

Application reference: 25/0942/VAR

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

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

Case officer: Clementyne Murphy-Nelson – Development Services Team Leader

Recommendation: Approve subject a section 106 agreement;

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

1. Travel Packs.
2. Employee Bus Passes.
3. NHS contribution towards local GP practices

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

Conditions:

1. List of approved plans.
2. Materials to be in accordance with details submitted under application 24/0640/DOC
3. Approved landscaping to be implemented and retained.
4. Finished floor levels in accordance with application details submitted under application 24/0640/DOC
5. Archaeological survey work/trenching etc to be undertaken in accordance with details submitted under application 24/0640/DOC
6. Arboricultural Impact Assessment to be carried out in accordance with application 24/0640/DOC and the updated addendum
7. External lighting details and CCTV to be submitted and agreed.
8. Construction Method Statement to be carried out in accordance with details submitted under application 24/0640/DOC
9. Protected species surveys and any mitigation works identified to be carried out in accordance with details submitted under application 24/0640/DOC
10. Approved BNG measures identified in the BNG Assessment Report and shown on the approved landscaping drawings to be undertaken and subsequently retained thereafter.
11. Construction Ecological Management Plan (biodiversity) to be carried out in accordance with details submitted under application 24/0640/DOC
12. Odour assessments to be undertaken on request and results submitted.
13. Timings of deliveries to site restricted in accordance with Noise Impact Assessment.
14. Prior to its construction, details of the proposed substation to submitted and agreed.

15. Access arrangements to be constructed in accordance with the submitted plans prior to first occupation.
16. Vehicular visibility splays of 2.4m x 120m to be provided at site access.
17. Pedestrian visibility splays to be provided.
18. No gates or barriers to be erected to the site access.
19. Car parking and servicing areas to be provided as shown on the submitted drawings.
20. Secure cycle parking to be provided in accordance with details to be submitted and agreed.
21. Drainage details to be carried out in accordance with details submitted under application 24/0640/DOC.
22. Submitted Travel Plan to be implemented.
23. Surface water management during construction to be carried out in accordance with details submitted under application 24/0640/DOC.
24. Surface water drainage scheme to be carried out in accordance with details submitted under application 25/0041/DOC

1. The site

- 1.1 The application site is located to the north side of Groby Road, which is located on the northwest side of Glenfield within the Principal Urban Area. The site comprises of the previous curtilages of No.'s 5 and 7 Groby Road residential dwellings, however, these have since been demolished as the permission has been implemented. Glenfield Parish Council's sports ground lies to the north (classed as important open space within the Neighbourhood Plan), residential properties to the east and west and to the south is Groby Road (A50) dual carriageway across which are residential properties. It is approximately 0.8 ha in area and generally level.
- 1.2 The site contains a large amount of established landscaping including mature trees which are located around the boundaries of the site and are covered by Blaby District Council (5 and 7 Groby Road) Tree Preservation Order, 2007. The site is located within Flood Zone 1 and is also identified as an 'area of significant archaeological interest' within the Leicestershire Historic Record.
- 1.3 Currently the site is accessed by two separate access points providing entry/egress to the previous dwellinghouses - No. 5 and 7 Groby Road. Original application reference 23/0091/FUL included a condition (19) that the two accesses should be closed and a singular access point to the south of the site onto the A50 should be implemented for the site.
- 1.4 The site previously had planning permission for the retention of the existing vacant dwellings (which have now been demolished) and the erection of up to 8 new dwellings. This was an outline planning permission with all matters reserved other than access (21/0052/OUT), this application could have been implemented up until December 2024, however, it is now lapsed.
- 1.5 In addition, Planning Committee resolved to approve previous application 23/0091/FUL, given the S106 signing for this application, the application was officially approved on 27 February 2024. A first variation of conditions imposed

upon this application was approved under application 24/0564/VAR. This application sought permission to amend the design of the building previously approved under the original application. Planning Committee resolved to approve this variation. As such, this application seeks a second amendment to the original application to amend the previously approved access. This development has also had design amendments approved under application references 24/0564/VAR and 25/0420/NMAT.

