

Application reference: 25/0489/OUT

Proposal: Outline application for the erection of up to 180 new dwellings, creation of associated new vehicular access off Broughton Road, allotments, associated infrastructure and enabling earthworks and off-site highway improvements, with all matters to be reserved except access points into the Site

Site address: Land off Broughton Road, Cosby

Applicant: Bloor Homes Limited

Case officer: Maria Philpott – Senior Planner (Consultant)

Recommendation: That application 25/0489/OUT be approved subject to the following:

- 1) The conditions set out below including the statutory biodiversity net gain condition (with delegated authority granted to the Assistant Director – Planning and Strategic Growth to amend as deemed necessary);
- 2) The completion of a planning obligation under section 106 of the Town and County Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following contributions (with delegated authority granted to the Assistant Director – Planning and Strategic Growth to amend as deemed necessary):

Affordable Housing:

- 25% provision of affordable housing

Highways:

- Residential Travel Plan monitoring fee (£6,000)
- Appointment of a Travel Plan Co-Ordinator
- Provision of Travel Packs for new residents
- Two 6-month bus passes for each dwelling
- A proportional contribution towards improvements to the wider highway network along the A426 corridor
- A £7500 contribution towards the consultation process for the relocation of the existing 30mph speed limit
- A £7500 contribution towards the consultation process for the implementation of a one-way system on The Nook.

Education:

- £280,846.80 contribution towards Early Years education
- £697,528.00 contribution towards Primary Education
- £507,624.77 contribution towards Secondary Education
- £42,904.86 contribution towards Primary SEND Education
- £58,702.32 contribution towards Secondary SEND Education

Healthcare:

- £174,240 to GP facilities

Waste:

- £4,296 contribution towards Waste Management Facilities
- £49 per dwelling for refuse bins

Libraries:

- £5,435.59 contribution towards library facilities

Open Space, Sport and Recreation:

- Management and maintenance of on-site open space and the attenuation basins
- On-site LEAP details
- Contribution towards off-site sports provision

Community facilities:

- Village hall/community facilities contribution (TBA)

Ecology and Biodiversity:

- On-site BNG provision and Habitat Management and Monitoring (HMMP)
- Monitoring fees

Police contributions:

- Police vehicles and identification technology

Monitoring Fees:

- Leicestershire County Council monitoring costs
- Blaby District Council monitoring costs

Conditions:

1. Outline time limit
2. Reserved matters time limit
3. Approved plans
4. Reserved matters design parameters –
 - a. dwellings not to exceed two storeys in height,
 - b. a separation gap of 20m to be provided between the proposed dwellings and the boundary of 15 Kingsfield Road
 - c. retention of existing field boundaries and hedgerows throughout the site (except where access required)
 - d. retention of woodland
 - e. provision of an on-site LEAP and recreation area
 - f. provision of on-site green space and informal open space
5. Housing mix – market and affordable housing
6. Foul and Surface water drainage strategy

7. Surface water drainage scheme
8. Management of surface water drainage
9. Maintenance of surface water drainage
10. Infiltration testing
11. Access arrangements implemented
12. Off-site highway works implemented
13. Closure of existing access
14. Construction Traffic Management Plan (CTMP)
15. Scheme for the treatment of public rights of way
16. Construction Environment Management Plan for biodiversity (CEMP: Biodiversity)
17. External lighting in relation to ecology
18. Bat and Bird boxes
19. Programme of Archaeological works
20. Construction Environment Management Plan (CEMP)
21. Contamination
22. Submission of further Noise Assessment
23. No built development in Flood Zones 2 and 3
24. Details of any new road restraint system or upgrades to existing barriers in The Nook shall be submitted and approved
25. Maximum number of dwellings not to exceed 180

1. The site

- 1.1 The application site comprises 18.03ha of agricultural land to the southwest of Cosby village, outside the settlement boundary and therefore in an area designated as Countryside. The site is accessed via Broughton Road and the land rises quite substantially from the road to the western end of the site. The site consists of seven parcels of land projecting to the west from Cosby Road. Immediately adjacent to the northern boundary of the site is existing housing along Elm Tree Road and Kingsfield Road which are accessed from Croft Road, together with existing allotments. Opposite the site is existing housing and Cosby Golf Club. To the south and west of the site lies primarily open fields/farmland with sporadic farm sites and small commercial premises.
- 1.2 There are a number of rights of way that transverse the site from west to east connecting the village to adjacent settlements. The fields are separated by hedgerows with some sporadic trees within the hedgerow boundaries. There is an area of woodland to the western corner of the site and part of a Group Tree Preservation Order (hedgerow and trees) lies to the north-western corner of the site. The site is also partially located in a mineral safeguarding area for sand and gravel.
- 1.3 A tributary of Cosby Brook runs through the southern part of the site and along Broughton Road into the village (via the Golf Course and Chapel Lane), through The Nook and out of the northern side of the village. The application site is located primarily in Flood Zone 1 (low risk of fluvial flooding) with the very

southern part of the site being located in Flood Zones 2 and 3, however no built development is proposed in that area. The access to the east of the site is in Flood Zone 1, but part of Broughton Road in the vicinity of the access is in Flood Zones 2, 3 and 3b (medium to high risk of fluvial flooding including the functional floodplain). The area around The Nook in the centre of the village is also within Flood Zones 2 and 3. There are very minor pockets of very low surface water risk sporadically across the site with other medium/higher areas noted as ditches.

- 1.4 Although the application site is not within Cosby Conservation Area, the site lies to the south of the conservation area (although it does not immediately abut it) and the development proposes off-site highway works within the historic core of the village. This part of the village is within Cosby Conservation Area and there are several listed buildings in and around The Nook. Furthermore, Cosby Cottages are located to the north of the site on Kingsfield Road and are considered to be Non-Designated Heritage Assets (NDHAs). There are also several other buildings within the historic core of the village considered to be NDHAs.

2. The Proposal

- 2.1 The application is for outline planning permission for up to 180 dwellings on the site. All matters are reserved except for access which relates to the access points into the site. The indicative net developable area will be around 5.9ha of the overall site area. The proposal includes the creation of a new vehicular access road from Broughton Road and expansion of the existing allotments by 0.86ha including additional car parking and access from within the development site.
- 2.2 The scheme will include an attenuation area to the south-east of the site adjacent to the site entrance, a proposed play area (LEAP) within a focal point of the site, natural green space and informal open space and additional landscaping which are all shown indicatively on the Illustrative Framework Plan.
- 2.3 The proposal also includes off-site highway works around The Nook in the centre of the village which comprises:
- The creation of a mini roundabout with associated new signage and road markings;
 - The creation of a one-way system on the northern side of The Nook going from west-east and associated signage and road markings
- 2.4 The application has been submitted with the following supporting documents:

General:

- Planning Statement
- Statement of Community Involvement
- Agricultural Quality Report

Design:

- Design and Access Statement

Highways:

- Road Safety Audit Stage 1
- Road Safety Audit – Designer’s response
- Travel Plan
- Transport Assessment
- Speed Survey Results and Documents
- Highways Technical Note
- Transport Assessment Addendum

Landscape and Visual Impact:

- Landscape and Visual Impact Appraisal

Heritage:

- Geophysical Survey
- Archaeological Desk Based Assessment
- Archaeological Evaluation Interim Statement
- Archaeology Evaluation Report
- Heritage Statement
- Heritage Addendum

Flood Risk:

- Flood Risk Assessment and Drainage Strategy
- Flood Risk Technical Note
- Flood Emergency Evacuation Plan
- Flood Evacuation Plan Peer Review

Environmental:

- Contamination Report (Combined Phase 1 and Phase 2)
- Air Quality Assessment
- Noise Impact Assessment
- Foul Sewage and Preliminary Utilities Appraisal Report

Trees and Landscaping:

- Arboricultural Assessment

Ecology and Biodiversity:

- Biodiversity Metric Calculation (as amended)
- Ecological Assessment (as amended) (including BNG Report)
- Bat Report
- Bird Report
- Skylark technical Note (as amended)

Minerals:

- Mineral Resources Assessment

Developer Contributions:

- Heads of Terms (within Planning Statement)

- 2.5 The Council undertook a Screening Opinion of the proposal under the Environmental Impact Assessment Regulations 2017 to determine if the proposal was EIA development. The decision concluded that there was no evidence to suggest that the development would cause significant harm to the environment when judged against the selection criteria set out in Schedule 3 of the Regulations in terms of the characteristics of the development, the location of development, and types and characteristics of the potential impact. It is also considered that all of the relevant material impacts of the development can be properly considered and adequately mitigated through the standard major application process. The proposal was therefore considered not to be development requiring consideration under the EIA Regulations.

3. Relevant Planning History

3.1 Application Site:

Reference	Description	Decision	Date
25/04/EIASC	Environmental Impact Assessment screening opinion for the proposed residential development of 180 dwellings	Not required	10.07.2025

3.2 Land at Croft Road, Cosby:

Reference	Description	Decision	Date
23/01/EIASC	Environmental Impact Assessment Screening Opinion	Not required	20.08.2024
23/0182/OUT	Residential development of up to 200 dwellings including provision of public open space, associated infrastructure – all matters reserved except for access.	Approved	05.02.2026
26/0142/RM	Reserved matters application for the erection of 200 residential dwellings (Use Class C3) including details of appearance, landscaping, layout and scale (relating to outline application 23/0182/OUT)	Pending consideration	

4. Consultation Responses

Full copies of the representations received are available to view at <https://pa.blaby.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= SX7XPECY LJH00>

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

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

4.1 Blaby District Council Consultees

4.1.1 Blaby District Council Environmental Services (2)

No objection subject to conditions.

4.1.2 Blaby District Council Housing Strategy (1)

No objection subject to the proposal complying with the affordable housing policy requirements and mix *[Officer comment: This would be secured by a legal agreement to provide a policy compliant scheme as set out in the Recommendation with a condition relating to the housing mix]*

4.1.3 Blaby Neighbourhood Waste (1)

Refer to Standing Advice. Cannot comment at this stage as it is an outline application.

4.1.4 Blaby Health and Leisure (1)

Request a financial contribution of £291,838 is requested to improvements to the following:

- Changing facilities at Vipers RFC to support growing demand and disability support.
- Improving the pitch quality of Meadows Sports Ground, to support youth provision in Blaby East and reduce overplay.
- Towards pitch upgrades at Vipers RFC, including pitch lighting and drainage improvement, to improve useability of the site and reduce Blaby East Overplay.
- Towards multi-sport Artificial grass pitch site at Holmes park, to reduce huge demand for AGP's in Blaby East.

[Officer comment: The Parish Council have responded to these comments. Health and Leisure have provided some further comments in response to the Parish Council and these have been made available to the Parish Council, however as they were marked up on the Parish Council's comments they are not in a format for publishing. A full further response will be provided as an update to committee which will be published on the website. However a summary of the further comments from Health and Leisure is discussed at Para. 7.14.13 of this report]

4.2 Leicestershire County Council Consultees

4.2.1 Local Highway Authority (3)

Further information required regarding the site access arrangements, more detail regarding the off-site highway works and trip generation, including visibility splays, swept path analysis and speed survey information.

Further information required regarding The Nook junction arrangements and trip generation.

No objection subject to conditions and financial contributions.

4.2.2 Leicester, Leicestershire and Rutland Integrated Care Board (1)

No objection subject to a financial contribution. A financial contribution of £174, 240 is requested to mitigate the impact of the development and provided funding towards Orchard Medical Practice, Station Road Surgery, The Limes Medical Centre and Hazelmere Medical Centre.

4.2.3 Leicestershire Police Designing out Crime (1)

No objection subject to securing fencing to the allotments. Support the design principles set out in the Design and Access Statement and will review further at reserved matters stage. Suggest fencing to the allotments to mitigate against potential for burglaries. *[Officer comment: As the design and layout is reserved for future consideration, the requirement for fencing will be considered at that stage]*

4.2.4 Leicestershire Archaeology (3)

Further information required – pre-determination trial trenching. The desk-based assessment identifies the site as having a low potential for remains of all periods to be present but the potential for the site remains unknown.

Further information required – would expect to see the full trial trenching evaluation report rather than just an Interim Statement.

No objection subject to a condition for a programme of archaeological works.

4.2.5 Leicestershire County Forestry (1)

No objections.

4.2.6 Leicestershire County Council Planning Obligations (2)

Request financial contributions towards waste management facilities, libraries, Early Years Education, Secondary Education, Primary SEND Education and Secondary SEND Education.

[Second Response] 12 month refresh consultation response – primary education has increased as there is now a deficit in capacity. Second education has gone down due to an increase in capacity.

4.2.7 Leicestershire Council Ecology (5)

Further information required initially to clarify information regarding the hedgerows and baseline hedgerow section of the BNG metric and labelling on the metric, photos of habitats and features from habitat survey, bat survey report and wintering and breeding bird survey addendum reports to be submitted.

Further information still required regarding the hedgerows, breeding/wintering bird reports and a method statement required regarding the retention of tree T7 whilst the non-cereal crops area removed (which is a habitat for bats).

Further information required regarding skylark mitigation due to the loss of their breeding habitat, amendments to BNG report required to match the metric and figures displaying incorrectly as black backgrounds in the PEA.

Further information required regarding off-site compensation for Skylarks.

No objection subject to conditions and a legal agreement to secure the significant on-site biodiversity enhancements.

4.2.8 Lead Local Flood Authority (2)

No objection subject to conditions.

Initial response required an amended Surface Water Drainage Strategy to further consider and mitigate significant existing flood risk downstream and consideration given to natural flood management (NFM) techniques.

The subsequent response considered the Technical Note submitted by the applicant which resolved their concerns subject to conditions.

4.2.9 Leicestershire County Council Minerals and Waste (1)

No objections.

