

Blaby District Council
Planning Committee

Date of Meeting 3 July 2025
Title of Report **Applications for Determination**
Report Author Development Services Manager

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

3.2	Application No.	Page No.	Address	Recommendation
	24/0760/OUT	11	Land off Sycamore Way, Littlethorpe	APPROVE
	24/0834/OUT	55	Land north of Leicester Road, Sharnford	REFUSE
	25/0104/RM	107	Land of Foston Road / Leicester Road, Countesthorpe	APPROVE

3.3 Appropriate Consultations

Details of organisations / persons consulted in relation to the applications are included in the reports for each individual application. Members will be aware

that full copies of correspondence received are available to view on the respective planning file and through the planning portal:

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

3.4 Resource Implications

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

4. **Other options considered**

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

5. **Background paper(s)**

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

6. **Report author's contact details**

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24/0760/OUT

**Registered Date
11 September 2024**

Mr Jim Abraham

**Outline application for the provision of up to 14 dwellings with
all matters reserved except for access**

Land North of Sycamore Way, Littlethorpe

**Report Author: Maria Philpott Senior Planner (Consultant)
Contact Details: Council Offices. Tel: 0116 2727520**

RECOMMENDATION:

**THAT APPLICATION 24/0760/OUT BE APPROVED SUBJECT TO THE
APPLICANT ENTERING INTO AN AGREEMENT PURSUANCE TO SECTION 106
OF THE TOWN AND COUNTRY PLANNING ACT TO SECURE THE FOLLOWING:**

- Secondary education contribution
- Library facilities contribution
- Recycling and refuse contribution (wheeled bins)
- Travel Packs
- Open space contributions, as necessary
- Management and maintenance of public open space and attenuation basin
- Healthcare facilities contribution
- Biodiversity net gain – HMMP and monitoring fees
- Leicestershire County Council monitoring costs
- Blaby District Council monitoring costs

**AND SUBJECT TO THE IMPOSITION OF CONDITIONS RELATING TO THE
FOLLOWING:**

1. Outline time limit.
2. Reserved matters details
3. Approved plans.
4. Accord with the submitted Design Code
5. Arboricultural Impact Assessment to be submitted and approved
6. Tree protection plan to be submitted
7. Landscaping scheme to be agreed (in line with BNG calculations)
8. Agreed landscaping scheme to be carried out.
9. Foul and surface water drainage scheme to be submitted, approved and implemented
10. Management of surface water during construction to be submitted and agreed
11. Long-term maintenance of the surface water to be submitted and agreed
12. No development until infiltration testing has been carried out, submitted and approved
13. No development until a Construction Traffic Management Plan (CTMP) has been submitted
14. Access to be implemented prior to occupation
15. Dropped crossing and tactile paving to be implemented prior to occupation

16. Construction Environmental Management Plan (CEMP) to be submitted and agreed and adhered to.
17. Development to be implemented in accordance with recommendations of the Ecological Appraisal by FPCR Environment and Design– including recommendations in the further surveys relating to reptiles and bats
18. Landscape and Ecology Management Plan (LEMP) to be submitted and agreed and adhered to (to ensure future management of BNG)
19. Details of any lighting to be submitted and agreed – to be bat sensitive
20. EV charging details to be submitted and agreed
21. Cycle storage to be provided
22. Contamination – intrusive investigation, remediation and verification
23. Unexpected contamination
24. Noise survey – to be submitted and approved
25. No development until a programme of archaeology and written scheme of investigation has been carried out and approved
26. Development to accord with the Flood Risk Assessment and mitigation measures therein (including no changes to land levels within flood zones 2, 3a and 3b and for all built development to be restricted to flood zone 1)

NOTES TO COMMITTEE

Relevant Planning Policies

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

Policy CS1 – Strategy for locating new development
 Policy CS2 – Design of new development
 Policy CS5 – Housing distribution
 Policy CS7 – Affordable housing
 Policy CS8 – Mix of housing
 Policy CS10 – Transport infrastructure
 Policy CS11 – Infrastructure, services and facilities to support growth
 Policy CS12 – Planning obligations and developer contributions
 Policy CS14 – Green infrastructure
 Policy CS15 – Open space, sport and recreation
 Policy CS16 – Green Wedges
 Policy CS18 – Countryside
 Policy CS19 – Biodiversity and geo–diversity
 Policy CS20 – Historic environment and culture
 Policy CS21 – Climate change
 Policy CS22 – Flood risk management
 Policy CS23 – Waste
 Policy CS24 – Presumption in Favour of Sustainable Development

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

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

Policy DM12 – Designated and Non-designated Heritage Assets
Policy DM13 – Land Contamination and Pollution
Policy DM15 – Minerals Safeguarding Areas

Leicestershire Mineral and Waste Local Plan

Policy M11 – Safeguarding of Mineral Resources

Other supporting documents

National Planning Policy Framework (NPPF) (2024)

National Planning Practice Guidance

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

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

Blaby District Landscape and Settlement Character Assessment (2020)

Blaby District Council Open Space Audit (December 2015)

Blaby Residential Land Availability Report (March 2024)

Joint Strategic Flood Risk Assessment Final Report (October 2014)

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

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

Consultation Summary

Comments on the **original** submission for up to 46 dwellings

Blaby District Council, Active Travel Officer – No comments received.

Blaby District Council, Environmental Services – [First Response] **Further information required.** No impact to air quality but mitigation measures of EV charging and cycle storage should be included (condition). Flooding and drainage - defer to the LLFA and Severn Trent. Noise – recommend survey either prior to determination or at reserved matters stage to consider noise from the railway line and road traffic, including the M1. Condition also recommended for a Construction Environment Management Plan (CEMP).

[Second Response] **No objection.** Phase 1 contamination survey is acceptable, conditions requested relating to further stages of contamination. The EA is

responsible for the assessment of contamination with respect to controlled waters and would expect this to be picked up by them.

Blaby District Council, Neighbourhood Services – No comments received.

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

Blaby District Council, Strategic Housing – Comments. Advice given on the need and mix of affordable homes required as part of the application.

Leicestershire County Council, Archaeology – [First response] Comments. Raised queries regarding the evaluation report. The applicant undertook an archaeological evaluation in August 2024 to inform the proposals. Five ditches and five pit/post holes were identified but no finds were recovered. The likely dating/function of identified features has not been identified in the report.

[Second response] **No objection subject to conditions.** Assessment of the Historic Environment Record (HER) supported by results of the archaeological evaluation shows that the site lies in an area of significant archaeological potential. Therefore if permission is granted it should be subject to a written scheme of investigation for a programme of archaeological works

Leicestershire County Council, Developer Contributions – No objections. Request for contributions towards waste (household collection) and library facilities (Narborough Library). Monitoring fees will also be required.

No contributions are sought for primary education or secondary education as there is capacity at schools within a 2-mile and 3-mile catchment respectively. No contributions are sought for post-16 education as there is sufficient capacity within a 3-mile catchment. No contributions are sought for SEND (primary or secondary) as the site is for less than 100 dwellings.

Leicestershire County Council, Ecology – [First Response] Further information required. Further surveys required in relation to reptiles and bats. A river condition assessment may be required if the red line boundary is within 10m of the watercourse. The BNG statutory metric is required for review and details of how 10% BNG will be achieved as the Biodiversity Gain Report shows that the scheme will deliver a net loss of -44.98%. and as such BNG will need to be sought off-site.

[Second Response] **Further information required.** Rina results of reptile and bat surveys still required. The BNG statutory metric calculation tool has been reviewed and is satisfactory and a strategy for obtaining offsite compensation has been outlined. The red line boundary is not within 10m of the riverbank top and therefore no river condition assessment is required. Protective measures for the River Soar are advised and these details can be part of a CEMP condition. Other conditions recommended for the development to accord with the Ecological Appraisal, specifically relating to bat sensitive lighting and a pre-commencement survey to confirm absence of water vole and otter if works should impact within 5m of the bank top or effect surface water.

[Third Response] **Further information required.** Reptile surveys have been provided and are acceptable. Recommendations in the report should be carried out. Bat surveys still required.

Leicestershire County Council, Forestry – No objection subject to conditions. There is the potential for the future design to encroach into the root protection area (RA) of T1 (birch in 3rd party ownership) and therefore any revisions to the design should ensure this is not the case. Recommend conditions for an Arboricultural Impact Assessment and Tree Protection Plan to be submitted as well as detailed landscape design and maintenance.

Leicestershire County Council, Highways – [First Response] Further information required. No concerns regarding sustainable transport. The Stage 1 Road Safety Audit and Designers Response to the proposed new vehicular access is acceptable. Access design and visibility details are acceptable. Swept path analysis is required for fire appliances and large vehicles. The junction modelling that has been undertaken relating to the proposed access is acceptable. The internal layout is not to be considered at this stage.

[Second Response] **No objection subject to conditions.** The swept path analysis details submitted are acceptable. The amended Framework Plan no longer includes a pedestrian link to the recreational ground which is disappointing but the LHA is content that access would still remain via Sycamore Way. Recommend conditions relating to a construction traffic management plan, the implementation of the access and the provision of tactile paving to the proposed dropped crossings. Travel Packs (one per dwelling) would also be required.

Leicestershire County Council, Lead Local Flood Authority – [First Response] Further information required. No Flood Risk Assessment (FRA) has been submitted and a sequential test is also required due to the site being in flood zone 2.

[Second Response] **Further information still required.** An FRA has been submitted but a sequential test is still required and comments relating to the discharge strategy have not been addressed (discharging to a watercourse)

Leicestershire Police – No comments received.

Narborough Parish Council – Strongly objects to planning application 24/0527/OUT with a proposal for outline planning application for the provision of up to 46 dwellings with all matters reserved except for access on land north of Sycamore Way Littlethorpe.

We note the applicant's comments about the implications of the slow delivery of housing under the current Local Plan. This does not however mean that this or any other application should automatically be consented if there are significant concerns about the impacts of the proposed development. We believe there are significant and demonstrable reasons why consent should not be given. Planning policy guidance is clear that an outline planning application should only be consented if the local planning authority is confident that it can approve an application for reserved matters at a later stage. We believe this is not the case with this particular proposal as the significant

adverse impacts cannot be mitigated by design, conditions or planning obligations and Blaby has no alternative but to refuse consent.

In considering this application, Blaby will need to give considerable weight to the intended policy changes that the Secretary of State has flagged up in her letter to local planning authorities of 30 July and the proposed changes to the National Planning Policy Framework currently out to public consultation. Whilst these reinstate mandatory housing targets, and give renewed emphasis for the need to deliver new housing, they do not give a green light to new housing in the greenbelt and greenfield sites. Rather they confirm that brownfield and previously developed or redundant land should be prioritised.

The proposed site of this development is a greenfield site on what is currently agricultural land and is outside the natural boundary of Littlethorpe village formed by Sycamore Road. It forms part of the area of separation between this community and others. As such its development would be contrary to Plan policies.

On a point of information, Littlethorpe is not covered by the Fosse Villages Neighbourhood plan and all references to its policies by the applicant are, therefore, irrelevant. Narborough Parish, of which Littlethorpe is situated, does not currently have a neighbourhood plan.

Our main reasons for objecting are that:

- Littlethorpe has seen a significant amount of new homes being built in recent years. The population of the village rose by 14% between 2001 and 2021. As the applicants point out, housing demand is consequently low in this locality compared to other areas of the District.*
- It will also increase the pressure on local services such as schools and GP*
- services which are already stretched.*
- Littlethorpe itself has few facilities. Much is made by the applicant that*
- facilities are available in Narborough but most are at a distance which*
- exceeds the recommended maximum and exceeds distances that many*
- seniors are able to walk comfortably. Added to which, Narborough and*
- Littlethorpe are separated by a level crossing on the main rail line. It is,*
- however, equally true to say that Narborough itself also has limited facilities*
- and many residents shop elsewhere. This proposal adds nothing by way of*
- community infrastructure.*
- Congestion at peak times within the Parish is chronic which has an impact on air quality as at peak times the level crossing can be closed for up to 20*
- minutes in any hour with long tail backs either side of the level crossing. Blaby has highlighted the impacts of local congestion associated with the level crossing in its evidence to the Hinckley Rail Freight Interchange Examination*
- in Public. The traffic impacts of this proposal will need to take into account the potential impacts of this proposal with others that are already in the system or coming down the line in the near future including the possibility of an increase in rail services. In a recent survey, congestion was seen as one of the main negatives of living in our community. Evidence from this Parish to the Examination in Public showed that at peak times traffic queues back almost as far as the main B4114 in Narborough. We contend that at peak times the additional flows travelling through*

Narborough to and from this development will lead to queues exceeding this and have wider implications than the applicant acknowledges for traffic flows at the B4114/Desford Road junction.

- Further modelling is required to show the full extent
- The proposed multiple road accesses onto Sycamore Way are inadequate
- and, in our view, will be unsafe.
- There is strong anecdotal evidence to suggest that the incidence of fluvial and surface water flooding in this area is increasing, presumably, in part, as a result of changes in weather patterns caused by climate change. Future risk cannot be adequately predicted by reference to historic data alone. The run off from this development from the SUDs and surface water is likely to
- exacerbate existing flooding issues and there are also concerns that the connection of extra homes to the foul sewage system could also lead to increased emergency discharges at peak times to local watercourses.
- Additionally, we disagree with the applicant that the run off will be towards the river though that would also contribute to increased fluvial flooding. It also flows in the direction of land which we own adjacent to the east of the site and which is already prone to surface water flooding at times of peak rainfall.
- Additionally we believe the site has a high water table so permeable
- membranes will not be effective in preventing run off.
- We believe that a more creative approach to habitat creation on site could
- avoid the need for off site biodiversity compensation and should be required.
- Whilst we support the concept of offsetting we do not support what is, in
- effect, the export of local biodiversity to other localities.

Finally, we note that the applicants propose a right of way from the proposed development onto the Littlethorpe Recreation Ground which is owned by the Parish Council. This has not been discussed with us. If permission was granted we would not accept the creation of any public rights over our property. Existing access to the Recreation Ground is permissive and we reserve the right to restrict access and have taken powers to do so through our byelaws. Additionally, the area through which this proposed access would emerge onto the Recreation Ground is one which we have recently agreed will be planted with trees.

For the reasons above, Narborough Parish Council strongly object to this application because of the impacts it would have on the existing quality of life of our residents and we support the objections made by residents who overwhelmingly oppose this development. We strongly urge Blaby District Planning Committee to refuse consent and demonstrate that it is committed to maintaining the quality of life and wellbeing of this community. There are strong and valid planning reasons why consent should be withheld.

If, however, consent were to be given, which we hope will not be the case, we would request a S106 contribution for the extension and enhancement of Littlethorpe Village Hall so that it is better able to serve a larger community.

Severn Trent Water – No comments received.

The Environment Agency – No objection subject to a condition that there are no changes to land levels in flood zones 2, 3a and 3b and that all built development is restricted to flood zone 1.

Comments on the **amended** submission for up to 14 dwellings

Blaby District Council, Active Travel Officer – No objection. The proposed site is adjacent to a potential further development site to the west. Were planning for the proposed site to the west granted, it would be desirable to exploit a natural desire line linking both developments to the corner of Sycamore Way. As such, it is suggested that the developer(s) create multi modal path on the southern edge of the site. Cycle parking within residential curtilages should also be provided.

Blaby District Council, Environmental Services – No objections subject to conditions – refer to earlier comments which are still relevant. The reduction in dwellings may result in fewer vehicle movements and therefore road traffic emissions but measures regarding cycle bays and EV charging are still encouraged. The sources of noise outlined (railway and M1 noise) still have the potential to impact the amenity of future residents therefore recommendation for submission of a noise impact assessment remains. The revised scheme may result in a shortened construction period but still necessary for a CEMP to be submitted to protect against noise, vibration, dust and other airborne emissions.

Blaby District Council, Neighbourhood Services – Comments. Previous comments still apply and guidance provided. [Officer comment – no comments were received previously but given the application is in outline form only, waste collection details will be considered in more detail at reserved matters stage].

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

Blaby District Council, Strategic Housing - Support the scheme. No affordable housing can be included as it is up to 14 dwellings. Accept the proposed market mix which will provide for 2 and 3-bedroom housing need albeit ownership and not social rent.

Leicestershire County Council, Archaeology – No objection subject to conditions. Refer to previous comments (No objection subject to a condition for a programme of archaeological works).

Leicestershire County Council, Developer Contributions – No objections subject to S106 contributions. Request for contributions towards secondary education (Brockington College) and library facilities (Narborough Library). Monitoring fees will also be required.

No contributions are sought for primary education as there is capacity at schools within a 2-mile catchment. No contributions are sought for post-16 education as there is sufficient capacity at Countesthorpe Academy. No contributions are sought for SEND (primary or secondary) as the site is for less than 100 dwellings. No contribution is sought for waste management facilities (household waste) as the amount falls below the threshold of £500.

Leicestershire County Council, Ecology – No objection subject to conditions/informatives. The amended bat report is acceptable and the recommendations within the report are suitable. Evidence of purchase of biodiversity credits by a habitat bank have been provided. The BNG metric indicates the illustrative landscape scheme will achieve 10% BNG. This, however, relies on achieving ‘good’ other neutral grassland where ‘poor’ condition other neutral grassland currently occurs. I would recommend providing evidence of how this habitat will be created and managed to target condition through a detailed Landscape Ecological Management Plan (LEMP) – this can be conditioned once the illustrative masterplan is finalised.

Leicestershire County Council, Forestry – No objection subject to conditions. The revised masterplan for the site indicates greater separation between the building plot and 3rd party tree T1 (birch) which is welcomed. A condition of planning should be for the production of an Arboricultural Impact Assessment, Tree Protection Plan and detailed landscape design and maintenance plan.

Leicestershire County Council, Highways – No objection subject to conditions and S105 contributions. The access arrangements are the same as the larger scheme. Recommend conditions relating to a Construction Traffic Management Plan, access implementation pre-occupation and provision of a dropped crossing with tactile paving across Sycamore Way. Contributions also sought for travel packs for each dwelling to inform residents of sustainable travel choices in the surrounding area.

Leicestershire County Council, Lead Local Flood Authority – [First response] **Further information required** – requests that further consideration is given to the use of the watercourse as an available outfall option which has been discounted due to third party land. Consideration of need for a Sequential Test.

[Second response] **No objection subject to conditions.** The option to discharge to the watercourse has been confirmed as discounted due to third party land between the application site and the watercourse. The LPA has confirmed that a sequential test is not required. Conditions recommended relate to surface water drainage and infiltration testing.

Leicestershire Police – No objection subject to a condition relating to crime prevention design measures to ensure the scheme meets Secured by Design Award standard.

Narborough Parish Council – Objection *“Notwithstanding the reduction in the number of dwellings proposed, Narborough Parish Council wishes to maintain its objection of October 2024. Its main concerns are that this site lies outside the current boundary of the village of Littlethorpe in previously undeveloped countryside. It reaffirms its view that the need for biodiversity compensation could be avoided by on-site mitigation. It also has concerns about the wider impacts on congestion, road safety, pressure on services, and the increased vulnerability of neighbouring areas to flooding as highlighted in its previous objection.”*

Leicester, Leicestershire and Rutland Integrated Care Board – No objection subject to S106 contributions. Request a financial contribution of £13,552 to go

towards The Limes Medical Centre, Enderby Medical Centre, Hazelmere Medical Centre and Northfield Medical Centre.

Severn Trent Water - No objection subject to condition re disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

The Environment Agency – No objection subject to a condition that there are no changes to land levels in flood zones 2, 3a and 3b and that all built development is restricted to flood zone 1.

Representations

106 objections were received in relation to the **original** submission for 46 dwellings as summarised below:

Principle	• Littlethorpe has had too much development • Overdevelopment, site not large enough for number of dwellings and flats; • Piecemeal application does not consider cumulative impact; • Unsustainable location; • Disproportionate increase to size of village when considered with other housing developments; • Removal of green space and separation of Littlethorpe from Narborough;
Housing	• Flats are not suitable for the village, it is a family village – flats will change the feel of the village; • Potential for less integrated population and demographic shift; • Need for affordable housing is for more 2-beds not 1 bed flats;
Highways	• Increase in congestion; • Existing parking on Sycamore Way and Biddle Road from commuters for the train station; • Access to close to corner bend to the west; • Highway safety concerns for pedestrians and children walking to school; • Insufficient parking for the housing and visitors; • A by-pass is needed; • Traffic survey of Sycamore Way does not inform the overall cumulative impact and done at the wrong time of the year (school holidays); • Sycamore Way is not wide enough for construction traffic;

	• Parking on the roads will cause a danger to pedestrians; • Will worsen existing parking on Sycamore Way; • Turning for refuse vehicles will not work as there are always parked cars on Sycamore Way at this point; • Traffic uses Littlethorpe as a cut through; • Would support if an exit road were built out onto the B4114 to eliminate traffic pollution; • Transport Statement is flawed as it does not assess the existing congestion along Riverside Way and the junction with Station Road and other village locations including when the railway barrier is down; • The peak time given in the Transport Statement of 9-10am is misleading as peak time is more likely to be 8-9am; • Proposed access will make getting off driveways of houses opposite difficult; • Transport Statement does not consider cumulative impact of other developments; • Sycamore Way should have double yellow lines;
Design	• Flats very close to the back of the footpath on Sycamore Way therefore not in keeping with existing development; • Visual impact of flats – contrast to village character; • Loss of local character as a dense urban style development; • Street pattern and density not in keeping; • No confirmation that the scale of housing will only be two storeys; • Housing will be higher than those on the opposite side of Sycamore Way
Flooding	• Increase risk of flooding; • Existing flooding already getting worse; • Flooding increase to Station Road; • Increased flooding could affect the railway line; • Housing on Sycamore Way suffering from subsidence due to being built up from the flood plain and flood waters will shift the ground more; • Flooding will restrict access to public footpaths; • Flood Risk Assessment is out of date; • No Sequential Test has been submitted; • Query technical data in the FRA; • Appendix A of FRA missing; • SUDs basin is not outside fluvial 1% AEP plus climate change; • Surface water to sewer connection does not follow the drainage hierarchy, will connect to Sycamore

	Way and will need to be pumped which is not sustainable; • Queries capacity for Severn Trent sewers for additional surface water flows;
Infrastructure	• Increased pressure on local services and facilities; • Existing services already cannot support existing residents; • Lack of public transport; • Doctor's surgery at capacity; • Primary school is at capacity; • No local dentists; • Pressure on hospitals; • Substantial investments needed to expand medical infrastructure and staff; • Greystoke Primary – public consultation on reducing pupil intake – more housing will leave it oversubscribed;
Environment	• Increase in pollution from traffic emission reducing air quality which is already bad; • Increase in noise from increased traffic – reducing tranquillity; • The proposal should include alternative heat sources such as ground source heat pumps and solar panels as standard; • Impact on wildlife due to loss of habitat; • No sewage capacity; • Loss of green space; • Trees and shrubs help to reduce CO2 emissions; • Loss of view; • Benefit of area to mental health; • Housing should be built from sustainable materials with renewable energy sources; • Insufficient landscaping; • Site is a wildflower meadow and is important ecosystem; • Degradation has occurred and is incorrectly stated on the application form – trees and hedgerows were removed – as evidenced on Google Earth – therefore Biodiversity Report is flawed and cannot be relied upon; • Further reptile surveys are required as that submitted has been completed outside of the optimal time;
Residential amenity	• Overlooking to existing housing and loss of privacy; • Impact of cars from new access opposite;

Other	• Increase in anti-social behaviour, especially at the park; • Troubling to have flats next to the park; • Safety of children using the adjacent park; • Claims of a primary school being planned for the village are not evidenced; • Planning Statement incorrect as refers to a Neighbourhood Plan which is not relevant and several appeal decisions not within Blaby District; • No Noise Assessment has been submitted given the proximity to the railway line and M1; • No assessment of other schemes in Littlethorpe including 24/0527/OUT has been made; • Speed survey file could not be opened;
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3 representations (1 of which also referred to objections listed above) referred to the following benefits of the proposal:

- There is a lack of one and two bedroom starter homes in the village and this will be beneficial;
- The proposal will provide affordable property in the village for elderly family members and will enable people in similar position to live here where there are good transport links;
- The proposal will utilise land that has seemed forgotten and overgrown;

17 objections were received in relation to the **amended** submission for 14 dwellings as summarised below:

Principle	• Contrary to Government's priority to direct housing to brownfield sites;
Housing	• Lack of affordable housing as just below the threshold;
Highways	• Increase in congestion on Station Road, Sycamore Way and through the village; • Congestion already a problem in the village and when the railway crossing barrier is down; • Local estate roads such as Sycamore Way were not built to cope with the extra amount of traffic from the proposal; • Rail users park their cars on Sycamore Way adding to congestion; • Does not appear to have correct turning space for bin lorries and emergency vehicles; • Visibility from proposed access; • Problems for construction traffic accessing the site;
Flooding	• Increase risk of flooding; • Existing flooding already getting worse;

	• The applicant has not followed advise from the LLFA and Severn Trent Water regarding the hierarchy for surface water drainage;
Infrastructure	• Extra pressure on schools, surgeries and railway parking; • Littlethorpe has few amenities; • The Limes Medical Centre is at capacity;
Environment	• Loss of green space for the village; • Loss of countryside; • Trees and bushes help with combatting CO2 emissions; • Loss of wildlife; • Impact on air quality from additional traffic; • The existing field enhances people's well-being;
Residential amenity	• Harm to amenity from the proposed access opposite existing housing on Sycamore Way;
Other	• Set a precedent for other applications for more housing in the future

Relevant History

There is no relevant planning history on the application site, but Members should be aware of the recent application on the adjacent site to the West set out below:

24/0527/OUT – Outline planning application for the erection of up to 155no. residential dwellings (including affordable housing) with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access point. All matters reserved except for means of access – Refused (Member overturn) on 18th February 2025.

The above application was refused for the following reason: *The proposed development is located in an area identified as Countryside on the Blaby District Local Plan (Delivery) Development Plan Document Policies Map. The loss of countryside would not be outweighed by the need to provide new housing development in this location including the density of development proposed. The District Planning Authority considers that the residential development of this greenfield site would represent an unwarranted intrusion of urban development beyond the existing well defined settlement boundary of Littlethorpe and would cause significant and demonstrable harm to the character and appearance of the local landscape and countryside and character of the village and thus would be contrary to Policy CS18 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and Policy DM2 of the Blaby District Local Plan (Delivery) Development Plan Document (2019).*

This application is currently pending an appeal (public inquiry).

EXPLANATORY NOTE

The Site

The application site comprises an area of land to the north of Sycamore Way in Littlethorpe consisting of 1.43 hectares of grazing land. The site is bordered by trees and landscaping to the north, west and east. The southern boundary is bordered by a timber post and rail fence and there is an existing access into the site in the south-eastern corner via a metal gate. To the east of the application site lies a children's play area and recreation ground and to the south there is existing residential development. The land to the west of the site comprises extensive areas of agricultural pasture and actively cropped land. The application site has been used for equine grazing.

The site lies outside the settlement boundary for Littlethorpe and therefore in an area of land defined as Countryside in the Blaby District Local Plan (Core Strategy) Development Plan Document (DPD) 2013. Littlethorpe is identified within the Core Strategy as a 'Medium Central Village' and the site is also designated as 'Green Wedge' in the Core Strategy.

The site is located within a mineral safeguarding area for sand and gravel and there are local wildlife sites to the north (outside the application site boundary) 'Osier Beds' consisting of wet woodland habitat, 'Thorpe Meadows and River Soar' consisting of mesotrophic grassland. There is also one nationally designated site within 2km of the application site; the Narborough Bog SSSI.

There is a landfill site to the north, this falls outside but adjacent to the application site boundary. The railway line to Narborough station is also beyond the application site to the north.

The River Soar runs adjacent to the railway line to the north of the site and a tributary of the River Soar runs within the woodland adjacent to the north of the application site. Part of the application site lies within flood zones 1, 2, 3a and 3b associated with the River Soar. These areas are in the northern and eastern areas of the site but lies outside the proposed built-up area. There are pockets of low, medium and high surface water risk along the northern boundary of the site adjacent to the wooded area and in the adjacent recreation ground.

