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Meeting	PLANNING COMMITTEE
Time/Day/Date	6.00 pm on Wednesday, 7 May 2025
Location	Forest Room, Stenson House, London Road, Coalville, LE67 3FN
Officer to contact	Democratic Services (01530 454512)

AGENDA		
Item		Pages
1. APOLOGIES FOR ABSENCE		
2. DECLARATION OF INTERESTS		
	Under the Code of Conduct members are reminded that in declaring interests you should make clear the nature of that interest and whether it is a disclosable pecuniary interest, registerable interest or other interest.	
3. MINUTES		
	To confirm and sign the minutes of the meeting held on 8 April 2025	3 - 8
4. PLANNING APPLICATIONS AND OTHER MATTERS		
	Report of the Head of Planning and Infrastructure.	9 - 12

Index of Applications to be Considered

Item	Application Number and Details	Recommendation	Page
A1	21/00494/OUTM: Outline application for the erection of up to 105 dwellings with public open space, landscaping and sustainable drainage systems (SuDS) (all matters reserved except for part access) Land Off Wash Lane, Ravenstone, Leicestershire	Permit subject to conditions and S106 Agreement	13 - 58
A2	25/00106/FUL: Application for change of use from 3-bedroom domestic dwelling (C3) to 4-bedroom House in Multiple Occupation (C4) with a maximum of 4 occupants. 49 Bridge Fields, Kegworth, Derby, DE74 2FW	Permit subject to conditions	59 - 72

MINUTES of a meeting of the PLANNING Committee held in the Forest Room, Stenson House, London Road, Coalville, LE67 3FN on TUESDAY, 8 April 2025

Present: Councillor R Boam (Chair)

Councillors D Bigby, M Burke, R Canny, D Everitt, J Legrys, P Moulton, C A Sewell and J G Simmons

Officers: Ms J Davies, Mr C Elston, Mr D Gill, Mr L Marshall and Mrs R Wallace

46. APOLOGIES FOR ABSENCE

Apologies were received from Councillors R Morris and N Smith.

47. DECLARATION OF INTERESTS

Members declared that they had been lobbied without influence in respect of the following applications but had come to the meeting with an open mind.

Item A1 – application 23/01712/FULM: Councillors D Bigby, R Boam, R Canny, D Everitt, J Legrys, P Moulton and C Sewell.

Item A2 – application 24/00888/REM: Councillors D Bigby, R Boam, R Canny, D Everitt, J Legrys, P Moulton and C Sewell.

Item A3 – application 25/00157/FUL: Councillors D Bigby, R Boam, R Canny, D Everitt, J Legrys, P Moulton and C Sewell.

48. MINUTES

Consideration was given to the minutes of the meeting held on 12 March 2025.

It was moved by Councillor J Legrys, seconded by Councillor P Moulton and

RESOLVED THAT:

The minutes of the meeting held on 12 March 2025 be approved and signed by the Chair as a correct record.

49. PLANNING APPLICATIONS AND OTHER MATTERS

Consideration was given to the report of the Head of Planning and Infrastructure, as amended by the update sheet circulated at the meeting.

50. A1 23/01712/FULM: THE CONSTRUCTION AND OPERATION OF A GROUND-MOUNTED SOLAR FARM WITH A GENERATION CAPACITY OF 7.15MW TOGETHER WITH ACCESS, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE

Donington Park Service Area J23

Officer's Recommendation: Permit

The Planning and Development Team Manager presented the report.

Ms J Lockwood, agent, addressed the Committee. Information was provided to Members regarding the vision of the company including the number one priority to transition to renewable energy and the amount of power that was needed for the additional 4000 charging points to be installed nationally by 2030. It was noted that there was currently

not enough power available via the National Grid. Members were also reminded that there were no objections from the statutory consultees and were urged to support the application.

In determining the application, Members acknowledged the concerns of the residents to retain the green space but also how important it was for the environment to transition to renewable energy. Comments were made on the previous decision to defer the application, and Members were pleased that more information had been received, as well as BNG improvements to the proposals since the last meeting.

The officer's recommendations were moved by Councillor J Legrys and seconded by Councillor R Canny.

The Chair put the motion to the vote. A recorded vote being required, the voting was as detailed below.

RESOLVED THAT:

The application be permitted in accordance with the officer's recommendations.

Motion to permit in accordance with officer's recommendation (Motion)	
Councillor Russell Boam	For
Councillor Dave Bigby	For
Councillor Morgan Burke	For
Councillor Rachel Canny	For
Councillor David Everitt	For
Councillor John Legrys	For
Councillor Peter Moulton	For
Councillor Carol Sewell	For
Councillor Jenny Simmons	For
Carried	

51. A2

24/00888/REM: RESERVED MATTERS OF LAYOUT, SCALE, APPEARANCE AND LANDSCAPING TO OUTLINE PLANNING PERMISSION REF. APP/G2435/W/23/3314972 WHICH GRANTED THE ERECTION OF A BUILDING AND THE ERECTION OF THREE LODGES TO BE USED FOR TOURIST ACCOMMODATION (OUTLINE APPLICATION INCLUDING DETAILS OF ACCESS

Roseville, Outwoods Lane, Coleorton

Officer's Recommendation: Permit

The Head of Planning and Infrastructure presented the report.

The Legal Adviser confirmed that the principle of the development had already been agreed by the Planning Inspector and reminded Members that when considering the reserved matters application, they should have regard to the conditions attached to the appeal decision.

Ms A Stafford, Parish Councillor, addressed the Committee. Members were informed of the strong objections from the Parish Council relating to the proposed height and footprint size of the cabins, increased occupancy and therefore increased noise pollution which would be detrimental to neighbouring properties, light pollution from the amount of proposed windows, the relocation of the development to a more elevated area which made it more visible and overbearing, inadequate level of parking which would impact the surrounding narrow roads, lack of provision for waste collection or disposal, and the proposed location of the shop. Members were urged to refuse the application.

Mr S Haggart, objector, addressed the Committee. It was explained that the objections from residents were not against the development but rather that they felt the conditions imposed by the Planning Inspector had been ignored. It was noted that the development was approved at appeal on the basis of its modest nature, however it was felt that the application did not reflect that due to the proposed height, occupancy levels, outside seating and increased visibility of the units which could not be screened by landscaping. Concerns were also raised regarding the position of the shop, lack of BNG calculation and the lack of a turning space for larger vehicles such as the emergency services. It was felt that overall, the proposals had been drastically changed and failed to comply with the Planning Inspector's recommendations, therefore Members were urged to refuse the application.

Mr J Mattley, agent, addressed the Committee. He detailed the changes made to the proposals since the original application and reminded Members what reserved matters they were considering. It was noted that the application was subject to complaints based on inaccurate information which had effectively led to a delay in the consideration of the proposals. Members were urged to support the rural tourism industry in the District by approving the application.

The Head of Planning and Infrastructure addressed the matters raised by the speakers and clarified some of the Planning Inspector's conditions for Members.

