

DATE: 22 July 2025  
MY REF: Planning Committee  
YOUR REF:  
CONTACT: Democratic Services  
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**To Members of the Planning Committee**

Cllr. Lee Breckon JP (Chairman)  
Cllr. Susan Findlay (Vice-Chairman)

Cllr. Tony Deakin  
Cllr. Roy Denney  
Cllr. Janet Forey

Cllr. Helen Gambardella  
Cllr. Richard Holdridge  
Cllr. Bob Waterton

Cllr. Neil Wright

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the Council Chamber - Council Offices, Narborough on **THURSDAY, 31 JULY 2025** at **4.30 p.m.** for the transaction of the following business and your attendance is requested.

Yours faithfully



**Gemma Dennis**  
**Corporate Services Group Manager and Monitoring Officer**



## **AGENDA**

### REFERENCING UP OF DECISIONS - COUNCIL CONSTITUTION PAGE 3-6-20

Any Committee or Sub-Committee may refer up any report for decision to its parent body. Referencing up shall be on the following basis:-

- a) At the beginning of the relevant meeting, any Committee/Sub-Committee Member may move reference up of any item of business. The Member must identify the grounds of significance justifying so doing. If this is seconded, the proposition shall be open to debate.
- b) There shall be no debate upon the contents of the report itself. Debate shall be limited to consideration as to whether the report item is of such significance as to justify its reference up to the parent body notwithstanding that the parent body has delegated its decision making powers.
- c) If the referencing up motion is carried, the matter shall not be determined at the meeting. If the referencing up motion is not carried, the matter shall be dealt with in accordance with the Committee/Sub-Committee's delegated powers.

## AGENDA

- 1. Apologies for absence
- 2. Disclosures of Interest

To receive disclosures of interests from Members (ie. The existence and nature of those interests in respect of items on this agenda).

- 3. Minutes (Pages 3 - 8)

To approve and sign the minutes of the meeting held on 3 July 2025 (enclosed).

- 4. Applications for Determination (Pages 9 - 116)

## **PLANNING COMMITTEE**

Minutes of a meeting held at the Council Offices, Narborough

**THURSDAY, 3 JULY 2025**

**Present:-**

Cllr. Tony Deakin  
Cllr. Roy Denney  
Cllr. Janet Forey

Cllr. Helen Gambardella  
Cllr. Richard Holdridge  
Cllr. Bob Waterton

Cllr. Neil Wright

**Substitute:-**

Cllr. Cheryl Cashmore (In place of Cllr. Lee Breckon JP)  
Cllr. Nigel Grundy (In place of Cllr. Susan Findlay)

**Officers present:-**

Jonathan Hodge  
Stephen Dukes  
Helen Wallis  
Maria Philpott  
Tasneem Quareshy  
Gemma Dennis  
Sandeep Tiensa  
Nicole Cramp  
Avisa Birchenough

- Planning & Strategic Growth Group Manager
- Strategic Growth Manager
- Senior Planning Officer
- Senior Planning Officer (Consultant)
- Senior Planning Officer
- Corporate Services Group Manager
- Senior Democratic Services & Scrutiny Officer
- Democratic & Scrutiny Services Officer
- Democratic & Scrutiny Services Officer

**Apologies:-**

Cllr. Lee Breckon JP and Cllr. Susan Findlay

## 1. **ELECTION OF CHAIRMAN**

In the absence of the Chairman and Vice-Chairman, the Democratic Services and Scrutiny Officer invited nominations from the Planning Committee Members for the election of the Chairman for this meeting only.

### **DECISION**

That Cllr. Neil Wright be elected Chairman of the Planning Committee, for this meeting only.

## 2. **DISCLOSURES OF INTEREST**

Cllr. Janet Forey	-	24/0760/OUT - Outline application for the provision of up to 14 dwellings with all matters reserved except for access.
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Nature of Interest	-	Non-Registerable Interest Land North of Sycamore Way, Littlethorpe.
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Extent of Interest	-	Cllr. Forey is the ward Councillor for Littlethorpe. The matter will be considered with an open mind.
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Cllr. Richard Holdridge	-	25/0104/RM - Reserved Matters application for the for the erection of 170 dwellings (Use Class C3) including details of appearance, landscaping, layout and scale (relating to outline application 23/1071/OUT).
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Nature of Interest	-	Non-Registerable Interest Land Adjacent To Leicester Road And Foston Road Countesthorpe.
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Extent of Interest	-	Cllr. Holdridge is the ward Councillor for Countesthorpe & Kilby. The matter will be considered with an open mind.
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## 3. **MINUTES**

The minutes of the meeting held on 5 June, as circulated, were approved and signed as a correct record.

#### 4. **APPLICATIONS FOR DETERMINATION**

Considered – Report of the Senior Planner (Consultant).

**24/0760/OUT**

**Outline application for the provision of up to 14 dwellings with all matters reserved except for access**

**Land North of Sycamore Way, Littlethorpe**

##### Public Speaking

Pursuant to Part 4, Section 7 of the Council's Constitution in relation to public rights of participation in planning applications, the Chairman allowed the following to give a 5 minute presentation:

- Vicki Turner - Objector
- Ronan Donohoe – Agent

#### **DECISION**

**THAT APPLICATION 24/0760/OUT BE DEFERRED FOR THE FOLLOWING REASON:**

Members would like further information on flooding and potential future flood risk, and more detailed information on the proposed surface water drainage scheme.

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Considered – Report of the Senior Planning Officer

**24/0834/OUT**

**Outline planning application for a) provision of up to 98 dwellings constituting up to 30 Affordable Housing units, up to 57 Open Market Housing units and up to 11 serviced plots for self-build and custom housebuilding, b) hedge and tree removal with (re)planting where relevant, c) provision of a mobility hub and d) with all matters reserved except access.**

**Land north of Leicester Road, Sharnford**

### Public Speaking

Pursuant to Part 4, Section 7 of the Council's Constitution in relation to public rights of participation in planning applications, the Chairman allowed the following to give a 5 minute presentation:

- Cllr. Mike Shirley – Ward Councillor, and Chairman of Sharnford Parish Council
- Chris Howard – Objector
- Ronan Donohoe – Agent

### **DECISION**

#### **THAT APPLICATION 24/0834/OUT BE REFUSED FOR THE FOLLOWING REASON:**

The application proposes the development of up to 98 dwellings in the countryside on the edge of Sharnford, which is designated as a 'smaller village' in the Blaby District Local Plan (Core Strategy) 2013 and where Policy CS5 provides for only modest levels of growth commensurate with its size, services and facilities. Sharnford has a limited range of services and facilities and limited opportunities for accessibility to nearby settlements by non-car modes. Future residents of the development would therefore be reliant on the private car to meet their day-to-day needs, resulting in an increased requirement in the village for travel by unsustainable transport modes. Sharnford is not therefore considered to be a sustainable location for accommodating this scale of development and the proposals would therefore be contrary to policies CS1, CS5, CS10 and CS18 of the Blaby Local Plan (Core Strategy 2013) and to paragraphs 109 and 110 of the National Planning Policy Framework (2024).

The Chairman, Cllr. Neil Wright adjourned the meeting at 18:10 to allow a comfort break. The meeting reconvened at 18:15.

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Considered – Report of the Senior Planning Officer

**25/0104/RM**

**Reserved Matters application for the for the erection of 170 dwellings (Use Class C3) including details of appearance, landscaping, layout and scale (relating to outline application 23/1071/OUT).**

**Land Adjacent To Leicester Road And Foston Road Countesthorpe**

### **DECISION**

**THAT APPLICATION 25/0104/RM BE APPROVED SUBJECT TO THE IMPOSITION OF CONDITIONS RELATING TO THE FOLLOWING:**

1. Development carried out in accordance with approved plans and documents.
2. Materials to be provided as per the approved plan unless otherwise agreed.
3. No residential unit shall be occupied until private access drive and turning spaces are provided and suitably surfaced.
4. No residential unit shall be occupied until the parking and any turning facilities associated with that unit have been implemented and thereafter retained.
5. No residential unit shall be occupied until cycle parking associated with the unit has been provided and thereafter retained.
6. No residential unit shall be occupied until existing gates to vehicular access have been permanently removed.
7. Private drives to be provided prior to associated occupation of dwellings and hard surfaced for at least five metres behind the highway boundary.
8. No gates, barriers, etc. within a distance of five metres from highway boundary and any gates to open away from the highway.
9. Removal of pd rights for garage conversions at certain plots (where a garage is provided to meet minimum parking spaces for that plot)
10. Removal of PD rights for extensions and buildings within curtilage for certain plots
11. Removal of PD rights for roof additions to certain plots

**THE MEETING CONCLUDED AT 6.26 P.M.**

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**Blaby District Council**  
**Planning Committee**

**Date of Meeting** 31 July 2025  
**Title of Report** **Applications for Determination**  
**Report Author** Development Services Team Leader

**1. What is this report about?**

- 1.1 To determine planning applications as listed in paragraph 3.2 below and detailed in the attached report.

**2. Recommendation**

- 2.1 That the recommendations listed within paragraph 3.2 below and detailed in the attached report be approved.

**3. Matters to consider**

- 3.1 To avoid unnecessary delay in the processing of planning applications, the recommendations included in this list must often be prepared in advance of the closing date for the receipt of representations. This list was prepared on **22 July 2025** and information of representations received will be updated at your meeting. This updating will also cover any other information which may come to hand in the intervening period. Closing dates are given where they fall on or after the day of preparation of the list.

3.2	Application No.	Page No.	Address	Recommendation
	<b>24/0574/OUT</b>	<b>11</b>	<b>Blaby Golf Range, Lutterworth Road, Blaby</b>	<b>REFUSE</b>
	<b>25/0267/OUT</b>	<b>83</b>	<b>Thurlaston Sawmills Ltd, Enderby Road, Thurlaston</b>	<b>APPROVE</b>
	<b>25/0459/FUL</b>	<b>111</b>	<b>Enderby Leisure Centre, Mill Lane, Enderby</b>	<b>APPROVE</b>

**3.3 Appropriate Consultations**

Details of organisations / persons consulted in relation to the applications are included in the reports for each individual application. Members will be aware

that full copies of correspondence received are available to view on the respective planning file and through the planning portal:

[Search for Applications – Blaby District Council](#)

#### 3.4 Resource Implications

There are no specific financial implications arising from the contents of this report.

#### 4. Other options considered

These are included where appropriate as part of the reports relating to each individual application.

#### 5. Background paper(s)

Background papers are contained in files held in the Planning Division for each application being considered and are available for public inspection.

#### 6. Report author's contact details

Michelle Hill                      Development Services Team Leader (Consultant)  
planning@blaby.gov.uk    0116 272 7705

**24/0574/OUT  
4 July 2024**

**Registered Date**

**Hallam Land Management**

**Outline planning application for the redevelopment of the site for up to 200 residential dwellings including re-siting of existing retail/leisure/sui generis uses, demolition of existing buildings and creation of public open space, highways and drainage infrastructure (all matters reserved except for access).**

**Blaby Golf Range, Lutterworth Road, Blaby**

**Report Author: Charlene Hurd & Michelle Hill, Development Services Team Leaders**

**Contact Details: Council Offices. Tel: 0116 272 7705**

**RECOMMENDATION: Refuse for the following reasons:**

**Reason for Refusal 1: Green Wedge Encroachment**

The proposed development would inappropriately encroach upon the designated Green Wedge, leading to the further undesirable coalescence of Blaby with Whetstone and Countesthorpe. This would fundamentally undermine the Green Wedge's strategic objectives by failing to preserve its open and undeveloped character, disrupting vital green networks, and diminishing existing public access for recreation, thereby conflicting with Policy DM2 of the Blaby District Council Local Plan Delivery DPD and CS16 of the.

**Reason for Refusal 2: Loss of Recreational Facility**

The proposed development would result in the regrettable loss of Blaby Golf Centre, creating a significant deficit in the District's recreational provision. This loss is particularly impactful as the facility prioritises resilient, adaptable amenities that support foundational participation and beginner pathways, which are crucial for future-proofing golf provision in the area. This is contrary to Policy CS15 of the Blaby District Council Core Strategy and paragraph 103 of the National Planning Policy Framework (NPPF).

**Reason for Refusal 3: Insufficient Commercial Mitigation**

The proposed development fails to adequately demonstrate that sufficient new commercial floorspace will be created to effectively mitigate the loss of existing businesses on the site. This deficiency contravenes Policy CS6 of the Core Strategy and Policy SA3 of the Blaby District Council Local Plan Delivery DPD.

**NOTES TO COMMITTEE**

**Relevant Planning Policies**

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

Policy CS1 – Strategy for locating new development

Policy CS2 – Design of new development

Policy CS5 – Housing distribution

Policy CS6 – Employment  
Policy CS7 – Affordable housing  
Policy CS8 – Mix of housing  
Policy CS10 – Transport infrastructure  
Policy CS11 – Infrastructure, services and facilities to support growth  
Policy CS12 – Planning obligations and developer contributions  
Policy CS14 – Green infrastructure  
Policy CS15 – Open space, sport and recreation  
Policy CS16 – Green Wedges  
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

### **Blaby District Local Plan (Delivery) Development Plan Document (2019)**

Updated Policy CS15 – Open space, sport and recreation  
Policy DM2 – Development in the Countryside  
Policy DM3 – Employment Development on Unallocated Sites  
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

### **Blaby Neighbourhood Plan (February 2018)**

Policy BNP1 – Character and Environment  
Policy BNP2 – Green Wedges  
Policy BNP8 – Design of New Development  
Policy BNP9 – Settlement Boundary

### **National Planning Policy Framework (NPPF)**

### **Planning Practice Guidance (PPG)**

### **Other Supporting Documents**

**Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)**

**National Design Guide - Planning practice guidance for beautiful, enduring and successful places**

**Leicestershire Highways Design Guide**

**Blaby District Council Active Travel Strategy (2024)**

**Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Guidance (2024)**

**Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document (2013)**

**Blaby District Council Waste Storage and Collection Guidance for New Developments**

**Blaby District Council New Development Quick Reference Guide – Waste Storage and Collection**

**Blaby District Council Golf Needs Assessment (May 2025)**

**Blaby Landscape and Settlement Character Assessment (2020)**

**Blaby District Council Open Space Audit (2019)**

**Blaby Playing Pitch Strategy (2020)**

**Blaby Residential Land Availability Report (2024)**

**Blaby District Tourism Growth Strategy (2025-2030)**

**Joint Strategic Flood Risk Assessment Final Report (2017)**

**Blaby Residential Land Availability Report (March 2024)**

**Blaby Strategic Flood Risk Assessment Level 1 Final Report (2020)**

**Blaby Strategic Flood Risk Assessment Level 2 Final Report (2021)**

**Blaby Strategic Housing and Economic Land Availability Assessment (SHELAA) 2019**

**Leicester and Leicestershire Housing and Economic Needs Assessment (HENA) 2022**

### **Consultation Summary**

**Active Travel England** – (2 April 2025) – Active Travel England recommends approval of this application subject to the agreement and implementation of planning condition and obligations. To include: Travel Plan, upgrades to bus stop infrastructure, upgrades to the PROW, Parameter plan detailing access points for pedestrians and/or cyclists and details relating to the Lutterworth Road crossing/RSA.

22 January 2025 - ATE recommends approval of the application, subject to the agreement and implementation of planning conditions and/or obligations as set out in this response.

25 November 2024 – Deferral as Active Travel England is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue as set out in this response.

7 August 2024 - Deferral as Active Travel England is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue as set out in this response.

**Blaby District Council, Active Travel Advisor** – Provided no further comments to the consultation following comments from the applicant in regard to the documents reviewed as part of the Travel Plan.

15 January 2025 – Provided comments to the response received 20 December 2024.

Trip Generation and assignment; This would likely mean that the development would not meet the ambition of Blaby District Council and fails to take into that the “DfT and ATE share the common objective of delivering increases in active travel to 50% of all journeys in urban areas.

Travel Plan Targets: The Travel Plans requirement for ‘a minimum of 10% reduction in car driver modal share’ is neither ambitious nor in line with targets laid out by the DfT, ATE or Blaby District Council.

Off- site active travel infrastructure and improvements. There appears to be little if any factual basis for the applicant’s assertion that ‘There are a limited number of pedestrians associated with the development that would use the bus stop on Winchester Road.

They welcome the surface upgrades to the PROW, although note that it should be well lit, signposted and safe for users.

Site Permeability. We would request that a qualitative analysis is made of the existing routes, and potential upgrades taken into account.

Placemaking. It is specious to state that “It is disproportionate to require a Design Code for a site of this scale.” The site is of significant size and would have a major impact on the surrounding area as well as the residents of the development itself. It should be considered neither disproportionate nor unreasonable to expect a development of this size to accept the advice of ATE to take measure to comply with “the guidance in LTN 1/20 on Cycle Infrastructure Design, Inclusive Mobility, and the National Model Design Code.”

19 September 2024 – Provided comments on the submitted Transport Assessment, proposed Spine Road, Cycle Parking, Public Transport, Site Permeability and Connectivity, Off-site infrastructure and Travel Plan.

15 August 2024 – Provided comments on the submitted Transport Assessment, proposed Spine Road, Cycle Parking, Public Transport, Site Permeability and Connectivity, Off-site infrastructure and Travel Plan.

**Blaby District Council, Environmental Services** – No objection subject to the imposition of conditions for contamination.

**Blaby District Council, Health and Leisure** – Requests a total developer contribution of £260,284 to be used for improvements to off-site sports facilities to cater for the additional demand generated by the development.

**Blaby District Council, Housing Strategy** – Provided advice on the preferred mix for both the affordable and market units.

**Blaby District Council, Neighbourhood Services** – Were unable to comment due to none of the documents showing bin collection points. Also provided guidance for the developer to take on board.

**Blaby District Council Historic Buildings and Conservation Officer** - No objection.

**Blaby Parish Council** – Objects to the application stating:

14 August 2024

*“This application is unacceptable in a number of ways, it contravenes a number of Policies from the Blaby Neighbourhood Plan, and if approved would remove a number of valuable amenities which provide important exercise opportunities to residents of the village.*

*1. The application suggests that building housing with some retained open space is less impactful on biodiversity than a golf course. This is based on outdated data when there was a suggestion that because parts of a golf course are regularly maintained they are not beneficial for biodiversity. This was based on the construction of new golf courses which were usually built on countryside agricultural land. However established golf courses have many trees, hedgerows, and uncut grassed / wildflower areas. (1) Golf courses in particular provide a vital role in bird conservation and Blaby golf course has a wide range of bird life with hedges and trees providing nest and roosting sites. (2)*

*2. Golf courses represent 33% of all the UKs open space, and urban golf courses, like Blaby Golf Course, have become a sanctuary for wildlife and are responsible, as opposed to the application comments, for enhancing biodiversity. (3)*

*3. The application is contrary to many of the policies contained in the Blaby Neighbourhood Plan. In the Plan, one of the issues which came up in the majority of consultation responses, was “Maintaining and enhancing existing areas of green space”.*

*4. Blaby Golf Course sits in character area F which represents the Green Wedge.*

*5. Objective 2 (c) States; “Any development should protect and enhance, existing open spaces and amenities”, this application does the opposite.*

6. Policy BNP 2 Green Wedges. The policy has an assumption against building on the Green Wedge which includes Blaby Golf Course.

7. Policy BNP7 Designates 2 reserve sites for housing in Blaby should Blaby be required to build houses in addition to their housing allocation. This site does not fall within either of those sites.

8. Blaby Golf Course is well used as is the Crazy Golf course which is one of a small number a facilities for children. The Crazy Golf Course acts as an opportunity for outdoor exercise and can be an introduction to golf for children. It also provides an opportunity for people who may not be able to purchase their own golf equipment to experience golf.

9. 20% of the population of Blaby District is 65 or over higher than the East midlands and English averages. As golf is a sport which can be enjoyed by older people and the majority of members in many clubs fall into that age group.

10.A Survey carried out by Golf Care of over 1,600 respondents found 28% experienced mental health problems. 95% of golfers indicated golf was good for mental health. 89% of respondents said it had had a positive impact on their mental health.

11. In 2008 a Swedish Study found that golfers had a 40% lower death rate than others in the same age, sex and socio-economic bracket, equating to a 5-year increase in life expectancy.

12. Heart Research UK urges the public to take up golf as a healthy and fun approach to preventing heart disease.

13.Removing Blaby Golf Course will mean that Blaby golfers must travel further to play which is clearly less sustainable and will contribute negatively to climate change.

14.Although housing allocations are currently under review Blaby has already exceeded the previous target by a considerable amount and so does not require additional house building at this time.

15.The analysis used to demonstrate that the golf club is underused is based on an out-of-date analysis which Blaby Parish Council stated at the time contained a number of errors. Current usage of this facility is much higher than the figures suggested. Also, it is a 9 hole course which gives new players access at a reasonable price. The Enderby course is not accessible, particularly to younger players, as there are no transport links. Also, there are proposals for development on this course which will reduce the leisure facilities in the district courses are heavily used and can be cost restrictive to younger players.

16.As previously mentioned, the course provides a biodiverse habitat for wildlife. In recent years bats have been spotted in the area and also Muntjac deer which are a protected species.



17. *The applicant suggests that the existing businesses using the site can be relocated but gives no evidence to support this. It is hard to easily envisage where such a relocation could occur within the village.*

18. *Winchester Road is already a heavily used transport corridor with peak times, when the schools are closing, leading to congestion. We are aware of a number of other planning applications which are currently being assessed which will increase traffic numbers on this road. These have not been included in the assessment. Whilst no planning application has been received for the Keepers Farm site on the opposite side of Winchester Road, we are aware that developers are looking at an application for a further 300 dwellings.*

19. *The flooding assessment suggests there are no major issues, but last year Winchester Road flooded during storms leading to damage to some properties. Additional surface runs off will exasperate this problem. There is also the potential for flooding to the south of the site where we believe the land is lower.*

20. *This continual creep of new building in the village puts pressure on the existing facilities. Both doctor's surgeries are at capacity and have little opportunity to expand. There are also the well-known issues with access to dentists which additional population growth will provide additional pressure.*

21. *An estate of this size will, inevitably, include many families which will put pressure on schools in the area.*

22. *The location of this proposed site is well away from the existing village services which will produce a separate community not properly connected to the village. At the Lutterworth Road end of the site there are no existing transport links without walking a considerable distance.*

23. *As previously mentioned, the green wedges are an important tool in the planning process to ensure that the separate identity of the various villages can be maintained. The constant encroachment of development into these spaces will lead to an urban sprawl between Blaby, Countesthorpe and Whetstone resulting in the loss of Community identity.*

24. *Blaby Golf Course is very different to other courses in the vicinity, it is smaller and caters for all ages, it is a big part of family life, great for children around the ages of 16 – 18 years where there is nowhere else for them to go with their friends, they can have fun in a safe environment and helps with their mental health, Blaby needs leisure facilities like this golf course.*

25. *If this development was to go ahead it would result in the closure of local businesses as these would be demolished and people will ultimately lose their jobs.*

#### *Bibliography*

1. Colding, Johan, Folkes and Carl : *The role of golf courses in biodiversity conservation and ecosystem management.* 12 (2) 191-206

2. Rodewald et al: *Can golf course play a role in bird conservation? Wildlife Society Bulletin*, 2005. 33 (2) : 407 – 410

3. Grange AC and Lindsay DE: Can golf courses enhance local biodiversity? 2002 Science and Golf IV, London Routledge P721-756".

28 March 2025

*"...wishes to make the following additional comments on the above planning application:*

- Blaby Parish Council supports there will no longer be vehicular access via Winchester Road, particularly as there is the potential for development at Keepers Farm, which is on the opposite side of Winchester Road.*
- At times of flooding Winchester Road becomes impossible to pass and therefore the Parish Council would expect the proposed flood alleviation scheme would resolve this problem".*

**Countesthorpe Parish Council** – Makes comments on the application as follows:

12 August 2024

*"Whilst this application is within Blaby, there is potential for it to have an adverse impact on local services and infrastructure in Countesthorpe.*

*Countesthorpe Parish Council notes that the applicant refers to its intention to retain an area of separation between Blaby and Countesthorpe. However, the Parish Council would insist that this area of separation is in addition to anything else proposed in the development, and should be so retained in perpetuity.*

*The Parish Council notes that the Transport Plan data is based on Blaby District Council not having any other planning applications for housing development. Applications in the Blaby and Countesthorpe Parish areas, both recently approved and currently awaiting decisions, have not been considered as part of the applicant's data. Therefore, Countesthorpe Parish Council request that a more up to date Transport Plan be undertaken to take into account these potential additional developments.*

*Winchester Road is already heavily trafficked, especially at peak times, due to the proximity of Countesthorpe Academy and Birkett House Seniors school.*

*In addition, it will be inevitable that any traffic heading in a south-easterly direction from Blaby would travel along Station Road through the centre of Countesthorpe, thus exacerbating existing congestion on this narrow, speed controlled road. The Parish Council notes that there is little reference within the Transport Plan to this potential vehicular movement, and it is not referenced at all in the diagrams. Any vehicular traffic would also impact on the staggered junction at Cosby Road/Winchester Road and no statistics have been provided for this.*

*Given the potential adverse effect of this traffic movement, the Parish Council would therefore request that the entrance on Winchester Road be for cycles and pedestrians only, enabling residents to access the Academy, buses and existing cycle lane which is part of the Guthlaxton Trail.*

*Winchester Road was blocked for the first time by surface water run off during the floods in January 2024, which not only caused considerable disruption to travel but also flooding to lower lying properties. This has only occurred since the development to the north of the proposed site was built.*

*Countesthorpe Parish Council has concerns that, if the applicant has used the same formula to calculate flood risk as that used for the existing development to the north of the site, this would not be sufficient during incidents of heavy rain. The Parish Council notes that the land drops from the centre of the site to both the east and west, increasing the risk of surface water run off leading towards the road networks of Lutterworth Road and Winchester Road”.*

27 March 2025

*“...wishes to make the following additional comments on the above application:*

*Countesthorpe Parish Council notes that the applicant has now indicated that there will no longer be a vehicular access via Winchester Road which the Parish Council supports, particularly as there is the potential for development at Keepers Farm on the opposite side of the Winchester Road.*

*Winchester Road becomes impassible at times of flooding and therefore the Parish Council would expect that the proposed flood alleviation scheme would resolve this problem.*

*With regard to the footpath access to Countesthorpe Academy needs to be upgraded to a standard to suitable for pedestrians”.*

**England Golf** – Object to the application for the following reasons:

*“Blaby Golf Centre is only 1 of 5 clubs within the authority, there are no other comparable golf facilities in the area, it is worth noting that the Blaby Golf Centre is an excellent, accessible entry level facility that offers adventure golf and a short course pitch and putt, of which there are appears to be a relatively low level of supply of. In our recent report that feeds into the new Blaby PPS update shows that Blaby Golf Centre being an important site within the authority and object to it being lost. We would expect any application to be supported by a golf needs assessment. Our regular golf demand calculation tool shows a score of 132 that suggesting that the facilities available are not enough to meet the demand of those in the authority who play golf regularly.*

*Within the Blaby local authority average membership numbers at affiliated clubs is 576, which is 42% above the national average of 407. Membership numbers have also grown substantially during the documented period above. Between 2015 and 2024 there has been an increase of 22% in the local authority. Membership numbers within a 20-minute drivetime of the authority border shows a similar trend: Within the 20-minute drivetime area the average membership of affiliated clubs is 549, which is 35% above the national average of 407. Between 2015 and 2024 there has been an increase of 24% in the 20-minute drivetime area”.*

**Environment Agency** – No objection, the development falls within flood zone 1 and therefore we have no fluvial flood risk concerns associated with the site. There are no other environmental constraints associated with the application site which fall within the remit of the Environment Agency.

