

Application reference: 25/1074/FUL

Proposal: Demolition of existing church, erection of childrens care home (comprising of 4no. child bedrooms, 1no. staff bedroom and 1no. x bed flat) (Class C2), solar panels to roof slope and associated parking and landscaping.

Site Address: Enderby Life Church, Moores Lane, Enderby, LE19 4AN

Applicant: Mr Josh Barber

Case Officer: Rebekah Newman, Senior Planning Officer

Recommendation: Approve, with conditions

Conditions:

1. Statutory 3-year condition.
2. Development to be built in accordance with approved plans and documents.
3. A programme of archaeological work (in accordance with a Written Scheme of Investigation (WSI) to be submitted and approved by the LPA) to be completed prior to the commencement of development or any demolition.
4. The parking and turning facilities as per the Proposed Site Plan are to be implemented prior to first occupation of the proposed development.
5. Secure and under cover cycle parking details to be agreed and provided prior to first occupation of the proposed development.
6. The flat hereby permitted to remain ancillary and shall not be occupied or operated separately from the remainder of the premises.
7. A Demolition and Construction Management Plan to be submitted and approved prior to commencement of development.
8. Residential care of no more than four children between the ages of 8 to 18 years (inclusive) at any one time.
9. Maximum of eight members of staff being present on the site at any one time.
10. The use hereby permitted is limited to that of a children's home only and for no other purpose.
11. All mitigation measures and / or works to be carried out in accordance with Ecological Appraisal recommendations.
12. Biodiversity Enhancement Layout to be submitted and approved prior to occupation.
13. Lighting design strategy for biodiversity to be submitted and approved prior to occupation.
14. Tree works during construction period as per Arboricultural Impact Assessment.
15. All existing trees, shrubs or hedges to be retained on the site shall be protected by suitable fences during the construction period.
16. Requirement to submit a Phase I Desktop study prior to commencement of development.
17. Where required by condition 16, approved remediation works to be completed in accordance with approved remediation method statement prior to commencement of any above ground development. Verification report for

remedial scheme to be submitted and approved within 3 months of completion of approved remediation works.

18. Details of proposed tree planting, soft and hard landscaping to be submitted and agreed prior to commencement of development (except any site clearance or demolition).
19. Material specification (all materials and finishes used on external elevations, windows, doors and roofs) to be submitted and approved prior to any development above ground level.
20. Full details of any Air Source Heat Pumps (ASHPs) to be submitted and approved prior to installation.
21. Written confirmation of successful completion of installation of ASHPs to be submitted within three months of installation.
22. Operational Management Plan to be submitted and approved within three months from the grant of this planning application.

Notes to Committee

This application has been brought before the Planning Committee at the request of Cllr. Cheryl Cashmore under the Member call-in procedure. The reasons given are as follows:

'The development is not in keeping to the local areas character. It is situated in Enderby's conservation area and will impact the local community.'

1. The site

- 1.1. The application site is located north of Moores Lane, to the north of the village of Enderby. Enderby Life Church (hereafter referred to as 'the Church') is currently located on the site, within the eastern half of the application site and comprises a single storey chapel.
- 1.2. The application site lies on rising ground approximately half-way up Moores Lane from the junction with Hall Walk. Residential dwellings adjoin the site to the east, south and west, with an area of unused overgrown grassland to the north, with residential properties further north.
- 1.3. The Church was built between 1903 and 1916 according to historical O.S. Maps. The building has previously had several single storey extensions which were built in 1989, largely concealing the building's front and western side elevation. The building includes a part pitched and part flat roof, with the entrance facing Moores Lane within a small gable feature. Either side of the gable are symmetrical flat roofed sections. The building is finished in a light red brick with buff brick detailing at the eaves, cills and above the main entrance.
- 1.4. The original chapel is hidden by the extensions (except for part of the roof) and is located to the northeastern corner of the site.
- 1.5. The building is no longer used by the Church, with activities now having moved to Cross Street, Enderby following the acquisition of the former Enderby

Providence Methodist Church and the recent grant of planning permission for alterations to that building (application reference: 25/0513/FUL).

- 1.6. The application site is located within Enderby Conservation Area and is set immediately to the west of a range of Grade II listed buildings (The Court and No.2 Hall Walk) that were historically and functionally associated with the Grade II Listed Enderby Hall (which lies on the opposite side of Hall Walk, which is one of the main thoroughfares through the village).
- 1.7. The site's western boundary comprises a raised grass bank with an existing Ash tree which is subject to a Tree Preservation Order (ref: 359/DC). A low-level boundary wall (a combination of red brick wall and pediment-shaped blue brick copings and granite rubblestone). A parking area is located to the west, which is hard surfaced with gravel.
- 1.8. The site is located within gassing landfill and a landfill site and buffer. The site is located within Flood Zone 1.
- 1.9. The Local Plan Policies Map (2019) designates the site as being within the Enderby settlement boundary.

