properties generally back onto the site boundary or have a flank elevation to the boundary as areas of tree planting are proposed here rather than public open space due to the relationship with the adjacent farm buildings.
- 7.3.4 The layout has been adjusted during the course of the application to achieve a stronger build line and high-quality street scene, avoiding blank side elevations being visible in the street scene, ensuring corner plots are of a 'dual aspect design', and reducing concentrations of frontage parking.
- 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 properties are brick built with some properties featuring fully rendered walls and others with smaller feature elements of render. The majority of houses are two storey with some one storey and one and half storey properties spread across the site. Chimneys have been added to dwellings positioned on prominent plots. Porches generally comprise of lean-to canopies but some of the larger properties feature enclosed porches by the front door being recessed.
- 7.3.6 During the course of the application, the ability of the site to be serviced for bin collections has been considered. The Building Regulations (Approved Document H6) states that adequate provision shall be made for the storage of solid waste and adequate access for the people in the building to the place of storage and from the place of storage to the collection point. The guidance indicates that householders should not usually be required to carry refuse more than 30 metres to a storage area and containers should be within 25 metres of a waste collection point. Whilst the Building Regulations are separate from

planning, and the outline permission also requires a waste collection strategy as part of a discharge of condition, matters relating to waste storage affect the layout and the potential length of private drives. A Refuse Collection Plan has been provided which shows the positioning of bin storage points and bin collection points. Due to the use of some private drives there are some instances where the distance residents will have to walk to the bin storage point exceeds the Building Regulations guidance (for example plots 24 and 77). Similarly, the distance from the bin storage point to the collection point exceeds the recommended 25 metres for the private drive on the site frontage and the private drive to the south (the distance here is 42 metres from the storage point). However, it is acknowledged that the Building Regulations distances are guidance only and the plan does demonstrate how bins can be presented at the highway boundary for collection.

- 7.3.7 Leicestershire Police have been consulted on the application and have made comments in relation to 'Designing out Crime'. This refers to the 50mph speed limit on Broughton Road (this is proposed to be lowered to 30mph as agreed in the outline consent). It also refers to boundary treatments, gates being fitted to private passageways, alarm systems being installed, lighting to external door entrances, overlooking of footpaths, parking and CCTV. Many of these matters have been considered as part of the layout and deemed satisfactory whilst some of the matter either do not relate to planning and are aspirational. Nevertheless, the development is considered to be designed in such a way which is safe and inclusive and minimises crime or fear of crime.
- 7.3.8 The applicant has undertaken an assessment of the proposed development against the principles in 'Building for a Healthy Life', as required Policy CS2 which refers to its predecessor, 'Building for Life 12'. This uses a red/ amber/ green assessment against the criteria where green means the proposal performs well against the criteria, amber means further work may be required to turn it to green, and red means the proposals should be reworked. The 12 criteria focus on creating integrated neighbourhoods, distinctive places and streets for all. The applicant has scored the application as green against all criteria, making comments on each matter. Officers consider that the proposed development may be slightly weaker in some areas, such as frequency of public transport connections and access to some services and facilities (given the position of Croft as a Medium Central Village). However, these matters were considered at outline stage and the proposed development considered acceptable in principle taking into account all material considerations. Overall, the proposed development does satisfactorily address the criteria set out in Building for a Healthy Life.

7.3.9 In summary, it is considered that the development is of an 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 closest residential properties to the application site are those on Sparkenhoe to the north. These are separated from the site by a substantial hedge, with the properties at 40 and 47 Sparkenhoe backing onto the site. No.83 Broughton Road also has a side elevation which adjoins the site boundary. The farmhouse at Croft Lodge Farm is the other property close to the site. Residential properties on Poplars Road and at Poplars Farm are separated from the site by Broughton Road.

7.4.3 The closest property, no.47 Sparkenhoe, is around 20.5 metres away from plot 5 at its closest point. The main two storey element of no.47 Sparkenhoe is 23.5 metres away. 20 metres is generally deemed an appropriate separation distance between rear elevations of two storey properties. In this instance, plot 5 is a dual aspect property and so although its side elevation faces towards 47 Sparkenhoe, as originally proposed it included main windows at ground floor and first floor. However, the amended layout plan shows that plot 5 will feature bathroom windows only to the side elevation at first floor level which shall be obscurely glazed. The first floor window to bedroom 4 will be excluded from plot 5 to avoid overlooking of the adjacent property at 47 Sparkenhoe.

