

Blaby District Council
Planning Committee

Date of Meeting **23 January 2025**
Title of Report **Applications for Determination**
Report Author Group Manager – Planning & Strategic Growth

1. What is this report about?

- 1.1 To determine planning applications as listed in paragraph 3.2 below and detailed in the attached report.

2. Recommendation

- 2.1 That the recommendations listed within paragraph 3.2 below and detailed in the attached report be approved.

3. Matters to consider

- 3.1 To avoid unnecessary delay in the processing of planning applications, the recommendations included in this list must often be prepared in advance of the closing date for the receipt of representations. This list was prepared on **14 January 2025** and information on representations received will be updated at your meeting. This updating will also cover any other information which may come to hand in the intervening period. Closing dates are given where they fall on or after the day of preparation of the list.

3.2	Application No.	Page No.	Address	Recommendation
	24/0564/VAR	17	5 and 7 Groby Road, Glenfield	APPROVE
	24/0871/RM	32	Parcels R6 (3 & 5), Laxford Lane, Lubbesthorpe	APPROVE
	24/0945/RM	46	Land At Cooper Way, Enderby, Leicestershire	APPROVE

3.3 Appropriate Consultations

Details of organisations / persons consulted in relation to the applications are included in the reports for each individual application. Members will be aware that full copies of correspondence received are available to view on the respective planning file and through the planning portal <https://w3.blaby.gov.uk/online-applications/>

3.4 Resource Implications

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

4. Other options considered

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

5. Background paper(s)

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

6. Report author's contact details

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Strategic Growth Manager
0116 272 7705

24/0564/VAR

**Registered Date
2 July 2024**

Mr Barry Mullen

Variation of condition 2 (approved plans) attached to planning permission 23/0091/FUL to amend previously approved design.

5 And 7 Groby Road, Glenfield

**Report Author: Clementyne Murphy-Nelson,
Senior Planning Officer**

Contact Details: Council Offices. Tel: 0116 272 7692

RECOMMENDATION:

THAT APPLICATION 24/0564/VAR BE APPROVED SUBJECT TO THE IMPOSITION OF THE FOLLOWING CONDITIONS:

1. Statutory time from original permission 23/0091/FUL
2. List of approved plans.
3. Materials to be agreed.
4. Approved landscaping to be implemented and retained.
5. Finished floor levels to be agreed and implemented.
6. Archaeological survey work/trenching etc to be undertaken in accordance with a Written Scheme of Investigation to be submitted.
7. Arboricultural Impact Assessment to be submitted, agreed and implemented to identify tree protection measures.
8. External lighting details and CCTV to be submitted and agreed.
9. Construction Method Statement to be submitted, agreed and subsequently adhered to.
10. Additional protected species surveys to be undertaken prior to development commencing, and any mitigation works identified to be undertaken.
11. Approved BNG measures identified in the BNG Assessment Report and shown on the approved landscaping drawings to be undertaken and subsequently retained thereafter.
12. Provision of a Construction Ecological Management Plan to safeguard nearby ecological sensitive areas and on-site species/habitats.
13. Odour assessments to be undertaken on request and results submitted.
14. Timings of deliveries to site restricted in accordance with Noise Impact Assessment.
15. Prior to its construction, details of the proposed substation to submitted and agreed.
16. New access to be constructed in accordance with the submitted plans prior to first occupation.
17. Vehicular visibility splays of 2.4m x 120m to be provided at site access.
18. Pedestrian visibility splays to be provided.
19. Existing accesses to be closed within one month of new access being provided.
20. No gates or barriers to be erected to the site access.
21. Car parking and servicing areas to be provided as shown on the submitted drawings.

22. Secure cycle parking to be provided in accordance with details to be submitted and agreed.
23. No surface drainage into the highway.
24. Submitted Travel Plan to be implemented.
25. Details of surface water management on site during construction to be submitted and agreed.
26. Details of surface water drainage scheme to be submitted, agreed and implemented.

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

- **Travel Packs.**
- **Employee Bus Passes.**
- **NHS contribution towards local GP practices**

NOTES TO COMMITTEE

Relevant Planning Policy, Guidance and Legislation

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

Policy CS1 – Strategy for locating new development
Policy CS2 – Design of New Development
Policy CS5 – Housing distribution
Policy CS6 – Employment
Policy CS8 – Mix of Housing
Policy CS10 – Transport Infrastructure
Policy CS12 – Planning Obligations and Developer Contributions
Policy CS19 – Bio-diversity and geo-diversity
Policy CS20 – Historic Environment and Culture
Policy CS21 – Climate Change
Policy CS22 – Flood risk management
Policy CS24 – Presumption in favour of sustainable development

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

Glenfield Neighbourhood Plan (Adopted Nov 2023)

Policy H2 - Housing Mix
Policy H5 - Design Principles
Policy ENV 1 - Air Quality
Policy ENV 2 - Important Open Spaces
Policy ENV 4 – Protection of Sites of Local Historic Environment Significance
Policy CC2 - Energy Efficient Buildings

Policy CF4 – Medical Facilities
Policy T1 - Traffic Management
Policy T2 - Car Parking

Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework (NPPF) 2024

National Planning Practice Guidance

Consultation Summary

Blaby District Council, Environmental Health – Has no further comments on the application.

“It appears that the proposed revisions to the scheme are unlikely to impact on the matters that I commented on from the original scheme.”

Blaby District Council, Historic Buildings Officer – no objections

Blaby District Council, Housing Services – Has no objections and supports the proposal.

Blaby District Council, Neighbourhood Services – Referred to previous comments.

Charnwood Borough Council – Has no objections to the proposal.

Environment Agency – Has no comments to make on the revised scheme.

Glenfield Parish Council – Have commented as follows:

“No objections – concern with egress onto the A50 when leaving the site.”

Leicestershire County Council Archaeology – no comments received

Leicestershire County Council Forestry – Has no comments to make on the application.

“The amendments to the scheme do not appear to relate to trees & vegetation on site and therefore I have no comments to make on this application.”

Leicestershire County Council Ecology – Has no objections to the application

“As changes to the approved plans appear to relate to internal alternations only with no significant changes to the soft landscape, impacts to ecology due to this variation relating to Condition 2 are considered to be negligible and I have no further comments.”

Leicestershire County Council Highways – Has no objections to the application

“The LHA has reviewed the amended submissions and is content that the highway and transport aspects remain the same.”

Leicestershire County Council, Lead Local Flood Authority – Has no further comments on the application.

“This condition was not recommended by the LLFA and does not affect surface water drainage proposals. The LLFA recommended conditions set against 23/0091/FUL are provided below for convenience.

Leicestershire Constabulary (Police) – has no formal objections to the application.

Leicestershire Fire and Rescue – No comments received.

Leicestershire Planning Obligations - Has no further comments on the application.

Leicestershire Leicester and Rutland Integrated Care Board (NHS) – Has no further comments on the application.

“From the documentation online this variation does not change the original 74 bed care home development proposed and relates to the layout and design only. As this variation does not impact the number of rooms proposed the ICB have no further comments to this planning application”

Severn Trent Water – Has no objections.

Representations

No letters of representation were received.

Relevant History

07/0500/1/OX	Outline application for residential development and ancillary works with vehicular access from Gynsill Lane (to include demolition of 5 & 7 Groby Road)	Withdrawn 15.04.2008
08/0715/1/OX	Erection of 24 dwellings with associated vehicular access from Gynsill Lane (outline application) (to include demolition of No. 8 Gynsill Lane, The Paddock and Meadway, Groby Road and Nos. 5, 7, 9 and 15 Groby Road)	Withdrawn 23.10.2008
15/0722/OUT	Land off Groby Road / Gynsill Lane, Glenfield, Erection of seven dwellings with associated vehicular access from Gynsill Lane (to also serve No.'s 5 and 7 Groby Road) (Outline)	Refused 01.04.2016
21/0052/OUT	Outline application for the retention of no.s 5 and 7 Groby Road plus the erection of a maximum of 8 new dwellings all served by a new shared access (access to be determined - all other matters reserved).	Approved 09.12.2021

23/0091/FUL	Demolition of 5 and 7 Groby Road and erection of a 74 bed care home (Use Class C2) with associated access, parking, landscaping and infrastructure.	Approved 27.02.2024
24/0640/DOC	Discharge of conditions 3 (Materials), 5 (Finished Floor Levels), 6 (Archaeological Works), 7 (Arboricultural Impact Assessment), 9 (Construction Method Statement), 10 (Ecological Survey), 12 (Construction Environmental Management Plan), 23 (Drainage), 25 (Surface Water Drainage during construction) and 26 (Surface Water Drainage) attached to planning permission 23/0091/FUL.	Pending Consideration

EXPLANATORY NOTE

The Site

The application site is located to the north side of Groby Road comprising the curtilages of No.'s 5 and 7 Groby Road. Glenfield Parish Council's sports ground lies to the north (classed as important open space within the Neighbourhood Plan), residential properties to the east and west and to the south is Groby Road (A50) dual carriageway across which are residential properties. It is approximately 0.8 ha in area and generally level. The verdant site contains a large amount of established landscaping including mature trees which are covered by Blaby District Council (5 and 7 Groby Road) Tree Preservation Order, 2007. At present two existing vacant residential dwellings sit within the plot which is located on the northwest side of Glenfield within the Principal Urban Area and Flood Zone 1. The site is also identified as an 'area of significant archaeological interest' within the Leicestershire Historic Record.

Access to the site is proposed onto the A50, to the south of the site, via a new access point. Currently there are two separate access points providing entry/egress to No. 5 and 7 Groby Road. It is proposed to close these once a new single access is provided.

The site already has planning permission for the retention of the existing vacant dwellings and the erection of up to 8 new dwellings. This is an outline planning permission with all matters reserved other than access (21/0052/OUT), this application can be implemented up until December 2024 before it lapses.

In addition, Planning Committee resolved to approve previous application 23/0091/FUL, to which this variation of condition application relates to, and after the S106 signing this was officially approved 27 February 2024.

The Proposal

The application seeks to vary condition 2, approved plans, attached to planning application 23/0091/FUL. Whilst this application seeks to amend some design

elements of the previous approved scheme, the overall footprint and heights of the scheme are to be retained. Furthermore, arrangements for access, parking, drainage and landscaping remain unchanged from that of the previously approved scheme.

The amendments still proposed to retain all 74 beds which were approved under previous application 23/0091/FUL along with facilities such a dining and day rooms, cinema room, treatment room, café, activities room and staff training facilities. The building would still have the capacity to meet a range of individual needs including frail elderly care, dementia nursing care, respite and palliative care as previously approved. Moreover, much like previous application 23/0091/FUL this application still retains the potential to create approximately 60-100 jobs.