2. The Proposal

- 2.1. The application is for full planning permission for the demolition of the existing church and the erection of a children's care home.
- 2.2. The proposed building would be two storeys in scale and be located within the eastern half of the site. The western side of the plot would be retained as a car park with the existing access retained and widened. The footprint of the building would be largely rectangular, with the first floor set partially within the hipped roof space. The building would be set back from the highway edge by a minimum of 6.5m, with a total width of approximately 20.4m and depth of 20m.
- 2.3. The maximum ridge height would be approximately 8.1m, with an eaves height on the front elevation of 2.5m, and 4.7m to the rear. The replacement building would include a hipped roof design and takes visual cues from buildings designed in an Arts and Crafts style, with a high roof to wall ratio, making the roof a predominant feature in the building's design and appearance. The building's southeastern corner would project forward slightly, however this would not be largely noticeable due to the large roof slope. Exposed rafter feet would be visible along the remaining roof canopy. The main entrance would be located centrally on the front elevation, as well as two further doors, and 5no. windows on the ground floor. Three dormer windows are proposed on the first-floor, with three roof lights. A chimney would also be located on the eastern side elevation.
- 2.4. To the rear (northwest elevation) there would be a bay window serving the lounge, three double opening doors and a window on the ground floor. On the first floor, a Juliet balcony and small window are proposed to serve the living /

kitchen room of the 1no. bed flat, as well as four dormer windows serving each child's bedrooms. A side door is proposed on either side elevation, as well as a window, and one roof light on the northeast elevation.

- 2.5. On the ground floor, there would be a large hallway, with 2no. offices, an IT room, plant room, handover / meeting room, 2no. WCs, games room, lounge, dining room, kitchen and laundry room. Whereas the first floor would accommodate 4no. children's bedrooms (each with their own en-suites), a 1no. bed self-contained staff flat (including a living / kitchen area, en-suite and bedroom), 1no. staff bedroom and en-suite, and a separate bathroom and staff waking room.
- 2.6. In terms of materials, the building would be finished in red brick, with a stone cladding plinth on the southwest and southeast elevations. The roof would be finished in clay tiles.
- 2.7. A landscaped area is proposed to the front elevation, adjoining Moores Lane, comprising a grassed area, hedgerows and two trees. Private amenity space is proposed to the rear, with paved slabs around the majority of the building's footprint. The existing brick wall and stone pillars to the southeast of the site are proposed to be retained, with a new fence & gate (with a bin store area behind). A bicycle store area is also proposed behind the existing brick wall.
- 2.8. The parking area to the west would be retained, with the provision of 8no. parking spaces (including 1no. accessible parking space). The landscaped embankment to the west would also be retained.
- 2.9. Solar panels are proposed on the rear elevation of the building, as well as 3no. heat pump units behind a new retaining wall to the west of the building.
- 2.10. The home would be operated by Leicester City Council. The proposed care home would provide accommodation for up to four children aged between 8 – 18 years.
- 2.11. Paragraph 4.17 of the submitted 'Planning, Design and Access Statement' states that the home will have a Registered Manager and Assistant Manager who will work mainly office hours. A team of 12 Practitioners and Support Workers will work different shifts providing direct care to the children, usually a minimum of three per shift during the day. During the night there will be a minimum of two staff on duty, which will include a dedicated Waking Night staff alongside a member of staff who will sleep in, which will usually be one of the Practitioners or Support Workers. A maximum of 8 staff are anticipated on-site at any one time.

3. Relevant Planning History

Reference	Description	Decision	Date
10/0628/1/PX	Single storey extensions to front/side and rear, including front entrance canopy.	Approved	21.10.2010
09/0532/1/PX	Infill extension to connect two parts of existing buildings.	Approved	03.11.2009
87/1931/1/PX	Proposed single-storey extensions to existing church.	Approved	14.03.1988
86/1226/1/PX	Proposed extension forming toilets and store	Approved	16.10.1986

4. Consultation Responses

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

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

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

4.1 Blaby District Council Consultees

4.1.1 Environmental Services (4)

No objection subject to conditions.

4.1.2 Housing Strategy (1)

Confirm that they are supportive of the proposal.

4.1.3 Principal Planning & Conservation Officer (2)

The revised design represents a notable improvement, and when coupled with the identified public benefits, is considered sufficient to outweigh the harm.

4.2 Leicestershire County Council Consultees

4.2.1 Archaeology (2)

Recommends approval, subject to the inclusion of a pre-commencement condition for post-determination trial trenching.

4.2.2 Ecology (2)

No objection subject to conditions.

4.2.3 Forestry (2)

Requested a condition relating to the protection of the existing tree on site.

4.2.4 Local Highway Authority (2)

The impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe.

4.3 **Others**

4.3.1 Enderby Parish Council (2)

Objection, raising the following concerns:

- The proposed design is not in keeping with the characteristics of the Conservation Area. This is contrary to Policy CS2 and CS20 of the Blaby District Local Plan (Core Strategy) Development Plan Document and Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document. The new building will therefore need to be built using red brick to retain the existing characteristics of the street scene and retain the strong heritage of the area.
- The proposed design does not reflect the history of the site and is not in keeping with the historical interest of the Church Building. It will therefore have a detrimental impact upon the heritage of the site. This is contrary to Policy DM12 of the Blaby District Local Plan (Delivery) Development Plan Document and Policy CS20 of the Blaby District Local Plan (Core Strategy) Development Plan Document.
- The strong historical identity of the area should be maintained in line with the Blaby District Local Plan (Delivery) Development Plan Document, DM1 b).

4.3.2 Severn Trent Water

No response received.

4.3.3 SUEZ Recycling and Recovery UK Ltd

No response received.