2. The Proposal

- 2.1 The application seeks to vary condition 2 and 16, which relate to the approved plans and access, attached to planning application 23/0091/FUL. The original application permitted a singular point of access to the southern side of the site out onto the A50. Furthermore, The original arrangements for parking and drainage, together with the previously approved design in respect of the scheme's overall footprint and building heights, are unchanged by this application. Minor changes to the previously approved landscaping are also proposed to accommodate the new joined up access.
- 2.2 The development of a 74 bed care home as approved under previous application 23/0091/FUL are unchanged. This application included facilities such a dining and day rooms, cinema room, treatment room, café, activities room and staff training facilities. The building would still have the capacity to meet a range of individual needs including frail elderly care, dementia nursing care, respite and palliative care as previously approved.
- 2.3 The new access proposes to utilise the existing access points on site for the previous dwellinghouses instead of the previously approved singular access point. The proposal seeks to create an 'in' 'out' access with access into the site the eastern side of the A50 and egress to the western side of the A50. The access would create a horseshoe-shaped access route that would sit behind the group of trees located at the front of the care home. This design makes effective use of the current access layout, avoids the need for additional openings onto the highway, and provides a logical and legible internal movement pattern within the site.
- 2.4 To facilitate the access arrangement, including the widening of the internal highways, the proposal requires the removal of two trees. These are identified as low-category specimens with limited amenity value, and their removal is therefore considered acceptable.

3. Relevant Planning History

Reference	Description	Decision	Date
07/0500/1/OX	Outline application for residential development and ancillary works with vehicular access from Gynsill Lane (to include demolition of 5 & 7 Groby Road)	Withdrawn	15.04.2008
08/0715/1/OX	Erection of 24 dwellings with associated vehicular access from Gynsill Lane (outline application) (to include demolition of No. 8 Gynsill Lane, The Paddock and Meadway, Groby Road and Nos. 5, 7, 9 and 15 Groby Road)	Withdrawn	23.10.2008
15/0722/OUT	Land off Groby Road / Gynsill Lane, Glenfield, Erection of seven dwellings with associated vehicular access from Gynsill Lane (to also serve No.'s 5 and 7 Groby Road) (Outline)	Refused	01.04.2016
21/0052/OUT	Outline application for the retention of no.s 5 and 7 Groby Road plus the erection of a maximum of 8 new dwellings all served by a new shared access (access to be determined - all other matters reserved).	Approved	09.12.2021
23/0091/FUL	Demolition of 5 and 7 Groby Road and erection of a 74 bed care home (Use Class C2) with associated access, parking, landscaping and infrastructure.	Approved	27.02.2024
24/0564/VAR	Variation of condition 2 (approved plans) attached to planning permission 23/0091/FUL to amend previously approved design.	Approved	17.02.2025

24/0640/DOC	Discharge of conditions 3 (Materials), 5 (Finished Floor Levels), 6 (Archaeological Works), 7 (Arboricultural Impact Assessment), 9 (Construction Method Statement), 10 (Ecological Survey), 12 (Construction Environmental Management Plan), 23 (Drainage), 25 (Surface Water Drainage during construction) and 26 (Surface Water Drainage) attached to planning permission 23/0091/FUL.	Approved	14.01.2025
24/0933/TPO	Works to various trees as identified in full arboricultural assessment.	Approved	06.12.2024
25/0041/DOC	Discharge of condition 26 (Surface Water Drainage) attached to planning permission 24/0564/VAR.	Approved	18.02.2025
25/0420/NMAT	Non material amendment to planning permission 24/0564/VAR to amend mansard roof pitches to 60 degrees without increasing the ridge height and include a small single storey extension to the rear laundry room.	Approved	18.07.2025

4. Consultation Responses

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

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

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

4.1 Blaby District Council Consultees

4.1.1 Blaby District Council Environmental Services (1)

No comments to make

4.1.2 Blaby District Council Housing Strategy (1)

No comments received

4.1.3 Blaby District Council Neighbourhood Services (1)

Bin presentation points not identified – given the nature of the site, the site will utilise commercial private bin collection