The amendments relate largely to the overall design of the proposed building and the overall footprint, heights, depth and width of the scheme remain unchanged from that previously approved. The amendments have been sought to allow for the care provider to provide the internal layout to their care model and standard blueprint for rooms and facilities. Furthermore, the scheme still seeks to retain the previously approved exterior design, albeit with various iterations, of varying roof heights and contrasting elevation details to break up overall mass. The amendments still retain elements that would range from 1.5 to three storey and measure, at its maximum, 64m in length by 48m in width and 12.5m in height. At its shortest the building would measure 32m in width (two storey frontage section) 17m in length (projecting rear wings) and 7.2m in height (2 storey section).

The parking and service area would be situated on the east side of the building adjacent to the boundaries with 3 Groby Road and 6 Gynsill Lane as previously approved. Furthermore, the amendments do not impact the previously approved parking and access and still retains 30 car parking spaces, 2 of which would be disabled spaces, a turning area for larger vehicles and an ambulance pull in. The curved driveway has been designed in such a way as to retain much of the existing natural landscaping along the frontage boundary of the site.

Planning Considerations

Section 38(6) of the Town and Country Planning Act 1990, requires planning applications to be determined in accordance with the provisions of the Development Plan unless there are other material considerations which indicate otherwise. This section of the report will first consider the proposed development against the policy background and then consider any other material considerations.

National Planning Policy Framework

The National Planning Policy Framework establishes the key principles for proactively delivering sustainable development through the development plan system and the determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:

- An economic objective
- A social objective
- An environmental objective

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

The revised NPPF was published by the government in December 2024 and this is the version which should now be referred to.

Development Plan

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

The adopted Core Strategy (February 2013) is part of the Development Plan for the District of Blaby. The following policies are relevant to the proposed development:

Policy CS1 - Strategy for locating new development

Most new development in the District of Blaby, including housing and employment, will take place within and adjoining the Principal Urban Area (PUA) of Leicester. The PUA comprises the 'built-up' areas of Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva. A minimum of 8740 houses will be developed in the District between 2006 and 2029, of which, at least 5750 houses will be provided within and adjoining the PUA.

Policy CS2 – Design of new development

Policy CS2 Seeks to ensure that a high quality, safe and socially inclusive environment is achieved in all new development proposals, respecting distinctive local character

and contributing towards creating places of high architectural and urban design quality. New development should also provide opportunities to enhance the natural and historic environment.

Policy CS5 – Housing Distribution

Policy CS5 aims to focus new development in the most appropriate locations. The District Council seeks to distribute housing by settlement in accordance with the figures contained within the Core Strategy. The most appropriate location for development is deemed to be the Principal Urban Area.

Policy CS6 – Employment:

Policy CS6 indicates that the District Council will work with employers to support local businesses and ensure that the District has a range of employment opportunities. The Policy is underpinned by the objective of providing an appropriate quantity, quality and mix of employment opportunities to meet the needs of current and future populations.

The Policy also supports the provision of a number of large employment sites and supports the development of smaller scale employment uses in other settlements.

Policy CS8 – Mix of Housing

The policy encourages residential proposals for developments of 10 or more dwellings to provide an appropriate mix of housing types and sizes to meet the needs of existing and future households in the District. It indicates that the Council will work with partners to meet any identified needs of specific groups through the delivery of Special Needs Housing, including:

- a) provision of extra care accommodation to meet identified needs of older persons;
- b) provision of supported housing to meet other identified needs;
- c) ensuring that an appropriate proportion of new housing is designed to meet wheelchair access standards.

Policy CS10 – Transport infrastructure

Seeks to reduce the impact of new development on the highways network by locating new development so people can access services and facilities without reliance on private motor vehicles. Opportunities for safe sustainable and accessible transport modes (including walking, cycling and public transport) will be maximised.

Policy CS12 – Planning Obligations and Developer Contributions

Policy CS12 seeks to ensure that the requirements for infrastructure, services and facilities arising from any development will be sought in accordance with the Council's latest Planning Obligations and Developer Contributions SPD. Developer contributions are proposed to be secured for health and sustainable travel options through the signing of a S106 Agreement.

Policy CS19 – Biodiversity and geo-diversity

Indicates that important areas of the District's natural environment, landscape and geology will be protected and enhanced, where appropriate, and seeks to maintain and extend natural habitats where appropriate.

Policy CS20 – Historic Environment and Culture

The Policy sets out the Council's positive approach to the conservation of heritage assets and the wider historic environment. These assets, which include Scheduled Ancient Monuments, Listed Buildings, Conservation areas and archaeological remains, will be preserved, protected and where possible enhanced.

Policy CS21 - Climate Change

Development should be focused in the most sustainable locations and layout and design should reduce energy demand and increase efficiency.

Policy CS24 – Presumption in Favour of Sustainable Development

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

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

The Delivery DPD was adopted on 4th February 2019. It sits alongside the Core Strategy to form part of the Development Plan for the District. The following policies are relevant to this application:

Policy DM1 - Development within the settlement boundaries

This Policy seeks to support suitable development located within the boundaries of existing settlements where the proposal will:

- provide a satisfactory relationship with nearby uses that would not unduly impact on neighbours;
- be in-keeping with the character and appearance of the area;
- would not result in overdevelopment;
- is acceptable in layout design and external appearance; and
- would not prejudice the comprehensive development of a wider area.

Policy DM8 – Local Parking and Highway Design Standards

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

Policy DM12 – Designated and non-designated Heritage Assets

The policy seeks to ensure that heritage assets are suitably considered and where necessary protected when affected by a development proposal.

Glenfield Neighbourhood Plan (2023)

The Glenfield Neighbourhood Plan was adopted on 28th November 2024. It sits alongside the Core Strategy and the Delivery DPD to form part of the Development Plan for the Glenfield. The following policies are relevant to this application:

Policy H1 – Settlement Boundary

Policy H1 states that development proposals on sites within the Settlement boundary will be supported where they comply with the policies of the Neighbourhood Plan and the Core Strategy and subject to meeting design policy and amenity considerations.

Policy H5 – Design Principles

Policy H5 states that development proposals should respond positively to the character and historic context of existing development within the Parish and have regard for the character of the immediate area. The use of innovative materials and design will be supported, and encouragement given to schemes that reflect the design principles set out in the policy.

Policy ENV1 – Air Quality

Policy ENV1 states that planning decisions should take account of the impact of new development proposals on air quality in the plan area. Support will be given to proposals which result in the improvement of air quality or minimise reliance upon less sustainable forms of transport.

Policy ENV2: Important Open Spaces

This policy identifies specific open spaces in Glenfield which are of high value for one or more of sport, recreation, beauty, amenity, tranquillity, and community-led biodiversity enhancement, or as green spaces within or close to residential areas. Development proposals that result in their loss, or have a significant adverse effect on them, will not be supported unless the open space is replaced by equivalent or better provision of its valued features in an equally suitable location, or unless the open space is no longer required by the community.

Policy ENV4 – Protection of Sites of Local Historic Environment Significance

Policy ENV4 lists sites in Glenfield which have been identified as being of local significance for their historic features, including where there is proven buried archaeology on site. The significance of the features present should be balanced against the benefit of any development that would affect or damage them. The sites include a Roman field system and habitation to the northwest of the application site.

Policy CC2 – Energy Efficient Buildings

Policy CC2 states that the design and standard of any new development should aim to meet a high level of sustainable design and construction and be optimised for energy efficiency, targeting zero carbon emissions.

Policy CF4 – Medical Facilities

Policy CF4 refers to the expansion of GP premises or proposals for alternative premises. However, the Policy also refers to alternative premises that increase the accessibility of health care for residents living in the Plan area will be supported subject to a certain criteria.

Policy T1 – Traffic Management

Policy T1 states that all development must demonstrate that the cumulative impact on traffic flows will not be severe, unless appropriate mitigation measures are undertaken, be designed to minimise additional traffic generation, incorporate sufficient off-road parking and manoeuvring space, consider improvements to footpaths and cycleways, and encourage the use of public transport.

Policy T2 – Car Parking

Policy T2 states that development proposals that result in the loss of off-street car parking would only be acceptable where it can be clearly demonstrated that there is no longer any potential for the continued use of the land for parking and that the loss of parking will not aggravate an existing shortfall in spaces in the vicinity, or where adequate and convenient replacement car parking spaces will be provided elsewhere in the vicinity.

Material Considerations:

Planning applications must be determined in accordance with the provisions of the Development Plan unless there are material considerations which indicate otherwise. All material considerations must be carefully balanced to determine whether the negative impacts outweigh the positive impacts to such a degree that the adopted policies of the Development Plan should not prevail.

Taking into account the Development Plan Policies set out above the considerations relevant to the determination of this application are:

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

The principle of the development

Policies CS1 and CS5 seek to focus new development in the most sustainable locations in the district, primarily within and adjoining the Principal Urban Area (PUA) of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva). The application site is positioned within the settlement boundaries of Glenfield and within the PUA and as such is considered to be in a sustainable location which complies with Policies CS1 and CS5. The principle of the development has been established under previous application 23/0091/FUL and minimal changes are sought under this application. The application seeks to retain all parking and access as previously approved and proposes to retain the overall scale, height and width as previously approved.

The proposal would also provide a type of accommodation for which there is an identified need within the district. The type of accommodation proposed is encouraged by Core Strategy Policy CS8 which indicates that the Council will work with partners to meet any identified needs of specific groups through the delivery of Special Needs Housing, including the provision of extra care accommodation to meet identified needs of older persons. It is also supported by Policy H2 and CF4 of the Glenfield Neighbourhood Plan.

The impact of the development on the character and appearance of the area

Policies CS2 (Design of new development), DM1 (Development within the settlement boundaries) and Policy H5 (Design Principles) seek to ensure that a high-quality environment is achieved in all new development proposals, respecting distinctive local character and contributing towards creating places of high architectural and urban design quality. The design of new development should also be appropriate to its context and development proposals that are consistent with the policies of the Local Plan are to be supported.

The site benefits from mature landscaping throughout, both internally and along its boundaries. This is particularly the case on the front boundary with the A50. The boundary is made up of large mature trees and hedges which would effectively screen much of the generous scale of the building particularly as it would be set back from the frontage within the site.

The building will also be effectively screened from Gynsill Lane by the natural landscaping and properties already present.