The Proposal

The proposal seeks outline consent for residential development for up to 14 dwellings on the site. The scheme was reduced in March 2025 from a proposal of up to 46 dwellings. All matters are reserved for future consideration, with the exception of 'access'.

An "Illustrative Master Plan" has been submitted which shows a new access into the site from Sycamore Way between the junction with Williams Close and the bend to the west. The internal access road is proposed in a horseshoe with all built form located in the south-western part of the site. The remainder of the site is shown as public open space, with an attenuation basin, wildflower meadows and hedgerows.

Supporting Documents

The application has been submitted with the following supporting information (amended as necessary to relate to 14 dwellings):

- Planning Statement;
- Design and Access Statement;
- Arboricultural Survey;
- Tree Survey;
- Archaeological Evaluation;
- Littlethorpe Design Code;
- Flood risk Assessment;
- SUDs Drainage Strategy and calculations;
- Biodiversity Net Gain report and BNG metric calculations;
- Ecological Appraisal;
- Interim Bat Report;
- Reptile Report;
- Phase 1 Geo-Environmental Report;
- Transport Statement;
- Swept Path Assessment;
- Speed Survey;
- S106 Draft Heads of Terms;
- Sustainability Strategy;
- Topographical Land Survey;

Planning Policy

National Planning Policy Framework (2024)

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

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 clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 2 of the NPPF identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Paragraph 2 also indicates that the NPPF is a material consideration in planning decisions.

Paragraph 10 of the NPPF and Policy CS1 and CS24 of the Blaby District Council Core Strategy (2013) set out a presumption in favour of sustainable development. Development proposals that accord with the Development Plan should be approved unless other material considerations indicate otherwise.

The Council has reviewed and published an updated housing land supply position in March 2024. This confirms that the Council cannot demonstrate a five-year supply of deliverable sites. As this proposal involves the provision of housing, the application before members should therefore be considered in terms of its accordance with NPPF paragraph 11d and other material considerations. This does not mean that the policies of the Local Plan are ignored but that their requirements can be considered, and given weight, where they accord with the policies of the NPPF.

Paragraph 11 of the NPPF sets out a presumption in Favour of Sustainable Development. It states that plans and decisions should apply this presumption, especially when there are no relevant policies in the Development Plan or when the relevant policies are 'out of date'. In such cases, permission should be granted unless 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.

Blaby District Council has recently published an updated housing land supply position. This update confirms that the Authority can currently demonstrate a 3.53 year housing land supply. This is notably less than the five-year supply requirement outlined in paragraph 72 of the NPPF.

As a consequence of the change in the housing figures required, Paragraph 11(d) of the NPPF is triggered. Paragraph 11(d) of the NPPF, provides that permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole 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. Therefore, sustainable development should be approved unless other material considerations indicate otherwise.

There are no assets of particular importance (as listed in footnote 7 of the NPPF) which provide a clear reason for refusing the application. It is therefore necessary to assess the proposals against limb two of paragraph 11d, i.e. whether the adverse effects of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. Footnote 8 of Paragraph 11 of the NPPF states that the housing policies are to be out-of-date where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, permission should not usually be granted unless other material considerations indicate otherwise.

Paragraph 61 of the NPPF says to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.

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

The adopted Core Strategy (February 2013) is part of the Development Plan for the District of Blaby. The Council cannot demonstrate a five-year supply of deliverable sites. As this proposal involves the provision of housing, the application is being considered in terms of its accordance with NPPF paragraph 11d and other material considerations.

Policy CS1 – Strategy for locating new development

Policy CS1 sets out the overall strategy for locating new development in the district. It states that most new development will take place within and adjoining the Principal Urban Area (PUA) of Leicester, comprising the 'built-up' areas of Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva.

Outside of the PUA, development will be focused within and adjoining Blaby and the settlements of Enderby, Narborough, Whetstone and Countesthorpe (the 'Larger Central Villages'). Lower levels of growth will be allowed in the Rural Centre, Medium Central Villages and Smaller Villages where the scale of development will reflect the settlement's range of available services and facilities and public transport alternatives. Littlethorpe falls within the Medium Central Villages.

Policy CS2 – Design of new development

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

Policy CS5 – Housing distribution

Policy CS5 provides the minimum housing requirements for settlements across the District. Littlethorpe falls within the Medium Central Villages which also includes Littlethorpe, Huncote, Cosby and Croft and there is a combined requirement in this area to provide at least 815 dwellings over the plan period.

Policy CS8 – Mix of housing

Policy CS8 states that residential proposals for developments of 10 or more dwellings should provide an appropriate mix of housing type (house, flat, bungalow, etc.), tenure (owner-occupied, rented, intermediate) and size (bedroom numbers) to meet the needs of existing and future households in the District, taking into account the latest Strategic Housing Market Assessment and other evidence of local need. The Council will encourage all housing to be built to 'Lifetime Homes' standards, where feasible

Policy CS10 – Transport infrastructure

Policy CS10 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 states that new developments must be supported by the required physical, social and environmental infrastructure at the appropriate time. It states that the Council will work in partnership with infrastructure providers, grant funders and other delivery agencies to ensure that development provides the necessary infrastructure, services and facilities to meet the needs of the community and mitigates any adverse impacts of development.

Policy CS12 – Planning obligations and developer contributions

Policy CS12 states that where requirements for infrastructure, services and facilities arising from growth are identified through robust research and evidence, it is expected that developers will contribute towards their provision (and in some cases maintenance). Planning obligations and developer contributions will be guided by the Council's latest Planning Obligations and Developer Contributions SPD and other evidence of need. Any requests for contributions must be assessed by the Council under the requirements of Community Infrastructure Levy Regulations 2010. Section 122 of the Regulations set out in statute 3 tests against which requests for funding

under a section 106 agreement has to be measured. These tests are that the obligation is: a. necessary to make the development acceptable in planning terms; b. directly related to the development; and c. fairly and reasonably related in scale and kind to the development.

Policy CS14 – Green infrastructure

Policy CS14 states that Blaby District Council and its partners will seek to protect existing, and provide new, 'networks of multi-functional green spaces'. The proposed development provides traffic free green infrastructure corridors and other area of natural green space and informal open space.

Policy CS15 – Open space, sport and recreation

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

Policy CS16 – Green Wedges

Policy CS16 states that Green Wedges are important strategic areas. They will be designated in order to:

- Prevent the merging of settlements;
- Guide development form;
- Provide a green lung into the urban areas; and
- Provide a recreation resource.

Green Wedges will be maintained in the following general locations:

(c) Between Whetstone, Enderby, Glen Parva, Braunstone, Blaby, Littlethorpe, Narborough and Cosby (Soar Valley South);

Policy CS18 – Countryside

States that within areas designated as Countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. It also states that the need to retain Countryside will be balanced against the need to provide new development (including housing) in the most sustainable locations. It states that the detailed boundaries of Countryside will be determined through the Allocations, Designations and Development Management DPD (now the Delivery DPD, adopted February 2019)

Policy CS19 – Biodiversity and Geodiversity

Policy CS19 seeks to safeguard and enhance sites of ecological and geological importance of national, regional and local level significance. The policy also states that the Council will seek to maintain and extend networks of natural habitats to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats. The policy also seeks to protect those species which do not receive statutory protection but have been identified as requiring conservation action.

Development proposals should ensure that these species and their habitats are protected from the adverse effects of development through the use of appropriate mitigation measures. The policy also states that the Council will seek to ensure that opportunities to build in biodiversity or geological features are included as part of the design of development proposals.

Policy CS20 – Historic environment and culture

Policy CS20 states that the Council will take a positive approach to the conservation of heritage assets and the wider historic environment through protecting and enhancing heritage assets and their settings and expects new development to make a positive contribution to the character and distinctiveness of the local area.

Policy CS21 – Climate Change

Policy CS21 supports development which mitigates and adapts to climate change. It refers to focussing new development in the most sustainable locations, seeking site layout and sustainable design principles which reduce energy demand and increase efficiency, encouraging the use of renewable, low carbon and decentralised energy, and minimising vulnerability and providing resilience to climate change.

Policy CS22 – Flood risk management

Policy CS22 states that the Council will ensure all development minimises vulnerability and provides resilience to flooding, taking into account climate change. Among other measures the policy refers to managing surface water run-off to minimise the net increase in the amount of surface water discharged into the public sewer system.

Policy CS23 – Waste Policy

CS23 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 indicates that when considering development proposals Blaby District Council will take a positive approach that reflects the presumption in favour of sustainable development.

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

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

Updated Policy CS15 – Open space, sport and recreation

This supersedes the Core Strategy Policy CS15 and seeks to ensure that residents have access to sufficient, high quality, accessible open space, sport and recreation

facilities. The policy has been updated as the Council commissioned an updated assessment of open space, sport and recreation facilities in the District (Open Space Audit 2015). The information gained was used to review the locally derived standards, contained in Policy CS15, to ensure that existing and future communities have access to sufficient open space, sport and recreation facilities. The standards for the provision of open space per 1000 population have therefore been updated accordingly. There are no specific standards for the provision of outdoor sports space but the Open Space Audit gives guidance on where there are quantity and quality deficiencies.

Policy DM2 – Development in the Countryside

Policy DM2 states that in areas designated as Countryside on the Policies Map, development proposals consistent with Core Strategy Policy CS18 will be supported where specific criteria are met:

- I. The development is in keeping with the appearance and character of the existing landscape, development form and buildings;
- II. The development provides a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by the existing or new occupiers;
- III. The development will not undermine the vitality and viability of existing town, district and local centres.

Policy DM4 – Connection to Digital Infrastructure

Policy DM4 states that all new build major residential and commercial development should be served by fast, affordable and reliable broadband connection in line with the latest Government target. It states that developers will liaise with broadband infrastructure providers to ensure that a suitable connection is made. The wording of the policy was amended following public examination to state that new development should be served by this type of infrastructure rather than specifically requiring it. This was considered necessary to introduce flexibility into the policy given that delivery of a broadband connection would likely be reliant on a third-party contractor over which a developer is unlikely to have any control.

Policy DM8 – Local Parking and Highway Design Standards

Policy DM8 seeks to provide an appropriate level of parking provision 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 DM11 – Accessible and Adaptable Homes

Policy DM11 requires development proposals for housing of 20 dwellings or more to meet the Building Regulations Standard M4(2) for 5% of the dwelling unless there are site specific factors which make the site less suitable for M4(2) compliance dwellings, and/or where the applicant can demonstrate that the use of this Building Regulation Standard is not viable through an independent viability assessment to be submitted with the application. Amendments were made to the policy during public examination which changed the threshold for the application of the policy from 10 dwellings to 20

dwellings, and inserted criteria into the policy to ensure that there is sufficient flexibility in applying the policy requirement to take account of circumstances where it can be demonstrated that it would not be viable.

Policy DM12 – Designated and Non-designated Heritage Assets

Policy DM12 states that all new development should seek to avoid harm to the heritage assets of the District. Development proposals that conserve or enhance the historic environment will be supported. The policy states that designated heritage assets and their settings will be given the highest level of protection to ensure that they are conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment. Where substantial harm is identified, proposals will only be supported in exceptional circumstances in accordance with national planning guidance. Where a less than substantial level of harm is identified, the scale of harm will be weighed against the public benefits of the proposal.

Policy DM13 – Land Contamination and Pollution

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

Policy DM15 – Minerals Safeguarding Areas

States that development proposals in areas identified for mineral safeguarding will need to ensure that mineral resources of national or local significance are not needlessly sterilised by non-mineral development. The minerals safeguarding areas are set out in the Minerals and Waste Local Plan and include land in the Soar and Sence Valleys and land in the vicinity of Croft Quarry.

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 Developer Contributions Supplementary Planning Document (2024)

This Supplementary Planning Document outlines Blaby District Council's strategy for securing relevant developer contributions in relation to new development. It sets out when Blaby District Council will request contributions, whether for the District Council or on behalf of another service provider, and how the payments will be collected, distributed and monitored. The document also sets out that the Council will seek and encourage developers to make contributions appropriate to provide suitable facilities for recycling and waste collection, for example wheelie bins. Paragraph 4.3.34 notes that to cover the cost of bins for refuse and recycling, £49.00 per household will be sought on all major schemes.

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

This Supplementary Planning Document contains additional detail and guidance on how Blaby District Council will interpret and apply specific policies contained in the Local Plan and will be a material consideration in the determination of planning applications. The objectives of the SPD are:

- I. To provide guidance regarding the interpretation of policies CS7 and CS8 of the Blaby District Local Plan (Core Strategy);
- II. To address local imbalances in both the market and affordable housing stock; and
- III. To optimise the provision of affordable housing to meet identified needs.

Leicestershire Minerals and Waste Local Plan

Provides policies on the future scale and pattern of minerals development across Leicestershire, and how it will be controlled.

Blaby District Landscape and Settlement Character Assessment (2020)

Provides up-to-date landscape and settlement evidence to inform the emerging Blaby Local Plan and help guide development management decisions. The assessment states that “understanding the character of a place is a key part of ensuring the protection and enhancement of built and natural environments, managing sustainable economic growth and improving the health and wellbeing of local communities”.

Blaby District Council Open Space Audit (December 2015)

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

Blaby Residential Land Availability Report (March 2024)

Shows the progress that has been made towards meeting the District's housing requirements that are set in the adopted Local Plan (Core Strategy) Development Plan Document (2013). The residential land availability position is monitored on an annual basis and this statement shows the latest published position as of 31st March 2023.

Joint Strategic Flood Risk Assessment Final Report (October 2014)

The purpose of this document is to provide information on the changes to planning, policy and guidance since the previous Strategic Flood Risk Assessment, provide a detailed assessment of any flood hazard within the Flood Zones, provide information on existing defences and flood risk management measures, allow a sequential approach to site allocation.

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

Provides evidence on the potential supply of both housing and economic development land in the District of Blaby.

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

Provides evidence regarding the overall need for housing, and type and mix of housing needed; together with an assessment of the quantity and type of employment land needed to inform local and strategic plans in Leicester and Leicestershire.

Planning Considerations:

- The principle of the development and the 5-year housing land supply position
- The impact of the development on the Countryside and Green Wedge
- Affordable housing and housing mix
- Highway safety
- The impact on residential amenity
- Impact on heritage assets
- Drainage and Flood Risk
- Ecology and biodiversity net gain
- Trees and hedgerows
- Pollution – Contamination, Noise and Air Quality
- Mineral safeguarding
- Waste
- Developer contributions and infrastructure
- Overall planning balance and conclusion

Principle of development and the 5-year housing land supply position

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

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

As of March 31st, 2024 a total of 2,596 homes had been completed in the PUA. To meet the identified PUA requirement there is a need for around 552 homes per annum to be delivered in the PUA until the end of the plan period (total 3,154). Forecast completions in the PUA to 2029 are around half this number and it is unlikely that

housing delivery will accelerate in the PUA sufficiently to address the shortfall by the end of the Plan period.

Outside of the PUA, Core Strategy Policy CS1 states development will be focussed within and adjoining the settlements of Enderby, Narborough, Whetstone and Countesthorpe, referred to as the 'Larger Central Villages', as identified in the Housing Distribution Policy CS5. Outside the non-PUA, development should be focused within and adjoining Blaby and the Larger Central Villages (i.e., Enderby, Narborough, Whetstone and Countesthorpe), with lower levels of growth allowed in the Rural Centre (Stoney Stanton), Medium Central Villages and Smaller Villages. Littlethorpe is classified as a Medium Central Village.

Housing delivery in the non-PUA has exceeded the minimum housing requirement set out in the Plan. The Council's recently published Residential Land Availability (RLA) report indicates that as of the 31st March 2024, 3,942 homes had been delivered in the non-PUA. The plan indicates a minimum requirement in the non-PUA of 2,990 dwellings. The RLA indicates that around 133 further homes may be completed in the non-PUA before 2029. Although delivery is now slowing in the non-PUA (mainly as a result of a lack of available committed sites) opportunities to deliver housing development of a type and scale needed to facilitate an increase in delivery in the near term are greater in the non-PUA than the PUA mainly due to the constrained nature and large scale of the sites being promoted for development in the PUA.

Policies CS1 and CS5 identify Littlethorpe as a 'Medium Central Village' (along with the settlements of Sapcote, Huncote, Cosby and Croft). Littlethorpe has a minimum combined housing requirement of 815 dwellings between 2006 and 2029. It should be noted that this figure is a minimum requirement and is not a cap. Against this requirement, 1166 houses had been completed across the medium central villages as of 31st March 2024, resulting in the minimum requirement having been exceeded by 351 dwellings.

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

The application site is located outside of the Settlement Boundary of Littlethorpe on land designated as Countryside on the Blaby District Local Plan Policies Map (2019). It is not an allocated site for housing development and in this context is contrary to the adopted Development Plan. However, there is currently an overall under delivery of houses within the District as a whole, with the Council only being able to demonstrate a 3.53-year housing land supply, notably less than the five-year supply requirement outlined in the NPPF. The policies of the Development Plan which relate to the supply of housing are therefore considered out-of-date and the 'tilted balance' towards approval as set out in paragraph 11d of the NPPF should be applied.

Paragraph 11 states that where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites, footnote 8 of the Framework establishes that

housing policies which are important for determining the application may be out of date.

Limb (i) of NPPF paragraph 11d sets out that where the proposal conflicts with NPPF policies which protect areas or assets of particular importance, these can offer a clear reason to refuse an application. These are generally nationally designated areas such as SSSI's, designated Local Green Space, AONBs and designated heritage assets.

In this instance, the application site is not in an area statutory protected area, and therefore the NPPF's presumption in favour of sustainable development and the 'tilted balance' described in paragraph 11d(ii) applies. The shortfall in the supply of deliverable housing sites should therefore be weighed in the planning balance and means that, in accordance with the presumption in favour of sustainable development (at paragraph 11d), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits if planning permission is to be refused.

With regard to Policy CS1 and CS5 it is considered that the overarching need to deliver sufficient homes as set out in the NPPF should take precedence over the Council's policy to concentrate growth in the PUA, particularly given the Council's shortfall in its housing land supply position. In light of this shortfall and given the lack of deliverable sites within the PUA, it is considered necessary to provide additional housing in the near-term outside the PUA where this provision accords with the NPPF and relevant policies in the Plan. It is therefore considered that the provision of new homes does not significantly conflict with Policies CS1 and CS5, nevertheless it is considered that the weight assigned to Policies CS1 and CS5 with regard to the distribution of housing development throughout the District should be reduced reflecting the Council's lack of sufficient housing supply with respect to the 'tilted balance'.

The supporting text to Policy CS5 comments that Littlethorpe has only a limited range of services and facilities within the village. Notwithstanding this, it is located close (within walking and cycling distance) to the centre of Narborough which contains a wide range of services and the only passenger train station within the District. The strong functional relationship between Littlethorpe and Narborough entails that new development could allow easy access to services and public transport in the latter. Littlethorpe has some policy and physical limitations including flooding and Green Wedge but the SHLAA indicated significant potential for residential development in the long term.

The application site is located a 3-4minute walk to the two public houses (The Old Inn and The Plough Inn), an 8 minute walk from the centre of Narborough and is approximately 0.6 miles away or a 12 minute walk from the closest primary school, Greystoke Primary School which has capacity for 420. The route to Narborough to access a wider range of services and facilities is via a public footpath adjacent to the highway. Cosby Primary School is also located some 1.5 miles from the site and has a capacity for 315 pupils providing a further option for residents.

The proposed development would provide a small but meaningful contribution towards the shortfall of housing, whilst providing financial contributions to mitigate the impact on local facilities and infrastructure. It is therefore considered that releasing this site

would contribute towards the Council's required 5-year supply of housing as required by the NPPF.

In conclusion, the principle of residential development in this location is acceptable and complies with the aims and objectives of Policy CS24 and the NPPF in terms of the presumption in favour of sustainable development and does not directly conflict with Policies CS1 and CS5 of the Blaby District Local Plan (Core Strategy) although less weight can be given to them at this time.

The impact of the development on the Countryside and Green Wedge

As well as being located outside of the settlement boundary as set out above, the application site is also within an area designated as a Green Wedge in the Core Strategy. This is a local designation and Policy CS16 states that their purpose is to prevent the merging of settlements, to guide development form, to provide a green lung into urban areas and provide a recreation resource. In this location, the Green Wedge between Littlethorpe and Narborough extends to the east towards Whetstone and to the south towards Cosby. Policy CS16 states that the need to retain Green Wedges will be balanced against the need to provide new development (including housing) in the most sustainable locations. Given the Council's current inability to demonstrate a 5-year housing land supply as set out in the sub-section above, the need for housing currently holds greater weight in the planning balance than the retention of the Green Wedge.

Notwithstanding the encroachment of housing development into the Green Wedge, a substantial area of Green Wedge in this location will still remain, both within the application site (the northern part of the site is not proposed to be developed due to being within the floodplain) and the additional land to the north (south of the River Soar and railway line, outside the application site boundary).

This area of land is also classed as Countryside under Policy CS18 of the Core Strategy. Policy CS18 states that in the countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. It requires the need to retain countryside to be balanced against the need to provide new development (including housing) in the most sustainable locations.

Policy DM2 provides more specific policy guidance for development that is appropriate in the Countryside, consistent with Policy CS18. Policy DM2 permits only certain categories of residential development in the Countryside, including those dwellings that meet the essential needs for a rural worker in agriculture, forestry, employment, and leisure, or other similar uses appropriate to a rural area and replacement or the change of use, adoption and extension of existing dwellings.

The site does not fall under any of the categories identified in Policy DM2 and is contrary to both policies CS18 and DM2 in principle terms. The purpose of these policies is to protect the open and generally undeveloped nature of the countryside. Neither does it fit with any of the specified development types appropriate in countryside locations in the NPPF. However, as noted previously the policies set out in the Local Plan and the NPPF should be applied flexibly in the context of the 'tilted

balance' given the identified housing land supply position and given that new housing sites to meet the lack of supply will, in most instances, need to be outside of existing settlement boundaries within the Countryside.

Policy DM2, sets out criteria to be met for development proposals consistent with Policy CS18. This includes that the development shall be in keeping with the appearance and character of the existing landscape, development form and buildings, having regard to the Blaby Landscape and Settlement Character Assessment, Leicestershire and Rutland Historic Landscape Characterisation Study, National Character Areas and any subsequent pieces of evidence.

In the Blaby District Character Assessment, the site is within the Sence and Soar Floodplain noting that *'This character area is large and varied, following the narrow floodplain of the Soar and Sence rivers which flow between the settlements to the south-west of Leicester including Enderby, Blaby, Glen Parva, Narborough, Littlethorpe and Braunstone Town. The character area is a low-intensity managed landscape with a naturalistic feel shaped by riparian vegetation and well-developed hedgerows. The edges of the character area are defined by urban development, which can detract from the landscape where there are hard urban edges'*. It goes on to note that this character area is large and varied, following the narrow floodplain of the Soar and Sence rivers which flow between the settlements to the south-west of Leicester including Enderby, Blaby, Glen Parva, Narborough, Littlethorpe and Braunstone Town. This character area is assessed as having a medium sensitivity to 2-3 storey residential development. This area is considered mostly to comprise grade 4 (poor) agricultural land along watercourse but some grade 3 on the edges.

In the context of a lack of a 5-year housing land supply, the development of this site into the Countryside provides for a logical extension of the village directly from Sycamore Way. The reduction in the number of dwellings to a maximum of 14 and ability of the site to maintain open space to the north and east will ensure that the development sits comfortably within the landscape and does not erode all of the Green Wedge in this location. Longer range views of this site are not overly evident given the substantial landscaping to the north and the existing housing and development to the south. There is a public right of way out of the village to the West from Oak Road which goes out to Lodge Farm and beyond and views of the development of the application site would be possible from this location, but it would be read in the context of the rest of the village.

As a result, although there will be some loss of the Green Wedge and Countryside in this location, the harm is considered to be lesser than the need to provide more housing in the District in the context of the housing land supply position. Policy CS16 allows flexibility for the retention of the Green Wedge to be balanced against the need to provide new housing development so in this sense it is considered to comply with Policy CS16 of the Blaby District Local Plan (Core Strategy). Equally, Policy CS18 allows provision for new housing development when required, which is the case in this instance and the proposal will not cause significant harm to the character and appearance of the area.

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

scheme, which will be required as part of the reserved matters application and further to this, the measures for Biodiversity Net Gain to improve the biodiversity in the area would also be secured for a period of 30–years.

The developable area of the site is 0.55ha which equates to a density of 25 dwellings per hectare. 60% of the site will be allocated as public open space. The application has been submitted with a Design Code which sets a number of parameters for the reserved matters application, including the use of suitable and sustainable materials and renewable energy measures. It also says that the scale of the dwellings will be no more than two-storey in height.

The proposal is therefore intended to provide a high-quality development that uses sustainable methods of construction and materials and will provide a safe environment for proposed residents.

As this is an outline application, more detail regarding the design of the dwellings and their sustainable construction will come at the reserved matters stage and further consideration will be given to ensuring that the resulting design of the development will comply more specifically with Policy CS2, CS21 and CS18 of the Blaby District Local Plan (Core Strategy) and Policy DM2 of the Blaby District (Delivery) Development Plan Document. However, as a result of the assessment of the application at this outline stage, the proposal will be able to demonstrate that it can comply with these policies and the NPPF.

Affordable housing and housing mix

Policy CS7 of the Core Strategy requires developments of more than 15 dwellings to provide 25% as affordable housing. As this application is for 14 dwellings, it falls below the threshold for requiring affordable housing and therefore this is not relevant in this instance. Policy C8 of the Core Strategy requires residential proposals of 10 or more dwellings to provide for an appropriate mix of housing types which will be informed by the latest Strategic Housing Market Assessment.

The proposal currently seeks to provide for the following market mix:

- 1 bedrooms – none
- 2 bedrooms – 6 dwellings
- 3 bedrooms – 6 dwellings
- 4 bedrooms – 2 dwellings

These dwellings will comprise a mix of semi-detached, detached, terraces and two bungalows at this stage. The Council's Strategic Housing Team have been consulted on the proposals and have no objections to this mix as it will provide for two and three bedroom housing need. Although the mix is stated in this outline application, as all matters are reserved except for access, the final market mix could change from that set out above, although it will still need to be informed by the latest Strategic Housing Market Assessment. However, it is unlikely to alter significantly from that set out.

As such the proposal complies with Policy CS8 of the Blaby District Local Plan (Core Strategy) and the NPPF.

Highway Safety

The proposal seeks to create a new vehicular access point into the site from Sycamore Way. Access is to be considered at this outline stage as it is not a reserved matter although the internal access roads will not be considered. The Design and Access Statement considers the proposal to be a low-speed site which will be walking and cycling friendly.

Policy CS10 of the Core Strategy seeks to ensure that there is sufficient transport infrastructure for developments and Policy DM18 of the Delivery Local Plan required developments to have the required level of parking and comply with the Leicestershire Highways Design Guidance. Para. 116 of the NPPF states that development should only be refused on highway grounds if it would have an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

The application has been submitted with a Transport Statement which includes a Stage 1 Road Safety Audit, together with a speed survey and swept path analysis drawings. The supporting documents were produced based on the original 46 dwelling scheme and are therefore still applicable to the amended 14 dwelling scheme.

The Local Highway Authority (LHA) have reviewed the proposals and have no objections and consider the access arrangements to be acceptable and accord with their Design Guide which includes suitable visibility splays. The access will be 4.5m wide and include 2m footways on either side to provide footpath connections into the site.

As this is an outline application the internal layout will not be finalised until the reserved matters stage when 'layout' will be considered. However, the illustrative layout shows a primary road in a 'n' shape with a secondary private drive to the front adjacent to Sycamore Way. Although this is subject to change, it demonstrates that a suitable road hierarchy can be achieved at the site to serve the dwellings.

Other pedestrian footpaths are shown within the open space and around the attenuation basin to create recreational routes and open the site up for public amenity. There is currently no pedestrian link shown through to the recreation ground/play area to the east of the site but access is easily achieved via Sycamore Way.

The Council's Active Travel Officer has suggested that a footpath connection with the land to the west would be desirable in the event that the land to the west was developed. However, at this stage, given this is an outline application, the detail of the internal footpath arrangements would need to be determined at reserved matters stage. Any gap through the boundary would require agreement with the adjacent landowner and so at this stage it is premature until it is known if that site will be developed. For this reason it would not be possible to condition this link or require it as part of the S106 agreement. As this is a desirable feature to consider in the future rather than necessary to make the development acceptable in planning terms, the request from the Active Travel Advisor cannot be incorporated into this scheme at this time.