4.2 Leicestershire County Council Consultees

4.2.1 Leicestershire County Council Highways (1)

No objections

4.2.2 Leicestershire County Council Archaeology (1)

No comments to make

4.2.3 Leicestershire County Council Lead Local Flood Authority (1)

No comments received

4.2.4 Leicestershire County Council Ecology (2)

No objections

4.2.5 Leicestershire County Council Forestry (1)

No objections

4.3 Other consultees

4.3.1 Glenfield Parish Council (1)

No comments received

4.3.2 Environment Agency (1)

No comments to make

4.3.3 Leicestershire Police (1)

No further comments to make

4.3.4 Leicester, Leicestershire and Rutland Integrated Care Board (NHS) (1)

No change to previous developer contributions

4.3.5 Severn Trent Water (1)

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 4 representation comments were received, all of which objected to the scheme.

Letters of objection are summarised into the following concerns;

- Site Access Arrangements
- Mitigation tree planting not satisfactory
- Drainage
- Hedging not in the ownership of the developers
- Harm to the character and appearance of the area
- Risk of soil slippage
- Highway safety concerns

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)
- Glenfield Neighbourhood Plan (adopted 2023)

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

Policy CS1 Strategy for Locating New Development

Policy CS2 Design of New Development

Policy CS5 Housing Distribution

Policy CS6 Employment

Policy CS8 Mix of Housing

Policy CS10 Transport Infrastructure

Policy CS12 Planning Obligations and Developer Contributions

Policy CS19 Bio-diversity and Geo-diversity

Policy CS20 Historic Environment and Culture

Policy CS21 Climate Change

Policy CS22 Flood Risk Management

Policy CS24 Presumption in favour of sustainable development

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

Policy DM2 Development in the Countryside

Policy DM8 Local Parking and Highway Design Standards

Policy DM12 Designated and non-designated Heritage Assets

6.1.3 Glenfield Neighbourhood Plan (2023)

Policy H2 Housing Mix

Policy H5 Design Principles

Policy ENV1 Air Quality

Policy ENV2 Important Open Spaces

Policy ENV4 Protection of Sites of Local Historic Environment Significance

Policy CC2 Energy Efficient Buildings

Policy CF4 Medical Facilities

Policy T1 Traffic Management

Policy T2 Car Parking

6.2 Supporting Documents

- The National Planning Policy Framework (NPPF) (2024)
 - Chapter 2: Achieving Sustainable Development
 - Chapter 4: Decision Making
 - Chapter 5: Delivering a sufficient supply of homes
 - Chapter 8: Promoting healthy and safe communities
 - Chapter 9: Promoting sustainable transport
 - Chapter 12: Achieving well-designed places
 - Chapter 14: Meeting the challenge of climate change, flooding and coastal change
 - Chapter 15: Conserving and enhancing the natural environment
- The National Planning Policy Guidance (NPPG)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Leicestershire Highways Design Guide (2024)

- Blaby District Council Active Travel Strategy (2024)
- Blaby District Council Local Cycling and Walking Infrastructure Plan (2024)
- Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document (2013)
- Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Document (2024)
- Blaby Landscape and Settlement Character Assessment (2020)
- Blaby District Council Open Space Audit (2019)
- Blaby Strategic Flood Risk Assessment Level 1 Final Report (2020)
- Leicester and Leicestershire Housing and Economic Needs Assessment (HENA) 2022
- Blaby District Council Housing Strategy 2021 - 2026

7. Consideration of Application

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

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

7.1 The Principle of the Development

7.1.1 Policies CS1 and CS5 seek to focus new development in the most sustainable locations in the district, primarily within and adjoining the Principal Urban Area (PUA) of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva). The application site is positioned within the settlement boundaries of Glenfield and within the PUA and as such is considered to be in a sustainable location which complies with Policies CS1 and CS5.

7.1.2 The principle of the development has been established under previous application 23/0091/FUL and minimal changes are sought under this

application. The application seeks to retain all parking, footprint, scale and height and width as previously approved. The amendments relate solely to the access arrangements which propose to now utilise the existing access points.