4.3 **Others**

4.3.1 Cosby Parish Council (1)

Object to the proposed development for the following reasons:

- Overdevelopment of Cosby and excess of housing growth in the medium central villages
- Lack of services and facilities to support the growth
- The development is not sustainable
- Conflict with Policies CS1, CS5, CS18 and the SHELAA 2019
- Out of keeping with Cosby Conservation Area
- Detrimental impact on listed buildings including Cosby House and Cosby Barn

- Out of keeping with the residential area known as The Settlement (Cosby Cottages)
- Loss of open countryside and significant change to the landscape creating a hard edge to the village
- Site was deemed unsuitable for development in the Strategic Housing and Economic Land Availability Assessment (SHELAA) 2019
- Dangerous site access as is the junction with Shuttleworth Lane
- In conflict with the Leicestershire Highways Design Guide and will have a detrimental impact on the local road network
- Mini-roundabout proposal will be ineffective and detrimental to the conservation area
- There is already congestion on Broughton Road due to the parked cars
- Proposed footway will result in pedestrians encouraged to cross a dangerous road
- Concern the traffic survey was conducted at a quieter time

4.3.2 Broughton Astley Parish Council (1)

Concerns expressed regarding highway safety (access and visibility) and flood risk and drainage.

4.3.3 The Environment Agency (3)

No comments as all built development will be in Flood Zone 1 and therefore they had no fluvial flood risk concerns. [*Officer comment: The EA was made aware that the off-site highway works are in Flood Zones 2 and 3*]

Objection. FRA insufficient and needs to be amended.

No objection. Following the submission of a Flood Risk Technical Note to address the EA's concerns. However the EA advised that a Flood Risk Emergency Evacuation Plan will be required to be submitted and that this is the LPA's remit to consider.

4.3.4 Active Travel England (1)

Refer to their Standing Advice.

4.3.5 Leicestershire Police (1)

Request a financial contribution of £88,833.68 which would go towards 1) personal equipment for the Neighbourhood Policing Area and Centralised Support; 2) Infrastructure and Estate Support; 3) Fleet Vehicles; 4) Transforming Policing Through Technology and 5) Crime Reduction Initiatives. [*Officer comment: Only points 3 and 4 are considered to be CIL compliant at this stage*]

4.3.6 Sport England (1)

No comment to make but provided general advice with reference to the NPPF.

4.3.7 Leicester, Leicestershire and Rutland Resilience Partnership [2]

Further information required as the Flood Evacuation Plan (FEP) does not fully meet the ADEPT Guidance.

Further information required - The FEP still does not meet the ADEPT guidance. [*Officer comment: This consultee does not fully confirm or consider the acceptability of the FEP in relation to the proposal and therefore the FEP was independently peer reviewed in order for a proper assessment to be made of the FEP specific to this site.*]

4.3.8 Council for the Protection of Rural England (CPRE) [1]

Objection – the site is not allocated, represents an unjustified and harmful encroachment into the open countryside. It is an unsustainable location and will result in substantial additional vehicle movements.

4.8.9 Severn Trent

No comments received.

4.8.10 Natural England

No comments received.

4.8.11 Ramblers Association

No comments received.

4.8.12 Leicestershire Fire and Rescue

No comments received.

4.8.13 Leicestershire Archaeological Society

No comments received.

4.8.14 Harborough District Council

No comments received.

4.8.15 Ward Councillor

No comments received.

5. Additional Representations

5.1 As part of the consultation process and in accordance with the Council's Statement of Community Involvement (2020); adjacent residents were notified, together with various site notices being placed around the village and an advertisement placed in the local press.

5.2 80 letters of objection have been received covering the following grounds:

Principle:

- Unsustainable development
- Increase in population
- Open land should be protected so that Cosby remains physically separate from nearby settlements
- Erosion of rural, historic and community-centred character
- Loss of rural identity
- Lack of local demand for housing
- Housing mix – large homes will not address local housing needs (affordable homes for young families or elderly)
- Risk of second homes or buy-to-let
- Premature – not an allocated site in the Local Plan
- Contrary to the Cosby Neighbourhood Plan
- Overdevelopment of the village
- Cumulative effects - already granted 200 homes on Croft Road in 2024 (Jelson Homes) and 500+ homes in Broughton Astley in past 5-8years

Infrastructure

- Lack of facilities in the village – no doctors, dentist or post office
- Provides no new amenities
- Pressure on village shops and those in other towns
- Pharmacy not open on a Saturday
- Impact on utilities – water supply, drainage and sewage
- Local schools a distance away
- Insufficient playground space

Design:

- New dwellings out of keeping with the area
- Will be a blot on the landscape and change the character on the approach to the village
- Should be a restriction on height of new dwellings – no 2.5 or 3 storey houses

Flood Risk:

- Increase to flood risk in the village and brook which is in a high risk zone
- Impact of new roundabout on flow of flood waters and potential to risk flooding around The Nook
- Query facts in FRA – does not comply with the methodology
- Impact on Cosby Brook which is a key feature and Policy CNDP1 of the Neighbourhood Plan seeks for it to be protected and enhanced and the proposal puts this feature at risk from polluted waters
- Highest point of the village
- Balancing ponds will not be sufficient to alleviate the issue
- Flood Evacuation Plan is inadequate – no mention of residents who may be off-site and need to park in the village and trapped/abandoned vehicles and restrictions to emergency vehicles.

Highways:

- Increase in traffic and congestion through the village
- The new traffic calming measures – mini-roundabout, one-way systems and traffic calming will not mitigate the impact
- Access is unsafe – there is a history of accidents at the Broughton Road/Shuttleworth Lane junction
- Extra traffic in the village will conflict with the safe and community-spirited vision in the Neighbourhood Plan
- No safe walking route from the site into the village and schools resulting in more congestion and parking by school
- Parked cars on one side are already dangerous
- No cycle connections – roads too busy so very few cycle
- Pedestrian access issues making the village less safe
- Broughton Road is a 60mph and creating a new access here will cause potential accidents
- Traffic survey carried out at a quieter time of the day
- Lack of parking in the village will be exacerbated which will be dangerous for residents with pushchairs, wheelchairs and mobility scooters etc.
- Increase in traffic through the village to reach the school which is the other side of the village
- Buses need plenty of room to turn in the village and the mini-roundabout will make things worse
- One-way system around The Nook will cause congestion
- Shuttleworth Lane is not a suitable exit route from the village
- Village is used as a rat run
- Speeding an issue when cars not queuing
- Bus service needs improving
- Entrance to site is too close to a bend
- Moving the 30mph speed limit sign will have no impact – only a chicane or speed cameras would enforce
- Trip generation modelling does not consider new consent on Croft Road
- A lot of HGVs over 7.5t use the village
- Footpath to village not wide enough without removing trees
- Extra traffic load on village roads – unclear how sound existing roads are
- Junction of Countesthorpe Road and Lutterworth Road not assessed
- Mini-roundabout and one-way system will cause significant disruption
- Inadequate Transport Assessment regarding the methodology and scoping, baseline conditions, development layout and internal strategy, trip generation and distribution, junction capacity and modelling, proposed access arrangements, one-way proposal on The Nook and strategic policy and sustainability. *[Officer comment – The Local Highway Authority have noted this objection which is from a Transport Consultant on behalf of a local resident – many of these points have been addressed with amended information. In addition a lot of the omissions noted as not relevant to this application as it is an outline application, e.g. the internal layout and road hierarchy. The Local Highway Authority are also satisfied that the traffic data collected was at*

an acceptable time undertaken over a period of 7 days and within 3 years of the submission of the application.]

Heritage:

- The new mini-roundabout will cause significant harm to Cosby conservation area and setting of adjacent listed buildings
- The “open” appearance, particularly in The Nook, should be maintained and the historic pattern of development respected
- Introducing modern, high-capacity road infrastructure to this sensitive historic setting would be harmful and contrary to the Neighbourhood Plan
- Views of the conservation area would be changed
- Harm to Cosby Cottages estate – consider to be a Non-Designated Heritage Asset (NDHA)
- Inadequate Heritage Statement

Environmental:

- Poorer air quality impacting health and well-being
- Loss of green open space and degradation to the local ecosystem
- Negative impact on wildlife and habitats
- Impact to ducks that live near the proposed roundabout
- Reduced access to nature and dog walking area
- Generation of noise, dust and pollution during construction
- Building of new homes will increase carbon footprint
- Increase in pollution including light pollution to wildlife
- Removal of trees to create footpath into village
- Inadequate Ecology report and bat/bird surveys

Amenity:

- Loss of privacy to houses on Kingsfield Road and Elm Tree Road
- Overbearing from houses as development site on higher land
- Light reduction
- Green space is valuable to health and wellbeing
- Should be green space or single storey dwellings between existing and new housing

General/Miscellaneous:

- Inadequate public consultation
- Impact on village life and rural character – eroding sense of community and identity
- Impact on events held in the village – the Cosby Yarn Bomb, events at Victory Park, Victory Show, the Cosby Christmas Fair, Annual Duck Race etc. by changes to the public realm, reduced safety for pedestrians and a permanent disruption to national and local events
- The Nook is a social and community space which will be cut off from pedestrian traffic and a community gathering point

- The application site fields area also used as parking for some of these events.
- Will allotments change ownership and be potentially developed in the future – the allotments is a key community asset.

Non-material planning:

- Devalue of properties due to restriction of view
- Increase in insurance premiums due to flooding

5.3 Cosby Cottages Association (which represents 50 households) – Object for the following reasons:

- Conflict with national and local policies, particular relating to cumulative traffic impacts, heritage and sustainability
- Fails to respect the rural and historical character of the village and Cosby Cottages estate
- Worsen flood risk with insufficient safeguarding for existing drainage
- Serious pedestrian and highway safety risk, especially for children
- Undermines the continued functioning of vital community events such as the Cosby Yarn Bomb
- Cumulative impact with other proposed developments

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)
- The Cosby Neighbourhood Plan 2023-2029 (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 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 CS15 – Open space, sport and recreation (Updated Core Strategy Policy)
Policy DM2 – Development in the Countryside
Policy DM4 – Connection to Digital Infrastructure
Policy DM8 – Local Parking and Highway Design Standards
Policy DM11 – Accessible and adaptable homes
Policy DM12 – Designated and non-designated heritage assets
Policy DM13 – Land contamination and pollution
Policy DM15 – Mineral safeguarding areas

6.1.3 Cosby Neighbourhood Plan 2023-2029

Policy CNDP1 – Development within and affecting the setting of Cosby Conservation Area
Policy CNDP2 – Development affecting locally valued heritage assets
Policy CNDP3 – Design Principles
Policy CNDP5 – Protecting other green space
Policy CNDP7 – Access to the countryside
Policy CNDP8 – Access and road safety

6.1.4 Leicestershire Minerals and Waste Local Plan 2019-2031 (adopted 2019)

Policy M11 – Safeguarding of Mineral Resources

6.2 Material Considerations

- The National Planning Policy Framework (NPPF) (2024)
- The National Planning Policy Guidance (NPPG)
- Blaby District Council Planning Obligations and Development Contributions Supplementary Planning Document (February 2010)
- Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document (2013)
- Blaby Residential Land Availability Report (November 2025)
- Blaby Strategic Housing and Economic Land Availability Assessment (SHELAA) 2024
- Leicester and Leicestershire Housing and Economic Needs Assessment (HENA) 2022

- Blaby District Council Housing Strategy 2021 - 2026
- Blaby District Council Open Space Audit (December 2015)
- Play Pitch Strategy Stage E Update March 2024
- Blaby Landscape and Settlement Character Assessment (January 2020)
- Leicestershire Highways Design Guide (2024)
- Blaby District Council Local Cycling and Walking Infrastructure Plan (2024)
- Blaby District Council Active Travel Strategy (2024)
- Blaby Strategic Flood Risk Assessment Level 1 Final Report (2020)

Emerging Blaby Local Plan 2025 - 2042 – Proposed Submission Version

The emerging Local Plan, published under Regulation 19 and currently subject to consultation, is a material consideration in the determination of this application. However, as the Plan has not yet been independently examined or adopted, it can only be afforded very limited to limited weight.

In accordance with paragraph 48 of the NPPF, the weight attributed to emerging policies depends on: (i) the stage reached in the plan-making process, (ii) the extent of unresolved objections to relevant policies, and (iii) the degree of consistency with national planning policy. As the Plan has reached the Regulation 19 stage, weight can now be applied in decision making. Nevertheless, the weight afforded can only be very limited to limited at this stage, depending on consistency with the NPPF, pending examination by an independent Inspector.

Weight to policies will increase as we take the document through the formal submission and examination stages with the Planning Inspectorate, who will be assessing whether our Local Plan should be adopted, but much depends on whether there are objections to the policies within it.

This application site is allocated within the emerging Local Plan as a site for housing development (Policy H1H – Land West of Broughton Road, Cosby).

7. Consideration of Application

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

- The Principle of the Development and the 5-Year Housing Land Supply (7.1);
- Loss of Agricultural Land (7.2);
- Affordable Housing and Housing Mix (7.3);
- Design, Layout and Landscape and Visual Impact (7.4);
- Transport and Highway Safety (7.5);
- Residential Amenity (7.6);
- Historic Environment and Archaeology (7.7);
- Flood Risk and Drainage (7.8);

- Environmental Implications (Noise, Contamination, Air Quality and Construction Management) (7.9);
- Trees and Landscaping (7.10);
- Ecology and Biodiversity Net Gain (BNG) (7.11);
- Mineral Safeguarding Area (7.12);
- Community Events (7.13)
- Infrastructure Requirements and Developer Contributions (7.14);

7.1 The Principle of the Development and the 5-Year Housing Land Supply

- 7.1.1 Policies CS1 and CS5 of Blaby District Council Core Strategy seek to ensure housing needs are met in the most sustainable way through a principle of 'urban concentration'. New development should be primarily focused within and adjoining the Principal Urban Area (PUA) of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town, Glen Parva and New Lubbethorpe) however, provision is also made for the development needs of settlements outside the PUA.
- 7.1.2 Between 2006 and 2029, the District of Blaby is required to provide a minimum of 8,740 houses. Of the 8,740 houses, Policy CS1 states that at least 5,750 houses should be within or adjoining the Leicester PUA, with at least 2,990 houses to be provided in areas outside the PUA (the 'non-PUA').
- 7.1.3 As of 31st March 2025 a total of 2,965 homes had been completed in the PUA. To meet the identified PUA requirement there is a need for around 566 homes per annum to be delivered in the PUA until the end of the plan period (total 2829). Forecast completions in the PUA to 2029 are around half this number and it is unlikely that housing delivery will accelerate in the PUA sufficiently to address the shortfall by the end of the Plan period.
- 7.1.4 Work is complete on collating housing completions for the 2024/25 monitoring year. A total of 165 new homes were delivered, contributing to the continued growth of the District's housing stock. Based on the Standard Methodology target of 539 dwellings per annum, the District-wide five-year housing land supply is calculated at 2.78 years, providing a clear basis for ongoing planning and future delivery, highlighting the Councils continued need and desire to progress its emerging local plan.
- 7.1.5 Outside of the PUA, Core Strategy Policy CS1 states development will be focussed within and adjoining the settlements of Enderby, Narborough, Whetstone and Countesthorpe, referred to as the 'Larger Central Villages', as identified in the Housing Distribution Policy CS5. Lower levels of growth are allowed in the Rural Centre (Stoney Stanton), Medium Central Villages and Smaller Villages. Cosby is classified as a Medium Central Village (together with Littlethorpe, Huncote, Croft and Sapcote).
- 7.1.6 Housing delivery in the non-PUA has exceeded the minimum housing requirement set out in the Plan. The Council's recently published Residential Land Availability (RLA) report indicates that as of the 31st March 2025, 3,968

homes had been delivered in the non-PUA. The plan indicates a minimum requirement in the non-PUA of 2,990 dwellings. The RLA indicates that around 389 further homes may be completed in the non-PUA before 2029. Although delivery is now slowing in the non-PUA (mainly as a result of a lack of available committed sites) opportunities to deliver housing development of a type and scale needed to facilitate an increase in delivery in the near term are greater in the non-PUA than the PUA mainly due to the constrained nature and large scale of the sites being promoted for development in the PUA.