7.4.4 Within the site itself rear to rear distances of two storey dwellings are at least 20 metres. Where a principal elevation faces a flank elevation of an adjoining dwelling (such as on the corners of a perimeter block) a separation distance of 10 to 12 metres is generally 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 impact. There are a number of instances where first floor side facing windows (mainly serving landing areas or bathrooms) would overlook the garden of an adjacent property. A condition can be used to require these windows to be obscurely glazed to protect the privacy of neighbouring residents.

7.4.5 Offset distances from the Local Area of Play (LAP) to the closest residential dwelling is around 6.5 metres. This complies with the standards in the Planning Obligations and Developer Contributions SPD which states that there

should be at least a 5 metre separation between the activity playable space and the nearest dwelling for a LAP.

- 7.4.6 The properties generally benefit from private garden areas of at least 40 square metres, with most dwellings including more generously sized rear gardens. The private gardens for the two 1-bedroom properties are smaller in size at approximately 27 square metres. However, 1-bedroom properties would normally be occupied by families with children and it is considered that this would provide sufficient amenity space for storage, drying washing, etc. The Local Planning Authority does not have guidelines for size of rear gardens. However, for those gardens which are on the smaller side (around 50 square metres or less) it would be appropriate to include a condition removing permitted development rights for extensions or outbuildings to retain sufficient outdoor garden space.
- 7.4.7 The properties also generally comply with the Nationally Described Space Standards (NDSS) for internal floorspace of dwellings. There are two house types which do not comply – the ‘Cooper’ (a 2 bedroom, 4 person dwelling) which is only 70.31 square metres (the standard is 79 square metres) and the ‘Stationer’ (a 1 bedroom, 2 person dwelling) which is 45.15 square metres (the standard is 50 square metres). There are eight Cooper properties on the site (which are all market dwellings) and one Stationer property (which is affordable rent). Whilst compliance with the Nationally Described Space Standards is considered a material consideration, the Council does not have a policy which requires compliance with this standard and there it is considered that only limited weight can be given to the non-compliance. The vast majority of proposed dwellings do comply, the standard is only guidance and it is mainly market dwellings which do not comply, with prospective purchasers having a choice whether to purchase such a property. The single affordable dwelling which does not comply would be 90% of the NDSS so not significantly below the standard.
- 7.4.8 Site levels are not being considered as part of this reserved matters application but rather this will be dealt with as part of an application to discharge condition 11 imposed on the outline planning permission (ref. 26/0352/DOC) which is currently under consideration. This will consider the relationship between adjacent properties and whether the land levels are appropriate, particularly if these are being raised or lowered as part of the development of the site.
- 7.4.9 Overall, 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 Open space and landscaping

- 7.5.1 Updated Policy CS15 in the Blaby District Local Plan (Delivery) Development Plan Document sets standards for the provision of open space to ensure that development proposals provide sufficient accessible open space.
- 7.5.2 An illustrative masterplan was provided at outline stage which detailed how the site could be developed and showed the main areas of open space being located at the centre of the site, with a drainage attenuation basin towards the boundary with Broughton Road. 0.94 hectares was shown in the masterplan as public open space, and 0.25 hectares for the attenuation basin, leaving 3.06 hectares for residential development including roads and parking areas. The Section 106 Agreement which accompanies the outline planning permission requires a minimum of 0.88ha of on-site public open space to adhere to the requirements in Updated Policy CS15.
- 7.5.3 In the site layout for the reserved matters application, the central area of open space has been removed, with the proposed play area now located within the open space alongside the main access road, located between two retained trees. The total amount of open space included in the site layout is 1.19 hectares (comprising 0.09ha parks/recreation, 0.59ha natural greenspace, 0.45ha informal open space, 0.03ha children's space, and 0.02ha community garden). This accords with the overall requirement in the Section 106 Agreement, and the standards in Updated Policy CS15, although it is noted that some of the edge areas of open space particularly to the southwest of the site are small and not very useable. The drainage pond is also included in the figures, but a recreational route is included around the edge of the pond.
- 7.5.4 Footpath routes run through the site, connecting areas of open space and around the perimeter of the site. The footpath from the southern edge of the site which runs alongside a retained hedgerow and connected to the proposed play area has been upgraded from the original plans at the request of officers to be a 'Breedon gravel' footpath, with other footpaths running around the perimeter of the site being 'mown grass footpaths'.
- 7.5.5 The layout enables a number of mature trees along the site boundaries, and two mature trees within the site to be retained, along with hedgerows (with some small sections removed to allow for access). Whilst the layout requires the removal of a section of hedgerow not shown for removal in the outline masterplan (to provide road access to the south west part of the site), the previous masterplan required a significant widening of a gap in a different section of hedgerow which is now no longer required.
- 7.5.6 Full landscaping plans have been provided which show new tree planting and proposed habitat planting across the site. This includes some sections of