- 7.1.3 As advised in the submitted Planning Statement the previously approved access arrangements would result in extensive works to telecommunications infrastructure which would cause significant disruption to Groby Road for over 12 months. As an alternative the Applicant is proposing to utilise the two existing accesses that originally served number 5 and 7 Groby Road which would negate this issue.
- 7.1.4 The proposal would also provide a type of accommodation for which there is an identified need within the district. The type of accommodation proposed is encouraged by Core Strategy Policy CS8 which indicates that the Council will work with partners to meet any identified needs of specific groups through the delivery of Special Needs Housing, including the provision of extra care accommodation to meet identified needs of older persons. It is also supported by Policy H2 and CF4 of the Glenfield Neighbourhood Plan

7.2 The impact on the character and appearance of the area

- 7.2.1 Policies CS2 (Design of new development), DM1 (Development within the settlement boundaries) and Policy H5 (Design Principles) seek to ensure that a high-quality environment is achieved in all new development proposals, respecting distinctive local character and contributing towards creating places of high architectural and urban design quality. The design of new development should also be appropriate to its context and development proposals that are consistent with the policies of the Local Plan are to be supported.
- 7.2.2 The site benefits from mature landscaping throughout, including along its boundaries. This is particularly the case on the front boundary with the A50. The boundary is made up of large mature trees and hedges which would effectively screen much of the generous scale of the building particularly as it would be set back from the frontage within the site.
- 7.2.3 The building will also be effectively screened from Gynsill Lane by the natural landscaping and properties already present.
- 7.2.4 Previous applications 24/0564/VAR and 25/0420/NMAT permitted minor amendments to the previously approved design which included design amendments to the elevation, amendments to the proposed pitch of the roofs to 60 degrees without increasing the overall height and addition laundry room.
- 7.2.5 This application will result in the loss of two trees to the front cluster of trees of the development. The addendum to the original tree survey (submitted for the original application and the previous discharge of conditions application) notes that the two trees which are to be lost are a Yew and Lime tree. Both trees are considered to be moderate quality but require removal to ensure the access can be created in a horseshoe shape behind the larger cluster of trees to the front boundary.

- 7.2.6 Whilst the removal of the two trees is regrettable, on balance, the site does benefit from significant tree coverage, specifically from a large cluster to the front boundary where the two trees are located. Therefore, the removal of these trees to facilitate the amended access is not considered to change the overall character and appearance of the area. Further to this the landscaping plan does propose additional tree planting to the front boundary and to the site boundaries internally, LCC Forestry raise no objection to this and are satisfied with this approach
- 7.2.7 In this regard, the proposal is considered to comply with Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013), Policy DM1 of the Blaby Local Plan Delivery Development Plan Document (Delivery DPD) (2019) and Policy H5 of the Glenfield Neighbourhood Plan (2023)

7.3 Design and layout

- 7.3.1 Policies CS2 and DM1 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. This is echoed by Neighbourhood Plan Policy H5
- 7.3.2 The residential amenities of the scheme were considered at length under previously approved application 23/0091/FUL. It was acknowledged that a care home on this site would change the nature of the site and the amount of development on it significantly. For the reasons determined under previous application 23/0091/FUL it is considered that the footprint of the proposal, the distance of openings to the surrounding boundaries, the presence of quality mature landscaping, the proximity of neighbouring properties and the use of conditions all combine to reduce the impact of the proposal on residential amenities to a degree that can be considered acceptable.
- 7.3.3 Previous applications 24/0564/VAR and 25/0420/NMAT proposed minimal changes to the elevations and whilst it was acknowledged that these amendments included some additional windows and dormers. It was considered that the addition of some minimal fenestration, whilst retaining the previously approved design to shield residents from overlooking and loss of privacy, was not considered to be unacceptable.
- 7.3.4 In regard to the amendments to the previously approved access it is considered to provide a minor betterment to the current and future residents of No. 3 Groby Road, Glenfield given this amendment moves the principal access away from the boundary of this dwellinghouse. Furthermore, consideration has been given to the current and future occupants of 9 Groby Road, given the access is to utilise the existing access of No. 7 Groby Road, located near to the boundary of this neighbouring dwelling. Notwithstanding this, given the significant positioning of No. 9 Groby Road, the access is not considered to cause undue

harm to those residential amenities of the current or future occupiers of this dwellinghouse.