**Leicestershire County Council, Archaeology** – No objection subject to conditions for an appropriate programme of archaeological mitigation, including an initial phase of exploratory trial trenching, followed, as necessary by intrusive and nonintrusive investigation and recording.

**Leicestershire County Council, Developer Contributions** – Requests a total developer contribution of £435,762.40 to be used for waste, libraries, secondary SEND Education and Early Years Education.

**Leicestershire County Council, Ecology** – No objection subject to the imposition of conditions relating to RAMMS for badgers, reptile mitigation strategy, Draft 30-year LEMP and HMMP.

**Leicestershire County Council, Forestry** – No objection subject to conditions requiring a full tree protection plan, arboricultural method statement and a full landscape design and maintenance programme.

**Leicestershire County Council, Highways – Final comments to be reported in Late Representations**

19 August 2024

Did not consider that the application as submitted fully assessed the highway impact of the proposed development and further information would be required in relation to:

- Sustainability – as regards appropriate opportunities to promote sustainable transport modes including walking, cycling and wheeling, passenger transport, public rights of way and the travel plan
- Access – to demonstrate whether a safe and suitable access to the site can be achieved for all users
- Off-site – to demonstrate whether the proposed development would have a significant impact on the transport network (in terms of capacity and congestion) and whether this can be effectively mitigated to an acceptable degree.

16 January 2025 – on reconsultation

Made comments in relation to:

- Sustainability – the raised crossing across Lutterworth is welcomed; the proposal to make a contribution towards local cycle improvement schemes is welcomed; an amended travel plan could be secured by condition.
- Access – welcomes and supports some of the additions and changes but requires further amendments
- Off-site – comments on the amended information and requires further assessment of the Lutterworth Road (A426) / Countesthorpe Road staggered

crossroads, the trip distribution / assignment and flow diagram subsections and submission of the junction models.

14 April 2025 – on reconsultation

The Local Highway Authority did not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required. The information required included drawings and appendices referred to in the submission and the submission of a revised and cohesive submission including drawings and appendices alongside any superseded information being marked as such.

17 June 2025 – on reconsultation

The Local Highway Authority does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Following the receipt of further requested information, the LHA has been reconsulted and their response is awaited and will be reported to Members in the Late Representations.

**Leicestershire County Council Minerals and Waste** – No objection, the proposed application site is not located within a Mineral Safeguarding Area.

**Leicestershire County Council, Lead Local Flood Authority** – No objection, subject to the imposition of conditions relating to surface water drainage, surface water drainage during construction, long-term maintenance of surface water drainage and infiltration testing.

**Leicestershire Fire and Rescue Service** – No response received.

**Leicestershire Police** – Requests a total developer contribution of £38,259.16 to be used for start-up personal equipment, infrastructure and estate support, police vehicles, identification technology and crime reduction initiatives (amended from an earlier contributions request).

**NHS, Leicester, Leicestershire and Rutland Integrated Care Board** – Requests a total developer contribution of £154,880.00. towards any of the named GP Surgeries, and or to develop alternative Primary/Community healthcare infrastructure that will be directly impacted due to the increase in population linked to this housing development.

**Natural England** – has no specific comments to make on this proposal and advises reference should be made to their general guidance. The consultation response states that the lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the proposals are not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. Natural England state that it is for the local planning authority to determine whether or not the proposals are consistent with national and local policies on the natural environment.

**Sport England** – state that the proposed development does not fall within their statutory remit and therefore Sport England is providing general advice to aid the Council's assessment of the application. Sport England advise that:

- full consideration should be given to whether the loss of the golf facility meets paragraph 103 of the NPPF which requires that sports and recreational buildings and land should not be built on unless on the three specified criteria is met.
- full consideration should be given to whether the loss of this sports facility would accord with local policies to protect social infrastructure as well as any relevant evidence base document
- there is evidence of substantial demand for golf in the District
- Sport England have contacted England Golf who may be able to provide specific advice

**Severn Trent Water** – No objection, subject to an informative.

**Ramblers Association** – No response received.

### **Third Party Representations**

1794 letters of representation were received, 1765 of which objected to the application. 20 representations were made in support of the application.

The comments received are summarised below:

#### **1. Flooding and Drainage:**

- Concerns about increased surface water runoff exacerbating existing localised flooding in Blaby, particularly on Winchester Road, which has become impassable during storms.
- Fear of increased pressure on Whetstone Brook and the waste system, citing past sewer bursts and reduced water pressure since recent developments.
- The site's topography, with land dropping towards Lutterworth Road and Winchester Road, increases flood risk.

#### **2. Highway and Transport:**

- The local road network is already struggling with traffic congestion, especially at peak times (e.g., school routes, M69/M1 access).
- New residents without significant infrastructure investment will worsen congestion, increase accident risk, and raise pollution.
- Specific concerns about increased traffic on Welford Road, Winchester Road, Cosby Road, and Station Road (through Countesthorpe), with inadequate assessment of these impacts.
- Safety concerns for schoolchildren due to proposed entrances on school routes and increased traffic near schools and the dangerous Blaby bypass.
- Existing parking issues at the doctor's surgery, local school, and town centre.
- Fear of the estate being used as a "rat run" and concerns about inadequate traffic calming measures on specific road stretches.

- The site is poorly served by public transport.

### **3. Loss of Golf Course and Businesses:**

- Strong objection to the loss of a valuable leisure and wildlife space, specifically Blaby Golf Course and Crazy Golf, which are seen as unique, accessible, and affordable attractions.
- These facilities provide crucial outdoor exercise, mental health benefits, and social opportunities for all ages, including children, teenagers, and older residents.
- The golf course is a community hub offering youth programs and is a significant local employer (golf course staff, Okapi Kitchen, Paper Moon, Blossom Beauty, Maxine Phillips Academy, Tusk Fitness Gym, etc.).
- Concerns about job losses and the detrimental impact on local businesses and the community's vibrancy.
- Disputes the adequacy and accuracy of the Council's Open Space Audit and Golf Need Assessment, arguing that other "pay and play" alternatives are not truly comparable in accessibility or cost.
- The development would remove the only tourist attractions in Blaby and reduce opportunities for community outdoor engagement.

### **4. Loss of Countryside:**

- Strong opposition to building on green space, particularly within the designated Green Wedge, fearing "creeping urbanisation" and the blurring of boundaries between Blaby, Countesthorpe, and Whetstone, leading to a loss of village identity and natural beauty.
- Concerns about the loss of trees, wildlife habitats, and cherished walking/dog-walking routes.

### **5. Strain on Facilities and Amenities:**

- The existing infrastructure cannot support more housing.
- Public services, including doctors' surgeries, hospitals, emergency services, dentists, and pharmacies, are already at capacity and oversubscribed, with no plans for expansion to meet increased demand.
- Schools are already struggling with oversubscription.
- Concerns about the decline in quality of public services for current residents.
- Lack of nursery provision.

### **6. Protected Species and Wildlife:**

- Concerns about the loss of wildlife space, established trees, and flora.
- Doubts about the adequacy of the Environmental Impact Assessment, particularly regarding long-term ecosystem effects and mitigation.
- Specific observations of bats (and concerns about roosting estimates), Muntjac deer (a protected species), frogs, newts, snakes (including potential Great Crested Newts), foxes, birds, kestrels, and various insects.
- Fear of habitat loss, decreased biodiversity, and increased environmental degradation.

## **7. Principle of Development:**

- The proposal is seen as contrary to the Blaby Neighbourhood Plan's Green Wedge designation.
- The number and scale of proposed houses are considered too high and out of character with the existing community.
- Concerns that resident opinions have not been adequately considered.
- Arguments that Blaby District has already met its housing targets and should prioritize brownfield sites.
- Disagreement with the NPPF's provisions for building on open space, arguing the golf course is not surplus to requirements and its loss is not adequately compensated.
- Concerns about the cumulative impact of this and other developments on local infrastructure and green spaces.
- Objections to the merging of villages and the creation of a detached community due to the site's location away from existing services and poor public transport links.
- Accusations of developer greed and sub-standard housing.
- Concerns about the accuracy of submitted reports (e.g., archaeological maps).
- Fears of increased crime rates (burglaries, violence) linked to new housing.
- Misleading claims about business re-siting.

## **8. Noise and Disturbance:**

- Anticipated horrendous disruption during construction.
- Increased noise from traffic and the bypass, as well as pollution from vehicle emissions.

In essence, the objections collectively argue that the development is unsustainable, inconsistent with local planning policies, and would severely degrade the quality of life for current and future residents by overwhelming infrastructure, destroying valuable green space and amenities, and altering the community's character.

### Support

- People need more affordable houses. There are other courses, it would enable people to get on the property ladder. Existing businesses would be relocated.
- There is a critical need for additional housing, suggesting that the golf course is less significant compared to addressing this housing shortage.
- The proposed green spaces and football courts will enhance the attractiveness of the development.
- Believes that it is a great idea for the growth of the local area and economy as long as works are done to both main roads, especially for a school footpath.
- More housing in the area is what is needed, not another golf course.

In essence, the supporting representation address the critical need for affordable housing, with the argument that alternative golf facilities exist, making housing a greater priority. The proposal also offers new green spaces and football courts, and is seen as a positive for local growth and economy, provided road safety improvements are made.



### **Relevant Planning History**

19/0502/FUL	Erection of golf ball safety netting in relation to hole number 8.	Permitted 21 June 2019
15/0509/FUL	Change of use of Unit 3 from Computer Repair Centre to Private Hire Taxi Office	Permitted June 2015
14/0557/1/PY	Change of use of unit 3 from Computer Repair Centre to Car Wash Office and Storage to include partial use of the car park as car wash	Refused 19 Aug 2014
12/0791/1/PY	Retention of Change of use of Unit 5 from Ancillary Retail (Use Class A1) to Beauty Salon (Sui Generis)	Permitted Dec 2012
11/0584/1/PY	Retention of Change of Use of former Private Hire Taxi Office to Hairdressers (Use Class A1) and proposed Change of Use of Unit 5 from General Industrial (Use Class B2) to Ancillary Retail (Use Class A1)	Permitted Oct 2011
09/0691/1/PX	Single storey front extension to golf clubhouse to form waiting room	Permitted 22 Dec 2009
09/0263/1/PY	Retention of change of use of former golf driving range building to light industrial (Use Class B1) General Industrial (Use Class B2) and Storage Uses (Use Class B8) and retention of associated open storage areas, siting of storage containers, 3m high fence and gates and 2m high fencing on earth mound	Permitted July 2009
05/1158/1/PX	Retention of change of use of former golf driving range building to light industrial (use class B1), general industrial (use class B2) and storage uses (use class B8) and retention of associated open storage areas; change of use of former golf driving range building to light industrial use (use class B1); retention of siting of storage containers and erection of 3 metre high fence and gates.	Withdrawn
05/0730/1/PY	Change of Use to Private Hire Taxi Office	Permitted Aug 2005
01/0046/1/PY	Formation of an 18 hole miniature golf course including raising of the ground levels	Permitted 14 Apr 2003
94/0284/1/PY	Proposed alterations to golf course layout	Permitted

94/0013/1/RV	Renewal of temporary consent for clubroom (91/1405/1/PX).	29 Sept 1994 Permitted 10 Feb 1994
93/0118/1/VY	Retention of existing 4 <sup>th</sup> green position	Refused 11 Mar 1993
91/0524/1/PB	Extension to driving range booths to form groundsmans store.	Permitted 20 June 1991
91/1405/1/PX	Siting of portable building for use as temporary clubhouse.	Permitted 16 Jan 1992
90/1283/1/PX	New clubroom with toilets & store & retention of groundsmens store.	Permitted 6 Dec 1990
90/0053/1/PX	Change Of Use To Driving Range & 9 Hole Golf Course, Car Pk & Assoc Wks	Permitted 1990.

## EXPLANATORY NOTE

### The Site

The application site, a large, irregularly shaped 16.0-hectare parcel currently operating as a golf course, is situated to the south of Blaby town centre, approximately 1.15km from its shops and facilities. It is bordered by Lutterworth Road to the west and Winchester Road to the east.

The site's current use as a golf course includes an 18-hole 'Adventure Golf', a 9-hole pitch and putt, and a 9-hole par 4 golf course, all operating as "pitch up and play" facilities without a booking service. A hardstanding car park off Lutterworth Road serves the golf course. On-site buildings house a bar and restaurant, which has expanded since the COVID-19 lockdowns, offering indoor and outdoor dining for breakfast, lunch, Sunday lunch, coffee, and afternoon tea. Additionally, other businesses operating from the car park area include a hairdresser, taxi rank office, gym, and a dance school.

The golf course and restaurant collectively employ approximately 10 full-time and 20 part-time staff, covering restaurant operations and ground maintenance. Other on-site businesses also contribute to local employment.

Environmentally, the entire development site is designated as Green Wedge under the Blaby District Local Plan Delivery Development Plan Document. While located within Flood Zone 1, Environment Agency mapping indicates pockets of high surface water flood risk across the proposed development area. The golf course's ponds are identified as having potential for local wildlife sites.

The northern edge of the application site, on its western side, extends to the first tee of the golf course. This portion of the golf course, along with adjacent allotments, is subject to a separate outline planning application for major residential development,

which has received a resolution to approve pending a signed legal agreement. To the north, on the eastern side, a residential housing estate, constructed after 2014, is situated. East of the site are two dwellings, Balmore House and Keepers Farm, set within open agricultural fields. Further south on the eastern side, Willow Farm, a non-designated heritage asset, is also located amidst agricultural fields. To the southwest, the site adjoins Rose Business Park, identified as a key employment site in the DDPD.

To the west of the site lies the Westleigh Rugby Football Club, featuring a clubhouse, on-site parking, and pitches with associated lighting and netting protecting newer houses to its north.

A public footpath (Z56 and Z57) traverses the site, connecting Winchester Road to Lutterworth Road.

### **The Proposal**

This outline planning application seeks permission for a residential development of up to 200 dwellings, with all matters reserved except for access. The development would result in the loss of the existing golf course.

A single vehicular access point is proposed from Lutterworth Road, following the removal of a previously planned second access from Winchester Road in March 2025. The Framework Travel Plan and Transport Assessment have been updated accordingly.

Of the total 16-hectare site, applicants propose to dedicate 64% to green infrastructure, public open space, and "play and habitat related proposals." While the illustrative masterplan shows the retention of potential wildlife ponds, existing vegetation, and the inclusion of new vegetation, attenuation ponds, a community orchard, sports field, and play area, the final layout will be confirmed at the reserved matters stage. The masterplan indicates a linear east-west development, with open spaces positioned to the south-east and eastern edge, near Winchester Road. A proposed retail unit is shown adjacent to Lutterworth Road.

As an outline application, building heights are not confirmed. However, the Design and Access Statement indicates two-storey housing, with some 2.5-storey buildings potentially used for design emphasis or as key street scene elements. The masterplan also allocates 0.06 hectares for retail buildings towards Lutterworth Road.

### **Supporting Documents**

As an application for outline planning permission, detailed layout plans, floor plans and elevations have not been submitted for consideration. Nevertheless, consideration is still required as to the principle and amount of development proposed. The key plans and documents are listed below which set out the development proposed:

- Planning application form
- Location Plan
- Illustrative Masterplan

- Development Framework Plan
- Landscape Viewpoints

The application is also supported by the following documents which provide further technical information on specific matters:

- Covering Letter
- Transport Assessment Addendum
- Travel Plan
- Transport Assessment
- Planning Statement
- Landscape and Visual Appraisal
- Heritage Statement
- Archaeological Assessment
- Geotechnical Engineers – Desk Study Report
- Golf Need Assessment
- Biodiversity Metric Calculation Tool
- Ecological Appraisal (figures)
- Ecological Assessment
- Biodiversity Net Gain Report
- Arboricultural Assessment
- Flood Risk Assessment
- Design and Access Statement
- Sequential Test (flooding).

### **Environmental Impact Assessment**

The proposed development is considered to fall within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) as it comprises of an urban development project (10(b)) of more than 150 dwellings and the site area exceeds 5 hectares.

However, such projects are only classed as ‘Environment Impact Assessment development’ and require an Environmental Statement if the development is likely to have significant effects on the environment by considering the characteristics of the development, its location and the type and characteristics of the potential impact.

The District Planning Authority has carried out a Screening Opinion (ref. 24/06/EIASCRC) and has concluded that an Environment Impact Assessment is not required. There is 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 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 planning application process.

### **Planning Policy**

#### **National Planning Policy Framework 2024**

The National Planning Policy Framework establishes the key principles for proactively delivering sustainable development through the development plan system and the determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:

- An economic objective
- A social objective
- An environmental objective

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 2 of the NPPF identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Paragraph 2 also indicates that the NPPF is a material consideration in planning decisions.

Paragraph 10 of the NPPF and Policy CS1 and CS24 of the Blaby District Council Core Strategy (2013) set out a presumption in favour of sustainable development, and states that development proposals that accord with the Development Plan should be approved unless other material considerations indicate otherwise.

The Council has reviewed and published an updated housing land supply position in September 2023. This confirms that the Council cannot demonstrate a five-year supply of deliverable sites. As this proposal involves the provision of housing, the application before members should therefore be considered in terms of its accordance with NPPF paragraph 11d and other material considerations. This does not mean that

the policies of the Local Plan are ignored but that their requirements can be considered, and given weight, where they accord with the policies of the NPPF.

Paragraph 11 of the NPPF sets out a presumption in Favour of Sustainable Development. It states that plans and decisions should apply this presumption, especially when there are no relevant policies in the Development Plan or when the relevant policies are 'out of date'. In such cases, permission should be granted unless there is a clear reason for refusal or the adverse impacts would significantly outweigh the benefits.

Blaby District Council has recently published an updated housing land supply position. This update confirms that the Authority can currently demonstrate a 3.69 year housing land supply. This is notably less than the five-year supply requirement outlined in paragraph 74 of the NPPF. Following the publication of the revised NPPF in December 2024 and the Council's revised housing numbers, the land housing land supply position is likely to have further reduced.

As a consequence of the change in the housing figures required, Paragraph 11(d) of the NPPF is triggered. Paragraph 11(d) of the NPPF, provides that permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. This is weighed in the balance of the merits of the application when considered against the policies in the Development Plan in accordance with Paragraph 219 of the NPPF as they are consistent with the NPPF. Therefore, sustainable development should be approved unless other material considerations indicate otherwise.

In situations where paragraph 11(d) of the NPPF applies to housing applications, but a Neighbourhood Plan is in place, paragraph 14 of the NPPF states that "*the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:*

*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 (see paragraphs 69-70)."*

However, in this instance, as the Neighbourhood Plan is more than 5 years old paragraph 14 is not triggered.

There are no assets or particular importance (as listed in footnote 7 of the NPPF) which provide a clear reason for refusing the application. It is therefore necessary to assess the proposals against limb two of paragraph 11d, i.e. whether the adverse effects of granting planning permission would *significantly and demonstrably* outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. Footnote 8 of Paragraph 11 of the NPPF states that the housing policies are to be out-of-date where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 12 of the NPPF states that the presumption in favour of sustainable

development does not change the statutory status of the Development Plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, permission should not usually be granted unless other material considerations indicate otherwise.

Paragraph 60 of the NPPF says to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types

Paragraph 61 of the NPPF says to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.

Paragraph 78 of the NPPF says local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than 5 years old.

Paragraph 81 of the NPPF says that to help ensure that proposals for housing development are implemented in a timely manner, local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability. where consultation is ongoing it should only be afforded limited weight.

## **DEVELOPMENT PLAN**

### **Blaby District Local Plan (Core Strategy) Development Plan Document (2013)**

The adopted Core Strategy (February 2013) is part of the Development Plan for the District of Blaby.

The Council cannot demonstrate a five-year supply of deliverable sites. As this proposal involves the provision of housing, the application is being considered in terms of its accordance with NPPF paragraph 11(d) and other material considerations.

#### **Policy CS1 – Strategy for locating new development**

Policy CS1 sets out the overall strategy for locating new development in the district. It states that most new development will take place within and adjoining the Principal Urban Area (PUA) of Leicester. Outside of the PUA it states that development will be focused within and adjoining Blaby and the Larger Central Villages (Enderby,

Narborough, Whetstone and Countesthorpe) which contain a good range of services and facilities, access to a range of transport modes and which have a good functional relationship with higher order centres (including Leicester and Hinckley).

#### Policy CS2 – Design of new development

Policy CS2 seeks to ensure that a high quality, safe and socially inclusive environment is achieved in all new development proposals, respecting distinctive local character and contributing towards creating places of high architectural and urban design quality. New development should also provide opportunities to enhance the natural and historic environment.

#### Policy CS5 – Housing distribution

Policy CS5 provides the minimum housing requirements for settlements across the District. Blaby has a minimum housing requirement of 420 dwellings across the Local Plan period from 2006 to 2029.

#### Policy CS7 – Affordable housing

Policy CS7 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. Affordable housing should be provided on site unless there are exceptional circumstances preventing this. To ensure mixed and sustainable communities, residential development should integrate affordable and market housing through the dispersal of affordable housing units within residential development and use a consistent standard of design quality. The tenure split and mix of house types for all affordable housing will remain flexible and will be assessed on a site-by-site basis, although affordable housing should be integrated into each phase and sub-phase of development.

#### Policy CS8 – Mix of housing

Policy CS8 states that residential proposals for developments of 10 or more dwellings should provide an appropriate mix of housing type (house, flat, bungalow, etc.), tenure (owner-occupied, rented, intermediate) and size (bedroom numbers) to meet the needs of existing and future households in the District, taking into account the latest Strategic Housing Market Assessment and other evidence of local need. The Council will encourage all housing to be built to 'Lifetime Homes' standards, where feasible.

#### Policy CS10 – Transport Infrastructure

Policy CS10 refers to seeking to reduce the need to travel by private car by locating new development so that people can access services and facilities without reliance on 'private motor vehicles'. The policy also refers to providing new routes for pedestrians, cyclists and public transport (as part of development proposals). Designs which reduce the impact of road traffic should be encouraged, for example through greater allocation of street space to more sustainable forms of transport, and links to existing key services and facilities should be provided.



The policy states that the Council will seek solutions for improving public transport that are likely to be sustainable in the long term. Developments should seek frequent, accessible and comprehensive public transport links to Leicester City Centre and other key service/ employment centres and facilities. Other measures such as discounted bus ticketing for residents of new developments will be required where appropriate. In relation to residential parking, it states that the Council will be flexible in the implementation of residential parking standards. Residential developments of 80 or more houses will require a Transport Assessment, and the Council will require Travel Plans in accordance with the requirements of the Leicestershire Highways Design Guide.

#### Policy CS11 – Infrastructure, Services and Facilities to support growth

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 infrastructure providers, grant funders and other delivery agencies to ensure that development provides the necessary infrastructure, services and facilities to meet the needs of the community and mitigates any adverse impacts of development.

#### Policy CS12 – Planning Obligations and Developer Contributions

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). Planning obligations and developer contributions will be guided by the Council's latest Planning Obligations and Developer Contributions SPD and other evidence of need.

Any requests for contributions must be assessed by the Council under the requirements of Community Infrastructure Levy Regulations 2010. Section 122 of the Regulations set out in statute 3 tests against which requests for funding under a section 106 agreement has to be measured. These tests are that the obligation is:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

#### Policy CS14 – Green Infrastructure

Policy CS14 states that Blaby District Council and its partners will seek to protect existing, and provide new, 'networks of multi-functional green spaces'. The proposed development provides traffic free green infrastructure corridors and other area of natural green space and informal open space.

#### Policy CS15 – Open space, sport and recreation

The policy has now been superseded by Updated Policy CS15 in the Blaby Delivery DPD.

### Policy CS16 – Green Wedges

Policy CS16 states that the Green Wedges are important strategic areas, they will be designed in order to:

- Prevent the merging of settlements;
- Guide development form;
- Provide a green lung into the urban areas; and
- Provide a recreation resource.

The need to retain Green Wedges will be balanced against the need to provide new development (including housing) in the most sustainable locations. The detailed boundaries of the existing Green Wedges will be formally reviewed through the Allocations, Designations and Development Management DPD.

### Policy CS19 – Bio-diversity and geo-diversity

Policy CS19 seeks to safeguard and enhance sites of ecological and geological importance of national, regional and local level significance. The policy also states that the Council will seek to maintain and extend networks of natural habitats to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats. The policy also seeks to protect those species which do not receive statutory protection but have been identified as requiring conservation action. Development proposals should ensure that these species and their habitats are protected from the adverse effects of development through the use of appropriate mitigation measures. The policy also states that the Council will seek to ensure that opportunities to build in biodiversity or geological features are included as part of the design of development proposals.

### Policy CS20 – Historic Environment and Culture

Policy CS20 states that the Council will take a positive approach to the conservation of heritage assets and the wider historic environment through protecting and enhancing heritage assets and their settings and expects new development to make a positive contribution to the character and distinctiveness of the local area.

### Policy CS21 – Climate Change

Policy CS21 states that development which mitigates and adapts to climate change will be supported. It states that the Council will contribute to achieving national targets to reduce greenhouse gas emissions by:

- a) Focusing new development in the most sustainable locations;
- b) Seeking site layout and sustainable design principles which reduce energy demand and increase efficiency;
- c) Encourage the use of renewable, low carbon and decentralised energy.

