

Application reference: 24/0957/FUL

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

Site Address: Land off Butler Close, Sharnford

Case Officer: Rebekah Newman, Senior Planning Officer

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

S106 Contributions:

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

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

Conditions:

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

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

1. The site

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

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

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

2. The Proposal

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

3. Relevant Planning History

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

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

4. Consultation Responses

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

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

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

4.1 Blaby District Council Consultees

4.1.1 Environmental Services (3)

No objections subject to conditions.

4.1.2 Housing Strategy (2)

Agree to the market and affordable housing mix proposed.

4.1.3. Neighbourhood Services (6)

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

4.2 Leicestershire County Council Consultees

4.2.1 Archaeology (3)

Recommends the inclusion of a condition, if granted.

4.2.2 Developer Contributions (3)

The following amounts are requested:

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

Total = £1,449.73.

4.2.3 Ecology (3)

No objections subject to conditions.

4.2.4 Forestry (3)

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

4.2.5 Lead Local Flood Authority (LLFA) (6)

No objections subject to conditions.

4.2.6 Local Highways Authority (5)

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

4.2.7 Minerals and Waste (1)

No objections.

4.3 Others

4.3.1 Environment Agency (2)

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

4.3.2 Leicestershire Fire & Rescue (1)

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

4.3.3 Leicestershire Police (1)

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

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

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

4.3.5 Ramblers Association

No response received.

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

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

4.3.7 Severn Trent Water

No response received.

4.3.8 Sharnford Parish Council (2)

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

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

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

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

4.3.9 Ward Councillor

No comments received.

5. Additional Representations

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

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

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

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

Flooding / Drainage

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

Highways / Parking

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

Infrastructure

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

Housing

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

Neighbour Amenity

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

Natural Environment

- Loss of natural wildlife
- Loss of farm land

6. Planning Policies and Material Considerations

6.1 Development Plan

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

The Development Plan in relation to this proposal consists of:

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

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

Policy CS1 – Strategy for locating new development

Policy CS2 – Design of new development

Policy CS5 – Housing distribution

Policy CS7 – Affordable housing

Policy CS8 – Mix of housing

Policy CS10 – Transport infrastructure

Policy CS11 – Infrastructure, services and facilities to support growth

Policy CS12 – Planning obligations and developer contributions

Policy CS14 – Green infrastructure

Policy CS15 – Open space, sport and recreation

Policy CS18 - Countryside

Policy CS19 – Biodiversity and geo-diversity

Policy CS20 – Historic environment and culture

Policy CS21 – Climate change

Policy CS22 – Flood risk management

Policy CS23 – Waste

Policy CS24 – Presumption in favour of sustainable development

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

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

Policy DM2 – Development in the countryside

Policy DM4 – Connection to digital infrastructure
Policy DM8 – Local parking and highway design standards
Policy DM12 – Designated and non-designated heritage assets
Policy DM13 – Land contamination and pollution
Policy DM15 – Mineral safeguarding areas

6.1.3 Leicestershire Minerals and Waste Local Plan (2019)

Policy M11 – Safeguarding of mineral resources

6.1.4 Fosse Villages Neighbourhood Plan 2018 – 2029 (2021)

Policy FV1 – Road traffic
Policy FV3 – Bus services
Policy FV4 – Biodiversity
Policy FV6 – Design
Policy FV7 – Housing provision
Policy FV8 – Windfall housing
Policy FV12 – Housing mix

6.2 Material Considerations

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

Section 2 - Achieving sustainable development

Section 4 – Decision-making

Section 5 - Delivering a sufficient supply of homes

Section 8 - Promoting healthy and safe communities

Section 9 – Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Achieving well-designed places

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

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

Section 17 – Facilitating the sustainable use of minerals

- Blaby District Council Active Travel Strategy (2024)