native woodland mix at the edges of the site, including adjacent to the small spinney to the south, orchard trees adjacent to the drainage pond, and new native hedgerow around the proposed pumping station and play area. Proposed habitats across the site include amenity grassland, flowering grassland and species rich grassland including around the pond. The applicant has confirmed the proposed drainage pond will be 1.6 metres deep and will be predominantly a dry attenuation pond, with it only getting wet in extreme weather situations where the water could be a maximum of 1.2 metres high. The banks of the pond are expecting to be 1:3 in gradient.

7.5.7 Details of on-plot landscaping have also been provided. This includes hedgerows around key plots (such as corner plots) which would be highly visible in the street scene. Ornamental planting is also proposed on some plots, in particular to help break up and soften the appearance of some of the frontage parking areas. Some new trees are proposed in front gardens along the key roads in the site to provide an enhanced street scene. Conditions can be used to require frontage landscaping to be retained, to protect the general amenity of the street scene and appearance of the development. A condition can also be used to remove permitted development rights for new means of enclosure forward of the principal elevation of dwellings, to retain the openness of site frontages.

7.5.8 The proposed play area (Local Area of Play/ LAP) is to the south of the main access road between the two mature trees being retained within the site. This should provide some shading to the play area. The LAP will include at least three pieces of equipment. The full details of the Local Area of Play will need to be agreed as part of the 'On Site Public Open Space Area Scheme' which is an obligation within the Section 106 Agreement.

7.5.9 The Leicestershire County Council Forestry Officer has been consulted on the proposed landscaping proposals and initially requested an update to the Arboricultural Impact Assessment and Method Statement to accommodate the design changes from the outline masterplan and the potential implications for trees. The officer was consulted on the amended landscaping proposals and has confirmed no objections. Condition 27 (currently submitted for discharge) required Arboricultural Method Statement and Tree Protection Plan and this will be considered with advice from the arboriculturalist at Leicestershire County Council.

## 7.6 Ecology and Biodiversity

7.6.1 Policy CS19 states that the Council will seek to ensure that opportunities to build in biodiversity or geological features are included as part of the design of development proposals.

- 7.6.2 Matters relating to ecology and biodiversity net gain were assessed at the outline stage and are controlled by condition. Conditions imposed on the outline planning permission include the requirement for a Construction Environmental Management Plan for Biodiversity (condition 23), updated badger survey (condition 24), bat friendly lighting scheme (condition 25), submission and approval of a Habitat Management and Monitoring Plan (condition 26) and Arboricultural Method Statement and Tree Protection Plan (condition 27). Applications to discharge conditions 23, 24, and 27 have been submitted and are currently under consideration (26/0352/DOC and 26/0372/DOC). In addition, the applicant is required to discharge the statutory biodiversity net gain plan condition prior to the commencement of development, and the Section 106 requires the implementation of biodiversity net gain and secures monitoring fees.
- 7.6.3 At outline stage, the Leicestershire County Council ecologist considered the Ecological Appraisal submitted and considered this to be satisfactory for an outline application with suitable evaluation of protected species, habitats and designated sites. Regarding biodiversity net gain, at outline stage, the applicant identified an offsite parcel of land within the same ownership, 460 metres to the northwest of the application site which could be used to provide the required net gains. The Section 106 Agreement gave the option of either providing the BNG on this land or purchasing off site biodiversity units. This would not need to be decided until the statutory Biodiversity Gain Plan condition is discharged.
- 7.6.4 Nevertheless, the Leicestershire County Council ecology team have been consulted on the reserved matters application as landscaping is being agreed as part of the current application. They raised a holding objection, commenting that no assessment of the changes to the layout from the outline masterplan had been submitted. They commented that the layout had been altered with the areas of greenspace significantly reduced, with an area of developed land now proposed adjacent to the drainage basin, a section of hedgerow to be removed and severed to allow an alternative layout and less bordering hedgerow connecting the woodland to the wider area which could affect bats by removing potential roost features. They indicated that ground level tree assessment for potential roost features for bats should be required on all trees proposed for removal as well as an assessment of badger use along the section of hedgerow to be removed. The ecologist also recommended that conditions 23 and 24 should cover the required detail and should be discharged concurrent with the reserved matters application. It is noted that these conditions are already submitted for discharge and are under consideration.