The policy also states that the Council will ensure that all development minimises vulnerability and provides resilience to climate change and flooding.

### Policy CS22 – Flood risk management

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

- a) Directing development to locations at the lowest risk of flooding;
- b) Using Sustainable Drainage Systems to ensure that flood risk is not increased on site elsewhere;
- c) Managing surface water run off to minimise the net increase in surface water discharged into the public sewer system;
- d) Closely consulting the Environment Agency in the management of flood risk.

#### Policy CS23 – Waste

Policy CS23 states that new developments should, inter alia, seek to encourage waste minimisation, ensure flexibility in design to allow for new technological developments, ensure waste collection is considered in the design, and promote the use of site waste management plans.

#### Policy CS24 – Presumption in Favour of Sustainable Development

Policy CS24 reflects the overarching principle of the NPPF that the Government wishes to see in relation to the planning system, with the golden thread running through the decision-making process being the presumption in favour of sustainable development. Policy CS24 requires that when considering development proposals, the District Council always work proactively with applicants to find solutions which mean that proposals can be approved wherever possible.

Officers have worked proactively with the applicant to provide them with an opportunity to resolve technical issues with the original submission.

#### **Blaby Local Plan Delivery Development Plan Document (Delivery DPD) (2019)**

The Delivery DPD also forms part of the Adopted Development Plan for Blaby District. The following policies are the most relevant to the proposed development.

#### Updated Policy CS15 – Open space, sport and recreation

This supersedes the Core Strategy Policy CS15 and seeks to ensure that residents have access to sufficient, high quality, accessible open space, sport and recreation facilities. The policy has been updated as the Council commissioned an updated assessment of open space, sport and recreation facilities in the District (Open Space Audit 2015). The information gained was used to review the locally derived standards, contained in Policy CS15, to ensure that existing and future communities have access to sufficient open space, sport and recreation facilities. The standards for the provision of open space per 1000 population have therefore been updated accordingly. There are no specific standards for the provision of outdoor sports space but the Open Space Audit gives guidance on where there are quantity and quality deficiencies.

#### Policy DM2 - Development in the Countryside

Policy DM2 states that in areas designated as Countryside on the Policies Map, development proposals consistent with Core Strategy Policy CS18 will be supported where specific criteria are met:

- a) The development is in keeping with the appearance and character of the existing landscape, development form and buildings;
- b) The development provides a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by the existing or new occupiers;
- c) The development will not undermine the vitality and viability of existing town, district and local centres.

Whilst the application site is not located in an area designed as Countryside, the text of the policy goes on to state that in the circumstances where development would not be harmful to the functions of Green Wedges this policy will also apply.

#### Policy DM4 – Connection to Digital Infrastructure

Policy DM4 states that all new build major residential and commercial development should be served by fast, affordable and reliable broadband connection in line with the latest Government target. It states that developers will liaise with broadband infrastructure providers to ensure that a suitable connection is made. The wording of the policy was amended following public examination to state that new development *should* be served by this type of infrastructure rather than specifically requiring it. This was considered necessary to introduce flexibility into the policy given that delivery of a broadband connection would likely be reliant on a third-party contractor over which a developer is unlikely to have any control.

#### Policy DM8 – Local Parking and Highway Design Standards

Policy DM8 seeks to provide an appropriate level of parking provision within housing development which complies with Leicestershire Local Highway Guidance and is justified by an assessment of the site's accessibility, type and mix of housing and the availability of and opportunities for public transport. It states that all new development will be required to meet highway design standards as set out in the most up-to-date Leicestershire Local Highway Guidance.

#### Policy DM11 – Accessible and Adaptable Homes

Policy DM11 requires development proposals for housing of 20 dwellings or more to meet the Building Regulations Standard M4(2) for 5% of the dwelling unless there are site specific factors which make the site less suitable for M4(2) compliance dwellings, and/or where the applicant can demonstrate that the use of this Building Regulation Standard is not viable through an independent viability assessment to be submitted with the application.

Amendments were made to the policy during public examination which changed the threshold for the application of the policy from 10 dwellings to 20 dwellings, and inserted criteria into the policy to ensure that there is sufficient flexibility in applying the policy requirement to take account of circumstances where it can be demonstrated that it would not be viable.

### Policy DM12 – Designated and Non-designated Heritage Assets

Policy DM12 states that all new development should seek to avoid harm to the heritage assets of the District. Development proposals that conserve or enhance the historic environment will be supported. The policy states that designated heritage assets and their settings will be given the highest level of protection to ensure that they are conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment. Where substantial harm is identified, proposals will only be supported in exceptional circumstances in accordance with national planning guidance. Where a less than substantial level of harm is identified, the scale of harm will be weighed against the public benefits of the proposal.

### Policy DM13 – Land Contamination and Pollution

Policy DM13 states that development proposals will be required to clearly demonstrate that any unacceptable adverse impacts related to land contamination, landfill, land stability and pollution (water, air, noise, light and soils) can be satisfactorily mitigated.

### **Blaby Neighbourhood Plan (February 2018)**

The Neighbourhood Plan also forms part of the Adopted Development Plan for Blaby District. The following policies are the most relevant to the proposed development.

### Policy BNP1 – Character and Environment

All new development shall create a sense of place appropriate to its location (using the identified Character Areas Maps by reflecting the principal characteristics of adjacent area(s) in regards to scale, layout and materials.

### Policy BNP2 – Green Wedges

Two Green Wedges are designated as identified on Character Area F Map 8:

1. Between Blaby, Countesthorpe and Whetstone
2. Blaby and Glen Parva

Development in the Green Wedges is restricted to that identified in Core Strategy Policy CS16, with the exception of the development of reserve sites in accordance with Policy BNP6.

### Policy BNP8 – Design of New Development

New development within Blaby should incorporate design features which enhance and complement Blaby's important housing, commercial and historic character and the principles in the relevant areas.

### Policy BNP9 – Settlement Boundary

The location of future development will be focused within the identified settlement boundary (as shown on Map 14), whilst allowing for sustainable development within

the Green Wedges and countryside. Such sustainable development to include the development of the reserve sites in accordance with Policy BNP6. New development will be supported within the settlement boundary, subject to the proposed development having a satisfactory relationship with other nearby uses.

#### Character Area F: The Green Wedge

4.8.1 Blaby is separated from Whetstone by the Blaby bypass and the Green Wedge which runs alongside the bypass from Enderby Road to its end. The Green Wedge also extends to the north of Blaby where it provides an area of separation between Blaby and Glen Parva.

4.8.2 The Green Wedge includes Blaby parish allotments which are registered as an Asset of Community Value. It also includes the Vipers Rugby Club, a small holding / horse field, a garden centre, Westfield Play area, an area of well used informal open space and the Leicester Lions Rugby Club. The latter has recently been the site of a successful planning application for housing which eats into the Green Wedge. Also included in the Green Wedge is the Blaby Golf Centre. The Wedge to the north is partly flood plain and also fields. The Blaby Strategic Green Wedge Review 2009 identified the strip parallel to the Blaby Bypass between Blaby and Whetstone as “a particularly sensitive Green Wedge”.

#### **Leicestershire Highways Design Guide (amended 2024)**

The Design Guide sets out the County Council’s principles and policies for highways Development Management. The guidance is intended to be used in the design development layouts to ensure they provide safe and free movement for all road users.

#### **Blaby District Council Planning Obligations and Development Contributions Supplementary Planning Document (2024)**

This Supplementary Planning Document outlines Blaby District Council’s strategy for securing relevant developer contributions in relation to new development. It sets out when Blaby District Council will request contributions, whether for the District Council or on behalf of another service provider, and how the payments will be collected, distributed and monitored.

#### **Blaby District Council Housing Mix and Affordable Housing Supplementary Planning Document (July 2013)**

This Supplementary Planning Document contains additional detail and guidance on how Blaby District Council will interpret and apply specific policies contained in the Local Plan and will be a material consideration in the determination of planning applications. The objectives of the SPD are:

- 1) To provide guidance regarding the interpretation of policies CS7 and CS8 of the Blaby District Local Plan (Core Strategy);
- 2) To address local imbalances in both the market and affordable housing stock; and
- 3) To optimise the provision of affordable housing to meet identified needs.

### **Blaby Landscape and Settlement Character Assessment (January 2020)**

Provides up-to-date landscape and settlement evidence to inform the emerging Blaby Local Plan and help guide development management decisions. The assessment states that *“understanding the character of a place is a key part of ensuring the protection and enhancement of built and natural environments, managing sustainable economic growth and improving the health and wellbeing of local communities”*.

### **Blaby District Council Open Space Audit (December 2019)**

This assessment reviews the standards set out in Blaby District Council's Policy CS15 for the open space, sport and recreation facilities requirements of local communities, covering quantity, quality and access. It carries out an audit of the district's open space, sport and recreation facilities, including an assessment of the current quality of provision, identifying current surpluses or deficiencies.

### **Blaby Playing Pitch Strategy (2020)**

Provides a strategic framework for the maintenance and improvement of all formal outdoor playing pitches and accompanying ancillary facilities in the District up to 2037. The strategy has been developed in accordance with Sport England guidance and under the direction of a steering group led by the Council, Sport England and including National Governing Bodies of Sports. It provides planning guidance to assess development proposals and inform the protection and provision of outdoor sports facilities.

### **Blaby District Council Golf Needs Assessment (May 2025)**

The report highlights Blaby Golf Centre as an important facility for the District, particularly due to its varied provision and role in fostering golfer development.

Key findings regarding Blaby Golf Centre's importance include:

The facility provides a standard 9-hole course, a Par 3 course, and a miniature/adventure golf course. This diverse mix is crucial for creating a clear pathway for junior and beginner golfers to progress to more traditional play.

Blaby Golf Centre's shorter 9-hole course is specifically designed to appeal to beginner and casual golfers, making it an accessible entry point to the sport. Its relaxed environment and pricing structure also attract a high number of pay-and-play users.

The Centre boasts a higher membership base compared to Enderby Golf Centre and has recently received investment to enhance its facilities.

While the report suggests that the loss of either Blaby Golf Centre or Enderby Golf Centre could be supported based on pay-and-play usage and proximity, it emphatically states that "The loss of Blaby Golf Centre would potentially cause greater issues due to it providing more provision and a more varied facility mix". This underscores its critical role in the district's golf provision.

### **Blaby Residential Land Availability Report (March 2023)**

Shows the progress that has been made towards meeting the District's housing requirements that are set in the adopted Local Plan (Core Strategy) Development Plan Document (2013). The residential land availability position is monitored on an annual basis and this statement shows the latest published position as of 31<sup>st</sup> March 2023.

### **Joint Strategic Flood Risk Assessment Final Report (October 2020)**

This study provides a comprehensive and robust evidence base to support the production of the new Local Plan. This document provides an update to the 2014 Joint SFRA for Blaby District Council. This 2020 SFRA will be used to inform decisions on the location of future development and the preparation of sustainable policies for the long-term management of flood risk.

### **Blaby Strategic Housing and Economic Land Availability Assessment (SHELAA) 2019**

Provides evidence on the potential supply of both housing and economic development land in the District of Blaby.

### **Material Considerations:**

Planning applications must be determined in accordance with the provisions of the Development Plan unless there are material considerations which indicate otherwise, and whether those material considerations are of such weight that the adopted policies of the Development Plan should not prevail in relation to any proposal. The following are material planning considerations in the determination of this planning application:

- The principle of the development and 5 year housing land supply position
- The loss of the Golf Course
- Loss of Employment Land
- Impact on the Green Wedge and landscape/visual impact
- Affordable housing and housing mix
- Design and layout
- Transport and highway implications
- Flood risk and drainage
- Residential Amenities
- Developer contributions and infrastructure/ facilities
- Open Space, sport and recreation
- Archaeology and historic environment
- Environmental Implications
- Ecology and Biodiversity
- Arboricultural implications

### **The principle of the development and 5 year housing land supply position**

Blaby District Council's Core Strategy (Policies CS1 and CS5) prioritises urban concentration for housing development, aiming to meet needs sustainably. The



primary focus for new development is within and adjoining the Principal Urban Area (PUA) of Leicester, which includes Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town, Glen Parva, and New Lubbethorpe. However, the strategy also allows for development in settlements outside the PUA.

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').

The Blaby Neighbourhood Plan notes that the town has already exceeded its minimum housing requirement of 420 dwellings between 2006 and 2029, as set by the Blaby Core Strategy, with 477 homes built or approved by April 2017. To maintain relevance throughout the plan period, the document identifies "reserve sites" capable of accommodating up to an additional 106 houses, which are not expected to be needed until later in the plan's timeframe. However, as the plan is over five years old paragraph 14 of the NPPF is not triggered and the tilted balance still applies.

As of 31<sup>st</sup> March 2024, a total of 2,826 homes had been completed in the PUA. To meet the identified PUA requirement there is a need for around 585 homes per annum to be delivered in the PUA until the end of the plan period (total 2,924). Forecast completions in the PUA to 2029 are circa 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.

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 31<sup>st</sup> March 2024 3,942 homes had been delivered in the non-PUA, significantly exceeding the minimum requirement in the non-PUA of 2,990 dwellings. Overprovision has occurred in all settlements/tiers in policy CS5, with the exception of Narborough and Earl Shilton (land adjoining) where there are currently small shortfalls. The RLA report indicates that around 133 further homes may be completed in the non-PUA before 2029. Opportunities to deliver housing development of a type and scale needed to facilitate an increase in delivery in the near term are greater in the non-PUA than the PUA mainly due to the constrained nature and large scale of the sites being promoted for development in the PUA.

Blaby Town, classified as such in Policies CS1 and CS5, has a minimum housing requirement of 420 dwellings between 2006 and 2029. As of 31<sup>st</sup> March 2024, 573 houses had been completed in Blaby, surpassing the minimum by 153 dwellings.

Turning to the short-term picture, there is currently an under delivery of houses within the District as a whole, with the Council only being able to demonstrate a 3.53-year housing land supply, notably less than the five-year supply requirement outlined in paragraph 78 of the NPPF. Footnote 8 of the Framework establishes that in the absence of a five-year housing land supply, the policies most important for determining the application will be out-of-date. There are no conflicts with policies that seek to protect areas or assets of particular importance and the provisions of paragraph 11(d)(ii) of the NPPF which apply a presumption in favour of granting permission are therefore engaged (the 'tilted balance').

Paragraph 11d(i) of the NPPF allows for refusal where proposals conflict with policies protecting areas of particular importance (e.g., SSSIs, AONBs, heritage assets). However, the application site is not a statutory protected area. Furthermore, the Blaby Neighbourhood Plan is more than 5 years old. Therefore, the NPPF's presumption in favour of sustainable development and the "tilted balance" (Paragraph 11d(ii)) applies. This means that any adverse impacts of the proposal must significantly and demonstrably outweigh its benefits for planning permission to be refused.

Given the District's housing supply shortfall, the overarching need to deliver sufficient homes as per the NPPF takes precedence over the Council's policy to concentrate growth in the PUA. The lack of deliverable PUA sites makes providing additional housing outside the PUA, where it aligns with the NPPF and relevant Plan policies, necessary. Thus, the proposed development is not considered to significantly conflict with Policies CS1 and CS5, and the weight assigned to these policies regarding housing distribution should be reduced due to the Council's insufficient housing supply.

Blaby is the District's only town centre and a focus for future retail growth, offering a wide range of services, facilities (schools, shops, employment), and strong transport links to Leicester. While Blaby is a key development focus, the Strategic Housing Land Availability Assessment (SHLAA) indicates limited opportunities for large-scale growth without encroaching on the floodplain and Green Wedges. New growth is expected on Greenfield sites, with limited town centre redevelopment opportunities.

The proposed development, whilst situated near Blaby's settlement boundary and the Rose Way Business Park, would contribute to addressing the housing shortfall, including affordable housing. It would also involve financial contributions intended to mitigate impacts on local facilities and infrastructure, potentially assisting the Council in achieving its required five-year housing supply.

Developing this site could lead to an "overprovision" of housing in Blaby Town, potentially affecting the District's overall spatial strategy by further concentrating residential development outside the PUA. While this proposal is not currently seen as causing significant harm to the strategy, this concern is acknowledged, though balanced against the District's critical lack of a five-year housing land supply.

### **Sustainability of the Location**

NPPF paragraphs 110 and 117 state that significant development should be focused on locations which are or can be made sustainable through limiting the need for travel and offering a genuine choice of transport modes. It is noted that whilst sustainable transport modes should be prioritised, opportunities will invariably differ between urban and rural areas should be taken into consideration.

The location of the site on the southeastern edge of the town is relatively sustainable. It is 280m from the A426 which runs between Blaby and Whetstone and connects through to the PUA (Glen Parva). It is also in proximity of Lutterworth Road which provides a route north into the Town centre, which has supermarkets, shops and other day to day facilities including a bus stop for local and wider sustainable travel. Whilst

there is a clear route to the Town centre, it is over 1.25km from the site as is the nearest bus stop. The Co-op Food Store in Whetstone is located closer to the site, but at 640m it is within the recommended 'Manual for Streets' 800m distance from the site, which would make it accessible for some day-to-day facilities.

Other facilities such as childcare, sports facilities and employment opportunities are closer to the site, again making them accessible for residents without a vehicle. It should also be noted that a new cycle lane has been constructed from outside the site north along a length of Lutterworth Road. This provides the opportunity for residents of the south of the Town to cycle into the town centre. Active Travel have recommended conditions and obligations for the upgrade to bus stop infrastructure and the footway from the proposed access, as well as upgrades (bound surfacing, lighting and an increase in width) to the PROW to provide a more comfortable walking experience.

As such, whilst some journeys would inevitably be made by private vehicle, it is considered that as there are a range of facilities in the vicinity and the site provides access to a range of sustainable forms of transport, the location is considered to be sustainable and in compliance with Paragraphs 89, 11 and 117 of the NPPF.

### **The loss of the Golf Course**

Blaby District Council's Policy CS15, mirroring the NPPF paragraph 104, strictly protects existing open spaces, including sport and recreation facilities. Development on such sites is permitted only if it is demonstrably proven that the land is surplus to current and future requirements for any open space, sport, or recreation use, or if it is replaced by equivalent or better provision in terms of quantity, quality, and accessibility within the local area.

Whilst not falling within their remit, Sport England advise that full consideration should be given to paragraph 103 of the NPPF, as there is evidence of substantial demand for golf in the District.

England Golf strongly objects to the proposal, noting that Blaby Golf Centre is one of only five clubs in the authority and provides uniquely accessible, entry-level facilities like adventure golf and a short-course pitch and putt, which are in low supply. Their demand calculation tool indicates that current facilities are insufficient for regular golfers, further supported by a significant 22% increase in golf membership in the Blaby District between 2015 and 2024.

While the Council's Open Space Audit (2015) indicated an above-average per capita provision of golf courses, this was over a decade ago. The subsequent Blaby District Open Space Assessment (Final version, January 2020) does not propose standards or protection for "Outdoor Sport (Private)" facilities like golf courses. Instead, it defers to the Playing Pitch Strategy for policy relating to such spaces.

The Blaby District Council Golf Needs Assessment (May 2025) and the Playing Pitch Strategy (PPS) Stage E Update (March 2024) demonstrates the importance of Blaby Golf Centre within the District. Its diverse offerings, including a 9-hole standard course, a Par 3 course, and miniature/adventure golf, create a crucial pathway for junior and

beginner golfers to progress. Unlike "premier" courses catering to experienced players, Blaby Golf Centre, along with Enderby Golf Course and Leicester Golf Centre, is specifically designed to be accessible and attractive to new, casual, and pay-and-play golfers, serving as a less challenging entry point.

The report highlights that while the loss of one pay-and-play facility might be manageable, the closure of both Blaby and Enderby Golf Centres is unwarranted, as it would significantly diminish the District's golf provision, especially given their proximity and Blaby Golf Centre's unique combination of facilities. The report concludes that when assessing both the Blaby and Enderby golf centres individually, the need for Blaby Golf Centre could be said to be higher given its additional Par 3 and adventure course, which provides a clear pathway for young players at the site and in the region that would be lost without its presence.

In contrast, the applicant's Golf Need Assessment concludes that the closure of Blaby Golf Centre would not lead to an under-supply or adversely impact participation. However, it does not explicitly state an oversupply or surplus. The proposed replacement of the 16-hectare golf course with a 10-hectare open space remains unproven in terms of equivalent or better provision in quantity and quality, especially given the outline nature of the plans. The request for a substantial financial sum from BDC Health and Leisure Officers further suggests the development would not meet the necessary open space and playing pitch requirements.

Current demand for golf in the District already presents capacity pressures, particularly at the higher end of the market. Four clubs within the study area of the report currently operate waiting lists for membership, indicating unmet demand for their specific offerings. These are generally well-established, higher-end facilities, suggesting that the pressure is concentrated on more traditional, membership-oriented clubs.

Looking ahead, the reports suggest that future demand is projected to amplify these existing pressures. Office of National Statistics (ONS) projections indicate that the population within the Blaby catchment area is forecast to increase to 129,121 by 2042, representing a substantial growth of 27,789 people (28%). This demographic shift is particularly relevant as the increases are most prominently projected in older age groups, which historically exhibit a higher propensity to play golf. This demographic trend suggests that the growth in golf demand could potentially exceed the overall percentage increase in population.

If club membership demand were to rise proportionally with this projected population growth, the current average of 549 members per club would increase to 702. Given that existing membership levels are already significantly higher than the national average, such growth would almost certainly lead to additional clubs operating waiting lists and an exacerbation of current capacity pressures. Decisions regarding the retention or loss of golf facilities must therefore be forward-looking, not merely based on current equilibrium.

The report's explicit statement that Blaby Golf Centre's varied provision creates a "clear pathway...that would be lost without its presence" is a critical factor. This highlights that Blaby Golf Centre is not merely another golf course but a crucial entry point and progression mechanism for new and casual golfers. This "gateway" function

aligns directly with England Golf's recognition that non-traditional formats can "act as a gateway to more established participation". This makes Blaby Golf Centre a strategic asset for the entire local golf ecosystem, contributing fundamentally to the sport's long-term health and growth. Losing Blaby Golf Centre would therefore not just reduce capacity but would dismantle a proven mechanism for introducing and developing new golfers, hindering the long-term vitality of the sport in the region.

Whilst the loss of any golf clubs would, according to the Relative Golfer Demand tool, cause a potential "significant deficit" in provision, the loss of a site which prioritises facilities that are resilient, adaptable, and cater to foundational participation, such as beginner pathways, becomes paramount to future-proof golf provision in the District.

The loss of Blaby Golf Centre would therefore create a significant void in grassroots golf development that other golf courses in the District, cannot adequately fill. The applicant has not demonstrated that the land is surplus to current and future requirements for any open space, sport, or recreation use, or if it is replaced by equivalent or better provision in terms of quantity, quality, and accessibility within the local area. The potential provision of youth football pitches on the site does not fill this specific void. As such, the proposal is contrary to the requirements of policy CS15.

### **Loss of Employment Land**

The Blaby Golf Centre site provides units for various business; these buildings are located off the car park from Lutterworth Road and provide a range of smaller facilities and services on the site, such as a dance school, gym, taxi rank, boutique, and beauty salon. The cumulative total of floor area of the businesses is circa 900sqm. These businesses are well used, and the public comments and objections suggest that these businesses are important to the local community and economy.

However, a new retail frontage is proposed to the northwest of the site on Lutterworth Road that will accommodate a similar range to the existing retail/leisure/sui generis uses currently onsite. It is proposed that 600sqm of commercial floorspace would be created.

Policy 128 of the NPPF states that local planning authorities should take a positive approach to applications for alternative uses of land which are currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to "use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework".

Policy CS6 of the Core Strategy does not provide guidance on the loss of non-key employment sites. However, the Local Plan Delivery DPD addresses the loss of non-key employment sites primarily under Policy SA5: Key Employment Sites and Other Existing Employment Sites.

This policy outlines the conditions under which proposals for non-employment development on "other existing employment sites" (which are not designated as "Key Employment Sites") will be supported. Such proposals may be approved if it can be

demonstrated that:

- The property has been vacant and genuinely marketed for B1 (Business), B2 (General Industrial), and B8 (Storage or Distribution) uses for at least six months at reasonable market values without success.
- The site is no longer capable of meeting modern business needs.
- The change of use would result in demonstrable environmental benefits to the immediate area.

Additionally, Policy SA3: Employment Land Provision – New Allocation, provides the broader context, noting that "losses of employment land" have occurred since the Core Strategy was adopted in 2013, and these losses contribute to the need to identify new employment land.

Policy DM3 Strategic Objectives notes that 'although sufficient employment land is available and allocated in the District to support the identified growth over the period of the Local Plan, it is important that further employment opportunities are not stifled and to encourage sustainable economic growth. In particular, there is evidence in the District of small and medium sized businesses finding it difficult to find suitable and affordable sites'.

BDC Business Growth Officers have begun undertaking a survey of the business owners currently residing at the Golf Centre and are preparing an impact report, full details of which will be presented in the late representations. However, the following statistics have been released for four out of the five businesses which demonstrate that the total estimated jobs at risk are confirmed at 42–47 (this is not including unconfirmed Dance Studio staff). All business owners expressed clear opposition to the proposed development and grave concerns about economic viability, job losses, and business continuity.

Whilst the re-siting of commercial units is welcomed, it is considered that providing only 600sqm of floor space (where much more exists) would not adequately accommodate the existing businesses, should they wish to re-site within the new development. This would result in a shortfall of commercial floorspace, the acceptable loss of which has not adequately been demonstrated.

As such, given the loss of employment land, the development would conflict with policies CS6 and SA3.

### **Impact on the Green Wedge and landscape/visual impact**

#### **Green Wedge**

The application site is located outside the defined Settlement Boundary of Blaby and falls within an area designated as Green Wedge, as per the Blaby District Council (Delivery) Development Plan Document (2019) Policies Map. This designation is strategically important, with Policies CS16 and DM2 of the Blaby District Council Core Strategy, along with Policy BNP9 of the Blaby Neighbourhood Plan, being directly applicable. These policies collectively aim to protect the open and undeveloped

character of the countryside and Green Wedges, ensuring the retention of green networks and public access for recreation.

Policy CS16 specifically mandates a balance between retaining Green Wedges and providing new development in sustainable locations, with formal boundaries subject to future review. Policy DM2 provides more granular guidance for appropriate development in the Countryside (which includes Green Wedges), generally restricting residential development to specific categories such as essential rural worker dwellings or the alteration of existing homes. The proposed development, comprising housing and retail units, does not align with any of the permitted categories under Policy DM2.