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

7.4 Transport and highway impacts

- 7.4.1 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.
- 7.4.2 Policy T1 ensures that all development demonstrates that the cumulative impact on traffic flows will not be severe, unless appropriate mitigation measures are undertaken, and ensures that development be designed to minimise additional traffic generation, incorporate sufficient off-road parking and manoeuvring space, consider improvements to footpaths and cycleways, and encourage the use of public transport.
- 7.4.3 Policies DM8 and T2 seek to provide a consistent approach to local car parking standards and highway design. Policy DM8 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.
- 7.4.4 The highway elements of the scheme were considered at length under previously approved application 23/0091/FUL. Leicestershire County Council Highways considered evidence and concluded that impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe.
- 7.4.5 This Section 73 application seeks to amend the previously approved singular access point. The Applicant has outlined within their submitted Planning Statement the proposed access arrangements would result in extensive works to telecommunications infrastructure which would cause significant disruption to Groby Road for over 12 months. As an alternative the Applicant is proposing to utilise the two existing accesses serving number 5 and 7 Groby Road.
- 7.4.6 Leicestershire County Council Highways were consulted on the application, they concluded that they have no objection to the application. The newly proposed access arrangements are shown in the revised Site Plan (drawing No. WD25) and swept path analysis (SPA) is demonstrated for a car, fire tender

and refuse vehicle through drawing No. 3001 and drawing No. 3002 Rev. P02. It is proposed that the western access will serve as an entrance only and the eastern access will solely be used by departing vehicles which is to be internally signposted on site.

- 7.4.7 Leicestershire County Council Highways are satisfied that the eastern access provides a vehicular visibility splay of 2.40m by 120.0m to the west. It is also noted that this splay length has been secured through Condition 17 of the approval notice for 23/0091/FUL. 2.0m by 2.0m pedestrian visibility splays have also been secured through Condition 18 of 23/0091/FUL.
- 7.4.8 In regard to the swept path analysis (SPA), Leicestershire County Council Highways have confirmed that they have no concerns for the vehicle tracking for a car. For a fire tender and a refuse vehicle the drawings show both vehicles can enter the site whilst contained solely in the left-hand carriageway lane. Upon exiting the site, the Leicestershire County Council Highways note both vehicles are required to briefly enter the right hand lane however given the access provides suitable visibility and that these movements will be infrequent the LHA advise this is acceptable.
- 7.4.9 Furthermore, Leicestershire County Council Highways also noted that a refuse vehicle with a length of 10.29m has been tracked. Whilst The Leicestershire County Council Highways would typically expect refuse vehicle SPA to be undertaken for a refuse vehicle with a length of 11.20m as this is the current maximum refuse vehicle length utilised by Local Authorities in Leicestershire. It is however acknowledged that the LHA deemed tracking for a 10.29m long refuse vehicle appropriate in the consultation for 23/0091/FUL and therefore the submitted refuse tracking is suitable to support this application. Given the intended use of the site the LHA assume that a private waste company may be used to collect waste which will likely have a shorter length vehicle than 11.20m.
- 7.4.10 Leicestershire County Council Highways undertook a further review of Personal Injury Collisions (PICs) that have occurred during the previous five year period (data currently available until September 2025). The previous Leicestershire County Council Highways PIC review, undertaken March 2023, identified that nine PICs had occurred within the study period/ area. Through the response issued 10th March 2023 Leicestershire County Council Highways advised that there were no patterns in the data that were likely to be exacerbated by the proposals. Following this four further PICs have occurred with the closest to the site being a PIC that occurred in 2024 between the site access and the County Hall roundabout. This resulted in injuries recorded as 'slight' in severity following a rear shunt type collision. On the opposite side of the carriageway there has been three PICs close to the exit for the filling station. Two of these were recorded in injuries classified as 'slight' in severity with the third sadly resulting in a fatality. Leicestershire County Council Highways remain of the view that there are no patterns in the data that are likely to be exacerbated by the proposals.
- 7.4.11 In this regard, the proposal is considered to comply with Policy CS10 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013),