7.1.7 This Planning Committee has recently resolved to grant outline planning permission for several sites in the non-PUA, the below are those that are all subject to Section 106 Agreements being completed.

- 24/0004/FUL - Land off Gillam Butts, Countesthorpe (41 dwellings),
- 23/0968/OUT - Land east of Lutterworth Road, Blaby (up to 53 dwellings),
- 23/0182/OUT - Land off Croft Road, Cosby (up to 200 dwellings).
- 23/1071/OUT - Land adjacent to Leicester Road and Foston Road, Countesthorpe (up to 170 dwellings) and
- 24/0398/FUL- Land off Ratcliffe Drive/Peers Way/Preston Way, Huncote (151 dwellings)
- 24/0770/FUL - Springfield Farm, Forest Road, Huncote (191 dwellings)
- 25/0532/FUL – Land to the west of Springwell Lane, Whetstone (up to 115 dwellings)
- 25/0810/OUT – Land to the east of Holt Way and Land to the South of Warwick Road, Littlethorpe (up to 150 dwellings)

7.1.8 155 dwellings were allowed by the Planning Inspectorate at appeal on land off Oak Road, Littlethorpe in November 2025 (Our reference 24/0527/OUT).

7.1.9 Most recently, up to 200 dwellings were allowed by the Planning Inspectorate at appeal on the Blaby Golf Course on Monday, 13th July 2026.

7.1.9 Policies CS1 and CS5 identify Cosby as a 'Medium Central Village' (along with the settlements of Sapcote, Huncote, Littlethorpe and Croft). The medium central villages have a minimum combined housing requirement of 815 dwellings between 2006 and 2029. It should be noted that this figure is a minimum requirement and is not a cap. Against this requirement, 1262 houses had been committed and provided across the Medium Central Villages as of 31st March 2025, resulting in the minimum requirement having been exceeded by 447 dwellings.

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

7.1.11 The application site is located outside of the Settlement Boundary of Cosby and therefore on land designated as Countryside in the Blaby District Council

Policies Map (2019). It is not an allocated site for housing development in the current Local Plan and in this context is contrary to the adopted Development Plan. However, as set out above, there is currently an overall under delivery of houses within the District as a whole, with the Council only being able to demonstrate a 2.78-year housing land supply, notably less than the five-year supply requirement outlined in the NPPF. The policies of the Development Plan which relate to the supply of housing are therefore considered out-of-date and the 'tilted balance' towards approval as set out in paragraph 11d of the NPPF should be applied.

7.1.12 Paragraph 11 states that where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites, footnote 8 of the Framework establishes that housing policies which are important for determining the application may be out of date.

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

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

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

7.1.16 The supporting text to Policy CS5 comments that Cosby offers some key services and facilities required to accommodate sustainable communities. It acknowledges the village has limited employment opportunities and an infrequent bus service to higher order centres. It indicated the potential for significant residential development in the long term, but the village does not have the level of services and facilities to deliver a significant number of houses.

However, it does have a number of facilities that would be expected in a village of this type.

7.1.17 Whilst the limited provision of services and facilities to sustain a significant number of houses is acknowledged, it is noted that the village has the potential for such in the long term. The proposed development is adjacent to and would be integrated into the settlement of Cosby, with direct linkages into Cosby and to the B4114 leading between Hinckley and Leicester City and the Strategic Road Network (SRN) and with reasonable access to public transport.

7.1.18 Although it is acknowledged that the site is a good 20-30 minutes walking distance to Cosby Primary School, it is only approximately 600m from the middle of the application site to the middle of The Nook where there are a number of shops and services, including 2 x takeaways, a public house, shops, a pharmacy, butchers, hair salon, convenience stores and post office. The application site is also close to the existing allotments which will be expanded as part of the proposals. It is also opposite Cosby Golf Club offering recreational opportunities as well as cricket and football fields. The site is approximately 20mins walking distance from Victory Park and the play area, but the application site proposes a play area and areas of open space on the site with access to the open countryside. The application site is approximately 2 miles from Narborough train station which has a public car park. There will also be pedestrian link from the application site along Broughton Road to connect the site to the village. The site is also connected to the village and open countryside via the existing public right of way network which will be maintained through the site.

7.1.19 Furthermore, the proposed development would meaningfully contribute toward the shortfall of housing, including provision of affordable housing, whilst providing ecological enhancements and significant financial contributions towards the improvement of local facilities and infrastructure including education and highways. This location for new housing is considered to be a sustainable location for new development. It is therefore considered that releasing this site would not result in a material conflict with Policies and would contribute towards the Council's required 5-year supply of housing as set out in Government Guidance.

7.1.20 It is acknowledged that in situations where the presumption in favour of sustainable development and the 'tilted balance' apply as described at paragraph 11(d) of the NPPF, paragraph 14 of the NPPF states that applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits and should be given significant weight in the planning balance. Paragraph 14 however states that primacy of the Neighbourhood Plan only applies where:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement

The Cosby Neighbourhood Plan is now more than five years old. It also does not include any housing allocations to meet the identified housing requirement. Instead, it relies on sites allocated within the Local Plan to do this.

7.1.21 It is acknowledged that Cosby has recently had permission granted for up to 200 dwellings on Croft Road and that there will be a cumulative impact with this development. However, each site is required to off-set the impacts of the development and whilst it is acknowledged that this increase will appear large to residents, Cosby has had little other growth over previous years.

7.1.22 As already mentioned, it is recognised that releasing this site would result in the minimum requirement for the Medium Central Villages in Policy CS5 being further exceeded. Cosby has contributed 101 dwellings which have completed over the plan period to date, a further 7 homes are committed up to 2029. Within this context, the proposed development is considered to provide potential to deliver additional homes in the period up to 2029 and is not considered to significantly conflict with Policy CS5.

7.1.23 Finally, the emerging Local Plan has been published under Regulation 19 and is currently subject to consultation. It is a material consideration in the determination of this application but the weight afforded ranges from 'very limited' to 'limited' at this stage. The application site is however allocated within the emerging Local Plan as a site for housing development under Policy H1H (Land West of Broughton Road, Cosby). As part of the Strategic Housing and Economic Land Availability Assessment (SHELAA) (2024), the site was considered to be developable and deliverable within 11-15 years. It is therefore intended that this site forms part of the site allocations for Blaby to meeting the housing requirements over the next plan period.

7.1.24 As a result of the detailed assessment process undertaken above, it is considered that the 'tilted balance' applies to this application and therefore the principle of the development is acceptable in accordance with the NPPF.

7.2. Loss of Agricultural Land

7.2.1 Policy DM13 of the Blaby Delivery Local Plan and Para. 187 of the NPPF require consideration to be given to the economic and other benefits of the best and most versatile agricultural land. Footnote 65 of the NPPF states that where a significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. This is to reserve the best agricultural land in the UK for food production.

7.2.2 In order to assess this, the applicant has submitted an Agricultural Quality report. The whole of the agricultural area comprises of grassland. Agricultural land is ranked from Grade 1 (excellent) to Grade 5 (very poor). Grade 3 is subdivided into 3a and 3b. The "best and most versatile" land is land that falls within Grades 1, 2 and 3a of this agricultural land classification.

7.2.3 The report assesses the condition of the soil at the site together with climate data. This has concluded that the application site comprises Grade 3 land. The majority of the land is Grade 3b which comprises a moderately high topsoil clay content and poor drainage. This combination means that the land is usually too wet for spring sowings and arable use and is mainly limited to autumn sowings. Two small areas of Grade 3a land were determined in the west and east of the site.

7.2.4 Despite the presence of two small areas of Grade 3a land to the west and east of the site, this represents a very small proportion of the total area. As such, the loss of these small areas of “best and most versatile” agricultural land is considered to be acceptable, particularly in the context of the ‘tilted balance’. In this case, greater weight is considered to be attributed to the need to provide additional housing than the loss of a small amount of best and most versatile agricultural land. As such, the development of this area of agricultural land is considered acceptable in principle and accords with Policy DM13 of the Blaby Delivery Local Plan and the NPPF.

7.3 Affordable Housing and Housing Mix

7.3.1 Policy CS7 of the Core Strategy states that the Council will seek to secure a minimum of 25% of the total number of dwellings as affordable housing on all developments of 15 or more dwellings, which should be provided on site, except in exceptional circumstances. The submitted Planning Statement confirms that the proposed development will provide for a policy compliant provision of affordable housing (25%) which will equate to 45 dwellings across the site (based on 180 dwellings).

7.3.2 Policy CS8 of the Core Strategy requires residential proposals for developments of 10 or more dwellings to provide an appropriate mix of housing types, tenures and sizes to meet the needs of existing and future households in the District. The housing mix is a matter which would be determined at reserved matters stage. However, the Council’s Housing Strategy team has outlined its preferred mix at this stage, for both the affordable and market housing. This is set out below:

Affordable Mix Based on 45 Units	1 bed	2 beds	3 beds	4 beds	Bungalow	Total	%
Social Rent	8	13	8	3	4	36	80%
Shared Ownership	0	4	4	1	0	9	20%

Total	8	17	12	4	4	45	100%
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Market Mix Based on 135 Units	1 bed	2 beds	3 beds	4+ bed	Bungalow
Market	6	34	47	34	14
	5%	25%	35%	25%	10%

7.3.3 The tenure mix is typically split 80% social rent and 20% shared ownership. The housing needs assessment for Cosby demonstrates that there is the largest need for 3-bedroom market dwellings as well as provision for bungalow and 1-bedroomed properties at the site at the current time. The quantum of affordable housing will be secured via the S106 agreement for 25%. However, the exact tenure mix and type of housing will be secured via a planning condition (Condition 5) as it will be based on a more up to date housing needs closer to implementation. The market mix may also change slightly from this.

7.3.4 In addition, in order to secure Accessible and Adaptable Homes to make homes adaptable for changing and unforeseen circumstances, policy DM11 of the Delivery DPD requires development proposals for housing of 20 dwellings or more to meet the Building Regulations Standard M4(2) for 5% of the dwellings (unless site specific circumstances indicate this cannot be achieved or there are viability issues). This is also a matter which would be determined at any future reserved matters stage.

7.3.5 The proposal will therefore comply with Policies CS7 and CS8 of the Core Strategy, Policy DM11 of the Blaby Delivery Local Plan and the NPPF.

7.4 Design, Layout and Landscape and Visual Impact

Design and Layout:

7.4.1 Policies CS2 of the Core Strategy and DM2 of the Blaby Delivery Local Plan seek to ensure that a high-quality environment is achieved in all new development proposals, respecting distinctive local character and contributing towards creating places of high architectural and urban design quality. The design of new development should also be appropriate to its context and development proposals that are consistent with the policies of the Local Plan are to be supported. Policy CS21 of the Core Strategy also seeks to promote sustainable design principles to reduce energy demand and increase efficiency.

7.4.2 Policy CNDP3 of the Cosby Neighbourhood Plan requires all new developments to respond positively to the key attributes of the neighbourhood area. Local distinctiveness should be reinforced and a positive response to local landform and settlement pattern. Policy CNDP5 seeks to protect other

open spaces in the village, which in this case relates to Cosby Brook any proposals along Broughton Road and The Nook.

- 7.4.3 The application has been submitted in outline form at this stage and therefore the detail of the final design and layout is not known at this stage. However, an Illustrative Framework Plan has been submitted with the application to show how the site could be laid out together with an Indicative Landscape Plan which shows the areas of residential development related to the allotments, Local Equipped Area for Play (LEAP), Sustainable Urban Drainage (SUDs), woodland and natural, informal and incidental green space.
- 7.4.4 The Indicative Landscape drawing shows the net developable area of the whole 18.03ha site is to be 5.9ha. This results in a density of approximately 30 dwellings per hectare. This is a relatively low density but is appropriate given the edge of village location. Of the seven fields across the whole site, only 3.5 fields are shown to be developed with housing with one other field proposed as an extension of the existing allotments and a further field comprising the attenuation basins. The housing is shown as arranged across 13 perimeter blocks which would result in the creation of an average of 13-14 houses to each block. The housing blocks would be separated by tree lined access roads.
- 7.4.5 All existing field boundaries will largely be retained, with the exception of some small areas required for access. Existing public rights of way will be retained through the site and a play area is proposed in a central part of the site. The proposal seeks to maintain a separation gap of around 20m to the existing boundary of existing housing to the north but this will be conditioned (Condition 4) specifically regarding the nearest property (No. 15 Kingsfield Road). The proposal will include focal space and key landmark buildings on prominent corner locations. The development will also provide higher density towards the centre of the site with lower density on the outside sites to provide a transition at the edge of the open countryside and to respect existing housing.
- 7.4.6 From a crime prevention perspective, the proposal will seek to provide active frontages from outward facing perimeter blocks, which creates a clear distinction between public and private space. There will be dual aspect dwellings in key locations such as corners to ensure passive surveillance with properties overlooking the public realm.
- 7.4.7 The Design and Access Statement also sets out how the proposals will accord with the Building for a Healthy Life initiative by creating integrated neighbourhoods, distinctive places and streets for all. Sustainable development measures to the dwellings will be considered at the detailed design stage however the proposal will have plenty of opportunities to ensure the development achieves high sustainability credentials.
- 7.4.8 The land rises quite substantially to the west and in this area it is not proposed for any new housing to be provided. This area will be maintained as natural green space and informal public open space which will be fully accessible. An attenuation area is shown at the south-eastern end of the site just to the north of the existing Cosby Brook and to the south of the access into the site.