4.3.4 Ward Councillor – Cllr Cheryl Cashmore (1)

'The development is not in keeping with local areas character. It is situated in Enderby's conservation area. Will impact the local community.'

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. A site notice and press release in the Leicester Mercury were also advertised.

5.2. During the first consultation, 11 letters of representation have been received. Of which, 7 letters of support in regards to:

- The church was originally built for quarry workers as they were not welcomed at the Parish Church due to their impoverished living conditions. Redevelopment of the site for a children's home is another case of the land being used for a disadvantaged group.
- The proposed materials are in-keeping with the local area.
- The church's current state serves no purpose as a 'Heritage' building and is of no historical benefit to the area.
- The local community would benefit from the current site being redeveloped.
- Repurpose of an underutilised site that will deliver substantial benefits to vulnerable children and the wider community.
- The use will address the growing demand for high-quality residential care facilities in the area.
- The proposal will offer a stable home for children, enabling them to thrive in a supportive setting close to their local networks.
- The benefits of the proposal far outweigh any potential drawbacks.
- Well-managed children's homes are calm, structured environments with 24/7 staff presence.
- Such proposals reduce the likelihood of antisocial behaviour, prevent placement breakdowns, and ease pressure on local health and social care services.
- Efficient use of the land.

Whereas 4 letters of objection to the scheme have been received, relating to the following concerns:

Impact on the character and nature of the conservation area:

- Major change of use to the area.
- Significant increase in the footprint of the building compared to existing.
- The scale and positioning of the proposed building.
- Overdevelopment of the site.
- The use of render is out of character with the existing local area and conservation area.
- The proposal's impact on the setting of The Court.
- The proposal will have a severe and material impact on the intrinsic character of the Enderby Conservation Area.
- Loss of a Non-Designated Heritage Asset.

Residential amenity impacts:

- Concerns regarding proposed hours of use.
- Impact on the amenity of neighbouring residents (in terms of overlooking / privacy and overshadowing).
- Concerns from neighbouring property regarding potential damage to dwelling and garden wall during demolition and construction phases.
- Increased levels of noise and disruption.
- Concerns regarding security and safety.

Highways / parking:

- Increased vehicular traffic along Moores Lane, which is a narrow single road.
- Insufficient off-street parking provision proposed.

Ecology / forestry:

- Removal of the existing tree.
- Impact on habitats for protected species from demolition of existing church and boundary walls.

Following the provision of revised plans, a 3-week re-consultation was issued and one letter of objection was received, raising the following concerns:

- Potential for damage to 10 Moores Lane and the neighbouring garden wall during demolition and construction phases.
- Noise and disruption associated with construction.
- Loss of privacy to 10 Moores Lane.
- Safety and security concerns in relation to the operation of the children's home.

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)

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 CS8 – Mix of housing

Policy CS19 – Biodiversity and geo-diversity

Policy CS20 – Historic environment and culture

Policy CS21 – Climate change

Policy CS24 – Presumption in favour of sustainable development

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

Policy DM1 – Development within the settlement boundaries

Policy DM8 – Local parking and highway design standards

Policy DM12 – Designated and non-designated heritage assets

Policy DM13 – Land contamination and pollution

6.2. Material Considerations

- The National Planning Policy Framework (NPPF) (2024)
 - Section 2 - Achieving sustainable development
 - Section 4 – Decision-making
 - Section 5 - Delivering a sufficient supply of homes
 - Section 8 - Promoting healthy and safe communities
 - Section 9 – Promoting sustainable transport
 - Section 11 – Making effective use of land
 - Section 12 – Achieving well-designed places
 - Section 14 – Meeting the challenge of climate change, flooding and coastal change
 - Section 16 – Conserving and enhancing the historic environment
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Leicestershire Highways Design Guide (2024)
- The National Planning Policy Guidance (NPPG)

7. **Consideration of Application**

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

- The principle of the development
- The impact on the character and appearance of the Enderby Conservation Area
- Other heritage impacts
- Transport and highway implications
- Flood risk and drainage
- The impact of the development on the amenity of nearby residents
- Ecology and biodiversity net gain (BNG)
- Arboricultural implications

- Land contamination
- Waste management

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 located within the settlement boundaries of Enderby, which is located outside of the PUA and is classed as a 'Larger Central Village'. Notwithstanding this, Policy CS1 does allow for lower levels of growth within Larger Central Villages where the scale of development reflects the settlement's range of available services and facilities and public transport alternatives. Policy CS5 identifies Enderby as offering some key services and facilities required to accommodate sustainable communities.
- 7.1.2. Policy DM1 considers that within the Settlement Boundaries, as set out on the Policies Map, development proposals consistent with other policies of the Local Plan will be supported where the certain criteria are met including providing a satisfactory relationship with nearby uses, be in keeping with the character and appearance of the area, not resulting in the overdevelopment of the site, having a satisfactory layout, design and external appearance and not prejudicing the comprehensive development of a wider area.
- 7.1.3. Policy CS1 also encourages the development of previously developed land (brownfield) and underused land and buildings. Furthermore, Section 11 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 7.1.4. Although Policy CS8 relates more specifically to larger residential proposals, the thrust of the policy is to seek to meet the needs of specific groups through the provision of supported housing. The current proposal would accord with these objectives and help to fulfil the social objective of planning as set out in Paragraph 8 of the NPPF (2024).
- 7.1.5. The Council's Housing Strategy Team were consulted during the determination of the planning application. In its consultation response they stated that they had been involved in recent discussions with Children's Social Care around the provision of more (and the lack of) accommodation for looked after children and as such would support any additional bed spaces that can be provided as there is a clear demand for this type of accommodation within the district.
- 7.1.6. It is noted that the proposal involves the loss of the chapel, a Non-Designated Heritage Asset (NDHA). This loss will be assessed in the below section, heritage impacts.
- 7.1.7. Subject to the loss of the chapel, residential amenity impacts, design and impact on the character and appearance of the Conservation Area and setting of nearby Listed Buildings being acceptable, the proposed development is