Resident's concerns regarding congestion on Sycamore Way and in the village generally are noted. However, the reduction in the scheme from 46 dwellings to 14 will result in a significant reduction in the proposed two-way vehicle movements in the peak AM and PM. The LHA did not have any concerns with the trip generation for the 46 dwelling scheme which was due to result in 25 two-way vehicle trips in both the AM and PM peak hours. This will now be reduced to 7 two-way trips in the AM peak hour and 8 two-way trips in the PM peak hour. It is therefore considered by the LHA that there is capacity in the road network to accommodate these additional movements.

Car parking will be considered at the reserved matters stage as this will be dependent on the final dwelling mix and number of bedrooms as to the parking requirements. However, the car parking proposed should comply with the Leicestershire Highways Design Guide which requires parking of 2 spaces for up to 3-bedrooms and 3 spaces for 4-bedroom plus.

The LHA also considers the site to be able to offer other sustainable modes of transport via walking, cycling, bus and train. The LHA have also requested the provision of travel packs for first occupiers of the dwellings which will inform residents regarding other options for sustainable travel and accords with the provisions of Policies CS11 and CS12 of the Core Strategy regarding the provision of infrastructure and planning obligations. Conditions will be imposed relating to EV charging points and other highway matters as requested by the LHA.

As a result, the proposal will accord with Policy CS10 of the Blaby District Local Plan (Core Strategy), Policy DM8 of the Blaby District (Delivery) Development Plan Document and Para. 116 of the NPPF.

The impact on residential amenity

Policies CS2 of the Core Strategy and DM2 of the Delivery Local Plan seek to ensure new development is sympathetic to the local context and protects existing residential amenities and provides for safe environments.

As this is an outline application, the only matters in relation to residential amenity that can be considered at this stage relate to the principle of the development and the proposed access. The site comprises 0.55 hectares of developable land outside of the flood zones which translates to a density of 25 dwellings per hectare. This area of land is therefore able to accommodate new residential development in various forms to ensure that there will be no harm to existing residential amenities or that of future occupiers. An Illustrative Masterplan has been submitted with the application which demonstrates how the site could be developed. This shows housing continuing the line of existing housing to the north and further housing fronting Sycamore Way. Although this is only indicative at this stage and is likely to change, it adequately demonstrates how housing could be arranged on the site to ensure there is no harm to amenity. Any dwellings proposed on the frontage of Sycamore Way are a sufficient distance from existing housing and will only overlook the front of existing dwellings that is part of the public realm.

As far as the proposed access is concerned, although it is accepted that this is opposite a number of existing properties on Sycamore Way, this is a very common arrangement in residential areas. Although there will be a change of outlook and traffic movements will be more evident to properties opposite, this will not cause any significant harm to their amenity.

Crime prevention measures will be considered in more detail at the reserved matters stage but there is nothing to suggest that the development of this site would create an unsafe environment for existing or proposed residents. Resident's comments in relation to concerns regarding the safety of the adjacent playground and recreation area are noted but it is not considered that this development will give rise to any additional safety concerns. The Crime Prevention Design Advisor has requested a condition that the proposal complies with Secured by Design standards. This will not however be imposed as a condition at this stage as this can be imposed at the reserved matters stage once the layout and design of the proposed dwellings is known and if considered necessary at that stage.

Detailed proposals will be considered further at the reserved matters stage, but at this stage, the outline application is considered to be acceptable insofar as residential amenity is concerned and will comply with Policies CS2 of the Blaby District Local Plan (Core Strategy), Policy DM2 of the Blaby District (Delivery) Development Plan Document and the NPPF.

Impact on heritage assets

Policy CS20 of the Core Strategy and DM12 of the Delivery Local Plan seek to ensure the protection of heritage assets (designated and non-designated) and their settings.

The nearest listed buildings to the application site are located in Littlethorpe on Station Road and comprise The Plough Inn and The Old House, both Grade II listed. There are a number of other listed buildings within the centre of Narborough. There is minimal inter-visibility between these listed buildings and the application site and therefore the setting of these listed buildings will not be harmed. The nearest Conservation Area is in Narborough which protects much of the historic core and extends as far as the northern side of the railway line but this is a sufficient distance from the application site so its character and appearance will not be affected. There are no scheduled monuments or non-designated assets in close proximity to the application site that could be affected.

The site has been identified as having the potential for archaeology at the site and an Archaeological Evaluation was submitted with the application. Five ditches and five pits/post holes were recorded in the evaluation. These show possible evidence of field systems or enclosure boundaries and possibly date from the medieval or earlier period. No finds were recovered from the excavations. The County Archaeologist has considered the submitted evaluation and given the site has significant archaeological potential, a condition is recommended for a programme of archaeological work to be carried out in accordance with a Written Scheme of Investigation (WSI) which will be a pre-commencement condition.

The proposal is therefore in accordance with Policy CS20 of the Blaby District Local Plan (Core Strategy) and DM12 of the Blaby District (Delivery) Development Plan Document and the NPPF.

Drainage and flood risk

Policies CS21 and CS22 of the Core Strategy seek to ensure new development appropriately considers the risks associated with climate change and flooding in all new developments.

The application site as shown by the red line location plan includes land within flood zones 1, 2, 3a and 3b and land at low, medium and high risk of surface water flooding along the northern boundary of the site adjacent to the watercourse. However, all the proposed built development will be located within flood zone 1 (low risk of fluvial flooding).

Para. 175 of the NPPF states that a sequential test should be used in areas known to be at risk now or in the future from any form of flooding except where a site-specific flood risk assessment demonstrates that no built development will be located within the site boundary. This includes the access or escape routes, land raising or other potentially vulnerable elements.

A site-specific FRA has been submitted with the application which shows that all the built development will be located in flood zone 1 including the access road and that safe refuge and safe access and egress will be available at all times. As a result, a sequential test is not required in this instance. A condition will be imposed, as recommended by the Environment Agency, that all built development is restricted to flood zone 1 and for there to be no changes to land levels in flood zones 2, 3a and 3b.

Foul drainage is proposed to be connected to existing mains sewers, although further details will be conditioned.

Surface water drainage will be provided in the form of an attenuation basin and a private packaged surface water pump that will release at a maximum rate of 3.7l/s into an existing surface water sewer. The Planning Practice Guidance (PPG) advises that the surface water hierarchy should be first to discharge into the ground (infiltration), then into a surface water body (such as a lake or river), then to a surface water sewer and finally to a combined sewer. This proposal is looking to discharge via the third option although a condition will be imposed relating to infiltration testing prior to the commencement of development. Unfortunately, the applicant has not been able to secure discharge into a watercourse as this involved third party land and approval has not been given. As such, the current Drainage Strategy is to discharge into the existing mains sewer from the attenuation basin at a controlled rate.

The Lead Local Flood Authority have also considered the proposals and have no objections subject to conditions.

The proposal is considered to be in accordance with Policies CS21 and CS22 of the Blaby District Local Plan (Core Strategy) and the NPPF and the PPG.

Ecology and biodiversity net gain

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

Protected species:

An Ecological Appraisal has been submitted with the application, followed by further surveys relating to reptiles and bats. The Ecological Appraisal concluded that there are no internationally designated sites within 10km of the site and one nationally designated site (Narborough Bog SSSI) within 2km with 14 locally designated sites of nature conservation (local wildlife sites) within 1km. The majority are sufficiently distant from the application site to avoid impacts with best practice measures put in place to ensure the remaining sites are not negatively impacted. Habitats of greatest value include the hedgerows, scrub and other neutral grassland which should be protected, retained and enhanced where possible. The woodland to the north forming the northern boundary should be protected and buffered. Tall forbs habitats were largely of limited floristic diversity and their loss is not a constraint to the development. The habitats were generally considered to be of limited suitability for badgers, birds, great crested newts, otter and water vole but further surveys were recommended for reptiles and bats.

The reptile survey noted that whilst there are habitats within the site that provide suitable potential for reptile species, none were recorded during the seven presence/absence surveys conducted during 2024. It is therefore considered unlikely that reptiles are using the site. Additional planting proposed will provide habitats of greater value to this species and scrub due to be removed can be used to create brash/log piles along the northern boundary.

The Bat Report concluded that the site provides moderate foraging and commuting habitat for bats. Although some of this will be lost, these habitats are common and widespread throughout the local area. Mitigation in the form of sensitive lighting and bat boxes is recommended.

These have all been assessed by the County Council Ecologist and considered to be acceptable subject to a condition that the recommendations within the surveys are followed which will be imposed.

BNG:

Biodiversity Net Gain is now a mandatory requirement for all planning applications under Schedule 7A of the Town and Country Planning Act 1990. Development sites must deliver a minimum 10% net increase in biodiversity at the site in order to ensure a measurably better habitat than there was before development.

The application has been submitted with a Biodiversity Gain Report and BNG Statutory metric which considers the existing baseline habitat value and the potential for achieving 10% BNG following the proposed development.

The pre-development value of the site has been taken as that surveyed on 9th July 2024 prior to the application submitted. The BNG report states that there is no evidence to suggest that unauthorised degradation has taken place since 30th January 2020 so this date has been accepted. The resident's comments regarding degradation are noted and this has been checked with the applicant's Ecologist. They have confirmed that although some changes in vegetation structure appears to have changed between 2020 and 2021 this would not change the baseline value as the relevant habitat was recorded as the highest biodiversity value possible (scrubland of medium distinctiveness in good condition).

Baseline assessment:

Habitats: There BNG report states that there are no irreplaceable habitats present on the site. The majority of the baseline on-site habitat comprises "other neutral grassland" with patches of "mixed scrub", "blackthorn scrub", "bramble scrub" and "tall forbs". The grassland and areas of scrub are considered to be of "medium distinctiveness" whilst the "tall forbs" are of low distinctiveness. All range in condition from "poor", "moderate" to "good".

Hedgerows: The baseline hedgerow is a "native hedgerow" along the western and eastern site boundaries. It is considered to be in "good" condition but of "low distinctiveness".

Watercourses: None within the baseline

Impact of the proposed design:

Habitats: The boundary habitats to the north and east will be retained but all other habitats will be lost to facilitate the development.

Hedgerows: Both hedgerows to the western and eastern boundaries will be retained in full.

Habitat creation:

Habitats: Proposed habitat will be provided incorporating "other neutral grassland" to the north and east where pedestrian access is expected to be low with a target condition of "good" and of "medium distinctiveness". Further mixed scrub will be provided along the northern site boundary as a woodland buffer which will target a "moderate" condition of "medium distinctiveness". 28 native trees will also be planted across the site which will target a "moderate" condition and be of "medium distinctiveness".

Other areas likely to be used more by the public or to serve other purposes such as the attenuation basin and green verges will only be able to target a "poor" to "moderate" condition level and of "low" distinctiveness.

Hedgerows: Two new hedgerows with a combined length of 160m will be created along the southern boundary of the site which will use a diverse species mix and reach a “good” condition.

The BNG metric demonstrates that a 10.2% net increase can be provided in relation to habitat units and a 169.66% net increase in hedgerow units. The trading rules are satisfied in relation to hedgerow trading but not in relation to one of the medium distinctiveness habitat group. The habitat deficit is calculated to be 1.70 biodiversity units which would need to be compensated for through offsite compensation. The offsite compensation would need to deliver a total of 1.70 units of medium distinctiveness scrub and the specific details of how these would be delivered would be set out as part of the Biodiversity Net Gain Plan.

A legal agreement will be required to secure the long-term management and maintenance of the on-site biodiversity for 30 years as required by legislation. A Habitat Management and Monitoring Plan will set this out and this will include the ability to provide for this either by off-site land owned by the developer (to be registered), the purchase of off-site biodiversity units or purchase of Natural England statutory credits. The final BNG detail will be finalised at reserved matters stage and through the BNG Plan condition.

The development will ensure the protection of protected species and the provision of biodiversity net gain in accordance with Policy CS19 of the Blaby District Local Plan (Core Strategy), the relevant legislation set out in Schedule 7A of the Town and Country Planning Act and the NPPF.

Trees and Landscaping

Policies CS2 and CS14 of the Core Strategy seek to ensure that new development is in keeping with the existing landscaping and takes opportunities to improve green infrastructure. Policy DM2 of the Delivery Local Plan also seeks to ensure development is in keeping with the character and appearance of the landscape. There is a designated green infrastructure route to north of the site adjacent to railway line.

The application site includes a number of existing trees and hedgerows which have been assessed as part of a submitted Arboricultural Survey and Tree Survey. Most are considered to be Category A or B (high or moderate respectively) and all are considered to be in a good condition. There are only 2 category C trees (low quality) which are both Willow trees along the northern boundary and there are no category U trees (very poor condition).

This application is only in outline form and ‘landscaping’ is a reserved matter, therefore the final details are subject to change. However, the current proposals as described in the Design and Access Statement is for the site to be a “landscape-led” scheme. As set out as part of the biodiversity net gain proposals, additional landscaping is proposed to the north and east, the provision of a woodland buffer, wildflower meadows, green verges and the planting of 28 trees across the site. There will also be a new hedgerow along the southern boundary adjacent to Sycamore Way.

The application will enable the site to be opened up to the public and the provision of new amenity spaces to benefit existing and proposed residents which will also enhance existing green infrastructure. Further detail will be provided at the reserved matters stage, but conditions will be imposed as recommended by the County Forestry team with respect to the submission of an Arboricultural Impact Assessment and Tree Protection plan in order to consider the impact of the existing trees to be retained.

The proposal is considered to be in accordance with Policies CS2 and CS14 of the Core Strategy and Policy DM2 of the Delivery Local Plan and the NPPF.

Pollution – Contamination, Noise and Air Quality

Policies CS10, CS21 and CS23 of the Core Strategy seek to ensure that new developments do not cause adverse impacts in respect of matters concerning pollution with Policy DM13 of the Delivery Local Plan going into more specific detail.

Contamination:

The application site is agricultural in nature which may give rise to land contamination that could impact future site users. Additionally, the site is located within 250m of a former landfill, where migrating landfill gases have the potential to impact proposed dwellings.

A Phase I Desk Study (Georisk Management Ltd, ref: 24291/1, October 2024) has been submitted with the application which includes an appropriate assessment of previous site usages and potential contaminants, allowing for the development of a site conceptual model with relevant sources, pathways, and receptors. The preliminary risk assessment concludes a 'Very Low' to 'Low' risk regarding potential contaminant linkages for human health.

A Phase II intrusive ground investigation is recommended as the proposed development includes gardens and areas of soft landscaping. The investigation should include soil testing and an assessment of geotechnical ground conditions to inform suitable foundation design. A condition will be imposed relating to these later phases of contamination and remediation.

Noise:

The application site is located in proximity to a railway line which has the potential to adversely impact the residential amenity of future site users. Additional sources of noise may include road traffic (including M1 motorway) and adjacent dwellings. It is recommended that an acoustic survey is conducted to assess the potential impacts of these noise sources and to suggest mitigation where necessary. A condition will be imposed for this to be submitted as part of the reserved matters application.

Air Quality:

The application site does not fall within an Air Quality Management Area. It is accepted that the additional traffic from the development may contribute to road traffic emissions locally however this will be below the EPUK/IAQM criteria required for an air quality

assessment. The submitted Design and Access Statement states the applicant's intentions to install EV charging bays and cycle storage within the proposed site. Conditions will be required to require these measures to be in place to encourage sustainable methods of transport and reduce air pollutant concentrations associated with the development.

As a result, the proposal is considered to be in accordance with Policies CS21 and CS23 of the Blaby District Local Plan (Core Strategy), Policy DM13 of the Blaby District (Delivery) Development Plan Document and the NPPF.

Mineral Safeguarding

The application site lies in an area for mineral safeguarding for sand and gravel. Policy M11 of the Minerals and Waste Local Plan seeks to protect such areas from development except in certain instances, unless exempt. This application does not fall under one of the exceptions listed. One of those instances where permission will be granted is where there is an overriding need for the development.

No comments received from LCC Minerals and Waste team have been received in relation to this application however it is considered that this site would be unlikely to be suitable for extraction due to its close proximity to existing residential properties and the proximity to the village. As a result, it is not considered that this small scale proposal will conflict with the objectives of the Minerals and Waste Local Plan and specifically Policy M11.

Waste Collection

Policy CS23 of the Core Strategy seeks to ensure that new developments have the appropriate facilities in place in terms of waste management in order to keep waste to a minimum.

The Design and Access Statement states that provision will be made in either garages or gardens for refuse storage. The roads will also adhere to adequate widths to allow for refuse vehicles to enter the site for bin collection. However, as the planning application has been submitted for outline permission only at this stage, more detail will be provided as part of the reserved matters submission on the waste collection points and storage arrangements.

The proposal is therefore considered to be in accordance with Policy CS23 of the Blaby District Local Plan Core Strategy and the NPPF.

Developer contributions and infrastructure

Policy CS11 states that new developments must be supported by the required physical, social and environmental infrastructure at the appropriate time. It states that the Council will work in partnership with delivery agencies to ensure that development provides the necessary infrastructure, services and facilities to meet the needs of the community and mitigate any adverse impacts of development. Policy CS12 states that where requirements for infrastructure, services and facilities arising from growth are identified through robust research and evidence, it is expected that developers will

contribute towards their provision (and in some cases maintenance). The Council also has an adopted Supplementary Planning Document (SPD) on Planning Obligations and Developer Contributions which sets specific requirements and thresholds in Blaby District.

All planning obligations secured under Section 106 of the Town and Country Planning Act 1990 must also comply with the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and CIL Regulation 122 which sets out additional legislation on their use. They must be:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Each of the planning obligations requested below are considered to be CIL compliant and meet the tests set out above and as explained below.

Education:

This development will yield 3 secondary aged children (11-16). Brockington College has a net capacity of 1200 and there will be a deficit of 40 places if this development goes ahead. When taking into consideration the other secondary schools within a three-mile walking distance from the development there is an overall deficit of 40 places. Therefore, a full request for contributions in respect of the secondary education sector of £47,764.67 is justified, which is calculated by taking the number of pupil places created by the development (2.672), multiplied by £17,876 (DofE cost multiplier).

This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling, or enhancing existing facilities at either the named catchment school, within the DfE approved planning area serving the development, or any other school within the locality of the development, including the construction of a new school.

Note: No contribution is required for primary school provision as there is capacity at local schools within a 2-mile radius. No contribution is required for Post-16 education as there is capacity at Countesthorpe Academy. No contribution is required towards SEND (primary or secondary) education or Early Years education as the development is less than 100 dwellings.

Libraries:

The nearest library to this development is Narborough Library and it is estimated that the total assumed occupancy of 42 arising from the development will create additional pressures on the availability of the facilities at that library, and others nearby. A contribution of £422.77 is therefore requested. This contribution would be used to provide improvements to this library and its facilities, including, but not limited to, books, materials, or associated equipment or to reconfigure the internal or external library space to account for additional usage of the venue arising from an increase in

members to the library as a result of this development. This contribution may also be spent to fund new library provision.

Refuse bins:

Provision of wheeled refuse bins of £49 per dwelling (£686 in total) would also be required to provide this service to new residents.

Travel Packs:

To comply with Government guidance in the National Planning Policy Framework (December 2023) and commensurate with Leicestershire County Council Planning Obligations Policy Travel Packs are required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use. This would be provided on the basis of one pack per dwelling for first occupants. There can be supplied by LCC for £52.85 per pack or the developer could provide their own to be submitted and approved which would incur an administration charge of £500.

Open Space:

Based on the requirements of Policy CS15, the following amounts of public open space required to serve the development have been calculated. The calculations assume a household size of 2.4 persons per dwelling as this is an outline application and precise mix is not fixed (meaning the development of 14 dwellings would have a total estimated population of 33.6 people). This is consistent with the average estimated household sizes in the 2021 Census where the average household size is 2.41 for England, 2.4 for Leicestershire, and 2.42 for Blaby District.

In accordance with the SPD, development proposals of 1-19 dwellings should provide off-site contributions in lieu of informal open space, allotments, parks and recreation, children's play and natural green space. This is calculated on the amount per dwelling depending upon occupancy of the dwelling, which is calculated on the basis of an amount for each typology per 1000 population.

Typology	Amount per 1000 population in ha	Amount required for 14 dwellings (33.6 population in ha)	Cost* in lieu of on-site provision
Allotments	0.25	0.0084	£2,696.40
Parks and Recreation	0.23	0.0077	£4,594.30
Children's Play	0.06	0.0020	£4,375.12
Natural Green Space	2.6	0.0873	£11,339.33
Informal Open Space	1.0	0.0034	£557.76 (provided on site)
TOTAL			£23,005.15

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

Para. 4.3.10 of the SPD states that the Council will consider the quantity, accessibility and quality of existing open space within the parish when considering contributions. The Open Space Audit 2019 sets out the existing provision for Narborough and Littlethorpe. The table below shows this provision and whether there is a deficit or surplus.

Typology	Existing provision in ha/1000 population	Provision required in ha/1000	Difference (Deficit/Surplus)	Amount required for this development of 14 dwellings	Justified
Allotments	0.19	0.25	- 0.06	0.0084	Yes
Parks and recreation	0.67	0.23	+0.44	0.0077	No
Children's Play	0.07	0.06	+0.01	0.0020	No
Natural Green Space	2.56	2.6	- 0.04	0.0873	Yes
Informal Open Space	0.88	1.00	- 0.12	0.0034	Yes
Cemeteries	0.22	0.21	+0.01	0.0071	No

Some of the open space that will be provided on site may be able to be considered as "informal open space"/"natural green space", including the attenuation basin if it will not hold water continuously or be able to provide amenity area around. However further justification will be required to demonstrate if this typology is being adequately provided on site to negate the need for a financial contribution in these respects.

It is not considered necessary to require a financial contribution towards parks and recreation, children's play, or cemeteries as there is shown to be a surplus of this as set out above. There is also already good accessibility to the adjacent play area and recreation ground. There is however a deficit for allotment space so a contribution towards allotments in the parish is considered to be justified.

Although the proposed masterplan is illustrative only and layout is to be agreed as part of future reserved matters applications, it is anticipated that the development will come forward broadly in line with the masterplan.

Cemeteries (burial ground):

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

Sports Provision:

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

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

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

Healthcare Facilities:

This development is considered to result in an increase in the population of around 34 (based on an average population of 2.42). If all were to register at The Limes Medical Centre, it would increase their patient list by 1%. The Leicester, Leicestershire and Rutland Integrated Care Board request a financial contribution of £13,552 to off-set this increase in population. This would go towards funding at either The Limes Medical Centre, Enderby Medical Centre, Hazelmere Medical Centre or Northfield Medical Centre (individually or a combination) go towards other primary/community healthcare infrastructure that will be directly impacted due to the increase in population from this housing development.

Biodiversity Net Gain:

On-site biodiversity net gain will be provided but as this does not satisfy the trading rules fully, off-site compensation will need to be provided to meet the deficit of 1.70 biodiversity units. A Habitat Management and Monitoring Plan will be included in the S106 agreement which will also secure the payment of BNG monitoring fees as well as options for offsite compensation.

Littlethorpe Village Hall:

Although the Parish Council's original comments regarding a request for a contribution towards the village hall are noted, this related to the original scheme for 46 dwellings. Now that the scheme has been reduced to 14 dwellings, although they reiterated their previous objection, it is not considered proportionate to request a financial contribution now towards the village hall. No further request or justification or costing information has been provided by the Parish and given the site will result in approximately 34 additional residents, any contribution would be minimal.

Monitoring fees:

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

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

Overall Planning Balance and Conclusion

In summary, the application proposes the provision of up to 14 market dwellings on a site outside the settlement confines and on an area designated as a Green Wedge and Countryside. It is therefore somewhat contrary to the strategic housing policies in the Development Plan which seeks to restrain development in these locations. However, as the Council is currently unable to demonstrate a 5-year supply of housing land, the tilted balance applies as set out in Para. 11d of the NPPF. The benefit of providing new housing weighs significantly in favour of the proposal as it will contribute to Blaby's housing land supply position.

The application is in outline form, therefore only the principle and access are being considered as part of this application. The proposal has demonstrated that there will be no harm to highway safety and the proposed access will be suitable. Flood risk and drainage have been considered and an attenuation basin is proposed to deal with surface water drainage. A sequential test is not required as all built development will be outside of flood zones 2 and 3.

Although the site is within a mineral safeguarding area, it is not a site that is likely to be used for extraction given its proximity to the village and existing residents. Pollution matters including noise, contamination and air quality are either acceptable or can be considered further at the reserved matters stage. Other matters relating to residential amenity, heritage assets (including archaeology), ecology, biodiversity, landscaping and waste have been considered insofar as they relate to the principle of the development but all of these matters will be considered again in more detail when reserved matters are submitted for 'scale', 'layout', 'external appearance' and 'landscaping'.

Appropriate conditions will be imposed and the applicant will contribute towards a number of infrastructure improvements. These will include contributions towards secondary education, libraries, refuse collection, travel packs, open space, management and maintenance of on-site open space and SUDS, healthcare facilities and biodiversity net gain.

Based on the above considerations, it is considered that the proposal is acceptable in planning terms and therefore the recommendation is to approve the application subject to the imposition of conditions and signing of a Section 106 to secure the infrastructure measures outlined in this report.

**24/0834/OUT Registered Date
3 October 2024**

Mr J Abraham

Outline planning application for a) provision of up to 98 dwellings constituting up to 30 Affordable Housing units, up to 57 Open Market Housing units and up to 11 serviced plots for self-build and custom housebuilding, b) hedge and tree removal with (re)planting where relevant, c) provision of a mobility hub and d) with all matters reserved except access

Land north of Leicester Road, Sharnford

**Report Author: Helen Wallis, Senior Planning Officer
Contact Details: Council Offices. Tel: 0116 272 7698**

RECOMMENDATION:

THAT APPLICATION 24/0834/OUT BE REFUSED FOR THE FOLLOWING REASON:

The application proposes the development of up to 98 dwellings in the countryside on the edge of Sharnford, which is designated as a 'smaller village' in the Blaby District Local Plan (Core Strategy) 2013 and where Policy CS5 provides for only modest levels of growth commensurate with its size, services and facilities. Sharnford has a limited range of services and facilities and limited opportunities for accessibility to nearby settlements by non-car modes. Future residents of the development would therefore be reliant on the private car to meet their day-to-day needs, resulting in an increased requirement in the village for travel by unsustainable transport modes. Sharnford is not therefore considered to be a sustainable location for accommodating this scale of development and the proposals would therefore be contrary to policies CS1, CS5, CS10 and CS18 of the Blaby Local Plan (Core Strategy 2013) and to paragraphs 109 and 110 of the National Planning Policy Framework (2024).

NOTES TO COMMITTEE:

Relevant Planning Policies and Guidance

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

Policy CS1 – Strategy for locating new development
Policy CS2 – Design of new development
Policy CS5 – Housing distribution
Policy CS7 – Affordable housing
Policy CS8 – Mix of housing
Policy CS10 – Transport infrastructure
Policy CS11 – Infrastructure, services, and facilities to support growth
Policy CS12 – Planning obligations and developer contributions
Policy CS14 – Green infrastructure (GI)
Policy CS15 – Open space, sport, and recreation

Policy CS18 - Countryside
Policy CS19 – Biodiversity and geo-diversity
Policy CS20 – Historic environment and culture
Policy CS21 – Climate change
Policy CS22 – Flood risk management
Policy CS23 – Waste
Policy CS24 – Presumption in favour of sustainable development

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

Updated Policy CS15 – Open space, sport, and recreation
Policy DM2 – Development in the countryside
Policy DM4 – Connection to digital infrastructure
Policy DM8 – Local parking & highway design standards
Policy DM11 – Accessible and adaptable homes
Policy DM12 – Designated and non-designated heritage assets
Policy DM13 – Land contamination and pollution

Fosse Villages Neighbourhood Plan (2021)

Policy FV1 – Road traffic
Policy FV3 – Bus Services
Policy FV4 – Biodiversity
Policy FV6 – Design
Policy FV7 – Housing Provision
Policy FV8 – Windfall Housing
Policy FV10 – Sharnford Allotments
Policy FV12 – Housing Mix

National Planning Policy Framework (NPPF) 2024

Planning Practice Guidance (PPG)

Other Supporting Documents

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

Building for a Healthy Life Toolkit (BfHL) 2020

Leicestershire Highways Design Guide

Blaby District Council Active Travel Strategy (2024)

Blaby District Council Local Cycling and Walking Infrastructure Plan (2024)

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

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

Blaby District Council Housing Strategy 2021 – 2026

Blaby District Council Waste Storage and Collection Guidance for New Developments

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

Blaby Landscape and Settlement Character Assessment (2020)

Blaby District Council Open Space Audit (December 2015)

Blaby District Council Open Space Audit (2019)

Blaby District Council Playing Pitch Strategy (2020)

Blaby Residential Land Availability Report (2024)

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

Blaby Strategic Flood Risk Assessment Level 2 Final Report (2021)

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

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

Consultation Summary

Active Travel England - Standing advice offered.