Policy DM8 of the Blaby Local Plan Delivery Development Plan Document (Delivery DPD) (2019) and Policy T2 of the Glenfield Neighbourhood Plan (2023)

7.5 Flood risk and drainage

- 7.5.1 Policy CS22 of the Core Strategy states that the Council will ensure all development minimises vulnerability and provides resilience to flooding, taking into account climate change. This includes directing development to locations at the lowest risk of flooding giving priority to land in Flood Zone 1, using Sustainable Drainage Systems (SuDS) to ensure that flood risk is not increased on-site or elsewhere, managing surface water run-off, and ensuring that any risk of flooding is appropriately mitigated, and the natural environment is protected
- 7.5.2 The development is located within Flood Zone 1 which is considered to be the most suitable zone for development as it is at low risk of flooding.
- 7.5.3 Drainage has been discharged for the development under applications 24/0640/DOC and 25/0041/DOC, which were considered acceptable by both Leicestershire County Council Highways and Leicestershire County Council Flood Authority. As such, no further drainage matters arise from this application and the change to the existing access.

7.6 Heritage Assets

- 7.6.1 Policies CS20, DM12 and Policy ENV4 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.
- 7.6.2 Previously the District's Historic Buildings Officer reviewed the proposal and concluded that there are no designated heritage assets on the site or within its immediate vicinity and advised that that the only heritage considerations relating to this application principally concern the site's archaeological potential. Given the minimal design changes to the scheme the Historic Buildings Officer position has not changed.
- 7.6.3 Previously Leicestershire County Council Archaeology requested the implementation of a Written Scheme of Investigation for the proposal due to the site lying within an area of significant archaeological interest. Such pre-commencement conditions were implemented under original application 23/0091/FUL, however, were discharged under application 24/0640/DOC and subsequent investigations carried out. As such, no further heritage matters arise from this application and the change to the existing access.

7.7 Ecology and biodiversity

- 7.7.1 Policy CS19 of the Core Strategy seeks to protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve biodiversity, wildlife habitats and corridors through the design of new developments and the management of existing areas.
- 7.7.2 Biodiversity Net Gain (BNG) is a strategy to develop land and contribute to the recovery of nature. It is a way of ensuring that habitats for wildlife are in a better state after development than before. A 10% provision of BNG became mandatory for planning applications for major development submitted from 12 February 2024 and for small sites from 2 April 2024.
- 7.7.3 Notwithstanding this, BNG does not apply to Section 73 applications on applications that were made prior to the mandatory introduction of BNG. As such, there are no further Biodiversity Net Gain requirements to what was already permitted and agreed either via design or condition during the determination of application 23/0091/FUL.
- 7.7.4 Given the removal of two trees Leicestershire County Council Ecology requested some further information in relation to bats and the possibility of bats utilising the trees for roosting. A Ground Level Tree Assessment (GLTA) was carried out by suitably qualified and licensed ecologists on 18 February 2026 and concluded that the Yew and Lime tree, those which are to be removed as part of the revised access, have no bat roosting potential. As such, Leicestershire County Council Ecology raised no objection to the application is considered to comply with policy CS19 of the Blaby Core Strategy.

7.8 Arboricultural implications

- 7.8.1 An Addendum to the original approved 'Tree Survey', 'Arboricultural Impact Assessment' and 'Arboricultural Method Statement' and 'Tree Protection Plan' has been submitted to outline the need for the felling of the two trees and the mitigation proposed to compensate for this loss. This is also detailed on the landscaping plan.
- 7.8.2 Leicestershire County Council Forestry have confirmed that they have no objection to the scheme and confirm that the reports and the mitigation strategy for the additional tree planting is acceptable. Given the high number of trees within the site and on the boundary, it is not considered that the removal will alter the overall tree coverage of the site or impact the character and appearance of the boundaries.

7.9 Developer contributions and infrastructure / facilities

- 7.9.1 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).

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

8 Overall Planning Balance and Conclusion

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