considered to comply with Policies CS1, CS5 and CS8 of the Core Strategy and Policy DM1 in the Delivery DPD and would be acceptable in principle.

7.2. The impact on the character and appearance of the Enderby Conservation Area

- 7.2.1. The application site is located within Enderby Conservation Area and is set immediately to the west of a range of Grade II Listed Buildings (The Court and No.2 Hall Walk) that were historically and functionally associated with the Grade II Listed Enderby Hall (which lies on the opposite side of Hall Walk, which is one of the main thoroughfares through the village). Cliffe House (a Non-Designated Heritage Asset) is also situated along the western half of Moores Lane, to the southwest of the application site.
- 7.2.2. Moores Lane (to the front of the application site) is described in the Conservation Area Character Assessment as a narrow road that is predominantly bounded by tall walls built in a combination of red brick and granite rubble stone.
- 7.2.3. The application site is considered to be within the setting of several listed buildings and therefore, consideration will need to be given to the statutory duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which means that when determining planning proposals that could affect the setting of a listed building, special regard must be given to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Similarly, given the site's location in Enderby Conservation Area, consideration will also need to be given to Section 72 of the same Act, which states that when determining planning proposals in a Conservation Area special regard must be given to the desirability of preserving or enhancing the character and appearance of those areas.
- 7.2.4. Policy CS20 states that conservation areas will be preserved, protected and where possible enhanced. Proposed development should avoid harm to the significance of historic sites, buildings or areas, including their setting. In addition, the policy states that new development is expected to make a positive contribution to the character and distinctiveness of the local area and ensuring that development in Conservation Areas is consistent with the identified special character of those areas.
- 7.2.5. Whereas Policy DM12 states that development proposals that conserve or enhance the historic environment will be supported. All proposals affecting either a designated or non-designated heritage asset and / or its setting will need to submit a statement. The applicant provided a Heritage Impact Assessment (HIA) alongside the planning application. The Policy also states that Conservation Areas will be given the highest level of protection to ensure that they are conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment.

- 7.2.6. In addition, in Chapter 16 of the NPPF (Conserving and Enhancing the Historic Environment), Paragraph 195 comments that Conservation Areas are an “... *irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations*”. Paragraph 206 also states that “*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification*”.
- 7.2.7. Policy CS2 considers that all new development should respect distinctive local character and should contribute to creating places of a high architectural and urban design quality, contributing to a better quality of life for the local community. Design should be appropriate in its context and should take any opportunities available to improve the character and quality of an area and the way it functions. Development proposals should demonstrate that they have taken account of local patterns of development, landscape and other features and views and are sympathetic to their surroundings. At the same time, the Council will support innovative design that is appropriate in its context. The design of new development should take account of, and provide opportunities to enhance, the natural and historic environment, including improvements to Green Infrastructure and opportunities to promote biodiversity.
- 7.2.8. The Council’s Principal Planning & Conservation Officer (PPCO) was consulted during the determination of the planning application. In its initial consultation response, the PPCO raised concerns regarding the demolition of the existing chapel and considered that the proposed demolition of the chapel is regrettable and questioned whether some of its original fabric could be retained, repurposed and preserved as part of the proposed development.
- 7.2.9. In terms of the originally proposed building, the PPCO considered that the two-storey scale would be a complete departure from the scale parameters and architectural appearance of the existing building owing to its design, materials and finishes. The consultee commented that the proposed replacement building would not work with the site’s constraints in a positive manner as the building would appear excessively high in relation to the road and would sit too far forward / close to the roadside boundary, meaning that its critical mass and bulk would lead to a scheme with an overtly assertive appearance, as it would harmfully dominate the narrow street scene of this section of Moores Lane. In addition, if approved, the scale and position of the replacement building would harmfully impinge on the current views of treetops and the roofscape of some of the late-19th century buildings that formerly were part of Enderby Hall, when looking down Moores Lane, dominating the localised townscape. As such, the PPCO considered that these views of the site itself and into the Conservation Area would be discernibly worse than what is currently on site and would fail to meet the statutory duty of preserving or enhancing the character and appearance of the area.
- 7.2.10. The PPCO also raised concerns regarding the initial design of the replacement building, commenting that the proportions and scale of the building’s general built form, give the building a distinctly modern appearance that is not in

harmony with the site's constraints and would appear to be at odds with the surrounding historical context of the adjacent listed and curtilage listed buildings. Furthermore, given its scale, footprint, proportions and material finishes, the architectural appearance of the initial building's design would not replicate the better late-Victorian, Arts and Crafts style as demonstrated in the centre of the village and would represent an inferior copy of a traditional design. The original palette of proposed materials (specifically the render and the number / orientation of solar panels and roof lights) were also considered to result in a visually jarring effect against the traditional materials found on the more historic buildings to the east of the site, in particular when against the red brick and granite walls.