Further comments on revised scheme (04.03.2025)

Reiterate previous comments.

Blaby District Council, Active Travel Advisor

Makes comments in relation to the active travel measures, including bus connections, cycling and walking.

Further comments on revised scheme (17.03.2025)

Reiterate previous comments.

Blaby District Council, Conservation Officer

Comments (19.11.2024)

Sprawl of the settlement along Leicester Road and Mill Lane has already eroded the setting of the Grade II listed St. Helen's Church and non-designated heritage assets. The intensive nature of the proposed development would completely alter the

character of the area and the gateway into/out of the settlement but existing properties on Leicester Road and Mill Lane act as a buffer to the development site with new dwellings being pushed further from the immediate and intermediate setting of heritage assets. No harm identified to setting of heritage assets that would undermine their heritage significance in such a detrimental way that it would mean the relevant sections of the NPPF are engaged.

Further comments on revised scheme (14.04.2025)

More commensurate with rural surroundings of the village which will help to soften the gateway into the settlement and may also help to preserve any remaining views or glimpses of the listed church when entering Sharnford. No heritage objections.

Blaby District Council, Environmental Services –
Response on original submission (16.12.2024)

Further information is needed before determination:

- It is unlikely that air quality, land contamination and noise will form an issue for the proposed development in principle, but these assessments would have been expected with this scale of application.
- A Construction Environmental Management Plan (CEMP) will be needed to control impacts from construction.

Comments on further information (20.01.2025)

No objections subject to the imposition of conditions.

- It is accepted that an air quality and noise assessments could be submitted by discharging a suitably worded condition on any outline planning permission.
- Submitted Phase I Desk Study includes an appropriate assessment. Recommend conditions requiring a Phase II assessment, remediation method statement and verification plan and report.

Further comments on revised scheme (10.03.2025)

Reiterate previous comments.

Blaby District Council, Housing Strategy Team

Comments on revised proposals (24.03.2025) - The developer has met and exceeded our affordable housing policy obligation by proposing 31%. The market mix has been met completely including the provision of 7 bungalows which is seldom met. We fully support the market and affordable mix, and on this occasion accept no provision of 1 bedroom market dwellings.

Blaby District Council Health, Leisure and Tourism (Sports Facilities) – Request contribution towards artificial grass pitches (£19,058 plus £5,610 10 year maintenance), Stoney Stanton Memorial Fields changing pavilion (£88,880) and grass pitch improvement at Sapcote Pavilion (£23,216 (this is the capital cost; improvements would have to be calculated on specific site circumstances, plus £4,648 for 5 year maintenance). Total developer contribution £141,412.

Blaby District Council, Neighbourhood Services

No bin collection points or bin store areas shown. Guidance documents attached for consideration by developer.

Further comments on revised scheme (17.03.2025)

Reiterate previous comments.

Environment Agency – No formal comments to be made. The development falls within Flood Zone 1 and therefore we have no fluvial flood risk concerns associated with the site. No other environmental constraints that fall within the remit of the Environment Agency.

Further comments on revised scheme (04.03.2025)

Reiterate previous comments.

Leicester, Leicestershire and Rutland Integrated Care Board - Request funding for use at any of the 3 GP surgeries identified (The Old School Surgery (Stoney Stanton), Orchard Medical Practice (Broughton Astley), Burbage Surgery (Burbage)). Total contribution requested £103,769.60.

Leicestershire County Council, Archaeology - Recommend conditions requiring a targeted excavation area programme.

Further comments on revised scheme (10.03.2025)

Reiterate previous comments.

Leicestershire County Council, Developer Contributions

Education

Early Years Education – New school provision £193,472.24

Primary Education – Sharnford Church of England Primary School £0.00

Secondary Education – Hastings High School £0.00

Post-16 Education – The Hinckley School £75,877.42

Primary SEND Education – Dorothy Goodman School, Hinckley £28,331.39

Secondary SEND Education - Dorothy Goodman School, Hinckley £38,795.72

Libraries

Request contribution of £3,895.50 towards Sapcote Library.

Waste

Request contribution of £6,637.02 towards Barwell Household Waste and Recycling Centre (WHRC).

Monitoring Fees

£300.00 or 0.5% for each obligation

Further response on revised proposals (29.04.2025)

Education

Primary Education – Sharnford Church of England Primary School £0.00

Secondary Education – Hastings High School £0.00

Post-16 Education – The Hinckley School £0.00

Libraries

Request contribution of £2,898.98 towards Leicester Forest East library.

Waste

Request contribution of £4,853.94 towards Barwell Household Waste and Recycling Centre (WHRC).

Monitoring Fees

£300.00 or 0.5% for each obligation

Leicestershire County Council, Ecology

Holding Objection (15.11.2024)

- Further information required - Final data from bat surveys and evidence of how BNG will be achieved.
- Ecological Impact Assessment is satisfactory. Recommendations in appraisal should be carried out to best practice guidance, including production of CEMP: Biodiversity.
- Biodiversity Ecological Management Plan (BEMP) should be produced for ecological enhancements.

Further comments following receipt of revised BNG report and bat report (21.03.2025)

Comments made

- Reduction of dwellings has improved BNG score and addition of more diverse habitat types including SuDS achieves 10% on site. This is sufficient for an outline application.
- Bat report is satisfactory.
- Recommendations within the Preliminary Ecological Appraisal and Bat Report should be carried out to best practice.
- BEMP should be produced for ecological enhancements.
- Biodiversity Gain Plan must be submitted, along with Habitat Management and Monitoring Plan (HMMP) prior to commencement of development.

Leicestershire County Council, Forestry – Based on the masterplan for the site and arboricultural survey, the proposed development has been designed to retain the majority of trees and hedgerows across the site. It would appear that only a small section of the central hedgerow (H2) will be required to be removed for the internal design. Whilst this is regrettable the proposed masterplan also indicated significant open spaces with new tree and shrub planting and internal landscaping to adequately mitigate any loss. Recommend conditions requirement full Arboricultural Impact Assessment, Method Statement & Tree Protection Plan and a full landscaping management plan and details of landscaping to be submitted with reserved matters.

Further comments on revised scheme (24.03.2025)

Reiterate previous comments.

Leicestershire County Council, Highways

Comments on initial submission (14.11.2024)

Application as submitted does not fully assess the highway impact of the proposed development and further information is required.

- A drawing which demonstrates the access arrangements at the point where the pedestrian / cycle link would meet Mill Lane;
- Consideration to providing additional flag and pole bus stops nearer to the site;
- Alternative solutions to address the problems raised in point A05 in the Road Safety Audit (RSA1);
- Swept path analysis drawings for a refuse collection vehicle, a fire tender and a pantechnicon / removal lorry at the site access;
- Amended trip rates;
- Amended trip assignment to the east of the access;
- Further junction modelling to the west of the access (and the east subject to the proposed amendments to the trip assignment); and
- Confirmation as to whether MCC (manual classified count) data has been used to verify the Coventry Road (B4114) / Sharnford Road T-junction model, and whether a permit was issued for this survey.

Comments following submission of further information (16.05.2025)

The Highway Authority considers that the impacts of the development on highway safety would not be unacceptable and the impacts on the road network would not be severe. Conditions are recommended requiring the access arrangements and off-site highway works to be implemented, provision of vehicular visibility splays, provision of Mill Lane pedestrian/cycle access, submission of a scheme for treatment of public right of way footpath V27, implementation and operation of the 'mobility hub', implementation of the Travel Plan and the agreement of a construction traffic management plan. Contributions are also sought for Travel Plan monitoring, Travel Packs and Bus Passes.

Leicestershire County Council, Lead Local Flood Authority (LLFA)

Comments on initial submission (19.11.2024)

Documents are unacceptable for the LLFA to support the application. Concerns raised:

- Site is within Flood Zone 1 and at low risk of fluvial flooding however, there are existing severe flood risk concerns within the immediate catchment within Sharnford and LLFA has concerns on how proposed drainage solutions could impact flooding to other critical infrastructure and properties.
- Records show that the south eastern corner of the development site is at very high risk of surface water flooding,
- Application proposes to build drainage infrastructure and properties within area noted in the Flood Risk Assessment to be '*a danger for most*'. Drainage strategy does not address this and reprofiling the site is not acceptable as this would increase risk to third parties, Leicester Road and the local catchment.
- Further investigation of downstream assets are required to demonstrate that the site has sufficient positive drain.
- Applicant should move development and associated SuDS outside of the flood risk areas. If the applicant wishes to pursue the current layout, the LLFA recommends details and independently verified modelling to demonstrate the properties and critical infrastructure are not at risk.
- Whilst application is in outline form, it would be prudent to undertake modelling now to better understand the site constraints.

Consultation response on amended drainage details (24.03.2025)

Revised elements have not addressed concerns about how the development will displace surface water that it is currently held by the undeveloped site, the level of detail for this outline stage is sufficient. Attenuation basin is now shown to sit outside the flood water level as per the revised Flood Risk Assessment. Recommend conditions and advisory recommendations.

Leicestershire Police – Supportive of the application in principle but wish to reinforce the need to create safe and sustainable communities through Secured by Design.

Further comments on revised scheme (04.03.2025)
Reiterate previous comments.

National Grid – No response received.

Natural England - No comments received.

Severn Trent Water – No response received.

Sapcote Parish Council – No comments received

Sharnford Parish Council – Objects to development.

Comments on original proposal (07.11.2024)

“Re: Objection to Planning Application 24/0834/OUT

*On behalf of Sharnford Parish Council, and after review, I am writing to formally **object** to the outline planning application for provision of up to 134 dwellings, Leicester Road, Sharnford. This proposes substantial development within our village and our primary concerns relate to the adverse impact on local infrastructure, community amenities, and environmental sustainability. We believe that, if approved, this development would significantly change the character and ethos of our village, placing undue strain on existing resources and compromising the quality of life for our residents. The concerns about the impact on our community are as follows:*

1. Flooding and Sewerage Impact

The proposed site lies on a flood plain, with existing concerns about inadequate drainage and sewerage systems in the area. Increasing housing density in this location poses a serious risk of flooding, potentially leading to both property damage and public health hazards due to overflow issues. We urge a comprehensive review of the flooding and sewerage systems before any development is approved.

2. Lack of Essential Amenities

Currently, our village has limited resources to support an increased population. The village lacks essential services, such as a shop, medical facilities, bus services and school provision and this development would create a 30% growth in one instance, the village infrastructure isn't sufficient to support further growth.

3. Traffic and Transportation Concerns

The increased volume of traffic resulting from this development is a pressing concern. Our village already experiences heavy traffic due to the B4114 being a through route. Access and connectivity are also an issue, with access to and from the proposed site, significantly impacting traffic flow and safety concerns. There is no bus service to support public transport needs, meaning residents would have to rely on private vehicles, exacerbating congestion and safety risks.

4. Impact on Village Character

This proposal represents a 30% population increase, effectively altering the village's established character and placing a strain on our close-knit community. Such rapid growth in one instance is likely to erode the village ethos that our residents value and wish to preserve.

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

Comments on revised proposal (25.03.2025)

“Further to our previous correspondence, Sharnford Parish Council wish to confirm that our decision remains unchanged, as outlined in our letter dated 7th November 2024.

Additionally, we would like to bring to your attention the findings of the recent bat report.

The site provides moderate foraging and commuting habitat for bats, with mature trees, hedgerows, and neutral grassland offering the most value. Surveys identified eleven bat species or species groups, along with brown long-eared bats, which are more sensitive to artificial light.

Bat activity was evenly distributed across the site, with the highest count recorded in July at 60.942 bats per hour, a typical level for the habitat present. These numbers will decrease significantly if this development proceeds, and this is only one of many species that will be impacted by the loss of this habitat.

Given the findings above and the concerns raised in our previous letter, Sharnford Parish Council strongly urges that this application be rejected.”

Third Party Representations

189 representations received objecting to the application. The comments received are summarised below:

Principle/Character

- Beautiful countryside – would rather look at view of fields and nature than houses
- Borough has already met its housing targets
- Sharnford is not equipped to be overachieving with housing delivery
- Village should be left as it is – thriving in its beauty and surroundings
- Emphasis should be on acquiring empty properties in village first.
- Will destroy beautiful countryside

- We are a small village and want to remain that way
- Already development of many hundreds of houses on the edge of Burbage
- Many unsold houses in the village so clearly no need for new homes
- Council have designated this a 'small village' in their long term vision
- Issues with this development outweigh any progress for the village – will not benefit community
- Must stop concreting over agriculture and wildlife land
- Sharnford will become a disjointed clutter of dwellings spoiling village appeal
- It has taken 150 years for the population of the village to increase by 500 people. Application will increase population of village by a similar number overnight.
- Will set precedent for further expansion.
- Changes in population will bring crime, create social problems and destroy sense of community
- Would increase number of properties in village by over 25%
- Population would increase by 30% - out of proportion
- Housing stock in main is of individual design homes – will be urban housing estate type homes rather than traditional village stock.
- Development creep closing gap between Sharnford and Sapcote
- School would need to double its size and doesn't have the financial investment for this.
- Neighbourhood Plan notes 25 new houses to 2029, at 2017 Sharnford already had 43 new homes.
- This is only phase 1 of 3 that it is intended to develop.
- Not in village development plan
- Number of houses should be reduced
- Housing density looks high with unimaginative layout
- More sensible use would be for a solar farm

Traffic/Highway safety

- Village already suffers from heavy traffic due to it being a popular route to the A5
- Concern about safety of children walking to school due to large vehicles/lorries/tractors and small thin pavements along the route.
- Effect on traffic would be awful – potential hundreds more vehicles driving from Sharnford to other local services
- Average speed cameras installed in Sharnford to try and make village safer but these have been switched off
- Villagers have been hit by vehicles that do not stop on the zebra crossing
- Additional cars will have detrimental effect on safety of all villagers and visitors
- Two lorries can't pass without mounting the pavement causing a danger to pedestrians
- Doubt that the car share plans would be a viable option
- Village is already used as a rat run
- Car share scheme is ridiculous – they do not know the demographic of our village and will not make slightest difference to our transport issues.
- Road is dangerous with 130 plus car coming out just after a very dangerous bend.
- More parking issues
- Without bypass improvements Sharnford cannot safely support the increase in traffic

- M69 junction has only one slip road towards Leicester so all nearby village traffic travels through Sharnford to access the A5 and M69 resulting in significant congestion
- Impact on safety at Smockington Hollow
- Will be difficult for residents to exit onto Leicester Road
- Increase risk of traffic using Chapel Lane as a rat run – Chapel Lane is used as a pedestrian route from the north to the south of the village
- Collision risk at entrance will increase when Croft quarry starts to quarry again, increasing HGV movements
- Increased risk to cyclists
- Access point to the development is on a 50mph blind corner where speeds are already too fast

Flooding/Drainage

- Site floods regularly
- Village floods regularly
- Village had inadequate sewerage system which has flooded several times this year alone
- This area is known to flood in heavy rain
- Houses will be built on the flood plain
- Village can't cope already with the amount of sewage, let alone adding more and more dwellings tapping into same sewerage pumps
- New development likely to end up flooding the main road making it impossible to pass through or access village.
- Local children's play area on Poors Meadow already floods with raw sewage
- Floods have got worse after new housing have been built in the village
- There are natural springs in the field
- Sewage spills into brook and park causing pollution and health hazard
- Marsh type vegetation is evidence of how wet the land is

Amenities/Facilities/Sustainability

- There are no shops or any real amenities
- School not taking on additional pupils
- Inadequate infrastructure – no doctors, no adequate shop or school proposals for another 200 children
- Small village school is not big enough to hold more children
- Public transport is very limited
- Lack of employment
- Village school has space for fewer than 100 pupils
- Mobile doctors surgery that used to visit now no longer comes.
- Doctor's surgeries in surrounding villages are already completely overstretched.
- Shop is no longer operational as a 'shop' – opens sporadically and no one uses it
- Irresponsible to create housing for whose residents there is no local doctor, primary school or shop.
- Dentists already full
- Nearest senior school is in Burbage - children have to take a Council run school bus

- School bus services have not got enough spaces and even paid bus service has a waiting list
- No public transport servicing the village of Sharnford
- School in village already struggles for availability - wouldn't be very happy if my children can't go to local school due to more houses being built.
- No public transport to secondary schools
- This level of development cannot be sustained.
- How do people survive who can't afford to have their own transportation?
- Should focus on what village actually needs before cashing in on new homes
- There are only 20ish spaces left at the local primary school and very little space left at the local high schools.
- Fox Connect will not take children to school – how are all these children going to get to school or college
- One pub has already closed
- No pre-school in the village
- Nothing to keep older children entertained in the village – possibility of increased crime/vandalism
- Have to book bus and it is not reliable at all
- Nearest shop in walking distance is 25-30 mins
- Neighbouring schools also oversubscribed
- No walking routes
- Two parks are already inadequate for the amount of children that live in the village
- Current internet relies on old technology – no fibre optic choices. More housing would affect system strength making it more difficult to work from home.
- No library apart from local bus service
- Bridle path to Sapcote becomes impassable for anyone with a buggy or mobility issues due to mud during rain
- Affordable housing would be beneficial if bus was not an app service
- No school bus service for that end of the village
- Doubt car hire scheme will be affordable for those in affordable housing
- Lack of access to services causes health inequalities and poverty
- Post Officer has said that it will close the post office once the current sub-postmaster retires.
- Current internet and mobile phone coverage is poor.
- Car hub would not help elderly who no longer have their driving licence. Driver would need to get the car back quickly to allow multiple uses a day.
- We already have Sharnford Good Neighbour Scheme

Environment

- Extra traffic will cause more pollution
- Impact on noise in this peaceful village
- Meadow has never been treated with pesticides and so provides homes and food for many struggling species of bats, newts etc
- Will lose the very thing we came to a village for – peace and quiet and sense of countryside living
- Additional traffic will diminish quality of life
- Destroying hedgerow will lead to significant habitat loss
- Construction will bring noise, mess and stress for years

- Need more space between development and Mill Lane dwellings – properties here should be bungalows
- View from my home will be ruined and will detract from enjoyment of my home
- Cemetery will no longer be a place for quiet contemplation next to housing

4 representations received supporting the proposal and making the following comments:

- Great to see a true mixture of dwellings for every type of buyer
- These types of developments are very much needed
- Agricultural value of this land is virtually nil.
- Opportunity to enhance the village of Sharnford
- Would like to build a scout centre in the village (perhaps as part of the development) to extend offer to 18-year olds and bring long term sustainability for the youth sector in the village.
- Potential for more growth and services to be improved for the village

Further comments following consultation on revised proposals

7 representations received objecting to the proposal. Any new matters raised additional to the above are summarised below:

- Although fewer houses, it is still out of all proportion to the size of the village
- Significant concern about Environment Agency response
- Any number of properties on that land will add to existing drainage and flooding issues in the village and become a victim of them
- Documents evidence no viable need for this volume of properties
- Issues have not been addressed or mitigated

Relevant Planning History

24/11/EIASCR - EIA Screening Opinion request for proposed residential development of up to 134 dwellings – EIA not required.

EXPLANATORY NOTE

The Site

The application site extends to approximately 6.6ha and is located on the eastern edge of Sharnford, to the north of B4114 Leicester Road. It lies outside of but adjacent to the defined settlement boundaries and within the countryside as show on the adopted policies map within the Blaby District Local Plan (Delivery) Development Plan Document 2019. Access to the site is currently provided via a field gate off Leicester Road.

The site comprises two distinct field parcels, both in agricultural use, as well as a narrow strip of land between 1 and 1A Mill Lane. The western and smaller parcel is rectangular in shape and is bounded by existing housing fronting Mill Lane to the east and by existing housing along Leicester Road and on Coopers Close to the south.

The northern boundary is marked by a post and rail fence and a hedgerow separates the field from the larger eastern parcel. The parcel forming the eastern part of the site is roughly triangular in shape and its boundaries are defined by mature hedgerows and sporadic hedgerow trees. A short section of remnant hedgerow extends from the southern boundary into the centre of the eastern field.

The topography of the site falls from west to east with a high point of approximately 87.5m AOD at the western boundary falling to 79.5m AOD at the eastern extent of the site. A watercourse runs along the eastern boundary of the site and the River Soar runs northwards towards Leicester on the southern side of Leicester Road.

In terms of constraints the site lies in Flood Zones 1, 2 and 3 with areas of fluvial and surface water flood risk located in the eastern most part of the site, directly adjacent to Leicester Road. A potential Local Wildlife Site adjoins the site's eastern boundary and the site is also crossed centrally by Public Right of Way Footpath V27.

Land to the east and north of the application site and on the southern side of Leicester Road is predominantly in agricultural use with the built-up area of the village lying to the east. Housing adjoining and in the immediate vicinity of the site, is predominantly two storeys in height with occasional bungalows and of a mix of ages.

The Proposal

This application seeks outline planning consent for residential development of up to 98 dwellings with all matters reserved, except for access.

Access to the proposed development is to be provided from B4114 Leicester Road in the same position as the current field access. The proposed access arrangement is designed as a ghost island right turn into the site and the submitted access drawing shows a proposed 5.5m access with 2.0m footways on either side, a pedestrian crossing point within the site and 10.0m radii. The footway on the eastern side of the access road is shown to terminate prior to the radii entry with the western footway tying into existing infrastructure on Leicester Road. A pedestrian/cycle link connecting the site to Mill Lane and a central refuge pedestrian crossing on Leicester Road are proposed.

An illustrative masterplan has been provided to demonstrate how the 98 dwellings could be accommodated on the site, providing a mix of housing and tenure, including 11 Self Build and Custom Homes and 30% affordable housing (30 units). The Constraints and Opportunities plan indicates that approximately 2.94ha of the 6.6ha site (45%) will comprise the developable area, with the remainder of the site area accommodating open space and surface water attenuation areas.

Supporting Documents

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

- Planning Application Form
- Location Plan
- Illustrative Masterplan

- Site Access Drawing
- Framework Plan
- Topographical Survey

The following supporting documents and reports have been submitted with the planning application:

- Archaeological Evaluation Report
- Biodiversity Net Gain (BNG) Statutory Metric (February 2025) and BNG Report
- Ecological Appraisal and Survey Reports (Bats and Reptiles)
- Design Code
- Design and Access Statement
- Five-year Housing Land Supply Calculations
- Flood Risk Assessment and Drainage Strategy
- Housing Mix Schedule
- Housing Requirements and Housing Supply Assessments
- Housing Supply Report
- Landscape and Visual Impact Assessment
- Phase I Geo-Environmental Report
- Planning Statement
- Self and Custom Build Housing – Plot Passport
- Road Safety Audit Stage 1
- Section 106 Draft Heads of Terms and draft S106 Agreement
- Sharnford Car Club – Car share information and Collaborative Mobility UK (CoMoUK) New Developments and shared transports: cutting car dependency.
- SuDS Drainage Strategy, Drainage Layout and supporting calculations
- Sustainable Strategy for Development
- Transport Assessment
- Travel Plan

Environmental Impact Assessment

The proposed development falls within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) as it is categorised as an urban development project (10(b)) and the site area exceeds 5 hectares. An Environmental Impact Assessment (EIA) Screening Opinion has been provided by the District Planning Authority confirming that the development is not considered to be EIA development (reference 24/11/EIASCR).

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.

Planning Policy

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.

Paragraph 2 of the NPPF emphasises that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Paragraph 2 also indicates that the NPPF is a material consideration in planning decisions.

Paragraph 8 outlines that 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

Paragraph 10 of the NPPF and Policy CS1 and CS24 of the Blaby District Council Core Strategy (2013) set out a presumption in favour of sustainable development, and states that development proposals that accord with the Development Plan should be approved unless other material considerations indicate otherwise.

Paragraph 11 of the NPPF sets out a presumption in favour of sustainable Development. For decision-taking, this means:

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

Paragraph 11 states that plans and decisions should apply this presumption, especially when there are no relevant policies in the Development Plan or when the relevant policies are 'out of date'. In such cases, permission should be granted unless there is a strong reason for refusal, or the adverse impacts would significantly outweigh the benefits.

Blaby District Council published an updated housing land supply position in August 2024. This update confirms that the Authority can currently demonstrate 3.53 years housing land supply (as of 1 April 2024). This is notably less than the five-year supply requirement outlined in paragraph 78 of the NPPF. Following the publication of the revised NPPF in December 2024 and the Council's revised housing numbers, the land supply position is likely to have further reduced.

Footnote 8 of Paragraph 11 of the NPPF states that the housing policies are to be considered out-of-date where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites. As a consequence, Paragraph 11(d) of the NPPF is triggered. There are no assets of particular importance (as listed in footnote 7 of the NPPF) which provide a strong reason for refusing the application. It is therefore necessary to assess the proposals against limb two of paragraph 11d, i.e. whether the adverse effects of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF 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. This is weighed in the balance of the merits of the application when considered against the policies in the Development Plan.

In situations where paragraph 11(d) of the NPPF applies to housing applications, but a Neighbourhood Plan is in place, paragraph 14 of the NPPF states that *"the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:*

a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).

Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, permission should not usually be granted unless other material considerations indicate otherwise.

Paragraph 61 of the NPPF says to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's

identified housing need as possible, including with an appropriate mix of housing types for the local community.

Paragraph 78 of the NPPF says local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old.

Paragraph 81 of the NPPF says that to help ensure that proposals for housing development are implemented in a timely manner, local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability.

Paragraph 82 sets out that in rural areas, planning decisions should support housing developments that reflect local needs. Paragraph 83 continues that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Paragraph 110 of the NPPF states that the planning system should actively manage patterns of growth in support of transport objectives (as outlined in paragraph 109). Significant development should be focused on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. It is recognised, however, that transport solutions will vary between urban and rural areas and this should be taken into account in both plan-making and decision-making.

DEVELOPMENT PLAN

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

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

The Council cannot demonstrate a five-year supply of deliverable sites. As this proposal involves the provision of housing, the application is being considered in terms of its accordance with NPPF paragraph 11d and other material considerations.

Policy CS1 – Strategy for Locating New Development

Policy CS1 seeks to focus new development, including housing in the most sustainable locations in the district, primarily within and adjoining the Settlement Boundaries of the Principal Urban Area (PUA) of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town, Glen Parva and New Lubbethorpe).

Outside of the PUA it states that development will be focused within and adjoining Blaby and the Larger Central Villages (Enderby, Narborough, Whetstone and Countesthorpe), with lower levels of growth being allowed in the Rural Centre, Medium Central Villages and Smaller Villages where the scale of development will reflect the

settlement's range of available services and facilities and public transport alternatives. Sharnford is categorised as a 'smaller village' in the hierarchy.

Policy CS2 – Design of New Development

Policy CS2 seeks to ensure that a high-quality environment is achieved in all new development proposals, respecting distinctive local character and contributing towards creating places of high architectural and urban design quality. The design of new development should also be appropriate to this context and should provide opportunities to enhance the natural and historic environment.

Policy CS5 – Housing Distribution

Policy CS5 provides the minimum housing requirements for settlements across the District, consistent with the spatial strategy set out in Policy CS1. Collectively the smaller villages (Elmesthorpe, Kilby, Sharnford and Thurlaston) have a combined minimum housing requirement figure of 80 (2006 – 2029).