- 7.4.9 One of the unique features of Cosby is the brook that runs through the centre of the village which creates an attractive and pleasant feature in the village. Understandably the Parish want to ensure through their Neighbourhood Plan that the areas of open space around Cosby Brook are protected. In relation to this proposal, that relates to the highway works proposed around the brook along Broughton Road and The Nook.
- 7.4.10 The highway works proposed in the vicinity of Cosby Brook relate to the provision of a mini roundabout, the creation of a one-way system on the northern side of The Nook and new signage. These works will not alter Cosby Brook or the green space around the brook which will remain as it is. Whilst the introduction of a mini roundabout will create a change in this area, there is already a lot of highway infrastructure and signage in this location and therefore it is not considered that the change will result in significant adverse visual harm.
- 7.4.11 Whilst the details of the proposals, and therefore that mentioned above, are only indicative at this stage, Officers are content that the proposal for up to 180 dwellings will be able to be comfortably accommodated on the site whilst providing for a range of house sizes, types and tenures as well as providing suitable space between dwellings and green areas throughout the site with connectivity through to the village via Broughton Road and the existing public rights of way network. Condition 4 imposes some design parameters for the reserved matters which is to include the provision of the on-site play area and open space as well as the retention of the field boundaries, hedgerows and woodland as shown indicatively on the Illustrative Framework Plan and as referred to in the Design Strategy chapter of the Design and Access Statement.

Landscape and Visual Impact:

- 7.4.12 Policy CS18 of the Core Strategy states that within areas designated as Countryside, planning permission will not be granted for built development which would have a significantly adverse effect on the appearance or character of the landscape. The Policy goes on to state that the need to retain the Countryside will be balanced against the need to provide new development, which includes housing.
- 7.4.13 The application has been submitted with a Landscape and Visual Impact Assessment which has considered the Blaby Landscape and Settlement Character Assessment. The application site is located within National Landscape Character (NCA) Area 94 – ‘Leicestershire Vales’, the Regional Landscape Type (RLT) ‘Upper Soar’ and Local Landscape Character Area (LCA) ‘Cosby Agricultural Parklands’
- 7.4.14 The character of the Cosby Agricultural Parkland LCA is described as:

“a mixed agricultural landscape situated to the west and southwest of Cosby, in the south of Blaby District. Individual mature trees give the landscape a distinctive estate parkland character. The landform rises gently to a prominent ridge to the south of Croft Road. From here the

area falls gently away to the south and southwest from the ridgeline. Fields vary in size and are mostly rectilinear with a uniform pattern and well-maintained hedges. Blocks of woodland are prominent features of the landscape in the north of the LCA due to their location on elevated ground."

The area is considered to be moderately sensitive to 2-3 storey residential dwellings. Many parts of the LCA are elevated in comparison to surrounding landform and the area is very gently undulating. The spire of the Grade II* listed Church of St Michael and All Angels in Cosby is visible from parts of the site although the LCA acknowledges that although there is some intervisibility with Cosby it is well screened by hedgerows containing a high proportion of evergreen trees.

- 7.4.15 The Landscape and Visual Impact Assessment submitted with the application acknowledges the character areas that the site falls within. It does however consider that the application site, being adjacent to the settlement edge and with the golf club to the east means it is relatively enclosed from the surrounding characteristic undulating topography. It further considers that the eastern part of the site where the built form is proposed also reduces its contribution to the wider host landscape character area.
- 7.4.16 Full views of the site area are available from existing public rights of way that cross the site. More distant views are restricted from the west as the landform drops away and from the east due to vegetation. Intervisibility is restricted between the site and Cosby Conservation Area.
- 7.4.17 The LVIA concludes that the residual effect of the proposed development on the Cosby Agricultural Parklands LCA is minor adverse on a local scale with the effect diminishing to negligible with distance from the site. The retention of existing hedges and trees and the proposed enhancement to the landscaping will further reduce the impact in years to come.
- 7.4.18 The LVIA also concludes that the visual impact of the development from the public rights of way is moderate to minor adverse residual effects with the effects being less from close range public rights of way due to the existing context of properties at the edge of the village. The proposed development has been specifically designed to avoid development on the higher landform to the west of the site and is set back from the southern and eastern boundaries. With the landscaping strategy intended to enhance the landscape resource of the site the proposed development is not considered to be incongruous to the area and it is considered that it will be in keeping with the scale and pattern of existing development with the wider settlement of Cosby.
- 7.4.19 Officers generally concur with the assessment made in the LVIA and consider it represents a fair assessment of the landscape and visual impact of the proposed development. Although it is noted that development is not proposed on the higher ground, the proposed development is noted as having moderate sensitivity to residential development of 2-3 storeys. The Cosby Neighbourhood Plan Policy CNDP3(I) also considers new developments should

be no more than two storeys. Whilst the proposal has been designed to respect the topography it is considered reasonable to impose a parameter for the reserved matters that the dwellings are no more than 2-storeys in height. The justification for this is partly due to the exposed location and the potential for views to the Grade II* listed Church to be compromised but also due to the nature of this edge of village location. 2.5 or 3-storey dwellings are more suited to more urban locations as they infer higher density and a more urban context. This edge of village more rural location should maintain the appearance of a lower density development to provide a suitable transition with the open countryside and therefore this restriction is considered reasonable. This will be secured via condition (Condition 4).

7.4.20 With condition 4 imposed, the proposal is considered to comply with Policies CS2, CS18 and CS21 of the Core Strategy, Policy DM2 of the Blaby Delivering Local Plan, Policies CNDP3 and CNDP5 of the Cosby Neighbourhood Plan and the NPPF.

7.5 Transport and Highway Safety

7.5.1 Policies CS2 and CS10 of the Core Strategy seek to ensure that the design of new developments is acceptable and that full consideration is given to the highway requirements of developments to ensure that the proposals maximise the opportunities for modal shift and reduce the reliance on the private car. Policy DM8 of the Blaby Delivery Local Plan seeks to ensure that new developments have the appropriate highway design and parking standards and this is also reflected in the Leicestershire Highways Design Guide. The Cosby Neighbourhood Plan contains two relevant policies to this section – CNDP7 seeks to ensure that there is continued access to the countryside via the public right of way network and that routes consider the needs of cyclists, wheelchair users, buggies and mobility aids. Policy CNDP8 seeks to ensure new development is accessible for all types of users and that the design will include or enhance access to the village centre and associated community facilities.

7.5.2 The application proposes the following highways works:

- the creation of a new priority junction access into the site
- the relocation of the existing 30mph speed terminal 170m south beyond the junction of Broughton Road with Shuttleworth Road
- creation of new section of public footways to north and south of proposed access with tactile crossing points
- installation of a mini roundabout in the centre of Cosby with minor build out section
- one-way system on northern side of The Nook with minor build out section
- associated signage
- improvements to existing nearby bus stops with Real Time Passenger Information
- provision of highway related contributions

The application has been submitted with a Transport Assessment together with a Road Safety Audit Stage 1 and Designer's response and a Travel Plan.

The Travel Plan has been amended following Highway comments and further speed survey data, a Highways Technical Note, Transport Addendum and further Designer's Response has been submitted. Highway drawings have also been updated. Notification on these documents was not carried out with the public as these amendments relate to technical matters of highway detail only and the fundamental aspects of the proposed highway works have not changed.

Site Access

- 7.5.3 The site access arrangements have been amended to provide a 10m corner radii and an access width of 6.75m as required for this sized development in accordance with the LHDG. 2m wide footways are proposed on either side of the carriageway with pedestrian tactile crossing points and suitable visibility splays of 2.4m x 54m in either direction. Amended swept path drawings have also been submitted which now show appropriate vehicle tracking for all required vehicles. The LHA therefore considers that the proposed access is considered to be safe and suitable for the proposed development.
- 7.5.4 As a point of clarification, there is not proposed to be a vehicular access via the extension of the existing allotments through to Croft Road.

Off-site Highway Implications and Road Safety Audit

- 7.5.5 Re-location of 30mph extents - The proposal includes for the existing 30mph speed limit signs to be moved from their current location (by the application site PROW entrance and Cosby golf course entrance) to before the Broughton Road/Shuttleworth Road junction (both arms), a distance of approximately 170m to the south. It will be accompanied by a gateway feature and dragon's teeth markings in accordance with the County Council's specifications. The 30mph zone will be extended by virtue of street lighting (the LHA's preference where street lighting indicates the speed limit zone) but should this not be possible (as street lighting will be agreed at the detailed stage) then it will be extended by virtue of a Traffic Regulation Order (TRO).
- 7.5.6 Footways and pedestrian crossings – The proposal includes the provision of new footpath connections to the north and south of the proposed access to link up with existing footways via the use of tactile crossing points. Regarding the northbound footway, it is proposed to install pedestrian restraints adjacent to the footway. Although the LHA would prefer a 2m wide footpath and verge adjacent to the ditch, this may not be possible without culverting or diverting the ditch which would be subject to the LLFA approval. Vegetation needs to be removed before this can be further assessed (including the stability of the existing guard rail and path areas). However, at this outline stage, the LHA are satisfied that there are several feasible options available and this can be further assessment and confirmed at the detailed design stage with structural integrity assessed at the same time. Footway widening will take place at the pedestrian crossing points to facilitate the dropped kerbs. Bus stop kerbs will also be installed and existing road gullies more as appropriate. Pedestrians will have suitable visibility.

- 7.5.7 The Nook – The application proposes to replace the existing priority junction where Broughton Road meets The Nook and Croft Road in the centre of the village with a mini-roundabout and a one-way system on the northern section of The Nook with associated minor build out sections and designated parking bays. The one-way system will require a consultation exercise with the LHA, Parish Council, emergency services and residents and a formal Traffic Regulation Order (TRO) would be required. The LHA required the production of a Land Acquisition and Resettlement Action Plan (LARAP) to address their concerns regarding the proximity of the roundabout to Cosby Brook.
- 7.5.8 The LHA confirm that they are satisfied that the roundabout design and measurements meet the required standards and take into account the requirement visibility splays and stopping sight distances. A report regarding the Provision of Road Restraint Systems on Local Authority Roads has been produced and the LHA concur with the applicant's Risk Rating Score of medium on all arms. Options for any improvements to the existing railings and any potential road restraint system will be agreed at the detailed design stage but could take the form of matching the existing railings or similar, maybe the use of timber. As set out further in this report, the area where the proposed roundabout is intended to be located is in a conservation area and there are some listed buildings around The Nook and so the design of any restraint system or changes to the existing railings would need careful consideration but this could provide the opportunity for enhancements. This is addressed in the 'Historic Environment and Archaeology' section below.

Public Rights of Way

- 7.5.9 There are four existing public rights of way routes that run through the site – W35, W37, W38 and W39. Footpaths W35 and W39 run along the eastern side of the site from north-east to south-west and will not be impacted by the proposals, although they will be connected with a new footpath across the site frontage/access. Footpaths W37 and W38 run more prominently through the site from west to east, and are parallel to each other. The western end of W37 will continue in its existing alignment as this is in the west part of the site that is to remain undeveloped. The remainder of W37 and W38 will be combined and realigned through the site where it is shown on the Illustrative Framework Plan for them to be routed through green corridors and alongside existing hedgerows which will maintain its identity. Boundary crossings along the PROW should use options that are the least restrictive to users with reduced mobility and in this case the LHA would expect the use of low-maintenance metal kissing gates. The final design of the realignment of the footpaths to ensure they are accessible and safe for all users will be determined at the detailed design stage. A suitably worded condition will also be included for the treatment of public rights of way (Condition 15).

Trip Generation

- 7.5.10 The applicant has conducted a Pan-Regional Transport Modelling (PRTM) exercise to assess the potential trip generation as a result of the development and the impact this will have on the local highway network.
- 7.5.11 The results of the PRTM show that in the AM peak most trips (outbound and inbound) will be to/from The Nook (66% and 68% respectively) with the remaining to/from Broughton Astley direction. In the AM peak this results in 76 two-way trips passing through The Nook. At The Nook 37 two-way trips will pass the A426/Countesthorpe Road junction and 31 two-way trips will pass through the Croft Road/Park Road junction. The latter will also pass through the roundabout where Park Road, Cambridge Road and Narborough Road converge.
- 7.5.12 In the PM peak, the figures are similar to the AM peak with most vehicle trips (74 two-way) passing through The Nook. 43 two-way trips will pass through the A426/Countesthorpe junction and 28 two-way trips will pass through the Croft Road/Park Road junction.
- 7.5.13 New trips through the new access to the new section of the allotments due to the proposed allotment expansion are considered to be minimal and likely outside of peak hours.
- 7.5.14 The PRTM exercise shows that the following junctions will be subject to 30 or more two-way trips as follows:
- Broughton Road/ Site Access - 112 AM, 107 PM.
 - The Nook – 76 AM, 74 PM.
 - Countesthorpe Road/ A426- 37 AM, 43 PM.
 - Croft Road/ Park Road- 31 AM
 - Park Road/ Cambridge Road/ Narborough Road- 31 AM.

Junction Capacity

- 7.5.15 The current capacity of all the junctions listed above is within acceptable limits except for The Nook with Broughton Road/Croft Road. This is already operating over the practical capacity and the performance of the junction would deteriorate further in the peak PM by 2030 without mitigation with delays greater than one minute for vehicles exiting Broughton Road and in the peak AM the performance would deteriorate but still be within capacity limits. The mitigation for this is the introduction of the mini-roundabout which has been modelled following implementation and shows a material improvement in capacity which the LHA have accepted.
- 7.5.16 At the A426/Countesthorpe Road junction, most arms are already operating at or over the capacity of the junction in both the AM and PM peak hours. By 2030 without the development the junction will deteriorate further and this will be exacerbated by the proposed development. During the AM peak, the worst affected arm would increase by 4% and during the PM peak it would reach 10%

increase which would result in the Countesthorpe E left ahead arm reaching capacity. However, this modelling was done on the basis that the A426/Countesthorpe Road junction is a crossroads whereas it is a staggered junction. The LHA has remodelled it and notes that with the re-modelling the proposed development will have a greater material impact on the capacity of this junction.

