

Application reference: 25/0999/FUL

Proposal: Erection of 47 dwellings with landscaping, open space, access works and associated infrastructure

Site address: Land to North of Cemetery, Forest Road, Huncote

Applicant: Mr. Mitesh Rathod

Case officer: Molly Wright - Senior Planning Officer

Recommendation: That application 25/0999/FUL be refused for the following reasons:

Reasons:

1. The proposed development would reintroduce significant built development beyond the 'soft' edge of the settlement formed by Huncote Cemetery by removing the established historic boundary between the built-up area and countryside on the western side of Forest Road. In addition, the complete and permanent destruction of ridge and furrow agricultural land, would result in an unacceptable level of harm to the character and understanding of the landscape. The perceived benefits of the proposed development are not considered to outweigh this level of adverse harm and the development is therefore considered to be contrary to Policies CS1, CS5, CS18, of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013), Policy DM2 of the Blaby District Local Plan (Delivery) Development Plan Document (2019) and Policies FV6 and FV8 of the Fosse Villages Neighbourhood Plan (2021) and in accordance with paragraphs 11(d) and 216 of the National Planning Policy Framework (2024).
2. The proposed development, by reason of its layout, would result in development which fails to achieve high quality design, contrary to Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013), Policy DM2 of the Blaby District Local Plan (Delivery) Development Plan Document (2019) and Policy FV6 of the Fosse Villages Neighbourhood Plan (2021).
3. The application fails to demonstrate that a suitable drainage strategy can be achieved and that the development would not increase flood risk on-site or elsewhere, contrary to Policy CS22 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013).
4. The application fails to demonstrate the impact of the development on great crested newts and that it would not result in harm to a protected species or

that appropriate mitigation can be secured, contrary to Policy CS19 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and The Conservation of Habitats and Species Regulations (2017).

1. The site

- 1.1 The application site is located in designated Countryside, to the north of Huncote, on the western side of Forest Road and to the immediate north of Huncote Cemetery. It comprises approximately 2.2 hectares of ridge and furrow agricultural land. There is an existing vehicular/farm access to the site from Forest Road.
- 1.2 The application site appears to comprise two defined fields, with a triangular shaped field to the north and a rectangular shaped field to the south. It is bounded by established trees and hedgerows along its northern, western and southern boundaries. The eastern boundary is also defined by an established hedgerow, which separates the site from Forest Road. Mature trees are also present between the two fields, although the planting here is sparser.
- 1.3 In terms of topography, as set out above, the site is formed of ridge and furrow, giving it a distinct undulating appearance. The land generally falls towards the south-western corner, where drainage is directed, and an existing pond is located within this lower area. The site is located wholly within Flood Zone 1, however, has a small number of isolated areas along the eastern part of the site which are at risk of surface water flooding.
- 1.4 The site is located immediately to the east of a former landfill site and lies within the consultation buffer zones of three historic landfill sites (76, 77 and 286).

2. The Proposal

- 2.1 The application seeks full planning permission for the erection of 47 dwellings, together with landscaping, open space, access works and associated infrastructure.
- 2.2 The proposed development would comprise 35 market dwellings and 12 affordable dwellings, equating to 25% on-site affordable housing for the development. The housing mix and distribution across the site are shown on the submitted plans but comprise of:

Bedrooms	Market housing	Social, affordable or intermediate rent
1 bedroom	0	2
2 bedroom	14	5
3 bedroom	15	3
4+ bedroom	6	2

- 2.3 A new vehicular access to the site would be provided from Forest Road. The existing agricultural access at the north-eastern corner of the site would

closed for vehicular access, however, would be retained and used to provide pedestrian and wheeling access into the development.

- 2.4 Areas of open space are incorporated within the layout. This includes a children's play area located along the western edge of the site and a sustainable drainage system (SuDS) feature positioned along the northern boundary, which incorporates a footpath and associated publicly accessible green space.

3. Relevant Planning History

- 3.1 There is no planning history relevant to the site.

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

4.1 Blaby District Council Consultees

- 4.1.1 Environmental Services (3) (7.5.3, 7.9.3)
No objection subject to the imposition of conditions.
- 4.1.2 Housing Strategy (1) (7.2.5)
Support application.
- 4.1.4 Neighbourhood Services (1) (7.3.20)
No objection.

4.2 Leicestershire County Council Consultees

- 4.2.1 Archaeology (3) (7.7.3)
No objection subject to imposition of conditions.
- 4.2.2 Developer Contributions (1)
Confirmed no requirement for developer contributions towards education, libraries and civic amenities.
- 4.2.3 Ecology (1) (7.13.3)
Holding objection. Require further information.
- 4.2.4 Forestry (2) (7.12.2)
No objection subject to imposition of conditions.
- 4.2.5 Local Highway Authority (3) (7.6.3)
No objection subject to imposition of conditions.