This application amendments seeks a change to the external elevations which have been previously approved. The plans submitted for this application originally diluted some of the attractive design features of the external elevations previously approved and as such, design amendments were requested. This also included a request to change the proposed roof line to the of the eastern elevation nearest No. 6 Gynsill Lane to limit the perceived mass of the building.

Furthermore, the amendments requested included interesting design features to the external elevations to include brick detailing and vegetation, similar to that previously approved under application 23/0091/FUL. The amendments also include some

additional windows were there were proposed dormers and an additional dormer to the roof slope of the northern flank elevation where there was a previously approved roof light.

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

The impact of the development on the residential amenities of adjacent occupiers

The residential amenities of the scheme were considered at length under previously approved application 23/0091/FUL. It was acknowledged that a care home on this site would change the nature of the site and the amount of development on it significantly. For the reasons determined under previous application 23/0091/FUL it is considered that the footprint of the proposal, the distance of openings to the surrounding boundaries, the presence of quality mature landscaping, the proximity of neighbouring properties and the use of conditions all combine to reduce the impact of the proposal on residential amenities to a degree that can be considered acceptable.

This application proposes minimal changes to the elevations and whilst it is acknowledged there is to be some additional windows or dormers included, this is along elevations and roof lines where windows or roof lights were already approved under the previous application (23/0091/FUL). The addition of some minimal fenestration, whilst retaining the previously approved design to shield residents from overlooking and loss of privacy, is not considered to be unacceptable.

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

The impact of the development on the surrounding highway network

The highway elements of the scheme were considered at length under previously approved application 23/0091/FUL. Leicestershire County Council Highways considered evidence and concluded that impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Whilst this application does seek approval for some internal changes to the room layout, it does not increase the number of rooms, nor does it increase the previously approved staff numbers. As such, Leicestershire County Council Highways have confirmed that there have no additional comments to make on this application and subsequently, have no objections.

In this regard, the proposal is considered to comply with Policy CS10 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013), Policy DM8 of the Blaby Local Plan Delivery Development Plan Document (Delivery DPD) (2019) and Policy T2 of the Glenfield Neighbourhood Plan (2023)

The impact of the development on the environment, biodiversity and Historic Assets.

Flooding:

The development is located within Flood Zone 1 which is considered to be the most suitable zone for development as it is at low risk of flooding.

Heritage Assets:

The site lies within an area considered to have high archaeological potential and as such any development needs to be managed carefully.

Previously The District's Historic Buildings Officer reviewed the proposal and concluded that there are no designated heritage assets on the site or within its immediate vicinity and advised that the only heritage considerations relating to this application principally concern the site's archaeological potential. Given the minimal design changes to the scheme the Historic Buildings Officer position has not changed.

Previously Leicestershire County Council Archaeology requested the implementation of a Written Scheme of Investigation for the proposal due to the site lying within an area of significant archaeological interest. Whilst the application seeks approval for design changes, the footprint of the scheme remains unchanged from the previously approved application 23/0091/FUL. As such, it is still the opinion the same pre-commencement conditions are appropriate for this application but given the application site area is not to change, no additional works are required.

Environment and Biodiversity:

It is acknowledged that since the determination of application 23/0091/FUL Biodiversity Net Gain (BNG) has been introduced and made mandatory across England for major planning applications. Notwithstanding this, this does not apply to Section 73 applications on applications that were made prior to the mandatory introduction of BNG. As such, there are no further Biodiversity requirements to what was already permitted and agreed either via design or condition during the determination of application 23/0091/FUL.

In this regard, the proposal is considered to comply with Policies CS19, CS20 and CS22 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and Policy DM12 of the Blaby District Local Plan (Delivery) Development Plan Document (2019).

Developer contributions and Section 106 Agreements

Policy CS12 seeks to ensure that the requirements for infrastructure, services and facilities arising from any development will be sought in accordance with Blaby District Council's Planning Obligations and Developer Contributions Supplementary Planning Guidance (2010).

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

Overall Planning Balance and Conclusion

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

24/0871/RM

**Registered Date
11 October 2024**

Barratt Redrow

Reserved Matters application for the erection of 120 dwellings (details of appearance, landscaping, layout and scale)

Parcels R6 (3 & 5), Laxford Lane, Lubbesthorpe

**Report Author: Jill Sampson, Major Schemes Officer
Contact Details: Council Offices. Tel: 0116 2727686**

RECOMMENDATION:

THAT APPLICATION 24/0871/RM BE APPROVED SUBJECT TO THE IMPOSITION OF THE FOLLOWING CONDITIONS;

1. Development carried out in accordance with approved plans and documents.
2. Materials and boundary treatments as per the approved materials plan/s.
3. Hard and soft landscaping to be carried out in accordance with the approved plans and management scheme.
4. Landscaping carried out within 1 year and replaced within a period of 5 years.
5. Plot frontage boundary planting to be retained in perpetuity.
6. No residential unit shall be occupied until the parking and any turning facilities associated with that unit have been implemented and thereafter retained.
7. Private drives to be provided prior to associated occupation of dwellings and hard surfaced for at least five metres behind the highway boundary.
8. No gates, barriers, etc. within a distance of five metres from highway boundary and any gates to open away from the highway.
9. 1 metre by 1 metre pedestrian visibility splays on both sides of all private accesses.
10. Removal of pd rights for garage conversions at certain plots
11. Removal of PD rights for extensions and buildings within curtilage for certain plots
12. Removal of PD rights for porches to certain plots
13. Removal of PD rights for any further means of frontage enclosures for all plots.

NOTES TO COMMITTEE

Relevant Planning Policy

National Planning Policy Framework (NPPF) (2024)

National Planning Practice Guidance (NPPG)

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

CS2 – Design of New Development

CS3 – Sustainable Urban Extension

CS7 – Affordable Housing
CS8 – Mix of Housing
CS10 – Transport Infrastructure
CS11 – Infrastructure, Services & Facilities to Support Growth
CS14 – Green Infrastructure
CS15 – Open Space, Sport & Recreation
CS19 – Bio & Geo diversity
CS20 – Historic Environment & Culture
CS21 – Climate Change
CS22 – Flood Risk Management
CS24 – Presumption in Favour of Sustainable Development

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

The Delivery DPD (2019) sits alongside the Core Strategy to form part of the Development Plan for the District.

DM1 – Development within Settlement Boundaries
DM8 – Local Parking & Highways Design Standards
DM12 – Designated & Non-Designated Heritage Assets

Other Supporting Documents

- Development Parcel Design Code Phase 2 (New Lubbethorpe)
- Leicestershire Highways Design Guide
- Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document
- Leicester & Leicestershire Housing & Economic Needs Assessment (2022) (HEDNA)

Consultation Summary

Blaby District Council, Environmental Services – have no objections

Blaby District Council Housing Strategy - are in support of the application

Blaby District Council Neighbourhood Services – have no objections

Environment Agency – have not objected

Leicestershire County Council, Archaeology – have no objections

Leicestershire County Council Ecology – have no objections

Leicestershire County Council, Highways/Footpaths - have not objected subject to conditions.

Leicestershire County Council, Landscape & Arboriculture – have no objections

Leicestershire County Council, Lead Local Flood Authority – have no objections and have provided Standing Advice.

Leicestershire Fire and Rescue – have not provided comments

Leicestershire Police – have provided comments requesting a condition requiring the applicant provide a statement post decision as to how the development will achieve the Secured by Design Award (this is discussed further in the report).

Lubbesthorpe Parish Council – have provided the following comments;

‘Lubbesthorpe Parish Council support this application.

Comments:

We currently have the issues within the development with residents parking on the road and not using their allocated parking places. With this in mind the houses to the northwest corner have their parking spaces across the private road. It is felt that people may not use these spaces and park in front of their houses instead. Can the parking spaces be moved to in front of the houses.’ (this is discussed in the report).

Severn Trent Water – have not provided comments

Third Party Representations

One letter of representation from a nearby occupier was received objecting to the development for the following reasons;

‘Loss of Privacy

Loss of light and privacy

Loss of scenery

Excessive noise

Increase in pollution

Increased traffic

Over development and over crowding

Devaluation of property prices

Affordable Housing and associated problems emancipated such as anti-social behaviour etc’

Relevant History

11/0100/1/OX - Outline application for 4,250 dwellings, a mixed use district centre and two mixed use local centres featuring a supermarket, retail, commercial, employment, leisure, health, community and residential uses, with the provision of care, non-residential institutions including a secondary school, primary schools and nurseries, an employment site of 21 hectares, open spaces, woodlands, new access points and associated facilities and infrastructure, and detailed proposals for two new road bridges over the M1 motorway and M69 motorway, and two road access points from Beggars Lane and new accesses from Meridian Way, Chapel Green/Baines Lane and Leicester Lane - Approved 14/01/2014 as amended 06/05/22.

EXPLANATORY NOTE

The Site

The application proposes the combined development of two of the five parcels (R6 (3&5) that contribute towards phase 2 sub-phase 3 of the Lubbesthorpe development. The eastern edge of the application site abuts two of the phase 2 sub-phase 3 parcels (R6(4) and R6(6) the details of which were approved by this Committee on 1st June 2023 (in application 23/0136/RM). The site currently comprises of open undeveloped slightly sloping fields with a rural character and established natural boundaries. It falls within the area of the original Lubbesthorpe outline planning permission and so the principle of the development is accepted and approved via 11/0100/1/OX. The site (two parcels) is partially separated by a mature and established hedgerow which runs from east to west across its width and through into the adjacent 2 parcels. Whilst this hedge will be retained as a feature of these residential parcels, it has not been included in the red line boundary as it will remain within the ownership and be maintained by the Drummonds landowner and its Lubbesthorpe Trust management company. The accesses between the hedgerow however will be maintained by the developer. dwellings

The Proposal

The application proposes the erection of 120 dwellings comprising:

Market Mix	Affordable Mix
4 x 1 bed dwellings	4 x 1 bed dwellings
24 x 2 bed dwellings	10 x 2 bed dwellings
8 x 2 bed bungalows	2 x 2 bed bungalows
31 x 3 bed dwellings	7 x 3 bed dwellings
29 x 4+ bed dwellings	1 x 4 bed dwellings

The site is to be accessed via two vehicular junctions at Laxford Way at the south. Further accesses are also provided at Ardle Drive and Inver Road through the centre of the site from adjacent residential parcels to the east and west. Thurso Way and its access to Tay Road with its nearby facilities is located along the northern edge of the parcel. An adopted pedestrian footpath within the site links the site to the bridle path to the west and the wider site beyond. These several points of access ensure that the site forms a cohesive and connected development parcel as part of the wider Lubbesthorpe site.