The core function of the Green Wedge, as defined by policy, is to:

- Retain its open and undeveloped character.
- Retain and create green networks connecting the countryside and urban open spaces.
- Retain and enhance public access, particularly for recreation
- Prevent coalescence of distinct settlements

The existing use of the site as a golf course inherently fulfils these criteria, contributing to the open character and providing recreational opportunities. However, the proposed built development on the western side of the site would directly undermine these functions. It would result in the further coalescence of Blaby to Whetstone and Countesthorpe; failing to retain the open and undeveloped character, disrupt existing green networks, and diminish public access for recreation.

While the eastern side of the site, designated for open space, might partially meet some Green Wedge requirements, the overall impact of the proposed development would be detrimental to the Green Wedge's integrity and core functions.

It is acknowledged that, in the context of the 'tilted balance' due to an identified housing land supply deficit, policies may be applied flexibly, as new housing sites often need to be located outside existing settlement boundaries. However, this flexibility does not negate the significant harm caused by the loss of functional Green Wedge land.

### Landscape Impact

A Landscape and Visual Impact Assessment (LVIA) submitted with the application identifies the site within National Character Area 94 (Leicestershire Vales) and the local Blaby, Countesthorpe and Whetstone Fringe character area. The LVIA concludes that the proposed development would be localised and limited in its geographical extent, resulting in no unacceptable landscape or visual effects in the medium term. It notes that the site is generally visually contained, and where visible from the east, it is perceived in the context of the existing settlement and screened by existing and enhanced landscaping.

While the assessment acknowledges some localised significant visual effects, it ultimately finds that these would not be unacceptable in landscape and visual terms. Therefore, an objection solely on landscape and visual impact grounds may be difficult to sustain.

Despite the findings of the Landscape and Visual Impact Assessment regarding visual effects, the proposed loss of 16 hectares of Green Wedge for housing and associated infrastructure is considered to be inherently harmful. This development would directly contradict the fundamental objectives of Green Wedge policies, which seek to protect the open and undeveloped nature of such areas, maintain green networks, and safeguard recreational access. Given the site's current function as a golf course and leisure facility, which actively contributes to these Green Wedge criteria, significant weight should be attached to its retention.

The proposed development is therefore considered to be contrary to Policies CS1 and CS16 of the Core Strategy and BNP2 and BNP9 of the Blaby Neighbourhood Plan, due to the demonstrable harm it would inflict upon the designated Green Wedge.

### **Affordable housing and housing mix**

Policies CS7, CS8, and DM11 are pivotal in ensuring that new housing developments contribute appropriately to the District's current and future housing needs, including the provision of affordable, accessible, and adaptable homes. These policies are broadly consistent with NPPF paragraph 63 and are therefore afforded significant weight.

The Blaby Housing Mix and Affordable Housing Supplementary Planning Document provides detailed guidance for interpreting Policies CS7 and CS8, aiming to address local imbalances in housing stock and optimise affordable housing provision. The most recent data from the 2022 Housing and Economic Needs Assessment (HENA) highlights a substantial and increasing need for affordable housing in the District, identifying a requirement for 539 affordable homes per year (comprising 341 social/affordable rented and 189 affordable home ownership units).

The proposed development would provide a policy-compliant 25% of the total dwellings as affordable homes, equating to 50 dwellings. This significant contribution directly addresses the identified shortfall in the District and weighs favourably in the planning balance.

Furthermore, Policy CS8 mandates that residential developments of 10 or more dwellings provide an appropriate mix of housing type, tenure, and size. While the current application is in outline form, the Council's Housing Strategy team has provided a detailed "Housing Mix Requirements Assessment." This assessment recommends a preferred mix designed to balance the provision of larger homes with a sufficient supply of smaller, entry-level homes, and bungalows, which are in high demand for both rental and open market. This approach aims to rectify existing imbalances in the housing stock at both parish and district levels.



Affordable Mix Based on 50 Units	1 bed	2 bed	3 bed	4 bed	Bungalow	Total	%
Social Rent	6	15	12	3	4	40	80%
Shared Ownership	0	4	5	1	0	10	20%
<b>Total</b>	<b>6</b>	<b>19</b>	<b>17</b>	<b>4</b>	<b>4</b>	<b>50</b>	<b>100%</b>

Market Mix Based on 150 Units	1 bed	2 bed	3 bed	4+ bed	Bunglaow
Market	8	37	53	37	15
	5%	25%	35%	25%	10%

The provision of 25% of the dwellings as affordable housing could be secured through a Section 106 agreement. An appropriately worded planning condition would secure the reserved matters provides for an appropriate mix, design and layout of affordable and market housing. The exact size of dwellings and tenure breakdown for the affordable housing will be agreed as part of a subsequent reserved matters application, with the above preferred mix forming a baseline for discussions with the Council's Housing Strategy team.

Overall, the proposed development is considered to comply with Policies CS7, CS8 and DM11.

## Design and layout

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

The application site is situated on the southern edge of Blaby, characterised as an urban fringe location. To the north, the site abuts existing residential development, comprising newer dwellings constructed of red brick. This northern boundary also features areas of open space and a footpath that extends along the north-western edge and traverses the site from north-west to south-east, connecting to Winchester Road. To the south, the site is bordered by commercial buildings within Rose Business Park and a caravan storage facility, which sits adjacent to the golf course. Leisure facilities, including a rugby football club, are located to the west. While the immediate vicinity to the north is developed, the broader development site retains a semi-rural character, with scattered single farmhouses along Winchester Road between Blaby and Countesthorpe. It is pertinent to note that a new development of 53 dwellings to

the north of the site has recently received a resolution to approve at the planning committee, which will be sited on the existing first tee of the golf course and the former allotment area.

The illustrative layout plan shows a large provision of open space and play areas on the northern edges, western edges and southern western edges of the site which border the surrounding countryside and towards the existing residential dwellings. Along with retained and proposed landscaping to the site boundaries to separate the development from the remainder of the existing agricultural field.

The plan shows that the proposed development would provide a linear development running east to west with a tree lined central street through the development providing clear navigation through the development. Different sizes of perimeter blocks of housing are proposed which would create a similar layout and density to the adjacent housing estate to the north.

Although specific design details are reserved for a future Reserved Matters application, the submitted information suggests this development would align with the form and character of the adjacent urban fringe, providing a smooth transition in density from urban areas to the countryside. As such, the proposed development is considered compliant with the NPPF, National Design Guide, and Policies CS2 and DM2 in this regard.

### **Transport and highway implications**

Policy CS10 seeks to deliver the infrastructure, services and facilities required to meet the needs of the population of the District of Blaby including those arising from growth and to make services accessible to all, including locating new development so that people can access services and facilities without reliance on private motor vehicles and to ensure that appropriate measures are taken to mitigate the transport impacts of new development.

Policy DM8 seeks to provide a consistent approach to local car parking standards and highway design. It goes on to state that the Leicestershire Highways Design Guide sets out, amongst other things, standards and policies for parking and highway design that will need to be considered for all new development.

The development proposes a single vehicular access point on Lutterworth Road, a C-Road with a 7.5t weight restriction and a 40mph speed limit, which reduces to 30mph approximately 90m north of the site. A previously planned second access on Winchester Road has been removed.

The Local Highway Authority (LHA) is generally satisfied with the design of the main access. It meets the 'Major Residential Access Road' specification for developments up to 400 dwellings, with a 6.75m carriageway width and suitable junction corner radii. Swept-path analysis confirms an 11.2m refuse vehicle can safely negotiate the access. Required visibility splays (2.4 x 54.0m) based on a January 2024 traffic count (85th percentile speeds of 33.2-33.8mph) are also achievable.

Regarding pedestrian and cycle provision, the proposal includes a 2.0m footway on the south side and a 3.0m shared footway/cycleway on the north, with a dropped

crossing. The LHA recommends a 2.0m footway on both sides and a 3.0m two-way cycleway on at least one side to meet standards. The LHA welcomes the connection to existing cycle provisions on Lutterworth Road and strongly encourages a comprehensive cycle corridor throughout the development, linking to National Cycle Route 6 on Winchester Road.

However, significant safety concerns were reported regarding the proposed cycle parallel crossing and zebra crossing location. These are too close to the existing speed limit change (30mph to 40mph) and other junctions, potentially leading to unsafe vehicle manoeuvres and obscured signage.

The LHA recommended Stage 1 Road Safety Audit (RSA) and a Designer's Response. This was submitted and sent to the LHA for final comments, however these have not yet been received and will be reported as a late representation.

Notwithstanding the awaited comments, the RSA for the Lutterworth Road highway works identified and addressed several safety concerns.

The primary problem noted was the insufficient illumination at the proposed parallel crossing on Lutterworth Road, which could increase the risk of collisions. The design team agreed to check and provide additional lighting as needed during the detailed design stage.

Additionally, two observations (outside the direct scope of the RSA) were made:

- Road Signage: Existing 'road humps' ahead signs need to be removed and relocated, and the 'road narrows' sign should be removed as it will no longer be relevant. The design team agreed to address this during the detailed design stage.
- Cyclist Access: Suitable access, such as a dropped kerb, should be provided for southbound cyclists to enter the shared-use facility on Lutterworth Road, consistent with the northbound side. The design team also agreed to implement this in the detailed design stage.

Overall, it would appear that the design team has acknowledged and agreed to address all the problems and observations raised in the Stage 1 Road Safety Audit at the Detailed Design Stage. Subject to final comments from the LHA agreeing to the findings of the RSA, the proposals would not be considered to cause severe highway impacts and would comply with policies CS10 and DM8 of the Local plan.

### Site Access

Although the application is in outline form, access to the site is a matter for consideration at this stage.

The application proposes one vehicular access points, from Lutterworth Road. This was amended during the application as it was noted that the previously proposed two access points to the site, would have entered the site from Winchester Road through an area of the flood risk (surface water) as per the amended mapping from the Environment Agency.

The most recent response from LCC Highways is dated 17 June 2025 and states in full:

*“The Local Highway Authority does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Without this information the Local Highway Authority is unable to provide final highway advice on this application.*

#### *Advice to Local Planning Authority Background*

*The LHA previously responded to this application on 19th August 2024, 16th January 2025 and 16th May 2025 advising that further information would be required to fully assess the impact of the proposed development on the highway network. The further information required related to:*

- *Site Access*
- *Junction Capacity Assessments and modelling inputs*
- *Travel Plan*

*Since the time of that submission, the LHA have been reconsulted based on the following information which the LHA understand is yet to be available on the planning portal:*

- *Pell Frischmann Highways Response document (109390-PEF-ZZ-XX-T.RP-H-000011 Rev. S2\_P1) – dated 21/05/2025*
- *Pell Frischmann Framework Travel Plan document (109390-PEF-ZZ-XX-T.RP-H-000009 Rev. S2\_P3) – dated 21/05/2025*

*The LHA advise that the Leicestershire Highway Design Guide (LHDG), available at <https://www.leicestershirehighwaydesignguide.uk/>, has recently been updated and references may therefore differ from previous observations but the content remains the same.*

#### *Site Access and Off-Site Implications*

*The proposed development now seeks to provide a single vehicular point of access fronting Lutterworth Road, a classified C-Road subject to a 7.5t weight restriction and a 40mph speed limit at the site frontage imposed by Traffic Regulation Order (TRO). The LHA note that the speed limit reduces to 30mph circa 90m north of the existing site access where a priority give-way with speed cushion is located.*

*Previous proposals included a second vehicular access point fronting Winchester Road on the site's eastern boundary but this has since been removed.*

*For a development of 200 dwellings from a single point of access, the LHA would expect the access to be designed in accordance with its 'Major Residential Access Road' specification contained within Table 3 of the LHDG with a 6.75m carriageway width.*

*The LHA have reviewed Drawing 109390-PEF-ZZ-XX-DR-TP-00004 Rev. P02 shows an access width of 6.75m, suitable in accordance with LHDG Table 3 for a development of up to 400 dwellings served from a single access. The LHA are satisfied that the junction corner radii are in accordance with the LHDG.*

*The LHA have also reviewed Drawing 109390 PEF ZZ XX DR TP 00002 Rev. P03 which demonstrates swept-path analysis of an 11.2m refuse vehicle negotiating the access for all movements can be undertaken by at a speed of 15kph, without overrunning the kerbs.*

*The LHA are satisfied that an appropriate stagger distance is provided to the Rugby club access on the opposing side of Lutterworth Road.*

*As part of any application, the Applicant will need to demonstrate a safe and suitable access to the site can be achieved. Vehicular visibility at the site accesses will need to be in line with Table 6 of the LHDG.*

*An Automated Traffic Count (ATC) was undertaken on Lutterworth Road to collect vehicle speeds and traffic flows at the site frontage in January 2024. The survey which was permitted, recorded 85th percentile speeds of 33.2mph northbound and 33.8mph southbound. In accordance with Table 6 of the LHDG, vehicular visibility splays of 2.4 x 54.0m are required in either direction.*

*Drawing 109390-PEF-ZZ-XX-DR-TP-00004 Rev. P02 demonstrates that the required visibility splays are achievable.*

*The site access seeks to provide a 2.0m footway on the southern side of the access and a 3.0m shared footway/cycleway on the northern side of the access. A pedestrian dropped crossing with tactile paving is proposed across the site access. To accord with the LHDG's Major Residential Access Road standards, a 2.0m footway should be provided on either side of the access as well as a 3.0m two-way cycle way on at least one side.*

*The LHA note that there is existing cycle provision along Lutterworth Road and the LHA welcomes the Applicant connecting into this provision. A 3.0m off-road footway/cycleway has been proposed along the site frontage and connecting to the opposing side of the carriageway alongside a zebra crossing.*

*The LHA advise that National Cycle Route 6 runs along Winchester Road on the eastern boundary of the site. The LHA note that Section 4.2.1 of the submitted Transport Assessment states that 'Cyclists can also access the existing cycle infrastructure off Winchester Road via the short footpath link (short section c20m to dismount)'. The LHA would strongly encourage the Applicant to provide a cycle corridor throughout the whole development utilising the LHA's augmented standards with pedestrian and cycle connection to Winchester Road provided to development a cohesive network capable of supporting a modal shift.*

*Drawing 109390-PEF-ZZ-XX-DR-TP-00004 Rev. P02 demonstrates a cycle parallel crossing alongside a zebra crossing at the location of the existing speed limit change from 30mph to 40mph. A revised priority/giveway buildout*

*arrangement is then located south of the proposed crossing and north of the proposed site access.*

*It is unclear from the drawing whether the proposals seek to reposition the speed limit change and the LHA note the leader which states 'potential to extend existing 30mph speed limit'.*

*The proposed location for the crossing and new narrowing between two junctions does not appear appropriate and are too close to one another which raises several safety concerns including Northbound vehicles may speed up to get past the chicane before southbound vehicles waiting for crossing pedestrians/cyclists proceed to the chicane and that the change in speed limit signing could become lost/obscured by the required signing for the chicane.*

*Drawing 109390 PEF ZZ XX DR TP 00005 Rev. P01 shows that a northbound articulated lorry waiting at the zebra crossing would be overhanging the centreline of the Rugby club access and a southbound vehicle would have to wait for the northbound articulated vehicle to clear the crossing before being able to proceed which would not be acceptable to the LHA.*

*The LHA has previously welcomed the proposals and noted that the formal crossing should be located well inside the 30mph speed limit. Regarding the crossing type, the LHA advise that the crossing proposals are required to accord with LTN Chapter 10 Table 10-2 Crossing Suitability as per Figure 21 of the LHDG.*

*The LHA have conducted a detailed review of the highway and note that the proposed location of the crossing is the only suitable location based upon desire lines and geometry of the adopted highway. The LHA therefore consider that the most appropriate option is to relocate the 30mph speed limit.*

*In earlier observations the LHA stated that it understood that it was proposed to extend the 30mph speed limit on Lutterworth Road southwards up to the Blaby Bypass (A426) / Lutterworth Road / Wychwood Road roundabout. The LHA consider this to be the most appropriate location to relocate the 30mph speed limit to.*

*For the relocated speed limit to be acceptable, vertical traffic calming will be required to enforce the 30mph speed limit. To aid the Applicant in the suitability of vertical traffic calming features, the LHA would advise that there are speed tables located further along Lutterworth Road.*

*A safe and suitable access designed in accordance with the LHDG should be provided and a satisfactory Stage 1 Road Safety Audit (RSA) and Designer's Response will be required to accompany it.*

### Highway Safety

*The LHA have reviewed the submitted Personal Injury Collision (PIC) data contained within the Transport Assessment and accord with the conclusion contained within Section 3.6.75. Notwithstanding this, the LHA requires that a safe*

and suitable access for all users be provided before it is satisfied that the proposed development would not give rise to any highway safety concerns.

### Trip Generation, Distribution and Assignment

The LHA understands that the trip generation accords with the previous assessment in terms of the rate but with a reduction to 200 dwellings (previously 220 dwellings) to accord with the current proposals. The trip generation table is recreated below:

Trip Gen	AM Peak (07:30-08:30)			PM Peak (16:15-17:15)			Daily		
	Arrive	Depart	2-Way	Arrive	Depart	2-Way	Arrive	Depart	2-Way
Dwellings	35	91	126	88	44	132	525	528	1053
Retail	36	32	68	55	58	113	616	618	1234
<b>Total</b>	<b>71</b>	<b>123</b>	<b>194</b>	<b>143</b>	<b>102</b>	<b>245</b>	<b>1141</b>	<b>1146</b>	<b>2287</b>

When factored by local census data for the 'Blaby 008' Middle Super Output Area, the total development could generate a total of 194 two-way single occupancy driver trips in the AM peak 245 in the PM peak period alongside approximately 39 additional two-way walking/cycling trips during the AM peak, 50 two-way trips in the PM peak and 473 two-way walking/cycling trips across the entire day. It is also forecast that there could be 21 two-way public transport trips in the AM peak, 23 in the PM peak and 204 two-way public transport trips over the day.

Section 6.1.2 of the Transport Assessment states that: 'discussions were undertaken with LCC and Leicestershire's NDI team to utilise the Pan-Regional Transport Model (PRTM) to undertake a distribution exercise of the development proposals network flows to understanding the traffic impacts at a local level.'

Section 6.2.1 of the Transport Assessment states that: 'Trip Distribution has been developed based on the (distribution only) outputs from Leicestershire Pan Regional Transport Model (PRTM). Initial PRTM outputs indicated a disproportionate number of northbound trips from the site that then used Heybrook Avenue to access the A426. A manual adjustment has been made based on the existing trip distribution from the existing Golf Course based on a traffic survey undertaken at the existing access, this split the northbound trips to be 70% from the site travel towards the A426/ Lutterworth roundabout and then the A426 north from there, the remaining 30% still use Heybrook Avenue and Grove Lane to travel north on the A426.'

The LHA are satisfied with the above details.

### Traffic Flow Scenarios

To obtain future year background traffic flows, TEMPro growth factors have been applied to a 2025 base year to a 2030 future year. The growth factors, accepted by the LHA, are shown below:

2024 to 2025 – AM: 1.005163 / PM: 1.005163  
 2024 to 2030 – AM: 1.064260 / PM: 1.065532  
 2025 to 2030 – AM: 1.058775 / PM: 1.060102

A 'committed development' is one that has received full or outline planning permission or is allocated in an adopted development plan. The following applications have been considered as committed development with the relevant impacted junctions indicated:

- Land Adjacent To Leicester Road And Foston Road Countesthorpe (23/1071/OUT) - Outline planning application for the development of up to 170 dwellings (Use Class C3) with vehicular access points from Leicester Road and Foston Road and associated highway improvements, with all other matters (relating to appearance, landscaping, scale and layout) reserved – Approved July 2024
  - Welford Road / Hospital Lane mini-roundabout
  - Welford Road / Western Drive / Winchester Road mini-roundabout
- Land East of Willoughby Road, Countesthorpe (24/0001/OUT) - Outline planning application for the development of up to 205 dwellings (access only) with vehicular access point from Willoughby Road, with all other matters (relating to appearance, landscaping, scale and layout) reserved – Awaiting decision
  - Welford Road / Hospital Lane mini-roundabout
  - Welford Road / Western Drive / Winchester Road mini-roundabout

The LHA have reviewed and are satisfied with the committed development and survey scenarios.

#### Junction Capacity Assessments

Capacity assessments have been undertaken at the following junctions:

- Junction 1 – Site Access/Lutterworth Road Junction
- Junction 2 – A426/Leicester Road Roundabout
- Junction 3 – A426/Enderby Road/B582/Winchester Avenue Roundabout
- Junction 4 – Leicester Road/Sycamore Street Roundabout
- Junction 5 – A426/Grove Road Roundabout
- Junction 6 – Welford Road/Hospital Lane Roundabout
- Junction 7 – Welford Road/Winchester Road/Western Drive Roundabout
- Junction 8 – A426/Lutterworth Road/Wychwood Road Roundabout
- Junction 9 – Lutterworth Road/ Heybrook Avenue Junction
- Junction 10 – Lutterworth Road/ Western Drive Junction
- Junction 11 – A426 Lutterworth Road/Countesthorpe Road Staggered Junction

The assessments of priority junctions have been undertaken using the Junctions 9 computer software, which is the 'industry standard' traffic modelling computer software package used for assessing the capacity of priority junctions. A Ratio of Flow to Capacity (RFC) value below 0.85 indicates that a junction operates 'within' capacity. For LINSIG assessments the operation of individual junction arms is expressed in terms of Degree of Saturation (DoS), whilst overall junction performance is expressed as Practical Reserve Capacity (PRC). This is 90%



degree of saturation on any given approach lane (i.e. if any lane exceeds 90% then PRC will become a negative value).

#### Junction 1 – Site Access/Lutterworth Road Junction

The proposed site access junction operates well within capacity in 2030, inclusive of background traffic growth.

#### Junction 2 – A426/Leicester Road Roundabout

The junction is noted to be over capacity on the Leicester Road and A426 Blaby Bypass arms within the 2024 validated scenario. When compared to the 2030 Base scenario, the proposed development would increase the RFC and queues on Leicester Road by 0.03 and 0.02 RFC in the AM and PM peaks and by 8 and 2 vehicles. For the A426 Blaby Bypass, the proposed development would increase the RFC by 0.01 in the AM and PM peaks and the queue by 1 vehicle in the AM peak.

The LHA would consider that the development's impact on the operation of the junction to be minimal and conclude that the impact of the development could not be considered 'severe' in accordance with Paragraph 116 of the National Planning Policy Framework (NPPF) (2024).

The LHA also note that it considers the entry widths to be greater than those inputted which would result in a greater capacity than that shown within the modelling results.

#### Junction 3 – A426/Enderby Road/B582/Winchester Avenue Roundabout

The junction is noted to be over capacity on the A426 Blaby Bypass North and South arms and the Enderby Road arm within the 2024 validated scenario. When compared to the 2030 Base scenario, the proposed development would increase the RFC on the A426 Blaby Bypass North by 0.01 in the PM peak and the queue by 1 vehicle in the AM. The proposed development would increase the RFC on the A426 Blaby Bypass South by 0.02 and 0.01 in the AM and PM peaks respectively and the queue by 6 vehicles in the AM peak. The proposed development would increase the RFC on the Enderby Road arm by 0.04 in the AM and PM peaks and the queue by 1 vehicle in the AM and 4 vehicles in the PM peak.

Again, the LHA would consider that the development's impact on the operation of the junction to be minimal and conclude that the impact of the development could not be considered 'severe' in accordance with Paragraph 116 of the NPPF (2024).

#### Junction 4 – Leicester Road/Sycamore Street Roundabout

The junction operates well within capacity in 2030, inclusive of background traffic growth.

#### Junction 5 – A426/Grove Road Roundabout

*The junction is noted to be at capacity (0.85 RFC) on the Grove Road (East) arm during the AM peak in 2030. The proposed development increases the RFC to 0.87 in the AM peak and increases the queue by 1 vehicle.*

*Again, the LHA would consider that the development's impact on the operation of the junction to be minimal and conclude that the impact of the development could not be considered 'severe' in accordance with Paragraph 116 of the NPPF (2024).*

#### *Junction 6 – Welford Road/Hospital Lane Roundabout*

*The junction is noted to be over capacity on all arms within the 2024 validated scenario. When compared to the 2030 Base scenario, the proposed development would increase the RFC on the Sycamore Street arm by 0.01 in the AM peak and queues by 1 vehicle in the AM peak. The proposed development would increase the RFC on Hospital Lane by 0.01 in the AM and PM peaks and the queues by 1 vehicle in the AM and 4 vehicles in the PM. The proposed development would increase the RFC on Winchester Road by 0.02 and 0.01 in the AM and PM and the queues by 1 in the AM peak.*

*Again, the LHA would consider that the development's impact on the operation of the junction to be minimal and conclude that the impact of the development could not be considered 'severe' in accordance with Paragraph 116 of the NPPF (2024).*

#### *Junction 7 – Welford Road/Winchester Road/Western Drive Roundabout*

*The junction is noted to be over capacity (0.85 RFC) on the Winchester Road (South) arm during the AM peak in 2030. The proposed development increases the RFC to 0.89 and 0.85 in the AM and PM peaks and increases the queue by 1 vehicle in both peaks.*

*Again, the LHA would consider that the development's impact on the operation of the junction to be minimal and conclude that the impact of the development could not be considered 'severe' in accordance with Paragraph 116 of the NPPF (2024).*

#### *Junction 8 – A426/Lutterworth Road/Wychwood Road Roundabout*

*The junction is noted to be over capacity (0.85 RFC) on the Lutterworth Road arm during the PM peak in 2030. The proposed development increases the RFC to 0.91 and 0.98 in the AM and PM peaks and increases the queue by 4 vehicles in both peaks.*

*Again, the LHA would consider that the development's impact on the operation of the junction to be minimal and conclude that the impact of the development could not be considered 'severe' in accordance with Paragraph 116 of the NPPF (2024).*

#### *Junction 9 – Lutterworth Road/ Heybrook Avenue Junction*

*The junction operates well within capacity in 2030, inclusive of background traffic growth.*

### Junction 10 – Lutterworth Road/ Western Drive Junction

The junction is noted to be over capacity (0.85 RFC) on the Lutterworth Road arm during the PM peak in 2030. The proposed development increases the RFC to 0.91 from 0.90 in the PM peak and increases the queue by 1 vehicle.

Previously, the LHA considered that the right turn lane should be reduced to 2.5m and a blocking queue should be entered of 5 PCUs. The LHA welcome that the Applicant has re-ran the modelling with those changes in place.