4.2.6 Lead Local Flood Authority (2) (7.8.4)
Require further information.

4.2.7 Minerals and Waste (1) (7.10.3)
No objection.

4.3 Others

4.3.1 Environment Agency (1) (7.9.4)
No objection subject to imposition of conditions.

4.3.2 Huncote Parish Council
No comments received.

4.3.3 Leicestershire Fire and Rescue Service (1)
Made no comments.

4.3.4 Leicestershire Police (2) (7.11.2)
Requested developer contribution of £18,025.18.

4.3.5 Natural England
No comments received.

4.3.6 NHS (1) (7.11.2)
Requested developer contribution of £45,496.00.

4.3.7 Police Architectural Liaison & Designing (2)
No objection. Suggested conditions.

4.3.8 Severn Trent
No comments received.

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 and opposite residents were notified, a site notice was displayed, and the application was published in the Leicester Mercury newspaper.

5.2 11 letters of representation were received, including 9 objections with concerns summarised as follows:

- Loss of countryside
- Loss of nature / green space
- Impact on local character
- Will cause strain on existing infrastructure

- Overlooking and loss of privacy to existing dwellings on Field View Close
- Noise and disturbance
- Overdevelopment
- Highway safety
- Increase in traffic
- Inadequate drainage and increase in flooding
- Land contamination issues

6. Planning Policies and Material Considerations

6.1 Development Plan

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

The Development Plan in relation to this proposal consists of:

- Blaby District Local Plan (Core Strategy) Development Plan Document (adopted 2013)
- Blaby District Local Plan (Delivery) Development Plan Document (adopted 2019)
- Leicestershire Minerals and Waste Local Plan 2019-2031

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)

Policy DM2 – Development in the Countryside

Policy DM8 – Local Parking and Highway Design Standards

Policy DM11 – Accessible and Adaptable Homes

Policy DM12 – Designated and Non-designated Heritage Assets

Policy DM13 – Land Contamination and Pollution

Policy DM15 – Mineral Safeguarding Areas

6.2 Fosse Villages Neighbourhood Plan 2018-2029 (June 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

6.3 National Guidance

- The National Planning Policy Framework (NPPF) (2024)
 - Chapter 2: Achieving Sustainable Development
 - Chapter 4: Decision Making
 - Chapter 16: Conserving and enhancing the historic environment

6.4 Material Considerations

- The National Planning Policy Guidance (NPPG)
- Leicestershire Highways Design Guide (2024)
- Leicestershire Minerals and Waste Local Plan (2019)
 - Policy M11 – Safeguarding of Mineral Resources
- 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 Landscape and Settlement Character Assessment (2020)
- The Leicestershire, Leicester and Rutland Historic Landscape Characterisation Project (2010)

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;
 - Development Plan Policy
 - Suitability of the site for further development
- Affordable housing and housing mix;
- The impact of the development on the character and appearance of the area;
 - Landscape and visual impact
 - Design and layout
- On-site open space provision;
- The impact of the development on the amenity of nearby residents;
- The impact of the development on the surrounding highway network;

- Archaeology;
- Flood risk and drainage;
- Contamination;
- The impact of the development on minerals provisions;
- Developer contributions and infrastructure / facilities;
- Arboricultural implications;
- The ecological impact and Biodiversity Net Gain (BNG); and
- Other material considerations

7.1 The Principle of the Development

Development Plan Policy

- 7.1.1 The application site lies outside the defined settlement boundary of Huncote and on land designated as Countryside on the adopted Policies Map. Huncote itself is identified as a Medium Central Village within the settlement hierarchy under Policy CS5 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013). Policy CS5 identifies Huncote as containing some key services and facilities but with limited employment opportunities. Huncote has a combined minimum housing requirement of 815 dwellings for the Medium Central Villages (Huncote, Littlethorpe, Cosby, Croft and Sapcote) for the period 2006–2029. At a local level, Policy FV7 of the Fosse Villages Neighbourhood Plan identifies a minimum housing provision of 140 dwellings for Huncote during the same plan period. It should be noted that this is a minimum requirement and is not a cap. As of 21st November 2025 (the most recently published data), 1,262 houses have been completed or committed in the Medium Central Villages, exceeding the requirement by 447 dwellings. It is acknowledged that planning application 24/0770/FUL, located opposite the site on the eastern side of Forest Road, has recently been resolved to approve at Committee for the demolition of existing buildings and the construction of 191 dwellings, together with a village hall, access, open space, landscaping, SuDS and associated infrastructure.
- 7.1.2 Policy CS1 sets out the strategy for locating new development towards the most sustainable locations within the District. This Policy uses a hierarchical approach, directing the majority of new development to the Principal Urban Area (PUA) of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town, Glen Parva and New Lubbethorpe), then Blaby and the Larger Central Villages (Enderby, Narborough, Whetstone and Countesthorpe). Only lower levels of growth are envisaged within the Rural Centre (Stoney Stanton), Medium Central Villages (including Huncote) and Smaller Villages, and such growth is expected to be appropriately located relative to the range of available services, facilities and public transport alternatives.
- 7.1.3 Policy FV8 of the Fosse Villages Neighbourhood Plan restricts housing development outside the limits to the built development to specific categories. These categories include: the re-use and adaptation of redundant rural buildings, small scale housing in the most sustainable locations, replacement dwellings, dwellings to meet essential need, dwellings to meet the essential need for a rural worker, or rural exception sites.

7.1.4 Residential development within designated countryside is also restricted by Policy CS18 of the Core Strategy, which states that planning permission will not be granted for built development that would have a significantly adverse effect on the appearance or character of the landscape whilst recognising that the need to retain the countryside must be balanced against the need to provide development in sustainable locations.