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

7. Consideration of Application

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

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

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

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

Development plan policy

- 7.1.1 The site lies within the countryside beyond the Sharnford settlement boundaries as shown on the adopted Policies Map. Policy CS18 of the Core Strategy is therefore relevant. It is not an allocated site for housing development and in this context is contrary to the adopted Development Plan. Nonetheless, the policy does recognise that the need to retain countryside will be balanced against the need to provide new development (including housing) in the most sustainable locations.
- 7.1.2 In considering the most sustainable locations for housing, the Council's spatial strategy is outlined in Core Strategy policies CS1 and CS5. These policies seek to ensure housing needs are met in the most sustainable way through a principle of 'urban concentration'. New development should be primarily focused within and adjoining the Principal Urban Area (PUA) of Leicester.
- 7.1.3 Outside the PUA, Policy CS1 states that development should be focused within and adjoining Blaby and the Larger Central Villages (i.e. Enderby, Narborough, Whetstone and Countesthorpe), with lower levels of growth allowed in the Rural Centre (Stoney Stanton), Medium Central Villages and Smaller Villages, reflecting the settlement's range of available services and facilities and public transport alternatives.
- 7.1.4 Policies CS1 and CS5 identify Sharnford as a 'smaller village' (along with the settlements of Elmesthorpe, Kilby and Thurlaston) with modest levels of growth anticipated. Only hamlets and very small villages lie below the 'smaller village' tier of the hierarchy. Policy CS5 does not identify a housing requirement figure for each individual settlement within the 'smaller village' tier but sets a minimum provision of 80 dwellings 2006-2029 across all four villages in this level of the hierarchy.
- 7.1.5 The Fosse Villages Neighbourhood Plan (FVNP) reflects the Core Strategy Policy C5 and apportions a specific minimum housing requirement for the two

'smaller villages' in the Fosse Villages neighbourhood area, namely Sharnford and Thurlaston. Policy FV7 in the FVNP sets a minimum provision of 25 dwellings for Sharnford 2006-2029. There is no housing requirement figure specific to the neighbourhood area and whilst the FVNP does identify a quantum of development for each settlement, it does not make any housing allocations. Consequently, the provisions of paragraph 14(b) of the NPPF which in effect 'disapply' the tilted balance presumption are not engaged in this case.

- 7.1.6 In the context of development plan policy CS18 (which seeks to protect the countryside) and the development strategy set out in policies CS1, CS5 and FV7, (which suggest only modest levels of growth for Sharnford), a development of 19 dwellings on the edge of Sharnford on an unallocated site in the countryside would be contrary to the adopted development plan.

Housing Requirements and Supply Position

- 7.1.7 Between 2006 and 2029, the District of Blaby is required to provide a minimum of 8,740 houses. Of the 8,740 houses, Policy CS1 states that at least 5,750 houses should be within or adjoining the Leicester PUA, with at least 2,990 houses to be provided in areas outside the PUA (the 'non-PUA').
- 7.1.8 As of 31st March 2025, a total of 2,965 homes had been completed in the PUA. To meet the identified PUA requirement there is a need for around 696 homes per annum to be delivered in the PUA until the end of the plan period (total 2,785). Forecast completions in the PUA to 2029 are less than half this number (1,196) and it is unlikely that housing delivery will accelerate in the PUA sufficiently to address the shortfall by the end of the Plan period.
- 7.1.9 Housing delivery in the non-PUA has exceeded the minimum housing requirement set out in the Plan. The Council's recently published Residential Land Availability (RLA) report indicates that as of 31st March 2025, 3,968 homes had been delivered in the non-PUA, significantly exceeding the minimum requirement in the non-PUA of 2,990 dwellings. Overprovision has occurred in all settlements/tiers in policy CS5, with the exception of Narborough and Earl Shilton (land adjoining) where there are currently small shortfalls. The RLA report indicates that around 379 further homes may be completed in the non-PUA before 2029. Opportunities to deliver housing development of a type and scale needed to facilitate an increase in delivery in the near term are greater in the non-PUA than the PUA mainly due to the constrained nature and large scale of the sites being promoted for development in the PUA.
- 7.1.10 Forming part of the non-PUA area, the Smaller Villages (which includes Sharnford) have a combined minimum housing requirement of 80 dwellings across the local plan period (2006 to 2029). Against this requirement, 199 houses have been completed and committed as of 31 March 2025 within or adjacent to the named villages; resulting in the requirement within the 'smaller village' tier of the hierarchy having been exceeded by 148.75%, although it is recognised that the policy requirement is expressed as a minimum.