Again, the LHA would consider that the development's impact on the operation of the junction to be minimal and conclude that the impact of the development could not be considered 'severe' in accordance with Paragraph 116 of the NPPF (2024).

### Junction 11 – A426 Lutterworth Road/Countesthorpe Road Staggered Junction

Previously the LHA advised that the junction appeared to operate well within capacity in 2030, inclusive of background traffic growth however the LHA considered that a blocking queue of 4 PCUs should be entered for Lutterworth Road North and South arms.

The LHA welcome that the model has been re-ran with the above changes made.

The revised junction modelling shows that the junction is noted to be over capacity (0.85 RFC) on the Countesthorpe Road east right and left turn movements in the AM and PM peaks and on the Countesthorpe Road west right and left turn movements in the PM peak in a 2030 scenario.

The proposed development increases the RFC and queue length as per the table below:

Arm	AM Peak						PM Peak					
	2030		2030 + Dev		Change		2030		2030 + Dev		Change	
	Queue	RFC	Queue	RFC	Queue	RFC	Queue	RFC	Queue	RFC	Queue	RFC
Countesthorpe Rd East (LT)	26	1.14	36	1.24	+10	+0.10	13	1.02	16	1.06	+3	+0.04
Countesthorpe Rd East (RT)	3	1.13	3	1.23	-	+0.10	2	1.00	3	1.03	+1	+0.03
Countesthorpe Rd West (LT)	1	0.56	1	0.57	-	+0.01	62	1.33	69	1.50	+7	+0.17
Countesthorpe Rd West (RT)	0	0.04	0	0.04	-	-	0	1.33	1	1.49	+1	+0.16

The LHA consider that the increase in RFC and Queues is notable and the junction is significantly over capacity. The LHA therefore consider that the Applicant should explore mitigation measures to, at least, minimise the development's impact on the junction.

### Internal Layout

*The LHA note that the submitted application seeks outline planning permission with all matters reserved except for access. Therefore, the internal layout is not to be commented on at the outline stage.*

*The LHA would note that should outline planning permission be received, a reserved matters application concerning the internal layout should be submitted.*

*The acceptability of an adopted road layout is subject to a Section 38 agreement in accordance with the Highways Act (1980). For the site to be suitable for adoption, the internal layout and parking must be designed fully in accordance with the LHDG.*

### Transport Sustainability

#### Pedestrian and Cycle

*Beyond the proposals mentioned above, the LHA note that the Applicant previously proposed to make an appropriate contribution towards local cycle improvements schemes as proposed in the Blaby District Local Cycling and Walking Infrastructure Plan. The LHA reaffirms that it welcomes this proposal and is content to leave this with the LPA to discuss and advise accordingly.*

#### Passenger Transport

*The site is within 400 metres of bus stops with frequent services to Leicester, Countesthorpe, and South Wigston. The western edge of the site also falls within the catchment area for a demand responsive transport service, known as 'FoxConnect'. Bus travel is therefore a potential mode of transport for future residents. As discussed in the 'travel plan' sub-section below, the LHA requests that free six-month bus passes be offered to new residents, to encourage uptake in bus travel.*

*The nearest railway station is in Narborough some 2.5 kilometres west of the site, with passenger services to Leicester, Hinckley and Birmingham, and occasional services to Cambridge. Given this distance, the LHA considers it unlikely that a substantial number of future residents would commute by rail, although acknowledges that travel by rail is possible.*

#### Public Rights of Way

*Public Rights of Way (PROWs) footpaths Z56 and Z67 run through the proposed development site. There would be a need for detailed discussion on the treatment of these PROWs, however these details could be secured following any grant of outline planning permission by way of condition.*

#### Travel Plan

*The LHA have reviewed the updated Framework Travel Plan submitted as part of the proposals which seeks to provide a 15% reduction in single occupancy vehicle trips. The LHA welcome this target which is considered to be in accordance with the Good Practice Guidelines: Delivering Travel Plans document that states, 'Targets should be ambitious and should correspond to the best estimate of the maximum number of trips that can be made by non-car modes'.*

*The LHA welcome specific targets relating to the use of walking, cycling and public transport use should be provided to provide specificity and the ability to measure the proposed 'SMART' targets.*

*The LHA would require the provision of two Bus Passes per dwelling plus one per employee to achieve a mode share bus increase. The bus passes would be secured via an S106 Agreement.*

*The LHA would also require a travel/welcome pack to be provided per dwelling. The packs would be secured via an S106 Agreement.*

*The Travel Plan Monitoring Fee required for this site will be the sum of £11,337.50. The Travel Plan will be monitored by LCC officers for the five-year duration of its life”.*

### Sustainability

As noted above in the report, the development is located at the southern end of Blaby, some 1,660m from the town centre, which has a wide range of services and facilities. There is a bus stop located on Winchester Road, almost level with the development site and on Lutterworth Road, the nearest bus stop is located some 600m from the sites entrance. These bus stops run two different services. The submitted Framework Travel Plan notes that Blaby also benefits from an on-demand bus service (FoxConnect) and is located near Enderby Park and Ride.

The nearest train station is Narborough Railway Station, approximately 2.9km west of the site, this provides services to Leicester and Birmingham, it is expected that generally those using this station would use private motor vehicle to access Narborough.

Active Travel England (ATE) has reviewed the revised Transport Assessment and Travel Plan received 14.3.2025 and welcome the removal of the Winchester Road vehicular access.

ATE has no further comments to add to those provided in the previous response dated 22 January 2025 in which it raised no objection to the application subject to conditions /obligations relating to the following;

- Submission of a revised Travel Plan comprising immediate, continuing and long-term measures to promote and prioritise alternatives to private vehicular use, which shall include clear objectives and ambitious modal share targets, together with a time-bound programme of implementation, monitoring, regular review and interventions (in the event of a failure to meet modal share targets).

- Upgrades to bus stop infrastructure to comprise (but not be limited to) the following facilities: shelters; seating; raised kerbs; bus stop markings; flags timetable casings, real time information and footway from the proposed access.
- Upgrades to the PRow to include the requirement for bound surfacing, lighting and an increase width (in the interests of accommodating cyclists) as appropriate.
- Parameter plan detailing the site access points for pedestrians and/or cyclists in accordance with submitted plan.
- Details relating to the Lutterworth Rd crossing / RSA as required by the HA.

BDC Active Travel Officers were consulted on the application and provided the following comments:

*‘The following brief feedback is taken the following policy context in mind:*

*The National Planning Policy Framework which states that “Planning policies and decisions should aim to achieve healthy, inclusive and safe places”, including enabling and supporting healthy lifestyles through the provision of layouts that support walking and cycling. It also acknowledges that opportunities for active travel supports ambitions for environmental sustainability. Additionally, Local Transport Note 1/20 “Cycle Infrastructure Design” (LTN 1/20) provides guidance for local authorities on designing high quality, safe cycle infrastructure.*

*The Leicestershire County Council’s Cycling and Walking Strategy (CaWS) sets out the vision for “Leicestershire to become a county where walking and cycling are safe, accessible and obvious choices for short journeys and a natural part of longer journeys”, while the BDC Active Travel Strategy states that “Our main priorities are to make transportation more accessible, lower carbon emissions, improve air quality, promote Active Travel options like cycling and walking...”*

#### *Trip generation and assignment.*

*ATE has requested the applicant provide a multi-modal breakdown across the whole day. The applicant’s response that they have used the 2011 Census data fails to acknowledge or engage with the initial request in any meaningful way. This methodological ‘Predict and Provide’ paradigm could potentially lead to the over provision of highway capacity and the potential under provision of walking, cycling and public transport infrastructure and services. This would likely mean that the development would not meet the ambition of Blaby District Council and fails to take into that the “DfT and ATE share the common objective of delivering increases in active travel to 50% of all journeys in urban areas.”*

#### *Travel Plan Targets.*

*It should be noted that although “Car share facilities, car clubs, and use of low emission motor vehicles in order to reduce congestion and pollution will be encouraged” this fails to address the need for an increase in other modes of transportation. The Travel Plans requirement for ‘a minimum of 10% reduction in car driver modal share’ is neither ambitious nor in line with targets laid out by the DfT, ATE or Blaby District Council.*

Site active travel infrastructure and improvements.

*There appears to be little if any factual basis for the applicant's assertion that 'There are a limited number of pedestrians associated with the development that would use the bus stop on Winchester Road.' As such ATE's comments and recommendations should still be considered valid.*

Works to the existing Public Right of Way.

*We would welcome any surface upgrades to PRoW (Z56) however the applicant should make efforts to ensure that the route is well lit, signposted and safe for users throughout the day.*

Site Permeability.

*In relation to PRoW Z56 applicant states that "This links to Snow Avenue and so there is pedestrian connectivity to access bus stops on Southway" but has made no attempt at a qualitative analysis. There is also no consideration given to routes both with the site boundary and potential car-free access through boundary to the South should there be future development. We would request that a qualitative analysis is made of the existing routes, and potential upgrades taken into account.*

Spine Road.

*No further comment.*

Placemaking.

*It is specious to state that "It is disproportionate to require a Design Code for a site of this scale." The site is of significant size and would have a major impact on the surrounding area as well as the residents of the development itself. It should be considered neither disproportionate nor unreasonable to expect a development of this size to accept the advice of ATE to take measure to comply with "the guidance in LTN 1/20 on Cycle Infrastructure Design, Inclusive Mobility, and the National Model Design Code."*

Lutterworth Road.

*No further comment'.*

The Agent provided comments to the BDC Active Travel Officer to confirm that 'our transport consultant has confirmed that although not all documents have specifically been referenced, the Blaby Active Travel Strategy and LCWIP have been reviewed as part of the preparation of the Travel Plan, and where necessary specifically incorporated into the Travel Plan. The Blaby LCWIP is referenced in Section 4.4, whilst the aims of the BDC Active Travel Strategy are addressed more holistically throughout Sections 4 through 7 inclusive of the TP. BDC Active Travel Officer, had no further comments to make.

In regard to the sustainability of the development the applicants have not fully considered sufficiently cycling routes and the linking of the site to the existing network within the submitted plans as noted by the highway authority who seek 3.0m two-way cycleways alongside 2.0 footways (on either side).

The LHA state that they would encourage a cycle corridor through the whole development, this is a matter that could be dealt with at the reserved matters stage, subject to the access at either end of the site meeting the requirements of the LHA and subject to provision of suitable plans demonstrating that the modal shift can be achieved.

The applicants at this stage have also not provided any suggested contributions towards the local cycling improvement scheme, this however is matter that could be dealt with through a legal agreement.

The Agent has submitted further information to overcome the concerns of the Active Travel officers and the LHA has been consulted. At the time of writing the report, officers have not received LHA comments, however, these will be presented as a late representation.

### **Flood risk and drainage**

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

The application site is located entirely within Flood Zone 1, being at a low risk of flooding from rivers, and is at a very low risk of surface water flooding. Nevertheless, due to the size of the application size which exceeds a hectare, a Flood Risk Assessment has been submitted. The site has areas of high risk from surface water flooding within the development area and the application site has been altered to remove the vehicular access from the Winchester Road (east) side of the site, where an area of high surface water is identified on the Environment Agency's amended flood risk map.

The proposals seek to discharge surface water from the site at 11.9 l/s from the eastern catchment and 15.4 l/s from the western catchment via two attenuation basins to be located at low points within the site, with the eastern and western catchments of the site discharging to the respective basin.

NPPF Paragraph 175 states that a sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the



site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).

The proposed layout shows that the majority of the built development is directed away from the area at high risk of surface water flooding however the access road previously proposed would have passed through an area of surface water flood risk. The plans were subsequently amended to remove this access. There are areas of low (1000 year/0.1%,) medium (100 year/1.0%) and high (30 year/3.3%) surface water flood risk across development site.

Consequently, a Sequential Test was provided which assessed the flood risk of other similar reasonably available sites to establish whether there were any sequentially preferable sites at a lower risk of flooding which could accommodate the development. The scope of the sequential test considered sites of 10 hectares in size and no greater than 25.78 hectares. The sequential test considered 14 sites (13 from the SHELAA and one from the Council's public access system). Out of the sites, all experience some risk of flooding from pluvial sources, with 6 experiencing greater risk of flooding, so the applicants discounted these from the test. The third stage of the assessment then considered the extent of the surface water flooding then the sustainability of the sites was considered.

Sites currently being marketed on Rightmove and local estate agent websites were also assessed. The assessment concluded that although a number of potential sites were identified, all of these were considered unsuitable for a number of reasons including the need to be overcome to demonstrate developability and deliverability; the alternative sites are not reasonably available given landowner issues or planning history; and the alternative sites lack the requisite spatial and temporal relationship needed to deliver the proposed development. One site was discounted (NAR016) where it was noted as being constrained by built form to the north, green wedge/floodplains to the east and south and a strong defensible boundary and area of separation to the west.

Following this review, Officers are satisfied that no preferably sequential sites at lower risk from surface water flooding are available. It is noted though that the applicants have failed to recognise the policy constraints relating to their application site as regards to the Green Wedge, the loss of the golf course and employment use.

The Lead Local Flood Authority (LLFA) advises that the proposals are acceptable subject to the inclusion of conditions. In their response they state that

*'...the 16ha brownfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a low to medium risk of surface water flooding.*

*The site has been identified to have two sub-catchments (9.6ha and 6.1ha in area) falling in opposite directions from a central high point. The proposals seek to discharge at 15.4 l/s and 11.9 l/s respectively via two attenuation basins to separate watercourses. The western catchment discharges to an open watercourse and the eastern catchment discharges to a culverted watercourse.*

*The culverted watercourse subsequently runs southwards through the existing golf course and feeds the amenity ponds on the course. The applicant has also provided a plan showing the existing and proposed catchment areas, therefore demonstrating no catchment transfer is proposed.*

*Subsequent to the previous LLFA response the applicant has submitted new and amended material not pertinent to flood risk and surface water drainage. As such, the LLFA response remains the same, as below;*

*The section of Sustainable Drainage Systems (SuDS) in the drainage strategy is not considered inclusive of all SuDS technologies. For a development of this scale the LLFA would expect some source control SuDS included to supplement the attenuation basins. This could take the form of permeable paving, swales etc. The application should consider the CIRIA SuDS Manual for all design options and provide details of this in any application for reserved matters approval to fix the layout.*

*The catchment to the west includes a basin which proposes to hold water above existing ground levels which raises concerns with risk to surrounding development in the case of earthworks failure at this location. It is noted that the east catchment basin is also partially bunded above existing ground levels. Every effort must be made to lower any storage required in this area and to mitigate against earthworks failure”*

Regarding foul water drainage, the Flood Risk Assessment states that foul water will discharge from the east to the foul drain on Winchester Road and foul drainage from the west will drainage to the foul sewer in Lutterworth Road.

Severn Trent provided the following comments on the application

*‘Foul from the western parcel of the development is proposed to connect into the public foul water sewer in Lutterworth Road, foul from the eastern parcel of the development is proposed to connect into the public foul water sewer in Winchester Road, both of which will be subject to a formal section 106 sewer connection approval. Due to the size of this development a sewer modelling study may be required to determine the impact this development will have on the existing system and if flows can be accommodated. Severn Trent may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to allow these works to be completed before any additional flows are connected.*

*Surface water from both the western and eastern parcels of the development is proposed to discharge into watercourse’s, which we have no comment. Please note that it is advised to discuss surface water proposals with the Lead Local Flood Authority for their requirements or recommendations regarding acceptable disposal methods or flow rates.*

*For the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991’.*

A number of objections to the planning application from local residents raise issues and concerns regarding flood risk, in particular referencing recent flood events where roads were cut off by flood water and that there are issues with foul drainage. However, the statutory consultees and technical experts advise that it has been demonstrated that the flood risks to the development can be managed, without increasing flood risk elsewhere, and will not result in an increase in flood risk off-site. As such, the development is considered to comply with CS22 in this regard.

### **Residential Amenities**

Policy DM2 seeks to ensure that development consistent with Policy CS18 provides a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by existing and nearby residents, including but not limited to, considerations of, privacy, light, noise, disturbance and an overbearing effect and considerations including vibration, emissions, hours of working and vehicular activity. Given the application seeks outline planning permission with all other matters except access reserved, it is not possible to fully determine the degree of impact upon the amenities of existing residents or future occupiers of the development without final details of layout, scale and appearance which will be fully assessed at the detailed Reserved Matters stage.

The proposed development is located adjacent to the settlement boundary of Blaby, and so would be located in reasonably close proximity to some existing residential properties, in particular those on the Barrowcliff Way Estate, which the indicative plans show would be separated by retained hedgerow within the development site and exiting vegetation on the southern boundary of the estate to the north. The illustrative plan shows that the suitable orientation and separation distances of dwellings is achievable within the development to ensure the protection of the amenities of future occupiers of the site.

The application reference 23/0968/OUT has been resolved to be approved to the north of part of the current application site. This is an outline application and the layout of the site has yet to be determined. Therefore it is not apparent as to how these sites will impact each other but it is expected that a suitable layout could be achieved.

It is acknowledged that there is likely to be an impact on nearby residents arising from additional vehicular activity as a result of traffic movements from vehicles leaving the development. However, the presence of a property opposite a junction is not unusual. However, it is not considered that the projected increase in traffic created by the development would have an unacceptably adverse effect in terms of noise and vibration.

The application is therefore considered to comply with Policy DM2 of the Local Plan.

### **Developer contributions and infrastructure/ facilities**

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).

#### Education provision

Regarding primary education, this development will yield 60 primary aged children. Schools within the 2-mile catchment of the development have a net capacity of 2,779 and there will be a surplus of 110 places if this development goes ahead. A contribution in respect of primary education will not be required for this sector.

Regarding secondary education, this development will yield 34 secondary aged children. Schools within the 3-mile catchment of the development have a net capacity of 3,600 and there will be a surplus of 508 places if this development goes ahead.

Regarding Post 16 Education A contribution in respect of post 16 education will not be required for this sector. This development will yield 7 children aged 16+. Schools within the 3-mile catchment of the development have a net capacity of 1650 and there will be a total campus surplus of 262 places if this development goes ahead.

Regarding SEND education, this development will yield 2 SEND children. Wigston Birkett House special school has a net capacity of 236 and there will be a deficit of 29 places if this development goes ahead. When taking into consideration the other SEND schools within a two-mile walking distance from the development there is an overall deficit of 20 places. Therefore, a full request for contributions towards SEND of **£112,896.86** is justified.

Regarding early years, the development will yield 17 early years children and there are no surplus places within a one mile radius of the site. Therefore, a full request for contributions towards early years education of **£312,052.00** is justified. This contribution would be used to accommodate the early learning capacity issues created by the proposed development at Blaby Stokes Church of England Primary School, a new school being built or, by improving, remodelling, or enhancing existing facilities at other schools or other early learning provision within the locality of the development.

The original consultation response from the Planning Obligations Team stated that there was a 'land requirement' however it has subsequently been confirmed that this is not necessary.

#### Libraries

The nearest library to the development is Blaby library and it is considered that the development will create additional pressures on the availability of facilities at that library and others nearby. A contribution of **£6,039.54** is sought to provide improvements to the library and its facilities.

#### Waste contribution

A contribution of **£4,774.00** is sought to be used for site reconfiguration, including the development of waste infrastructure to increase the capacity of the Whetstone Household Waste and Recycling Centre (HWRC), or any other HWRC directly impacted by the development.

The new Planning Obligations and Developer Contributions SPD 2024 makes provision for developments of over 200 dwellings to provide contributions for suitable facilities for recycling and waste collection, for example wheelie bins. It states that to cover the cost of bins for recycling and refuse £49.00 per household will be sought on all major schemes. This amounts to **£9,800** for the 200-dwelling development.

### Health Care

The Leicester, Leicestershire and Rutland Integrated Care Board (ICB) requests a contribution of **£154,880.00** for GP surgeries to help mitigate/ support the needs arising from an increase in population. The ICB requests that the funding is allocated for use either at any named GP Surgery or to develop alternative primary/ community healthcare infrastructure that will be directly impacted by the development.

### Police

Leicestershire Police requests a contribution of **£38,259.16** to mitigate the additional impacts of this development because the Force's existing infrastructure will not have the capacity to meet the new demand generated by the development. The Force indicate that the funding will be used for:

1. Start Up Personal Equipment for Police Officers, PCSO's, Specials, Staff
2. Infrastructure and Estate Support
3. Police Vehicles
4. Identification Technology
5. Crime Reduction Initiatives

The applicants have queried the CIL compliance of the request for financial contributions from Leicestershire Police and the Council are still considering the request through engagement with Leicestershire Police.

Of the five areas where contributions are sought, we consider 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 Section 106 agreements.

Officers at Blaby District Council have informed Leicestershire Police of the above and requested that future requests are limited to these two areas unless Leicestershire Police are able to demonstrate otherwise to the satisfaction of officers. As such, subject to a satisfactory s106 agreement, the development complies with policies CS11 and CS12 of the Local Plan.

## Open Space, sport and recreation

Policy CS14 seeks to ensure that the District's natural environment, wildlife, habitats, landscape and geology are considered and protected through good design practices, seeking to protect existing green spaces and provide new good quality, multi-functioning green networks and corridors. Updated Policy CS15 states that the Council will seek to ensure that all residents have access to sufficient, high quality, accessible open space, and sport and recreation facilities, access to the Countryside and links to the to the existing footpath, bridleway, and cycleway network.

Contributions for open space provision or improvements within the parish will be sought in line with the provisions of Policy CS15 and the Blaby District Council Planning Obligations and Developer Contributions Supplementary Planning Guidance, February 2024.

Updated Policy CS15 standards for the provision of open space, sport and recreation per 1000 population in the District, and these standards will be used to ensure that development proposals provide sufficient accessible open space, sports and recreation, taking into account any local deficiencies. It states that new on-site provision or, where appropriate, financial contributions to improve the quality of, or access to existing open space, sport and recreation facilities, will be expected and commuted maintenance sums will be sought.

The Council's Planning Obligations and Developer Contributions Supplementary Planning Document includes guidance to support the Local Plan in relation to open space, sport and recreation requirements for developer contributions. Its states that open space and play facilities should normally be provided within the development but recognises that open spaces of less than 2200 square metres in size are of limited recreational value, are expensive to manage and maintain, often lead to conflict with neighbours and therefore have little overall community benefit.

### On-site open space provision

Based on the requirements of updated Policy CS15, the following amounts of public open space required to serve the development have been calculated. The calculations assume a household size of 2.4 persons per dwelling (meaning the development of 200 dwellings would have a total population of 480 people). 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.

The Planning Statement and Illustrative Masterplan indicate that a total of 10.0 hectares of open space will be provided on site, predominantly along the southeast and along the boundaries of the site. The on-site open space comprises the play areas, orchard, sports pitch and other open space.

Type of open space	Amount per 1000 population in ha (Delivery DPD figures)	Amount for development in ha (480 population)	Actual Provision in ha
Parks and Recreation	0.23	0.1104	Total on site provision provides for play areas, formal and informal open space and areas
Natural Greenspace	2.6	1.248	
Informal Open space	1.0	0.48	

Children and Young People's Open space	0.06	0.0288	for biodiversity net gain. Also includes SuDS features.
Allotments and community gardens	0.25	0.12	
Cemeteries and churchyards	0.21	0.1008	
Outdoor sport space			Open Space Audit gives guidance on where there are quantity and quality deficiencies
Villages and community halls	1 village or community hall per 2200 people.	N/A	
<b>TOTAL</b>		<b>2.3472</b>	<b>10.0</b>

The overall amount of open space proposed exceeds the requirement of 2.3472 hectares for those open space typologies being provided for on site. The areas of natural green space will include SuDS features which may not necessarily be fully usable to the public but will still form an open space on the site which can be appreciated by residents. The open space will also include areas which may require specific maintenance or limited public access for Biodiversity Net Gain (BNG) purposes. The specific habitats to be provided are shown in the Proposed Habitats Plan in the Biodiversity Net Gain Assessment report. Nevertheless, the ample provision of open space on site would help to provide a high-quality development and create a pleasant environment for future residents.

Although the proposed masterplan is illustrative only and the site layout would be agreed as part of future reserved matters applications, appropriately worded planning conditions would ensure that an appropriate amount of open space is provided on-site.

#### Off-site open space contributions

The on-site open space does not include proposals for the provision of outdoor sports space, allotment/ community gardens, or cemeteries/ churchyards. As such, it is considered appropriate that contributions could be provided to enable for new or improved off-site open space of these types, subject to there being an identified need. The financial contributions could be secured through a Section 106 agreement.

#### *Sports provision*

The Updated Policy CS15 in the Delivery DPD refers to the Open Space Audit for guidance on quantity and quality requirements. The Open Space Audit was produced in 2015 for the Council and was the evidence that informed the Updated Policy CS15. In relation to outdoor sports provision, the audit provides detailed evidence in relation to various sports and playing pitch types. However, the accompanying text to Policy CS15 states that the quantity and type of provision will be assessed on a site-by-site basis, taking into account the scale and location of development, the Open Space Audit data, and other relevant Council strategies and policies.

The Council's Health and Leisure team has therefore used Sport England's Playing Pitch Calculator and the Council's Playing Pitch Strategy which are more up to date evidence to identify the additional demand for sports facilities as a result of the

development. A contribution of **£260,234** is sought and it is recommended that this is used for the development of artificial grass pitches 3G pitch provision, refurbishment and replacement of changing rooms at Oakfield Park and improvements to the wickets at Northfield Park to reduce overplay onsite. These figures were altered during the course of the application to reflect the playing pitch depicted on the Illustrative Masterplan.

### *Allotments*

Updated Policy CS15 of the Delivery DPD sets a standard of 0.25 hectares per 1000 people for allotments, meaning the development would result in a requirement for 0.12 hectares of additional allotment space. The Open Space Audit 2015 identifies that the existing standard for allotments in Blaby is 0.31ha per 1,000 people, in excess of the policy requirement. However, given these figures are at least 9 years old and the population of Blaby is likely to have increased and will increase further as a result of the development, a contribution for allotments could be reasonable. In addition, the allotment site adjacent to the development site, has a resolution for approval due to this site being a reserved site in the Blaby Neighbourhood Plan.

### *Cemeteries*

Updated Policy CS15 of the Delivery DPD sets a standard of 0.21 hectares per 1000 people for cemeteries, meaning the development would result in a requirement for 0.1008 hectares of additional cemetery space. The Open Space Audit 2015 identifies that the existing standard for cemeteries in Blaby is 2.71 ha per 1,000 people, in excess of the policy requirement. However, given these figures are at least 9 years old and the population of Blaby is likely to have increased and will increase further as a result of the development, a contribution for cemeteries could be reasonable. Further discussion with the parish council is required and so a contribution could be sought (subject to a need being demonstrated). Any further comments will be reported as a late representation.