The scheme proposes an outward facing layout containing a mix of property types which have a positive and integrated relationship with the adjacent landscaping and public open space. The parcels are designed so that they continue on from the recently approved R6 (4 & 6) parcels to the west.

The retention of an established central hedgerow runs through the centre of both these sites forming an important and attractive linked design and enhanced bio-diversity feature. Generous street tree planting, pocket landscaping with planted front boundaries further enhance the design of the site. The scheme also incorporates bat

and bird boxes and hedgehog highways throughout to further support local wildlife and bio-diversity.

The proposed dwellings are attractive and well-proportioned and incorporate quality design features and detailing. The plans show that solar photovoltaic (PV) panels are to be installed on all dwellings. The affordable units are equally treated so as to be indistinguishable from the market homes and are dispersed throughout the site to avoid clustering.

The gently sloping site would require some limited use of retaining walls up to approximately 1m in height. The retaining features would be sensitively located so as not to be unduly visible in the street scene.

The approved design code for this sub-phase identifies the site as requiring a number of 'Special Buildings' in prominent locations. Special Buildings are intended to stand out from the main development to create visual interest and function as way-markers for easy navigation around the site. On balance, it is considered that the scheme substantially complies with the main design requirements set out in the design code, achieving the best practice principles of good placemaking and urban design.

Planning Considerations

Section 38(6) of the Town and Country Planning Act 1990 requires planning applications to be determined in accordance with the provisions of the Development Plan unless there are other material considerations which indicate otherwise.

National Planning Policy Framework 2024

The National Planning Policy Framework (NPPF) establishes the key principles for proactively delivering sustainable development through the development plan system and the determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:

- An economic objective
- A social objective
- An environmental objective

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or

- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

The revised NPPF was published by the government in December 2024 and this is the version which should now be referred to.

Planning Practice Guidance

The Planning Practice Guidance, published by the government, adds further context to the National Planning Policy Framework and it is intended that the two documents should be read together.

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

The adopted Core Strategy (February 2013) is part of the Development Plan for the District of Blaby.

Policy CS2 – Design of New Development

Policy CS2 seeks to ensure that a high quality, safe and socially inclusive environment is achieved in all new development proposals, respecting distinctive local character and contributing towards creating places of high architectural and urban design quality. The design of new development should also be appropriate to this context.

Policy CS3 Sustainable Urban Extension

Policy CS3 sets out the vision for the Lubbesthorpe SUE and states that it should be a high quality, sustainable, mixed-use development that is well connected and has a functional relationship with the wider area but allows adequate opportunities to locally access services and facilities. The policy, which was adopted in advance of the SUE receiving outline planning permission, sets out the parameters for the development including expectations for housing, employment, education, local and district centres, green infrastructure, general infrastructure and transport and movement. The policy also sets out what areas any detailed proposal will be expected to address.

Policy CS7 – Affordable housing

Policy CS7 sets out the Council's requirements for the delivery of Affordable Housing. The amount of affordable housing for Lubbethorpe has been provided in accordance with a framework set out and agreed as part of the original S106 Agreement which accompanied the outline planning permission. Currently the threshold for this sub-phase is 20% provision.

Policy CS8 – Mix of Housing

Policy CS8 states that residential development proposals of 10 or more dwellings should provide an appropriate mix of housing type, tenure and size to meet the needs of existing and future households in the District. The mix of housing has been previously agreed across the whole of sub-phase 3 to ensure a balanced compliance with both the HEDNA and parish level data.

CS10 – Transport Infrastructure

Policy CS10 seeks to limit the impacts of new development on levels of vehicle movements by reducing the need to travel by private car by locating new development in areas where people can access services and facilities without reliance on private motor vehicles.

Policy CS11 – Infrastructure, Services and Facilities to Support Growth

Policy CS11 seeks to ensure that development provides the necessary infrastructure, services and facilities to meet the needs of the community and mitigates any adverse impacts of development

Policy CS14 – Green Infrastructure

Policy CS14 aims to protect existing and provide new networks of multi-functional green spaces. Green infrastructure can include formal open spaces for sport and recreation, green areas that can be used for informal recreation and areas that are valuable for their bio-diversity.

Policy CS15 – Open Space, Sport and Recreation

Policy CS15 indicates that Blaby District Council will seek to ensure that all residents have access to sufficient, high quality, accessible open space, sport and recreation facilities.

Policy CS19 – Bio-diversity and Geo-diversity

Policy CS19 seeks to ensure that the District's natural environment, wildlife, habitats, landscape and geology are considered and protected through good design practices, seeking to protect existing green spaces and provide new good quality, multi-functioning green networks and corridors.

Policy CS20 Historic Environment & Culture

Policy CS20 states that heritage assets such as Listed Buildings, Conservation Areas and archaeological remains will be preserved, protected and where possible enhanced. Development should make a positive contribution to the character and distinctiveness of the local area.

Policy CS21 - Climate Change

Policy CS21 states its strategic objectives which include; to protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve bio-diversity, wildlife habitats and corridors through the design of new developments and the management of existing areas by working with partners and, to minimise the risk of flooding (and other hazards) to property, infrastructure and people.

Policy CS22 – Flood Risk Management

Policy CS22 seeks to ensure that all new development minimises flood risk vulnerability, providing resilience to flooding by directing new development to locations at the lowest risk of flooding within the District using Sustainable Drainage Systems (SuDS) to ensure that flood risk is not increased on-site or elsewhere and to protect the quality of the receiving water course. Where possible, the Council will encourage development to reduce the overall flood risk through the design and layout of schemes which enhance natural forms of drainage. New development should incorporate the principles of Sustainable Drainage Systems (SuDS) which aim to control surface water runoff as close to its origin as possible and mimic the natural processes of undeveloped land. SuDS provide multiple flood risk, water quality and biodiversity benefits that can be widely applied to appropriately designed development. The SuDS strategy for the whole of sub-phase 3 was approved via a discharge of conditions application in June 2022. Leicestershire County Council as Lead Local Flood Authority were consulted on that application and on this current application and have not objected to the proposals.

Policy CS24 – Presumption in Favour of Sustainable Development

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

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

The Delivery DPD sits alongside the Core Strategy to form part of the Development Plan for the District. The following Policies are considered to be the most relevant to this application;

Policy DM1 – Development within the Settlement Boundaries

Policy DM1 seeks to support suitable development located within the boundaries of existing settlements where the proposal would not unduly impact on neighbouring uses;

- is in-keeping with the character and appearance of the area,
- is not overdevelopment,
- is acceptable in layout design and external appearance; and
- would not prejudice the development of a wider area.

Policy DM8 – Local Parking and Highway Design Standards

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

Policy DM12 – Designated & Non-Designated Heritage Assets

Policy DM12 requires that heritage assets such as listed buildings, conservation areas and archaeological remains will be preserved, protected and where possible enhanced. Development should make a positive contribution to the character and distinctiveness of the local area.

Development Parcel Design Code: Phase 2 sub-phase 3 (New Lubbesthorpe)

The Phase 2 sub phase 3 Design Code for Lubbesthorpe forms the basis for guiding the design and layout of the development parcels to ensure that they achieve high quality placemaking objectives. All reserved matters applications must be substantially in accordance with the Code.

Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document

Provides guidance relating to the interpretation of policies CS7 and CS8 of the Core Strategy. It seeks to address imbalances in both the market and affordable housing stock and to optimise the provision of affordable housing to meet identified needs.

Leicestershire Highways Design Guide

This Design Guide sets out the County Council's principles and policies for highways development management. The guidance is intended to be used in the design of development layouts to ensure that they provide safe and free movement for all road users. It aims to:

- provide road layouts which meet the needs of all users and do not allow vehicles to dominate;
- create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; and
- help create quality developments in which to live, work and play.

Material Considerations

Planning applications must be determined in accordance with the provisions of the Development Plan unless there are material considerations which indicate otherwise. All material considerations must be carefully balanced to determine whether any negative impacts outweigh the positive impacts to such a degree that the adopted policies of the Development Plan should not prevail. Taking into account the Development Plan Policies set out above, the material considerations relevant to the determination of this application are:

- The principle of the development;
- Housing mix and affordable housing;
- The impact of the development on the amenity of nearby and future residents;
- The impact of the development on the character and appearance of the area (Lubbesthorpe and the wider landscape)
- The impact of the development on the surrounding highway network;
- The impact of the development on biodiversity, the historic environment and wider environment.

Principle of the Development

The principle of the residential development of this site was established by the 14th January 2014 approval of the outline planning permission 11/0100/1/OX which granted permission for 4,250 dwellings, a mixed use district centre and two mixed use local centres featuring a supermarket, retail, commercial, employment, leisure, health, community and residential uses, non-residential institutions including a secondary school, primary schools and nurseries, an employment site of 21 hectares, open spaces, woodlands, new access points and associated facilities and infrastructure, and detailed proposals for two new road bridges over the M1 motorway and M69 motorway, and two road access points from Beggars Lane and new accesses from Meridian Way, Chapel Green/Baines Lane and Leicester Lane.

The application site would become the 3rd and 4th parcels of the 5 parcels within phase 2, sub-phase 3 to receive reserved matters approval for details of layout, scale, appearance and landscaping. In total the development will comprise of 4 phases and 8 sub phases to be completed at around 2035.

Whilst the principle of the development is considered acceptable it will still have to be weighed against all other material considerations to ensure that there are no negative impacts on the surrounding environment which would outweigh the perceived benefits.

Housing Mix and Affordable Housing

The proposal will deliver the Lubbesthorpe housing mix requirements for both market and affordable units. In terms of affordable units, no more than 6 are to be clustered together (as specified in the Housing Mix and Affordable Housing Supplementary Planning Document). The affordable units would be indistinguishable from the market units and meet required space standards. The affordable units are acceptable in this regard. It is considered that the proposed development meets the Council's

requirements for Lubbethorpe in terms of affordable housing provision and the housing mix and would comply with policies CS7 and CS8 of the adopted Blaby Core Strategy 2013. Blaby District Council's Housing Strategy team has been consulted and are in support of the application.

The impact of the development on the amenity of nearby and future residents

The development site would overlook landscaped open space to its south. The layout has been designed to be outward facing to ensure that the scheme respects this open green space. The closest residential properties would be located on approved and partially constructed/occupied parcels to the north, east and west.

It is considered that the relationship, positioning, orientation and separation distances between existing and proposed dwellings on adjacent sites would not likely result in any undue impact on the amenities of the occupiers of those closest neighbouring dwellings. Internally the scheme has been designed to meet, as far as reasonably possible, the Council's amenity standards and the rules set out in the approved Lubbethorpe design code for this sub-phase. The scheme would provide sufficient separation distances, natural surveillance (of shared spaces, open spaces and private areas) and would create an attractive environment for future occupiers.