- 7.5.17 In order to mitigate the impact on the A426/Countesthorpe Road junction, the LHA has already independently identified draft proposals to signalise this junction to offer significant capacity benefit in future years and given the additional pressure from cumulative development. As a result, it is requested that the applicant make a proportional contribution to improve the operation of this junction which would negate the need for further assessment of the junction and suitably mitigate the residual impacts the proposals will have on the junction. The applicant has agreed to provide a proportional contribution which, at the time of writing the committee report, is to be agreed between the applicant and the Council. Officers have requested delegated authority to finalise contributions post-committee.

Highway Safety

- 7.5.18 All recorded Personal Injury Collisions (PICs) within the study area (application site in the vicinity of The Nook) have been recorded as 'slight'. The LHA is satisfied that there are no patterns in the data which are likely to be exacerbated by the proposals. Additionally, the LHA is of the view that the proposed off-site works, specifically the extension to the 30mph speed limit zone by the virtue of street lighting and the new proposed mini roundabout may reduce the likelihood of similar PICs occurring in the future. The proposal is not therefore considered to have a detrimental impact on highway safety following the demonstration of a suitable access and trip generation mentioned above.

Internal Layout

- 7.5.19 As this is an outline application with 'layout' a reserved matter, the internal highway layout is not for consideration at this stage. However, the Illustrative Framework Plan shows how the proposal could provide a network of streets through the development with a hierarchy to the roads to provide identity and character. The LHA advise that it should be designed fully in accordance with the LHDG guidance and be subject to a Section 38 agreement. Suitable visibility splays, junction and turning head radii will be required to be demonstrated along with speed control features and pedestrian infrastructure. Vehicle tracking for an 11.20m long refuse vehicle moving and turning within the site will also be required. Satisfactory parking and turning provision will be required and the Applicant should note that space for visitor parking should be incorporated into the design of the site.

Transport Sustainability

- 7.5.20 The application site is considered to be within good distance of amenities and services via other modes of transport including walking and cycling. In addition

there will be improvements to the nearby bus stop by providing Real Time Passenger Information . All properties will be provided with EV charging points as well as safe and secure covered cycle parking facilities.

7.5.21 The LHA previously requested the Applicant to consider creating a footpath link from the site to Kingsfield Drive. The TP advises that this not possible due to the land required to route the footpath being in third party ownership. The LHA accept this and acknowledge that Croft Road, Kingsfield Road and Elm Tree Road can be accessed via the existing PRow network.

7.5.22 The amended Travel Plan (TP) submitted with the application is considered by the LHA to be acceptable. It includes the appointment of a Travel Plan co-ordinator who will engage with new residents. The TP includes targets to reduce weekday peak hour vehicle trips by 10% within the first three years of occupation on the site; and for the whole development to have a 100% Travel Plan awareness. The TP will be promoted in the marketing and promotion of the development and alternative means of travel will be sold as an attractive benefit for potential new residents. Residents will be provided with Welcome Travel Packs and two six-month bus passes per dwelling. Monitoring of the TP will be for a five year period.

7.5.23 The LHA have no objections to the proposals subject to the imposition of conditions (Conditions 11-15) relating to

Highway Contributions:

7.5.24 As set out above, the applicant will be required to provide the following measures to mitigate the impact of the proposed development and to ensure sustainable transport:

- Residential Travel Plan monitoring fee (£6,000)
- Appointment of a Travel Plan Co-Ordinator
- Provision of Travel Packs for new residents
- Two 6-month bus passes for each dwelling
- A proportional contribution towards improvements to the wider highway network along the A426 corridor
- A £7500 contribution towards the consultation process for the relocation of the existing 30mph speed limit
- A £7500 contribution towards the consultation process for the implementation of a one-way system on The Nook.

7.5.25 The application will comply with Policies CS2 and CS10 of the Core Strategy, Policy DM8 of the Blaby Delivery Local Plan, Policies CNDP3, CNDP7 and CNDP8 of the Cosby Neighbourhood Plan, the NPPF and the Leicestershire Highways Design Guide.

7.6 Residential Amenity

- 7.6.1 Policy CS2 of the Core Strategy, together with Policy DM2 of the Blaby Delivery Local Plan and Policy CNDP3 of the Cosby Neighbourhood Plan seek to ensure that new development suitably considers the impact on residential amenity, both existing and proposed.
- 7.6.2 Given the application is in outline form, a more detailed consideration of the potential impact on residential amenity will be considered at the reserved matters stage when layout, scale and appearance are considered. However, at outline stage, a high level assessment can be made of the likelihood of any potential impacts.
- 7.6.3 In terms of the impact on proposed occupiers, Officers are satisfied that the site will be able to accommodate up to 180 dwellings in a layout that will ensure good separation distances between properties and an appropriate layout, resulting in a good standard of development. The Illustrative Framework drawing adequately demonstrates the likely general arrangement of the site. Perimeter blocks will likely result in some minor mutual overlooking to neighbours but this is typical of most residential areas.
- 7.6.4 In terms of the impact on existing residential amenity, the properties to the northern boundary of the site are those most likely to be affected by the proposals as well as some of the properties on Broughton Road which will be closer to the proposed vehicular entrance. Existing housing on Elm Tree Road backs onto the proposed development. There are also a couple of properties on Kingsfield Road that are positioned so that they are side onto the development.
- 7.6.5 The properties that are side onto the development on Kingsfield Road are No.'s 15 and 16 and are likely to be the most affected by the proposals. No. 16 is positioned close to the boundary of the site with a separation gap of around 7m. However this property's main outlook is fronting Kingsfield Road and its rear garden extends east along the site boundary. There is substantial landscaping at the front and rear garden areas of this property within the owner's boundary that will provide good screening from the development. No. 15 Kingsfield Road is positioned a little further from the site boundary at around 11m however this property's rear garden backs onto the development site and is much shorter than other adjacent properties on Elm Tree Road, with less landscape screening. Although separation distances are likely to be acceptable, it is acknowledged that a new development of this scale will have an impact on the amenities of the properties along the northern boundary, although to a lesser extent those on Elm Tree Road due to their long rear gardens (approximately 45m-60m in length to their rear boundary). It is also acknowledged that due to the topography of the site, the new development will be more visible to these closest properties. Due to the separation distance, it is not considered that the topography of the site and positioning of the dwellings will equate to a significant loss of amenity.
- 7.6.6 Following the public consultation exercise carried out by the applicant prior to the submission of this planning application (as set out in the Statement of Community Involvement), the Illustrative Framework Plan was revised and a

landscaping strip shown with private access driveways positioned adjacent to the northern boundary, which has the result of setting back the built form. The separation gap between the proposed built form and the existing properties on Elm Tree Road and in particular the closest properties on Kingsfield Road is therefore considered to be acceptable. A condition will be imposed (Condition 4) to require a separation gap of 20m to be incorporated into the design to protect the amenities of No. 15 Kingsfield Road.

- 7.6.7 Residential amenity impacts from the proposed works in the highway and around the proposed site entrance are likely to be minimal and mainly associated with the construction phase of the works which will be for a temporary period, rather than the operational phase of any new highways layout. The properties along Broughton Road to the east and south of the site, together with existing properties around The Nook are not considered to be significantly adversely affected by the proposals.
- 7.6.8 For the reasons set out above, the application is considered to accord with Policy CS2 of the Core Strategy, Policy DM2 of the Blaby Delivery Local Plan, Policy CNDP3 of the Cosby Neighbourhood Plan and the NPPF.

7.7 Historic Environment and Archaeology

Policy Context

- 7.7.1 Policies CS20 of the Core Strategy and Policy DM12 of the Blaby Delivery Local Plan seeks to ensure the protection and enhancement of all types of heritage assets and their settings by considering the harm to their significance. New development should make a positive contribution and in the case of any less than substantial harm being caused, this should be weighed against the public benefits. This is consistent with the approach in the NPPF. The Cosby Neighbourhood Plan Policy CNDP1 and CNDP2 consider the impact on Cosby Conservation Area and the impact on locally valued heritage assets respectively. Within the Conservation Area proposals will be supported whereby they respect the village's character and in particular the openness and views around the Brook (amongst other criteria) and taking a balanced judgement to the scale of any harm to local heritage assets (Non-Designated Heritage Assets (NDHAs)). Policy CS2 of the Core Strategy and Policy CNDP3 of the Cosby Neighbourhood Plan seek to ensure that the design of new development is in keeping with the character of the area. The application has been submitted with a Heritage Statement and further Heritage Addendum, an Archaeological Desk Based Assessment and Archaeological Evaluation reports.

Historical Significance

- 7.7.2 Cosby dates from at least as early as the medieval period and its medieval core and street pattern is still evident which focuses on the Grade II* Church of St Micheal and All Angel's (dating from the 14th century) and historic buildings around The Nook. It is possible that it has earlier origins from the Saxon or Roman times give the proximity to the Fosse Way. Following the industrial revolution, Cosby became a more industrial village with framework knitting and

boot and shoe manufacturing dominating during the 19th and 20th centuries. It was during this time that the population rapidly expanded.

7.7.3 Some of the earliest buildings in Cosby are located around the Nook and the historic core of the village. Adjacent to the Church of St Michael and All Angel's is 'Coates Barn', a timber framed cruck and box framed building dating from the C17 (Historic England list description) and known locally as the Tithe Barn. There is another timber framed barn associated with Cosby House which is a significant building fronting onto Croft Road and makes a positive contribution to Cosby Conservation Area. These buildings are of significant architectural and historic interest.

7.7.4 There are 13 listed buildings within 1km of the application site. These are all located within Cosby village and centred around Chapel Lane, Croft Road, The Nook, Countesthorpe Road and Main Street. All of the buildings with the exception of the Church of St Michael and All Angels are Grade II listed with the Church being Grade II*. The setting of these listed buildings comprises the immediate village core and proximity to other neighbouring historic buildings with the rural countryside landscape forming a backdrop. Their significance lies in their historical, evidential and aesthetic values in connection with the age of the village.

7.7.5 There are a number of other historic buildings within the village that the Council and Parish Council would identify as worthy of being locally listed (Non-Designated Heritage Assets (NDHAs)). Policy CNDP2 of the Neighbourhood Plan lists the following:

- Cosby Community Church, Croft Road (Baptist Church);
- Cosby Methodist Church Park Road;
- Toc H building, Croft Road
- Brooke House Day School, Croft Road;
- Former Vicarage, 58 Main Street;
- 60 Main Street

In addition, the Council consider the following also to be worthy of NDHA status:

- Cosby Land Settlement Association Area (known as Cosby Cottages), Kingsfield Road;
- Old Primitive Methodist Chapel on Chapel Lane
- The Barn, Broughton Road
- Cosby Spinneys, Croft Road

7.7.6 These NDHAs all form part of the history and historical development of the village, from various periods. Many of the buildings have aesthetic qualities that contributes to their significance with others having more communal values such as the Toc H building which was formally an air raid shelter. All of the buildings have an element of historical and evidential value. Cosby Cottages is an area that is characterised by large, detached dwellings set back from the road with steep root pitches and front projecting gables. They create an open character to the area similar to a garden village and were provided by the Cottage Homesteads Division of the Land Settlement Association to provide

houses for unemployed workers. Whilst some are original, many have been considerably extended and altered or rebuilt.

7.7.7 Cosby Conservation Area was first designated in 1970. There has been no review of the conservation area since its designation. As mentioned above, the village potentially dates back to the Roman period due to its proximity to the Fosse Way (Roman road). However evidence suggests the village at least dates to the early medieval period and it is mentioned in the Domesday Book of 1086. Originally a farming community, following land enclosure the landscape surrounding the village changed with the creation of hedged holdings. The framework knitting industry began in the 17th Century as a cottage industry. Cosby has developed around a brook which gives it a distinctive character and an open appearance. The Conservation Area Appraisal (CAA) for the village, considered at the time of its designation, that the primary function of the village was that of a commuter village with this village being selected for expansion in the 1960s. At the time of the CAA it was considered that there were features around The Nook that detracted from its character such as the bus shelter (since removed), advertisements and street furniture including the concrete posts and railings that still exist today. The non-listed buildings around The Nook, whilst some not of architectural merit, were nonetheless considered collectively to contribute to the character of the area. The CAA noted key views along Broughton Road, Countesthorpe Road and Main Street.

7.7.8 In terms of archaeology, the application site has been in arable farming use for most of its history therefore is unlikely to hold much archaeology significance from later centuries. Although very little fieldwork has previously been undertaken in the vicinity of the site, the Leicestershire and Rutland Historic Environment Record (HER) do include several significant archaeological finds and crop marks nearby. A number of ring-ditch cropmarks have been identified c.450m to the north of the site which indicate an extensive Barrow cemetery as well as other associated crop marks suggestive of a pre-historic settlement. A Roman brooch was also recovered from the application site in 2012. In addition to the impact on buried remains, the proposal may also impact earthworks or medieval/post medieval open field system (e.g. ridge and furrow). The site therefore has the potential for significant pre-historic – medieval archaeology.

The Proposals and how they relate to the Heritage Assets

7.7.9 The application site is located adjacent to the southern boundary of Cosby. The application site itself has the potential for archaeological significance, but does not contain any listed buildings, other non-designated heritage assets and is not located within Cosby Conservation Area. The proposal is located to the south of Cosby Conservation Area and Cosby House (Grade II listed), but it does not abut it as there is a parcel of farmland between the site and Cosby House and the conservation area boundary. The site lies opposite Chapel Lane where 4 Chapel Lane (Grade II) is located.

7.7.10 The proposed off-site highway works are however proposed within Cosby Conservation Area and relate to the area around The Nook and the roads that converge at that point. There are also a number of listed buildings and non-designated heritage assets around The Nook.