Policy CS7 – Affordable Housing

Policy CS7 states that the Council will seek to secure a minimum of 25% of the total number of dwellings as affordable housing on all developments of 15 or more dwellings. Affordable housing should be provided on site unless there are exceptional circumstances preventing this. To ensure mixed and sustainable communities, residential development should integrate affordable and market housing through the dispersal of affordable housing units within residential development and use a consistent standard of design quality. The tenure split and mix of house types for all affordable housing will remain flexible and will be assessed on a site-by-site basis, although affordable housing should be integrated into each phase and sub-phase of development.

Policy CS8 – Mix of Housing

Policy CS8 states that residential proposals for developments of 10 or more dwellings should provide an appropriate mix of housing type (house, flat, bungalow, etc.), tenure (owner-occupied, rented, intermediate) and size (bedroom numbers) to meet the needs of existing and future households in the District, taking into account the latest Strategic Housing Market Assessment and other evidence of local need. The Council will encourage all housing to be built to 'Lifetime Homes' standards, where feasible.

Policy CS10 – Transport Infrastructure

Policy CS10 refers to seeking to reduce the need to travel by private car by locating new development so that people can access services and facilities without reliance on private motor vehicles. The policy also refers to providing new routes for pedestrians, cyclists and public transport (as part of development proposals). Designs which reduce the impact of road traffic should be encouraged, for example through greater allocation of street space to more sustainable forms of transport, and links to existing key services and facilities should be provided.

Policy CS11 – Infrastructure, Services and Facilities to support growth

Policy CS11 indicates that new developments should be supported by the required physical, social and environmental infrastructure at the appropriate time. It states that the Council will work in partnership with infrastructure providers, grant funders and other delivery agencies to ensure that development provides the necessary infrastructure, services and facilities to meet the needs of the community and mitigates any adverse impacts of development.

Policy CS12 – Planning Obligations and developer contributions

Policy CS12 states that where requirements for infrastructure, services and facilities arising from growth are identified through robust research and evidence, it is expected that developers will contribute towards their provision (and in some cases maintenance). Planning obligations and developer contributions will be guided by the Council's latest Planning Obligations and Developer Contributions SPD and other evidence of need.

Any requests for contributions must be assessed by the Council under the requirements of Community Infrastructure Levy Regulations 2010. Regulation 122 sets out in statute 3 tests against which requests for funding under a section 106 agreement are to be measured. These tests are that the obligation is:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

Policy CS14 – Green Infrastructure

Policy CS14 states that Blaby District Council and its partners will seek to protect existing, and provide new, 'networks of multi-functional green spaces'.

Policy CS15 – open space, sport and recreation (updated in the Delivery DPD)

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

Policy CS18 – Countryside

Policy CS18 states that within areas designated as Countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. It states that planning permission will, however, be granted for limited small-scale employment and leisure development (including dwellings essential for these needs) subject to consideration of its impacts. The need to retain Countryside will be balanced against the need to provide new development (including housing) in the most sustainable locations.

Policy CS19 – Biodiversity and Geo-diversity

Policy CS19 seeks to safeguard and enhance sites of ecological and geological importance of national, regional and local level significance. The policy also states that the Council will seek to maintain and extend networks of natural habitats to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats. The policy also seeks to protect those species which do not receive statutory protection but have been identified as requiring conservation action. Development proposals should ensure that these species and their habitats are protected from the adverse effects of development through the use of appropriate mitigation measures. The policy also states that the Council will seek to ensure that opportunities to build in biodiversity or geological features are included as part of the design of development proposals.

Policy CS20 – Historic Environment and Culture

Policy CS20 states that the Council takes a positive approach to the conservation of heritage assets and the wider historic environment protecting and enhancing heritage assets and their settings and expects new development to make a positive contribution to the character and distinctiveness of the local area.

Policy CS21 – Climate Change

Policy CS21 supports development which mitigates and adapts to climate change. It refers to focusing new development in the most sustainable locations, seeking site layout and sustainable design principles which reduce energy demand and increase efficiency, encouraging the use of renewable, low carbon and decentralised energy, and minimising vulnerability and providing resilience to climate change.

The policy also states that the Council will ensure that all development minimises vulnerability and provides resilience to climate change and flooding.

Policy CS22 – Flood Risk Management

Policy CS22 states that the Council will ensure all development minimises vulnerability and provides resilience to flooding. Amongst other measures, the policy refers to directing development to locations at the lowest risk of flooding; using Sustainable Drainage Systems to ensure that flood risk is not increased on site elsewhere and managing surface water run off to minimise the net increase in surface water discharged into the public sewer system.

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.

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

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

Updated Policy CS15 – Open space, sport and recreation

This supersedes the Core Strategy Policy CS15 and seeks to ensure that residents have access to sufficient, high quality, accessible open space, sport and recreation facilities through the application of locally derived standards.

Policy DM2 – Development in the Countryside

Policy DM2 states that in areas designated as Countryside on the Policies Map, development proposals consistent with Core Strategy Policy CS18 will be supported where specific criteria are met:

- a) The development is in keeping with the appearance and character of the existing landscape, development form and buildings;
- b) The development provides a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by the existing or new occupiers;
- c) The development will not undermine the vitality and viability of existing town, district and local centres.

Policy DM4 – Connection to digital infrastructure

Policy DM4 states that all new build major residential and commercial development should be served by fast, affordable and reliable broadband connection in line with the latest Government target. It states that developers will liaise with broadband infrastructure providers to ensure that a suitable connection is made. The wording of the policy was amended following public examination to state that new development should be served by this type of infrastructure rather than specifically requiring it. This was considered necessary to introduce flexibility into the policy given that delivery of a broadband connection would likely be reliant on a third-party contractor over which a developer is unlikely to have any control.

Policy DM8 - Local Parking & Highway Design Standards

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

will be required to meet highway design standards as set out in the most up-to-date Leicestershire Local Highway Guidance.

Policy DM11 – Accessible and Adaptable Homes

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

DM12 Designated and Non-designated Heritage Assets

Policy DM12 states that all new development should seek to avoid harm to the heritage assets of the District. Development proposals that conserve or enhance the historic environment will be supported. The policy states that designated heritage assets and their settings will be given the highest level of protection to ensure that they are conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment. Where substantial harm is identified, proposals will only be supported in exceptional circumstances in accordance with national planning guidance. Where a less than substantial level of harm is identified, the scale of harm will be weighed against the public benefits of the proposal.

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.

Fosse Villages Neighbourhood Plan (2021)

Policy FV1 – Road Traffic

Policy FV1 states that measures that provide reductions in traffic on the B4114 and in the Fosse Villages will be supported.

Policy FV3 – Bus Services

Policy FV3 states that new residential developments of more than 10 dwellings will be supported where proposals include a viability statement evidencing the extent to which the proposals will enhance rural bus services within the Neighbourhood Area.

Policy FV4 – Biodiversity

Policy FV4 states that new development which minimises impacts on and provides net gains for biodiversity will be supported. New development will be expected to maintain and enhance existing ecological corridors and landscape features to support biodiversity.

Policy FV6 – Design

Policy FV6 states that development that reflects the distinctive and traditional character of the Fosse Villages will be supported. It also sets out other principles relating to design.

Policy FV7 – Housing Provision

Policy FV7 sets out the minimum housing provision for each of the Fosse Villages for the period 2006 to 2029, to be met through existing commitments and development within the Limits to Built Development in accordance with Policy FV8 (relating to Windfall Housing). The minimum figure for Sharnford is 25 dwellings, which the policy notes has already been exceeded for the plan period by 18 dwellings.

Policy FV8 – Windfall Housing

Policy FV8 states proposals for housing development within the Limits to Built Development of the Fosse Villages will be supported. Outside the Limits to Built Development, Areas of Separation and Green Wedges, support will be limited to the stated criteria.

Policy FV12 – Housing Mix

Policy FV12 states that proposals for new housing providing for a mix of housing types informed by and reflecting the most up to date evidence of housing need will be supported. Proposals for development of 10 or more dwellings will need to demonstrate how their proposed mix will meet the need of older households and the need for smaller, low-cost homes. As an outline application, the housing mix is not being agreed at this stage.

Sharnford Settlement Statement

The Fosse Villages Neighbourhood Plan also includes a settlement statement for each village. This identifies that the population of Sharnford has been in decline between 2001 and 2011, with a particular decline in the number of young people. It states that with a primary school, pubs, recreation grounds, convenience store (with post office), community hall and youth club, there is a good level of services. Concern about the availability of health services and limited bus service is noted however.

Leicestershire Highways Design Guide (2024) (LHDG)

The LHDG deals with highways and transportation infrastructure for new developments in areas for which Leicestershire County Council is the highway authority. The guidance is intended to be used in the design development layouts to ensure they provide safe and free movement for all road users.

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

This Supplementary Planning Document outlines Blaby District Council's strategy for securing relevant developer contributions in relation to new development. It sets out when Blaby District Council will request contributions, whether for the District Council or on behalf of another service provider, and how the payments will be collected, distributed and monitored.

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

This Supplementary Planning Document contains additional detail and guidance on how Blaby District Council will interpret and apply specific policies contained in the Local Plan and will be a material consideration in the determination of planning applications. The objectives of the SPD are:

- 1) To provide guidance regarding the interpretation of policies CS7 and CS8 of the Blaby District Local Plan (Core Strategy);
- 2) To address local imbalances in both the market and affordable housing stock; and
- 3) To optimise the provision of affordable housing to meet identified needs.

Blaby Landscape and Settlement Character Assessment (2020)

Provides up-to-date landscape and settlement evidence to inform the emerging Blaby Local Plan and help guide development management decisions. The assessment states that *"understanding the character of a place is a key part of ensuring the protection and enhancement of built and natural environments, managing sustainable economic growth and improving the health and wellbeing of local communities."*

Blaby District Council Open Space Audit (2015)

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

Blaby District Council Open Space Assessment (2019)

The study provides a robust assessment of the quality of, demand for, and accessibility of publicly accessible open space within the District. It also considers the future requirements for open space and sets out a framework for both on-site provision and off-site financial contributions from developers. The study is intended to inform the Council's new Local Plan and will support the emerging Supplementary Planning Document on Planning Obligations and Developer Contributions.

Blaby Playing Pitch Strategy (2020)

Provides a strategic framework for the maintenance and improvement of all formal outdoor playing pitches and accompanying ancillary facilities in the District up to 2037. The strategy has been developed in accordance with Sport England guidance and under the direction of a steering group led by the Council, Sport England and including National Governing Bodies of Sports. It provides planning guidance to assess development proposals and inform the protection and provision of outdoor sports facilities.

Blaby Residential Land Availability Report (2024)

Shows the progress that has been made towards meeting the District's housing requirements that are set in the adopted Local Plan (Core Strategy) Development Plan Document (2013). The residential land availability position is monitored on an annual basis and this statement shows the latest published position as of 31st March 2024.

Strategic Flood Risk Assessment Level 1 and 2 Final Reports (2020 and October 2021)

The purpose of this document is to provide information on the changes to planning, policy and guidance since the previous Strategic Flood Risk Assessment, provide a detailed assessment of any flood hazard within the Flood Zones, provide information on existing defences and flood risk management measures, allow a sequential approach to site allocation.

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

Provides evidence on the potential supply of both housing and economic development land in the District of Blaby.

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

Provides evidence regarding the overall need for housing, and type and mix of housing needed; together with an assessment of the quantity and type of employment land needed to inform local and strategic plans in Leicester and Leicestershire.

Planning Considerations

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

The following are the main material planning considerations in the determination of the proposal:

- Principle of the development and development plan policy
- Sustainability of the location
- Landscape and visual impacts
- Affordable housing and housing mix
- Self-build and custom housing
- Highway impacts
- Flood risk and drainage
- Impact on heritage assets
- Design considerations
- Residential amenities
- Ecology and biodiversity
- Arboricultural impacts
- Open space, sport and recreation
- Developer contributions and infrastructure/ facilities

The principle of the development and development plan policy

Development plan policy

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

In considering the most sustainable locations for housing, the Council's spatial strategy is outlined in Core Strategy policies CS1 and CS5. These policies seek to ensure housing needs are met in the most sustainable way through a principle of 'urban concentration'. New development should be primarily focused within and adjoining the Principal Urban Area of Leicester (PUA) of Leicester.

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

Policies CS1 and CS5 identify Sharnford as a 'Smaller Village' (along with the settlements of Elmesthorpe, Kilby and Thurlaston) with modest levels of growth anticipated. Only hamlets and very small villages lie below the 'smaller village' tier of the hierarchy. Policy CS5 does not identify a housing requirement figure for each individual settlement within the 'smaller village' tier but sets a minimum provision of 80 dwellings 2006-2029 across all four villages in this level of the hierarchy.

The Fosse Villages Neighbourhood Plan (FVNP) reflects the Core Strategy policy CS5 and apportions a specific minimum housing requirement for the two 'smaller villages' in the Fosse Villages neighbourhood area, namely Sharnford and Thurlaston. Policy FV7 in the FVNP sets a minimum provision of 25 dwellings for Sharnford 2006-

2029. There is no housing requirement figure specific to the neighbourhood area and whilst the FVNP does identify a quantum of development for each settlement, it does not make any housing allocations. Consequently, the provisions of paragraph 14(b) of the NPPF which in effect 'disapply' the tilted balance presumption are not engaged in this case.

In the context of development plan policy CS18 (which seeks to protect the countryside) and the development strategy set out in policies CS1, CS5 and FV7, (which suggest only modest levels of growth for Sharnford), a development of 98 dwellings on the edge of Sharnford on an unallocated site in the countryside would be contrary to the adopted development plan.

Housing Requirements and Supply Position

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

As of 31st March 2024, a total of 2,826 homes had been completed in the PUA. To meet the identified PUA requirement there is a need for around 585 homes per annum to be delivered in the PUA until the end of the plan period (total 2,924). Forecast completions in the PUA to 2029 are circa half this number and it is unlikely that housing delivery will accelerate in the PUA sufficiently to address the shortfall by the end of the Plan period.

Housing delivery in the non-PUA has exceeded the minimum housing requirement set out in the Plan. The Council's recently published Residential Land Availability (RLA) report indicates that as of the 31st March 2024 3,942 homes had been delivered in the non-PUA, significantly exceeding the minimum requirement in the non-PUA of 2,990 dwellings. Overprovision has occurred in all settlements/tiers in policy CS5, with the exception of Narborough and Earl Shilton (land adjoining) where there are currently small shortfalls. The RLA report indicates that around 133 further homes may be completed in the non-PUA before 2029. Opportunities to deliver housing development of a type and scale needed to facilitate an increase in delivery in the near term are greater in the non-PUA than the PUA mainly due to the constrained nature and large scale of the sites being promoted for development in the PUA.

Forming part of the non-PUA area, the Smaller Villages (which includes Sharnford) have a combined minimum housing requirement of 80 dwellings across the local plan period (2006 to 2029). Against this requirement, 109 houses have been completed and committed as of 31 March 2024 within or adjacent to the named villages; resulting in the requirement within the 'smaller village' tier of the hierarchy having been exceeded by 36%, although it is recognised that the policy requirement is expressed as a minimum.

The RLA report records that 46 of these dwellings have been completed or committed in Sharnford. In respect of the level of housing provision anticipated for Sharnford in policy FV7 of the FVNP, the actual amount of housing development is almost doubled.

Turning to the short-term picture, there is currently an under delivery of houses within the District as a whole, with the Council only being able to demonstrate a 3.53-year housing land supply, notably less than the five-year supply requirement outlined in paragraph 78 of the NPPF. Footnote 8 of the Framework establishes that in the absence of a five-year housing land supply, the policies most important for determining the application will be out-of-date. There are no conflicts with policies that seek to protect areas or assets of particular importance and the provisions of paragraph 11(d)(ii) of the NPPF which apply a presumption in favour of granting permission are therefore engaged (the 'tilted balance').

Summary

The proposed development is considered contrary to the policies of the development plan. However, in this case there are other important material considerations that must be taken account of in the planning balance to reach a conclusion on the proposed development. One of these is that the NPPF establishes that the Council's policies most important for determining the application are out of date, thereby reducing the weight that can be assigned to Policies CS1, CS5, CS18 and FV7. In addition, in these circumstances the NPPF directs that permission should be granted unless any adverse impacts caused by the proposal significantly and demonstrably outweigh its benefits. Further consideration is given in the remainder of this report to other material considerations that are relevant to the assessment of the development proposals.

Sustainability of the location

As outlined in the section above, the policies CS1 and CS5 of the development plan consider Sharnford to be a location suitable for modest growth only. However, in light of the reduced weight to be given to the spatial strategy, further consideration of the sustainability of the location is required.

The NPPF places great emphasis on significantly boosting the supply of homes and paragraph 61 states that it is important that a sufficient amount and variety of land can come forward where it is needed. Paragraph 82 deals with housing in rural areas and notes that housing development that reflects local needs should be supported. Paragraph 83 continues that *"to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities"*.

Chapter 9 of the NPPF deals with promoting sustainable travel and endorses using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. Paragraph 110 states that the significant development should be focused on locations which are or can be made sustainable though limiting the need to travel and offering a genuine choice of transport modes. It is recognised however, that *"opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making"*.

As noted above, Sharnford is within one of the lowest tiers within the settlement hierarchy, with paragraph 7.5.26 in the supporting text to policy CS5 of the Core Strategy noting that the villages in this tier have a limited range of employment opportunities, services and facilities. Although the Core Strategy was adopted some time ago, this is considered to remain the case.

Employment within the village is limited to a haulage company, a small industrial estate and other small-scale employers including the pub and Sharnford garage. Whilst the submitted application draws attention to a potential employment land allocation off Aston Lane, the Local Plan is at a very early stage of preparation with the Regulation 19 consultation not due to take place until November 2025. It therefore has very limited weight in the consideration of the current proposals. It is expected that the majority of residents would need to travel outside of the village for work.

In respect of services and facilities, Sharnford benefits from a primary school, two pubs (one of which has recently re-opened after a period of closure), recreation grounds, a community hall and youth club/community centre and fibre broadband. There is a village shop, Sharnford Village Store and Post Office, however internet searches indicate that this may be currently closed and third party representations have also highlighted its limited opening times. The nearest shops serving the day-to-day needs of Sharnford are located in Sapcote which has both a small Co-op convenience store and a post office. There are also no healthcare facilities in Sharnford, with the nearest surgeries being in Burbage, Stoney Stanton and Broughton Astley. The nearest secondary schools are located in Hinckley (Hastings School and The Hinckley School) and Broughton Astley (Thomas Estley). Opportunities for residents and future residents to meet their day-to-day needs in the village itself are therefore limited.

In terms of accessibility and potential for sustainable travel, the services within Sharnford, including the primary school, are all within a reasonable walking distance (800m) of the site and along dedicated, lit footways. The proposed connection between the site and Mill Lane would also provide an alternative route to the school avoiding Leicester Road, which is both busy with traffic, including HGVs, and with narrow footpaths that would be difficult to negotiate with pushchairs and young children. The alternative route would logically run from Mill Lane along Chapel Lane, which is lit but without footways. Nonetheless, it would provide a quieter route. The proposed crossing on Leicester Road would make it easier for residents to cross to access St Helen's Church, the recreation ground, the shop and The Sharnford Arms pub although, again, the footways are narrow, particularly where older properties are positioned on the back of the pavement. Though the walking routes are less than ideal, the proximity of the site to Sharnford's services offers potential for journeys to be undertaken on foot.

Sharnford is not a remote settlement and is relatively close to Sapcote and Stoney Stanton, and slightly further afield, Broughton Astley and Burbage, where secondary schools and other services are located. Sapcote, Stoney Stanton and the edge of Burbage are within 5km of the application site and, as such, offer potential for access by cycle in distance terms.

Beyond the edge of Sharnford, however, routes to Burbage are along unlit highways without footways and subject to the national speed limit. Whilst these routes may not be heavily trafficked, the nature of the route would limit its appeal for cyclists. Similarly, though Sapcote and Stoney Stanton are both within a reasonable cycling distance of the development site, the routes present challenges. Bridleway V28 along Mill Lane/Donkey Lane provides a traffic free route of c. 1.5km connecting Sharnford with Sapcote. This route, whilst short and direct, is unsurfaced for a large proportion of its length, unlit and uneven. Its potential for use as a cycle and walking route, particularly by parents with young children looking to access to the primary school in Sapcote or for Sharnford residents wanting to access the Co-op or Post Office, would be limited, especially in inclement weather. Its poor surfacing would also rule out its use by those with reduced mobility. The alternative would involve travel along the B4114 which is a busy road without footways and subject to the national speed limit beyond the village.

Sharnford is served by an on-demand bus service, the south west Leicestershire Fox Connect, which has been very recently relaunched with a new bus operator, Centrebus. This service connects the village to surrounding settlements and some key destinations including Hinckley and Enderby Park and Ride, Monday to Saturday 6am to 7.30pm. A new timetabled LC14 bus service operated by Arriva has also been launched in June 2025, connecting Sharnford to Hinckley and Fosse Park, Monday to Saturday providing four services a day. This service has been provided in part with two-year revenue funding from the Government and its commercial viability and long term future is consequently uncertain. Notwithstanding this, the site presently offers some accessibility by public transport.

The FVNP Sharnford Settlement Statement raises concerns about declining population in Sharnford, particularly a reduction in the number of young people in the village (based on 2011 census data). The most recent 2021 Census however indicates that the village's population has increased to 1,060, slightly exceeding 2001 levels, and the number of under-15s also returning to 2001 levels. The continuing increase in the proportion of Sharnford's population aged 65 and above (27% in 2021) is noted, reflective of the national pattern of an aging population. It is recognised that some housing growth in Sharnford could help avoid population decline and could support its existing services and facilities, including Sharnford Church of England Primary School. Some development in Sharnford could therefore contribute to maintaining services in line with NPPF paragraph 83.

The scale of the proposed development of up to 98 dwellings needs to be considered in the context of the sustainability of the location as outlined above. The application is in outline form and the precise mix of housing is not for consideration at this stage. However, using Blaby District's average occupancy of 2.4 persons per dwelling, the development would yield an additional population of 235, representing a 22% increase in population in the village. The number of households would also increase by 21%. This is considered to represent a significant scale of development which would go beyond meeting local needs. Capacity within Sharnford Primary School would also be exceeded, meaning some pupils would need to travel outside of the village to go to school; this is most likely to be to the primary school in Sapcote which is within the 2 mile catchment of the site, as defined by the Education Authority (Leicestershire County Council). As highlighted previously, the types of route to Sapcote would make active travel difficult.

Furthermore, the very limited scope for residents to meet their day-to-day needs within the village itself, beyond accessing the primary school, would necessitate trips out of village. As suggested by the Transport Assessment (TA), the majority of these trips would be likely to be undertaken by car. The assessment of trip generation in the TA notes that the development would result in 452 two-way vehicle trips (7am to 7pm) (based on 99 dwellings). The submitted Travel Plan targets a reduction in the weekday peak hour vehicle trip rate of 10% within the first three years of occupation on the site, however, the impacts on overall movements would be modest.

The application is proposing that a mobility hub is included within the development. This would provide two cars that could be used by all Sharnford residents who otherwise would not have access to a car, with the applicant committing to provision for a minimum 3-year period. This could provide an alternative to car ownership/meet

the access needs of those without a car/second car and offer opportunities for car sharing but could only be utilised by those with a driving licence. There is also no guarantee of its ongoing provision in the longer term. Travel plan measures target 100% Travel Plan awareness and the planning obligations requested by the Local Highway Authority would also require travel packs and six-month bus passes for each resident. These provisions make some modest steps towards promoting sustainable travel modes and it is acknowledged that the site would have access to bus services, making travel by public transport feasible. However, the impact on car-borne trips is unlikely to be significant.

In summary, it is acknowledged that development in this location would have some beneficial aspects in terms of supporting existing services and facilities in Sharnford and helping to maintain the vitality of the community, as set out in NPPF paragraph 83. This needs to be balanced, however, against the fact that Sharnford has a limited range of services and facilities, and future residents of the new housing would need to travel outside of the village to meet most day-to-day needs. Though settlements with more services are geographically close, options for access by foot or cycle are limited by the constraints presented by the nature of the routes available. Whilst it is recognised that residents would have access to a limited public transport service, it is considered that the development is most likely to see the likely continuation of unsustainable travel patterns. Furthermore, there is nothing within the proposals that would suggest that the development would be one that would make the location more sustainable than at present, as outlined in NPPF paragraph 110. Overall, it is considered that whilst Sharnford provides some facilities, it is not a sustainable location for a development of the scale proposed.

Landscape and visual impacts

In accordance with Policy CS18 of the Local Plan Core Strategy consideration will need to be given to the impact of the proposal on the appearance or character of the landscape and whether this would have significant adverse effects.

Policy DM2 also sets out criteria to be met by development proposals in the countryside. This includes that the development shall be in keeping with the appearance and character of the existing landscape, development form and buildings, having regard to the Blaby Landscape and Settlement Character Assessment, Leicestershire and Rutland Historic Landscape Characterisation Study, National Character Areas and any subsequent pieces of evidence. Policy CS14 encourages incorporation of key landscape features such as woodlands and ponds to create high quality design and a wide range function and useful open spaces and links.

A Landscape and Visual Impact Assessment (LVIA) has been carried out by Golby + Luck Landscape Architects based on the Guidelines for Landscape and Visual Impact Assessment (3rd edition 2013, GLVIA3). The LVIA is based on the original proposal for 134 dwellings and as such represents a worse-case scenario for the purposes of assessing the revised 98 dwelling development proposal.

The site lies within the Leicestershire Vales National Character Area (NCA 94) and within the 'Stoney Stanton Rolling Farmland' landscape character area (LCA) in the

Blaby Landscape Character Assessment. The site is also on the boundary with the Soar Meadows LCA which is noted for its strong riparian character.

The summary of overall character of the Stoney Stanton Rolling Farmland LCA states,

“This LCA is located towards the southwestern tip of the district... Landform is gently rolling and land use is predominantly arable agriculture, with some grazing and pony paddocks close to the urban fringe... The landscape is relatively settled with several large villages. The low-cut hedgerows and undulating landform results in relatively open views which have a mixture of rural and urban influences.”

The Blaby LCA describes various development pressures for the LCA including increasing urban pressures on settlement fringes and loss of already scarce hedgerow trees. However, when assessing capacity for change in the LCA, the assessment considers that there is an overall low to moderate landscape sensitivity to 2-3 storey residential development.

In respect of the Soar Meadows LCA, the summary of current landscape condition notes that the village of Sharnford does not currently exert a strong urban influence upon its surroundings. However, one of the key pressures is noted to be the potential expansion of Sharnford impacting upon the rural qualities of the LCA. The assessment states that within both LCAs future development should respect and enhance the strong character of the rural villages, complementing existing context with regards to scale, form, materials and boundary features.

In terms of settlement character, the character assessment notes that the historic core of the village is located on higher ground to the north east where the Sharnford Arms, St Helen's Church and the methodist chapel are situated. The roofline of the village is noted to be generally set within significant mature vegetation and that Sharnford is well-screened within the local landscape. In terms of capacity for change, the assessment considers that there are opportunities for landscape improvements and capacity to accommodate positive changes to northern urban fringes of the village adjacent to modern housing development. However, future expansion on exposed prominent village fringes to the north east (behind the B4114 and Henson Way) should be restricted in order to prevent undesirable visual impacts.

The proposed landscape framework for the site comprises of the retention and reinforcement of the tree and hedgerow cover, including succession planting; creation of a network of green space that will provide buffers to the vegetated boundaries and provides opportunities to reinforce the landscape setting of the site; attenuation ponds designed and managed to maximise their ecological and biodiversity potential; new native tree planting within the site; and retention and improvement of public footpath V27 through the site.

In terms of the likely landscape effects, the submitted LVIA recognises that there will be adverse impacts on the landscape character of the site as a result of the loss of the open and undeveloped rural character of the site to provide a modern housing development. Over time this effect is assessed as reducing to moderate adverse in the longer term due to the provision of green space within the site and maturing of structural landscaping.

Within the wider landscape setting, the submitted LVIA notes that the development will result in an extension of the modern settlement on the northern side of Leicester Road, albeit in a form that will be in keeping with the historic linear pattern of the settlement and will be contained within the defined and mature landscape boundaries of the site. As new structural landscaping establishes, the landscape setting will be more in keeping with the wider settlement and will help the development assimilate better into the local landscape setting. The overall harm is noted to be moderate to minor adverse in the long term.