It is considered that the proposed development would not unduly harm the residential amenities of existing and future occupiers. The scheme is considered to comply with Policy CS2 of the adopted Blaby Core Strategy 2013 and Policy DM1 of the Delivery Development Plan Document (Delivery DPD) (2019).

Leicestershire Police (Designing Out Crime) officers have commented on the proposal and have requested a condition requiring the developer to provide a statement, prior to commencement of development, setting out how the development will achieve the Secured by Design Award. They have stated that this condition '*will ensure that main causes of crime in student accommodation are addressed*'. Members will be aware that the scheme does not propose any student accommodation and in addition, the scheme has been designed and assessed against the Council's most up to date approved design code for Lubbethorpe. The scheme substantially complies with this document and therefore the most up to date best practice urban design principles. As such, officers consider that the imposition of such a condition would not be either reasonable or necessary.

The impact of the Development on the character and appearance of the area (Lubbethorpe and the wider landscape)

It is recognised that the development of the existing open fields will impact on the character and appearance of the area. This was considered at the time of the outline application when it was concluded that the proposal would not unduly harm the intrinsic character of the surrounding area to a degree that would outweigh the benefits provided by the proposal.

It is considered that the design of the scheme has taken the design and layout of surrounding parcels and adjacent open green spaces into account. The layout makes use of perimeter blocks and is outward facing at the interfaces with open spaces and

the public realm. It is designed so that it complements and continues from the adjacent two recently approved parcels to the east.

In addressing the impact on the street scene and nearby developments recently approved, street scene plans have been submitted which illustrate clearly how the proposal will be viewed in the context of the adjacent built out parcels. The proposed house types and their materials are considered attractive, well-proportioned and designed to acknowledge their immediate surroundings. It is considered they meet the requirements of the current Lubbethorpe design code and are in-keeping with the design and character of the wider Lubbethorpe development.

It is therefore considered that the proposed development would not unduly harm the character and appearance of the surrounding area and would comply with Policy CS2 of the adopted Blaby Core Strategy 2013 and Policy DM1 of the Delivery Development Plan Document (Delivery DPD) (2019).

The impact of the development on the surrounding highway network

The impact of the development on the surrounding highway network was considered at the time of the outline planning permission. The outline application required the provision of a Highways Delivery Strategy which proposed a set of mitigation measures to offset the highways implications. These measures will be delivered strategically throughout the life of the development in accordance with the Strategy.

Lubbethorpe Parish Council has commented on the layout of the parking for the dwellings to the north-west, requesting that the parking here be re-located on the opposite side of the drive, closer to the dwellings. Members are advised that the layout and junction of this private shared drive is designed in such a way so that the existing established tree to the north-west corner can be retained whilst also acknowledging the curve of the bend on the road opposite. It is also recognised that the proposed parking spaces are located within reasonable distance to front doors.

The County Highway Authority has assessed the scheme and raised no objection to the layout subject to conditions controlling; the provision and retention of parking and turning areas prior to occupation, the provision and retention of private access drives and turning spaces, a restriction on any further vehicular access gates, barriers, bollards, chains etc within a distance of five metres of the highway boundaries and the provision and retention of the required pedestrian visibility spays prior to occupation. The County Highway Authority works to maximum parking standards which means that schemes are assessed on the general requirement for residential parking (two spaces for up to 3-bedroom dwellings and three spaces for 4 bedroom plus). The County Highway Authority have assessed the proposal against the Highways Design Guide which sets those standards, and they consider that the parking provision across the site is acceptable. They consider that the impacts of the development on highway safety and the road network would not be unacceptable.

The impact of the development on biodiversity, the historic environment and wider environment

The outline planning application was supported by a raft of strategies and assessments which assessed the important environmental implications of the Lubbesthorpe development, including impacts on biodiversity, historic assets, flood risk and the wider environment (pollution/noise etc.). Each of these overarching strategies was considered and shown to be acceptable in the mitigation it proposed to offset any potential impact.

Further phase-based and (smaller) sub-phased based assessments and strategies are required to be submitted and approved prior to commencement into each new phase or sub-phase of the development to ensure that the information remains up to date relevant.

The County Council's Ecology Section, Archaeology Section, Forestry Section and the Lead Local Flood Authority have been consulted as part of this application as have Blaby District Council's Environmental Services team. No objections have been raised in relation to this application.

The scheme proposes the retention of existing mature hedgerows and trees and the generous planting of new hedges, trees and pocket landscaping, along with the provision of new bat and swift boxes and hedgehog highways which will all help to contribute towards the enhancement of the immediate and wider site's biodiversity. It is considered that the proposed development would not cause unacceptable harm to the surrounding environment and complies with Policies CS14, CS19 and CS20 of the adopted Blaby Core Strategy 2013.

Compliance with the Outline Planning Permission and guidance documents

The proposal would comply with the principles and parameters of the Outline Planning Permission (as amended) and the necessary elements of the supporting documents to a satisfactory degree and proposes a development which is considered acceptable in that regard.

Environmental Impact Assessment

The application was considered in relation to the Environmental Impact Assessment Regulations 2017 and the Environmental Impact Assessment which accompanied the outline planning application which pre-dated the 2017 Act. It is not considered that there is any evidence to suggest that the development of the application site would change the original reasoned conclusion of the Environmental Impact Assessment or suggest that any significant environmental effects are likely to arise as a result of the proposal.

Overall Planning Balance and Conclusion

It is considered that the proposed development would accord with the principles of the NPPF and the Policies set out in the Development Plan and there is no material consideration which would indicate otherwise. It is therefore considered that on balance, the proposal is acceptable in planning terms for the reasons set out above. Accordingly, this application is recommended for approval without delay, subject to the conditions set out above.

24/0945/RM

**Registered Date
7 November 2024**

Everards Brewery Limited

Reserved matters application for the erection of a Hotel (Use Class C1) and associated parking and landscaping (related to outline planning permission 22/0110/OUT)

Land At Cooper Way, Enderby, Leicestershire

**Report Author: Stephen Dukes, Strategic Growth Manager
Contact Details: Council Offices. Tel: 0116 2727520**

RECOMMENDATION:

THAT APPLICATION 24/0945/RM BE APPROVED SUBJECT TO THE IMPOSITION OF CONDITIONS RELATING TO THE FOLLOWING:

1. Approved plans condition.
2. Existing trees, shrubs or hedges to be protected during development.
3. Hard and soft landscaping to be carried out.
4. Access, parking and turning facilities to be provided as per approved drawing.
5. Motorcycle and scooter parking to be provided as per approved drawing.
6. Secure cycle parking to be provided as per approved drawing.
7. Details of phasing of hotel to be submitted. In event that the hotel is being built in phases, details of external finishes at completion of each phase and additional landscaping for undeveloped areas to be submitted and approved.
8. Recommendations in Arboricultural Impact Assessment to be adhered to.

NOTES TO COMMITTEE

Relevant Planning Policies

National Planning Policy Framework (NPPF) 2024

Planning Practice Guidance (PPG)

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

Policy CS1 – Strategy for locating new development

Policy CS2 – Design of new development

Policy CS6 - Employment

Policy CS10 – Transport infrastructure

Policy CS11 – Infrastructure, services and facilities to support growth

Policy CS12 – Planning obligations and developer contributions

Policy CS13 – Retailing and other town centre uses

Policy CS14 – Green infrastructure

Policy CS19 – Biodiversity and geo-diversity

Policy CS20 – Historic environment and culture

Policy CS21 – Climate change

Policy CS22 – Flood risk management
Policy CS23 - Waste
Policy CS24 – Presumption in favour of sustainable development

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

Updated Policy CS15 – Open space, sport and recreation
Policy DM1 – Development within the Settlement Boundaries
Policy DM4 – Connection to Digital Infrastructure
Policy DM8 – Local Parking and Highway Design Standards
Policy DM13 – Land Contamination and Pollution
Policy SA5 – Key Employment Sites and other Existing Employment Sites

Other Supporting Documents

- Leicestershire Highways Design Guide
- Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Document (2024)
- Blaby District Plan 2024-2028
- Leicester and Leicestershire Tourism Growth Plan
- Blaby District Tourism Growth Plan 2020-2025

Consultation Summary

Blaby District Council, Environmental Services – Makes comments in respect of flooding, drainage, lighting and construction impacts. Recommends conditions requiring a proposed lighting scheme, and a Construction Environmental Management Plan to be submitted and agreed.

Blaby District Council, Health and Leisure – No comments received.

Enderby Parish Council – Makes the following comments:

- *“Although the applicant appears to be complying with S4 from Part S of Schedule 1 and regulation 44G of the Building Regulations 2010 with regards to EV charging points, the Parish Council requests consideration be given to generously increasing the number of charging points provided at the initial point of development, given the move towards electric vehicle use.*
- *A Construction Method Statement should be produced in advance of the proposed development, which shall include the following:-*
 - a) *the parking of vehicles of site operatives and visitors;*
 - b) *loading and unloading of plant and materials;*
 - c) *storage of plant and materials used in constructing the development;*
 - d) *the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;*
 - e) *wheel washing facilities;*
 - f) *measures to control the emission of dust and dirt during construction;*

- g) a scheme for recycling/disposing of waste resulting from construction works;
- h) measures for the protection of the natural environment;
- i) hours of construction work, including deliveries; and
- j) measures to control the hours of use and piling technique to be employed
- k) measures to control and minimise noise from plant and machinery

This is to be submitted to, and approved in writing, by the Blaby District Council Local Planning Authority. The approved statement shall be adhered to throughout the construction period and verified where appropriate.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.”

Glen Parva Parish Council – No comments received.

Leicester City Council – No comments to make.

Leicestershire County Council, Archaeology – No comments to make.

Leicestershire County Council, Ecology – No objection.

Leicestershire County Council, Forestry – No objection. Comments that there are little arboricultural constraints with trees and hedges limited to the site boundary and which will be retained for screening purposes. New tree planting is proposed within the car park area with appropriate species pallet to provide an attractive setting. The retained trees and hedges have adequate protection recommendations made against them within the Arboricultural Impact Assessment that will protect the trees from possible disturbance as a result of the development.

Leicestershire County Council, Highways – No objection. The proposals include 120 car parking spaces for guests (including 8 disabled bays) and 10 car parking spaces for staff, along with 6 cycle parking stands and 14 motorcycle parking spaces, which is all in accordance with the Leicestershire Highways Design Guide. The Local Highway Authority (LHA) is satisfied that large vehicles can access and egress the site in a forward gear, including refuse and delivery vehicles.