7.1.5 The Council is currently only able to demonstrate a 2.78-year supply of deliverable housing, falling short of the required 5-year supply. In line with paragraph 11(d) of the NPPF, in the case where a Council cannot demonstrate a 5-year supply of housing, the relevant policies for the supply of housing are considered to be out of date, and the presumption in favour of sustainable development applies. In this circumstance, the application must be considered using the tilted balance approach, whereby planning permission should be granted unless the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.

Suitability of the site for further development

7.1.6 The above policies confirm that Huncote is a settlement where further development may be appropriate, however, do not support residential development beyond the defined settlement boundary.

7.1.7 As a Medium Central Village, Huncote is seen to provide a range of local services and facilities but with limited opportunities for employment. The range of services within Huncote includes a primary school, leisure centre and local shops, as well as opportunities for public transport.

7.1.8 The application site is located approximately 300 metres walking distance from Huncote Leisure Centre and benefits from an existing footpath connection to the village centre, approximately 500 metres away. Bus services operate from within Huncote, including the X84 service, which provides hourly connections (between 09:00 and 18:00hrs) between Rugby and Leicester. The closest bus stop to the application site is currently located approximately 500 metres away, within the village centre. For application 24/0770/FUL on the adjacent side of Forest Road, the Local Highway Authority have requested a developer contribution towards the provision of two new bus stops along Forest Road. It is therefore possible that there will be bus stops in closer proximity to the application site going forward.

7.1.9 Policy CS10 seeks to reduce reliance on the private car by directing development to locations where residents can reasonably access services and facilities without the need to travel by private motor vehicle. In this regard, the site's proximity to services and public transport means that it performs reasonably well in accessibility terms and would allow future residents to access a range of facilities on foot or by public transport.

7.1.10 Accordingly, whilst the application site lies outside the defined settlement boundary, it cannot be regarded as isolated or disconnected from the village.

In purely locational and accessibility terms, the site represents a broadly sustainable location relative to the services and facilities available within Huncote.

Summary

7.1.9 The proposed development is outside the settlement boundary and falls within designated countryside. Whilst it benefits from proximity to the existing services and public transport within Huncote, it does not meet any of the categories outlined in Policy FV8 as being acceptable for new residential development outside the limits for built development. By virtue of its location, it is therefore contrary to Policies CS1, CS5 and FV8. However, as the Council cannot demonstrate a 5-year supply of deliverable housing, the tilted balance applies. Consideration is therefore given to the following relevant material considerations:

7.2 Affordable housing and housing mix

7.2.1 Policy CS7 of the Core Strategy requires a minimum of 25% affordable housing on sites of 15 or more dwellings. The proposed development includes 12 affordable units, equating to 25.5% of the total, and therefore complies with the requirements of the policy.

7.2.2 Policy CS7 also requires residential development to integrate affordable and market housing through the dispersal of affordable housing units within the residential development (pepper-potting) and a consistent standard of design quality. The Housing Mix and Affordable Housing Supplementary Planning Document (2013) provides clarity on this, stating that affordable dwellings should be pepper-potted around development sites in clusters of no more than 6 dwellings. However, this should not be considered an impediment to delivery.

7.2.3 The affordable housing would be delivered to a consistent design standard, with no clear distinction between market and affordable units. The use of a varied but consistent palette of materials across the development assists in achieving an integrated and tenure-blind layout. However, there is a larger cluster of 8 affordable housing units.

7.2.4 Policy CS8 and Policy FV12 require development to provide an appropriate mix of house types and sizes to meet identified needs. The proposed mix includes a strong proportion of 2-bedroom dwellings, which responds positively to identified need for smaller homes. Whilst there is limited provision of bungalows, this is considered acceptable in this instance given the overall mix and the provision of entry-level housing.

7.2.5 The Council's Housing Strategy team has prepared a Housing Needs Assessment in support of the application, which identifies a significant and increasing need for affordable housing within the District, particularly for smaller properties, and highlights an ongoing shortfall in supply.

7.2.6 Housing Strategy officers confirm that the proposed market and affordable housing mix is acceptable, that the affordable units meet required standards,

and that the scheme would make a meaningful contribution towards addressing housing need. The proposed tenure split of 80% social rent and 20% shared ownership is also supported.

7.2.7 Overall, the proposal complies with Policies CS7, CS8 and FV12. It would deliver 12 affordable units as part of a wider scheme of 47 dwellings, which would provide a meaningful but limited contribution towards identified housing need. As such, the benefits of both market and affordable housing provision attract moderate weight in favour of the scheme.

7.3 Impact on the character and appearance of the area

Landscape and visual impact

7.3.1 Policy CS18 of the Core Strategy seeks to protect the appearance and character of the countryside, while recognising that decisions must balance the retention of countryside against the need to provide development in appropriate locations. Policy DM2 of the Delivery DPD supports development in the countryside only where it is in keeping with the appearance and character of the existing landscape and development form, with decisions informed by the Blaby Landscape and Settlement Character Assessment, National Character Areas and other relevant evidence.