- 7.1.11 The RLA report records that 45 of these dwellings have been completed or committed in Sharnford. In respect of the level of housing provision anticipated for Sharnford in policy FV7 of the FVNP, the actual amount of housing development has almost doubled.
- 7.1.12 Turning to the short-term picture, there is currently an under delivery of houses within the District as a whole, with the Council only being able to demonstrate a 2.78-year housing land supply, notably less than the five-year supply requirement outlined in paragraph 78 of the NPPF. Footnote 8 of the Framework establishes that in the absence of a five-year housing land supply, the policies most important for determining the application will be out-of-date. There are no conflicts with policies that seek to protect areas or assets of particular importance and the provisions of paragraph 11(d)(ii) of the NPPF which apply a presumption in favour of granting permission are therefore engaged (the ‘tilted balance’).

Summary

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

Sustainability of the location

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

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

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

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

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

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

7.2 Transport and highway implications

- 7.2.1 Policy CS10 seeks to deliver the infrastructure, services and facilities required to meet the needs of the population of the District of Blaby including those arising from growth and to make services accessible to all, including locating new development so that people can access services and facilities without reliance on private motor vehicles and to ensure that appropriate measures are taken to mitigate the transport impacts of new development.
- 7.2.2 Policy DM8 seeks to provide a consistent approach to local car parking standards and highway design. It goes on to state that the Leicestershire Highways Design Guide sets out, amongst other things, standards and policies for parking and highway design that will need to be considered for all new development.
- 7.2.3 Policy FV1 states that measures that provide reductions in traffic on the B4114, including through Sharnford and traffic reductions in the Fosse Villages will be supported.
- 7.2.4 Policy FV3 seeks for new residential developments of more than 10 dwellings to include a viability statement evidencing the extent to which the proposals will enhance rural bus services within the Neighbourhood Area on a proportionate basis, having regard to the size, nature and location of the proposed development. Where financial contributions are offered, these should be provided by way of a Section 106 Agreement in accordance with the guidance in the Passenger Transport Strategy. However, it is noted the LHA has not requested any contributions towards bus passes and since adoption of the Fosse Villages Neighbourhood Plan, the Fox Connect service has been launched by Leicestershire County Council, improving public transport links in South Leicestershire. The nearest bus stop is located on Leicester Road in Sharnford, located approximately 480m from the site. In addition, due to the minor scale of the proposed development, and policy FV3 stating that such developments '*...will be supported where proposals include a viability statement*', rather than being a requirement, the provision of a viability statement is not considered to be reasonable for this proposal.

Site Access

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

Highway Safety

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

Internal Layout

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

Public Rights of Way (PROW)

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

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

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

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

7.3 Impact on the countryside and landscape / visual impact

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

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

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

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

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

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

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

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

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

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

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

- 7.3.13 PRow users within the application site will experience the largest change by the introduction of residential housing, however, the Assessment states that the quality of the PRow will be enhanced with proposed hedgerow planting and improvements and tree planting.
- 7.3.14 Overall, the Assessment concludes that the proposals will have a small impact on the local character area and will create a visual impact within, and local to the site. Mitigation planting will increase the quality of the landscape of the development and both reduce the visual impact of the development and ease the impact on the character of the site.