Conditions are recommended requiring the parking and turning facilities to be implemented, the motorcycle and scooter parking to be implemented, and the secure cycle parking to be implemented.

Leicestershire County Council, Lead Local Flood Authority – No concerns. Comments that discharge rates will be limited to 4.76 l/s for all events up to and including the 100 year + 40% climate change event using a combination of below-ground geo-cellular attenuation and a network of permeable paving. Advises that the application documents as submitted are sufficient for the LLFA to support the approval of the reserved matters. Advises that the response does not consider any surface water specific conditions which must be consulted on separately once the reserved matters are approved by the Local Planning Authority.

Leicestershire Fire and Rescue Service – No comments received.

Leicestershire Police – No comments received.

Leicestershire and Rutland Wildlife Trust – No comments received.

National Highways – No objection.

Severn Trent Water – No comments received.

Third Party Representations

No third party representations have been received in relation to this application.

Relevant History

12/0865/1/OX - Outline application for construction of brewery, visitor centre and ancillary uses, brewery tap, restaurants and outdoor sport and recreation facilities, erection of footbridge over River Soar, provision for erection of temporary marquee (approx. 5 times per year), construction of food & drink preparation units (with ancillary retail trade counters) associated parking & landscaping, pedestrian access and detailed proposals for vehicular access from Soar Valley Way (A563) & Narborough Road South (B4114) - Approved 22.06.2015.

15/0888/VAR - Variation of conditions 4, 25, 26, 27, 28, 29 and 32 attached to planning permission 12/0865/1/OX to include revised access and highway details, updated flood management details, changes to land uses and floor areas, positioning of marquees and overflow parking areas. - Approved 27.11.2015.

15/1524/RM - Reserved Matters application (relating to application 15/0888/VAR) for construction of brewery, visitor centre and ancillary uses, brewery tap, restaurants and cycle hire facility, erection of footbridge over River Soar, provision for erection of temporary marquee (approx. 5 times per year), associated parking & landscaping, pedestrian access and vehicular access from Soar Valley Way (A563) & Narborough Road South (B4114).- Approved 08.04.2016.

16/0821/DOC - Discharge of Conditions 14 (Foul Drainage), 15: (Surface Water Drainage), 18: (Archaeological Work), 30: (Details of Permissive Footpaths) and 39: (Construction Traffic Management Plan) attached to planning application 15/0888/VAR - Brewery, Visitors Centre, Pub/Restaurant and other ancillary uses.- Approved 16.12.2016.

16/0834/NMAT - Non Material Amendment to the Bridge approved as part of application 15/1524/RM - Brewery, Visitors Centre, Pub/Restaurant and other ancillary uses. - Approved 10.10.2016.

16/1574/NMAT - Non Material amendment to application 15/0888/VAR which granted consent for the construction of a brewery, Public House, Cycle Centre, Restaurant and ancillary uses. - Approved 07.12.2016.

17/0175/FUL - Erection of a garage building and associated hardstanding used for small scale vehicle repair and valeting of company vehicles - Approved 07.04.2017

17/0461/RM - Phase 1 Reserved Matters application proposing revisions to existing Phase 1 Reserved Matters Approval 15/1524/RM including a reduction in the approved pub/cafe bar floor area to accommodate solely a restaurant bar and the accommodation of the cafe and public toilets in a separate new building located between the pub/restaurant and the cycle centre. - Approved 31.08.2017.

18/1125/RM - Erection of a building comprising Brewery, Offices, Visitors Centre, Ancillary Uses, Brewery Tap (Public House) and associated Parking and Landscaping - Revised Reserved Matters for Phase 1B of the Everards Meadow Development related to application 15/0888/VAR and application 17/0461/RM. - Approved 12.11.2018

22/0110/OUT - Outline planning application (with all matters reserved except for access) for the construction of an office campus (use class E(g)(i)) with a GFA up to 9,290m² together with a hotel (use class C1) with a GFA up to 5,575m² with associated infrastructure including carparking and landscaping – Approved 25.11.2022.

EXPLANATORY NOTE

The Site

The Everards Meadows site is located to the south of Fosse Park on the adjacent side of Soar Valley Way, to the east of the B4114 and directly to the north of the Leicestershire Constabulary Police Headquarters. To the west is the first phase of Everards Meadows which is made up of a cycle centre a café building and the main Everards headquarters which includes offices, a brewery and a brewery tap.

Outline planning permission was granted in application 22/0110/OUT for a second phase of Everards Meadows on a 2.67ha area of undeveloped land between phase 1 and the B4114. The site in 22/0110/OUT was split into two areas separated by the spine road (Cooper Way) which runs to the west of the existing Everards Meadows buildings and provides access from both the A563 Soar Valley Way and the B4114 St Johns.

The outline application, 22/0110/OUT, granted outline consent for an office campus on the larger triangular piece of land to the northwestern edge of the site, with a maximum floor space of 9,290m². It also granted outline consent for a hotel to be sited on the rectangular piece of land to the west of the Everards Headquarters and Brewery building. The building was proposed to have a maximum footprint of 1,400m², a maximum gross floor area of 5,575m² and a maximum height of four storeys. The hotel would have a maximum of 120 rooms along with a reception area and a back of house area.

The Proposal

The proposed development is a reserved matters application for the construction of a hotel (Use Class C1) with a footprint of 1,320m² and a gross floor area of 5,284.3 m² and a height of four storeys (within the limits of the outline permission). The ground floor will provide a reception and waiting area, alongside 12 guest rooms. Preparation and back of house areas including a linen store and circulation areas are also proposed. There are no meeting rooms or conference facilities for external guests, and it is understood hotel guests would be encouraged to make use of the existing on-site facilities within Everards Meadows Phase. However, there are two rooms on the ground floor marked as meeting rooms, which will act as break out space for any on-site guests needing to work. In addition, the site operator may choose to incorporate a small bar for the benefit of guests and there is a kitchen which it is anticipated would be able to cater for breakfast for guests, which would be served in the front of house area.

The development is designed in such a way that will enable it to be built in three stages. The main core of the building will be delivered as phase 1, with the potential for extensions under phase 2 and 3 if required. Phase 2 will allow for an additional 4 rooms on each floor, whilst phase 3 will allow for an additional 8 rooms, storeroom and stair well on each floor.

Access to the hotel and associated car parking area will be taken from the central spine road running through the Everards Meadows site. A total of 120 visitor parking spaces are proposed, comprising 8 accessible spaces and 4 EV charging spaces. 10 staff spaces and 14 motorcycle spaces are also proposed.

Planning Policy

National Planning Policy Framework

The National Planning Policy Framework establishes the key principles for proactively delivering sustainable development through the development plan system and the determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:

- An economic objective
- A social objective
- An environmental objective

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - (ii) the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

The revised NPPF was published by the government in December 2024 and this is the version which should now be referred to.

Planning Practice Guidance

The Planning Practice Guidance, published by the government, adds further context to the National Planning Policy Framework and it is intended that the two documents should be read together.

DEVELOPMENT PLAN

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

The adopted Core Strategy (February 2013) is part of the Development Plan for the District of Blaby.

Policy CS1 – Strategy for locating new development

Policy CS1 supports sustainable development by encouraging most new housing and employment development towards locations within and adjoining the Principal Urban Area (PUA) of Leicester. Outside the PUA development is focused towards Blaby (which has the District's only designated town centre) and then down the sequential order of sustainable settlements set out in the housing distribution Policy CS5.

Policy CS2 – Design of new development

Policy CS2 seeks to ensure that a high quality, safe and socially inclusive environment is achieved in all new development proposals, respecting distinctive local character and contributing towards creating places of high architectural and urban design quality. New development should also provide opportunities to enhance the natural and

historic environment. Innovative design will be supported where it is appropriate to its context.

Policy CS6 - Employment

Policy CS6 indicates that the District Council will work with employers to ensure that the District has a range of employment opportunities and will promote the use of local labour agreements to enable local people to secure employment and skills development. The policy is underpinned by the objective of providing an appropriate quantity, quality and mix of employment opportunities to meet the needs of current and future populations. It also seeks to protect key employment sites unless it can be demonstrated that:

- Its loss would not result lead to an under provision of employment land in the district
- The proposed development would have demonstrable environmental benefits
- The site is no longer viable or attractive to the market. The policy also supports the provision of a number of large employment sites and supports the development of smaller scale employment uses in other settlements.

Policy CS10 – Transport Infrastructure

Policy CS10 seeks to reduce the impact of new development on the highways network by locating new development so people can access services and facilities without reliance on private motor vehicles. Opportunities for safe sustainable and accessible transport modes (including walking, cycling and public transport) will be maximised.

Policy CS11 – Infrastructure, Services and Facilities to support growth

Policy CS11 seeks to ensure that development provides the necessary infrastructure, services and facilities to meet the needs of the community and mitigates any adverse impacts of development.

Policy CS12 – Planning Obligations and Developer Contributions

Policy CS12 ensures that the impacts on local infrastructure, services and facilities are mitigated through the use of planning obligations.

Policy CS13 – Retailing and Other Town Centre Uses

Policy CS13 sets out a sequential approach to site selection for main town centre uses. It steers such uses towards retail centres, then edge of centre locations and then, only if suitable sequentially preferable sites are not available, in out-of-centre locations. It requires proposals for retail, leisure and other main town centre uses to be subject to a sequential test. The policy contains the Blaby District Retail Hierarchy which sets out the sequential list of centres both inside and outside the District boundary but has a functional relationship to the District. Leicester City Centre is sited above Blaby in the centre hierarchy as this is the closest regional centre to Blaby District.

Policy CS14 – Green Infrastructure

Policy CS14 aims to protect existing and provide new networks of multi-functional green spaces. Green infrastructure can include formal open spaces for sport and recreation, green areas that can be used for informal recreation and areas that are valuable for their bio-diversity.

Policy CS19 – Bio-diversity and geo-diversity

Policy CS19 indicates that important areas of the District's natural environment, landscape and geology will be protected and enhanced, where appropriate, and seeks to maintain and extend natural habitats where appropriate.

Policy CS20 – Historic Environment and Culture

Policy CS20 states that heritage assets such as Listed Buildings, Conservation Areas, archaeological remains will be preserved, protected and where possible enhanced. Development should make a positive contribution to the character and distinctiveness of the local area.