In determining the application, Members acknowledged the tourism and economic benefits of the development, the lack of objections from statutory consultees and that the applicant had addressed many of the residents' previous concerns with the proposals. Some concerns were raised about the use of hot tubs, and it was advised that a note could be made to the applicant against the use of them should the Committee be minded to permit the application. A further concern was also made about the possible location of the air source pumps as it was felt it could be noisy for neighbouring properties and users of the cabins. The Head of Planning and Infrastructure confirmed that a condition could be imposed in relation to the location of the air source pumps.

Members thanked Officers for accompanying them on a site visit prior to the Committee.

The officer's recommendations with the additional condition to agree the location of the air source pumps with the Local Planning Authority, were moved by Councillor D Bigby and seconded by Councillor J Legrys.

The Chair put the motion to the vote. A recorded vote being required, the voting was as detailed below.

RESOLVED THAT:

The application be permitted in accordance with the officer's recommendations with an additional condition to agree the location of the air source pumps with the Local Planning Authority.

Motion to permit in accordance with officer's recommendation including additional condition regarding location of air source pumps (Motion)	
Councillor Russell Boam	For
Councillor Dave Bigby	For
Councillor Morgan Burke	For
Councillor Rachel Canny	For
Councillor David Everitt	For
Councillor John Legrys	For
Councillor Peter Moulton	For
Councillor Carol Sewell	For
Councillor Jenny Simmons	For
Carried	

52.

A3**25/00157/FUL: ERECTION OF A TEMPORARY RURAL WORKERS DWELLING**

Irish Farm, Warren Hills Road, Coalville

Officer's Recommendation: Permit

The Senior Planning Officer presented the report.

Mr K Brennan, objector, addressed the Committee. Strong objections were put forward including the proposal not fitting with the character of the location, high levels of daily traffic, noise levels, car parking, blocked access points and mounting rubbish on the site. It was felt that the business breached planning regulations, did not have viable accounts and could not demonstrate an essential need. Comments were also made on the impact on the entrance from Warren Hills Road, as the increased number of liveries and horses has made it extremely dangerous. Reference was also made to historical planning enforcement on the site. Members were urged to refuse the application.

Mr D Harris-Watkins, agent, addressed the Committee. Members were reminded that an independent agricultural assessor had been instructed and had deemed the proposals acceptable. The details of the application were explained, and current planning enforcement was outlined after which it was noted that the applicants were unaware, they were breaching planning conditions, but this was limited and had been resolved. It was also noted that the proposals provided a ten percent Biodiversity Net Gain providing a long-term ecological benefit. Members were urged to permit the application.

In determining the application, Members acknowledged that the proposal was for a temporary dwelling, and it was felt it was necessary to keep the horses safe, particularly in the wake of the recent local wildfires.

Members thanked Officers for accompanying them on a site visit prior to the Committee.

The officer's recommendations were moved by Councillor R Canny and seconded by Councillor P Moulton.

The Chair put the motion to the vote. A recorded vote being required, the voting was as detailed below.

RESOLVED THAT:

The application be permitted in accordance with the officer's recommendations.

Motion to permit in accordance with officer's recommendations (Motion)	
Councillor Russell Boam	For
Councillor Dave Bigby	For
Councillor Morgan Burke	Against
Councillor Rachel Canny	For
Councillor David Everitt	For
Councillor John Legrys	For
Councillor Peter Moulton	For
Councillor Carol Sewell	For
Councillor Jenny Simmons	For
Carried	

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.18 pm

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APPENDIX B

Report of the Head of Planning and Infrastructure to Planning Committee

7 May 2025

PLANNING & DEVELOPMENT REPORT

PLANNING COMMITTEE FRONT SHEET

1. Background Papers

For the purposes of Section 100(d) of the Local Government (Access to information Act) 1985 all consultation replies listed in this report along with the application documents and any accompanying letters or reports submitted by the applicant, constitute Background Papers which are available for inspection, unless such documents contain Exempt Information as defined in the act.

2. Late Information: Updates

Any information relevant to the determination of any application presented for determination in this Report, which is not available at the time of printing, will be reported in summarised form on the 'UPDATE SHEET' which will be distributed at the meeting. Any documents distributed at the meeting will be made available for inspection. Where there are any changes to draft conditions or a s106 TCPA 1990 obligation proposed in the update sheet these will be deemed to be incorporated in the proposed recommendation.

3. Expiry of Representation Periods

In cases where recommendations are headed "Subject to no contrary representations being received by [date]" decision notices will not be issued where representations are received within the specified time period which, in the opinion of the Head of Planning and Infrastructure are material planning considerations and relate to matters not previously raised.

4. Reasons for Grant

Where the Head of Planning and Infrastructure report recommends a grant of planning permission and a resolution to grant permission is made, the summary grounds for approval and summary of policies and proposals in the development plan are approved as set out in the report. Where the Planning Committee are of a different view they may resolve to add or amend the reasons or substitute their own reasons. If such a resolution is made the Chair of the Planning Committee will invite the planning officer and legal advisor to advise on the amended proposals before a resolution is finalised and voted on. The reasons shall be minuted, and the wording of the reasons, any relevant summary policies and proposals, any amended or additional conditions and/or the wording of such conditions, and the decision notice, is delegated to the Head of Planning and Infrastructure.

5. Granting permission contrary to Officer Recommendation

Where the Head of Planning and Infrastructure report recommends refusal, and the Planning Committee are considering granting planning permission, the summary reasons for granting planning permission, a summary of the relevant policies and proposals, and whether the permission should be subject to conditions and/or an obligation under S106 of the TCPA 1990 must also be determined; Members will consider the recommended reasons for refusal, and then the summary reasons for granting the permission. The Chair will invite a Planning Officer to advise on the reasons and the other matters. An adjournment of the meeting may be necessary for the Planning Officer and legal Advisor to consider the advice required

If The Planning Officer is unable to advise at Members at that meeting, he may recommend the item is deferred until further information or advice is available. This is likely if there are technical objections, eg. from the Highways Authority, Severn Trent, the Environment Agency, or other Statutory consultees.

If the summary grounds for approval and the relevant policies and proposals are approved by resolution of Planning Committee, the wording of the decision notice, and conditions and the Heads of Terms of any S106 obligation, is delegated to the Head of Planning and Infrastructure.

6 Refusal contrary to officer recommendation

Where members are minded to decide to refuse an application contrary to the recommendation printed in the report, or to include additional reasons for refusal where the recommendation is to refuse, the Chair will invite the Planning Officer to advise on the proposed reasons and the prospects of successfully defending the decision on Appeal, including the possibility of an award of costs. This is in accordance with the Local Planning Code of Conduct. The wording of the reasons or additional reasons for refusal, and the decision notice as the case is delegated to the Head of Planning and Infrastructure.

7 Amendments to Motion

An amendment must be relevant to the motion and may:

1. Leave out words
2. Leave out words and insert or add others
3. Insert or add words as long as the effect is not to negate the motion

If the amendment/s makes the planning permission incapable of implementation then the effect is to negate the motion.

If the effect of any amendment is not immediately apparent the Chairman will take advice from the Legal Advisor and Head of Planning and Infrastructure/Planning and Development Team Manager present at the meeting. That advice may be sought during the course of the meeting or where the Officers require time to consult, the Chairman may adjourn the meeting for a short period.

Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of. The amendment must be put to the vote.

If an amendment is not carried, other amendments to the original motion may be moved.