Officers generally concur with this assessment and also highlight that the reduced scale of the revised development proposals mean that the built form will not extend so far eastwards as assessed in the LVIA. Whilst the development will incorporate development of depth from Leicester Road and to the rear of the existing linear form of housing along Mill Lane and Leicester Road, this is not without precedence in Sharnford with modern housing development off Brookfield sitting behind the historic development along Leicester Road/Chapel Lane. In the context of the existing settlement edge, the impact is not considered to be significantly harmful to the character and setting of the village or the adjoining higher sensitivity Soar Meadows LCA. Furthermore, it is not anticipated that the proposals will result in an increased sense of coalescence between Sharnford and Sapcote.

In assessing visual effects, the LVIA has considered likely local receptor groups (nearby residents on Mill Lane and Leicester Road and Sharnford Cemetery) and a number of representative views within the local landscape, principally along sections of public highway, public right of way footpaths (V27, which crosses the site, and V42) and bridleway V28 in the vicinity of the application site. It is noted in the LVIA that close range views will be most adversely impacted by the development in the short term, with intended structural landscaping measures mitigating these effects over time and reducing the significance of the effect to between moderate adverse to minor adverse. In longer distant views, visibility of the site is restricted by the layering of intervening vegetation cover and effects of the development over time would reduce to moderate to minor and minor significance. The LVIA concludes that the landscape and visual effects recorded are generally considered to be typical of most modern residential proposals that involve the development of open land at the edge of the settlement.

Overall, it is acknowledged that the proposed development would result in some adverse impacts on landscape character and on visual receptors, which would conflict with Policy DM2. These impacts are, however, largely localised and over time could be mitigated to a degree by appropriate landscaping in accordance with the principles outlined in the proposed landscape framework. The site's topography is such that the development will be seen in the context of the existing settlement edge within a landscape of low to medium sensitivity as outlined in the LCA. As such, the impacts upon landscape character and visual amenity are not considered to be significantly adverse.

Affordable housing and housing mix

Policies CS7, CS8 and DM11 seek to ensure that new housing developments provide the appropriate quantity and mix of housing for the District's current and future needs, including provision of affordable housing and accessible and adaptable homes. It is considered that policies CS7, CS8 and DM11 are broadly consistent with the NPPF paragraph 63 and can therefore be given full weight. FVNP Policy FV12 also requires a mix of housing to be provided that reflects the most up to date evidence of housing need.

The Blaby Housing Mix and Affordable Housing Supplementary Planning Document provides guidance regarding the interpretation of policies CS7 and CS8, aims to address local imbalances in both the market and affordable housing stock, and aims to optimise the provision of affordable housing to meet identified needs.

Policy CS7 seeks to secure a minimum of 25% of the total number of dwellings as affordable housing on all developments of 15 or more dwellings. It is worth highlighting that the most up to date information on affordable housing need is set out in the 2022 HENA. This shows a marked increase in need for affordable housing, and this is a material consideration which should be considered in the planning balance. The June 2022 HENA shows that a total of 539 affordable houses per year (including 341 per year as social and affordable rented and 189 as affordable home ownership) are required to meet the District Council's affordable housing need. It is unlikely that this level of delivery will be viable or deliverable, but it highlights the growing need for affordable housing in the district.

The submitted Planning Statement outlines that the applicants are willing to provide an above policy level (30%) of affordable housing, providing 30 affordable dwellings on the site. The Housing Strategy team are satisfied with the level of provision and indicated mix (which includes 3 x 2-bed bungalows) and suggest a 80%/20% split in tenure between social rented and shared ownership properties respectively. The provision of 30% of the dwellings as affordable housing can be secured through a Section 106 Agreement.

The Housing Strategy team also advise that a condition be included on any grant of planning permission requiring an appropriate mix of market and affordable housing. An indicative market housing mix has also been provided by the applicants, comprising a mix of 2-, 3- and 4-bedroom properties and incorporating some market bungalows. As this application is in outline form, the precise mix would be agreed as part of any subsequent Reserved Matters application, with the preferred mix forming a starting point for discussions with the Council's Housing Strategy team.

The current proposals would make a positive contribution towards meeting the affordable and general housing requirements of the district and achieving the NPPF aim of creating balanced and mixed communities. The proposals are considered to support the aims of the affordable housing and housing mix policies in the Blaby District Local Plan Core Strategy. The provision of the affordable housing could be secured via a legal agreement and, overall, the provision significantly weighs in favour of the development.

Self-build and custom housing

The Council has a duty under the Self-build and Custom Housebuilding Act (2015)(as amended) to maintain a register of individuals and groups who have an interest in acquiring a serviced plot of land for a self-building and custom housebuilding (SBCH) project. In addition, the Act places upon Local Planning Authorities a duty to give planning permissions to enough serviced plots of land to meet the demand for SBCH.

The Council has a significant shortfall of SBCH plots with permission granted for only 11 plots (April 2024) against a need for 81 plots to the end of the relevant period. The under provision of SBCH permissions is a material consideration in the assessment of the development proposals and is also set against the lack of a five-year housing land supply overall.

Policy DM10 Self and Custom House Building says that proposals for self and custom build housing will be supported in suitable locations. The application proposes 11 SBCH homes to meet the demand for this type of housing and the houses can be secured as such through provisions in any S106 agreement.

Consideration has been given to the suitability of the location for residential development earlier in this report with some negative aspects noted. Notwithstanding this, it is clear that the development of SBCH would meet existing supply shortfalls in the District and would also contribute to housing supply more generally. This is a matter that attracts significant positive weight.

Highway impacts

Policy CS10 seeks to deliver the infrastructure, services and facilities required to meet the needs of the population of the District of Blaby including those arising from growth and to make services accessible to all, including locating new development so that people can access services and facilities without reliance on private motor vehicles and to ensure that appropriate measures are taken to mitigate the transport impacts of new development.

Policy DM8 seeks to provide a consistent approach to local car parking standards and highway design. It goes on to state that the Leicestershire Highways Design Guide sets out, amongst other things, standards and policies for parking and highway design that will need to be considered for all new development.

Site Access

Access is a matter for detailed consideration in this application. A single point of vehicular access is to be provided for the development in the location of the current field gate entrance. The access is designed as a ghost island right turn with the access into the site having a width of 5.5m with 2m footways on either side into the development. A pedestrian dropped crossing is provided to the west of the site access providing north-south permeability across Leicester Road. A pedestrian link is also to be provided to the west of the site, connecting to Mill Lane.

Visibility splays of 2.4m x 65m can be provided on both sides of the access in accordance with the requirements of the Leicestershire Highway Design Guide (LHDG). Forward visibility to the east of the proposed access has also been shown on the access drawings and a swept path analysis has been undertaken as requested by the Local Highway Authority (LHA)(Leicestershire County Council).

The LHA are satisfied with the access details, subject to conditions requiring their implementation. Furthermore, Personal Injury Collision data has been interrogated and suggests that there are no existing highway safety issues in the area that would be exacerbated by the proposed development.

Highway Impacts and Mitigation

The LHA has agreed the proposed trip generation, distribution and assignment with the applicant's transport consultants and a revised Transport Assessment has been submitted reflecting the discussions with the LHA. This indicates that the proposed development is likely to generate between 62 and 68 vehicle trips during a typical weekday peak hour. Most traffic will head either northwards towards Leicester on the B4114 or southwards on the B4114 towards the A5 with nearly a quarter of trips routeing along Sharnford Road off the B4114 towards Sapcote.

Junction capacity assessments have been undertaken for the site access and B4114/Sharnford Road junction (near Sapcote). Both junctions have been demonstrated to operate well within capacity in 2029, inclusive of background traffic growth. No mitigation is therefore required.

Public Rights of Way (PROW)

PROW Footpath V27 runs through the application site. The application indicates that this will be surfaced and lit which is welcomed by the LHA. The details of this can be appropriately secured by condition.

Walking, cycling and wheeling

It is proposed to extend and enhance existing footway provisions along Leicester Road (B4114) and provide an uncontrolled crossing across Leicester Road to the west of the site access. Upgrades to the existing footway on the southern extent of Leicester Road are also proposed to increase its width to 2m. Direct access will be provided between the site and Mill Lane PROW Bridleway V28 providing an alternative route into the village and links to Sapcote.

Public transport

The new LC14 bus service is scheduled to stop at the Mill Lane bus stop which is located c. 200m to the west of the site access. The proposed footpath connection to Mill Lane would also provide a suitable route to this bus stop. Although some areas of the site would be beyond the desirable 400m of the stop, the maximum distance would be approximately 550m which is still considered to be within a reasonable walking distance. The village also has an on-demand bus service.

The LHA welcomes the proposed mobility hub and a condition is recommended to secure its delivery and operation for 3 years as outlined by the applicant.

Travel Plan

A travel plan has been submitted with the application, and the LHA are satisfied with the proposed measures and targets. A condition is recommended to secure its implementation and contributions are requested by the LHA for the Travel Plan monitoring fee, travel packs, and six-month bus passes.

In conclusion, it is considered that the proposed development is compliant in its design and highway impacts with policy DM8. As recognised earlier in this report, opportunities for reducing the need to travel by car and offering genuine opportunities for modal shift are somewhat limited in Sharnford and thus compliance with policy CS10 is not fully achievable.

Flood risk and drainage

Policy CS22 of the Core Strategy states that the Council will ensure all development minimises vulnerability and provides resilience to flooding, taking into account climate change. This includes directing development to locations at the lowest risk of flooding giving priority to land in Flood Zone 1, using Sustainable Drainage Systems (SuDS) to ensure that flood risk is not increased on-site or elsewhere, managing surface water run-off, and ensuring that any risk of flooding is appropriately mitigated, and the natural environment is protected.

Fluvial and surface water flood risk

The application has been supported by a Flood Risk Assessment (FRA) which identifies the site as lying fully within Flood Zone 1 and therefore at low risk of fluvial and tidal flooding. Groundwater flood risk is also noted to be unlikely in this area on the Gov.uk flood maps. Since the submission of the revised FRA (February 2025) and the consultation response of the Environment Agency (March 2025), the Gov.uk flood risk maps have been updated. and the areas of the site previously noted to be at risk of surface water flooding only are now incorporated within Flood Zones 2 and 3. It is indicated that the built development and access are to be located outside of the flood zones, the proposals are consistent with the aims of paragraph 170 of the NPPF. Nonetheless, the Environment Agency have been contacted for further comments and an update will be provided at the meeting.

The application site has some risk of surface water flooding across the site ranging from very low to high. The higher risk areas are located adjacent to Leicester Road in eastern part of the site and are associated with topographical low points. The original proposals for 134 dwellings included built development across the areas of surface water flood risk on the site, including the areas of highest risk adjacent to Leicester Road. In light of concerns about surface water flood risk, the development was reduced in scale and illustrative details submitted demonstrating how built development could be located outside of the surface water flood risk areas and that safe access and egress would be available at all times. There are some small areas on the illustrative layout where internal roads are overlaid by low to medium surface

flood risk pockets. Given the layout is illustrative only at this outline stage and the pockets of flood risk are small, it is not considered proportionate to require a sequential test to be carried out.

The Lead Local Flood Authority (LLFA)(Leicestershire County Council) has provided comments on the application. Their original concerns pertaining to the construction of the development within areas of high surface water flood risk and consequent potential increased risk to neighbouring land and the local catchment have largely been addressed by the revised and reduced scheme outlined above. The LLFA retains concerns pertaining to the displacement of surface water currently held by the undeveloped site. Further discussion has taken place with the LLFA to establish whether further information is required, however, they are satisfied that the level of detail provided at this stage for outline approval is sufficient. They anticipate that consideration of the detailed layout at reserved matters stage will need to be supported by robust evidence on displacement of surface water; the viability of the attenuation basin's location and, ideally, demonstration of a betterment to local surface water risk.

Surface Water Drainage

The application is supported by a SuDS Drainage Strategy report which outlines that the site will provide two SuDS detention basins. Surface water discharge to an existing watercourse adjacent to the site is proposed at Qbar greenfield run off rates is proposed for all return periods up to the 1 in 100 year plus a 40% allowance for climate change plus 10% urban creep. Multifunctional SuDS techniques are proposed to be incorporated into the design to provide interception and biodiversity.

Foul Water Drainage

It is proposed that foul drainage will utilise an existing combined sewer in Mill Lane to the west of the site. Due to the site's topography a new foul pumping station will be required to the east of the site, with the foul sewage being pumped to the existing infrastructure, subject to separate agreement between a future developer and Severn Trent Water.

The information submitted with the application satisfactorily demonstrates that the site can be developed for residential purposes at this outline stage without unacceptable flood risk. The proposal is therefore considered to comply with the requirements of policy CS22.

Impact on heritage assets

The site does not contain any statutorily designated or non-designated heritage assets but there are listed buildings within the vicinity of the site as listed below. Sharnford does not have a designated conservation area.

- Church of St Helen, Leicester Road – Grade II listed – 120m south-west of the application site;
- Sharnford War Memorial, Leicester Road – Grade II listed – 150m south-west of the application site;
- No. 45 Leicester Road with Adjoining Outbuildings – Grade II listed – 150m south-west of the application site;

- Sharnford Methodist Church, Chapel Lane – Grade II listed – 230m west of the application site.

Though not formally recognised, the Council's Conservation Officer considers that there are several old buildings close to the application site that could qualify as non-designated heritage assets due to the historical association with the village and their architectural merits.

Policies CS20 and DM12 seek to preserve and enhance the cultural heritage of the District and recognise the need for the Council to take a positive approach to the conservation of heritage assets. Policy CS20 goes on to state that proposed development should avoid harm to the significance of historic sites, buildings or areas, including their setting. In respect of non-designated heritage assets, policy DM12 states that a balanced consideration will be applied to proposals which may impact on these assets.

Paragraphs 212 – 215 of the NPPF are relevant and set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of assets of the highest significance, including scheduled monuments should be wholly exceptional. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Paragraph 216 of the NPPF states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required.

As the development lies within the wider setting of St Helen's Church and the war memorial the statutory duty of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, is also relevant.

The comments provided by the Conservation Officer note that intervisibility between the Church and the site is largely limited and that whilst some intervisibility exists between the other listed buildings and the site, this takes place in the context of by the existing established pattern of development and it is unlikely that direct or competing views with the heritage assets would result. In conclusion, it is considered that the proposed development would not result in harm to designated or non-designated heritage assets that would undermine their heritage significance in such a detrimental way that the relevant sections of the NPPF are engaged. The proposals are therefore also considered compliant with policies CS20 and DM12.

Archaeology

The application site has been subject to archaeological evaluation (trial trenching) which has shown that the site lies within an area of significant archaeological potential. It is therefore recommended by Leicestershire County Council's Archaeologist that a

condition is imposed requiring further archaeological investigation involving a targeted excavation area focussed on the buried remains identified as part of the trial trenching. These works can be appropriately secured by condition.

Design Considerations

As the application is in outline form, with only means of access to be considered, the masterplan submitted with the application is illustrative only. Nonetheless, it provides details of how the site could potentially be developed. Further consideration is given to the design matters in the supporting Design and Access Statement, Plot Passport (relating to the self-build and custom housebuilding properties) and a Design Code.

Policies CS2 and DM2 seek to ensure that a high-quality environment is achieved in all new development proposals, respecting distinctive local character, and ensuring that design contributes towards improving the character and quality of an area and the way it functions. They further seek to create places of high architectural and urban design quality to provide a better quality of life for the district's local community.

The application site is located adjacent to the eastern edge of the village immediately alongside existing 20th century two storey semi-detached and terraced development. The submitted Design Code and Design and Access Statement note that the development will be limited to two storeys in height. Given the lack of taller buildings within Sharnford this is considered appropriate and could be secured by condition. The Design Code also provides a broad framework for appropriate design that makes use of building materials and architecture that complements the vernacular in the village and indicate the desire to achieve a quality design that goes beyond standardised house types. The plot passport submitted for the SBCH requires updating to reflect the reduced scheme, which can be appropriately managed by condition.

The illustrative masterplan indicates substantial areas of landscaping and open space to the eastern edge of the site with the existing network of trees and hedgerows providing structure and a framework for enhancement of the development and the site's landscape features. New planting is indicated to the northern boundary of the western parcel, which currently lacks any definition, and is important for screening and softening of the development edge. Play areas are also shown to be located centrally within the site within areas of open space but where passive surveillance would be possible.

The masterplan indicates housing laid out in perimeter blocks which will allow the creation of active frontages in all areas of the development. The Design and Access states that the developable area of the site is 2.96ha within an average density of 33 dwellings per hectare. This is not dissimilar to the more modern development around Brookfield and it is considered to strike an acceptable balance between respecting the character of the area and efficient use of the land. In addition, this is balanced by significant areas of open space on the site and an indication in the design and access statement that lower density development would take place in the self-build and custom homes development parcel.

In terms of connectivity, the route of the public right of way will be maintained to provide linkages from the site to the countryside to the north and to Leicester Road to the

south. A new connection is also to be provided from the site directly to Mill Lane, adding further pedestrian and cycle permeability through the site. Main streets within the site are shown on the access and movement plan within the Design and Access Statement to be tree lined. This will create a pleasant environment and aid legibility within the development.

In summary, it has been demonstrated at this outline stage that the site could deliver a development of acceptable design which would be compliant with policies CS2 and DM2.

Residential amenity impacts

Policy DM2 seeks to ensure that development provides a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by existing and nearby residents, including but not limited to, considerations of, privacy, light, noise, disturbance and an overbearing effect and considerations including vibration, emissions, hours of working and vehicular activity.

Given the application seeks outline planning permission with all other matters except access reserved, it is not possible to fully determine the degree of impact upon the amenities of existing residents or future occupiers of the development without final details of layout, scale and appearance which will be fully assessed at the detailed Reserved Matters stage.

The nearest existing residential properties to the application site are those that back onto the site along Leicester Road/St. Helen's Close, Coopers Close and Mill Lane. Excepting the properties on Coopers Close, these houses have relatively long gardens and the illustrative masterplan suggests that new dwellings within the site would back onto these properties. The houses located at the end of Coopers Close are separated from the site by vegetation with new properties backing onto Coopers Close. The indicative site layout provides adequate scope for satisfactory levels of amenity to be provided.

There is sufficient space between the site boundaries and the access into the site for the siting of dwellings. These will provide a buffer between the existing bungalows on Coopers Close and the access road into the site, limiting any potential for noise disturbance to existing residents from passing traffic. The proposed link between the site and Mill Lane will not be used by vehicles and is not therefore considered to cause unacceptable levels of disturbance. Any reserved matters application would need to give careful consideration to the siting and design of dwellings in this area as 3 Coopers Close has main windows in close proximity to the site boundaries.

A noise impact assessment has not been undertaken for the development. The noise environment, which is likely to be most influenced by road noise, is not considered to constrain residential development on the site in principle but could influence the siting/orientation of dwellings and requirements for mitigation measures. The Environmental Services Officer has recommended that a noise impact assessment is submitted at reserved matters stage to ensure that any noise issues can be addressed as part of any consideration of detailed design matters.

Any impacts on residential amenities during the construction period could be mitigated by implementation of suitable measures set out in a Construction Management Plan. It is recommended by the Environmental Services Officer that this is required by condition.

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

Ecology and Biodiversity

Ecology Appraisal

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

The application has been supported by an Ecological Appraisal of the site which has examined the habitats and species present on the site. There are no statutory national or international designated sites for nature conservation within the study area. A mature ash potential Local Wildlife Site (pLWS) was recorded on the site within the southern boundary and this tree will be retained as part of the proposals.

Habitats on the site include modified and poor neutral grassland, individual standard and hedgerow trees, hedgerows and scrub. Hedgerow loss as a result of the proposals is likely to require removal of a small section between the two field parcels to facilitate access. Some hedgerow loss will also be required on the site frontage to accommodate the access improvements and to provide forward visibility around the bend on Leicester Road.

In terms of protected species, the likely absence of Great Crested Newts (GCN) for a single pond located within 250m of the site has been confirmed by eDNA survey. Specific surveys have also been undertaken in relation to reptiles, birds and bats. No reptiles were found on the site and therefore no further survey work or mitigation is recommended. The bird survey recorded a number of species on the site, however, with the exception of reed bunting and linnet, were mostly common and widespread generalists who are adaptable to change and residential environments. Suitable replacement habitats for reed bunting and linnet to mitigate for habitat loss are likely to result as part of the proposed SuDS features or biodiversity planting.

The bat survey identifies the site as providing foraging and commuting habitat for the local population. Overall, with the retention of hedgerows and trees, the impact of the development upon the local bat population is assessed as being minor at a site level. Recommendations include planting of wetland seed mixes in detention basins, native planting and careful use of artificial lighting.

The County Ecologist considers the appraisal to be satisfactory for an outline application and recommends a condition requiring a Biodiversity Enhancement Management Plan (BEMP) to be produced covering the ecological enhancements

recommended in Section 4.35 of the Ecological Appraisal as well as a Construction Environmental Management Plan (CEMP).

Biodiversity Net Gain

The application is subject to mandatory Biodiversity Net Gain (BNG) and will be subject to the BNG condition. Whilst the application as originally submitted suggest that BNG would need to be provided off-site, the reduced scale of the proposals now means that BNG can be delivered on-site.

The submitted BNG metric is deemed to be acceptable by the County Ecologist and a 11% net gain in area habitats and an 80% gain in linear habitats (hedgerows) through on-site habitat creation and enhancement has been demonstrated. As this is an outline application and the masterplan is illustrative only, the BNG metric will need updating at reserved matters stage. The development will be subject to the statutory Biodiversity Gain Plan condition and the requirement for a Habitat Management and Monitoring Plan and the on-going monitoring of this by Leicestershire County Council's ecology services could be secured through a S106 agreement.

Ecology and Biodiversity Summary

The development will have some impacts upon ecology and biodiversity on the site; however, the application proposes suitable mitigation, and the County Ecologist has not raised any objections to the proposals. With the imposition of the recommended conditions and planning obligations, it is considered that the proposals are compliant with Core Strategy policy CS19.

Arboricultural Impacts

An Arboricultural Survey has been submitted with the application and identifies the trees across the site. These are all contained along the field boundaries of the two parcels making up the application site.

Across the site a total of twenty individual trees, nine groups of trees and six hedgerows were surveyed as part of the survey. The species identified are typical of rural hedgerow trees and include ash, field maple and oak. In total 8 trees/groups of trees are assessed as being high-quality Category A and 18 trees/groups of trees recorded as being Category B trees. The remainder fall within Category C with only two trees noted to be unsuitable for retention due to ash dieback.

The County Council Arboriculturist has provided comments on the application and notes that, based on the masterplan and arboricultural survey, the proposed development has been designed to retain the majority of trees and hedgerows across the site. The comments note that a small section of hedgerow will require removal to facilitate access within the site, new tree and shrub planting would adequately mitigate this loss. Some hedgerow will also be lost as a result of work to provide a safe access. A replacement hedgerow of suitable native species should form part of any reserved matters scheme. The Council's arboricultural advisor has recommended requiring submission of a full Arboricultural Impact Assessment, Method Statement and Tree Protection Plan.

Open space, sport and recreation

Policy CS14 seeks to ensure that the District's natural environment, wildlife, habitats, landscape and geology are considered and protected through good design practices, seeking to protect existing green spaces and provide new good quality, multi-functioning green networks and corridors. Updated Policy CS15 of the Delivery DPD states that the District Council will seek to ensure that all residents have access to sufficient, high quality, accessible open space, sport and recreation facilities, access to the Countryside and links to the to the existing footpath, bridleway, and cycleway network. Existing open space, sport and recreation facilities will be protected, and where possible, enhanced.

To achieve this, policy CS15 sets standards for the provision of open space, sport and recreation per 1000 population in the District, and indicates that these standards will be used to ensure that development proposals provide sufficient accessible open space, sports and recreation, taking into account any local deficiencies. It states that new on-site provision or, where appropriate, financial contributions to improve the quality of, or access to existing open space, sport and recreation facilities, will be expected and commuted maintenance sums will be sought.

Blaby District Council's Planning Obligations and Development Contributions Supplementary Planning Document 2024 includes guidance to support the Local Plan in relation to open space, sport and recreation requirements for developer contributions. It suggests that for a development of between 50 and 99 dwellings, informal open space and provision for children and young people would normally be expected on-site, but an off-site contribution could be sought for parks and recreation grounds, natural greenspace and allotments and community gardens.

On-site open space provision

Based on the requirements of Policy CS15, the table below outlines the amounts of public open space required to serve the development. As this is an outline application and the precise mix of dwellings is not confirmed, the calculations assume a household size of 2.4 persons per dwelling (meaning the development of 98 dwellings would have a total population of 235 people). This is consistent with the average estimated household sizes in the 2021 Census of 2.42 for Blaby District.

The Landscape Parameters plan included in the Design and Access Statement suggests that informal open space, natural greenspace and children's play space will be provided on site.

Type (on-site)	Policy CS15 standard ha/1000pop	Requirement for 98 dwellings (235 population) ha	On-site Provision (ha)
Natural greenspace	2.6	0.6	On site
Informal Open Space	1.0	0.24	

Type (on-site)	Policy CS15 standard ha/1000pop	Requirement for 98 dwellings (235 population) ha	On-site Provision (ha)
Provision for children and young people	0.06	0.014	Combined area of 3.3ha
Total Open Space (ha)		0.9ha	3.3ha

The application details that c 3.3ha of open space can be provided on site, incorporating a children's play space (a Local Equipped Area for Play (LEAP)) and an incidental play space in the centre and north of the site respectively. The area includes drainage infrastructure and potentially areas for Biodiversity Net Gain, both of which may require specific maintenance and/or limited public access. Nonetheless, the overall area of open space proposed on-site significantly exceeds the required quantum and provides sufficient flexibility to ensure policy compliant on-site open space can be provided. On-site open space provision can be secured by a Section 106 agreement with a commuted sum for maintenance necessary where the land is to be managed by a body other than a Management Company, e.g. the Parish Council. The Parish Council has expressed some initial interest in managing the public open space on the site.

Off-Site Contributions

Para. 4.3.10 of the SPD states that the Council will consider the quantity, accessibility and quality of existing open space within the parish when considering contributions. The Open Space Audit 2019 sets out the existing provision for Sharnford. The table below shows this provision and whether there is a deficit or surplus.

Type (off-site)	Policy CS15 standard ha/1000 pop	Existing provision in ha/1000 pop	Deficit/ Surplus in ha/1000 pop	Requirement for 98 dwellings (235 pop) ha	Request justified?
Parks and Recreation Grounds	0.23	0.35	+0.12	0.05	No
Allotments and Community Gardens	0.25	0.4ha	+0.15	0.06	No
Cemeteries and Churchyards	0.21	0.78ha	+0.57	0.04	No

Parks and Recreation Grounds

Updated Policy CS15 of the Delivery DPD sets a standard of 0.23 hectares per 1000 people for parks and recreation grounds, meaning the development would result in a requirement for 0.05 hectares of additional parks and recreation ground space. The

Open Space Audit 2019 notes that Sharnford already provides 0.35ha of park and recreation ground space per 1000 population, exceeding the policy CS15 requirement for the current (2021 census) population of the village *plus* the development residents. The location of the park also meets accessibility standards. A contribution towards parks and recreation grounds is unlikely to be necessary or justified.

Allotments

Updated Policy CS15 of the Delivery DPD sets a standard of 0.25 hectares per 1000 people for allotments, meaning the development would result in a requirement for 0.06 hectares of additional allotment space. The Open Space Audit 2019 notes that Sharnford already provides 0.4ha of allotment space per 1000 population, exceeding the policy CS15 requirement for the current (2021 census) population of the village *plus* the development residents. The location of the allotments also meets accessibility standards. A contribution towards allotments is unlikely to be necessary or justified.

Cemeteries

Updated Policy CS15 of the Delivery DPD sets a standard of 0.21 hectares per 1000 people for cemeteries, meaning the development would result in a requirement for 0.04 hectares of additional cemetery space. The Open Space Audit 2019 notes that Sharnford already provides 0.78ha of cemetery space per 1000 population, exceeding the policy CS15 requirement for the current (2021 census) population of the village *plus* the development residents. The location of the cemetery also meets accessibility standards. A contribution towards this open space typology is therefore unlikely to be necessary or justified.