- 7.7.11 The mini-roundabout is proposed at the Broughton Road/Croft Road/The Nook junction and will comprise new road markings on the ground and give-way markings. The mini-roundabout will need to be built to highway specification and can either be flush or slightly domed to allow for larger vehicles to drive over it (this is the case with many mini-roundabouts). The final design would be agreed at the S278 stage with Highways. New signage will be proposed in the vicinity. There will be a slight build out section with reflective marker posts facing approaching traffic from Croft Road.
- 7.7.12 The one-way system will comprise a slight kerb build out section to the western end (where it meets Croft Road), new parking bays on the northern side, new/amended road markings and associated signage.
- 7.7.13 To the middle and eastern end of The Nook, minimal changes are proposed which mainly comprise new signage and tie in of road markings with existing. In the vicinity of No. 26 The Nook and the red telephone box (both Grade II listed), the existing pedestrian crossing will remain and new signage will be installed to alert people of the new roundabout. Signage will be kept to a minimum throughout but will be required to meet highway standards.
- 7.7.14 Consideration needs to be given to the following:
- The impact of the proposed development site on the setting of the nearby listed buildings, the setting of non-designated heritage assets, the setting of Cosby Conservation Area and archaeology at the site.
 - The impact of the off-site highway works on the setting of the listed buildings and other NDHAs around The Nook as well as the impact on the Character and Appearance of the Conservation Area.

Impact on the Setting of Listed Buildings

- 7.7.15 It is not considered that the development site itself will cause any harm to the setting of the listed buildings due to the distance and lack of visibility. The spire of the Church of St Michael's and All Angels is evident from the application site and from longer distance views from the public rights of way. However, intervisibility is somewhat limited due to the presence of landscaping on the edge of the village. The development of the site with two-storey dwellings and extending the envelope of the village beyond the existing housing boundary is not considered to cause any harm to the setting of the Church. However, it is intended to impose a condition (Condition 4) that the proposed dwellings are no more than 2-storey's in height, in part to preserve the setting of the Church in addition to its wider visual impact on the landscape.
- 7.7.16 It is noted that Cosby House (Grade II) and Cosby Barn (Grade II) are located close to the site, but it is not adjacent to it as there is a parcel of arable farmland in-between. The application site contributes a degree of rural setting to Cosby House and the Barn but this setting has been somewhat eroded with the development of the Cosby Cottages area to the west. The rural setting will in part remain due to the field immediately adjacent (and not part of the application site) and the lack of built development by the site access. There will be distance views of the built development from Cosby House but this will be across the adjacent arable field and the allotments with a substantial amount of mature

vegetation in-between. Views from Cosby House towards the site entrance will comprise the site access and the attenuation basins but all built development will be at ground level only therefore any harm is considered to be negligible from this part of the development. Overall it is considered that the impact of the proposal on the significance of the setting of Cosby House and Cosby Barn is considered to be at the lower end of less than substantial harm given the distance and intervening landscaping and lack of above ground development near the site entrance.

- 7.7.17 The proposed development on the application site is not considered to cause any harm to the setting of 4 Chapel Lane or detrimentally affect its significance. The setting of this property comprises the immediate built development within Chapel Lane where it is nestled amongst other later development. The rural landscape forms part of the wider setting only and development of this site will not be immediately visible from 4 Chapel Lane or alter how this property is experienced.
- 7.7.18 The off-site highway works proposed in The Nook will have some impact on the setting of the listed buildings in that area. Most notably is the timber framed barn associated with Cosby House (listed Grade II in its own right), 26 The Nook and the telephone kiosk which are the closest to the proposed mini-roundabout and one-way system to the northern side of The Nook. It is accepted and acknowledged that the proposed mini-roundabout in the heart of the historic core of the village is not ideal and this will represent a change to the setting of the nearby listed buildings. However, whilst there will be new road markings and signage etc., there is already quite a lot of road markings and highways paraphernalia in this part of the village due to the converging of several roads. The roundabout is also not located immediately outside any listed buildings and by being located within an existing highway context, the harm is reduced. Notwithstanding that, it is acknowledged that there will be some harm and this harm is considered to be less than substantial harm to the setting of the listed buildings.
- 7.7.19 The listed buildings around the Countesthorpe Road/Main Street/The Nook junction are less likely to be affected as in this area there are minimal changes to the existing. Road markings at this end will just be amended – for example a new give-way at the eastern end of the one way system and the removal of give-way markings on Main Street to change the priority. Therefore whilst there will be a change, this change is considered to be negligible in this area and the setting of these listed buildings unaffected.

Impact on the Setting of Non-Designated Heritage Assets

- 7.7.20 The NDHAs most closely related to the application site and therefore more likely to be affected comprise Cosby Cottages to the north of the site on Kingsfield Road and Cosby Spinneys approximately 700m to the west of the application site. Cosby Spinneys is considered to be a sufficient distance away that only distance views will be evident read against the context of the rest of the village. Although the site lies adjacent to the area known as Cosby Cottages which is characterised by spacious housing set back from the road, the proposal is unlikely to detrimentally affect their setting or the character as the site will be read as an independent development accessed separately from Broughton

Road. There will also be landscaping in between, along the northern boundary. Notwithstanding this, it is intended that the density of the development is lower along the northern boundary to provide a transition between the existing and proposed development which will help to retain its character.

- 7.7.21 In terms of the impact of the off-site highway works on the identified NDHAs, the only ones more likely to be affected are those closer to and around The Nook. This includes The Barn on Broughton Road which is close to the proposed mini-roundabout. Whilst not individually identified, there are a number of other buildings around The Nook, particularly on the southern side which collectively add architectural and historic interest to The Nook. However, the proposals, whilst creating a change in the conservation area, the impact on these NDHA will be indirect and in proportion to their significance, particularly given the existing highways context in which they are located. All other NDHAs mentioned will also only be indirectly affected, only really impacted by passing traffic as per the current situation.

Impact on the Setting and Character and Appearance of the Cosby Conservation Area

- 7.7.22 The application site is a sufficient distance from the boundary with the conservation area (closest part being at Cosby House) such that it will preserve its setting and not have a significant detrimental impact on its setting. That is not to say that the site will not be visible from the conservation area or that views of parts of the conservation area will not be visible from the application site. However, the development of the site will be read as an expansion of the existing built form of the village in a way which has happened at various times in its history. The impact is reduced due to the distance, the context of the adjacent built form (both to the north and east of the site) and the landscaping in-between.
- 7.7.23 The proposed mini-roundabout in the conservation area will have an impact on the character and appearance of the conservation area and is considered to cause less than substantial harm. It will create a new highway feature with associated infrastructure which will change how the conservation area is experienced and views into and across the conservation area. However, it is considered that there is already a lot of existing road markings and highway infrastructure within the village which has changed and grown incrementally over a number of decades. Old photographs from the 1960s show little in the way of road markings or highway signage. It is noted that there are already problems in the village with congestion, particularly at the junction of the proposed mini-roundabout. The intention of the mini-roundabout is to alleviate congestion and aid free flow of traffic and increase capacity. Whilst the physical changes to the conservation area in the provision of the mini-roundabout road markings and associated works may appear to detract from its existing character and appearance, the potential to reduce congestion may balance this out by reducing the impact of queuing traffic in this central part of the village. The reduction in traffic through the village would have a positive impact on the conservation area by reducing noise and traffic fumes. It is not claimed that the traffic congestion would be removed altogether but there are likely to be some residual benefits from the roundabout to existing traffic congestion that are likely to enhance the character and appearance of the conservation area by

improving the experience within it and these should be considered as part of a balanced consideration of the impact of the mini-roundabout.

- 7.7.24 As part of the mini-roundabout the LHA advises that there may need to be new road restraint systems installed or upgrades to the existing to prevent vehicles from entering the water. Following a discussion with the LHA officer and the applicant's Heritage Consultant, it is considered that these road restraint systems could be similar to the existing or a timber style. There are options available for a system that is in keeping with the heritage context of the conservation area and in this respect any proposals should be designed to be heritage-led. However this represents an opportunity for enhancement of the conservation as the existing barriers are in a poor condition. A condition (Condition 24) will be imposed for more details of the road restraint system (either new or upgrades) to be submitted and approved by the District Planning Authority before any works are commenced.
- 7.7.25 There are also proposals to extend the existing guard rail and open up the Brook along Broughton Road closer to the application site. This accords with Policy CNDP1 of the Neighbourhood Plan which seeks to support proposals that will re-open sections of the Brook.
- 7.7.26 The one-way system on the northern side of The Nook will also aid traffic flows and congestion in the village as it is not necessary for this parallel road to be two-way. The ability to have specifically designated parking bays on the northern side, with a small build out section on the approach from the west will allow this part of The Nook to feel safer and more pedestrian friendly which will be an enhancement to the character and appearance of the conservation area, despite the associated signage.

Impact on Archaeology

- 7.7.27 Given the potential significance of the application site for archaeology, the County Archaeologist required a field evaluation including trial trenching to be undertaken pre-determination to determine the presence of any archaeological remains and suitable treatment to avoid or minimise damage by the development.
- 7.7.28 The results of the evaluation have largely confirmed results of the submitted Geo-Physical Survey and has identified Roman period ditches and gullies indicative of a series of enclosures with activity potentially dating from the mid-late 1st century AD continuing to the late 3rd or early 4th century AD. There were several undated features and some domestic material and fragments of roof tile suggesting possible presence of a nearby building although no evidence of such has been found. There were small quantities of building material and substantial quantities of well-preserved pottery which indicated the site could like in close proximity to settlement activity. There is also evidence of the presence of a substantial Roman ditch.
- 7.7.29 In accordance with Para 218 of the NPPF the developer is required to record and advance understanding of the significance of the resource prior to its loss. This includes the publication of the results and deposition of the archive proportionate to the impact of the proposals upon the significance of the asset. The applicant will therefore need to undertake an appropriate programme of

archaeological investigation prior to the commencement of the development. This will involve further excavations of the application site area. A condition will be imposed to secure these works (Condition 19).

Conclusion of Impact on Heritage Assets

- 7.7.30 The Heritage Statement submitted with the application concludes that the proposed development will bring a low level of less than substantial harm to the significance of Cosby Conservation Area, the Grade II Cosby House and the Grade II barn. It also considers that there will be no harm to the significance of the Grade II* listed Church of St Michael and All Angels and No. 4 Chapel Lane or the NDHA of the former Primitive Methodist Church at 3 Chapel Lane. The Heritage Addendum considered the impact of the off-site highway works on Cosby Conservation Area and concluded that the works would not give rise to harm in relation to the significance of the Conservation Area.
- 7.7.31 Whilst Officers are broadly in agreement with the conclusions of the Heritage Statement and Addendum, it is considered that the main heritage impact of the proposal relates to the creation of the proposed mini-roundabout in the centre of the village as part of the off-site highway works. It is noted that residents and the Parish Council are very concerned about this and their concerns are acknowledged and understood. However, there are likely to be some residual benefits in the creation of the mini-roundabout in terms of how the conservation area is experienced which should be weighed up against the physical highway changes proposed. There is also the potential for enhancements to the existing road restraint system around the roundabout.
- 7.7.32 The proposal seeks a change and new feature within an existing highway context and the impact is not considered to be so severe as to warrant a refusal of the application. Furthermore there are significant public benefits that weigh in favour of the proposal by the contribution of 180 dwellings to the housing land supply in the District, including the provision of 25% affordable housing, the provision of additional infrastructure and biodiversity net gain as referred to in this report.
- 7.7.33 Therefore on balance, the proposal is considered to be acceptable and will not cause significant harm to the setting of listed buildings or NDHAs, the character and appearance of the conservation area will be preserved and archaeology at the site will be recorded. The proposal therefore accords with Policy CS20 of the Core Strategy, Policy DM12 of the Blaby Delivery Local Plan, Policies CNDP1, CNDP2 and CNDP3 of the Neighbourhood Plan and the NPPF.

7.8 Flood Risk and Drainage

- 7.8.1 Policies CS21 and CS22 of the Core Strategy seeks to minimise the impact on the environment and provide resilience to climate change which includes minimising vulnerability to flood risk. Development should be directed to areas at lowest risk of flooding (Flood Zone 1) with mitigation measures in place where development is within flood risk areas. Sustainable Urban Drainage Systems (SUDs) should also be used to ensure that the risk from flooding and surface water flooding is not increased on-site or elsewhere. Policy CNDP3 of the Neighbourhood Plan seeks to ensure that all new development is water

efficient and that sustainable urban drainage is provided with appropriate management and maintenance in place. The application has been submitted with a Flood Risk Assessment (FRA) and Drainage Strategy and further Flood Risk Technical Note.

- 7.8.2 The application site is located mainly in Flood Zone 1 (low risk of fluvial flooding) however, there is a small area to the south of the site that is located in Flood Zones 2 and 3. Para. 175 requires a sequential test to be applied to sites at risk of flooding, except where a site-specific FRA demonstrates that no built development would be on an area that would be at risk of flooding from any source. There is a very minor part of the proposed attenuation basins (classed as built development) which appears to very slightly encroach into Flood Zones 2 and 3. As the precise locations of the attenuation basins will be fixed at reserved matters stage which can ensure the Flood Zones are fully avoided (given this encroachment is only very minor) and as the applicant is agreeable to a condition that there will be no built development in Flood Zones 2 and 3 (Condition 23), a Sequential Test is not required in this instance
- 7.8.3 Despite the built development (including the access) being located in Flood Zone 1, the access into the site will require crossing through part of Broughton Road that is within Flood Zones 2, 3 and 3b (functional floodplain). The proposal for residential development on this site is categorised as “more vulnerable” development in accordance with the Environment Agency’s Vulnerability Classification. The area is also in a low risk of surface water flooding and at a moderate risk of groundwater flooding.
- 7.8.4 The Environment Agency have assessed the Drainage Strategy (as amended following their comments) and have no objections but have flagged up that the site access crosses through Flood Zone 3b. As a result, they have advised that an Emergency Evacuation Plan should be submitted and reviewed by the Council’s Emergency Planning Team.
- 7.8.5 An emergency Flood Evacuation Plan (FEP) (amended) has been carried out by the applicant and this has been independently peer reviewed and found to be acceptable and in line with the principles of the ADEPT (Association of Directors of Environment, Economy, Planning and Transport) guidance. Leicester, Leicestershire & Rutland (LLR) Resilience Partnership were also consulted on the Evacuation Plan, and whilst the consultee reviewed the plan against the ADEPT and Environment Agency guidance for flood risk emergency planning, the review does not assess, confirm or comment on the adequacy, completeness or sufficiency of the proposed arrangements, hence an independent review was required. The fully detailed plan cannot be provided at this stage as the proposal is in outline form. However the FEP submitted is considered proportionate at this stage given the site is all located in Flood Zone 1 and is at a low risk of fluvial flooding. Flood depths on Broughton Road are

estimated to be approximately 150mm which is passable for some vehicles but not all. There are alternative pedestrian access and egress routes that will be available to occupiers and will remain dry during flood events. Early awareness of off-site flood risk will be managed through resident awareness at point of sale and the flood risk constraint managed through future detailed design and operational procedures and does not constitute grounds for deeming the application to be at an unacceptable flood risk.