If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendment, or if there are none, put it to the vote.

8 Delegation of wording of Conditions

A list of the proposed planning conditions are included in the report. The final wording of the conditions, or any new or amended conditions, is delegated to the Head of Planning and Infrastructure.

9. Decisions on Items of the Head of Planning and Infrastructure

The Chairman will call each item in the report. No vote will be taken at that stage unless a proposition is put to alter or amend the printed recommendation. Where a proposition is put and a vote taken the item will be decided in accordance with that vote. In the case of a tie where no casting vote is exercised the item will be regarded as undetermined.

Outline application for the erection of up to 105 dwellings with public open space, landscaping and sustainable drainage systems (SuDS) (all matters reserved except for part access).

**Report Item No
A1**

Land at Wash Lane, Ravenstone, Leicestershire.

**Application Reference:
21/00494/OUTM**

Grid Reference (E) 440945

Grid Reference (N) 314277

Date Registered:

19 March 2021

Consultation Expiry:

28 April 2021

13 Week Date:

18 June 2021

Extension of Time:

8 May 2025

Applicant:

Gladman Developments Limited & Coombes

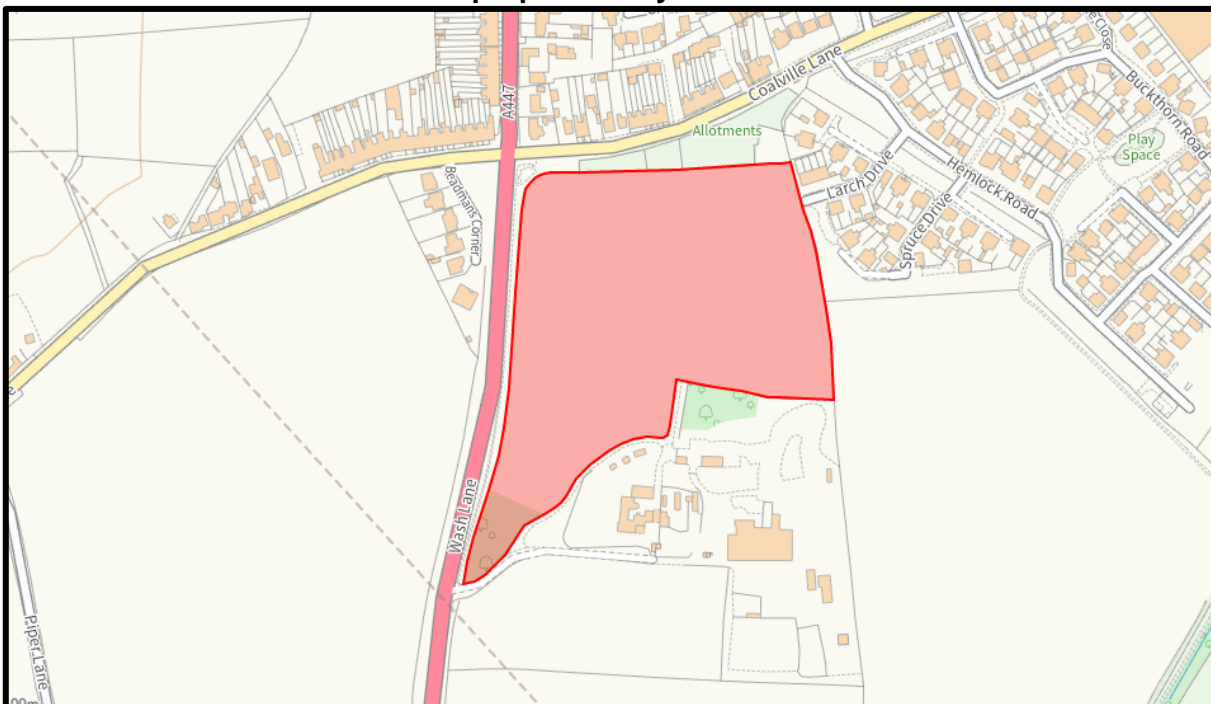
Case Officer:

Adam Mellor

Recommendation:

**PERMIT SUBJECT TO CONDITIONS AND SECTION 106
AGREEMENT**

Site Location - Plan for indicative purposes only



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Reasons the case is called to the Planning Committee

This application is brought to the Planning Committee at the request of former Councillor Elliott Allman as in his opinion the proposed development is inappropriate as it is outside the defined limits to development, the local schools and doctors surgeries are oversubscribed, there are no shops within the local area, the road is dangerous and heavily trafficked, there would be adverse impacts to air quality and inadequate drainage would be provided, with the A447 (Wash Lane) subject to historic flooding.

RECOMMENDATION – PERMIT, subject to the following conditions and the securing of a Section 106 Agreement to deliver the following;

- (a) Affordable Housing – 20% of the total number of properties constructed (if 105 dwellings are constructed this would amount to 21 dwellings).
- (b) Education - £1,114,767.81.
- (c) Civic Amenity - £6,864.90
- (d) Libraries - £3,170.76.
- (e) Transportation - £604,486.76 (as well as a construction traffic routing agreement).
- (f) Health - £101,640.00.
- (g) National Forest – Delivery of 0.8 hectares of National Forest planting on-site or a combination of on-site planting and a financial contribution for off-site planting (off-site contribution being calculated at £35,000 per hectare).
- (h) On-site public open space (POS).
- (i) On-site play / recreation facilities.

Total Financial Contribution - £1,830,930.22

- 1. Outline standard time limit (3 years for reserved matters and 2 years to implement following approval of last reserved matter).
- 2. Reserved matters.
- 3. Approved plans.
- 4. No more than 105 dwellings to be constructed.
- 5. Construction hours.
- 6. Delivery of access arrangements, including visibility splays, in accordance with submitted plans prior to first occupation.
- 7. Delivery of off-site highway works in accordance with submitted plans prior to first occupation.
- 8. Development to be compliant with submitted framework residential travel plan.
- 9. Further badger survey (which will detail any mitigation measures required in relation to the protection of badgers) prior to commencement to be submitted, approved and implemented.
- 10. Surface water drainage scheme during the construction phase prior to commencement to be submitted, approved and implemented.
- 11. Details of infiltration testing (or suitable evidence to preclude testing) to confirm the suitability of the site for the use of infiltration as a drainage element of the surface water drainage scheme prior to commencement to be submitted and approved.
- 12. Demonstration that positive drainage into an open watercourse is not reasonably viable as part of the surface water drainage scheme, including evidence of all options explored, prior to commencement to be submitted and approved.
- 13. Surface water drainage scheme (including surface water drainage within the adopted highway) prior to commencement to be submitted, approved and implemented.
- 14. Surface water drainage maintenance scheme prior to the first use of the development to be submitted, approved and implemented.
- 15. Scheme of tree and hedge protection measures for retained trees and hedges around the consented works associated with the formation of the vehicular access and associated visibility splays prior to the commencement of development to be submitted, approved and implemented.
- 16. Arboricultural impact assessment (ArIA) for any development within the root protection areas

(RPAs) of retained trees and hedges around the consented works associated with the formation of the vehicular access and associated visibility splays prior to the commencement of the development to be submitted, approved and implemented.