Policy CS21 – Climate Change

Policy CS21 promotes climate positive, sustainable development which mitigates and adapts to climate change. Development should also protect the District's important areas of landscape and ecological value. It will seek to minimise the risk of flooding and other hazards to property, infrastructure and people. The use of sustainable forms of transport will be supported.

Policy CS22 – Flood risk management

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

- d) Directing development to locations at the lowest risk of flooding;
- d) Using Sustainable Drainage Systems to ensure that flood risk is not increased on site elsewhere;
- d) Managing surface water run off to minimise the net increase in surface water discharged into the public sewer system;
- d) Closely consulting the Environment Agency in the management of flood risk.

Policy CS23 – Waste

Policy CS23 states that new developments should, inter alia, seek to encourage waste minimisation, ensure flexibility in design to allow for new technological developments, ensure waste collection is considered in the design, and promote the use of site waste management plans.

Policy CS24 – Presumption in Favour of Sustainable Development

Policy CS24 reflects the overarching principle of the NPPF that the Government wishes to see in relation to the planning system, with the golden thread running through the decision-making process being the presumption in favour of sustainable development. Policy CS24 requires that when considering development proposals, the District Council always work proactively with applicants to find solutions which mean that proposals can be approved wherever possible.

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

The Delivery DPD also forms part of the Adopted Development Plan for Blaby District. The following policies are the most relevant to the proposed development.

Updated Policy CS15 – Open space, sport and recreation

Updated Policy CS15 indicates that Blaby District Council will seek to ensure that all residents have access to sufficient, high quality, accessible open space, sport and recreation facilities and sets standards for the of provision of space.

Policy SA5 – Key Employment Sites and other Existing Employment Sites

Policy SA5 seeks to deliver the strategic objective of providing the appropriate quantity, quality and mix of employment opportunities to meet the needs of the District and therefore protects Key Employment Sites as set out on the Policies Map (which includes the application site), for uses within B1, B2 and B8 unless it can be demonstrated that:

- The change of use is in line with Core Strategy Policy CS6 – Employment; and
- The property is vacant and has been the subject of genuine marketing for use classes B1, B2 and B8 for at least 18 months, at reasonable market values, and which has proved unsuccessful.

Everards Meadows is specifically identified as part of a Key Employment site to which this policy applies.

Policy DM1 – Development within the Settlement Boundaries

Policy DM1 seeks to support development which is consistent with the Local Plan and located within the boundaries of existing settlements where the proposal:

- would not: unduly impact on neighbouring uses,
- is in-keeping with the character and appearance of the area,
- is not overdevelopment,
- is acceptable in layout design and external and appearance; and
- would not prejudice the development of a wider area.

The application site lies within the settlement boundary shown on the policies map.

Policy DM4 – Connection to Digital Infrastructure

Policy DM4 requires new build residential and commercial development to be served by a fast, affordable and reliable broadband connection in line with the latest Government target.

Policy DM8 – Local Parking and Highway Design Standards

Policy DM8 seeks to provide an appropriate level of parking provision within housing development which complies with Leicestershire Local Highway Guidance and is justified by an assessment of the site's accessibility, type and mix of housing and the availability of and opportunities for public transport. It states that all new development will be required to meet highway design standards as set out in the most up-to-date Leicestershire Local Highway Guidance.

Policy DM13 – Land Contamination and Pollution

Policy DM13 states that development proposals will be required to clearly demonstrate that any unacceptable adverse impacts related to land contamination, landfill, land stability and pollution (water, air, noise, light and soils) can be satisfactorily mitigated.

Leicestershire Highways Design Guide

The Design Guide sets out the County Council's principles and policies for highways Development Management. The guidance is intended to be used in the design development layouts to ensure they provide safe and free movement for all road users.

Blaby District Council Planning Obligations and Development Contributions Supplementary Planning Document (2024)

This new Supplementary Planning Document (SPD) has been adopted following a meeting of Full Council on 24th September and replaces the 2010 SPD. The new SPD supports the implementation of policies in the Local Plan (Core Strategy and Delivery DPD) in relation to planning obligations and infrastructure requirements arising from development.

Blaby District Plan 2024-2028

This Corporate Plan sets out how the District Council, with support from close partners, will ensure that Blaby District is a place where people are happy to live, work and visit. The document sets out the vision, values and priorities for the Council to 2024. It is not part of the statutory development plan but is a material consideration.

Leicester and Leicestershire Tourism Growth Plan

Prepared by Leicester City Council and Leicester County Council's the plan provides a framework for further tourism sector growth by setting down key priorities, activities and projects that partners and stakeholders collectively felt offered the best prospects

to increase the competitiveness of the destination and maximise the wealth it could generate. It is not part of the statutory development plan but is a material consideration.

Blaby District Tourism Growth Plan 2020-2025

The purpose of the plan is to focus efforts by the Council, its partners and tourism businesses on the actions which are likely to have the most benefit for the visitor economy of Blaby District. The plan refers to Everards Meadows as an 'exciting new food, drink, leisure and retail development that will enhance the tourism opportunities for Blaby District'. It is described as a visitor hub that can attract and disperse visitors around the district.

Material Considerations:

Planning applications must be determined in accordance with the provisions of the Development Plan unless there are material considerations which indicate otherwise, and whether those material considerations are of such weight that the adopted policies of the Development Plan should not prevail in relation to any proposal. The following are material planning considerations in the determination of this planning application:

- The principle of the development
- Phasing of development
- The character and appearance of the development
- The impact of the development on surrounding land uses
- The highways impacts of the development
- Landscaping
- Drainage
- Discharge of conditions on the outline application
- Overall planning balance and conclusion

The principle of the development

The principle of the development of the site was originally established by an outline planning permission (12/0865/1/OX) which was varied in 2015 (15/0888/VAR) for the entire Everards Meadows site.

The outline planning permission secured the following mix of use classes across the entire site:

B2 Everards new brewery	1,600 sq.m
B1 Everards offices (now Class E)	1,600 sq.m (includes function room)
B2 Food and drink production	3,390 sq.m (with ancillary retail/ presentation/ trade counters of up to 10% of gross floor area of each unit, i.e. up to a total of 339 sq.m)
B1 Food and drink research and Development (now Class E)	675 sq.m
D1/D2 Visitor Centre & Outdoor Sport and Recreation	910 sq.m (of which up to 280 sq.m would consist of 4x 70 sq.m of retail kiosks)

A3 Restaurants (now Class E)	1,350 sq.m
A4 Public houses	1,985 sq.m
Marquee	Up to 1,500 sq.m
Total	13,010 square metres

A subsequent outline application in 2022 (22/0110/OUT) was submitted as this proposed a new quantum and type of uses for phase 2 of the development which fell outside of the outline parameters set out above. This proposed an office campus (use class E(g)(i) with a gross floor area of up to 9,290 sq m, together with a hotel (use class C1) with a gross floor area of up to 5,575 sq m, with associated infrastructure including carparking and landscaping

The principle of a hotel was considered as part of the outline application 22/0110/OUT. As the application site is shown as a Key Employment Site on the Policies Map, and a hotel falls under Use Class C1, the starting point was that the development would conflict with Policy SA5 and Policy CS6 of the Local Plan which restricts such sites to former B1, B2 and B8 employment uses only subject to specified exemptions. However, weighing the limited loss of employment land against the benefits of the proposal it was considered that the benefits of approving the outline scheme outweighed the negative impacts.

A sequential test was also carried out as part of the outline planning application as C1 uses are classed as 'main town centre uses' in the NPPF and Policy CS13 of the Core Strategy and would therefore only usually be considered acceptable in 'out of centre' locations where it can be demonstrated that no suitable sites within or on the edge of a town centre are available. As part of this, sites were considered in both Leicester and Blaby. Each site was reviewed in detail and was determined not to be sequentially preferable to the Everards Meadows site on the grounds of failing one or more of the available, suitable or viable tests. The hotel therefore passed the sequential test and was therefore considered acceptable to be placed on this site.

Phasing of development

Condition 2 of the outline planning permission (22/0110/OUT) required the submission of the first application for approval of reserved matters to include a Phasing Plan to show either:

- b) One Phase covering the whole of the development (Offices and Hotel); or
- b) The sequencing of two Phases, each comprising respectively:
 - (ii) The Hotel of the development; and
 - (ii) The whole of the Office Campus element of the development.

A Proposed Site Plan has been submitted showing the respective phases of development, with the proposed hotel being Phase 2a and the proposed office campus being phase 2b. Only reserved matters approval for the proposed hotel is being sought at this stage and condition 3 of the outline permission 22/0110/OUT would require the reserved matters for the second phase (phase 2b) to be submitted within 2 years of the date of the approval of the reserved matters for the first phase.

The Design and Access Statement states that there is an opportunity for a phase build of the hotel if required. Phase 1 would be the main block of the building providing 72 bedrooms, with two wings (Phase 2 and Phase 3) located to the south and west of the building capable of being implemented at a later date, providing 16 and 32 additional bedrooms respectively. It is anticipated that the entirety of the car park would be laid out from the first occupation of the development.

A condition can be used on any reserved matters approval to ensure that details of the proposed phasing of the hotel are submitted to the District Planning Authority (i.e. to confirm whether the hotel will be built in its entirety and then occupied or built in two or three phases). In the event that the developer elects to build the hotel in phases, the condition could also ensure that the details of the external finishes following phase 1 and phase 2 are provided, where the hotel may be extended further at a future date. This could also provide details of interim landscaping for the undeveloped areas which would fall under the footprint of the extended hotel.

The character and appearance of the development

The outline permission established that that a four-storey hotel development would be appropriate on the site given the surrounding site context. Condition 13 of the outline permission 22/0110/OUT states:

“The hotel hereby approved shall not exceed 5,575 m² in gross floor area, have more than 120 rooms, 4 stories or exceed 15m in height to the highest part of the roof.”

The committee report commented that at four storeys the hotel would likely be the tallest building on the site. It was considered necessary to condition the maximum height of the building to ensure that this remained commensurate with the established built form and did not become an unduly prominent feature in what is an important location. The submitted plans show that the proposed hotel will measure 13.5 metres in height to the roof level, with a further 1.5 metres in addition to the top of parapets, which is in line with the approved height limit. Whilst a 15 metre, four storey building will exceed the height of other buildings in the vicinity, it is considered that the building is in a location where a prominent building would be appropriate and would act as a landmark at a gateway into the Everards Meadows site. Further, whilst not as tall it is noted that three storey buildings do feature in the area, such as the Everards Brewery building and the Leicestershire Police Headquarters.