- 7.2.11. The PPCO stated that whilst he does consider that a development could be accommodated on this site, he is of the view that there would need to be a substantial compromise to achieve an acceptable scheme in design terms that would meet the statutory duty of the 1990 Act, otherwise the proposal would lead to harm being caused to the character and appearance of the Conservation Area in this context, and the harm would be at the lower level of less than substantial. Any changes would need to be substantial, potentially looking at reducing the scale considerably to either a single storey or single storey with isolated 1.5 storey elements, to ensure that the scale is kept low and the bulk and massing issues raised above are designed out accordingly.
- 7.2.12. Following these comments from the PPCO, the applicant agreed to revise the plans. A re-consultation was then issued with both statutory consultees and local residents.
- 7.2.13. In the PPCO's most recent comments he has acknowledged that the proposed building's composition has been simplified, and the principal elevation has been reorientated to address the roadside. The consultee stated that this is of benefit in an architectural sense, as the emphasis on the building's linear built form is generally consistent with that of other buildings situated to the northeast of the site. The benefit of this altered footprint means that a greater effort can be directed to retaining the wall and historic granite pedestrian gateway at the front, complimenting it with additional planting to present a fair-face along Moores Lane.
- 7.2.14. Even though the scale of the building has not altered significantly (an overall reduction of approximately 0.5m), the PPCO considers that the perception of the building as illustrated in the revised drawings is one where the wall area to the principal elevation has been significantly reduced and replaced with a long-sloping roof with the incorporation of low, overhanging eaves and a jerkinhead roof, which emphasises the roofscape. Although the wall to roof proportions increases at the sides and rear of the building, the PPCO states that the perception of scale is kept to a minimum due to the use of dormers that discreetly peer above the eaves. A chimney breast and full stack has also been included for added authenticity.
- 7.2.15. The PPCO has commented that its previous concerns regarding matters of scale, bulk massing and assertive design have been addressed, and whilst the

appearance of the proposal is not strictly Arts and Crafts in nature, what is proposed is a modern interpretation of that style and as such, the proposed building would not look out of keeping with the prevailing character and appearance of the area. In addition, the consultee states that it is of the opinion that the overall appearance of what is proposed in these amendments better reflects some of the examples of Arts and Crafts styled buildings within the Conservation Area.

- 7.2.16. In terms of the materials palette and finishes, particularly on the front and side elevations, the PPCO considers that these remain consistent with the vernacular of the area, which is evidenced by the combination of granite rubble stone and red brick. The hipped dormers to the front roof slope are not considered to be assertive owing to their limited size and configuration. The consultee was also pleased to note that the number of roof lights has decreased from previous informal revisions, and the solar PV panels have been relocated to the rear (northern) roof slope.
- 7.2.17. Whilst there hasn't been a substantial update to elaborate on the need for accommodation of this type, the PPCO accepts that there is one currently being un-met and therefore this would carry some weight to counterbalance any harm. Whilst these harms still exist insofar as the scheme results in the loss of a NDHA, the consultee does consider that the harm to the setting of listed buildings and the character / appearance of the Conservation Area has been softened, owing to the improved design. The PPCO also welcomes the photographic recording exercise of the NDHA in the Heritage Impact Assessment, which may mitigate the loss of the existing building.
- 7.2.18. The PPCO concluded in its consultation response that, overall, the level of harm to designated heritage assets is considered to fall within the 'less than substantial' category, at the lower end of that spectrum. Notwithstanding this, the revised design represents a notable improvement, and when coupled with the identified public benefits, is considered sufficient to outweigh the harm in accordance with the balancing exercise set out in paragraph 215 of the NPPF.
- 7.2.19. Accordingly, due to the amendments in terms of the proposed building's layout, scale, design and materials, the impact to the setting of nearby listed buildings and the character and appearance of the Conservation Area is considered to be acceptable, and complies with Policies CS2, CS20 and DM12.

Other heritage impacts

- 7.2.20. Policy CS20 states that archaeological remains will be preserved, protected and where possible enhanced. Whereas Policy DM12 states that development proposals that conserve or enhance the historic environment will be supported.
- 7.2.21. LCC Archaeology have been consulted on this application. The consultee welcomed the submission of a HIA for the chapel and contacted the applicant's archaeological consultant with some suggested additions to the report. The applicant subsequently submitted a revised HIA which was reviewed by the consultee. In LCC Archaeology's latest comments, they confirmed that the

revised HIA has addressed its previous comments and the report is satisfactory, and therefore no condition will be necessary in relation to the building recording.