17. Programme of archaeological work prior to commencement to be submitted, approved and implemented.
18. External lighting scheme (which will also include a lighting strategy for bats and nocturnal wildlife) prior to occupation to be submitted, approved and implemented.
19. The reserved matters application(s) to be accompanied by details of the existing and finished ground levels and the proposed floor levels of the dwellings (including site sections to demonstrate the relationships) in relation to an existing datum point off site.
20. First reserved matters application to be accompanied by a revised Biodiversity Net Gain (BNG) Metric calculation.
21. First reserved matters application to be accompanied by a revised Building for a Healthy Life (BfHL) Assessment.
22. First reserved matters application in respect of layout to be accompanied by a revised arboricultural impact assessment (ArIA) (which shall detail any works to retained trees and hedges, including within their RPAs) and tree survey (TS) to demonstrate the impact to existing trees and hedges as a result of the proposed layout of the development.
23. First reserved matters application in respect of layout to be accompanied by a tree and hedge protection scheme for retained trees and hedges.
24. First reserved matters application in respect of layout to be accompanied by a schedule of housing for the entirety of the site setting out the mix of market and affordable housing within the development in terms of dwelling size / number of bedrooms (housing mix).
25. First reserved matters application in respect of layout and / or appearance to be accompanied by an updated noise assessment detailing the scheme of acoustic screening, insulation and design (including alternative ventilation arrangements for any dwellings where windows would need to be closed to achieve recommended internal noise levels) which strictly adheres to the recommendations of the noise assessment associated with the outline application.
26. First reserved matters application in respect of layout and / or appearance to be accompanied by an energy efficiency statement (EES) detailing how the layout and appearance of the development reduces greenhouse gas emissions through its location, orientation and design.
27. First reserved matters application in respect of layout and / or appearance to be accompanied by a renewable energy statement (RES) detailing the provision of renewable energy technologies within the development (where feasible).
28. First reserved matters application in respect of layout and / or appearance to be accompanied by details of the type and location of bird and bat nest boxes.
29. First reserved matters application in respect of layout and / or landscaping to be accompanied by a landscape, ecological and biodiversity management and maintenance Plan (LEBMP), which shall include a specific woodland management plan (WMP) for the retained woodland copse.
30. First reserved matters application in respect of layout and / or landscaping to be accompanied by details which demonstrate compliance with the recommendations within the ecological impact assessment (EcIA) associated with the outline application.

MAIN REPORT

1. Proposals and Background

The mandatory requirement for 10% Biodiversity Net Gain (BNG) for major applications as required by the Environment Act came into force on the 12th of February 2024. However, this requirement would only be applicable to those applications received on or after the 12th of February 2024 and is not to be applied retrospectively to those applications already under consideration before this date and subsequently determined after this date. On this basis the proposed development would not be required to demonstrate 10% BNG.

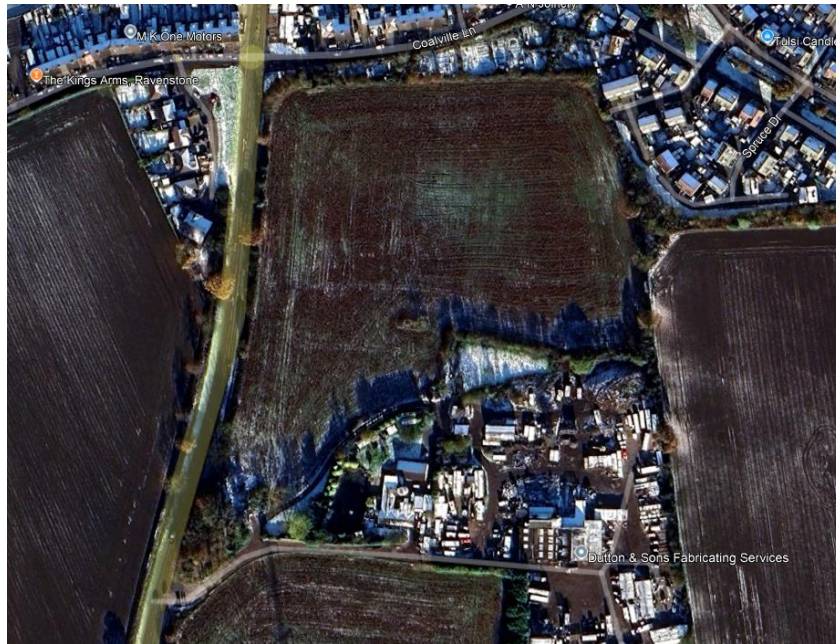
Outline planning permission is sought for the development of the site to provide up to 105 dwellings with public open space, landscaping and sustainable drainage systems (SuDS) with part access for approval at this stage. The 4 hectare site (as identified in the image below) is situated on the eastern side of Wash Lane and is outside the defined Limits to Development.

Presently the application site comprises agricultural land, but residential properties exist on Larch Drive (to the east), Spruce Drive (to the east), Coalville Lane (to the north), and Beadmans Corner (to the west). Allotments off Coalville Lane also lie to the immediate north of the site with industrial premises to the south, agricultural land is then beyond the residential properties to the west and industrial premises to the south.

Site Location Plan

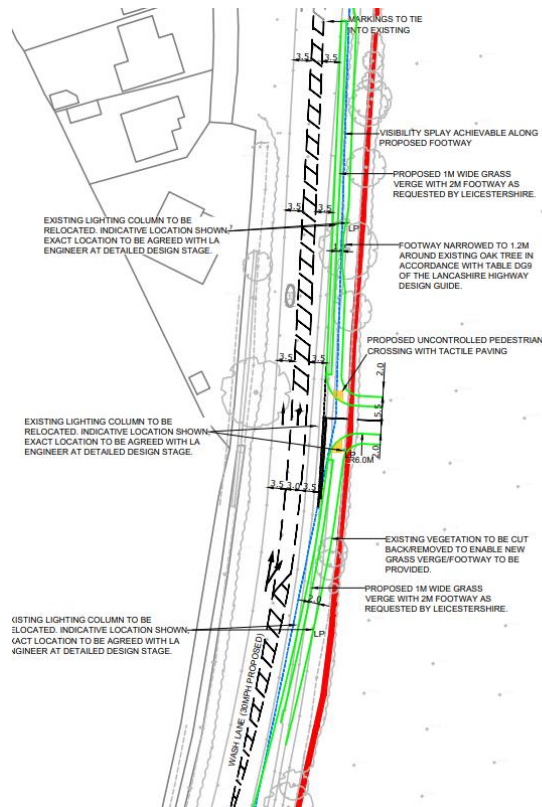


Aerial Image of Site Location



The proposed vehicular access (i.e. the part access sought for approval as part of this outline application) would be formed into the site from Wash Lane and has been amended following consultation responses from the County Highways Authority (CHA). The proposed vehicular access would be provided centrally within the western site boundary and is as shown in the image below.

Vehicular Access Arrangement



A Planning Statement (PS) submitted in support of the application specifies that the proposed housing mix would be subject to approval at the reserved matters stage(s), should outline permission be granted, with the application form suggesting a mix of 28 x 2 bed houses (10 being affordable), 54 x 3 bed houses (11 being affordable) and 23 x 4+ bed houses.