7.4 Affordable housing and housing mix

- 7.4.1 Policies CS7 and CS8 seek to ensure that new housing developments provide the appropriate quantity and mix of housing for the District’s current and future needs, including the provision of affordable housing.
- 7.4.2 It is considered that Policies CS7 and CS8 are broadly consistent with the NPPF paragraph 63 and can therefore be given full weight.
- 7.4.3 Policy FV12 states that proposals for new housing providing for a mix of housing types informed by and reflecting the most up to date evidence of housing need will be supported. In addition, proposals for development of 10 or more dwellings will need to demonstrate how their proposed mix will meet the needs of older households and the need for smaller, low-cost homes.
- 7.4.4 The Blaby Housing Mix and Affordable Housing Supplementary Planning Document provides guidance regarding the interpretation of Policies CS7 and CS8, aims to address local imbalances in both the market and affordable housing stock, and aims to optimise the provision of affordable housing to meet identified needs.
- 7.4.5 Policy CS7 seeks to secure a minimum of 25% of the total number of dwellings as affordable housing on all developments of 15 or more dwellings. It is worth highlighting that the most up to date information on affordable housing need is set out in the 2022 HENA. This shows a marked increase in need for affordable housing and this is a material consideration which should be considered in the planning balance. The June 2022 HENA shows that a total of 539 affordable houses per year (including 341 per year as social and affordable rented and 189 as affordable home ownership) are required to meet the District Council’s affordable housing need. It is unlikely that this level of delivery will be viable or deliverable but it highlights the growing need for affordable housing in the district. The proposed development will provide a policy compliant 25% of the dwellings as affordable homes (5 dwellings) which weighs in favour of the development and will help to address the shortfall in the district.

7.4.6 Policy CS8 states that residential developments of 10 or more dwellings should provide an appropriate mix of housing types (house, flat, bungalow), tenure (owner-occupied, rent, intermediate) and size (bedroom numbers) to meet the needs of existing and future households in the District, taking into account the latest Strategic Housing Market Assessment and other evidence of local need.

7.4.7 The percentages are considered for this development below:

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

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

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

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

7.5 Design and layout

7.5.1 Policies CS2, DM2 and FV6 seek to ensure that a high-quality environment is achieved in all new development proposals, respecting distinctive local character, and ensuring that design contributes towards improving the character and quality of an area and the way it functions. They further seek to create places of high architectural and urban design quality to provide a better quality of life for the district's local community. It is considered that Policies CS2, DM2 and FV6 are consistent with the NPPF paragraph 131 and can therefore be given full weight.

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

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

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

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

7.6 Flood risk and drainage

7.6.1 Paragraph 173 of the NPPF (now Paragraph 181 in the revised version) states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Policy CS22 of the Core Strategy states that the Council will ensure all development minimises vulnerability and provides resilience to flooding, taking into account climate change. This includes directing development to locations at the lowest risk of flooding giving priority to land in Flood Zone 1, using Sustainable Drainage Systems (SuDS) to ensure that flood risk is not increased on-site or elsewhere, managing surface water run-off, and ensuring that any risk of flooding is appropriately mitigated, and the natural environment is protected.

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

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

7.6.3 Paragraph 181 of the NPPF states the following:

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

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

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

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

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

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

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

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

Sequential Test

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

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

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

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

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

Surface water drainage

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

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

7.6.18 The consultee also commented the following:

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

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

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

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

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

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

7.6.23 Overall, it has been demonstrated that, through the use of appropriate conditions, an acceptable drainage scheme can be provided and the flood risks to the development can be managed, without increasing flood risk elsewhere, and will not result in an increase in flood risk off-site.