- 7.8.6 In addition to the provision of an Emergency Evacuation Plan, the EA required more information regarding the proposed works in The Nook. The subsequent Technical Note provided by the applicant has confirmed that the road improvements to The Nook will not include any alterations to road levels, drainage or culverts associated with the watercourse and therefore there will be no impact on the existing and established flood risk as mapped for this area.
- 7.8.7 The Lead Local Flood Authority considered the Drainage Strategy and subsequent Technical Note and have considered it acceptable subject to conditions (Conditions 6-10). Sustainable drainage will be provided via filter drains, pervious paving and three online detention basins located to the west of the proposed access (eastern side of the application site boundary). The basins will each take surface water from two catchment area from the development. The basins have been designed to work with the natural topography of the site and will have storage capacity for the 1 in 100 year plus climate change event. All basins will drain into the existing watercourse via a flow controlled chamber which will be restricted to provide a 20% betterment on the greenfield equivalent run-off rates.
- 7.8.8 Due to the concerns regarding flooding further downstream in the village, the LLFA had requested a betterment of more than 20%. However the Technical Note advised that the January 2025 flood events were mainly associated with the main river system and that the betterment strikes a reasonable and proportionate balance between mitigating site generated runoff and the wider catchment issues in accordance with national policy expectation and therefore this has been accepted.
- 7.8.9 Foul drainage is considered as part of the submitted Drainage Strategy and will be connected to the mains sewer for foul disposal. Severn Trent are responsible for the capacity of the drainage system. They have been consulted on this application but no comments have been received. Notwithstanding this, the developer will require approval from Severn Trent in order to connect to the existing system, at such time capacity in the system will be assessed. Further detail will also be provided via condition (Condition 6).
- 7.8.10 With the conditions in place, the proposal is considered to comply with Policies CS21 and CS22 of the Core Strategy, Policy CNDP3 of the Cosby Neighbourhood Plan and the NPPF.

7.9 Environmental Implications (Noise, Contamination and Pollution etc.)

- 7.9.1 Policy CS2 of the Core Strategy seeks to ensure new developments create safe and high quality environments. Policy DM2 and DM13 of the Blaby Delivery Local Plan seeks to ensure developments are not significantly detrimental to new or existing occupiers. These matters are also reiterated in Policy CNDP3 of the Cosby Neighbourhood Plan.

Noise:

- 7.9.2 The application has been submitted with an Acoustic Assessment to assess the impact of road traffic noise (considered to be the dominant noise) on the proposed occupants. The assessment concludes that the BS 8233 lower external living criteria of 50 dB can likely be met across the site without the need for any additional mitigation. Mitigation measures will include standard thermal double glazing with standard direct airpath window mounted trickle vents across the site. There is a low risk of noise exposure during periods of overheating but as night-time maximum sound levels will influence the acoustic design, it is recommended that further investigation is carried out at reserved matters stage.
- 7.9.3 The Council's Environmental Service's Team have considered the noise report and consider it to be generally acceptable. It has been noted that there is the potential for noise from a nearby commercial premises (RJ Contracting) to have an impact on the prevailing noise environment due to its proximity to the site. Assessment of this property in relation to the proposals has not been included in the Acoustic Assessment, however it is recommended at this can also be carried out at the detailed stage and this will be covered by a condition for further noise assessment investigations to be carried out (Condition 22). In accordance with para 200 of the NPPF, the applicant (or 'agent of change' is required to provide suitable mitigation before the development has been completed to ensure the new homes are designed to cope with the existing noise, odour, or other impacts. The burden should not fall on the established business to restrict its operations.

Contamination:

- 7.9.4 A Phase 1 Desk Study and a Phase 2 Exploratory Investigation has been carried out and submitted with the application and includes an appropriate assessment of potential contaminant linkages with a worse case of a 'moderate/low' risk. Further investigation works are recommended in relation to potential lead contamination at the site. This will be secured by the standard condition (Condition 21) in relation to contamination relating to further investigation, remediation and verification.

Air Quality:

- 7.9.5 An Air Quality Assessment has been submitted with the application to consider the impact of road traffic associated with the proposed development on existing receptors on local roads. Pollutant concentrations for the most exposed dwelling would be well below the national objective level. The impact from the traffic associated with the development is considered to be negligible. The Council's Environmental Service's Team have considered the report and its conclusions and consider it to be acceptable. The conclusions of the report should inform the Construction Environment Management Plan (CEMP) which will be conditioned (Condition 20). A Construction Dust Risk Assessment also forms part of the AQA and the mitigation measures for dust should also be included in the CEMP. The conclusions reached in relation to the operation stage are reasonable and should be incorporated into the scheme as it develops.

Construction Management:

- 7.9.6 The proposed development is likely to give rise to a loss of amenity to adjacent residents for a temporary period of time whilst construction work is carried out. Therefore a condition for a Construction Environmental Management Plan (CEMP) (Condition 20) should be submitted to control the potential impacts from noise, vibration, dust and lighting during the construction phase.
- 7.9.7 With the proposed conditions in place, the proposal will accord with Policy CS2 of the Core Strategy, Policy DM2 of the Blaby Delivery Local Plan and Policy CNDP3 of the Cosby Neighbourhood Plan.

7.10 Trees and Landscaping

- 7.10.1 Policy CS2 of the Core Strategy and Policy DM2 of the Blaby Delivery Local Plan seek to ensure high quality development which includes the provision of landscaping throughout the site. Existing landscaping should be retained and protected where possible.
- 7.10.2 The application site comprises mainly field hedgerows throughout the site with a handful of isolated trees within the hedgerows. There is a small woodland of trees to the south-western corner of the site and to the north-western corner of the site part of a group Tree Preservation Order borders the site.
- 7.10.3 Although "landscaping" is a reserved matter, the outline application proposes that the development is a landscape-led scheme. This means that the development will utilise the existing framework of trees and hedgerows to structure the proposals. This respects the existing field pattern with retained and enhanced trees and hedgerows set within linear green corridors. New tree planting is proposed in addition along proposed roads and in the natural and informal areas of open space.

7.10.4 The Illustrative Framework Plan and Arboricultural Assessment show that the design will retain the majority of trees and hedgerows across the site, with existing trees and hedgerows being incorporated into the wider landscape strategy. The Group TPO to the northern corner of the site will be unaffected by the development and be retained. The only loss are small sections of hedgerows to facilitate vehicular access routes throughout the development together with 2 No. U category trees (poor condition) around the south of the site. Whilst this will result in some loss of biodiversity through the site there is scope for sufficient tree and shrub planting throughout the site to mitigate the loss and through the strengthening of existing natural features and new tree planting. The County's Arboricultural Officer has considered the proposals and has no objections at this outline stage.

7.10.5 As the proposals are only outline at this stage, no conditions are necessary in relation to landscaping at this time as those matters will be considered in more detail when the reserved matters are submitted. The Arboricultural report sets out suitable tree protection measures, but these details will be more applicable at the reserved matters stage. The parameters condition (Condition 4) will however ensure that the reserved matters scheme retains existing hedgerows and field boundaries (except where breaks needed for access) and the woodland as indicated on the Illustrative Framework Plan.

7.10.6 Although a reserved matter, it is considered that the proposal will more than adequately be able to provide suitable landscape proposals for the site and comply with Policy CS2 of the Core Strategy, Policy DM2 of the Blaby Delivery Local Plan and Policy CNDP3 of the Cosby Neighbourhood Plan.

7.11 Ecology and Biodiversity Net Gain (BNG)

7.11.1 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. This is also reiterated in Policy CS2 of the Core Strategy and Policy CNDP3 of the Cosby Neighbourhood Plan as well as the NPPF.

Protected Species:

7.11.2 The application has been submitted with a Preliminary Ecological Appraisal (PEA) (as amended) together with a Bat Report, Bird Report and Skylark Technical Note. There are no international, national or local statutory protected sites designed for nature conservation within 15km of the application site. There are five non-statutory sites designated for nature conservation located within 1km radius of the site but these are considered to be far enough away from the site with suitable buffers that the construction of the development will not impose any direct or indirect effects.

- 7.11.3 In terms of habitats, there are four hedgerows identified as important hedgerows through the site. Two hedgerows (H2 and H7) are to be fully retained and enhanced with more native planting. The other two hedgerows (H3 and H14) will also be retained fully with the exception of minor sections to facilitate access to the proposed allotments and for a footpath connection respectively. Minor losses of other hedgerows will be required for accesses but on the whole the intention is to retain much of the existing network of hedgerows which will be suitably protected during the development.
- 7.11.4 Arable land comprises no/negligible habitat and its loss will not cause any ecological impact. Habitat with low ecological value comprises modified grassland, coniferous plantation woodland and natural grassland. The woodland is to be retained. Any loss of the remainder will be mitigated for with higher ecological level habitat. Higher ecological habitat comprises broadleaved trees, hedgerows and the watercourse. In addition to the hedgerows already mentioned the broadleaved trees and watercourse will also be retained.
- 7.11.5 Mitigation will include the retention and enhancement of modified grassland at the western end of field 2 to neutral grassland. Neutral grassland will be established within the western and southern arable fields. Three SUDs basins will be established within the east of the site with a bioswale, meadow mixture for wetlands and pond edge mixture. New mixed scrub will be planted along the southern boundary and small sections within neutral grassland. New broadleaved tree planting will also be included within green infrastructure and the street trees. Modified grassland will be established within and surrounding the development parcels which will provide more formal and managed habitat along with new allotments.
- 7.11.6 There are habitats suitable within the site for protected species including bats, breeding birds and wintering birds. Mitigation is set out in the PEA and associated reports (Bat Report, Bird Report and Skylark Technical Note) and includes the provision of bat and bird boxes and sensitive lighting. New landscape enhancements and retention of existing hedgerows will provide new habitat for these species. These matters will be secured by condition (Conditions 16-18).
- 7.11.7 In particular, four pairs of breeding Skylarks were found at the site. However this is not considered significant as the carrying capacity of the agricultural land surrounding the site is sufficient to support displaced foraging and breeding Skylarks, particularly in combination with the inclusion of beetle banks and breeding plots within the green infrastructure of the site which will raise the overall carrying capacity of the surrounding agricultural fields by providing additional high-value foraging and breeding opportunities.
- 7.11.8 The site was not considered to have suitable habitat to support Great Crested Newts, reptiles and water voles and these protected species were not considered to be a constraint to the development. Badger information is confidential but the PEA has appropriately covered this protected species and if any mitigation is required it is allowed for within the PEA.

Biodiversity Net Gain:

7.11.9 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.

7.11.10 Whilst there will be some loss of existing biodiversity due to the proposed development, the 10% biodiversity can be achieved on-site through new habitat creation. Primarily the new habitat creation will be to the west of the site in the area of natural greenspace as well as enhancement to hedgerows, the planting of new trees and enhancements around the watercourse. This will achieve an increase in habitat units of +26.21BU (69%), hedgerow units of +2.73BU (10.15%) and watercourses +0.07BU (16%) demonstrating that the 10% net gain in biodiversity is more than achievable on site. The trading rules for new habitat creation have also been met (compensation must be on a like-for-like or like-for-better basis).

7.11.11 As a result the proposal is considered to comply with Policies CS2 and CS19 of the Core Strategy, Policy CNDP3 of the Cosby Neighbourhood Plan and the NPPF.

7.12 Mineral Safeguarding Area

7.12.1 The site is located in a mineral safeguarding area for sand and gravel. Policy M11 of the Minerals and Waste Local Plan seeks to protect areas from development that could otherwise been used for mineral extraction. As required by Policy M11, a detailed Mineral Resource Assessment has been submitted which concludes that the site has no prospect of prior extraction due to impacts on the public rights of way and existing residential amenity. The mineral resource is also considered to be too small to be of economic value.

7.12.2 The County Council has reviewed the Mineral Resource Assessment in relation to these proposals and has no objections. As such, the proposal is not considered to conflict with Policy M11 of the Minerals and Waste Local Plan or Para. 224 or 225 of the NPPF.

7.13 Community Events

7.13.1 It is noted that Cosby benefits from a number of community events throughout the year including the Cosby Yarn Bomb Festival, annual Duck Race and Christmas Fair. However it is not considered that the proposal will result in any detrimental impact to these events. The highway works proposed are designed to ensure that they are safe for all road users. Any events which take place in close proximity to the highway need to ensure that they are safe for those events taking place in the same way as they would at the present time. It is not considered that the provision of a mini-roundabout and one-way system will alter the appeal of this area or worsen pedestrian arrangements and space in

The Nook to gather that would compromise their ability to go ahead as normal. The highway works are largely confined to the western side of The Nook where there are already existing highway junctions in place, it is just the design and priority of these junctions that will change. The one-way system to The Nook is likely to improve pedestrian safety as there will no longer be traffic movements in two directions on either side of the central area in The Nook.

7.14 Infrastructure Requirements and Developer Contributions

7.14.1 Policy CS11 states that new developments must be supported by the required physical, social and environmental infrastructure at the appropriate time. It states that the Council will work in partnership with delivery agencies to ensure that development provides the necessary infrastructure, services and facilities to meet the needs of the community and mitigate any adverse impacts of development. Policy CS12 states that where requirements for infrastructure, services and facilities arising from growth are identified through robust research and evidence, it is expected that developers will contribute towards their provision (and in some cases maintenance). The applicant has submitted a draft Heads of Terms which is contained within the Planning Statement which demonstrates the willingness of the applicant to fund infrastructure requirements as necessary, providing these relate to the development and are proportionate and comply with the Community Infrastructure Levy Regulations.