Community halls

Updated Policy CS15 of the Delivery DPD also has a standard of 1 village or community hall per 2,200 people (ideally located within 800 metres). Sharnford has an accessible village hall (Evergreen Hall) as well as a Youth Club and Community Centre. Sharnford has a population of 1,060 (2021 Census) and therefore as a settlement is well provided for in terms of community hall availability. The Parish Council has referred to the Youth Club and Community Centre as being oversubscribed, however, in light of the policy it is not considered that a contribution would be justified.

Sports Provision

The Sports and Leisure team has requested contributions from the development using Sport England playing pitch calculator and the Council's Playing Pitch Strategy. Contributions have been requested towards artificial grass pitches (£19,058 plus £5,610 10-year maintenance), Stoney Stanton Memorial Fields changing pavilion (£88,880) and grass pitch improvement at Sapcote Pavilion (£23,216 (this is the capital cost; improvements would have to be calculated on specific site circumstances, plus £4,648 for 5-year maintenance)). The total developer contribution requested is £141,412.

Developer contributions and infrastructure/ facilities

Policy CS11 states that new developments must be supported by the required physical, social and environmental infrastructure at the appropriate time. It states that the Council will work in partnership with delivery agencies to ensure that development provides the necessary infrastructure, services and facilities to meet the needs of the community and mitigate any adverse impacts of development. Policy CS12 states that where requirements for infrastructure, services and facilities arising from growth are identified through robust research and evidence, it is expected that developers will contribute towards their provision (and in some cases maintenance).

Planning obligations assist in mitigating the impact of otherwise unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, as set out in Regulation 122 of The Community Infrastructure Regulations 2010. Planning obligations, in the form of Section 106 agreements, should only be used where it is not possible to address unacceptable impacts through a planning condition. They must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

Planning obligations are sought in line with the 'Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Document 2024.

The following contributions have been requested:

Leicestershire County Council Education Provision

The development is expected to yield 30 primary age children and the two schools within 2- miles of the site (Sharnford C of E and Sapcote C of E primary schools) will have a surplus of 156 places if the development goes ahead. No contribution is therefore requested.

Regarding secondary education, the development will yield 17 secondary aged children. A surplus of 154 places is identified within the two secondary schools within 3-miles of this development (Hastings High School and The Hinckley School) if the development goes ahead. No contribution is therefore requested.

For the post-16 sector the development will yield 4 pupils. The Post-16 provider within the 3-mile catchment (The Hinckley School) will have a deficit of 71 places if this development goes ahead. However, there is capacity within the 11-16 age range at The Hinckley School which could be re-directed to meet Post-16 requirements and no contribution is therefore requested.

Regarding SEND education, the development is for fewer than 100 dwellings and a contribution towards SEND is not requested.

The total overall request for education across all sectors for the proposed development equals £0.00.

Libraries

The nearest library to the development is Sapcote Library and it is considered that the development will create additional pressures on the availability of facilities at that library and others nearby. A contribution of £2,898.98 is sought to provide improvements to the library, its stock and facilities.

Waste contribution

LCC has requested a contribution towards the nearest waste collection facility at Barwell based on the additional site pressures due to the proposed dwellings and would contribute towards its development or any increased capacity requirements. A contribution of £4,853.94 is sought to be used for site reconfiguration, including the development of waste infrastructure to increase the capacity of the Barwell Household Waste and Recycling Centre (HWRC), or any other HWRC directly impacted by the development.

Health Care

The Leicester, Leicestershire and Rutland Integrated Care Board (ICB) requests a contribution of £103,769.60 for GP surgeries to help mitigate/ support the needs arising from an increase in population. The ICB requests that the funding is allocated for use either at any named GP Surgery or to develop alternative primary/community healthcare infrastructure that will be directly impacted. The ICB response identifies The Old School Surgery, Stoney Stanton, Orchard Medical Practice, Broughton Astley and The Burbage Surgery, Burbage and as the local GP provision that would be directly affected by growth, however, the ICB request a flexible approach to the use of the funding.

Police

Leicestershire Police has been consulted on this application and but has not made a request for contributions.

Blaby District Council Refuse Bins

The recently adopted Blaby District Council's Planning Obligations and Development Contributions Supplementary Planning Document (September 2024) sets out that the Council will seek and encourage developers to make contributions appropriate to provide suitable facilities for recycling and waste collection, for example wheelie bins. Paragraph 4.3.34 notes that to cover the cost of bins for refuse and recycling, £49.00 per household will be sought on all major schemes. A contribution of £4,802 would therefore be required of a scheme of 98 dwellings.

Monitoring Fees

Leicestershire County Council has requested monitoring fees of £300.00 or 0.5% for each obligation. The Blaby District Council Planning Obligations and Developer Contributions SPD sets out at paragraph 3.24 that the District Council's monitoring fees will be 5% of the value of each type of financial contribution or £360 for each non-financial contribution for those contributions payable to the District Council.

Summary

The planning obligations which have been requested and are deemed necessary to mitigate the otherwise unacceptable impacts of this development and comply with the requirements of policy are set out in the recommendation at the beginning of this report. The final amount of some of the obligations will need to be subject to further discussion and negotiation before being finalised. The Section 106 agreement is required to be completed and signed prior to any planning permission being issued.

Other material planning considerations

Environmental considerations

Policy DM13 relates to land contamination and requires that any adverse impacts can be satisfactorily mitigated. A Phase I Desk Study has been submitted with the application which appropriately examines previous site usages and potential contaminants. To ensure that any potential contaminants are satisfactorily remediated in order that the site can accommodate residential development, the Environment Services Officer has recommended a condition requiring completion of Phase II site investigation, submission of a Remediation Method Statement, Verification Plan and Verification Report. In respect of contamination issues, the site is considered suitable for housing.

Environmental Services have advised that although air quality is not likely to be an issue for the principle of development, an air quality assessment and implementation of any recommended measures should be required by condition.

Construction has the potential to affect the environment and nearby residents and in accordance with advice from the Environmental Services office, a Construction Environmental Management Plan (CEMP) should be submitted by condition. This document can be combined with the Construction Traffic Management Plan requested by the Local Highway Authority.

Loss of agricultural land

An agricultural land quality report has not been submitted with this application. The Regional Agricultural Land Classification map (available on the Natural England website) indicates that the site is within Grade 3 but the map does not differentiate between subgrade 3(a), which is classed as best and most versatile (BMV) agricultural land, and subgrade 3(b), which is not. The site is directly opposite Grade 4 (associated with the River Soar) and there is no Grade 2 land within the vicinity of the site. In order to ensure BMV land is protected planning authorities are required to consult Natural

England on applications which would result in the loss of 20ha or more of such land. Below this threshold it is for the planning authority to decide how significant the agricultural land issues are. Even were the development to entail the loss of Grade 3(a) BMV land, the loss would be well below the 20ha requiring consultation with Natural England. In the overall planning balance discussed below, the loss of 6ha of agricultural land is not considered to be a determinative factor in assessing the acceptability of the proposals.

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 provisions of the NPPF are a material consideration in the assessment of the development and, as set out earlier in the report, the presumption in favour of sustainable development set out in paragraph 11(d) applies due to the shortfall in the Council's housing land supply.

In this case, the absence of any constraining factors as set out in NPPF paragraph 11(d)(i) means that the 'tilted balance' is engaged as set out in paragraph 11(d)(ii). This states that planning permission should be granted unless 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 development would be located in an area of designated countryside and does not fall within any of the forms of development deemed appropriate for that location and is therefore in conflict with policies CS18 and DM2, which seek to protect the open and undeveloped nature of the countryside. The proposal is also for 98 dwellings, a greater number of dwellings than anticipated to be provided for in Sharnford by policies CS1 and CS5 or by policy FV7 of the FVNP and is therefore clearly out of kilter with the plan's spatial strategy which seeks to direct most development to the most sustainable locations. Although the application accords with a number of other policies in the plan, the fact that the proposals are contrary to the key policies that seek to guide the location of development places the proposal in conflict with the Development Plan.

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

Sharnford contains few facilities for meeting day-to-day needs and is likely to result in future residents of the development, being reliant on the private car to access the necessary services and facilities to meet their needs. Whilst the village does contain a primary school which would be accessible on foot or by bike from the site and there is opportunity to use public transport from the village, it is recognised that Sharnford is not particularly sustainable in location terms. This is a matter that weighs against the development proposals and is given substantial weight.

The proposal development would also result in some harm to the landscape through the encroachment of housing into the countryside. This harm is localised and would reduce over time as proposed landscaping matures and is therefore accorded moderate weight.

Technical matters and ecological impacts can be appropriately addressed or mitigated and, in so far as they relate to these matters, the proposals are in compliance with the policies of the development plan. A satisfactory access design has been proposed and mitigation measures will be secured in relation to highways impacts. These matters afford neutral weight in the balance.

Developer contributions are also requested where appropriate to mitigate the impacts of the development where necessary and make it acceptable in planning terms and address the needs generated by the development itself. As such, neutral weight is attached to this matter.

The housing shortfall in the district and the expected continuation of this, together with the high level of need for affordable housing, means that the provision of housing and affordable housing attracts significant weight in the planning balance. Significant weight is also given to the proposed self-build and custom build housing, in light of the under provision of this type of housing in the district.

The development scheme would also provide open space and biodiversity benefits that go beyond the statutory minimum. Whilst these benefits would largely exist for future residents of the scheme, these elements of the development would bring some wider benefits for the area generally and could be enjoyed by other residents of the area. These matters attract moderate weight.

In terms of benefits, the development would make a modest contribution to economic objectives through construction related employment, and additional population in Sharnford may help in supporting existing businesses in the village. However, construction impacts would be relatively short term and it is difficult to quantify the contribution that future residents would have in sustaining existing businesses. Limited weight is therefore given to this consideration.

The weight to be given to the benefits of providing additional housing is significant. However, Sharnford is not considered to be a sustainable location for this scale of development and this matter is given substantial weight in the planning balance. The adverse impacts that would result from this in terms of accessibility and travel are considered to significantly and demonstrably outweigh the benefits.

The application is therefore recommended for refusal for the reason set out at the start of this report.

25/0104/RM

**Registered Date
3 February 2025**

Miller Homes Limited

Reserved Matters application for the for the erection of 170 dwellings (Use Class C3) including details of appearance, landscaping, layout and scale (relating to outline application 23/1071/OUT).

**Land Adjacent To Leicester Road And Foston Road
Countesthorpe**

**Report Author: Tasneem Quareshy, Senior Planning Officer
Contact Details: Council Offices. 0116 272 7055**

RECOMMENDATION:

THAT APPLICATION 25/0104/RM BE APPROVED SUBJECT TO THE IMPOSITION OF CONDITIONS RELATING TO THE FOLLOWING:

1. Development carried out in accordance with approved plans and documents.
2. Materials to be provided as per the approved plan unless otherwise agreed.
3. No residential unit shall be occupied until private access drive and turning spaces are provided and suitably surfaced.
4. No residential unit shall be occupied until the parking and any turning facilities associated with that unit have been implemented and thereafter retained.
5. No residential unit shall be occupied until cycle parking associated with the unit has been provided and thereafter retained.
6. No residential unit shall be occupied until existing gates to vehicular access have been permanently removed.
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. Removal of pd rights for garage conversions at certain plots (where a garage is provided to meet minimum parking spaces for that plot)
10. Removal of PD rights for extensions and buildings within curtilage for certain plots
11. Removal of PD rights for roof additions to certain plots

NOTES TO COMMITTEE

Relevant Planning Policies and Guidance

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

Policy CS1 – Strategy for locating new development

Policy CS2 – Design of new development

Policy CS5 – Housing distribution

Policy CS7 – Affordable housing

Policy CS8 – Mix of housing Policy
Policy CS10 – Transport infrastructure
Policy CS11 – Infrastructure, services and facilities to support growth
Policy CS12 – Planning obligations and developer contributions
Policy CS14 – Green infrastructure
Policy CS15 – Open space, sport and recreation
Policy CS18 – Countryside
Policy CS19 – Biodiversity and geo-diversity
Policy CS20 – Historic Environment and Culture
Policy CS21 – Climate change
Policy CS22 – Flood risk management
Policy CS23 – Waste
Policy CS24 – Presumption in favour of sustainable development

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

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

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Other Supporting Documents

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

Leicestershire Highways Design Guide

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

Blaby Landscape and Settlement Character Assessment (2020)

Blaby District Council Open Space Audit (December 2015)

Blaby Playing Pitch Strategy 2020

Joint Strategic Flood Risk Assessment Final Report (October 2014)

Consultation Summary:

Active Travel England: Referred to standing advice

Blaby District Council, Active Travel Advisor: March 2025 *"There are significant improvements from the initial layouts, but there are still some questions and concerns around permeability and cycle parking/storage."*

Cycle parking and storage:

The inclusion of cycle storage is welcomed, however more detail on the quantity is requested. (See LTN 1/20 - 11.3 Quantity of cycle parking and LTN 1/20 - 11.8 Residential facilities). It should also be noted that cycle storage should be well lit and have good natural surveillance.

There is currently no visible provision for visitor parking. It is also recommended that cycle parking (Sheffield Stands or similar) is installed adjacent to the Children's Play Area.

Site permeability:

The plan indicates exits to the south and southern end of the western side of the development, but there is no indication of surfacing or width. These exits should be suitable for all users choosing active modes of travel as well as those using wheelchairs or with constraints. As such should be of sufficient width and surface quality to accommodate users of all ability. Similarly, the foot/cycle way around the northern edge of the site should be treated similarly.

May 2025: No objection

Blaby District Council, Environmental Services: no objection (further response provided in relation to discharge of condition application).

Blaby District Council, Housing Strategy:

March 2025: *'We are happy that the market and affordable housing mix meet our requests, and now adequately reflect the needs of the District. All the affordable properties meet our designated area size criteria, and in our opinion required number of parking spaces and access to rear gardens.'*

In terms of the market mix, we would consider that the 1-bedroom properties could be marketed as 2-bedroom properties due to size of the study, namely Pearmont. However, on this occasion we are willing to accept that. This is also the case for the 4-bedroom property Clearwood, however we are willing to accept this on this occasion. Had this been the case for either 2- or 3-bedroom properties, we would have to discuss. In regard to clustering whilst we accept a small increase (7 is accepted) we are concerned about the circles on blue, and particularly those circled in red. Some of these units needs to be moved'.

June 2025: *“Thank you for consulting Housing Strategy on this planning proposal. The revisions made by the developer to reduce the clustering of affordable dwellings although slightly above 6 dwellings are welcome. On this occasion we are happy to support this application”.*

Blaby District Council, Neighbourhood Services: *Comments received in relation to Discharge of condition application.*

(Initial comments raised concerns on the location of bin collection points due to the distance away from the highway boundary. Subsequently, the scheme was amended to include bin storage points and bin collection points across the site to reduce drag distances for future residents. Neighbourhood Services had no objections to this).

Countesthorpe Parish Council:

March 2025: *‘The Parish Council insists that, in the interest of existing residents, the site management programme, as specified by the applicant, be adhered to throughout the duration of the build. In particular, relating to the construction hours, including deliveries, be limited to between 8.00 to 18.00 Mondays to Fridays; 8.00 to 13.00 Saturdays and no construction work on Sundays or Bank Holidays. The Parish Council objects to any plant/equipment being left running outside of these hours. Similarly, there should be a strict and frequent road cleaning schedule to avoid existing roads and properties being affected by mud and dust.*

Construction vehicles should be restricted from travelling through the centre of Countesthorpe and should, therefore, access the site via the direction of Hospital Lane or Welford Road. The hours of the construction vehicular movements should not exceed those of the Construction Hours. Construction vehicle movements must avoid peak commuter and school run times.

Construction vehicles must not be permitted to travel along, or park along, Rosebank Road, or any of the neighbouring residential streets, nor should they park along Foston Road. Likewise, no site employees shall park on Foston Road or neighbouring residential streets. Therefore, sufficient on-site parking and a compound must be provided prior to commencement of construction work.

The Parish Council insists that the access points to the site are constructed prior to development and to a standard that will allow construction vehicles to access and egress the site without affecting the road network, or risk to pedestrians, as it appears from the drawings that the developer’s site extends across the pavement. During the erection of the Heras fencing, it was observed that vehicles had to cross the carriage way and mount the pavement on the opposite side on Foston Road when exiting the site.

The proposed speed humps on the roads throughout the site should be constructed to be a sufficient deterrent to prevent vehicles cutting through the development to avoid the roundabout.

The Parish Council has concerns that there are proposed driveway accesses at the junction joining Leicester Road and whether vehicles using these drives could potentially obstruct what could be a busy junction.

The Parish Council is disappointed that all the housing is towards Foston Road and Leicester Road with the majority of the open space being towards the rear of the site. The Parish Council would like to see more open space toward the roadside to shield existing dwellings from the impact of the new development. The layout has limited the number of houses that look out onto a green area of any reasonable size making the development dense and urbanised and therefore the Parish Council would like to see a play area towards the centre of the site. With the open space being to the rear of the development there is potential for it to be ignored by the developer once they have left the site, in a similar way to previous developments in the village.

Any planting scheme along the north boundary should obscure the view over to the Severn Trent Water Sewage Treatment Works for the benefit of those properties facing out onto the open space.'

May 2025: *"The Parish Council questions the progress and extent of the re-consultation at this stage, as the Parish Council is aware that there are residents who had previously responded to the consultation and have not been included in these further consultations.*

The Parish Council notes the concerns raised by Waste Management, the Police and Highways and supports these concerns.

The Parish Council welcomes that the public bridlepath will be predominantly retained in its existing position. The Parish Council would object to the bridlepath being moved from its existing position and this should be monitored should revised drawings be submitted by the developer.

Thank you for providing the revised drawing on 16th April, indicating the revised layout to provide dropped kerb and vehicular access to dwellings numbered 8-11 Foston Road. The Parish Council was subsequently advised that the drawings may again be amended. The Parish Council would, therefore, appreciate further opportunity to make comment on the proposed layout of Foston Road. However, the Parish Council notes that there does not yet appear to be a final drawing confirming the layout of the roundabout and the management of its construction, or whether it is intended that there is no change to what was agreed when granting outline approval. Should there be any change to the roundabout and associated road network design from that granted at outline stage, the Parish Council would expect that there would be opportunity to be consulted on it.

The Parish Council notes that the developer had indicated in correspondence to the District Council that it would now not be able to provide a pedestrian crossing due to the amendments to allow the access to the properties 8-11. The Parish Council would seek clarification as to whether this is the withdrawal of a crossing from the drawings submitted at outline stage or if it was intended to provide an additional crossing.

The Parish Council has continuously supported there being a pedestrian crossing to provide a safe route from those crossing Foston Road and feels strongly that both access to residential properties and a pedestrian access should be provided.

The Parish Council insists that there be a condition that the developer provide details of the ongoing maintenance, ownership and responsibility of the drainage system, including the attenuation pond together with a condition that these are maintained in perpetuity.

The Parish Council's previous comments submitted 5th March 2025 with regard to the Site Management Programme still stands.

With regard to the discharge of drainage into the existing watercourse to the east of the development, Blaby District Council should ensure that the relevant Section 23 consent is granted. The Parish Council asks that it be a condition that details of the maintenance, ownership and responsibility throughout the life of the development should be clearly identified and a condition set by BDC.

The Parish Council notes that native hedgerow planting will replace any removed existing hedgerow. However, seeks clarification that the remainder of the hedgerow will remain to create a visual border to the length of Foston Road. The existing hedgerow to the east of the site along Foston Road appears to have been removed which the Parish Council objects to."

Environment Agency: No comment received

Leicestershire County Council, Archaeology: No comments to make

Leicestershire County Council, Highways:

March 2025: *"The Local Highway Authority does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Without this information the Local Highway Authority is unable to provide final highway advice on this application.*

Public Rights of Way

The application site includes Public Right of Way (PROW) Footpath Z23, the route of which is along the inside edge of the western site boundary. Unfortunately, plans with the current application do not reflect the legally-defined alignment of the footpath. Included overpage is an excerpt of the Detailed Planning Layout drawing CTP/DPL/01 overlaid with the legal alignment of footpath Z23 shown by black dashes: On the applicant's plan the PROW is shown on the outside edge of the western boundary, in effect as a roadside footway along Leicester Road. As well as being the other side of the boundary, this route is up to 6.0 metres west of its legal alignment. The LHA therefore requests that amended plans detailing the legally-defined alignment of Footpath Z23 are submitted.

The alignment of a PROW is legally 'fixed' by the Definitive Map of PROWs, the official record. It should be noted that any change in the route of a PROW requires a separate

legal order made by the LPA, a separate application for which would need to be submitted and confirmed before a development is substantially complete.

The Leicestershire Highway Design Guide (LHDG) can be summarised by the following principles:

- Planning must be based on the routes on the Definitive Map of PROWs that have legal authority. Be aware routes on the ground may not be the same as these;*
- Development should be planned around the existing rights of way routes. Any changes will need separate legal orders for diversions in addition to the planning permission;*
- Rights of way should be through public open space and separate from roads and their footways, as far as possible, to preserve the identity of rights of way as through routes;*
- Rights of way should be easy to follow and pleasant to use, including being well overlooked. Enclosed and narrow paths discourage use and attract misbehaviour;*
- The physical treatment of paths should help maximise non-motorised active travel by having path surfaces, gradients, and path widths that encourage use by all abilities; and*
- As well as being protected, NPPF para 105 means rights of way should be enhanced. Lasting public benefits should be provided, relative to the scale of the development.*

Adoptability

The current layout shown on drawing number: CTP/DPL/01 would not be suitable for adoption by the LHA. Should the applicant wish for the layout to be adopted, they should redesign it in line with the below advice:

- Road numbers – The LHA would request that road numbers are added to the design plan, to aid the LHA with providing the applicant with design comments.*
- Road and footway widths - For clarity, the applicant should detail the road, footway and service margin widths that are proposed within this development.*
- Inappropriate road width - The road serving plots 12 to 25 is noted as having a highway width of 5.5 metres, which is inappropriate for its intended use. The applicant should amend the road width to 4.8 metres.*
- Proposed shared surface - The proposed shared surface exceeds the LHA's maximum length of carriageway for a shared use road of 40 metres. The applicant should amend the layout to resolve this issue.*
- Bend widening - The current design layout fails to provide the LHA's required bend widening on the bends within the development. The applicant should amend the plan to include bend widening and detail this on the plan. Further information on bend widening can be found on the visibility splays page of the LHDG.*

• *Speed control – The applicant should amend the layout plan to design speed control into the layout, to maintain a 20mph design speed. Further information can be found on the speed control on internal development roads page of the LHDG.*

• *Proposed speed table design – The speed table detailed below fails to comply with our design requirements, please amend the plan to comply with our design requirements. Further information can be found on the speed control on internal development roads page of the LHDG*

• *Proposed speed table location - To aid road safety as road users enter the development from Leicester Road and Foston Road, the applicant should detail a speed table which would be installed in the carriageway at private drive access points to reduce vehicle speeds entering the development.*

• *Road classification – The applicant should clearly identify access roads, access ways and any shared surfaces to be installed on site. Further information can be found on the road types page of the LHDG.*

• *Dropped crossing points – The applicant should detail the location of dropped crossing points to be installed on site.*

• *Trees within private land – The applicant should detail that root protection would be installed where trees and bushes would be located at the back of the highway boundary in private land. Trees must also have a minimum of a 2-metre clear stem where they are located near the highway.*

• *Forward visibility - The applicant should detail that 25 metre forward visibility would be available through bends on the design plan. It should be noted that this would need to be contained within the highway boundary. Further information can be found on the visibility splays page of the LHDG.*

• *Junction visibility – The applicant should detail 25 metres visibility splays would be provided at all junctions within the development on the design plan. It should be noted that these would need to be contained within the highway boundary. Further information can be found on the visibility splays page of the LHDG.*

• *Remote parking - Several plots have private parking bays located remotely from the front door access points. Experience has shown this type of parking arrangement leads for inconsiderate parking at junctions and on footways. The applicant should review the layout to resolve this issue (see Parking section below for further comments).*

• *Turning head radii – The applicant should detail the turning head radii on the design plan. Further information can be found on the turning heads page of the LHDG.*

• *Junction radii – The applicant should detail the junction radii to be installed on site at all junctions within the development. Further information can be found on the junction type, geometry and spacing page of the LHDG.*

Swept Path Analysis

The applicant has demonstrated on JPP drawing numbers: 303(1), 303(2) and 303(3) that an 11.2m refuse vehicle, private car and fire tender can negotiate the internal roads satisfactorily.

Other Considerations

- *Water Courses – The LHA's records show there is a water course running through the development site. If not already done so, the applicant should make contact with the Lead Local Flood Authority at flooding@leics.gov.uk, if their proposed works affect the existing water course.*

- *Easements – If the applicant is required to culvert a water course under the proposed public highway, the LHA would require a 3 metre easement to be provide at each end and either side of this feature.*

Parking

When scaled, the off-street car parking spaces measure to be some 2.4 metres by 5 metres, short in length to the 5.5 metres required by Figure 44 of the LHDG. The size and layout of the off-street car parking spaces should therefore be amended accordingly.

When scaled, the off-street car parking spaces for plots 4, 128, 165 and 170 do not have at least 0.5 metres added to each side which is bound, as required by Figure 44 of the LHDG. The size and layout of the off-street car parking spaces should therefore be amended accordingly. When scaled, Garage DG15 has an internal length of some 5.8 metres, short of the 6 metres required in the off-street residential car parking standards page of the LHDG. The garage should be redesigned accordingly. If it is not redesigned, it will not be counted towards parking provision.

Plots 5-6, 9-10, 20, 38, 40, 45-46, 132-133, and 168-169 each require at least three off-street car parking spaces, all of which have been proposed in a single tandem formation. This is contrary to guidance contained in the off-street residential car parking standards page of the LHDG, which stipulates that if more than two parking spaces are proposed in a tandem arrangement, only the first two will be counted towards the required minimum parking standards.

Plots 91 and 93 each have four or more bedrooms thereby requiring three off-street car parking spaces, however they are each only provided with two off-street car parking spaces. Plots 117-121 are only provided with one off-street car parking space each, although Table 28 the LHDG requires a minimum of two spaces per dwelling. Plots 69 appears to have only one off-street car parking space, whilst plot 70 appears to have a total of four off-street car parking spaces (including the integral garage). The LHA assumes this is a misprint on the plan, although requests clarification.

No visitor parking has been provided within the layout. The off-street residential car parking standards page of the LHDG stipulates that visitor parking is required for residential developments of more than 10 dwellings on a basis of 0.25 spaces per

dwelling. In housing developments, this should be provided via suitable on-street parking provision (see the on-street parking page of the LHDG for design guidance). In apartment developments, visitor parking should be provided by additional spaces within the allocated parking area. The LHA requests that the layout is amended to accommodate visitor parking accordingly.

In addition to the above, the LHA kindly requests that the private drive / turning area serving plots 114 and 115 is redesigned to ensure that it does not prejudice the delivery of any future footway / cycleway along the northern extent of Foston Road. The LHA requests that a minimum of 3 metres is left between the edge of the Foston Road carriageway and the private curtilage of these dwellings:

June 2025: "The Local Highway Authority advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 116 of the National Planning Policy Framework (2024), subject to the conditions and/or planning obligations outlined in this report".

Background

The Local Highway Authority (LHA) provided initial highway observations for this Reserved Matters (RM) application for the erection of 170 dwellings (Use Class C3) including details of appearance, landscaping, layout and scale on 19 March 2025.

The first response provided by the LHA confirmed that whilst most of the internal layout of the site was designed to an adoptable standard when compared against the Leicestershire Highway Design Guide (LHDG), there were several issues (summarised below for reference) across the site that were required to be addressed before Leicestershire County Council (LCC) would enter a Section 38 (S38) agreement:

- Road numbers added to the design plan;*
- Road and footway widths;*
- Proposed shared surfaces;*
- Bend widening;*
- Speed control, proposed speed table design and locations;*
- Road classification;*
- Dropped crossing points;*
- Trees within private land;*
- Forward visibility;*
- Junction visibility; and*
- Turning head radii and junction radii.*

Furthermore, there were inconsistencies with the location of Public Right of Way (PROW) Footpath Z23, on the initial plans because it did not reflect the legally defined alignment of the footpath.