Any financial contribution must be assessed against the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). The three tests (necessary, directly related and fairly and reasonably related in scale and kind) are considered met in this regard.

### **Archaeology and historic environment**

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

An Archaeological Desk Based Assessment was submitted with the application, which focuses on archaeological heritage asset. The executive summary notes that

*'No designated archaeological assets are located within the site and none outside of the site are assessed to be sensitive to future development of the site. There*



*are no non-designated heritage assets recorded within the site boundary by the Historic Environment Record. A Bronze Age pit/disturbed burial, two Iron Age roundhouses, and an undated four post structure, were excavated c.150m to the north-west of the site.*

*Though the construction of the golf course is likely to have caused some level of truncation of any potential archaeological remains on site, the western area of the site is still considered to contain an enhanced potential for further mid to late Prehistoric remains. Any such remains are anticipated to be no more than local importance. The potential for significant remains of all other periods is negligible/low.*

*There are no archaeology constraints that would prevent the future allocation of the site for development.*

*The use of the site as a golf course will limit the ability to undertake pre-determination works in support of a future planning application. Given the relatively limited potential for significant remains, it is recommended that the heritage interest in the site could be safe guarded by a condition attached to any future planning permission'.*

One of the representation comments noted that the maps provided in the Archaeological Desk-based Assessment flip the overhead images the wrong way round and questions the report. The report has been considered alongside other documents correctly depicting the red lined boundary and therefore the report is considered to be acceptable, this has been confirmed with LCC Archaeology.

LCC Archaeology provided the following comments on the application

*'Consideration of the submitted desk-based Assessment (DBA) and the Leicestershire and Rutland Historic Environment Record (HER) indicates that the application site lies in an area of archaeological interest. The site lies adjacent to Lutterworth Road, which is thought to follow the course of a Roman road connecting Leicester and the Roman small town of Tripontium (HER ref: MLE1902).*

*Archaeological investigation on the opposite side of Lutterworth Road identified several features including a possible Bronze Age burial, two Iron Age roundhouses and a possible four-post structure.*

*As noted within the DBA, the construction of the golf course is likely to have caused some level of disturbance to any archaeological buried remains present, however there may be areas where the disturbance is limited. There is therefore a potential for buried archaeological remains within the application area, which may be impacted by the development proposals. Given the degree of disturbance within the application area, combined with the difficulties involved in undertaking pre-determination trial trenching across an active golf course, we are of the opinion that the archaeological potential of the site could be managed by way of a conditioned approach'.*

A Built Heritage Statement was submitted with the application, which notes that

*'there are no designated or non-designated built heritage assets located within the site. This assessment has identified fourteen Listed Buildings, the Blaby Conservation Area and ten non-designated built heritage assets located within a 1km search radius surrounding the site.*

*The report has established that of these heritage assets, the proposed development has the potential to affect the significance of Willow Farm, Winchester Road (non-designated built heritage asset) located immediately to the south of the site, through changes within its setting. The significance of the remaining designated and non-designated built heritage assets is not considered sensitive to the development of the site.*

*The Statement has established that the site forms a neutral element within the setting of Willow Farm, whereby it makes no contribution to its significance. The design of the proposed development will leave public open space and landscaped areas between Willow Farm and the developed areas of the site'.*

BDC Principal Planning and Conservation Officer provided the following comments on the application

*'... the proposal would lie to the north of the setting of two non-designated heritage assets accessed off Winchester Road (Willow Farm and Glebe Farm). Whilst the site would be close to these NDHAs, the masterplan indicates a substantial verdant buffer between the built limits of the development and the boundaries with the aforementioned farms. This would be to such an extent that I feel that it would be difficult to argue that there would be harm to their setting in this context.*

*In addition, the closest listed buildings are situated at The Drive in Countesthorpe and are located much further away, over 700m to the south of the nearest dwelling shown on the masterplan. Similarly, Blaby Hall, its listed wall and associated buildings together with the listed church on Church Street are located over 1km to the north of the application site, as is the listed St Peters Church in Whetstone.*

*I do not believe that the application site and the grounds of the listed buildings at The Drive or at Blaby Hall, All Saints Church and St Peters Church bear any relevance to each other courtesy of any historical associations, and the use of the application site as a golf course has long removed any functional agricultural association that may have once existed between these listed buildings. As such, it would be difficult to argue in this regard that the application site makes any meaningful contribution to the significance of the setting of the listed buildings at The Drive in Countesthorpe and at Blaby Hall and All Saints Church in Blaby, and St Peters Church in Whetstone.*

*In addition, given the intervening distances and physical features that exist between the site and these heritage assets, I would struggle to robustly argue that there would be harm caused to their setting.*

*The amended plans that have been provided do not change this position in any way, and as such, I do not hold an objection to the proposed development on heritage grounds’.*

The application is therefore considered to comply with Policy CS20 of the Core Strategy and Policy DM12 of the Delivery DPD and relevant paragraphs of the NPPF subject to the imposition of conditions.

## **Environmental Implications**

### **Noise**

A Noise Screening Technical Report was submitted during the course of the application and following advice from BDC Environmental Service Officers, the report considers various potential noise impacts from existing sources in the vicinity of the proposed development site. In addition, potential impacts from noise sources associated with the proposed development at existing and proposed receptors, have also been considered.

The Noise Screening Report concludes that road traffic noise is likely to be audible from the development site and it may generate additional traffic on the local road network resulting in an increase in road traffic noise (that would not be significant). The nearby industrial units were considered, and it was not indicated that the noises were to be significant but should be confirmed at the detailed design stage. The report also provided recommendations regarding fixed plant and noise limits on the proposed development.

A Noise Screening Assessment was submitted and reviewed, and Environmental Services provided the following comments

*‘The Report is acceptable as a screening report and provides a basis for a more detailed acoustic assessment, which should be submitted at the Reserved Matters stage, should planning permission be granted’.*

Following submission of the revised masterplan, Environmental Service Officers provided the following comments

*‘The applicant has clarified that the revision of the Masterplan does not affect the principles and recommendations in the submitted Screening Report. This is acceptable, provided that the further assessment at the detailed design stage includes the proposed sports pitch and associated facilities. My recommended condition remains relevant’.*

It is therefore considered that subject to the imposition of suitably worded conditions the development could be considered acceptable in regard to noise levels.

## Light

The site is located close to Leicester Lions Rugby Football Club which has the potential to cause light overspill into the site. No Lighting Assessment Report has been submitted with the application, nevertheless, a lighting plan for the site would be required as part of any reserved matters application, to ensure the lighting design within the site would not impact neighbouring or future occupants amenity and in addition would need to consider suitable lighting levels so not to adversely impact bats and birds.

## Contamination

The submitted Phase I Desktop Study (PJS Geotechnical Engineers, ref: PJS24-0002-DOC-0001, January 2024) includes an assessment of previous site usages and potential contaminants, allowing for the development of a conceptual site model with relevant sources, pathways, and receptors. The preliminary risk assessment has concluded a 'Low / Moderate' risk to human health associated with the site and recommends commission of a Phase II Site Intrusive Investigation.

Following the revision of the proposed masterplan BDC Environmental Services Officers were re-consulted and noted the following

*'The applicant has clarified that the revised Masterplan for the proposed development does not affect the validity of the submitted Phase I Desktop Study. Therefore, only a proposed methodology for the Phase II Site Investigation is needed prior to Determination'.*

The Council's Environmental Services team recommends that further investigations are carried out prior to development and advises that a Phase 2 Report is submitted along with a Method Statement for remediation and that the approved remediation works are completed to the satisfaction of the District Planning Authority.

## Air Quality

The Council's Environmental Services team were consulted on the application regarding air quality. The Environmental Services Officer's commented that

*'a Traffic Impact Assessment has been submitted with this application and that Chapter 5 of the document considers Trip Generation associated with the proposed scheme. The predicted trip rates noted in Table 6 fall below the thresholds in the relevant IAQM/EPUK guidance for requiring an air quality assessment'.*

The development is therefore considered to provide sufficient information regarding air quality.

## Construction Impacts

The Council's Environmental Services team advises that a suitable Construction Environmental Management Plan (CEMP) will need to be submitted for consideration and approval. The CEMP should consider controls for noise, vibration, temporary lighting, dust and other airborne emissions and must be prepared by a competent person and refer to appropriate standards.

As such, subject to conditions, the proposal would comply with Policy DM2 and DM13 of the Delivery DPD and relevant paragraphs of the NPPF subject to the imposition of conditions.

## **Ecology and Biodiversity**

### Ecology appraisal

An Ecological Appraisal has been submitted with the application, along with the following additional surveys:

- bat report
- great crested newt report
- reptile report
- breeding bird report

The Ecological Appraisal notes that there are no internationally designated sites of importance for nature conservation within 10km of the proposed development site. Narborough Bog which is the closest SSSI is just under 2km away and states that given the nature of the development direct impacts are unlikely. The report notes that twenty-two locally designated sites of nature conservation and Local Wildlife Sites (LWS), are located within 1km of the site, all of which are either, 'Candidate', 'Potential' or 'Historic'. Two of these are located on-site (Winchester Road Hedge 2 and Blaby Golf Course Ponds). The appraisal provides mitigation measures for preventing risk of damage to the LWS during construction and from future residents. Biodiversity enhancements were also included in the Ecological Appraisal.

The Bat Report carried out further surveys and considered the potential impacts of the development noting *'Under current proposals, most of the internal hedgerows, lines of trees, and the boundary features are to be retained. The retention of these features as green corridors and landscape buffers will allow bats to enter the development area and continue to utilise the area for foraging and commuting. However, this is dependent on minimising disturbance to these areas'*. It noted that green infrastructure should seek to provide habitats of greater value to bats and that up to 100 bat boxes be included in the development.

The Great Crested Newt Survey noted that *'although the Site provides suitable aquatic and terrestrial habitat to support GCN, surveys confirmed the absence of this species from all on-site and off-site waterbodies'*.

The Reptile Report noted the following *‘Survey results confirm the presence of a low population of grass snake within the site, with a peak count of one adult. A maximum of three juveniles were also recorded on one survey occasion’*. The report noted that proposals will result in the loss of suitable habitat for reptiles, in the form of the grassland and scrub and removal of brash piles and grass clippings to facilitate development and provided recommendations for compensation and enhancement.

The Breeding Bird Report noted that *‘The survey identified 37 species of which 30 utilised on-site habitats including 12 that are considered ‘notable’*. Eight species were confirmed as breeding on the site, nine were considered probable breeders, and the remaining 13 species were considered possible or non-breeders only. The habitat loss was expected to incur minor adverse effect at local level for woodland breeding birds and species associated with the majority of the ponds could have impacts of negligible and minor adverse. Again, mitigation and enhancement measures were provided within the body of the report.

The Leicestershire County Council ecologist has no objection to the proposed development subject to the imposition of conditions regarding submission of RAMMS (reasonable avoidance measures) for badgers, and submission of a Reptile Mitigation Strategy prior to the commencement of works.

In conclusion, the applicant has carried out a number of surveys to demonstrate that the development would not harm protected species, all of which have been considered by LCC Ecology who raised no objection to the development, it is therefore considered that the development would comply with Policy CS19 of the Core Strategy and the relevant paragraphs of the NPPF.

### Biodiversity Net Gain

Mandatory 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 BNG Assessment has been submitted which indicates that the mandatory 10% BNG can be achieved on the site. The submitted metric (not amended following the amendments to the Illustrative Masterplan) show that the site is capable of providing an on-site net gain of 12.95% in habitat units and 29.98% in hedgerow units. LCC Ecology were consulted on the amended layout and did not provide further comments. The BNG habitat plan and metric are considered acceptable.

To establish the habitat baseline, broad habitat areas have been identified based on the survey work undertaken at the site. The post-development habitat creation and enhancement is based on the Illustrative Masterplan.

Comments were provided in regard to BNG from LCC Ecology at the initial consultation, where they provided the following consultation response:

*‘The landscape plan uploaded to the planning portal doesn't include detail on habitat types, other than the community orchard, or include planting plants/schedules at present. Post-development plan evaluated in the BNG Report*

*is based on Drawing No. 07657-FPCR-XXXX-DR-L-0002 which is not present on the planning portal, however details of this plan are detailed within the BNG Report, along with target conditions. The proposed landscape scheme indicates net gain is achievable for habitats (+12.95%) and hedgerows (+29.98%).*

*It is recommended that a 30-year Landscape Ecology Management Plan (LEMP) of Habitat Management and Monitoring Plan (HMMP) is submitted to and approved in writing by the LPA alongside a Biodiversity Plan to demonstrate that this BNG outcome is achievable with this landscape scheme. The document should include detailed descriptions, aims and objectives of the habitats proposed on Site, management to achieve conditions stated in the BNG calculation, prescriptions for management actions, work schedule, planting lists and monitoring scheme'.*

Based on the BNG calculations and habitat plans submitted, it is considered that the development could achieve 10% Biodiversity Net Gain on-site, subject to planning conditions and the applicant entering into a legal agreement for the 'significant gains' and monitoring of BNG.

### **Arboricultural Implications**

Policy CS14 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 bio-diversity, wildlife habitats and corridors through the design of new developments. Opportunities to incorporate key landscape features such as woodlands, ponds, rivers and streams and the local topography should be used to create high quality design incorporating a wide range of high quality, functional and useful open spaces and links. It is important that the subsequent maintenance of green infrastructure is considered at the earliest opportunity and that the bodies and resources responsible for its long-term management and maintenance liabilities are identified.

An arboricultural Assessment has been submitted which considers the arboricultural impacts of the development on the trees within the site, the report surveyed 46 individual trees, 51 groups of trees and 4 hedgerows. The Arboricultural Assessment was not updated following the submission of the amended feasibility scheme; however the plans are indicative for the purpose of this application and would be 'fixed' through any reserved matters application. The plans show that in order to implement the development, twenty individual trees, seventeen groups of trees (moderate quality/low value to low quality/value) would be removed and nine groups of trees would be removed in part. No trees of Category A (High Quality/Value) would be removed.

The Arboricultural Assessment also notes that 'as part of the development proposals an adequate quantity of structured tree planting has been illustrated. This new tree planting will form part of any highway infrastructure, drainage provisions and habitat creation along with proposed areas of public open space'.

The Leicestershire County Council arboriculturalist comments that;

*'A number of established trees and tree groups are located throughout the site which define the fairways and located to the site boundary. An Arboricultural*

*Impact Assessment has been submitted with a full assessment of the arboricultural resource across the site. The AIA is a reasonable assessment of the tree resource and outlines in full the BS3988 categories for trees on site, as well as those trees/groups which are proposed for removal and those which could be retained with appropriate protection methodologies.*

*Based on the masterplan, the majority of trees and tree groups located to the south and south-western aspect of the site and along the northern boundary will be retained and enhanced for landscape purposes. In general trees on site are relatively young (approximately 20-30 yrs of age) with the majority of proposed tree loss from development internal to the site. Whilst it would be beneficial to retain some of the existing interest where possible to enhance the maturity of the development, it is acknowledged that a significant area of trees are proposed to be retained and enhanced with new tree planting to the south of the site, along with the potential for new tree planting and landscaping throughout the wider development.*

*If approved, final design proposals requested should include a full tree protection plan, arboricultural method statement and a full landscape design and maintenance programme'.*

When considering the submitted Arboricultural Report and the comments made by LCC Forestry Officer, it is considered that the trees proposed for removal are of a low category and therefore their loss of not substantially harmful. There would be retention of the highest quality trees within the site which would be enhanced by proposed new planting, all of which would need to be finalised through any reserved planning application and could be condition to ensure that the development could be appropriate on planning grounds.

As such, subject to conditions, the proposals comply with CS14 of the Core Strategy in this regard.

### **Overall Planning Balance and Conclusion**

When determining planning applications, the District Planning Authority is mandated to decide in accordance with the Development Plan, unless material considerations dictate otherwise. The National Planning Policy Framework (NPPF), a crucial material consideration, requires planning authorities to identify a five-year supply of deliverable housing sites. If such a supply cannot be demonstrated, then the provisions of paragraph 11 of the NPPF apply. This typically means granting permission for development unless specific policies in the Framework, designed to protect areas or assets of particular importance, provide a clear reason for refusal, or if the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the NPPF policies as a whole.

As detailed earlier in this report, the Council can currently only demonstrate a 3.53-year housing land supply. Crucially, the proposed development does not conflict with NPPF policies that seek to protect areas or assets of particular importance as listed in Footnote 7 of Paragraph 11. Therefore, in accordance with NPPF Paragraph 11, the **'tilted balance'** is engaged. This means that any harm arising from the proposal must



**'significantly and demonstrably'** outweigh the benefits for planning permission to be refused.

The spatial strategy outlined in Policy CS1 of the Core Strategy focuses development within and adjoining Blaby and the Larger Central Villages, even if the primary focus is on the Principal Urban Area. Therefore, sites adjoining Larger Central Villages are indeed identified as appropriate locations for housing development within the spatial strategy. This proposal delivers 200 dwellings, including 50 affordable homes, on a site that adjoins the Settlement Boundary of Blaby, the District's only Town Centre. This benefit is afforded **substantial weight** in the planning balance.

However, as the site is designated as Green Wedge, Policy CS16 must be carefully considered. Green Wedges are important strategic areas, and the need to retain them must be balanced against the need to provide new development, including housing, in the most sustainable areas. The development would result in the encroachment further into the Green Wedge, reducing the open distances between Blaby, Whetstone and Countesthorpe, further merging the settlements, contrary to strategic objective (b) of policy CS 16. This harm affords **substantial weight** in the planning balance.

The proposal would result in the loss of Blaby Golf Centre, not just reducing overall capacity in the District but which would dismantle a proven mechanism for introducing and developing new golfers, hindering the long-term vitality of the sport in the region. This loss is afforded **substantial weight** in the planning balance.

The development would deliver a range of associated economic, social, and environmental benefits. These include the provision of contributions to improve local infrastructure and facilities, and the enhancement and provision of open space and biodiversity on the site, leading to a demonstrable Biodiversity Net Gain. These benefits are afforded **limited weight** in the planning balance.

The multi-year construction phase will provide economic benefits, and post-development, future residents will contribute to the wider local economy, supporting local shops and services in Blaby. This benefit is afforded **limited weight**.

The delivery of new accessible open space and football pitches is afforded **limited weight**.

The delivery of 600sqm of commercial floorspace to mitigate the loss of circa 900sqm of existing commercial floor space is afforded **limited weight** in the planning balance.

## **Conclusion**

The application for the redevelopment of the Blaby Golf Course for up to 200 residential dwellings is recommended for refusal.

While the District Planning Authority currently faces a shortfall in its five-year housing land supply, and the proposed 200 dwellings would contribute to meeting this requirement, the site's unique designation as a Green Wedge presents significant challenges. It is acknowledged that some greenfield sites outside settlement boundaries will be necessary to achieve housing targets. However, this particular site

holds strategic importance due to its Green Wedge designation, which aims to prevent the merging of settlements, guide development, provide green spaces, and offer recreational resources. The proposed development would conflict with core Development Plan policies (CS18, CS16, and DM2) due to its location beyond Settlement Boundaries in the Countryside.

Despite this conflict with development plan policies, the "tilted balance" provision in Paragraph 11d of the National Planning Policy Framework (NPPF) is engaged. This implies that the substantial benefits of the proposal, primarily the provision of housing, would ordinarily outweigh the policy conflict. For refusal to be justified, the adverse impacts of the proposal must "significantly and demonstrably" outweigh these benefits, especially given the Council's inability to demonstrate a five-year housing land supply.

However, the development would also lead to the loss of Blaby Golf Course, a valuable leisure and recreation facility, contrary to the requirements of paragraph 103 of the NPPF. Furthermore, there would be a reduction in employment land, as the proposed 600sqm of commercial floorspace is considered insufficient to accommodate existing businesses, conflicting with policies CS6 and SA3.

Therefore, despite the acknowledged benefits of providing housing, the application is recommended for refusal due to the cumulative weight of these outlined reasons.

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**25/0267/OUT**

**Registered Date  
19 March 2025**

**Shropshire Land and Company**

**Demolition of an existing industrial building (Class B2) and ancillary office (Class E(g)(i)) and erection of buildings providing up to 3,546sq.m. of Research and Development / light industrial (Class E(g)(ii)(iii)) floor space, the closure and relocation of a vehicular access (all matters reserved except for access and scale).**

**Thurlaston Sawmills Ltd, Enderby Road, Thurlaston**

**Report Author: Rebekah Newman, Senior Planning Officer  
Contact Details: Council Offices. 0116 272 7778**

**RECOMMENDATION:**

**THAT APPLICATION 25/0267/OUT BE APPROVED SUBJECT TO THE APPLICANT ENTERING INTO A SECTION 106 AGREEMENT TO SECURE THE FOLLOWING:**

- **S106 monitoring contributions – District and County Councils, including Biodiversity Net Gain.**
- **LCC Highways monitoring fee.**

**AND SUBJECT TO THE STATUTORY BIODIVERSITY NET GAIN CONDITION AND IMPOSITION OF THE FOLLOWING CONDITIONS:**

1. Statutory outline condition.
2. Submission of reserved matters – layout, appearance and landscaping.
3. Development in accordance with approved plans and documents.
4. Use of development limited to Class E(g)(ii)(iii) (research & development / light industrial) only, with ancillary office accommodation.
5. Site layout to be agreed at reserved matters stage.
6. Requirement to submit a necessary programme of archaeological work prior to demolition or commencement of development.
7. Requirement to submit a Demolition and Method Statement prior to demolition or commencement of development.
8. All mitigation measures and works to be carried out in accordance with Ecological Impact Assessment.

9. Requirement to submit a Construction Environmental Management Plan (CEMP: Biodiversity) prior to demolition or commencement of development.
10. Requirement to submit a Biodiversity Enhancement Strategy prior to demolition or commencement of development.
11. Requirement to submit Lighting Design Strategy for Biodiversity prior to beneficial use of the application site.
12. Requirement for a Habitat Management and Monitoring Plan prior to commencement of development.
13. Requirement to submit an Amended Framework Travel Plan prior to first occupation.
14. Access arrangements to be implemented as per Proposed Site Layout drawing prior to first occupation.
15. The new vehicular access must not be used for a period exceeding one month unless all existing vehicular accesses on Enderby Road have been closed permanently.
16. Requirement to submit a Construction Traffic Management Plan prior to commencement of development.
17. No gates, barriers, bollards, chains etc to be erected to the vehicular access within 10m of the edge of the public highway.
18. Requirement to submit site drainage details prior to first occupation.
19. Requirement to submit a Surface Water Drainage Scheme prior to commencement of development.
20. Requirement to submit surface water management details during construction prior to commencement of development.
21. Requirement to submit long-term maintenance of surface water drainage system prior to first occupation.
22. Requirement to carry out infiltration testing prior to commencement of development.
23. Proposed industrial units to be limited to 2-storeys in height.

## **NOTES TO COMMITTEE**

### **Relevant Planning Policy & Legislation**

#### **Blaby District Local Plan (Core Strategy) Development Plan Document (2013)**

Policy CS1 - Strategy for Locating New Development  
 Policy CS2 - Design of New Development  
 Policy CS6 - Employment  
 Policy CS10 - Transport Infrastructure  
 Policy CS12 - Planning Obligations and Developer Contributions  
 Policy CS14 - Green Infrastructure  
 Policy CS18 - Countryside  
 Policy CS19 - Bio-diversity and Geo-diversity  
 Policy CS20 - Historic Environment and Culture  
 Policy CS21 - Climate Change  
 Policy CS22 - Flood Risk Management  
 Policy CS24 - Presumption in Favour of Sustainable Development

#### **Blaby District Local Plan (Delivery) Development Plan Document (2019)**

Policy DM2 - Development in the Countryside  
Policy DM3 - Employment Development on Unallocated Sites  
Policy DM4 - Connection to Digital Infrastructure  
Policy DM8 - Local Parking and Highway Design Standards  
Policy DM12 - Designated and Non-designated Heritage Assets  
Policy DM13 - Land Contamination and Pollution

### **Fosse Villages Neighbourhood Plan 2018 – 2029 (June 2021)**

Policy FV4 - Biodiversity  
Policy FV6 - Design  
Policy FV15 - Employment Areas

### **National Planning Policy Framework (NPPF)**

### **National Planning Practice Guidance (NPPG)**

### **Leicestershire Highways Design Guidance (LHDG)**

### **CONSULTATION SUMMARY**

**Blaby District Council, Economic Development – July 2025:** *“While I do not currently have hard statistical data to hand, discussions with local businesses indicates there is a notable lack of supply of smaller employment units in the district, particularly for light industrial and research and development uses. This anecdotal evidence suggests a clear demand for flexible, modern workspace to accommodate small and medium-sized enterprises (SMEs) and start-ups operating in these sectors.*

*Given the strategic importance of supporting economic growth and local employment opportunities, proposals such as this – which aim to deliver a range of unit sizes suitable for E(g)(ii) and E(g)(iii) uses – could contribute positively to addressing the identified market gap.”*

### **Blaby District Council, Environmental Services**

April 2025: Further information required.

Recommended the carrying out of a Phase I Desktop Study in relation to potential land contamination. The consultee confirmed that this information may be submitted prior to determination or at any reserved matters stage.

Also recommended the provision of a Noise Impact Assessment, a pre-commencement condition relating to the provision of a Demolition Method Statement and an informative with regards to noise and vibration.

July 2025: No objections subject to the imposition of conditions.

*“Given the close proximity of the proposed development to residential properties and the uncertainties that remain at present regarding the uses of the proposed units, the*

*need for a noise survey is considered to be reasonable. However, the report of the noise survey may be submitted with any Reserved Matters application.”*

**Leicestershire County Council, Archaeology –**

April 2025: Recommended the addition of a pre-commencement condition relating to post-determination trial trenching.

**Leicestershire County Council, Developer Contributions –** May 2025: No S.106 contributions are necessary for this development in respect of education (including early years), libraries and civic amenities.

**Leicestershire County Council, Ecology –** April 2025: Holding objection – further information required.

Requested further information with regards to the Statutory Biodiversity Metric Calculation Tool and the accompanying condition assessments.

June 2025: No objection, subject to conditions.