Affordable Housing:

7.14.2 As already mentioned in this report, the proposed development will provide for a policy compliant provision of affordable housing (25%) which will equate to 45 dwellings across the site (assuming 180 dwellings). This will be a mix of shared ownership and social rent depending on the need. This will accord with Policy CS7 of the Core Strategy.

Highways:

7.14.3 The Local Highway Authority have requested a number of planning obligations and financial contributions as already referred to in this report. These are to encourage sustainable transport modes (Travel Plan, Travel Plan co-ordinator, travel packs and bus passes) as well as contributions towards off-site highway works (relating to the A426 corridor, the relocation of the 30mph speed limit and the one-way system at The Nook).

Education:

7.14.4 The County Council have requested contributions towards Early Years Education (£280,846.80), Primary Education (£697,528.00), Secondary Education (£507,624.77), Primary SEND Education (£42,904.86) and Secondary SEND Education (£58,702.32). *Figures updated 11th June 2026, final amounts may be subject to change.

The development would see an increase of 15.3 Early Years children to the area and therefore this equates to a full contribution to ensure there is childcare provision to meet this demand.

The development will yield 54 primary school places and there will be a deficit of 38 places at the local primary schools (Cosby and Badgerbrook) as a result of this development.

The development will yield 31 secondary aged children (11-16) and there will be a deficit of 28 places at Thomas Estley Community College as a result of this development.

- 7.14.5 The development will yield 0.6534 primary ages SEND children and there will be an overall deficit of 46 places at Wigston Birkett House Community Special School following this development. The development will also yield 0.72 secondary aged SEND children creating an overall deficit of 64 places at the same school. (There is clearly already a deficit in this provision and the developer will only be providing funding towards the provision required as a result of this development. Please see the full consultation response from the County Council for more information which is available on the website).

Healthcare:

- 7.14.6 This development is considered to result in an additional 436 patients to be accommodated. At the time of writing a financial contribution of £174,240.00 has been requested towards Orchard Medical Practice, Station Road Surgery, The Limes Medical Centre & Hazelmere Medical Centre. The funding would be used at one or all of these surgeries or for any other Primary/Community healthcare infrastructure (e.g. a new healthcare facility) that would be directly linked to the population increase of the development. The funding could be used for an extension, alterations of enhancement works or new equipment.

Waste:

- 7.14.7 As a result of the creation of up to 180 new dwellings, a contribution would be sought on a per dwelling basis towards the Whetstone Household and Waste Recycling Centre (HWRC) or any other HWRC directly impacted by this development as they would be under additional pressure due to the development.
- 7.14.8 Provision of wheeled refuse bins of £49 per dwelling would also be required to provide this service to new residents in accordance with the Council's SPD on Developer Contributions.

Libraries:

- 7.14.9 The assumed occupancy of this development in this respect is considered to be 540 persons which results in an increased need for library provision at Cosby Library towards more stock, materials and equipment as required.

Open space:

7.14.10 Policy CS15 (updated in the Blaby Delivery Local Plan) is also relevant in relation to open space, sport and recreation and states that where appropriate financial contributions will be sought to ensure that there are suitable amounts of open space provision for each local area.

Required provision:

In accordance with the SPD (Table 1), development proposals of 100-199 dwellings should provide the following:

Typology of provision	100-199 dwellings
Allotments	Off-site (contribution in lieu)
Parks and Recreation	Off-site (contribution in lieu)
Children's Play (LEAP)	On-site
Natural Green Space	On-site
Informal Open Space	On-site

Quantity of Required Provision

The quantity of open space provision is set out in the SPD (page 18) and is calculated on the basis of an amount in hectares for each typology per 1000 population as follows:

Typology	Amount (ha) per 1000 population
Allotments	0.25
Parks and Recreation	0.23
Children's Play (LEAP)	0.06
Natural Green Space	2.6
Informal Open Space	1.0

The SPD breaks the quantity of provision down further depending on the occupancy of each dwelling. However as this is an outline application, the precise number of occupants are not able to be calculated at this stage and so the calculations assume a household size of 2.4 persons per dwelling. This is consistent with the average estimated household sizes in the 2021 Census where the average household size is 2.41 for England, 2.4 for Leicestershire, and 2.42 for Blaby District. On this basis this development of 180 dwellings would have a total estimated population of 432 people.

The table below sets out how much provision this development should provide based on these standards,

	Existing total provision in Cosby (based on 3446 residents) in ha.*	Amount required for 180 dwellings (432 population) in ha.	Actual amount being provided on this site (ha.)**
Allotments	2.03	0.108	0.86
Parks and Garden	4.9	0.099	0.21
Children's Play (LEAP)	0.18	0.026	0.04
Natural Green Space	0	1.123	9
Informal Open Space	0.69	0.432	1.4

* Figures taken from Table 5.3 of the Open Space Audit 2019

** Figures taken from the applicant's Design and Access Statement and further clarification with the applicant.

As the tables above show, although open space for allotments and parks and gardens is not required on a site of this size, the developer is nevertheless providing in excess of the required space amounts rather than a contribution in lieu. Children's Play (LEAP), natural green space and informal open space is also being provided on site above the required amounts. Therefore financial contributions will not be required for any open space on this site.

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

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

Cemeteries and churchyards:

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

Outdoor Sports Facilities:

7.14.13 The Council's Health and Leisure team have advised that a financial contribution of £291,838 is required. This is calculated with reference to the Blaby District Playing Pitch Strategy (Update E) and Sport England Planning Pitch Calculator.

In summary this contribution would go towards the following:

- Contribution to improving changing facilities at Vipers RFC to support growing demand and disability support.
- Contribution to improving the pitch quality of Meadows Sports Ground, to support youth provision in Blaby East and reduce overplay.
- Contribution towards pitch upgrades at Vipers RFC, including pitch lighting and drainage improvement, to improve useability of the site and reduce Blaby East Overplay.
- Contribution towards multi-sport Artificial grass pitch site at Holmes park, to reduce huge demand for AGP's in Blaby East.

The Parish Council have responded to this consultation response and queried the allocation of funds and why none of this funding will be allocated to Cosby. The Parish Council considers there to be a need due to historic over-playing and the need to enhance the sports pitches, sports provision, flood lighting and changing facilities on Cosby Victory Park.

The Council's Health and Leisure team have provided some further comments in direct response to the Parish Council's comment. These are not yet in a format to be published on the website but this will be provided prior to committee as an update. In essence however, they advise that:

The spending is calculated on demand and need based on Sport England's Neighbourhood Areas (Blaby East, West and North) rather than by Parish. Although it is noted that improvements are required to Cosby Victory Park, this has been secured via application 23/0182/OUT for £273,000 and so funds will be allocated for that purpose. The condition of existing facilities is based on the Play Pitch Strategy Update Document E which provides the latest evidence and the comments are made on the basis of this evidence. They also advise that unfortunately Cosby is not suitable for 3G sports pitches (higher standard of sports pitch) due to waterlogging. 3G pitches have to be within 20 minutes drive of the site which is why the Meadows Sports Ground has been considered for this funding.

The Play Pitch Strategy is only legally required to be updated every 3 years and whilst every effort is made to obtain up to date information it is not always possible to do this for every application as the situation changes. It is noted from the Parish Council's comments that Leicester Lions lease the Rugby pitch on Cosby Victory Park – this is a recent change since the PPS was updated and therefore there could be scope to change the recommendation to provide funds towards Cosby recreation ground for this purpose.

At the time of writing this report, this is being discussed further with the Council's Recreation team and the Parish Council. Delegated authority is requested for the final details of the heads of terms to be agreed with Officers. An update on this matter, together with updated comments from Health and Leisure will be provided at the committee meeting to Members.

Allotments:

- 7.14.14 An expansion to the existing allotments on Croft Road will be provided on-site and will connect to them with additional car parking.

Village hall and community facilities:

- 7.14.15 At the time of writing this report, Officers are negotiating with the Parish Council and the applicant for the provision of a financial contribution towards the village hall or other community related facilities in the village. The applicant is willing to fund a contribution towards enhancements or improvements to community facilities where the need is justified and costs are provided proportionate to the development, however Officers will need to be satisfied that this will be fully CIL compliant. Delegated authority is requested from Members for Officers to negotiate this post-committee.

Biodiversity Net Gain:

- 7.14.16 On-site biodiversity net gain will be provided. A Habitat Management and Monitoring Plan will be included in the S106 agreement to secure the on-site BNG for a period of 30 years. This will also need to secure the payment of BNG monitoring fees.

Police contributions:

- 7.14.17 Leicestershire Police requests a contribution of £88,833.68 at the time of writing the report to mitigate the additional impacts of this development because their existing infrastructure will not have the capacity to meet the new demand generated by the development. They indicate that the funding will be used for start-up personal equipment (for police officers, PCSO's, specials and staff), infrastructure and estate support, police vehicles, identification technology and crime reduction initiatives.
- 7.14.18 The Council considers that only the contributions for police vehicles and identification technology are those which can comply with the CIL tests and can therefore legally be secured through S106 Agreements. Accordingly, a total contribution amount of £9,764.45 is required.

Broadband and Digital Infrastructure:

- 7.14.19 No contribution is required for this, however the developer has confirmed that all properties will be provided with broadband facilities which is set out in the Preliminary Utilities Appraisal Report. This complies with Policy DM4 of the Blaby Delivery Local Plan.

Monitoring fees:

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

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

- 7.14.21 The proposals will offer a significant amount of financial and other contributions which are considered to be fully CIL compliant and will appropriately mitigate the impact of the development on the local area.

8. Overall Planning Balance and Conclusion

- 8.1 When determining planning applications, the District Planning Authority must determine applications in accordance with the Development Plan unless material considerations indicate otherwise. Where aspects of a proposal do not strictly comply with the policies in the Development Plan, a balanced judgement should be considered with reference to other material considerations that may outweigh the policy conflict.
- 8.2 In this case, the proposal will result in the provision of up to 180 new dwellings which will significantly contribute to the Council's Housing Land Supply which has dropped to 2.78 years from the previous year of 3.53 yrs. 25% of this housing will be affordable compliant with the Council's policies. These matters are to be given **significant positive weight** in the planning balance.
- 8.3 Other matters that contribute **moderate positive weight** in favour of the proposed development include the provision of considerable on-site natural green space and informal open space which will enable existing and proposed residents to access this part of the village and countryside. This will be enhanced with significant biodiversity net gains on-site (well in excess of the required 10%). The provision of an extension to the existing allotments and contributions to existing local services including community facilities and education is also considered to be of moderate positive weight.
- 8.4 Of **limited positive weight** are the improvements to The Nook and the provision of a mini-roundabout that will create a material improvement to the capacity of this junction and enable traffic to flow more freely through the village which will more than mitigate the impact of the proposed development. Other aspects which are to be given limited positive weight are the economic benefits from direct and indirect construction work and the expenditure of future residents in the village and local economy.
- 8.5 Of **limited negative weight** is the loss of the site for mineral extraction but as this has no reasonable prospect of being used for this purpose, this carries little weight. Equally the loss of the land for arable production is given limited negative weight given the majority of the site is classified as 3b which is not considered the "best and most versatile land". The small areas of the site to the south that are located in Flood Zones 2 and 3 are also of limited negative weight given no built development will be located in this location. Although it is acknowledged that there is concern regarding the flood risk impact to Cosby Brook in the village, Sustainable Urban Drainage planning conditions will ensure that existing flood risk in the village is not worsened by this development.

- 8.6 The impact on residential amenities (existing and proposed) and other environmental concerns (noise, air quality, contamination and construction management) is given **low-moderate negative weight**. Although it is acknowledged that the proposal will create a change to the edge of village environment experienced by existing residents, particularly those closest to the site, nevertheless the proposal ensures an appropriate landscaped buffer distance of 20m in the vicinity of two of the neighbouring properties to the north of the site by condition with good separation distances to all other properties. Appropriate conditions will mitigate any harm relating to air quality, noise, contamination or construction work. Also of **low-moderate negative weight** in the planning balance is the visual impact of the development and the encroachment beyond the existing settlement boundary. The proposal will result in the loss of countryside in this location with the provision of new built development. However, the impact is mitigated significantly by the lack of housing to the higher sections of the site where views of the proposal would be more evident. The provision of a significant amount of landscaping as part of the on-site BNG will also mitigate the impact of the development. A condition restricting the height of the dwellings to 2-storey only will also minimise the visual impact. The development of this site, whilst an encroachment into open countryside has a very close relationship with the existing village and abuts the existing boundary such that it will be in keeping with the pattern of development.
- 8.7 Finally, of **moderate negative weight** is considered to be the less than substantial harm to Cosby Conservation Area as a designated heritage asset and the setting of nearby listed buildings by the off-site highway works proposed. Officers fully acknowledge that the provision of a mini-roundabout in the centre of the village is not popular and there are concerns that this will adversely affect the conservation area and will not have any benefit. Officers acknowledge the concerns that the proposal will have some negative impacts on the character and appearance of the conservation area and the setting of listed buildings. However, the alterations proposed in the highway are in the context of an existing highway junction which has gradually had many highway alterations over recent decades and in particular since being designated as a conservation area. This existing junction already negatively impacts the character and appearance of the conservation area and setting of listed buildings and NDHAs due to the high levels of traffic and congestion through the village as well as existing road markings and associated signage and infrastructure. The proposed mini-roundabout is considered to help with the free flow of traffic and significantly improve the capacity of this junction, resulting in less stationary/queuing traffic and associated noise and fumes. Although the mini-roundabout is a product of the proposal and required to mitigate the development, it will have some benefits on the existing highway situation to outweigh the negativity of its provision including opportunities to enhance the existing road restraint system. The loss of the archaeology at the site is regrettable, but archaeology is present in many locations, particularly the open countryside and cannot be a constraint to development. Provided the archaeology of the site is properly evaluated and recorded for the future, which will be secured by condition, the impact on archaeology of the site will be mitigated.

- 8.8 Overall, the public benefits of the provision of up to 180 houses and affordable housing on this site is considered to significantly and demonstrably outweigh the low to moderate negative effects of the development which will be mitigated as far as reasonably practicable. The three dimensions of sustainable development have been considered (economic, social and environmental) as set out in the NPPF, and taking into account the adopted Development Plan considerations and all other material considerations Officers are of the opinion that the proposal is acceptable, and accordingly it is recommended that planning permission is granted.