- 7.6.5 The applicant has indicated that ground level tree assessments were carried out in October 2022 and April 2024 with no bat roosts being identified and considered that the survey work was still 'within date'. The applicant argued that as surveys have not confirmed the presence of a roost or potential roost feature associated with the trees, it would be disproportionate to require further survey work to support the reserved matters application and that the matters raised by the ecologist can be appropriately dealt with through the discharge of condition process following any reserved matters approval.
- 7.6.6 The LCC Ecologist has provided a further response and indicated that the bat survey results are out of date in accordance with CIEEM guidance (Advice Note on the Lifespan of Ecological reports and surveys) and the British Standard BS42020 (Biodiversity – Code of practice for planning and development). They advise that the ground level tree assessments therefore need to be reviewed prior to any decision on the reserved matters application and recommend that the applicant's ecologist provides an ecological addendum or updated ecological report. The LCC Ecologist therefore maintains their holding objection and that if members of the Planning Committee are 'minded to approve', any decision should not be issued until the missing bat information is received and any review to confirm the updated mitigation and potential compensation measures.
- 7.6.7 The applicant has provided an Updated Bat Tree Assessment Technical Note which concludes that there are no trees recorded as having features which could support roosting bats and that the development will not cause disturbance or potential harm to any roosting bats. The report has been provided to the LCC Ecologist and further comments are awaited.

## 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 wider highway network 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) and also would not be suitable for adoption under Section 38 of the Highways Act. Whilst the adoptability of a highway is not dealt with under planning legislation it does potentially affect the preferred layout of a site.
- 7.7.4 The applicant has revised the plans and made changes which included repositioning the two private drives either side of the principal site access to accommodate safety concerns with their original proximity to the access from Broughton Road, relocating visitor spaces, and incorporating a turning head to the southern edge of the site.
- 7.7.5 The Local Highway Authority were reconsulted and advised that the proposals were now acceptable for approval to be granted. However, concerns remained regarding the adoptability of the site. The main issue related to the inclusion of a field gate at the southern edge of the site, providing an access into the car boot site. This had been retained to enable the landowner at Croft Lodge Farm to have access to the adjacent fields without having to use Broughton Road. However, the Local Highway Authority advised that this would necessitate the secondary north-south access road being a minimum of 6 metres in width to accommodate farm vehicles to be suitable for adaptation. Other issues included a requirement for bend widening, swept path analysis of the roads for use by a refuse vehicle, realignment of speed tables.
- 7.7.6 The majority of the above matters have been addressed in further amended plans and the field gate has now been removed from the proposed plans. The Local Highway Authority has been reconsulted and has advised that the layout as proposed would still not be suitable for adoption under Section and advised on a number of changes which would be required. A number these matters would not affect the layout but rather would be required to be shown at detailed design stage as part of an application under Section 38 of the Highways Act 1980 for the road adoption. However, there are three matters which the Local Highway Authority advises could affect the layout/ plot positions:
- Turning heads should be amended to have an 8.0m radius.
  - Speed control features should be provided every 60.0m to maintain a 20mph speed. This is currently exceeded.
  - It should be demonstrated that vehicles accessing the pumping station for maintenance can stand clear of the highway whilst the gates are operated.
- 7.7.7 The applicant has been advised of the required changes to achieve an internal road layout which meets adoptable standards and Members will be advised on any revised plans at the Planning Committee meeting. The adoptability of a

site is not a material planning consideration but the applicant may wish to address the concerns now to avoid a need for layout changes at a later stage.