**Leicestershire County Council, Forestry –**

April 2025: Stated the following:

*“The applicant has submitted a tree survey and impact assessment for the site. All trees / hedges are located to the boundary of the site and therefore can be retained as part of the development. The report makes appropriate recommendations for tree protection to existing trees and hedges in accordance with BS5387:2012. One poor quality individual tree (T1) and one low quality group (G1) are proposed for removal to facilitate the proposed development. This would have a minor impact and can be mitigated with appropriate tree planting within the development.”*

**Leicestershire County Council, Highways –** May 2025: Further information required in terms of the following:

- Provision of visibility splays in accordance with the Leicestershire Highway Design Guide;
- Tracking drawings for the largest expected vehicles to access the site and to demonstrate that the site access can accommodate two-way movements;
- Revised TRICS Assessment; and
- Revised Travel Plan.

June 2025: In its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with Paragraph 116 of the National Planning Policy Framework (2024), subject to the imposition of conditions and / or planning obligations.

**Leicestershire County Council, Lead Local Flood Authority –** April 2025: No objection subject to the imposition of conditions.

**Leicestershire Police – May 2025:** Await providing comments until further detailed documentation (including building elevations and layouts) has been provided (reserved matters stage).

**Ramblers Association –** No response received.

**Severn Trent Water –** No response received.

**Thurlaston Parish Council –** *“Thurlaston Parish Council do not object to application 25/0267/OUT. However, they would like the following points to be taken into consideration:*

*The council are happy with the proposed changes to the site and the proposed changes to the entrance, which will make the access much safer.*

*The applicant has been to speak to the council on several occasions and have had positive communications during the pre-planning application process.*

*The council would like for the operating hours to be considered in the future to ensure that works will only take place within normal operating hours, due to the facility being positioned near residential properties.*

*The council would also like to see a model transport plan to ensure that there are no details suggesting that travel through the village is the best route available. Limiting the likelihood of additional traffic moving through the village.*

*Footpaths associated with the site need to be properly maintained and greenery maintained by LCC as this is currently not undertaken and as this path may be used more frequently due to this planning applications, this needs to be considered.*

*Can the developers consider wheel washers to ensure that the roads are kept clear during the construction phase.*

*The council would support this application, should the above comments be taken into consideration.”*

## **REPRESENTATIONS**

One letter of objection to the scheme has been received, relating to the following concerns:

- Unclear what will be visible from Tyers Close as no height measurements given for the two storey buildings.
- Light and noise pollution concerns.
- Request restrictions on operational times.
- Existing trees and other vegetation to be retained to shield views of the application site.
- Request that the pedestrian gate has access control and appropriate security.

## **RELEVANT PLANNING HISTORY**

13641	Erection of a single storey sawmill, timber store and offices, and formation of access.	Approved 29.03.1965
15083	Erection of a single storey sawmill, timber store and offices, and formation of access.	Approved 28.02.1965
17053	Retention of office and stores.	Approved 22.06.1971
17574	Extension of workshop and erection of toilet block.	Approved 23.01.1968
19026	Erection of buildings for the storage of timber products and vehicles.	Approved 07.07.1969
76/1199	Erection of office and store.	Approved 07.08.1973
76/1328/1/P	Extension to sawmill.	Approved 19.10.1975
97/0043/1/PX	Detached building to house, timber preservation plant and earth mound.	Approved 24.07.1997
24/03/EIASCR	Environmental Impact Assessment Screening Opinion for demolition of existing building, closure of existing vehicular accesses, construction of new vehicular access, the erection of buildings for Class E(g) purposes (comprising up to 3,439sq.m. of floorspace), and associated landscaping, biodiversity net gain measures, and surface water drainage attenuation.	EIA not required 10.06.2024

## **EXPLANATORY NOTE**

### **The Site**

The application site is located northeast of the village of Thurlaston, on the south side of Enderby Road. A large, former agricultural building is located on the site, that fronts the public highway. Extensive areas of hard surfacing is present across the site. The site measures approximately 3.5 acres (1.4 hectares), with a grassed bund and fencing along the northern boundary (adjoining the road) and trees and hedgerows along the remaining boundaries. The topography of the site is relatively flat.

The application site is lawfully authorised Class B2 (heavy industry) and Class E(g)(i) (office) use.



The current occupying business uses the existing access point at the northeast corner of the site, which is shared with Enderby Road Farm.

The land immediately south and west of the application site is agricultural, as well as further north, across Enderby Road. Enderby Road Farm adjoins the site's boundary to the east, however beyond this is also agricultural land. Thurlaston village is located to the southwest, with no. 29 Tyers Close's rear garden adjoining the corner of the site. A vegetated bund is sited along the site's western edge, with three further agricultural field parcels. A Public Footpath (V73) runs along the outside of the southern site boundary, running eastwards from Thurlaston village beside 15 Enderby Road.

The Local Plan Policies Map (2019) designates the site as being outside of the Thurlaston settlement boundary and within the open countryside (Policies CS18 and DM2).

### **The Proposal**

This Outline planning application proposes to demolish the existing industrial and static buildings, close current vehicular accesses, and create a new access point on Enderby Road. The plan includes constructing up to 3,546m<sup>2</sup> of new buildings for light industrial and research and development (Class E(g)(ii) and E(g)(iii)) uses, including ancillary offices.

The proposed development features two L-shaped building elements, separated by the new vehicular access. Two single-storey buildings will face Enderby Road, set back to allow for new hedgerow planting. Flanking these are two-storey buildings – two along the western boundary and one to the east – running perpendicular to Enderby Road. Car parking and landscaping will be situated in the centre of the site.

The proposal also includes amenity space to the south and a balancing pond to the east. The existing bund to the southwest, along with boundary hedges and vegetation, will be retained.

### **Documentation**

The key plans and documents are listed below which set out the development proposed:

#### **Plans**

- Proposed Site Layout (Dwg no. PL01 Rev F)
- Proposed Visuals (Dwg no. PL02 Rev E)
- Location Plan (Dwg no. PL00 Rev C)

#### **Documents**

- Sequential Test
- Sequential Test – Appendices
- Surface Water Flood Risk Assessment

- Flood Risk Assessment
- Travel Plan
- Highways Note
- Condition Sheet: Hedgerow
- Condition Sheet: Modified Grassland
- Condition Sheet: Other Neutral Grassland
- Market Demand Report
- Planning Statement
- Statement of Community Involvement
- Tree Survey
- Transport Assessment
- Employment Needs Assessment
- Design and Access Statement
- Ecological Impact Assessment

### **Planning Policy**

The National Planning Policy Framework establishes the key principles for proactively delivering sustainable development through the development plan system and the determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:

- An economic objective
- A social objective
- An environmental objective

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Other relevant policies of the NPPF are referenced within the main body of the material considerations.

## **DEVELOPMENT PLAN**

### **Blaby District Local Plan (Core Strategy) Development Plan Document (2013)**

The adopted Core Strategy (February 2013) is part of the Development Plan for the District of Blaby. It is an up-to-date plan that is consistent with National Policy. Therefore, the policies of the Core Strategy should be given full statutory weight. The following policies are the most relevant to the proposed development.

#### **Policy CS1 - Strategy for Locating New Development**

Policy CS1 seeks to focus new development in the most sustainable locations in the District, primarily within and adjoining the Principal Urban Area (PUA) of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva).

#### **Policy CS2 - Design of New Development**

Policy CS2 seeks to ensure that a high-quality environment is achieved in all new development proposals, respecting distinctive local character and providing opportunities to enhance the natural and historic environment.

#### **Policy CS6 - Employment**

Policy CS6 seeks to provide an appropriate range of employment opportunities, however it also allows for growth of existing businesses and for inward investment in order to help meet the needs of the District's current and future populations.

#### **Policy CS10 - Transport Infrastructure**

Policy CS10 ensures that appropriate measures are taken to mitigate the impacts of the development and ensure that it is supported by the provision of adequate infrastructure and does not overburden existing infrastructure. In addition, the policy seeks to deliver the transport needs of the District and encourages the use of more sustainable forms of transport (including walking, cycling, other forms of non-motorised transport and public transport).

#### **Policy CS12 - Planning Obligations and Developer Contributions**

Policy CS12 ensures that the impacts on local infrastructure, services and facilities are mitigated through the use of planning obligations. Where requirements for infrastructure, services and facilities arising from growth are identified, it is expected that developers will contribute towards their provision.

#### **Policy CS14 - Green Infrastructure**

Policy CS14 seeks to ensure that the District's natural environment, wildlife, habitats, landscape and geology are considered and protected through good design practices,

seeking to protect existing green spaces and provide new good quality, multifunctioning green networks and corridors.

#### Policy CS18 - Countryside

Policy CS18 states that within areas designated as Countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. It states that planning permission will, however, be granted for limited small-scale employment and leisure development, subject to consideration of its impacts. The need to retain Countryside will be balanced against the need to provide new development in the most sustainable locations.

#### Policy CS19 - Bio-diversity and geo-diversity

Policy CS19 seeks to safeguard and enhance sites of ecological and geological importance of national, regional and local level significance. The policy also states that the Council will seek to maintain and extend networks of natural habitats to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats. The policy also seeks to protect those species which do not receive statutory protection but have been identified as requiring conservation action. Development proposals should ensure that these species and their habitats are protected from the adverse effects of development through the use of appropriate mitigation measures. The policy also states that the Council will seek to ensure that opportunities to build in biodiversity or geological features are included as part of the design of development proposals.

#### Policy CS21 - Climate Change

This Policy seeks to support new development which mitigates and adapts to climate change. New development should be focussed in the most sustainable locations (in accordance with Policy CS1) and use sustainable design principles which reduce energy demand and increase efficiency.

Policy CS21 states that development which mitigates and adapts to climate change will be supported. It states that the Council will contribute to achieving national targets to reduce greenhouse gas emissions by:

- a) Focusing new development in the most sustainable locations;
- b) Seeking site layout and sustainable design principles which reduce energy demand and increase efficiency;
- c) Encourage the use of renewable, low carbon and decentralised energy.

The policy also states that the Council will ensure that all development minimises vulnerability and provides resilience to climate change and flooding.

#### Policy CS22 - Flood Risk Management

Policy CS22 states that the Council will ensure all development minimises flood risk vulnerability, providing resilience to flooding by:

- a) Directing development to locations at the lowest risk of flooding;
- b) Using Sustainable Drainage Systems to ensure that flood risk is not increased on site elsewhere;
- c) Managing surface water run off to minimise the net increase in surface water discharged into the public sewer system;
- d) Closely consulting the Environment Agency in the management of flood risk.

#### Policy CS24 - Presumption in favour of sustainable development

Policy CS24 requires that when considering development proposals, Blaby District Council will take a positive approach that reflects the presumption in favour of sustainable development and planning applications that accord with the policies in the Local Plan Core Strategy will be approved without delay, unless material considerations indicate otherwise.

#### **Blaby District Local Plan (Delivery) Development Plan Document (Feb 2019)**

The Delivery DPD was adopted on 4th February 2019 and full weight can be given to its policies. It sits alongside the Core Strategy to form part of the Development Plan for the District. The following Policies are relevant to this application:

#### Policy DM2 - Development in the Countryside

Policy DM2 states that in areas designated as Countryside on the Policies Map, development proposals consistent with Core Strategy Policy CS18 will be supported where specific criteria are met:

- a) The development is in keeping with the appearance and character of the existing landscape, development form and buildings;
- b) The development provides a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by the existing or new occupiers;
- c) The development will not undermine the vitality and viability of existing town, district and local centres.

#### Policy DM3 - Employment Development on Unallocated Sites

Policy DM3 states that proposals for new employment development will be directed to employment land allocations, Key Employment Sites and other suitable locations within the settlement boundaries.

Where no suitable sites are available, proposals for new employment development (Use Classes B1b and B1c, B2 or B8) will be supported on unallocated sites on the edge of the built-up area of the Principal Urban Area, Blaby, the Larger Central Villages, the Medium Central Villages and the Rural Centre where the following criteria are met. Such proposals will:

- a) Demonstrate that the proposal cannot reasonably be accommodated on suitable alternative sites, identified as vacant or developable, within the settlement boundary;
- b) Benefit the local economy and not undermine the delivery of the employment allocations. In particular, proposals that provide affordable accommodation for small and medium sized businesses will be supported;
- c) Be in line with the criteria set out in Core Strategy Policy CS6 concerning the suitability of sites;
- d) Avoid an increase in traffic generation that would result in severe harm to the local road network; and
- e) Give priority to previously developed land and premises.

#### Policy DM4 – Connection to Digital Infrastructure

Policy DM4 states that all new build major residential and commercial development should be served by fast, affordable and reliable broadband connection in line with the latest Government target. It states that developers will liaise with broadband infrastructure providers to ensure that a suitable connection is made. The wording of the policy was amended following public examination to state that new development should be served by this type of infrastructure rather than specifically requiring it. This was considered necessary to introduce flexibility into the policy given that delivery of a broadband connection would likely be reliant on a third-party contractor over which a developer is unlikely to have any control.

#### Policy DM8 - Local Parking and Highway Design Standards

Policy DM8 seeks to provide an appropriate level of parking provision within new development which complies with Leicestershire Local Highway Guidance and is justified by an assessment of the site's accessibility and the availability of and opportunities for public transport. It states that all new development will be required to meet highway design standards as set out in the most up-to-date Leicestershire Local Highway Guidance.

#### Policy DM13 – Land Contamination and Pollution

Policy DM13 states that development proposals will be required to clearly demonstrate that any unacceptable adverse impacts related to land contamination, landfill, land stability and pollution (water, air, noise, light and soils) can be satisfactorily mitigated.

#### **Fosse Villages Neighbourhood Plan 2018 – 2029 (June 2021)**

The Fosse Villages Neighbourhood Plan was made on 15 June 2021 and comprises the following 10 Parishes which are situated in the south-west part of the District: Croft, Huncote, Sapcote, Sharnford, Stoney Stanton and Thurlaston. The following policies are the most relevant to the proposed development:

#### Policy FV4 – Biodiversity

Policy FV4 states that new development which minimises impacts on and provides net gains for biodiversity and enhances resilience to current ecological pressures on

habitats at Fosse Meadows Nature Park will be supported. New development will be expected to maintain and enhance existing ecological corridors and landscape features to support biodiversity.

#### Policy FV6 – Design

Policy FV6 states that development that reflects the distinctive and traditional character of the Fosse Villages, as described in the Settlement Statements, or contextually appropriate innovative design will be supported. Development proposals must also:

- A. Be in keeping with the scale, form and character of its surroundings;
- B. Protect locally significant features such as traditional walls, hedgerows and trees;
- C. Not significantly adversely affect the amenities of residents in the area, including daylight / sunlight, privacy, air quality, noise and light pollution;
- D. Promote sustainable design and construction, which minimises waste and maximises the potential for recycling materials either on or off site; and
- E. Provide safe and suitable access.

#### Policy FV15 – Employment Areas

Policy FV15 states that development proposals in the Employment Areas located beyond the Limits to Built Development, conforming to Policy DM2 of the Delivery DPD (including the application site referred to as ‘ET1 Sawmill, Thurlaston’) will be supported.

#### **Leicestershire Highways Design Guide (LHDG) (2024)**

The Design Guide sets out the County Council's principles and policies for highways Development Management. The guidance is intended to be used in the design development layouts to ensure they provide safe and free movement for all road users.

#### **Blaby District Council Planning Obligations and Development Contributions Supplementary Planning Document (2024)**

This Supplementary Planning Document supersedes the previous document dated February 2010 and was adopted in September 2024 at Full Council.

#### **Blaby Landscape and Settlement Character Assessment (January 2020)**

Provides up-to-date landscape and settlement evidence to inform the emerging Blaby Local Plan and help guide development management decisions. The assessment states that *“understanding the character of a place is a key part of ensuring the protection and enhancement of built and natural environments, managing sustainable economic growth and improving the health and wellbeing of local communities”*.

#### **The Leicester and Leicestershire Housing and Economic Needs Assessment 2022 (HENA)**

The HENA provides analysis on the future employment land needs by type from 2021 to 2036, 2041 and 2050. It considers the labour demand (baseline and growth) scenarios provided by Cambridge Econometrics, as well as completions trends using Council monitoring data.

### **Strategic Flood Risk Assessment Level 1 and 2 Final Reports (2020 and October 2021)**

The purpose of this document is to provide information on the changes to planning, policy and guidance since the previous Strategic Flood Risk Assessment, provide a detailed assessment of any flood hazard within the Flood Zones, provide information on existing defences and flood risk management measures, allow a sequential approach to site allocation.

### **Material Considerations:**

Planning applications must be determined in accordance with the provisions of the Development Plan unless there are material considerations which indicate otherwise, and whether those material considerations are of such weight that the adopted policies of the Development Plan should not prevail in relation to any proposal. The following are material planning considerations in the determination of this planning application:

- Principle of development
- Impact on the highway network
- Flood risk and drainage
- Archaeology
- Ecology and biodiversity
- Landscape and visual impact
- Design and layout
- Residential amenity
- Environmental impacts (construction management and contamination)

### **Principle of Development**

Policy CS1 in the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) states that most new development in the District of Blaby, including housing and employment, will take place within and adjoining the Principal Urban Area (PUA) of Leicester. The PUA comprises the 'built-up' areas of Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva. A minimum of 68 hectares of employment land will be provided in the District between 2006 and 2029, of which, at least 57 hectares will be provided within and adjoining the PUA.

Thurlaston is defined as a 'Smaller Village' within the settlement hierarchy, and Policy CS1 states that lower levels of growth will be allowed in such settlements, where the scale of development will reflect the settlement's range of available services and facilities and public transport alternatives. An existing industrial building currently occupies the site (Use Class B2), as well as ancillary offices (Use Class E(g)(i)). Policy CS1 also states that, in each settlement, encouragement will be given to the use of Previously Developed Land (brownfield) and underused land and buildings. The



existing building and offices are proposed to be demolished as part of this planning application.

Policy CS6 states that the Council will work with partners to ensure that the District has a range of employment opportunities to meet the needs of its residents and wider communities, allowing for growth of existing businesses and for inward investment. The Policy also seeks to enable development of new smaller scale employment uses in other settlements. The scale and type of development will be determined by the needs of the area and the ability to accommodate employment growth in light of physical, policy or other constraints. The suitability of sites will be informed by their ability to accommodate employment growth: without significant harm to amenity; which are commercially attractive to the market; which are on sites which can be satisfactorily accessed by commercial vehicles (for movement of goods); which are accessible by sustainable modes of transport (including public transport) for employees; and which are not 'out of scale' with their host community in terms of the quantity of additional employment land and the scale of new buildings.

Policy CS6 of the Council's Core Strategy was informed by the 2011 Blaby Employment Land and Premises Study. At the time of drafting the Core Strategy, there was a residual requirement for some 17 hectares of employment land. Subsequent monitoring carried out in connection with the emerging DPD prior to 2019 identified that the residual requirements to meet identified employment land requirements had increased to 25.4 hectares.

This is summarised in the table below, which is from page 13 of the Blaby District Local Plan (Delivery) Development Plan Document (2019). The table identifies that the increase in the need for employment land was as a result of some existing employment sites being lost from employment to other uses as well as loss of sites that were allocated or with permission being removed, as they were unlikely to be delivered during the plan period. With these losses being added to the previous residual requirement, a total residual employment land requirement of approximately 26 hectares has been identified.

<b>Table 1: Land Supply Changes since Core Strategy Adopted (at April 2018)</b>				
Hectares	Requirement	Completed or with Permission	Losses	Residual requirement and losses
Core Strategy Requirement	68.00	64.55	0	3.45
Sites in the supply position at April 2011	23.64	15.75	7.89	7.89
Actual losses to existing employment land and premises since 2011			14.04	14.04
Total				25.38

The District Planning Authority has continued to monitor its residual employment land requirements since the adoption of its Delivery DPD. The continued monitoring has identified a small increase in the amount of employment land completed, under construction or with permission since the Delivery DPD became adopted.

However, it is understood that there has also been a number of losses, which includes a revoked allocation at Quarry Lane, Enderby and revoked permission at Blaby Hall, Blaby as well as the former Everards Brewery site now forming part of the motorway retail area at Fosse Park.

The current position based on the latest available figures has resulted in the total residual requirement and losses for employment land increasing from 25.38 hectares to 30.65 hectares, representing an overall increase in the requirement of 5.27 hectares.

A key element of the Blaby District Local Plan (Delivery) Development Plan Document (2019) is to identify sites for employment land. In this regard, the application site has not been allocated for employment development in Policy SA3.

The application site is located outside of the settlement boundary of Thurlaston, on land designated as Countryside in the Blaby District Local Plan Policies Map (2019). Policy CS18 states that within areas designated as Countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape.

In addition, Policy DM2 states that development proposals consistent with Policy CS18 will be supported where: the development is in keeping with the appearance and character of the existing landscape, development form and buildings; and the development provides a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by the existing or new occupiers, including but not limited to, consideration of: overdevelopment of the site due to factors including footprint, scale and mass; privacy, light, noise, disturbance and overbearing effect; and vibration, emissions, hours of working and vehicular activity.

It is acknowledged that Council records indicate the site was confirmed as lawful for Class B2 use in 2007 following a planning enquiry, signifying its current employment status. A site visit revealed a substantial warehouse structure presently occupies the site, which is prominent in the existing street scene due to its scale and immediate adjacency to Enderby Road. Conversely, drawing 'Proposed Site Layout' (Dwg no. PL01 Rev F) illustrates that the two proposed single-storey buildings fronting Enderby Road will be of a reduced scale compared to the existing building and will incorporate new hedgerow planting for enhanced screening.

Two two-storey buildings are proposed on either side of the two single-storey units, and are positioned so that their gable ends face the public highway, to minimise any visual impacts from the street scene. A third two-storey unit is also proposed southwest of the site, however this would have minimal impact visually from Enderby Road. It is considered that due to the sensitive design and layout of the proposals, and the inclusion of new landscaping and existing trees and hedgerows etc, the proposal would have a positive effect on the appearance and character of the landscape, compared to its existing condition. Please note that the proposal's impact on neighbouring amenity will be discussed later in this report.

The application site is identified as an allocated employment site in Policy FV15 of the Fosse Villages Neighbourhood Plan. Paragraph T65 of the policy document states that:

*“Many residents identified the Thurlaston Sawmill site on Enderby Road as an opportunity for business development. This site is not fully operational, being used by Sylvan Flooring Ltd, although there remains potential for future development”.*

In addition, Paragraph T57 states that there is a limited range of employment opportunities within the Parish...

*“Other than the old Sawmill site there are no allocated employment sites or employment sites with planning permission (as at March 2016). There is support from residents for protecting existing businesses and for the redevelopment or expansion of existing businesses to create additional jobs within the Parish.”*

While the site is an existing employment area, the proposed development will intensify its use through increased floorspace. The Council's Economic Development Team has identified a significant shortage of smaller employment units in the District, particularly for light industrial and research and development (Class E(g)(ii) and E(g)(iii)) uses. They highlight a clear demand for flexible, modern workspaces for SMEs and start-ups, noting that this proposal could positively address this market gap.

The site was previously assessed as a 'reasonable option for further assessment' in the Blaby District Council's New Local Plan methodology, acknowledging its potential for employment land creation and single ownership, despite concerns about its detachment, highway constraints, and strategic road access. This need is further supported by the Leicester and Leicestershire HENA (June 2022), which indicates strong demand and a low supply (1.3 years) of employment land, with a specific need for 11.4 hectares of office/R&D space in Blaby by 2041.

**Table 3.3 Employment land needs 2021-2041, ha**

	<b>Offices inc R&amp;D</b>	<b>Industrial &amp; Distribution Total (excl strategic B8)</b>	<b>Total</b>
<b>Blaby</b>	11.4	34.7	46.1
<b>Charnwood</b>	9.6	43.2	52.7
<b>Harborough</b>	8.3	48.5	56.9
<b>H&amp;B</b>	5.3	65.3	70.6
<b>Leicester</b>	2.3*	84.9	87.2
<b>Melton</b>	2.5	47.3	49.8
<b>NWL</b>	11.3	38.2	49.6
<b>O&amp;W</b>	1.3	3.1	4.3
<b>L&amp;L Total</b>	52.0	365.2	417.2

Source: CE/ Icenl, \* 2.0 plot ratio equivalent to 13.0 ha at same 0.35 ratio as other areas

The applicant has confirmed that the current tenant occupies the site under a short-term lease and is aware of this planning application for redevelopment. If planning permission is granted, the tenant will relocate, ensuring no net loss of employment in this regard.

To summarise, the application site is located outside of the settlement boundary of Thurlaston, within land designated as 'Countryside' and is not within the most sustainable location (a 'Smaller Village' within the Council's settlement hierarchy, where lower levels of growth should be provided). However, the proposals would result in the redevelopment of former brownfield land, the site already benefits from existing employment use, is allocated for employment in the Fosse Villages Neighbourhood Development Plan, is under single ownership with a willing landowner and was assessed by the Council's Planning Policy Team as a 'reasonable option for further assessment' for the new Local Plan. As such, your Officers consider that the principle of development is already established and is therefore acceptable.

### **Transport and highway implications**

Policy CS10 seeks to deliver the infrastructure, services and facilities required to meet the needs of the population of the District of Blaby including those arising from growth and to make services accessible to all, including locating new development so that people can access services and facilities without reliance on private motor vehicles and to ensure that appropriate measures are taken to mitigate the transport impacts of new development.

Policy DM8 seeks to provide a consistent approach to local car parking standards and highway design. It goes on to state that the Leicestershire Highways Design Guide sets out, amongst other things, standards and policies for parking and highway design that will need to be considered for all new development.

Leicestershire County Council are the relevant Local Highway Authority (LHA) responsible for providing comments on the likely impacts on the local highway network.

#### **Site Access**

The Design & Access Statement says the current shared access to the east and other unused access points are deemed to have poor visibility. Therefore, the proposal establishes a new central access on Enderby Road to improve visibility in both directions. The applicant will undertake further works on land they own north of Enderby Road to enhance visibility. The existing eastern access will be retained solely for the adjacent farm.

Enderby Road is an unclassified road with a National Speed Limit and a 7.5t weight restriction.

The applicant provided visibility splays for 85th percentile speeds (40.4mph eastbound, 48.3mph westbound), which the Local Highway Authority (LHA) found acceptable and compliant with LHDG Table 6 guidance. The access geometry also conforms to LHDG Tables 3 and 9 regarding carriageway width and corner radii. The LHA had initially requested tracking drawings for the largest expected vehicles to ensure forward entry/egress and two-way movement.

The applicant subsequently submitted tracking drawings (Dwg no. 7168-TA15) demonstrating refuse vehicle tracking at 15kph, which the LHA found satisfactory.