7.7 Residential amenities

- 7.7.1 Policy DM2 seeks to ensure that development consistent with Policy CS18 provides a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by existing and nearby residents, including but not limited to, considerations of, privacy, light, noise, disturbance and an overbearing effect and considerations including vibration, emissions, hours of working and vehicle activity.
- 7.7.2 Policy FV6 states that development that reflects the distinctive and traditional character of the Fosse Villages, as described in the Settlement Statements, or contextually appropriate innovative design will be supported. Development proposals must also:
- A. Be in keeping with the scale, form and character of its surroundings;
 - B. Protect locally significant features such as traditional walls, hedgerows and trees;
 - C. Not significantly adversely affect the amenities of residents in the area, including daylight / sunlight, privacy, air quality, noise and light pollution;
 - D. Promote sustainable design and construction, which minimises waste and maximises the potential for recycling materials either on or off site; and
 - E. Provide safe and suitable access.
- 7.7.3 The proposed development is located adjacent to the settlement boundary of Sharnford and so would be located in reasonably close proximity to some existing properties, in particular backing onto the gardens of properties on Butler Close to the east.
- 7.7.4 In terms of privacy / overlooking, it is noted that plot 1 would have a window on the ground floor WC, which would face towards no. 18 Butler Close. However, a condition is recommended to ensure that any windows accommodating WCs are obscurely glazed. No windows are proposed on the first-floor of plot 1, which would face towards no.18.
- 7.7.5 Plots 7 – 11's rear elevations would back onto nos. 9, 11, 15 and 17 Butler Close. The separation distance between plots 7 – 8 and 15 and 17 Butler Close is approximately 29m. Plots 9 – 11 are set slightly further forwards. Despite this, the separation distance between these plots and nos. 9 and 11 Butler Close is still approximately 28m. The resident at no.9 Butler Close raised concerns that the Proposed Site Layout did not include their recent single storey rear extension, and therefore their separation distance would be less. Your Officers have reviewed and assessed the approved plans for no.9 Butler Close's extension (ref: 21/0060/HH). The drawings show that the extension extends beyond the dwelling's existing rear building line by 3m. Therefore, 25m would still be maintained between the plots and no.9's rear extension. This distance is considered acceptable and no concerns are raised by Officers.

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

7.8 Developer contributions and infrastructure / facilities

- 7.8.1 Policy CS11 states that new developments must be supported by the required physical, social and environmental infrastructure at the appropriate time. It states that the Council will work in partnership with delivery agencies to ensure that development provides the necessary infrastructure, services and facilities to meet the needs of the community and mitigate any adverse impacts of development. Policy CS12 states that where requirements for infrastructure, services and facilities arising from growth are identified through robust research and evidence, it is expected that developers will contribute towards their provision (and in some cases maintenance).
- 7.8.2 A request for funding towards waste management facilities and libraries was received from Leicestershire County Council. Leicester, Leicestershire and Rutland Integrated Care Board (LLR ICB) has also requested a financial contribution to provide the required healthcare facilities to meet the population increase linked to this housing development.

Education provision

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

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

Libraries

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

Waste

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

Waste Collection

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

Health care

- 7.8.7 The Leicester, Leicestershire and Rutland Integrated Care Board (ICB) requests a contribution of £14,714 for GP surgeries to help mitigate / support the needs arising from an increase in population. The ICB requests that the funding is allocated for use either at any named GP Surgery or to develop alternative primary / community healthcare infrastructure that will be directly impacted. The consultee has commented in their response "*Due to the length of time applications can take to reach formal approval, and S106 funds agreed and secured, LLR ICB reserve the right to agree at that point as to where the funding is best placed.*"

Utilities

- 7.8.8 It is noted that a number of objections to the planning application have raised issues regarding existing internet connection issues. Policy DM4 of the Delivery DPD states that all new build major residential and commercial development should be served by a fast, affordable and reliable broadband connection in line with the latest Government target. It indicates that developers will be expected to liaise with broadband infrastructure providers to ensure that a suitable

connection is made. Since the publication of the Delivery DPD, however, legislation has overtaken policy requirements in this area as The Building etc. (Amendment) (England) (No.2) Regulations 2022 have introduced gigabit broadband infrastructure and connectivity requirements for the construction of new homes in England which means there is now a requirement in law for policy requirements of DM4 to be adhered to.