A Design Code was submitted and agreed as part of the outline planning permission. Condition 7 of 22/0110/OUT requires compliance with the Design Code. This sets out design principles, details of key linkages, landscaping, massing and built form, detailing and materials, open space and other site wide features, which future development should follow. In relation to the proposed hotel it states that a simple linear form will strengthen the east-west axis of the development (combining with the existing brewery building), whilst a restrained detail and material palette referencing Phase 1, alongside key detail elements such as a canopied entrance will enhance the building. The materials chosen comprise of stone for the projecting two storey element of the building, bronze zinc for the building focal corners and grey render for the central elements of the building that adds contrast and depth to the building, helping the feature elements to stand out. Overall, it is considered that the design and materials

would accord with the Design Code and are in keeping with and complementary to the existing buildings on the site. The samples of materials will be required to be submitted to and approved by the District Planning Authority as required by condition 19 of the outline permission. The section drawings submitted detail the finished floor levels of the building and as such the details required as part of condition 14 of the outline permission are considered to be discharged as part of this reserved matters application.

The impact of the development on surrounding land uses

As set out in the outline application, the closest residential dwellings are sited approximately 350 metres to the south of the site off Ratby Meadow Lane on the opposite side of the Leicestershire Police Headquarters site to the south and as such would not be impacted by the proposed development. The additional traffic generated by the proposal is not considered to be materially harmful to the amenities of nearby dwellings given the nature of the existing road network.

The impact on the adjacent police headquarters is not considered to be material. Leicestershire Police have been consulted on the application and have not responded to raise any concerns in relation to the security or day to day operation of the police headquarters site as a result of the hotel development. The hotel would use a separate entrance to the police site, off the B4114 which is already in existence to the north of the entrance to the police site, and is not considered to impede access. The hotel is sited sufficiently far from Fosse Park to the north across Soar Valley Way and the offices in Grove Park across St Johns so as to avoid any materially detrimental impact.

The hotel has the potential to offer economic benefits to surrounding uses through the provision of overnight accommodation which could be used by people using facilities such as Fosse Park or business users given the range of businesses whose offices are located nearby.

The highway impacts of the development

There were a number of conditions imposed on the outline planning permission, 22/0110/OUT which related to highway matters and required further information to be provided as part of future reserved matters applications.

Condition 5 stated:

“Application for approval of reserved matters in accordance with condition 2 shall include details of the parking provision which shall accord with the Leicestershire Highways Design Guide or any subsequent revision or replacement. It shall provide:

- a) Regular, accessible car parking spaces and electric car parking spaces (including the correct dimensions).*
- b) Secure cycle parking and motorcycle parking.*
- c) Satisfactory swept path analysis showing the manoeuvring of service and delivery vehicles to/from the proposed hotel without the need for reversing.*

The development shall be carried out in strict accordance with the approved parking details thereafter.”

Condition 6 stated:

“Application for approval of reserved matters for the hotel required under condition 2 of this permission shall be accompanied by an assessment of the impacts on parking, access and sustainable transport options taking account of the full range of primary and ancillary facilities which are to be provided.”

A Technical Note – Parking, Access and Sustainable Transport has been submitted with the reserved matters application, seeking to address the requirements of the above conditions.

Parking

120 car parking spaces for guests are to be provided, and 10 car parking spaces for staff, which meet the Leicestershire Highways Design Guide size standards, with 5% of the spaces being accessible spaces. The car parking provision accords with the Leicestershire Highways Design Guide and standards in Leicestershire County Council’s ‘Highway Requirements for Development’ and the Local Highway Authority has confirmed that it is satisfied with the level of car parking provision. The LHA has also confirmed that it is satisfied with the level of cycle parking (6 stands) and motorcycle parking (14 spaces). The Local Highway Authority has recommended conditions requiring the parking to be implemented. Whilst condition 5 already requires the development to be carried out in strict accordance with the details approved in the reserved matters application, it is considered that such conditions would further secure this through reference to the specific plans.

EV charging

The masterplan includes four EV parking spaces with charge points, with allowance to be made to provide cables to future electric vehicle spaces for 20% of the total spaces. Narborough Parish Council has indicated that whilst the EV charging appears to comply with Building Regulations standards (which requires cable routes to be installed for 20% of the total spaces), consideration should be given to generously increasing the number of EV charging points. As the Building Regulations (Approved Document S, Section 4) only requires one electric charging space to be initially installed in relation to new buildings other than residential or mixed-use where there are more than ten car parking spaces, it is considered that the four spaces would exceed this standard, with the cabling requirement complying with the regulations.

Swept path analysis

Drawings have been submitted showing the swept path of a large refuse vehicle accessing the bin store location, and a 7.5 tonne box van associated with deliveries to the hotel. The drawings show both vehicles can access the site, manoeuvre and exit in a forward gear, and are considered acceptable to the Local Highway Authority.

Access

Vehicular access to the proposed hotel will be via a simple T-junction on the existing access road serving the Everards Brewery car park. No alterations are proposed to the Cooper Way/ access road junction, or to the B4114/Cooper Way and A563/Cooper Way junctions.

Sustainable Transport

The applicant notes that the Local Highway Authority's previous response to the outline planning application noted the location within a built-up area with good infrastructure, and the opportunities this would present for employees to use sustainable methods to travel. There are proposed pedestrian entrances to the site onto the existing footway along the access road, connecting to off-site infrastructure such as bus stops, with the closest bus stops being on the opposite side of the B4114 (northbound) and outside Leicestershire Police headquarters (southbound).

Conferencing

During the determination of the outline application 22/0110/OUT, it was indicated that it had not yet been established whether the hotel would have conference and dining facilities and for that reason these elements were not tested as part of the Transport Assessment and their impact on the highway network was therefore unknown.

The Local Highway Authority initially recommended a condition which would have required the reserved matters application to be accompanied by an assessment of the impacts on the highway network (as well as parking, access and sustainable transport) taking into account the full range of primary and ancillary facilities to be provided. However, the applicant instead asked for conference facilities to be ruled out to provide certainty as it was not known what the result of the additional highways work would be.

Condition 8 was therefore imposed on the outline permission which states:

"The hotel use permitted under condition 2 of this planning permission shall not include conference facilities."

The Local Highway Authority agreed to the imposition of the above condition in order to avoid the impacts on the highway network needing to be reconsidered at reserved matters stage. The LHA was also content that other ancillary facilities at the hotel did not need to be limited (i.e. a restaurant and bar), as these facilities would likely be used by existing guests at the hotel, and the LHA also acknowledged that any trips by non-guests were likely to be outside peak hours.

It is noted that the reserved matters application does not provide details of any restaurant/ bar, but the applicant has indicated that breakfast provision and a small ancillary bar is likely to be included within the main reception area, dependent on the requirements of the operator.

Landscaping

The details of landscaping for the hotel site have been submitted for approval as part of this reserved matters application. This comprises a soft landscaping plan, which includes ornamental planting and trees between bays of car parking in the rear car park, and amenity grassland to the north and west sides of the hotel building along the prominent frontages. A root barrier is shown to the edge of the development site to the immediate north of the hotel, to protect the roots of those trees previously planted along the edge of Cooper Way. The landscaping scheme has been considered by an arboriculturalist at Leicestershire County Council who has commented that the new tree planting proposed within the car park is of an appropriate species pallet to provide an attractive setting. The retained trees and hedges have adequate protection recommendations made within the Arboricultural Impact Assessment that will protect the trees from possible disturbance as a result of the development. Whilst a previous Arboricultural Assessment was conditioned as an approved document in the outline application, a revised Arboricultural Impact Assessment has been submitted to support the detailed proposals for the hotel and as such it is considered appropriate to condition that the recommendations provided in this report are adhered to during development.

A hard landscaping plan has also been submitted which shows the car park will comprise of two different types of block paving, to distinguish between parking and circulation areas. Clay pavers will be used for the pedestrian area around the entrance to the hotel, with cycle stands and benches located close to the entrance. The range of materials is considered appropriate and would complement other hard landscaping elsewhere on the Everards Meadows site.

Drainage

A Proposed Drainage Strategy Statement and an Operation and Maintenance Strategy has been submitted which details the key features of the Drainage Strategy, comprising an attenuation tank (which would be used to store water prior to its slow release into the wider drainage network) and flow control (which would manage surface water runoff from the site, conveying it to the nearby watercourse to the east of the site). The Lead Local Flood Authority has advised that it supports the approval of the reserved matters but that its response does not consider in detail any surface water specific conditions which must be consulted on separately once reserved matters are approved (i.e. a separate application would be required to discharge the surface water drainage scheme details in condition 18 of the outline planning permission). It states that high status materials and details will be required and should seek to sympathetically integrate into the existing development.

Discharge of conditions on the outline permission

There are a number of planning conditions imposed on the outline planning permission which require further details to be submitted and agreed, including conditions 14 (finished floor levels), 15 (a scheme of provisions for the control of noise, vibration fumes and odours), 16 (Construction Environmental Management Plan), 17 (details of air extraction, odour control and ducting and flues), 18 (surface water drainage), 19 (samples of materials), 21 (amended Framework Travel Plan) and 22 (external lighting

scheme).

With the exception of the finished floor levels, approval for these details does not form part of this reserved matters application, and separate applications to discharge these conditions will be required in due course.

Overall Planning Balance and Conclusion

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

The principle of the development of a hotel on the site has been established through the approval of the outline planning permission, 22/0110/OUT and the hotel passed the necessary sequential test which was required in line with local and national policy. This reserved matters application therefore solely considers the layout, scale, appearance and landscaping relating to the proposed development.

Is it considered that the design and appearance of the hotel would be appropriate, is complementary to existing buildings on the site, and would create a landmark building on a key gateway into the Everards Meadows site. The design is in line with the parameters set out in the outline planning permission and is in line with the approved Design Code for Phase 2 of Everards Meadows. The proposals would not result in adverse impacts on neighbouring properties or land uses. The highway impacts of the development on the surrounding road network were considered as part of the outline permission, but the detailed design demonstrates that a suitable level of car parking provision, and parking for motorcycles and bikes can be provided, and it has been demonstrated that all necessary vehicles can appropriately access and egress the site.

There are a number of matters which were conditioned as part of the outline permission where further information will be required to be submitted to and approved by the District Planning Authority, which will be dealt with as separate 'discharge of condition' applications.

Overall, the reserved matters details (layout, scale, appearance and landscaping) are considered to be acceptable and would accord with the relevant policies of the Development Plan, in particular Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document, and Policies DM1 and DM8 of the Blaby District Local Plan (Delivery) Development Plan Document. Accordingly, the application is recommended for approval subject to the conditions set out at the beginning of the report.