The applicant subsequently submitted several revised drawings including those listed below to the LPA on 11 April 2025 to address the issues raised:

- Miller Homes drawing number: CTP/PL/01, 'Countesthorpe – Presentation Layout', Revision A, dated 4 April 2025; and
- Miller Homes drawing number: CTP/RCP/01, 'Countesthorpe – Refuse Collection Plan', Revision A, dated 4 April 2025.

Following an initial set of comments on the drawings the LHA advised the applicant that the site was not designed to an adoptable standard. Following discussions between the applicant and the LHA the applicant has submitted several amended plans to the LPA and LHA including the following:

- Miller Homes drawing number: CTP/DPL/01, 'Countesthorpe – Detailed Planning Layout', Revision B, dated May 2025;
- Miller Homes drawing number: CTP/CPCS/01, 'Countesthorpe – Car Parking and Cycle Storage Plan', Revision B, dated 3 June 2025; and
- JPP drawing number: 28742-302, 'Countesthorpe – Adoptable Road Plan', Revision D, dated 4 June 2025.

Internal Layout

For the site to be suitable for adoption, the internal layout must be designed in accordance with Policy 5: Highway Adoption of the LHDG. The acceptability of an adopted road layout is subject to a S38 agreement in accordance with the Highways Act (1980) once planning permission is granted.

After a review of the latest plans including JPP drawing number: 28742-302, 'Proposed Residential Development, Leicester Road, Countesthorpe – Adoptable Road Plan', Revision B, dated 4 April 2025, the LHA is pleased to advise the LPA that the applicant has sufficiently addressed the outstanding issues outlined above. Therefore, based on the information submitted the LHA would consider the internal layout suitable for the purposes of the planning application.

Given the scale of the development the LHA would typically advise a development of this scale be offered for adoption as publicly maintainable highway and it is expected that the applicant will work towards this during the S38 process following determination of application 25/0104/RM.

Parking

In the previous response to the application the LHA highlighted several plots where the parking spaces were below the guidance contained in the LHDG. After a review of the revised plans whilst some of the plots still have substandard provision or are below recommend length of 5.5m the LHA would not seek to resist the proposals based on the parking provision across the site. The LHA note no visitor parking has been provided within the site. Whilst this is a requirement of the new LHDG which was published in December 2024, it would be unreasonable for the LHA to seek to resist the proposals on this basis.

Private Drives

The applicant should note that some of the private drives across the development e.g. private drive for plots 15-17, 59-64 are not wide enough compared to the requirements in the LHDG. As set out in Table 13: Unadopted residential drive serving up to 25

dwelling of the LHDG all private drives that are longer than 25m should be a minimum of 5m.

Public Rights of Way

The application site includes Public Right of Way Footpath Z23. At present the alignment legally fixed by the Definitive Map of Public Rights of Way (PRoW) is along the inside edge of the western site boundary. In contrast previous submitted documents showed it on the outside edge of the western boundary, in effect as a roadside footway along Leicester Road.

Any change at all in the route of a PRoW requires a separate legal order made by the LPA, a separate application for which needs to be submitted and confirmed before a development is substantially complete. Unless there is no other option, moving a separate PRoW wholly onto a roadside footway is contrary to the LHDG and the Planning Policy Guidance (PPG) in Rights of Way Circular 1/09 paragraph 7.8.

The PPG has the same legal status as the National Planning Policy Framework (NPPF). The newly submitted drawings now show the PRoW within the site along the western edge of the new development. This is a satisfactory arrangement though the route changes will still require a separate legal order by the LPA. Paragraph 105 of the NPPF requires that:

‘Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users ...’.

The NPPF, PPG and Circular 1/09 are applied locally by the LHDG annex on Development and public rights of way at: <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-anddesign/public-rights-way>

To ensure aspects of the re-routed PRoW are satisfactorily addressed, the LHA would ask the LPA to include a condition for the treatment of the PROW as part of the Decision Notice if planning permission is granted.

Leicestershire County Council, Forestry:

March 2025: *‘The submitted Tree Protection Plan and Tree retention Plan outline appropriate positioning of fencing to ensure the protection of trees & hedges within the boundary of the site throughout the development. It is essential that this fencing is positioned before any site works commence. Tree planting and landscape plans are submitted for the public open space and within housing plots generally and indicate an appropriate pallet of plant species used across the different land types which are appropriate to the development. The proposed scheme using a range of attractive small sized specimen trees which would be suitable for residential gardens and suitable native/parkland species to the public open space. It is essential that the maintenance plan is undertaken in full for at least 5 years to ensure the successful establishment of all landscape elements’.*

Leicestershire County Council Ecology: no objection as the ecological survey reports were submitted with the outline application and a LEMP condition applied.

Leicestershire County Council, Lead Local Flood Authority:

March 2025: *'This application seeks reserved matters approval for the erection of 170 dwellings (Use Class C3) including details of appearance, landscaping, layout and scale (relating to outline application 23/1071/OUT. The most recent LLFA response (May 2024) to the outline application stated that the use of pervious paving in the southern part of the site would be responded to at the reserved matters stage. No evidence of consideration of the use of pervious paving has been submitted. Due to flooding within the downstream catchment, the LLFA would expect the applicant to ensure all avenues are explored and implemented to minimise any increase in run-off volume leaving the site.*

Leicestershire County Council as the LLFA advises the LPA that the application documents as submitted are insufficient for the LLFA to provide a substantive response at this stage. In order to provide a substantive response, details of the consideration of the use of pervious paving, as agreed at the outline stage, should be provided'.

May 2025: *"Lead Local Flood Authority Key Observations This application seeks reserved matters approval for the erection of 170 dwellings (Use Class C3) including details of appearance, landscaping, layout and scale (relating to outline application 23/1071/OUT. Subsequent to the previous LLFA response the applicant has submitted a drainage strategy plan. Whilst this does show some source control SuDS with a swale proposed, permeable paving has not been included. The most recent LLFA response (May 2024) to the outline application stated that the use of pervious paving in the southern part of the site would be responded to at the reserved matters stage. No evidence of consideration of the use of pervious paving has been submitted. Due to flooding within the downstream catchment, the LLFA would expect the applicant to ensure all avenues are explored and implemented to minimise any increase in run-off volume leaving the site".*

Leicestershire Police (Designing out crime):

March 2025: *'After reviewing the available documents, Leicestershire Police are supportive of the application in principle however, recent crime statistics from www.police.uk, indicate a rise in burglaries and high incidence of shop thefts in the area. Therefore, it is crucial that designing out crime is taken into consideration if the development progresses.*

I would like to bring to your attention that some of the proposed tree positions will affect natural surveillance to the front doors of properties if not well maintained, for example plots 135, 144 and car parking spots for 77. Within the 'Design and Evolution 04' statement for the development, crime prevention is not mentioned, however, there are several references to making the site 'safe' and makes direct reference to natural surveillance, page, 43 states,

‘Create a safe, attractive and distinctive residential environment through high levels of natural surveillance to streets and spaces’

I would therefore appreciate it if the applicant can be notified of the Secured by Design (SBD) guide for new homes and its official police security initiative. Information about and how to apply for this can be found on the following link [Secured by Design - SBD National Building Approval \(NBA\)](#)

May 2025: No objections

Leicestershire Fire and Rescue: No comments received

National Grid: No comments received

Natural England: No comments to make

Third Party Representations

22 representations were received objecting to the scheme.

The comments received are summarised below:

- Rain run off
- Flooding
- Traffic
- Lack of amenities and services (GP Surgeries)
- Lack of safe crossings
- Lack of bus provision and capacity
- Loss of hedgerow
- Re-routing of public footpath / Public right of way
- Loss of rural area
- Loss of parking to frontages of dwellings along Foston Road
- Poorly designed housing
- High density housing
- Lack of parking and visitor parking
- Loss of habitat and wildlife
- Disturbance from construction

Relevant History

16/0843/OUT - Proposed residential development (maximum 170 dwellings) with vehicular access points from Leicester Road and Foston Road and associated highway improvements. (Outline) – **Refused 11 November 2016**

APP/T2405/W/16/3164730 – Appeal in relation to application 16/0843/OUT – **Dismissed 25 August 2017**

23/1071/OUT - Outline planning application for the development of up to 170 dwellings (Use Class C3) with vehicular access points from Leicester Road and Foston Road

and associated highway improvements, with all other matters (relating to appearance, landscaping, scale and layout) reserved. **(Outline) – Approved 30 October 2024**

25/0170/DOC – Discharge of conditions 12 (surface water drainage), 13 (foul water drainage), 14 (surface water management during construction), 15 (long term maintenance of surface water drainage), 16 (infiltration testing), 17 (construction method statement, 18 (scheme of treatment for public right of way), 22 (LEMP), 24 (bird and bat boxes), 27 (waste collection strategy) and 28 (Phase II site investigation) attached to planning permission 23/1071/OUT – **Pending decision**

EXPLANATORY NOTE

The Site

The application site lies to the northeast of the village of Countesthorpe and comprises of 7.81 hectares of land currently forming a large irregular shaped field. The site is adjacent to Leicester Road to the west and Foston Road to the south and is located approximately 600 metres to the north of the village centre.

The site is bound by agricultural land to the north, beyond which is a sewage works located 300 metres to the northeast and Meadows Sports Ground. There is a garden centre directly adjacent to the southeast corner of the site. The site is bound by Foston Road to the south, beyond which lies a residential development and a crematorium, and Leicester Road to the west, beyond which lies more recently built residential development. The boundary of the site is demarcated by a hedge with intermittent trees along the western and southern boundaries. The site is open to the north and is separated from the garden centre to the east with a boundary of established trees.

The site is located outside of, but adjoining, the Settlement Boundary of Countesthorpe, identified as a 'Larger Central Village' in the Core Strategy, and is classed as Countryside. It is located entirely within Flood Zone 1 (at lowest risk of flooding from rivers). There is a small area to the northwest of the site which falls within a high chance of surface water flooding; however, it should be noted that there will be no built development to this area of the site. There is also an area to the centre of the site which falls within a low chance of surface water flooding (matters relating to drainage are being dealt with under a separate discharge of condition application (25/0170/DOC). There are no designated heritage assets on the site, but the edge of the site is approximately 250 metres from the edge of the Countesthorpe Conservation Area to the south where a number of statutorily listed buildings are also present. Public Footpath Z23 runs along the western edge of site and connects Countesthorpe to the Grand Union Canal and onwards to Wigston/ South Wigston.

The Proposal

In July 2024, the Planning Committee resolved to approve an outline planning application on this site for up to 170 dwellings (Use Class C3) with vehicular access points from Leicester Road and Foston Road and associated highway improvements, with all other matters (relating to appearance, landscaping, scale and layout) reserved (application reference 23/1071/OUT). After the completion of the S106, the planning permission was issued in October 2024.

The application currently under consideration is for the approval of details in relation to appearance, layout, landscaping and scale following outline permission granted under application 23/0170/OUT.

The application proposes the erection of 170 dwellings which will contain a mix of market housing and a 25% provision of affordable housing.

Parameters of the open space were considered under the outline permission and secured through a Section 106 agreement. The open space will be located along the north and northeast extent of the site area.

Matters relating to access were considered and agreed upon under the outline permission, which included two vehicular access points, one from Leicester Road and one from Foston Road. In addition, the outline application proposed alterations to the junction of Leicester Road and Foston Road. This will see the westernmost part of Foston Road realigned with a new, larger roundabout proposed to replace the existing mini roundabout. The new roundabout will be built further to the north on Leicester Road and will incorporate the access to Ladbroke Grove which is currently approximately 25 metres to the north of the mini roundabout. The original part of Foston Road will remain as a service road to provide access and parking to the properties at the western end of Foston Road.

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.

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 (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 CS7 – Affordable housing

Policy CS7 states that the Council will seek to secure a minimum of 25% of the total number of dwellings as affordable housing on all developments of 15 or more dwellings. Affordable housing should be provided on site unless there are exceptional circumstances preventing this. To ensure mixed and sustainable communities,

residential development should integrate affordable and market housing through the dispersal of affordable housing units within residential development and use a consistent standard of design quality. The tenure split and mix of house types for all affordable housing will remain flexible and will be assessed on a site-by-site basis, although affordable housing should be integrated into each phase and sub-phase of development.

Policy CS8 – Mix of Housing

Policy CS8 states that residential proposals for developments of 10 or more dwellings should provide an appropriate mix of housing type (house, flat, bungalow, etc.), tenure (owner-occupied, rented, intermediate) and size (bedroom numbers) to meet the needs of existing and future households in the District, taking into account the latest Strategic Housing Market Assessment and other evidence of local need. The Council will encourage all housing to be built to 'Lifetime Homes' standards, where feasible.

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 biodiversity.

Policy CS15 – Open Space, Sport and Recreation

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

Policy CS18 – Countryside

Policy CS18 states that within areas designated as Countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. It states that planning permission will, however, be granted for limited small scale employment and leisure development (including dwellings essential for these needs) subject to consideration of its impacts. The need to retain Countryside will be balanced against

the need to provide new development (including housing) in the most sustainable locations.

Policy CS19 – Bio-diversity and Geo-diversity

Policy CS19 seeks to 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 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.

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 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) (Delivery DPD)

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;

Updated Policy CS15 – Open Space, Sport and Recreation

This supersedes the Core Strategy Policy CS15 and seeks to ensure that residents have access to sufficient, high quality, accessible open space, sport and recreation facilities. The policy has been updated as the Council commissioned an updated assessment of open space, sport and recreation facilities in the District (Open Space Audit 2015). The information gained was used to review the locally derived standards, contained in Policy CS15, to ensure that existing and future communities have access to sufficient open space, sport and recreation facilities. The standards for the provision of open space per 1000 population have therefore been updated accordingly. There are no specific standards for the provision of outdoor sports space but the Open Space Audit gives guidance on where there are quantity and quality deficiencies.

Policy DM2 – Development in the Countryside

Policy DM2 states that in areas designated as Countryside on the Policies Map, development proposals consistent with Core Strategy Policy CS18 will be supported where specific criteria are met: a) The development is in keeping with the appearance and character of the existing landscape, development form and buildings; b) The development provides a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by the existing or new occupiers; c) The development will not undermine the vitality and viability of existing town, district and local centres.

Policy DM4 – Connection to Digital Infrastructure

Policy DM4 states that all new build major residential and commercial development should be served by fast, affordable and reliable broadband connection in line with the latest Government target. It states that developers will liaise with broadband infrastructure providers to ensure that a suitable connection is made. The wording of the policy was amended following public examination to state that new development should be served by this type of infrastructure rather than specifically requiring it. This was considered necessary to introduce flexibility into the policy given that delivery of a broadband connection would likely be reliant on a third-party contractor over which a developer is unlikely to have any control.

Policy DM8 – Local Parking and Highway Design Standards

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

Policy DM11 – Accessible and Adaptable Homes

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

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.

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:

Principle of development

Housing Mix and Affordable Housing

The impact on the character and appearance of the area

The impact on the amenity of nearby and future residents

Internal road layout

Landscaping

Flood Risk and Drainage

Principle of Development

The principle of residential development of the site was established by outline planning permission 23/0170/OUT. The outline planning permission approved the following:

- Up to 170 Dwellings
- Two vehicular access points (Leicester Road and Foston Road)
- Alterations to junction of Leicester Road and Foston Road (new larger roundabout)
- S106 agreement securing the following;
 - Affordable housing provision,
 - On site public open space area,
 - Healthcare contribution,
 - Police Contribution,
 - Off-site Sports facility contribution,
 - Early Years and Education Contributions,
 - Library Contribution,
 - Travel Pack and Bus Pass Contribution,
 - Travel Monitoring Fee Contribution
 - MOVA (traffic signal control system) upgrade - Leicester Road/ Hospital Lane junction.
 - MOVA upgrade (traffic signal control system) - Countesthorpe Road/ Blaby Road/ St Thomas Road/ Saffron Road junction.
 - Civic Amenity and Waste Facilities Contribution
 - S106 monitoring contributions – District and County Councils

Housing Mix and Affordable Housing

Policy CS7 seeks to secure a minimum of 25% of the total number of dwellings as affordable housing on all developments of 15 or more dwellings. Policy CS8 states that residential developments of 10 or more dwellings should provide an appropriate mix of housing type (house, flat, bungalow), tenure (owner-occupied, rent, intermediate) and size (bedroom numbers) to meet the needs of existing and future households in the District, taking into account the latest Strategic Housing Market Assessment and other evidence of local need.

The Council's Housing Strategy team provided a 'Housing Mix Requirements Assessment' (February 2024) during considerations of the outline application which

provided detailed analysis and conclusions relating to both the affordable and market housing. The assessment provided a recommended affordable and market mix for the development. The preferred mix is based on achieving a balance of larger homes and sufficient supply of smaller homes. Bungalows are also in demand in both for rental and open market. The preferred mix also is intended to help close the gap between smaller entry level homes and larger homes, of which there is already a larger supply at both parish and district level.

Condition 8 of the outline planning permission required an appropriate mix of market and affordable housing to be provided in accordance with the Housing Supplementary Planning Document (2013) and as part of the Section 106, provision of 25% affordable housing was required. The application includes a mix of dwelling types to include terraced dwellings, semi-detached dwellings, detached dwellings, maisonettes, Quarter houses and bungalows across the site and will range from one bed to five bed dwellings. The table below illustrates details the mix of the housing provision. 25% of the total dwellings provided will be affordable equating to a total of 43 dwellings, comprising of a mix of social rent and shared ownership. These dwellings are generally provided in clusters of seven or less with the exception of one cluster amounting to eight. It is acknowledged that clusters of more than six affordable dwellings does not accord with paragraph 3.6.9 of the Housing Supplementary Planning Document 2013, however following consultation with Blaby District Council's Housing Strategy Team, clusters of seven are considered acceptable in this instance and no objection has been raised to the one cluster of eight dwellings. It is considered therefore that the distribution of affordable dwellings across the site and the proposed housing mix is appropriate and responsive to the needs of the overall district and Countesthorpe and is acceptable.

Market Mix	Affordable Mix (43 Dwellings)
4 x 1+ bed House	4 x 1 bed Maisonette
22 x 2 bed Bungalow / House	4 x 1 bed Quarter House
19 x 2+ bed House	4 x 2 bed Bungalow
36 x 3 bed House	18 x 4 bed House
10 x 3+ bed House	11 x 3 bed House
20 x 4 bed House	2 x 4 bed House
16 x 5 bed House	
Total = 127 Dwellings	Total = 43 Dwellings

Policy DM11, requires development proposals for housing of 20 dwellings or more to meet the Building Regulations Standards M4(2) for 5% of the total dwellings. Further to this condition 9 of the outline planning permission required 5% of the dwellings to be accessible and adaptable homes. The application proposes a total of nine M4(2) dwellings to be provided across the site which sufficiently meets the requirement as required by Policy DM11 and therefore is considered acceptable. (It should be noted that 5% of 170 dwellings amounts to 8.5 dwellings and therefore 9 dwellings have been provided).

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

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

Policies CS2 and DM2 seek to ensure that a high-quality environment is achieved in all new development proposals, respecting distinctive local character, and ensuring that design contributes towards improving the character and quality of an area and the way it functions. They further seek to create places of high architectural and urban design quality to provide a better quality of life for the district's local community. It is considered that Policies CS2 and DM2 are consistent with the NPPF paragraph 131 and can therefore be given full weight.

The application site is located on the northern edge of Countesthorpe, with residential development to the west and south and is therefore in an urban fringe location with a semi-rural character. The existing properties to the south on Foston Road are a mix of older terraced and larger detached properties, using red brick and render. To the west, fronting Leicester Road are more modern detached properties off Jubilee Way, again built of red brick and render and set back behind a hedgerow. Materials to be used in the construction of the proposed dwellings will include a mix of red contrasting bricks to the external elevations. Roofing materials will include a mix of slate grey, peat brown and cottage red roof tiles. Further detailing to the external appearance of the proposed dwellings will include plain cottage red hanging tiles and black Tudor boarding set on rough cast render. The mix of materials are considered to be appropriate, reflective and in keeping with the surrounding character and appearance of the local area.

The site is organised as such that the northern and north east of the site consists of a low to medium density layout with the southern edge of the site consisting of a medium density. The layout makes use of perimeter blocks (organised into five parcels), and dwellings are largely outward facing at the interfaces with the public realm, and open space to the north, northeast and southeast of the site.

It is noted that representations raised concerns regarding the accumulation of open space to the north, north east and south east of the site, however the parameters of the open space were agreed during the outline application and secured through the S106 agreement and have been designed as such to provide a buffer to the area of countryside located to the east of the site and to soften the visual impact of the proposal in relation to the countryside.

Overall, therefore it is 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 amenity of nearby and future residents

Policy DM2 of the Delivery DPD states that development in areas designated as countryside will be supported where new development will have satisfactory relationships with nearby uses that would not be significantly detrimental to the amenities enjoyed by the existing or new occupiers.

Plots across the site are to be separated (rear to rear) by a distance of approximately 20m. Whilst Blaby District Council do not have published space standards, it is

considered that the separation distance of 20m is appropriate to maintain a satisfactory neighbouring relationship between dwellings and to protect the amenity and privacy of future residents. It is acknowledged that there are plots where front to front separation distances are between 12m and 13m, falling short of the desired 20m separation distance, however, as these plots are located across street frontages and publicly visible from the street scene, it is not considered that there would be a significantly adverse impact with regard to neighbouring and residential amenity.

Land levels between dwellings are generally level, with some degree of level change across the site, however minor when considered between dwellings. Therefore, it is not considered that there would be an undue impact to neighbouring and residential amenity. Details of the land levels will be considered and determined under the discharge of condition application (25/0107/DOC). Dwellings sitting adjacent to the area of public open space to the north and northeast of the site, have been designed and orientated as such that they provide a natural surveillance in the interests of residents and users of the space, in particular for dwellings sitting adjacent to play area.

Boundary treatments will include close boarded timber fencing to the rear and sides of dwellings and timber gates to the side of dwellings as a means of access. A brick wall and timber fence style boundary treatment will be provided for corner plot dwellings.

Matters relating to refuse collection are being considered under a separate discharge of condition application (25/0107/DOC). The application proposes bin storage points and collection points (at the highway) will be provided across the site. Following consultation with Blaby District Council's Neighbourhood Services department, no objections have been raised.

Internal road layout

The means of access to the site and external Highway works are approved as part of the outline planning permission for the development. This reserved matters application cannot revisit these elements. The matters relating to the internal road layout and parking design are to be considered at this stage.

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

The Local Highways Authority (LHA) initially raised concerns on the adoptability of the internal layout of the site, in relation to road and footway widths, shared surfaces, bend widening, speed control and speed table design, road classification, dropped crossing points, trees on private land, visibility and turning head radii and the alignment of the PRow. The LHA also raised concerns on the provision of off-street parking provision (due to some plots falling short of the required number of off-street spaces) and visitor parking across the site. It should be noted that LHA has considered the application under the previous Highways Design Guide, due to a pre-application discussion prior to the new design guide being published.

Following amendments received, the LHA 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. It is acknowledged that the revised parking provision still falls short of the requirements as detailed within the Leicestershire Highways Design Guide, however the LHA have stated that they would not resist to the proposal based on this and therefore it is considered that the parking provision is acceptable and is unlikely to result in an adverse impact to highway safety.

Due to the size of the site, the LHA have advised that development is offered for adoption as a publicly maintainable highway. Adoptability of the site will be dealt with under a separate S38 application between the LHA and the applicant and the LPA supports adoptability of the development.

Dropped kerbs to properties 7,8,9,10 and Foston Road

Concerns were raised regarding dropped kerb access to properties 7, 8, 9 and 10 Foston Road which sit to the south of the application site. Approved plans under the outline permission illustrated that a dropped kerb would be provided for these properties. It is noted that there was a discrepancy in the initial plans submitted under the reserved matters application, however amended plans have been received and clarification has been provided that dropped kerbs will be provided to the existing properties of No. 7,8, 9 and 10 Foston Road. Further details in relation to this will be confirmed under a S278 application directly with the Local Highways Authority.

Public Right of Way (PRoW)

Public Footpath Z23 runs along the western edge of site and connects Countesthorpe to the Grand Union Canal and onwards to Wigston/ South Wigston. The initial scheme proposed an amendment to the location of the PRoW approximately 6m away from its legal definition, however this was not considered to be acceptable by the Local Highway Authority. Subsequently an amended scheme was received which largely retains the PRoW in accordance with its legal definition, however, there still remains a degree of change to the existing route and therefore a separate application under S.257 of the Town and Country Planning Act 1990 will be required to address this.

A footpath will be provided within the site connecting to the PRoW and extending across the area of public open space and connecting to pavement on Foston Road towards the southeast of the site. A mown grass path will be provided along the southern edge of the site to ease pedestrian flow and movement around the site and will benefit future residents and users of the site.

A number of representations raised concerns on highways issues relating to traffic, parking, public transport and capacity of the road network. Matters relating to access were considered at outline stage, and no objections have been raised by the LHA following amendments to the scheme, based on the initial concerns raised.

The Local Highway Authority have assessed the proposal against the Highways Design Guide which sets the standards, and they consider that although the parking provision across falls short in some areas, they would not seek to resist the proposal based on this. They consider that the impacts of the development on highway safety and the road network would not be unacceptable.

Landscaping

A variety of planting and landscaping will be provided across the site, to include, hedgerows, trees, mown grass, and on plot planting to the frontages and sides of individual plots. Trees are to be planted adjacent to streets and in between parking to the frontages of plots to lessen the impact of necessary hard landscaping required for off street parking. The northeastern extent of the site which will occupy an area of public open space, SUDs and a play area will benefit from a range planting and landscaping. It is considered that this provides a visually attractive amenity area which will benefit future occupiers. No objection was raised by Leicestershire County Council Forestry in relation to the proposed planting and landscaping and it is considered that the proposal is acceptable.

Public Open Space

The parameters of public open space were set during the consideration of the outline application. The layout plans illustrate a provision of open space on the north, northeast and east edges of the site which border onto the surrounding countryside, along with landscaping to the site boundaries to separate the development from the remainder of the existing agricultural field and soften the visual impact of the development. A play area will also be provided to the northern extent of the site, consisting of different play apparatuses as required under the S106 agreement. It is considered that the range of play apparatuses are acceptable and in accordance with the requirements of the S106 agreement and will provide an amenity to residents and users of the local area.

Flood Risk and Drainage

Technical details of the SuDS schemes on site and other drainage matters are to be agreed upon under the discharge of condition application (25/0107/DOC). The landscaping and planting surrounding the SuDS schemes on site are considered to be appropriate and attractive in providing a pleasant and visually attractive environment for residents and users.

Biodiversity Net Gain

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gain. The approval of reserved matters for outline planning permissions is

not subject to the biodiversity gain condition, as it is not a grant of planning permission but rather considers the details of an application.

None the less however, the developer has agreed to provide a 'net gain' in relation to biodiversity, which is being secured through a Landscape and Ecological Management Plan (LEMP) as required by Condition 22 of the outline permission. Details of this are to be considered under the discharge of condition application (25/0107/DOC) and no objection has been raised by Leicestershire County Council Ecology.

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 and matters relating to access have been established through the approval of the outline planning permission 23/1071/OUT. This reserved matters application therefore solely considers the layout, scale, appearance and landscaping relating to the proposed development.

It is considered that the design and appearance of the proposal, would be appropriate and in keeping with the surrounding area and would provide acceptable residential amenity standards for existing residents and future occupiers (through appropriate separation distances, avoiding overlooking, etc.). The highway impacts of the development on the surrounding road network, including matters relating to access were considered as part of the outline permission, but it is considered that the detailed design demonstrates a satisfactory layout and provision of parking. The proposed landscaping provision, including the provision of public open space is considered to be positive to the design of the development.

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.

In conclusion it is considered the proposal is acceptable by virtue of its design, layout, housing mix and landscaping provision. The proposal would accord with the Policies as set out in the Development Plan and the NPPF (2024). There are no material considerations which would indicate otherwise and therefore on balance it is considered the proposal is acceptable in planning terms.