Further information in respect of the application, including the supporting documentation and relevant plans, can be found on the District Council's website.

Relevant Planning History

No recent or relevant planning history was found.

2. Publicity

91 neighbours notified 31st of March 2021.

Three site notices were displayed on the 9th of April 2021.

A press notice was published in the Leicester Mercury on the 14th of April 2021.

3. Summary of Consultations and Representations Received

The following summary of representations is provided. All responses from statutory consultees and third parties are available to view in full on the Council's website.

Objections from:

Ravenstone with Snibston Parish Council whose objection is summarised as follows:

- (a) The proposed development offers few community benefits;
- (b) The proposed development will impact adversely on highway safety given the proximity of the proposed access to the Church Lane/Coalville Lane/Wash Lane/Swannington Lane crossroads which suffer congestion at certain times and where visibility is limited. The speed limit of 40mph also causes concern.
- (c) The proposed development will impact on the biodiversity value of the site;
- (d) The proposed development will impact on air quality due to an increase in traffic as well as the slowing, stopping and starting of vehicles;
- (e) A local land owner has expressed concerns in relation to the flooding of fields on the western side of Wash Lane and this flooding will be exacerbated by an increase in surface water runoff from the proposed development; and
- (f) The Statement of Community Involvement does not reflect the opinions of the community of Ravenstone.

An additional response from Ravenstone with Snibston Parish Council, specifically in relation to Policy IF3 of the adopted Local Plan, also specified that the Parish Council would be seeking an off-site contribution of £20,000 for improvement works at Ravenstone Recreation Ground on Ravenslea.

No Objections from:

Natural England.
NWLDC Environmental Protection (Air Quality).
NWLDC Environmental Protection (Contaminated Land).
NWLDC Waste Services Development Officer.
NWLDC Urban Designer.

No Objections, subject to conditions and/or informatives, from:

Leicestershire County Council – Archaeology.
Leicestershire County Council – Developer Contributions.
Leicestershire County Council – Ecology.
Leicestershire County Council – Highways Authority.
Leicestershire County Council – Lead Local Flood Authority.
Leicestershire Police Designing Out Crime Officer.
National Forest Company.
NWLDC Affordable Housing Enabler.
NWLDC Environmental Protection.
NWLDC Tree Officer.

Third Party Representations

17 representations have been received objecting to the application with the comments raised summarised as follows:

Grounds of Objections	Description of Impact
Principle of Development	There are insufficient services within Ravenstone to support the proposed housing development and investment should be put into such services.
	The development of the site will result in the coalescence of Ravenstone with Coalville.
	The development would be undertaken on a greenfield site and will result in the loss of agricultural land.
	There is no requirement for the proposed housing development or any affordable housing in the area.
Air Quality	There will be additional air pollution which would worsen the already poor air quality.
Highway Impacts	Wash Lane, and in particular the Coalville Lane crossroad junction, suffer congestion at times and are dangerous to navigate as they are not subject to traffic controls. The proposed access location would add additional vehicles to the highway which would exacerbate the issues and result in detriment to highway safety.
	The highway infrastructure in and around Ravenstone needs to be significantly improved.

	On-street parking on Wash Lane, Swannington Lane and Coalville Lane obstructs vehicular movements.
Ecology	The proposed development will impact adversely on ecological species and reduce the biodiversity of the area.

4. Relevant Planning Policy

National Policies

National Planning Policy Framework (2024)

The following sections of the NPPF are considered relevant to the determination of this application:

Paragraphs 8 and 10 (Achieving sustainable development);
Paragraphs 11 and 12 (Presumption in favour of sustainable development);
Paragraph 35 (Development contributions);
Paragraphs 39, 40, 41, 42, 43, 45, 48 and 55 (Decision-making);
Paragraphs 56, 57, 58 and 59 (Planning conditions and obligations);
Paragraphs 61, 62, 63, 64, 65, 66, 71, 78, 79 and 81 (Delivering a sufficient supply of homes);
Paragraphs 96, 98 and 102 (Promoting healthy and safe communities);
Paragraphs 109, 110, 112, 113, 115, 116, 117 and 118 (Promoting sustainable transport);
Paragraphs 124, 125, 129 and 130 (Making effective use of land);
Paragraphs 131, 133, 135, 136, 139 and 140 (Achieving well-designed places);
Paragraphs 161, 163, 164, 166, 170, 173, 174, 175, 181 and 182 (Meeting the challenge of climate change, flooding and coastal change);
Paragraphs 187, 193, 196, 197, 198, 199, 200 and 201 (Conserving and enhancing the natural environment);
Paragraphs 202, 207, 208, 210, 212, 213, 215, 216 and 218 (Conserving and enhancing the historic environment); and
Paragraphs 222, 225 and 230 (Facilitating the sustainable use of minerals).

Local Policies

Adopted North West Leicestershire Local Plan (2021)

The following policies of the adopted local plan are consistent with the policies of the NPPF and should be afforded full weight in the determination of this application:

Policy S1 – Future Housing and Economic Development Needs;
Policy S2 – Settlement Hierarchy;
Policy S3 – Countryside;
Policy D1 – Design of New Development;
Policy D2 – Amenity;
Policy H4 – Affordable Housing;
Policy H6 – House Types and Mix;
Policy IF1 – Development and Infrastructure;
Policy IF3 – Open Space, Sport and Recreation Facilities;
Policy IF4 – Transport Infrastructure and New Development;
Policy IF7 – Parking Provision and New Development;
Policy En1 – Nature Conservation;

Policy En3 – The National Forest;
Policy En6 – Land and Air Quality;
Policy He1 – Conservation and Enhancement of North West Leicestershire's Historic Environment;
Policy Cc2 – Water – Flood Risk; and
Policy Cc3 – Water – Sustainable Drainage Systems.

Leicestershire Minerals and Waste Local Plan (2019)

This plan was adopted on the 25th September 2019 and as such the following policies would be considered relevant to this application:

Providing for Minerals:

Policy M11: Safeguarding of Mineral Resources.

Other Policies

National Planning Practice Guidance.
Good Design for North West Leicestershire Supplementary Planning Document – April 2017.
Leicestershire Highways Design Guide (Leicestershire County Council).
The Community Infrastructure Levy Regulations 2010.
The Conservation of Habitats and Species Regulations 2017.
Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System).

5. Assessment

Principle of Development and Sustainability

Insofar as the principle of development is concerned, and in accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the development plan which, in this instance comprises the adopted North West Leicestershire Local Plan (2021).

Paragraph 187 of the NPPF (2024) highlights the need to recognise the intrinsic character and beauty of the countryside but does not specifically preclude development within the countryside.

Policy S2 of the adopted Local Plan identifies that the Coalville Urban Area (CUA) is the '*Principal Town*' which is defined as the primary settlement in the district and where the largest amount of development will be directed to. The application site falls within the Parish of Ravenstone and Snibston, is immediately adjacent to the extent of the boundaries of the defined Limits to Development for the CUA and is regarded as an extension to the CUA in planning policy terms, as set out at paragraph 4.27 of the 'Proposed Housing and Employment Allocations for Consultation' document that formed part of the draft North West Leicestershire Local Plan Regulation 18 consultation (January to March 2024).