- 7.2.22. In addition, the Leicestershire and Rutland Historic Environment Record (HER) notes that the site also contains an archaeological interest, lying within the Enderby historic settlement core. The application area is located less than 100m from Enderby Hall. Whilst the hall is superficially 19th century in date, the building incorporates a small 16th / 17th century rectangular house, indicating that this may have been a high-status area within the historic settlement core during the post-medieval period (or earlier). The OS mapping also indicates the presence of a number of roadside structures within the site, mostly dating to the late 19th / early 20th century, subsequently demolished. LCC Archaeology commented that, although the site has been previously developed it is likely that archaeological remains, if present, survive in areas of the site that were not directly built on, or in pockets of less disturbed ground within the current building footprint. As such there is a potential that significant buried archaeological remains will be affected by the development.
- 7.2.23. However, based upon the available information, the consultee anticipates that these remains, whilst significant and warranting further archaeological mitigation prior to the impact of development, are not of such importance to represent an obstacle to the determination of the application. While the current results are sufficient to support the planning decision, further post-determination trial trenching will be required in order to define the full extent and character of the necessary archaeological mitigation programme.
- 7.2.24. The consultee therefore recommends for the inclusion of a pre-commencement condition to ensure satisfactory archaeological investigation and recording. This pre-commencement condition has been included at the beginning of this report (condition 3).
- 7.2.25. Accordingly, it is considered that the proposed development would comply with Policies CS20 and DM12.

7.3. Transport and highway implications

- 7.3.1. Policy DM8 of the DPD states that “*All new development and changes of use will be required to meet highway design standards as set out in the most up-to-date Leicestershire Local Highway Guidance.*”
- 7.3.2. The existing access is proposed to be retained in its current form which leads onto Moores Lane, an adopted, unclassified road subject to a 30mph speed limit. Moores Lane is not suitable to accommodate two-way traffic and there are no formal public footways in the immediate vicinity of the site. Signage at either end of Moores Lane indicate the road is not suitable for use by HGVs.
- 7.3.3. The site access is to be 3.4m wide with a 2m by 2m pedestrian splay on either side of the access. The LHA has confirmed that it considers it acceptable for the provision of 1m by 1m pedestrian splays resulting in an access width of

5.4m. The Proposed Site Plan drawing also shows the provision of 2.4m by 43m vehicular visibility splays in either direction. The LHA commented that in accordance with Table 6 of the LHDG, splay lengths of 43m would be suitable where measured 85th percentile speeds do not exceed 30mph. Given the limitations of Moores Lane, the LHA consider it very unlikely vehicular speeds in the vicinity of the site access will exceed 30mph.

7.3.4. Taking into consideration the number of trips the site could be reasonably expected to generate under its current land use, and the trip rates typically associated with the proposed land use, the LHA has confirmed that it is satisfied that the proposed development does not represent an intensification of the use of an existing access.

7.3.5. In accordance with Table 15 of the LHDG, the LHA would typically expect, for an application of this proposed nature, provision of an access with a minimum effective width of 6m (excluding pedestrian visibility splays). Whilst the access width does not accord with Table 15, given the proposals do not represent an intensification, the LHA is unable to reasonably request any amendments to the existing access arrangements.

Highway safety

7.3.6. The LHA has no pre-existing highway safety concerns at this location.

Internal layout

7.3.7. The LHA has stated that it is conscious that the availability of public parking spaces within Enderby is limited and that the village is subject to very high levels of on-street parking, which is largely due to a lack of off-street residential parking spaces. Therefore, the LHA require the proposed development to provide an off-street parking space per staff member for when the maximum number of staff members are on site at any one time.

7.3.8. The submitted Planning, Design & Access Statement states that a maximum of eight staff are anticipated on site at any one time and the application includes the provision of eight off-street parking spaces (one of which is to be an accessible space), along with turning space, which will allow vehicles to turn so that the highway is approached in a forward gear. Accordingly, the LHA has confirmed that it is satisfied that the parking layout has been designed in accordance with Figure 44 of the LHDG.

Transport sustainability

7.3.9. The site is located on the northern edge of Enderby village centre which offers access to some key services. Within 500m of the site, bus stops on Cross Street, Enderby serve services between Leicester and Narborough. Narborough train station is located within two miles of the site where services between Leicester and Birmingham operate.

- 7.3.10. The LHA also confirm that it welcomes the inclusion of cycle parking facilities, which can be secured by way of a planning condition.
- 7.3.11. Given the above, in its most recent consultation response, the LHA has concluded that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the LHA has stated that the development does not conflict with Paragraph 116 of the NPPF, subject to recommended conditions.
- 7.3.12. Therefore, the proposed development is considered to comply with Policy DM8.

7.4. Flood risk and drainage

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

Fluvial

- 7.4.2. The entire application site is located within Flood Risk 1, and is not located within any surface water areas, therefore no concerns are raised in this regard.

Surface water

- 7.4.3. The application site is not located within any areas of surface water flooding. However, an area of surface water flooding is located on Moores Lane (2061 – 2125, 1 in 1000 year likelihood of flooding) to the front of the site. Due to the low likelihood of flooding and low depth (150mm), no concerns are raised in this regard.

Foul drainage

- 7.4.4. The submitted application form indicates that foul sewage is to be disposed of via the mains sewer, using the existing drainage connection.
- 7.4.5. Severn Trent Water were consulted twice during the determination of this application, however no response was received. The Council's Environmental Services Team was also consulted, and the consultee recommended the addition of a pre-commencement condition requiring the provision of full details of the means of foul and surface water drainage. However, this condition is deemed unnecessary as the existing drainage connection would be utilised, and any relevant surface water drainage conditions have been recommended by the LLFA. In addition, it is noted that under the Water Industry Act 1991, sewerage undertakers (Severn Trent Water) must ensure the provision of adequate systems for the drainage and treatment of wastewater. As such, foul drainage falls outside the scope of planning and will be agreed as part of a separate process.