7.9 Open space, sport and recreation

- 7.9.1 Policy CS14 seeks to ensure that the District's natural environment, wildlife, habitats, landscape and geology are considered and protected through good design practices, seeking to protect existing green spaces and provide new good quality, multi-functioning green networks and corridors. Updated Policy CS15 indicates that Blaby District Council will seek to ensure that all residents have access to sufficient, high quality, accessible open space, and sport and recreation facilities, access to the Countryside and links to the existing footpath, bridleway, and cycleway network.
- 7.9.2 Contributions for open space provision or improvements within the parish will be sought in line with the provisions of Policy CS15 and the Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Guidance (February 2024).
- 7.9.3 Updated Policy CS15 standards for the provision of open space, sport and recreation per 1000 population in the District, indicates that these standards will be used to ensure that development proposals provide sufficient accessible open space, sports and recreation, taking into account any local deficiencies. It states that new on-site provision or, where appropriate, financial contributions to improve the quality of, or access to existing open space, sport and recreation facilities, will be expected and commuted maintenance sums will be sought.
- 7.9.4 Blaby District Council's Planning Obligations and Developer Contributions Supplementary Planning Document includes guidance to support the Local Plan in relation to open space, sport and recreation requirements for developer contributions. It states that open space and play facilities should normally be provided within the development but recognises that open spaces of less than 2200 square metres in size are of limited recreational value, are expensive to manage and maintain, often lead to conflict with neighbours and therefore have little overall community benefit.

Open space provision

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

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

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

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

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

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

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

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

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

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

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

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

Cemeteries

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

Sports pitches

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

7.10 Archaeology

7.10.1 Policies CS20 and DM12 seek to preserve and enhance the cultural heritage of the District and recognise the need for the Council to take a positive approach to the conservation of heritage assets. Policy CS20 goes on to state that proposed development should avoid harm to the significance of historic sites, buildings or areas, including their setting.

7.10.2 There are no designated heritage assets within the site and no designated heritage assets within the surrounding areas which are considered sensitive to the proposed development.

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

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

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

7.11 Environmental implications

Land contamination

7.11.1 Policy DM13 states that development proposals will be required to clearly demonstrate that any unacceptable adverse impacts related to land contamination, landfill, land stability and pollution, can be satisfactorily mitigated.

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

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

Construction impacts

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

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

7.12 Ecology and biodiversity

7.12.1 Policy CS19 states that the Council will protect those species which do not receive statutory protection under a range of legislative provisions, but have been identified as requiring conservation action as a species of principal importance for the conservation of biodiversity nationally. Any development proposals should ensure that these species and their habitats are protected from the adverse effects of development through the use of appropriate mitigation measures.

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

Ecological appraisal

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

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

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

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

Biodiversity Net Gain

- 7.12.8 Biodiversity net gain (BNG) is a strategy to develop land and contribute to the recovery of nature. It is a way of ensuring that habitats for wildlife are in a better state after development than before. A 10% provision of BNG became mandatory for planning applications for major development submitted from 12 February 2024 and for small sites from 2 April 2024. As this planning application was received in November 2024, a 10% biodiversity net gain provision is legally required.
- 7.12.9 A Biodiversity Net Gain Assessment has been submitted which indicates that the development proposals would result in a biodiversity net loss of approximately -27% (-0.76) habitat units, with a unit deficit of 1.03 habitat units. There is a net gain for hedgerows of +66% (+0.68) habitat units and a net gain of +0.45 habitat units for watercourse units. Paragraph 8.2 of the report states that the proposal will therefore require the purchase of habitat units to achieve the required 10% net gain target, and would require purchase of a minimum of 1 habitat unit. As habitat units are usually purchased as a whole or half unit, it is proposed that 1 habitat unit is obtained and the remaining 0.03 habitat units achieved on site, with additional enhancements.
- 7.12.10 The BNG Assessment utilises the Statutory BNG Metric, which is acceptable. To establish the habitat baseline, broad habitat areas have been identified based on the survey work undertaken at the site.
- 7.12.11 The Assessment identified that no high or very high distinctiveness habitats were present on site therefore like-for-like or bespoke compensation will not be required for any habitats that are to be lost under the current proposals. The scheme proposes the following on-site habitat / enhancements: 1,758m² of vegetated garden habitat; 3,409m² of developed land / sealed surface (buildings, patios, paths, hard standing etc); 1,363m² of other neutral grassland, 448m² of rural trees in 'moderate' condition target-11 medium sized trees – 30-60cm DBH (outside of vegetated gardens); 110m length of native species rich hedging (outside of vegetated gardens) and 80m land drainage ditch.