7.3.2 In addition, Policy CS2 (Design of New Development) requires proposals to respect distinctive local character, be appropriate in their context, and demonstrate that they have taken account of local patterns of development, landscape features and views. Development should be sympathetic to its surroundings through layout, landscaping and design, and should take opportunities to enhance the natural and historic environment, including green infrastructure and biodiversity.

7.3.3 Similarly, Policy FV6 requires development to reflect the distinctive and traditional character of the Fosse Villages, as described in the Settlement Statements, protecting locally significant features such as traditional walls, hedgerows and trees.

7.3.4 The NPPF requires development to recognise the intrinsic character and beauty of the countryside (paragraph 187(b)).

7.3.5 The application site lies within National Character Area (NCA) 94: Leicestershire Vales, which is characterised by gently undulating farmland, a strong agricultural influence and villages set within a predominantly rural landscape.

7.3.6 At a local level, the site is located within the 'Croft Hill and Quarries' Landscape Character Area, as defined by the Blaby Landscape and Settlement Character Assessment. This character area lies within the central part of the District, adjacent to the settlements of Huncote and Croft, to the west of the M1 and immediately south of the M69. The landscape is influenced by past and present quarrying, with Croft Hill forming a notable landmark within Blaby District and the active Croft Quarry a distinctive feature.

Elsewhere, land use is primarily agricultural, with recreational uses present on the edges of settlements. While tranquillity is affected locally by the M69, the landscape retains a predominantly rural character, with settlements generally well-integrated through mature vegetation.

- 7.3.7 The application is supported by a Landscape and Visual Appraisal (LVA), undertaken in accordance with the 3rd Edition of 'Guidelines for Landscape and Visual Impact Assessment' (GLVIA3). The LVA has also taken account of guidance in the Landscape Institute Technical Guidance Note 02-21 'Assessing landscape value outside national designations'. However, this LVA has not addressed the loss of ridge and furrow earthworks or the existing 'soft' edge formed by Huncote Cemetery.
- 7.3.8 The application site is located outside of the northern edge of the village on the western side of Forest Road where Huncote Cemetery currently provides a 'soft' and landscaped visual transition between the existing built-up edge of the village and the surrounding countryside. It is considered that the proposal would reintroduce significant built form and its associated infrastructure beyond the cemetery, into land which forms part of the rural setting of Huncote. Whilst the development would introduce landscaping along its northern boundary, this would not represent the creation of a new 'soft' edge, as the cemetery currently performs this function. The proposal largely retains existing boundary vegetation rather than the establishment of a new transitional area and does not overcome the erosion of the established 'soft' edge. The loss of the existing defined transition between the settlement and the countryside would harm the historic character of the area.
- 7.3.9 The site is formed of extensive areas of ridge and furrow, which forms part of the wider historic agricultural landscape and positively contributes towards Huncote's rural character. While not designated, these features are a recognised characteristic of the Leicestershire Vales and represent an important historic understanding of the landscape. The ridge and furrow in this edge of settlement location, along with the adjacent cemetery also contributes towards the attractive visual transition from built development into open countryside.
- 7.3.10 The proposal includes the retention of much of the existing boundary vegetation and the provision of landscaped areas and green infrastructure to the north of the development. These elements align with the objectives of Policy CS14, which seeks to protect existing and provide new networks of multifunctional green spaces. The provision of green infrastructure alongside the retention of existing vegetation, is considered acceptable in principle.
- 7.3.11 However, notwithstanding these measures, the development would remain highly visible from nearby and further afield locations, particularly from Huncote Cemetery and from sections of Forest Road, where views into the site are available through gaps in boundary vegetation.
- 7.3.12 It is considered, by virtue of its dislocated position, along with the total destruction of ridge and furrow, that the proposal would be visually harmful to

the landscape character and historic settlement edge, to the detriment of the countryside, contrary to Policies CS2, CS18, DM2 and FV6.

Design and layout

- 7.3.13 Policy CS2 requires new development to take into account local patterns of development and to be appropriate within its context. New development should create safe environments where crime and disorder or fear of crime does not undermine quality of life. Consideration needs to be given to access and mobility needs with full connectivity, permeability and legibility. The Council will use Building for a Healthy Life to encourage high quality design across all new housing developments.
- 7.3.14 Policy DM2 requires development within the countryside to be in keeping with the appearance and character of the development form and buildings and not result in the overdevelopment of the site due to factors including footprint, scale and massing.
- 7.3.15 Policy FV6 also requires development to be in keeping with the scale, form and character of its surroundings.
- 7.3.16 The site is located on the edge of the settlement but benefits from reasonable connectivity to Huncote. The proposal includes a pedestrian link to Forest Road, which connect to the existing footway network leading into the village and its services. In addition, it is noted that planning permission has been resolved to approve development on land opposite the site (24/0770/FUL), which includes provision of a new village hall and associated infrastructure. In this context, whilst the site lies within the countryside, it would not be isolated and would have access to some facilities.
- 7.3.17 The proposed development comprises predominantly two-storey dwellings arranged across the site at a built density of approximately 36 dwellings per hectare. This density is reflective of the edge-of-settlement context and is comparable to other modern residential developments within Huncote, which are generally characterised by relatively low-density layouts. The use of limited materials, including two brick types, a render option and two roof colours, is also consistent with modern development in the locality.
- 7.3.18 Notwithstanding this, it is considered that the layout does not meet the high-quality design aims of the Council's design policies CS2 and DM2. The proposal includes a significant number of private, severed and unconnected drives and a poor provision of pedestrian linkages, which results in poor connectivity and walkability throughout the development, at odds with good urban design principles and the design aims of policies CS2 and DM2.
- 7.3.19 The siting of a substation and pumping station in the location proposed, is considered would result in an incongruous feature on a highly prominent part of the site contrary to good urban design principles. The proposed pedestrian route to the north of the site, crosses through public open space and close to a children's play area and connects to Forest Road. This route and location is shown as remote and visually separated from the development, screened by