The site is located within land falling outside the defined limits to development, designated as countryside within the adopted Local Plan. On sites falling outside the defined limits to development, residential development is not a form of development that is permissible by Policy S3, save for limited exceptions as specified in the policy (e.g. re-use or adaptation of an existing building or the redevelopment of previously developed land). The proposal does not fall within any of these exceptions.

The overriding principle of Policy S2 is that those settlements higher up the settlement hierarchy take more growth than those lower down, and whilst within the countryside it is considered that the proposed development would not be significantly at odds with this 'principle' given that it would contribute to the growth of the 'Principal Town'.

As of 21st November 2022, the adopted Local Plan became five years old and therefore an assessment is required as to whether the most important policies in the determination of the application are up to date having regard for their consistency with the NPPF. The most important policies in the determination of the matter of principle are Policies S2 and S3 as they relate to the provision and distribution of housing.

Paragraph 11 of the NPPF indicates that decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

"c) approving development proposals that accord with an up-to-date development plan without delay; or

d) 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 of assets of particular importance provides a strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."*

Footnote 8 associated with Paragraph 11 of the NPPF states that:

"This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in Paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. See also Paragraph 232."

The question of whether the Council can demonstrate a five year housing land supply and has a Housing Delivery Test measurement of at least 75% are therefore key considerations in establishing whether the most important policies for determining the application are out-of-date.

The Council's most recent Housing Delivery Test measurement (published 12 December 2024) is 242%.

The Council has recently published its five year housing land supply position as of 1 April 2025, which is 15.6 years. This shows that for the 2025 to 2030 period, the Council can demonstrate a supply in excess of five years. This assessment is based upon the 2011 to 2031 adopted Local Plan period. It factors in over-supply against the requirement of 481 dwellings per annum between 1 April 2011 and 31 March 2024 and applies the new standard method figure of 610 dwellings per annum from 1 April 2024 onwards.

In this context and in line with the guidance at NPPF footnote 8, the most important policies for determining the application (Policies S2 and S3) should be regarded as effective, up-to-date and as carrying significant weight.

Although the Council can demonstrate a five year housing land supply against the *adopted* Local Plan, it is a material consideration in the determination of this application that the *new* Local Plan

(2024 to 2042) is being prepared against a higher annual housing requirement of 686 dwellings. As the new Local Plan becomes more advanced, the Council will have to base its housing land supply upon the new plan period and housing requirement. Furthermore, the calculations will not be able to factor in any oversupply of housing delivered prior to the start of the new plan period (1 April 2024). Whilst housing delivered after 1 April 2024 on permitted sites such as South East Coalville, Standard Hill and Money Hill will continue to contribute towards the Council's supply, in order to demonstrate a five year housing land supply against the new Local Plan, the Council will be reliant on the delivery of the new Local Plan housing allocations, of which this application site is one.

Whilst Paragraph 12 of the NPPF reaffirms that the starting point for decision making is the adopted Local Plan, it does also specify that local planning authorities *"may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."*

The report which follows provides appropriate assessments against relevant policies of the adopted Local Plan and paragraphs of the NPPF.

Assessment Against Criteria (i) to (vi) of Policy S3

Although it is acknowledged that the proposed form of development is not one listed, and thereby supported, by criteria (a) to (s) of Policy S3, the policy goes on to state that development in accordance with criteria (a) to (s) would be supported, subject to satisfying criteria i-vi as set out below .

The assessment against criteria (i) to (vi) is as follows:

Criterion (i) of Policy S3

- (i) *The appearance and character of the landscape, including its historic character and features such as biodiversity, views, settlement pattern, rivers, watercourses, field patterns, industrial heritage and local distinctiveness is safeguarded and enhanced.*

For the reasons as outlined in the 'Landscape and Visual Impact' section of this report below, it is considered that the proposed development would not impact adversely on the appearance and character of the landscape.

On this basis the proposed development would be compliant with criterion (i) of Policy S3 of the adopted Local Plan.

Criteria (ii) and (iii) of Policy S3

- (ii) *It does not undermine, either individually or cumulatively with existing or proposed development, the physical and perceived separation and open undeveloped character between nearby settlements, either through contiguous extensions to existing settlements or through development on isolated sites on land divorced from settlement boundaries; and*
- (iii) *It does not create or exacerbate ribbon development.*

The application site lies within the eastern extent of the Parish of Ravenstone with Snibston and lies adjacent to what is defined as the Coalville Urban Area (CUA) (which includes Snibston) on the Policies Map to the adopted Local Plan.

The main part of the settlement of Ravenstone lies to the south-west and the application site is segregated from Ravenstone by agricultural fields and the A447 (Wash Lane).

When accounting for the presence of the A447 (Wash Lane) between the application site and the main part of the settlement of Ravenstone, along with the open fields which exist to the west of the A447 (Wash Lane) and the existing landscaping infrastructure to the boundaries of the application site which is to be retained, it is considered that the physical and perceived separation (*officer emphasis*) between settlements would not be undermined and consequently there would be no conflict with this criterion.

The proposals maps associated with the draft Local Plan would also result in the application site lying within the defined Limits to Development for the CUA.

It is also considered that the proposed development would not create or exacerbate ribbon development.

On this basis the proposed development would be compliant with criteria (ii) and (iii) of Policy S3 of the adopted Local Plan.

Criterion (iv) of Policy S3

- (iv) *Built development is well integrated with existing development and existing buildings, including the re-use of existing buildings, where appropriate.*

The application site is to the immediate west of a residential estate, with residential dwellings also being located to the immediate north beyond the allotments as well as on the opposite side of the A447 (Wash Lane) to the west. In addition, industrial premises are located to the immediate south of the site.

When accounting for this it is considered that the proposed residential development would be well integrated with existing development and existing buildings.

On this basis the proposed development would be compliant with criterion (iv) of Policy S3 of the adopted Local Plan.

Criterion (v) of Policy S3

- (v) *The development will not seriously undermine the vitality and viability of existing town and local centres.*

Given the nature of the proposed development this criterion is not considered to be relevant.

Criterion (vi) of Policy S3

- (vi) *The proposed development is accessible, or will be made accessible, by a range of sustainable transport.*

Whilst the application site falls within the Parish of Ravenstone and Snibston, it is immediately adjacent to the extent of the boundaries of the defined Limits to Development for the CUA and is regarded as an extension to the CUA in planning policy terms, as set out earlier in the 'Principle of Development and Sustainability' section of this report. The CUA is defined as the 'Principal Town' comprising the primary settlement in the district, and where the largest amount of new development will be directed.

For the reasons as assessed in the 'Transport Sustainability' subsection of the 'Accessibility' section of this report below, it is considered that the proposed development would be accessible, or can be made accessible, by a range of sustainable transport.

Conclusion in Relation to the Assessment Against Criteria (i) to (vi) of Policy S3

Draft North West Leicestershire Local Plan (2024 to 2042) - Proposed Housing Allocation R17 (Land at Coalville Lane / Ravenstone Road)

Housing Allocation R17



“a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given.”

25

published Local Development Scheme (February 2025) anticipates the Regulation 19 version of the plan will be presented for the Council's approval in April 2026, with public consultation to follow in May/June 2026.