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

7.13 Arboricultural implications

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

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

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

7.14 Waste collection / management

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

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

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

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

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

7.15 Mineral safeguarding areas

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

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

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

7.16 Sustainability and climate change

7.16.1 Policy CS21 seeks to reduce energy demand and increase efficiency through appropriate site layouts and sustainable design features. This includes providing for safe and attractive walking and cycling opportunities, utilising landform, building orientation, etc. to reduce carbon consumption, supporting Governments zero carbon buildings policy and encouraging residential development to achieve Code for Sustainable Homes level 3, and encouraging the use of sustainable materials and construction measures. Finally, Policy CS21 also encourages the use of renewable, low carbon and decentralised energy and supports renewable and low carbon energy generation.

7.16.2 Given that Policy CS21 was adopted in the Core Strategy in February 2013, several of the measures referred to (such as the zero carbon buildings policy and Code for Sustainable Homes Level 3) are now outdated. Furthermore, energy efficiency standards are now set at a national level through the Building Regulations, and this will be strengthened through the Future Homes Standard within the next two years. As such, it is not considered that the District Planning

Authority has a policy position to be able to require higher energy efficiency standards to the proposed development.

7.16.3 It is noted that the development lacks the provision of lower carbon technologies (such as the inclusion of Electric Vehicle Charging Points, Air Source Heat Pumps and solar panels). From June 2022, all new build homes and buildings in England became legally required to have EVCPs. However, it is noted that the provision of EVCPs is a building regulations requirement and not relevant during the determination of this planning application.

8. Overall Planning Balance and Conclusion

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

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

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

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

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

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

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

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

- 8.8 Other technical matters and ecological impacts can be appropriately addressed or mitigated and, in so far as they relate to these matters, the proposals are in compliance with the policies of the development plan. A satisfactory access design has been proposed and mitigation measures will be secured in relation to highways impacts. These matters afford neutral weight in the balance.
- 8.9 Developer contributions are also requested, where appropriate, to mitigate the impacts of the development where necessary and make it acceptable in planning terms and address the needs generated by the development itself. As such, neutral weight is attached to this matter.
- 8.10 The housing shortfall in the district and the expected continuation of this, together with the high level of need for affordable housing, means that the provision of housing and affordable housing attracts substantial weight in the planning balance.
- 8.11 The development scheme will deliver the statutory requirement of a minimum 10% biodiversity net gain. This attracts moderate weight.
- 8.12 In terms of benefits, the development would make a modest contribution to economic objectives through construction related employment, and additional population in Sharnford may help in supporting existing businesses in the village. However, construction impacts would be relatively short term and it is difficult to quantify the contribution that future residents would have in sustaining existing businesses. Limited weight is therefore given to this consideration.
- 8.13 The proposed development would provide 19 dwellings, including 5 affordable dwellings on a site which adjoins the Settlement Boundary of Sharnford, a Smaller Village (along with the settlements of Elmesthorpe, Kilby and Thurlaston). The weight to be given to the benefits of providing additional housing is substantial.
- 8.14 Finally, the proposed development would read as a coherent and proportionate existing development off Butler Close and therefore from a design perspective is acceptable and aligns well with relevant policies.
- 8.15 On balance, your Officers have concluded that the benefits of this modest sized housing development outweigh the negative factors in relation to the sustainability of the location and the application is recommended for approval, subject to the conditions set out at the beginning of this report, and a Section 106 agreement to secure the obligations listed.