established and proposed landscaping and unoverlooked by nearby dwellings, which are all designed to have their rear elevations, including 2m rear garden boundary facing towards the only area of public open, play area and external pedestrian link within the development site. Contrary to good urban design principles and the design quality aims of Policies CS2 and DM2.

7.3.20 The submitted plans also fail to demonstrate that satisfactory arrangements can be achieved for the storage and collection of household refuse within the site. All the internal roads, including the several severed and unconnected private drives are proposed to remain private and unadopted by the Local Highway Authority (LHA). The Council's current and established guidance states that council waste collection vehicles will not enter onto roads and drives which are not adopted by the LHA. Whilst details have been submitted showing that a refuse sized collection vehicle could physically enter and exit the site, there have been no details provided which show that satisfactory turning and visibility requirements can be achieved within the site. Similarly, no details of an alternative method of refuse collection arrangement (other than Council refuse services) have been provided as part of the application.

7.3.21 In the absence of such detailed information and an alternative collection service arrangement, it is reasonable to conclude that residents of all 47 dwellings would be required to meet the Council's requirement to present their bins adjacent to an adopted road and as such drag their refuse bins to Forest Road, approximately 200 metres from the furthest dwelling within the site. Such an arrangement (or lack of) is contrary to current up to date waste and refuse design guidance and at odds with the good design aims and principles of Policies CS2 and DM2.

7.3.22 The proposal fails to demonstrate that a high-quality design can be achieved and as such conflicts with Policies CS2, DM2 and FV6.

7.4 On-site open space provision

7.4.1 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. Policy CS15 indicates that the 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.

7.4.2 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). The SPD includes guidance to support the Local Plan in relation to open space, sport and recreation requirements and establishes the types of open space that should be delivered on the development site for any given size of residential scheme. This is detailed on the table below;

Typology of Provision	1-19 dwellings	20-49 dwellings	50-99 dwelling	100-199 dwelling	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

Source: Blaby District Council's Planning Obligations and Developer Contributions Supplementary Planning Document

7.4.3 Based on the requirements of Policy CS15, the quantum of public open space required to serve the development has been calculated using the Blaby District Council 'Off-site contributions for open space provision'. The details of the proposed housing mix as set out in the housing schedule on the Planning Site Layout has been inputted into the open space calculator and the results based on the development yield of 104 residents.

7.4.4 The submitted Design and Access statement and planning layouts that have been submitted identify the different open space typologies proposed. On-site there are areas of informal open space and a play area. SuDS features and areas of natural greenspace also bring benefits to a development in terms of visual amenities. In total, approximately 0.77ha of open space will be provided on site, predominantly on the northern and western side of the site.

Table 2: On-site open space requirement for 25/0999/FUL		
Open space requirement	Required quantity on site for 104 residents (ha)	Actual provision (ha)
Allotments and community gardens	None	None
Natural Greenspace	None	0.603
Informal Open Space	0.104	0.162
Provision for children and young people	None	0.008
Parks and recreation grounds	None	None
TOTAL	0.104	0.773

7.4.5 As a development proposing 47 dwellings, Table 1 shows that only 'informal open space' is required on-site. The calculator has shown that there is only a requirement for 0.104ha of 'informal open space' on-site. However, the applicant has also shown that there would be a small provision for children and young people, and additionally large areas of natural greenspace provided on site. The overall amount of open space proposed therefore significantly exceeds the policy requirements as outlined in Table 1.

7.4.6 No parks and recreation grounds, allotments and community gardens will be provided on-site in accordance with the requirements outlined above, which indicates that such open space typologies are not required on site for development proposals of less than 200 dwellings.

7.4.7 On-site open space provision, together with its long-term maintenance (should it not be adopted by the Parish Council), could be secured through a Section 106 agreement in accordance with the submitted drawings to ensure that the needs of future residents are met. The applicant has indicated that the open space would be managed by a private management company.

7.4.8 Weight is given within the planning balance to the fact that there is an over provision of open space across the site, with three different typologies being provided, when only informal open space is required. However, this over provision is not considered to outweigh the impact on the wider landscape and is not considered to overcome that the proposed development would reintroduce significant built development beyond the 'soft' edge of the settlement formed by Huncote Cemetery by removing the established historic boundary between the built-up area and countryside on the western side of Forest Road.

7.5 Impact of the development on the amenity of nearby residents

7.5.1 Policy DM2 requires new development to provide a satisfactory relationship with nearby uses and to ensure that there are no significant adverse impacts

on the amenity of existing or future occupiers, having regard to matters such as privacy, outlook, light, noise and disturbance.