The Council received five consultation responses in relation to R17 as part of the Regulation 18 consultation, two of which objected to the allocation of the site. One objection related to the traffic impact of the development and the other highlighted concerns with the deliverability of the brownfield portion of the allocation (i.e. the part which does not form part of the application site). The County Highway Authority has no objections to the application. Whilst officers do not have any immediate concerns about the deliverability of the remainder of the site, this is not an issue for the consideration of this application.

There are not considered to be any significant inconsistencies with the allocation of the site and the policies contained in the National Planning Policy Framework. The site is proposed for allocation to meet the Council's housing need for the 2024 to 2042 plan period and is considered to form part of the Coalville Urban Area which is the top tier of the district's settlement hierarchy.

When considering NPPF paragraph 49 as a whole, some weight can be attributed to the allocation of R17 for housing in the draft Local Plan. Whilst the draft Local Plan is at a relatively early stage, the Council has agreed that R17 will progress as a housing allocation in the Regulation 19 version of the Plan. As such, it is expected to form part of the Council's anticipated housing land supply in future years. It is also material that there were minimal objections to the allocation of the site as set out above and that these objections can be considered as largely resolved.

The 2024 Regulation 18 consultation indicated under Part (1) of Housing Allocation R17 that the site would be allocated for:

- (a) Around 153 homes;*
- (b) Provision of affordable housing in accordance with draft Policy H5;*
- (c) Provision for self-build and custom housebuilding in accordance with draft Policy H7;*
- (d) Areas of public open space; and*
- (e) Surface water drainage provision (SuDs).*

Under Part (2) of Housing Allocation R17 it was stated that development of the site would be subject to the following requirements:

- (a) The submission of evidence which demonstrates that contamination will not prohibit future development;*
- (b) Provision of a safe and suitable access from Wash Lane;*
- (c) Provision of a pedestrian link through the site from Wash Lane to the adjoining residential development to the east of the site;*
- (d) The retention and enhancement of hedgerows and trees (including the woodland copse adjoining Wash Lane) and incorporated into the layout in a manner that does not have a negative impact upon the living conditions of future occupants (e.g. overshadowing);*
- (e) Achievement of biodiversity net gain in accordance with national requirements;*
- (f) Provision of tree planting and landscaping in accordance with draft Policy En3 (The National Forest); and*
- (g) Any necessary Section 106 financial contributions, including towards primary and secondary education, healthcare, the North West Leicestershire Cycling and Walking Infrastructure Plan, offsite highway works, and public transport improvements.*

It was resolved at Local Plan Committee on 16 December 2024 that criterion (c) above would be amended to *'The provision of a pedestrian link to the eastern boundary of the site to enable connectivity to existing development to the east'*.

It was also resolved at this Local Plan Committee that a requirement for a Minerals Assessment would be added to the policy.

Paragraphs 4.28, 4.29 and 4.30 of the supporting text to Housing Allocation R17 also state that:

“4.28 The northern part of the site (currently in agricultural use) is the subject of a planning application for 105 dwellings (21/00494/OUTM).

4.29 The southern part of the site largely comprises brownfield land, where there is the potential for contamination, although detailed survey work would be required to ascertain as to whether this is the case or not.

4.30 Land to the east has been recently developed for housing. The provision of a pedestrian access to the site will facilitate easier access through to Coalville town centre via the former Snibston Discovery Park site.”

As proposed the development would deliver up to 105 dwellings, including affordable housing, areas of public open space and surface water drainage provision. Consequently, when accounting for the extent of the allocation being larger than that of the application site it is considered that the development would be compliant with criteria (a), (b), (d), and (e) of Part (1). Whilst no self-build or custom homes would be delivered (criteria (c) of Part (1)), there is the potential for this type of housing to be delivered on the part of the allocation to the south of the application site. No weight can be attributed to the draft self-build policy (H7). Unlike the R17 housing allocation, the self-build policy has not yet been reviewed and presented back to Local Plan Committee and it also has a high level of unresolved objections meaning there would be no justification to refuse the application on this basis.

In terms of Part (2), it is considered that Paragraph 4.29 of the supporting text makes it clear that the contamination issues relate to the southern part of the allocation (i.e. land outside of the application site), with no objection raised by the Council's Land Contamination Officer to this application (or whereby it was requested that conditions be imposed on any outline permission granted to address contamination). On this basis criterion (a) of Part (2) would not be of relevance.

When accounting for the conclusions reached in the 'Accessibility' section of this report below, it is considered that a safe and suitable access would be delivered from Wash Lane in line with criterion (b) of Part (2).

It is determined within the 'Ecology' section of this report that a 'gain' in biodiversity would be delivered as part of the development, with the 'Developer Contributions and Infrastructure' section of the report outlining that relevant contributions which would be secured. On this basis, compliance with criteria (e) and (g) of Part (2) is demonstrated.

In respect of the other criteria ((c), (d), and (f)) it is considered that compliance with such criteria would be demonstrated as part of any reserved matters application(s), should outline permission be granted, relating to the layout and landscaping of the development. It is, however, noted that the Indicative Development Framework (IDF) plan, does suggest that the existing hedgerows and trees would be retained and that further soft landscaping infrastructure (including tree planting) would be delivered.

The section of the report below relating to 'Impact on Safeguarded Minerals' considers this matter in more detail, which concludes that in this particular instance the site is located close to a built-up area comprising numerous residential receptors and although no representation has been received from Leicestershire County Council (the Minerals Planning Authority), it is considered that any mineral extraction would not be practicable, nor could it be made environmentally acceptable.

Conclusion in Relation to Housing Allocation R17 (Land at Coalville Lane / Ravenstone Road) in the draft North West Leicestershire Local Plan

Some weight can be attributed to the allocation of R17 for housing in the draft Local Plan. The proposed development is also considered to be compliant with the requirements of Part (1) and Part (2) of Housing Allocation R17 insofar as certain criteria would be applicable to an outline application with only part access for approval.

Landscape and Visual Impact

Criterion (i) of Policy S3 of the adopted Local Plan outlines that development outside of the defined Limits to Development will be supported where the appearance and character of the landscape is safeguarded and enhanced.

A Landscape and Visual Impact Assessment (LVIA) has been submitted in support of the application, which has been undertaken in accordance with best practice as outlined in the 'Guidelines for Landscape and Visual Impact Assessment 3rd Edition' (also known as GLVIA3).

Landscape Impact

The application site is not subject to any statutory landscape (i.e. National Park or National Landscape), nature conservation or heritage designations, or non-statutory designations (such as a Local Wildlife Site (LWS)).

It is outlined within the LVIA that the application site comprises an agricultural field with boundary hedgerow and tree planting to the north, east and west. The boundary to the south of the site is a combination of tree and hedgerow planting and, in places, is open to the adjacent land. A pocket of tree planting within the south-western corner of the site provides screening of the site from the approach to Coalville from Ravenstone via the A447 (Wash Lane).

At a National Level the application site falls within the 'Leicestershire and South Derbyshire Coalfield' National Character Area (NCA 71) (which is outlined in Paragraphs 4.1 to 4.2 of the LVIA).