7.4.6. Accordingly, the proposed development is considered to comply with Policy CS22 and no concerns are raised in terms of drainage.

7.5. The impact of the development on the amenity of nearby residents

7.5.1. Policy DM1 of the Blaby Local Plan (Delivery) Plan Document (DPD) 2019 sets the principle for built development within the Settlement Boundary provided it is consistent with the other policies of the Local Plan, and has a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by existing and nearby residents, including but not limited to, considerations of, privacy, light, noise, disturbance and an overbearing effect and considerations including vibration, emissions, hours of working and vehicular activity.

7.5.2. It is noted that 3no. double opening doors, a bay window and two windows are located on the ground floor rear elevation. On the first-floor, four dormer windows, a small window and Juliet balcony are proposed. No residential properties are located within close proximity to the rear of the site, with just an outbuilding and overgrown area of land. No.10 Moores Lane is situated northeast of the site, however it is acknowledged that the end of the neighbouring property nearest to the site is a garage, and is therefore not a habitable room. As such, there would be no direct overlooking concerns to the rear elevation from no.10.

7.5.3. The Court is located to the east and there would be a separation distance of approximately 23m, which is considered to be an acceptable distance.

7.5.4. The Spinney is located to the south. Similarly there would be a separation distance of approximately 21m, which is considered acceptable. In addition, a high brick / rubblestone wall fronts the neighbouring property and is largely screened by existing mature trees. The first-floor bedrooms would also be set further back into the roof space of the dwelling.

7.5.5. No.4 Moores Lane is situated west of the site, and there would be a separation distance of approximately 22.6m. The existing landscaped embankment would also be retained, as well as a large mature tree. As such, no concerns are raised in terms of privacy / overlooking.

7.5.6. Whilst the scale of the proposed building would be 2 storeys in height (an increase of 1 storey from the existing building), the proposed footprint would be set further forward and away from the closest neighbouring property (No.10). Due to this separation distance, no concerns are raised in terms of loss of light.

7.5.7. The Council's Environmental Services Team were consulted on during determination of this planning application. In an initial response, they stated that there is some potential for noise generating activities, including a number of heat pumps, an outdoor patio with external opening doors and a games room with external opening doors, and there are a number of residential properties in

close proximity. The consultee therefore recommended for the applicant to provide a Noise Impact Assessment (NIA) prior to determination.

- 7.5.8. Following receipt of revised plans, the applicant also submitted a NIA and Environmental Services raised concerns regarding the noise monitoring data (totalling 2 hours), as the proposed air source heat pumps would be expected to operate at any time during a 24-hour period. They were concerned that the measurements taken were not representative of the evening or night-time periods. They also commented that the assessment refers to BS4142:2014 (which is the relevant standard), however the calculation does not appear to be consistent with the reporting protocol included in that standard. In addition, there did not appear to have been any consideration of the impact of noise from the proposed development on the outdoor amenity space at 10 Moores Lane. The consultee therefore requested for an updated NIA to address these concerns.
- 7.5.9. Subsequently, the applicant provided a revised NIA and Environmental Services acknowledged that additional monitoring had been carried out on 5th and 6th June 2026. The consultee recommended a condition (condition 20 at the beginning of this report) to ensure that the air source heat pumps (ASHPs) are restricted to the type that has been assessed by the NIA, and that they are installed, used and maintained in accordance with the manufacturer's instructions, in perpetuity. Within three months of the installation of any ASHPs, written confirmation of successful completion shall also be submitted to the LPA for approval (condition 21).
- 7.5.10. In terms of outdoor amenity space, Environmental Services commented that it is difficult to accurately assess off-site impacts from voice-related noise. Although there is potential for noise from the use of the outdoor space and the rooms that have double-doors opening onto it, the consultee states that there is insufficient evidence for it to object to the proposed scheme. However, it advises that operational controls should be implemented to address any noise or disturbance issues that may arise, and therefore recommends a condition, if permission is granted, requiring the submission of an Operational Management Plan within three months from the date of the permission (see condition 22).
- 7.5.11. Environmental Services also requested the inclusion of a pre-commencement condition requiring the submission of a Demolition and Construction Method Statement, to reduce the impact of construction to neighbouring residential properties (condition 7). The consultee has also advised the addition of an informative relating to noise and vibration. As such, no concerns are raised in this regard.
- 7.5.12. In terms of noise from the operation of the children's home, Environmental Services commented that the proposed scheme is acceptable with the number of children and staff on-site at any one time. The consultee recommended the addition of two conditions controlling the maximum number of children and staff being present on the site at any one time, to ensure that the scale of use remains appropriate to the property and in the interests of the amenity of neighbouring properties.

7.5.13. The application is therefore considered to comply with Policy DM1 and no concerns are raised in terms of neighbouring amenity, due to the imposition of appropriate conditions.

7.6. Ecology and biodiversity net gain (BNG)

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

7.6.2. A Preliminary Ecological Appraisal and Roost Assessment was submitted with the application. The assessment confirms that the site does not contain any habitats listed as a habitat of principal importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006). The site contains a mature tree, which could be of value to local wildlife populations (and is subject to a Tree Preservation Order). Other habitats within the site are common and widespread and have low ecological value.