- 7.5.2 In terms of relationships within the proposed development, the layout generally provides acceptable separation distances between dwellings which would not likely result in significant overlooking or overbearing impacts in this respect. The distance between the development and existing dwellings is similarly considered to be acceptable to avoid adverse impacts in this regard.
- 7.5.3 Environmental Services officers have advised that the submitted Noise Impact Assessment requires updating to reflect the revised layout (Revision D). This information was publicised on the Council's website. No additional information was received from the applicant to address this. However, given the principle reasons for recommendation to refuse, this information was not directly requested from the applicant. Notwithstanding this, it is acknowledged that at the time of writing this report, it has not been demonstrated that future occupiers would be afforded an acceptable level of amenity in respect of noise although it is also acknowledged that this could likely be addressed via an appropriate and suitable planning condition.
- 7.6 The impact of the development on parking, highways safety and the surrounding highway network
- 7.6.1 Policy DM8 requires development to provide an appropriate level of parking provision and to be designed in accordance with the Leicestershire Highway Design Guide (LHDG), having regard to accessibility, the type and mix of development and opportunities for sustainable transport. Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.6.2 The applicant has advised that the internal layout of the site will not be proposed for adoption by Leicestershire County Council and will be maintained by a private management company.
- 7.6.3 The Local Highway Authority (LHA) confirms that, subject to conditions and contributions, the impacts of the development on highway safety would not be unacceptable and would not result in a severe impact on the wider highway network, in accordance with the NPPF.
- 7.6.4 A new access is proposed from Forest Road, and the LHA is satisfied that suitable visibility splays and intervisibility have been demonstrated in accordance with the LHDG. The access arrangements are therefore considered safe and suitable to serve the development.
- 7.6.5 The internal layout and parking provision are shown to comply with the requirements of the LHDG, including provision for visitor parking. The development would also provide pedestrian connections to the existing footway network, improving accessibility to services within Huncote and supporting opportunities for sustainable travel.

7.6.6 While some detailed matters remain outstanding, including confirmation of refuse collection arrangements and certain detailed design elements, the LHA is satisfied that these can be addressed through planning conditions and are not matters that would warrant refusal of the application.

7.6.7 Overall, subject to the imposition of the recommended conditions and obligations, the proposal is considered to comply with Policy DM8 of the Local Plan and the relevant provisions of the NPPF.

7.7 Archaeology & Historic Environment

7.7.1 Policy CS20 of the Core Strategy seeks to preserve and protect archaeological remains and requires development proposals to avoid harm to the significance of heritage assets and to make a positive contribution to the character and distinctiveness of the local area. Similarly, Policy DM12 expects development to avoid harm to heritage assets and applies a balanced judgement to proposals affecting non-designated heritage assets, support being given only where the benefits of the scheme outweigh the scale of harm, having regard to the significance of the asset.

7.7.2 In accordance with Section 16 of the National Planning Policy Framework, decision-makers must take into account the effect of an application on the significance of a non-designated heritage asset. Paragraph 216 requires a balanced judgement to be made having regard to the scale of any harm and the significance of the asset. Paragraph 218 confirms that, where loss occurs, developers should be required to record and advance understanding of the asset in a proportionate manner but makes clear that the ability to record evidence of the past should not be a factor in deciding whether such loss should be permitted.

7.7.3 The application has been subject to consultation with Leicestershire County Council's Archaeology officers who have confirmed that the application site contains extensive and well-preserved historic ridge and furrow earthworks, which extend across much of the site. These features represent an important surviving element of the historic agricultural landscape and constitute a non-designated heritage asset. Ridge and furrow earthworks are an increasingly scarce resource locally and regionally and make a valuable contribution to understanding historic land use and settlement patterns.

7.7.4 An archaeological evaluation undertaken by ULAS did not identify any buried archaeological remains predating the ridge and furrow. However, subsequent topographic survey work confirmed the extent and legibility of the ridge and furrow and identified the potential presence of a plough headland within or immediately adjacent to the site boundary. The submitted masterplan makes no provision for the preservation of these earthworks and, as a result, the proposals would lead to their total and permanent loss.

7.7.5 While the applicant has provided a comprehensive record of the ridge and furrow on site, it is considered that this cannot compensate for or offset their destruction and permanent loss from the landscape. The loss of these well-

preserved and increasingly scarce remains therefore results in a level of harm to the historic environment and to the understanding of the historic agricultural history of the area, contrary to Policies CS20 and DM12 and Section 16 of the NPPF.