The LHA notes the two existing substandard accesses that will not be used. They welcome the proposed revised access arrangements and will seek to secure the permanent closure and reinstatement of these existing accesses via a planning condition.

#### Highway safety

There have been no Personal Injury Collisions (PICs) within 500 metres of site access within the last most recent five-year period for which data is available.

#### Trip generation

The development proposal would be expected to generate an additional 8 two-way movements in the AM peak period and 7 two-way movements in the PM peak period. The consultee commented that *“... the LHA are of the assumption that there will be more than one end user to the site. Based on this the LHA would find the sub land use of industrial estate more robust and appropriate and therefore request a revised comparison based on this land use. A revised TRICS assessment is therefore required.”*

The applicant provided the revised TRICS assessment, and the LHA has confirmed that it accepts these new rates, and, given the additional trips predicted, no further assessment of the traffic impact is required.

#### Travel plan

The consultee welcomes the applicant's proposal to appoint a Travel Plan Coordinator prior to occupation, with their tenure running for a minimum of 5 years, or 12 months after final occupation (whichever occurs last). Other initiatives listed include cycle parking with shower/changing facilities, cycle training, car sharing schemes and staff inductions on transport options.

In their latest consultation response, the consultee stated the following:

*“Notwithstanding the above note the following points to be addressed in a future travel plan, the submission of which will be secured via condition.*

- *Creation of SMART targets and an action plan. These should outline how the development will attract sustainable travel use by walking, cycling and public transport.*
- *Welcome packs for staff, which includes information on travel options to the site. These can be made at the expense of the developer but would incur a £500.00 proofreading fee, or alternatively, made by Leicestershire County Council (LCC) at a cost of £52.85 per pack. Monitoring and evaluation of the site will occur within three months of first occupation and thereafter yearly.*

*Upon submission of a revised Travel Plan, the developer should be aware that LCC requires a monitoring fee of £11,377.50.”*

#### Public Right of Way (PRoW)

*“The application site adjoins Public Footpath V73, which runs along the outside of the southern site boundary. The footpath runs eastwards from Thurlaston village beside 15 Enderby Road. The submitted Proposed Site Plan confirms the existing fence between the application site and the footpath is to be retained. The Planning Statement notes there is no footway along Enderby Road from the village, but the Site Layout Plan shows a possible access gateway from the site onto the public footpath, to provide a pedestrian link to the village.*

*Adjacent landowners are entitled to make a new access onto a PRow. However, the accessibility of the path is not guaranteed. At the rear of the sawmill site the footpath has only an earth and grass surface, which is strimmed twice per year. Also, LHA records indicate there is at least one stile along the path between the sawmill site and the village. The usability of the footpath throughout the year would be improved if the stile could be removed, or replaced by a gate, and the surface improved such as by laying crushed stone, if the Applicant is willing to provide the resources necessary to enable this work, subject to consent from any of the owners of the land underlying the footpath. The LHA will seek to secure improvements to the PRow by way of planning condition.”*

The proposal indicates a 'possible' access from the site to the southern Public Right of Way (PROW) towards Thurlaston. While Officers see this as potentially improving village pedestrian links, the Local Highway Authority's (LHA) related comments and conditions are optional, not necessary. The applicant also does not own the PROW land, which presents a practical challenge. Moreover, the site currently functions as an employment area without this access, so its provision is not considered critical.

Officers asked the LHA if a S.106 contribution would be required to contribute towards such PROW treatment works, however the consultee stated that it did not want to pursue this option, due to costs, and it “...*would not be able to substantiate a reason for refusal on the pedestrian connectivity alone*”.

The LHA recommended a condition to ensure that no gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access. The applicant challenged this wording, stating that the site must have the benefit of a secure entrance, and proposed that there should be no such obstructions within 10m of the edge of the public highway. The applicant commented that this would allow for suitable security measures to be employed at the site, and to ensure vehicles that ingress / egress will stand clear of the highway. Officers consider that this wording is reasonable and therefore acceptable, and the wording of Condition 17 at the beginning of this report has been amended accordingly.

### **Flood risk and drainage**

Paragraph 173 of the NPPF (now Paragraph 181 in the revised version) states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Policy CS22 of the Core Strategy states that the Council will ensure all development minimises vulnerability and provides resilience to flooding, taking into account climate change. This includes directing development to locations at the lowest risk of flooding giving priority to land in Flood Zone 1, using

Sustainable Drainage Systems (SuDS) to ensure that flood risk is not increased on-site or elsewhere, managing surface water run-off, and ensuring that any risk of flooding is appropriately mitigated, and the natural environment is protected.

The application site is located within Flood Zone 1, being at a low risk of flooding from rivers (with a less than 1 in 1000 chance of flooding occurring each year).

### Sequential test

The National Planning Policy Framework (NPPF) outlines a sequential, risk-based approach to development in flood-prone areas. Paragraph 174 directs new development towards areas with the lowest flood risk, prohibiting development where suitable, lower-risk alternatives exist. Paragraph 175 mandates a sequential test in all flood-risk areas, unless a site-specific flood risk assessment proves no built elements, including access or escape routes, would be at risk.

Given that parts of the application site are susceptible to low and medium surface water flooding, a Sequential Test was undertaken. Of the 2,193 potential sites identified within the District, none were found to be suitable, available, or deliverable alternatives for this proposed development.

The Council's Planning Policy Team, consulted on the Sequential Test, confirmed they had no further comments on the assessment. Therefore, the application site is considered to pass the Sequential Test, aligning with Policy CS22 and the NPPF.

### Surface water drainage

The applicant submitted a Flood Risk Assessment (dated January 2025) alongside the planning application. The Lead Local Flood Authority (LLFA) were consulted during the determination of this application. In their response dated 04.04.2025, the consultee confirmed that the proposals are considered acceptable to the LLFA, advising the addition of 4 conditions, if permission is granted.

The consultee also made the following comments:

*“The proposals seek to discharge at 3 l/s via pervious paving and an attenuation basin to an existing private sewer. There are no existing flood risk concerns within the immediate downstream catchment. The proposed low discharge rate poses a risk of system blockage; as such the detailed design must ensure that adequate mitigation is provided to minimise this risk. Upon review the private sewer and its connection to a watercourse to the east does look to be in place as described. The applicant should submit more details of this asset in detailed design and look to include the off-site sewers in its network simulation.”*

The 4 advised conditions are numbered 19 – 22 at the beginning of this report.

Overall, it has been demonstrated that the flood risks to the development can be managed, without increasing flood risk elsewhere, and will not result in an increase in flood risk off-site. Accordingly, the proposed development is considered to accord with Policy CS22.

## Archaeology

Policies CS20 and DM12 aim to preserve and enhance the District's cultural heritage by avoiding harm to the significance or setting of historic assets. There are no designated heritage assets within or sensitively near the site.

Leicestershire County Council's Archaeology Team confirmed the site holds archaeological interest with potential for unidentified deposits. However, they concluded these remains, *"whilst significant and warranting further archaeological mitigation... are not of such importance to represent an obstacle to the determination of the application."*

The team recommended post-determination trial trenching to define the full scope of mitigation. They advised approval subject to conditions for an appropriate archaeological mitigation program. This program must include an initial phase of exploratory trial trenching, followed by further investigation and recording as needed. Specifically, *"If planning permission is granted the applicant must obtain a suitable written scheme of Investigation (WSI) for both phases of archaeological investigation... for approval before the start of development."*

Condition 6 in this report reflects these recommendations. Therefore, the proposal complies with Policies CS20 and DM12.

## Ecology and biodiversity

Policy CS19 protects species of principal national importance by requiring appropriate mitigation measures in development proposals. Policy FV4 supports new development that minimizes ecological impacts, provides biodiversity net gains (BNG), and enhances local ecological resilience, particularly at Fosse Meadows Nature Park, while maintaining and improving ecological corridors.

An Ecological Impact Assessment (February 2025) concluded the existing commercial building is not an active bat roost, posing no threat to local bat populations upon demolition. The survey also indicated the likely absence of common reptiles and Great Crested Newts (GCN) from the site, despite older, distant records.

The assessment identified one designated geological site within 2km, but predicted no impact due to the distance and its geological designation. It also noted the site offers *"some opportunities for faunal species,"* including foraging and commuting bats, terrestrial amphibians, reptiles, and birds, prompting proposed precautionary measures.

Leicestershire County Council's Ecology Section initially objected (April 16, 2025), requesting further BNG Metric and Condition Assessment details. The applicant then provided three Condition Sheets (hedgerows, modified grassland, other neutral grassland) and an accessible BNG Metric.



Consequently, LCC Ecology withdrew its objection (June 11, 2025), confirming satisfaction with the provided information. They recommended conditions for a wildlife-sensitive lighting scheme, a Construction Environmental Management Plan (CEMP), adherence to Ecological Impact Assessment mitigation, and a Biodiversity Enhancement Strategy.

#### Biodiversity net gain

Biodiversity Net Gain (BNG) ensures that development contributes to nature's recovery, leaving habitats in a better state than before. A mandatory 10% BNG applies to this application as it was submitted in March 2025.

The submitted BNG Assessment indicates the proposal would achieve an approximate 80.76% gain in habitat units and 12.56% in hedgerow units through on-site creation and enhancement. As this is an outline application, the BNG metric will require updating at the reserved matters stage. The development will be subject to the statutory Biodiversity Gain Plan condition, and a Habitat Management and Monitoring Plan, with ongoing monitoring by Leicestershire County Council's Ecology Services, which can be secured through a Section 106 Agreement.

#### Forestry

A Tree Survey and Impact Assessment has been submitted and Leicestershire County Council's Forestry Team were consulted during the determination of the planning application. In their consultation response dated 17.04.2025, the consultee confirmed that all trees / hedges are located to the boundary of the site and therefore can be retained as part of the development. LCC Forestry also commented that the report makes appropriate recommendations for tree protection to existing trees and hedges in accordance with BS5387:2012.

One poor quality individual tree (T1) and one low quality group (G1) are proposed to be removed to facilitate the proposed development. The consultee has confirmed that this would have a minor impact and can be mitigated with appropriate tree planting within the development.

#### Ecology and biodiversity summary

The development will have some impacts upon ecology and biodiversity on the site; however, the application proposes suitable mitigation, and the County Ecologist has not raised any objections to the proposals. With the imposition of the recommended conditions and planning obligations, it is considered that the proposals are compliant with Policies CS19 and FV4.

#### **Design and layout**

As an outline application with only access and scale defined, the submitted masterplan is illustrative but demonstrates potential development. Design specifics are further detailed in the Design and Access Statement (DAS).

Policies CS2, DM2, and FV6 aim for high-quality, locally distinctive development that enhances character, functionality, and quality of life.

The site, northeast of Thurlaston, is near Manor Business Park, whose design (gable roofs, olive green metal cladding, metal sheet roofs) is reflected illustratively in the proposed units. However, appearance will be decided at the reserved matters stage. The illustrative scheme provides 3,546m<sup>2</sup> of light industrial space (including mezzanines) and 65 parking spaces.

The design centres on a new, centralised one-way vehicular access encircling a central landscape feature. Lower ridge and eaves heights face the visually permeable highway frontage, with taller blocks along the east and west boundaries. The internal road geometry accommodates refuse and emergency vehicles.

New hedgerows are proposed at the front for screening from the highway. Existing boundary hedgerows, vegetation, and the southwest bund will be retained. Two areas of landscaped amenity space are proposed centrally and to the south, with a central water feature. A balancing pond is proposed to the east.

#### Scale

The indicative layout features two single-storey buildings fronting Enderby Road and three linear two-storey units perpendicular to it along the eastern and western edges. The DAS states the two-storey elements are designed to mimic local agricultural buildings.

Given the existing two-storey industrial buildings at Manor Business Park and the predominantly two-storey dwellings in Thurlaston, a condition could limit the units to two storeys.

In summary, this outline application demonstrates the potential for a well-designed development that complies with Policies CS2, DM2, and FV6.

### **Landscape and visual impact**

Policies CS18 and DM2 of the Local Plan Core Strategy require that new development respects and enhances the existing landscape character and appearance, avoiding significant adverse effects. Proposals in the countryside, in particular, must align with the Blaby Landscape and Settlement Character Assessment, Leicestershire and Rutland Historic Landscape Characterisation Study, and National Character Areas. Additionally, Policy CS14 promotes integrating key landscape features like woodlands and ponds to create high-quality, functional open spaces and links.

No Landscape and Visual Impact Assessment (LVIA) was submitted. The site sits within the 'Leicestershire Vales' NCA and 'Normanton Agricultural Parkland' LCA, bordering 'Thurlaston Rolling Farmland' LCA.

The Normanton Agricultural Parkland LCA summary notes its agricultural character and "time-depth." Despite various development pressures, the assessment deems small and large-scale commercial uses not sensitive here. Future development should respect Thurlaston's rural character, be sensitively sited, and incorporate SuDS.

The 'Thurlaston Rolling Farmland' LCA maintains a strong rural character. Future development should enhance hedgerow management, be sensitively sited, and strengthen public rights of way.

Thurlaston village itself is small, rural, and clustered, with mixed building styles and the church as a prominent feature. Its undeveloped surroundings are key to its rural character, limiting change capacity.

Crucially, the site is already developed with a large building and extensive hardstanding. The proposal's indicative layout shows increased landscaping/amenity space and new hedgerow screening. The proposed units will be set back and smaller than the existing structure. Officers believe there will be no significant landscape impact; in fact, the scheme is expected to improve the nearby landscape's appearance.

Therefore, the proposal complies with Policies CS18 and DM2.

### **Residential amenity**

Policies DM2 and FV6 of the Local Plan mandate that new development maintains a satisfactory relationship with existing land uses, precluding significant detriment to the amenities enjoyed by current and proximate residents. This encompasses, but is not limited to, considerations of privacy, light, noise, disturbance, overbearing effect, vibration, emissions, hours of operation, and vehicular activity.

As this application constitutes an outline planning permission, a complete assessment of amenity impacts on existing or prospective residents is not feasible at this juncture. A comprehensive evaluation will be undertaken during the reserved matters stage, upon the submission of final layout and appearance details.

The residential properties closest to the application site are located on Tyers Close and at Enderby Farm. The rear garden of No. 29 Tyers Close abuts the application site; however, a separation distance of approximately 50 meters from the nearest proposed unit is maintained, which is deemed acceptable in terms of privacy and daylight penetration. The existing bund to the southwest, along with the boundary hedgerow and vegetation, will be retained. Similarly, the farmhouse at Enderby Farm adjoins the site to the east. Nevertheless, due to the proposed siting of the balancing pond, a separation distance of approximately 38 meters will exist between the dwelling and the nearest proposed units. The existing boundary hedgerows and trees will also be preserved, providing effective screening.

The Council's Environmental Services Section was consulted regarding potential noise impacts. Initially, they requested a noise survey, citing the close proximity to residential properties and uncertainties regarding the proposed unit uses. However, a subsequent clarification from the Section confirmed that a noise assessment is not required to establish the suitability of the proposed development site. The Section does, however, expect the final layout to be designed to screen residential properties, for building envelopes to incorporate appropriate noise insulation for the intended uses, and for details of any fixed plant to be subject to planning controls.

The justification for proposed operating hours will be addressed at the reserved matters stage.

Environmental Services also recommended the imposition of a pre-commencement condition (Condition 7) requiring a Demolition Method Statement to safeguard residential amenity. This statement shall include measures for controlling dust and dirt emissions, noise emissions (referencing appropriate standards) during demolition and construction, hours of construction and deliveries, and measures for controlling any temporary lighting installations required during demolition.

Consequently, the proposals are considered to comply with Policies DM2 and FV6, ensuring acceptable standards of residential amenity for both existing and future occupants.

### **Environmental impacts**

Policy DM13 relates to land contamination and requires that any adverse impacts can be satisfactorily mitigated.

The Council's Environmental Services Team commented that the application site is industrial in nature, and according to historic mapping, the site was open fields (presumably agricultural) until approximately 1973, when the sawmill is first shown on the maps. A map dated 1963 shows a pond, which is presumably infilled, which may represent made ground and a source of ground gases.

Accordingly, the consultee has advised for a Phase I Desktop Study to be carried out, to include the identification of previous site uses and other relevant information. Using this information, a conceptual site model for all potential contaminant sources, pathways, and receptors would be required, to demonstrate potential contaminant linkages and to inform a preliminary risk assessment conducted in accordance with the Land Contamination Risk Management (LCRM) Framework and other relevant standards. The consultee also requested for asbestos to be considered in the Phase 1 Desktop Study, as the proposals include demolition and given the age of the existing buildings. The consultee advised that this information may be submitted prior to determination or at any reserved matters stage.

Construction has the potential to affect the environment and nearby residents and in accordance with advice from the Environmental Services office, a Demolition and Method Statement should be submitted by pre-commencement condition.

The proposed development is therefore considered to comply with Policy DM13.

### **Recommendations and Planning Balance**

In accordance with statutory requirements, the District Planning Authority must determine planning applications in alignment with the Development Plan, unless material considerations dictate otherwise.

## **Development Plan Compliance**

Policy CS1 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) directs the majority of new development, including employment, towards the Principal Urban Area (PUA) of Leicester. While Thurlaston is designated as a 'Smaller Village,' where lower levels of growth are permitted commensurate with available services and public transport, Policy CS1 also actively encourages the use of Previously Developed Land (brownfield) and underused land and buildings within each settlement. The application site, currently occupied by an industrial building (Use Class B2) and ancillary offices (Use Class E(g)(i)), is classified as previously developed land, and its existing structures are proposed for demolition.

Policy CS6 further supports the provision of diverse employment opportunities within the District, facilitating business growth and inward investment, and enabling new smaller-scale employment uses in other settlements. Critically, the site's lawful Class B2 employment use was confirmed by the Council in 2007.

Furthermore, the application site is explicitly identified as an allocated employment site under Policy FV15 of the Fosse Villages Neighbourhood Plan. This policy document notes the site's potential for business development and acknowledges the limited range of employment opportunities within the Parish, with resident support for protecting and expanding existing businesses to create additional local jobs. The Council's Economic Development Team has also confirmed a notable lack of smaller employment units in the District, particularly for light industrial and research and development uses, expressing support for the proposals.

Accordingly, Officers consider that the principle of development is well-established and acceptable.

## **Material Considerations and Impacts**

While Policy CS18 designates the land as Countryside and restricts built development that would adversely affect landscape character, the site's previously developed nature and the proposed design, which includes increased landscaping, set-back units, and a smaller scale than the existing prominent building, are considered to improve the appearance and character of the nearby landscape. Great weight is given to this benefit.

The application has successfully demonstrated that the impacts on highway safety would not be unacceptable, and cumulative impacts on the road network would not be severe, subject to appropriate conditions, and a Travel Plan monitoring fee.

The development proposals are projected to achieve a significant Biodiversity Net Gain (BNG) of approximately 80.76% (habitat units) and 12.56% (hedgerow units) through on-site habitat creation and enhancement. As this is an outline application, the BNG metric will be updated at the reserved matters stage, with the development subject to the statutory Biodiversity Gain Plan condition and a Habitat Management and Monitoring Plan secured via a Section 106 Agreement. The site has also passed the Sequential Test for flooding.

Furthermore, the application has demonstrated that other potential adverse impacts, including those on ecology, archaeology, noise, light, construction management, residential amenity, and land contamination, are either not significant enough to warrant refusal or can be satisfactorily mitigated through the imposition of appropriate conditions.

### **Overall Planning Balance and Conclusion**

Having given due consideration to the three dimensions of sustainable development as articulated in the National Planning Policy Framework (NPPF) – economic, social, and environmental – Officers are of the view that the proposal is acceptable.

It is therefore recommended that outline planning permission be granted, subject to the applicant first entering into a Section 106 Agreement to secure the necessary planning obligations outlined at the beginning of this report, and subject to the stated conditions.

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**25/0459/FUL**

**Registered Date  
11 June 2025**

**Blaby District Council**

**First floor extension to replace existing conservatory**

**Enderby Leisure Centre, Mill Lane, Enderby**

**Report Author: Joel Archer, Planning Officer**

**Contact Details: Council Offices. Tel: 0116 2727726**

**RECOMMENDATION:**

**THAT APPLICATION 25/0459/FUL BE APPROVED SUBJECT TO THE CONDITIONS SET OUT BELOW.:**

1. 3 year time limit.
2. Approved plans.
3. Materials as per approved plans.

**NOTES TO COMMITTEE**

**Relevant Planning Policy**

**National Planning Policy Framework (NPPF)**

**National Planning Practice Guidance**

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

Policy CS1 - Strategy for locating new development

Policy CS2 – Design of new development

Policy CS15 – Open space, sport and recreation

Policy CS24 – Presumption in favour of sustainable development

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

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

Policy DM1 – Development within Settlement Boundaries

Policy DM8 – Local Parking and Highway Design Standards

**Consultations**

**Blaby District Council, Environmental Services** – Raises no objections and comments that a note to applicant should be attached to any planning decision reminding the applicant of their responsibility to ensure safe development secure occupancy with respect to the potential risks as the site is within 250m of at least one known former landfill site.

**Enderby Parish Council** – Comments that they have no observations.

**Leicestershire County Council, Minerals and Waste Planning Authority** – Raises no objections and comments that the site lies within a Mineral Safeguarding Area for sand & gravel and as the proposed development relates to an extension to an existing building it is not considered to intensify the activity on site. Therefore, the proposed development falls under section (b) of development exempt from Mineral Safeguarding, as set out in Table 4 on pg. 37 of the Leicestershire Minerals & Waste Local Plan.

### **Representations**

None received.

### **Relevant Planning History**

80/1040/1/DX	District Leisure Centre	Approved 17.10.1980.
83/0221/1/DX	Erection of indoor swimming pool	Approved 15.03.1983.
90/0044/1/DX	Change of use from grassland to form additional car parking	Approved 15.02.1990
23/0560/FUL	Extension to existing car park to create 50 additional car parking spaces	Approved 13.09.2023

## **EXPLANATORY NOTE**

### **The Site**

The application site is part of Enderby Leisure Centre which has car parking located to the north, east and northwest. The Leisure Centre comprises of red brick, with brown cladding running along the northern section of the building. Mill Lane is situated further north. Enderby Golf Course is located to the south and southeast of the Leisure Centre, as well as Brockington College further east, on the other side of Mill Lane. The current conservatory (to be removed) is located towards the rear of the entrance of the Leisure Centre and is most visible from the service yard.

### **The Proposal**

The application is for the replacement of a first-floor conservatory located to the rear of the entrance of Enderby Leisure Centre. The proposal would extend the fitness suite and would be constructed with profiled metal cladding to match the adjacent buildings in profile and colour. The proposal would be built within the same footprint as the existing conservatory facing the rear service yard of the building.

### **Planning Policy**

#### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) establishes the key principles for pro-actively delivering sustainable development through the development plan system



and the determination of planning applications. The emphasis is that development plans allow for development in sustainable locations and that new development is of good design.

It also sets out the planning approach that the Government wishes to see in relation to many aspects of the planning system, with the golden thread running through the decision-making process being the presumption in favour of sustainable development.

It suggests that in decision-taking, this means approving development proposals that accord with the development plan without delay; and, where the development plan is absent, silent or relevant policies are out of date, to grant permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole; or
- Specific policies in the NPPF indicate development should be restricted.

Paragraph 96 of the NPPF states (amongst other things) that planning decisions should aim to achieve healthy places which enable and support healthy lives for example through the provision of sports facilities.

## **Development Plan**

### **Blaby District Local Plan (Core Strategy) Development Plan Document (2013)**

#### **Policy CS1 – Strategy for locating new development**

Policy CS1 sets out the overall strategy for locating new development in the district. It states that most new development will take place within and adjoining the Principal Urban Area (PUA) of Leicester, comprising the 'built-up' areas of Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva.

Outside of the PUA, development will be focused within and adjoining Blaby and the settlements of Enderby, Narborough, Whetstone and Countesthorpe (the 'Larger Central Villages'). The policy encourages development of previously developed land (brownfield) and underused land and buildings. The proposal is considered to be in accordance with Policy CS1.

#### **Policy CS2 – Design of new development**

Policy CS2 seeks 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, including layout and street design, contributing to a better quality of life for the local community. The proposal would be similar in appearance to the existing leisure centre building and is considered to be appropriately designed for its position and therefore to comply Policy CS2.

#### **Policy CS15 – Open space, sport and recreation**

This policy is superseded by updated Policy CS15 as set out in the Delivery DPD.

### Policy CS24 – Presumption in Favour of Sustainable Development

Policy CS24 indicates that when considering development proposals Blaby District Council will take a positive approach that reflects the presumption in favour of sustainable development.

### **Blaby Local Plan (Delivery) Development Plan Document (Delivery DPD) (2019)**

#### Policy DM1 – Development within the settlement boundaries

Policy DM1 seeks to support suitable development located within the boundaries of existing settlements where the proposal:

- would not unduly impact on neighbouring uses,
- is in-keeping with the character and appearance of the area,
- is not overdevelopment,
- is acceptable in layout design and external appearance; and
- would not prejudice the development of a wider area.

The proposal will be built on the same footprint as the original first floor conservatory and no residential properties are located within close proximity to the application site. Due to the scale and position of the proposal there would be no adverse impact on the neighbouring properties and uses. The scale, layout, design and external appearance is appropriate for an extension to the leisure centre building. The proposal is therefore considered to be in accordance with Policy DM1.

#### Policy DM8 – Local Parking and Highway Design Standards

Seeks to provide an appropriate level of parking and servicing provision which complies with Leicestershire Local Highway Guidance. The proposal would not result in additional floor space and therefore would not have a material impact on parking requirements.

#### Update Policy CS15 – Open space, sport and recreation (updated Core Strategy Policy)

Policy CS15 sets out that the District Council will seek to ensure that all residents have access to sufficient, high quality, accessible open space, sport and recreational facilities. The proposal will enhance the existing facilities at Enderby Leisure Centre and is therefore in accordance with the principles of updated policy CS15.

### **Biodiversity Net Gain**

The application is not subject to mandatory Biodiversity Net Gain (BNG) as the site area would fall under the De Minimis exemptions the site area is below the threshold of 25m<sup>2</sup>.

### **Overall Planning Balance and Conclusion**

In summary, the application proposes a new first floor extension the rear of Enderby Leisure Centre and will replace the current first floor conservatory. The development is small scale would be located to the rear of the site and the design is in keeping with the character and appearance of the main building. There would be no adverse impact on the neighbouring properties and uses

Overall, the application is considered to accord with the relevant policies of the Development Plan referred to in this report and the core principles of the NPPF and it is recommended that planning permission is granted.

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