7.6.3. Leicestershire County Council's Ecology Team were consulted during determination of the application. In their consultation response they confirmed that they are satisfied that there is sufficient ecological information available to support determination of the application. An increase in artificial light would negatively impact foraging bats. The ecological report recommends the need for a wildlife sensitive lighting scheme. LCC Ecology has recommended that this is in line with best practice guidance GN:08/23 and secured by a condition of any consent.

7.6.4. The consultee also requested that the mitigation measures identified in the Preliminary Ecological Appraisal be secured by a condition of any consent and implemented in full. Accordingly, recommended conditions 9, 10 and 11 have been included at the beginning of this report.

Biodiversity net gain

7.6.5. 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.

7.6.6. LCC Ecology are satisfied that the development meets the de-minimis exemption (a small-scale development affecting less than 25 square metres of habitat) and is therefore exempt from mandatory biodiversity net gain requirements.

7.6.7. The consultee also supports the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity. Reasonable biodiversity enhancement measures are a separate matter to mandatory net gains, and the finalised details would be outlined within a separate Biodiversity Enhancement Strategy, which will be secured as a condition of any consent (condition 10).

7.6.8. Accordingly, the proposed development is considered to comply with Policy CS19.

7.7. Arboricultural implications

7.7.1. An Arboricultural Impact Assessment has been provided by the applicant. An existing ash tree is located to the west of the site, which is subject to a Tree Preservation Order (ref: 359/DC) and will to be retained as part of the application.

7.7.2. LCC Forestry's Team has been consulted on the application. The consultee notes that whilst the ash tree (T1) is categorised in the lower retention classes, it would be feasible to retain the tree within the overall site design. LCC Forestry state that this would be preferred to ensure continuity of tree cover in the area. The consultee has recommended that if permission is granted, proposals for tree protection would be required as a condition (this has been included as condition 13 at the beginning of this report).

7.8. Land contamination

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

7.8.2. The site is located in proximity to at least one known former landfill site. Environmental Services commented that this may give rise to the production and migration of landfill gases that could impact the proposed development. Additionally, the demolition of existing buildings may give rise to further contamination. The consultee has therefore recommended that a Phase I Desktop Study be carried out to risk assess the potential contaminant linkages and outline any requirements for intrusive ground investigation. The consultee also commented that it may be prudent for any ground investigation to be conducted following demolition, allowing consideration for any resulting contamination. The consultee stated that it would be acceptable for this information to be submitted either upfront or by condition.

7.8.3. As such, a recommended condition has been included at the beginning of this report (condition 14).

7.9. Waste management

- 7.9.1. Core Strategy Policy CS23 seeks to ensure that waste collection is considered in the design of development including maximising recycling facilities.
- 7.9.2. A bin store area and bin collection point are included as part of the application. The Council's Neighbourhood Services Team have been consulted on this application. The consultee confirmed that the waste arrangements are acceptable, however queried whether the collection would be treated as domestic or trade waste. If private waste collection is required, this will be for the applicant to arrange.

8. **Overall Planning Balance and Conclusion**

- 8.1. In summary, the proposed development would represent the use of previously developed land (brownfield) and underused land and buildings, and will contribute towards meeting the needs of specific groups through the provision of supported housing. The Council's Housing Strategy Team is also in support of the application as the need for more supported accommodation for looked after children is a priority for provision in Blaby District, as set out in the Council's Adopted Housing Strategy (2021 – 2026). Accordingly, there is a clear demand for this type of accommodation within the District and the principle of development is considered to be acceptable.
- 8.2. Following the provision of revised plans, the Council's Principal Planning & Conservation Officer has confirmed that its previous concerns regarding matters of scale, bulk massing and assertive design have been addressed and the proposed building would not look out of keeping with the prevailing character and appearance of the area. The materials palette and finishes now proposed remain consistent with the vernacular of the area, which is evidenced by the combination of granite rubblestone and red brick.
- 8.3. Despite the loss of the Non-Designated Heritage Asset (NDHA) the harm to the setting of listed buildings and the character / appearance of the conservation area have been softened, due to the improved design. In addition, a photographic recording exercise of the NDHA has also been undertaken in the Heritage Impact Assessment (HIA) which may mitigate the loss of the existing building. The level of harm to the designated heritage assets is considered to fall within the 'less than substantial' category, at the lower end of that spectrum. Notwithstanding this, the revised design represents a notable improvement, and when coupled with the identified public benefits, is considered sufficient to outweigh the harm in accordance with the balancing exercise set out in paragraphs 215 of the NPPF.
- 8.4. The proposed development is considered acceptable in terms of their impact on the surrounding highway network and would not result in highway safety issues, from the point of view of the Local Highway Authority (subject to recommended conditions).

- 8.5. Other matters, including archaeology, flood risk and drainage, impact on the amenity of nearby residents, ecology impacts, the provision of 10% BNG, arboricultural impacts, land contamination and waste management have also been taken into consideration, and the proposed development is considered acceptable in respect of these matters.
- 8.6. It is therefore recommended that full planning permission is granted, subject to conditions as set out at the beginning of this report.
-
-