7.8 Flood risk and drainage

- 7.8.1 Policy CS22 requires development to minimise vulnerability and provide resilience to flooding, taking into account climate change. This will be achieved by directing development to the areas at the lowest risk of flooding, using Sustainable Drainage Systems (SuDS) to ensure that flood risk is not increased on-site or elsewhere and managing surface water run-off.
- 7.8.2 The application site is located within Flood Zone 1 and is therefore at low risk of fluvial flooding. However, parts of the site are at risk of surface water flooding, particularly towards the eastern side. These areas are refined to the ditches and lower points of the site.
- 7.8.3 The application is supported by a drainage strategy which proposes the use of SuDS, including an attenuation basin and controlled discharge to a ditch to the north of the site at a restricted runoff rate.
- 7.8.4 The Lead Local Flood Authority (LLFA) has been consulted on the application and has raised concerns regarding the adequacy of the submitted information. They have advised that the application documents are insufficient to enable them to provide a substantive response and has requested further information, including an updated drainage strategy using 2l/s runoff rate and evidence of capacity within receiving watercourses for the increase in flow and volume leaving the site post development. This information was publicised on the Council's website. No additional information was received from the applicant to address this.
- 7.8.5 In the absence of a substantive response from the LLFA and insufficient evidence to demonstrate that runoff can be appropriately managed, including an updated drainage strategy using an appropriate rate and confirmation of the capacity of receiving watercourses to accommodate an increase in flow and volume, it has not been adequately demonstrated that the development would comply with the requirements of Policy CS22. The proposal therefore fails to demonstrate that it would not increase flood risk on-site or elsewhere.

7.9 Contamination

- 7.9.1 Policy DM13 of the Blaby District Local Plan (Delivery DPD) requires development proposals to demonstrate that any unacceptable adverse impacts arising from land contamination, landfill, land stability and pollution can be satisfactorily mitigated. Where land is (or has the potential to be) subject to contamination, or land is close to an aquifer or surface water feature that may result in groundwater or surface water pollution; proposals should be supported by appropriate investigation and mitigation measures to avoid harm to the site and surrounding area.

7.9.2 The application site is located immediately adjacent to three historic landfill sites (sites 76, 77 and 286), which adjoin the western boundary. The site also lies within a sensitive hydrogeological setting, with potential for groundwater contamination. The site therefore lies within a context where there is potential for contamination and landfill gas migration to affect both the development and surrounding water network.

7.9.3 Environmental Services officers have raised no in principle objection to the contamination strategy, confirming that risks from land contamination and landfill gas can be appropriately mitigated through further ground gas monitoring, remediation details and verification secured by condition.

7.9.4 Similarly, the Environment Agency raises no objection subject to a condition requiring investigation and remediation of any previously unidentified contamination, to ensure protection of controlled waters, having regard to the site's location on a Secondary Aquifer.

7.9.5 On this basis, contamination matters are capable of being addressed through planning conditions and the development would comply with Policy DM13.

7.10 The impact of the development on minerals provisions

7.10.1 Policy DM15 of the Delivery DPD and Policy M11 of the Leicestershire Minerals and Waste Local Plan seek to ensure that mineral resources are not unnecessarily sterilised by non-mineral development within identified Mineral Safeguarding Areas. In such cases, applications should be supported by a Minerals Assessment to demonstrate the potential effect of the development on safeguarded resources.

7.10.2 The application site lies partly within Mineral Safeguarding Areas, with the southern part of the site safeguarded for igneous rock and the western part safeguarded for sand and gravel. A Minerals Assessment has been submitted in support of the proposal and has been reviewed by Leicestershire County Council as the Minerals and Waste Planning Authority.

7.10.3 Leicestershire County Council as minerals authority raises no objection to the proposal. It is noted that, due to the location of the site adjacent to the existing settlement edge and Huncote Cemetery, future mineral extraction is unlikely to be feasible or viable in this location. The proposal is therefore considered to comply with Policy DM15 and Policy M11, and it is not considered that the development would result in the unnecessary sterilisation of mineral resources.

7.11 Developer contributions and infrastructure / facilities

7.11.1 Policy CS11 requires that new development is supported by the necessary physical, social and environmental infrastructure at the appropriate time. It emphasises that the Council will work in partnership with relevant delivery agencies to ensure that development provides the infrastructure, services and facilities needed to meet community needs and address any adverse impacts arising from growth. Policy CS12 further states that, where infrastructure, service and facility requirements have been identified through robust

evidence, developers will be expected to contribute towards their provision, and in some cases their ongoing maintenance. In addition, Policy CS15 is relevant in respect of open space, sport and recreation, confirming that financial contributions will be sought where appropriate.

7.11.2 Leicestershire ad have requested £18,025.18 for funding to mitigate the impact of the proposed development on policing infrastructure has been made. The Leicester, Leicestershire & Rutland Integrated Care Board (NHS) have requested a contribution of £45,496.00 to provide the required GP facilities to meet the population increase resulting from the development.

7.12 Arboricultural implications

7.12.1 An Arboricultural Impact Assessment has been submitted which identifies numerous existing trees, groups and a small woodland on and adjacent to the site. This includes trees protected by the area TPO 172/CC along the western boundary adjoining the site. The assessment confirms that the layout has sought to retain the majority of trees, with only limited removals and pruning required to facilitate the development, including the loss of a short section of boundary hedgerow to form the proposed access.

7.12.2 Leicestershire County Council Forestry raise no objection to the proposals, noting that the submitted landscaping scheme includes native tree and hedgerow planting which would reinforce existing vegetation and provide enhancement across the site. Overall, the impacts on trees and hedgerows are limited and subject to appropriate protection and replacement planting, are considered acceptable.

7.13 Ecological impact and Biodiversity Net Gain (BNG)

7.13.1 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. Biodiversity Net Gain (BNG) is a strategy to develop land and contribute to the recovery of nature. It is a way of ensuring that habitats for wildlife are in a better state after development than before. A 10% provision of BNG became mandatory for planning applications for major development submitted from 12 February 2024.