- 7.7.8 Notwithstanding the above, the Local Highway Authority 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 eastern part of the site adjacent to Broughton Road, which was addressed through the submission of a sequential assessment at outline stage. Whilst this found one sequentially preferable site in the District which could accommodate the development, outline planning permission was granted, taking into account all relevant considerations. Conditions imposed on the outline permission require details of a surface water drainage scheme (condition 12) as well as foul drainage (condition 13), to be submitted and agreed, along with details of surface water management during construction (condition 14), long term management of surface water (condition 15) and infiltration testing (condition 16). A discharge of condition application is currently pending relating to conditions 12, 13 and 14 (26/0559/DOC).
- 7.8.3 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). Specifically, there were concerns about the surface water drainage outfall from the site and whether there was third party approval, and a request for details of source control SuDS on site to provide two stages of surface water treatment.
- 7.8.4 The applicant subsequently provided a 'SuDS Provision Technical Note'. This confirms that the surface water drainage will discharge via an existing headwall located in the eastern verge of Broughton Road and so there is not a need for

any third party approval. In addition, it confirms that the proposed layout gives the potential to accommodate additional source control SuDS such as swales, green roofs or rain gardens, and that the shared driveways which total 3,270 square metres in area could be drained via filter drains.

- 7.8.5 The LLFA comments that the previously requested information has been submitted and that the site looks to offer two stages of surface water treatment on site and raise no further queries or concerns. The detailed surface water drainage proposals will be agreed through the discharge of condition application. The application is therefore considered to make satisfactory provision for suitable drainage in accordance with Policy CS22.

#### 7.9 Other matters

- 7.9.1 Croft Parish Council have indicated that a new timber or stone entrance sign for the village should be proposed and that this was shown on the plans at outline stage but the reserved matters application does not include further details.
- 7.9.2 The Section 106 Agreement which accompanied the outline planning permission includes a Traffic Regulation Order Contribution to be paid by the Owner to the County Council towards the proposed location of the 30mph entry speed sign and traffic calming features along Broughton Road. However, this does include a commitment to a timber or stone sign as this would not be deemed necessary to make the development acceptable in planning terms. However, this is a matter the parish council could pursue further with the Local Highway Authority.
- 7.9.3 The parish council also indicate that they wish for the speed limit to be lowered to 30mph as soon as possible on Broughton Road when entering from the B4114. They also comment that chicanes were discussed in the initial designs but do not appear in the reserved matters application. The site access was approved as part of the outline planning application. The approved drawing shows the positioning of the chicanes on Broughton Road. The positioning of the 30mph signs will be determined by the Local Highway Authority through the Traffic Regulation Order process.
- 7.9.4 The parish council also refers to construction management and whether restrictions will be in place to stop construction traffic coming through the village. Concerns have also been raised by residents in relation to the impacts of noise, dust, pollution and disruption during the construction period. It is inevitable that there will be some noise and disruption to nearby residents during the construction period of the development. However, Condition 20 of the outline planning permission required a Construction Management Plan to

be submitted and agreed to ensure that the development of the site respects the residential amenities enjoyed by nearby residents, and to keep the impacts to a minimum. The Construction Management Plan is currently under consideration under application 26/0584/DOC. The Council's Environmental Services team and the Local Highway Authority will be considering the suitability of the construction management proposals.

- 7.9.5 In relation to drainage, the parish council is concerned that the reserved matters application remains deficient of detailed information relating to drainage. The surface water drainage proposals will be agreed under condition 12 of the outline permission (currently submitted for discharge under 26/0559/OUT), with the Lead Local Flood Authority involved in considering the acceptability of the proposals. At the request of the LLFA, further drainage details have also been submitted as part of the reserved matters application since the parish council's comments. The children's play area has also been moved, so it is no longer adjacent to the pond, addressing the parish council's concerns.
- 7.9.6 Finally, the parish council have asked for clarification on who will be responsible for the maintenance of landscaping across the site. The Section 106 Agreement requires an On Site Public Open Space Area Maintenance Scheme to be submitted and agreed together with details of the Management Company arrangements.

## **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. The principle of the development and matters relating to access have been established through the approval of the outline planning permission 24/0559/OUT. This reserved matters application therefore solely considers the layout, scale, appearance and landscaping relating to the proposed development.
- 8.2 It is considered that the design and appearance of the proposal, would be appropriate and in keeping with the surrounding area. The proposals provide acceptable residential amenity standards for existing residents and future occupiers. The internal highways layout and parking provision is deemed acceptable in terms of the impact on the highway and highway safety. 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.
- 8.3 The application makes satisfactory provision for affordable housing which would be appropriately spread across the site and indistinguishable from

market housing. There is some disappointment, however, that the Council's preferred market housing mix, focusing on 2 and 3 bed properties, has not been achieved. However, as the desired affordable housing mix has been provided, the scheme has nevertheless been supported.

- 8.4 In conclusion it is considered the proposal is acceptable and 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.