7.13.2 An Ecological Assessment was submitted in support of the application. This identified that the site comprises predominantly grazed neutral grassland, with features of ecological value including hedgerows, areas of scrub and adjacent woodland. The assessment identified the potential presence of protected species, including bats, breeding birds and great crested newts, and set out mitigation measures to address impacts arising from the development. In particular, the site lies within an amber risk zone for great crested newts and evidence confirms the presence of great crested newt in ponds within 500m of the site, with suitable terrestrial habitat present on-site.

7.13.3 Leicestershire County Council Ecology officers have reviewed the submitted information and raised a holding objection, advising that insufficient

information has been provided to fully assess the impacts on protected species, specifically great crested newt. Further survey work, including population class surveys of ponds where newts have been identified, together with a mitigation strategy, is required to support any necessary European Protected Species licence. The Ecologist advises that this information must be provided prior to determination to establish the presence or absence of protected species and the extent to which they may be affected.

7.13.4 With regard to BNG, the baseline unit value for the site is 18.22 habitat units and 2.09 hedgerow units. The post-development unit value for the site is proposed to be -6.89 habitat units (-37.83%) and 0.65 hedgerow units (+31.06%). The net gain has therefore been achieved on-site through hedgerow units, but not for habitat units, with a deficit of 8.72 habitat units to be purchased via off-site habitat credits. Ecology officers have confirmed that the submitted metric and supporting information are considered acceptable and demonstrate that the development is capable of achieving the required net gain, subject to detailed matters being secured through a Biodiversity Gain Plan and associated management and monitoring.

7.13.5 However, in the absence of the required survey information and mitigation strategy in respect of great crested newts, the District Planning Authority cannot be satisfied that the development would not result in harm to a protected species or that appropriate mitigation can be secured. As such, it has not been demonstrated that the proposal accords with Policy CS19.

7.14 Other material considerations

7.14.1 Application 24/0770/FUL was resolved to be approved at Planning Committee on 27th November 2025. This site is to the east of Forest Road, opposite the application site. The application was for 191 dwellings and associated development was for a significant scheme where a finely balanced decision was arrived at. In terms of its location however, whilst comparable due to its close proximity to the current proposed development, it directly adjoins existing residential development, unlike this current application which differs significantly in this respect in that it is located beyond the cemetery grounds and therefore dislocated from existing development., resulting in a materially different relationship to the existing settlement of Huncote. All applications are judged on their individual merits.

8. Overall Planning Balance and Conclusion

8.1 Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 As set out in the assessment above, the proposal is contrary to the development plan in principle, by reason of its location outside the defined settlement boundary, within the countryside, and due to the identified harm to landscape character and the historic environment.

- 8.3 However, as the Council cannot currently demonstrate a five-year supply of deliverable housing land, the application is therefore assessed against the presumption in favour of sustainable development under paragraph 11(d) of the NPPF. Paragraph 11(d) states that planning permission should be granted unless it can be demonstrated that the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole.
- 8.4 In applying this tilted balance, the benefits of the proposal have been given due consideration. The provision of new housing, including affordable housing, is given weight in favour of the scheme, particularly in the context of identified shortages of both market and affordable housing within the wider District. In addition, the provision of on-site open space in excess of policy requirements attracts further limited weight in favour of the proposal. Taken together, these benefits attract moderate weight in support of the scheme.
- 8.5 These benefits must, in accordance with the provisions of the NPPF however, be weighed against the harms identified. The proposal would conflict with the development plan in a number of areas. Significant weight is afforded to the harm to the countryside arising from the reintroduction of built development beyond a clearly defined and established historic soft settlement edge, resulting in a development that would harm the existing character and appearance of the area. In addition, substantial weight is given to the total destruction and permanent loss of well-preserved and increasingly scarce ridge and furrow. This permanent loss from the landscape represents an irreversible harm to the historic environment and the understanding of the areas historic agricultural past which cannot be mitigated or off set through recording alone.
- 8.6 Separately, the proposal would fail to achieve a high standard of design. The layout is poorly connected and lacks coherence, with extensive reliance on private drives, poorly located infrastructure and insufficiently overlooked pedestrian routes. The absence of satisfactory refuse collection arrangements further demonstrates that the development would not function effectively. The proposal is therefore unacceptable in design terms.
- 8.7 Furthermore, the proposal fails to demonstrate that an acceptable drainage strategy can be achieved, with insufficient information provided to confirm that flood risk would not increase elsewhere. Similarly, insufficient ecological information has been submitted to assess the impacts of the development on Great Crested Newt, meaning that it has not been demonstrated that harm to a protected species could be avoided or appropriately mitigated.
- 8.8 Taking all matters into account, the adverse impacts arising from the development significantly and demonstrably outweigh the benefits of the proposal, including the provision of 47 dwellings. The proposal therefore fails to represent sustainable development when assessed against the policies of the NPPF as a whole.

8.9 Accordingly, the proposal fails to accord with the development plan when read as a whole and does not satisfy the presumption in favour of sustainable development. The proposed development conflicts with policies CS1, CS2, CS5, CS18, CS19, CS22, DM2, FV6 and FV8. Planning permission is therefore recommended for refusal.