The East Midlands Region Landscape Character Assessment (EMRLCA) identifies that the application site is within the 'Coalfields' (Group 9) and 'Settled Coalfields Farmlands' (Group 9a) landscape character type which is outlined in Paragraphs 4.3 to 4.9 of the LVIA.

The LVIA determines that the landscape value of the site is assessed as being medium to low with the susceptibility to change also being medium. On completion of the development the LVIA concludes that the impact to the site's landscape and its immediate surroundings would be moderate adverse, but such impacts would reduce to moderate to minor adverse (around 15 years after completion) as a result of the maturing of landscaping infrastructure and habitats proposed as part of the development.

The landscape impacts to the NCA and EMRLCA character types are assessed to be negligible within the LVIA.

Visual Impact

Residential Receptors

The LVIA determines that the most noticeable visual impact would be experienced by residential properties adjoining the site boundary with the visual effect to such a receptor group being major to moderate adverse at completion but reducing to moderate adverse within the 15th year due to the softening of landscaping infrastructure to the site boundaries. Primarily the initial high impact is as a

result of residential receptors being the most sensitive receptors to change in their visual outlook but contextually many of the neighbouring dwellings already perceive existing dwellings (as well as other built forms) in their visual outlook given the setting of the site.

Other residential receptors within the immediate vicinity would experience moderate to minor adverse impacts given that views would be partial and oblique. Where longer distance views are possible, the visual impact to such residential receptors would be minor adverse and reducing in the medium term with the maturing of landscaping infrastructure.

Public Rights of Way (PRoWs)

PRoWs O44/1, N94/2 and N93/1 are in closest proximity to the site but due to their setting views are obscured. Users of PRoWs N25/1 and 046/1, as well as Byway Open to All Traffic (BOAT) O45/2, are likely to be affected by the proposals at certain points of their route although views of the development will be in the context of the settlement edge of the Coalville Urban Area (CUA). The LVIA concludes that the visual impact at completion will be moderate to minor adverse but decreasing over time as a result of the proposed soft landscaping infrastructure maturing. From other routes further away, the proposed development would be seen in the context of the existing settlement edge and would be partially screened by intervening vegetation and landform or viewed from within a residential development. The visual impact to the users of such routes would be minor adverse on completion and would reduce over time.

Road and Transport Users

Due to the transient nature of views for road users and the landscaping infrastructure to the site boundaries, views are generally obscured. Roads in close proximity to the site approaching Coalville would view the application site in the context of the existing settlement edge and therefore the effect would be minor adverse on completion and decreasing as the proposed landscaping infrastructure establishes and matures. The distance of Leicester Road from the application site would ensure that in any view to road users the site would be read as a continuation of the existing settlement edge and therefore would be negligible from completion. It is again the case that landscaping infrastructure would soften the impacts of the development thereby decreasing the overall visual effect to road users.

Night-Time Visual Effects

The LVIA indicates that the proposed development would follow the latest best practice guidance on lighting installations to minimise lighting emissions and pollution on the surrounding landscape as well as night time skies. It is also outlined in the LVIA that an appropriate lighting mitigation strategy when combined with the retention of the existing woodland and boundary trees, as well as the introduction of further landscaping infrastructure, would absorb some of the lighting effect. In addition, the application site is located adjacent to the existing settlement edge of the CUA and thereby any impacts to the night sky would be localised.

Impact to Existing Landscaping Infrastructure

For the reasons as discussed in the 'Landscaping' section of this report below, the proposed development would not impact significantly on the existing landscaping structure on the site with the only impact being to a part of a group of trees in order to form the proposed vehicular access off Wash Lane.

Landscape and Visual Impact Conclusion

As is outlined above the LVIA determines that the landscape is of medium to low value and that the susceptibility of the local landscape to this form of development would be medium. On this basis the

overall impact to the landscape, when accounting for the maturing of landscaping infrastructure, would be moderate to minor adverse.

In terms of visual impacts, it is outlined above that there would be moderate adverse to residential receptors which adjoin the site boundary (following the maturing of landscaping infrastructure) with the impact to other residential receptors being moderate to minor adverse (which is the assessment on completion and therefore in the time the visual impact would reduce). The visual impacts to users of PRowS, as well as road users, would also be moderate to minor adverse on completion but reducing over time.

It is considered that the conclusions reached within the LVIA are reasonable when accounting for the contents of the District Council's Landscape Sensitivity Study (LSS) (undertaken by Gillespies) which determined that the land identified as Coalville Parcel East (ref: 01COAE), which includes the area of the application site, has a medium landscape sensitivity and medium visual sensitivity to residential development. The District Council's LSS forms part of the evidence base to the draft Local Plan.

The LVIA recommends a number of landscape enhancements and mitigations as follows:

- (a) The provision of 1.14 hectares of land dedicated to landscaping, public open space (POS), play facilities and natural open space (NOS)/habitat related proposals which would represent around 28.5% of the total site area;
- (b) The provision of new woodland, and a woodland belt with a depth of 15 metres, in line with the requirements of the National Forest Guide for Developers and Planners;
- (c) The planting of broadleaved woodland, trees and native species rich hedgerows, along with the creation of grassland habitats for biodiversity benefits (including appropriate mixes for the site's drainage features);
- (d) Creation of a landscape buffer along the southern and eastern site boundaries to reduce the impact of the development to the surrounding landscape;
- (e) Ensuring that the dwellings are located in a framework of retained and new landscape habitats of tree belts, hedges and greenspace;
- (f) The creation of new walking routes through the site enabling connectivity to the surrounding areas as well as recreation facilities;
- (g) The exploration of opportunities in which the built environment can become 'green' including the use of street trees and landscaped streets as well as the inclusion of native shrubs, hedges and trees for gardens (such matters would be pertinent to the consideration of any future reserved matters application(s) relating to layout and landscaping should outline permission be granted); and
- (h) The future management and maintenance of the landscaped areas, as well as the POS, NOS and habitat related proposals.

The 1.14 hectares of land could be secured in a legal agreement with the remaining landscape and mitigation measures set out above secured as part of any reserved matters application(s) associated with the layout and landscaping of the proposed development, should outline permission be granted. Conditions could also be imposed on any outline permission granted to secure a landscaping management and maintenance plan as well as a detailed lighting scheme which would account for the recommendations within the LVIA.

The retention of existing soft landscaping infrastructure, when combined with proposed soft landscaping infrastructure, would also soften the overall visual impacts of the development with the development being viewed in the context of its relationship with existing urban features (such as dwellings, highways infrastructure and electricity pylons) to the edge of the CUA. Landscape enhancements would also be beneficial to the overall landscape, including the character of the landscape.

Overall, it is considered that the proposed development would, as a minimum, safeguard the character and appearance of the landscape, and to some extent would also enhance the character and appearance of the landscape as the soft landscaping infrastructure matures. On this basis the proposal is compliant with criterion (i) of Policy S3 of the adopted Local Plan.

Loss of Agricultural Land

In terms of the loss of agricultural land, Paragraph 187 of the NPPF outlines that planning policies and decisions should contribute to and enhance the natural and local environment by, amongst other things, recognising the *“wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile (BMV) agricultural land.”* Footnote 65 to Paragraph 188 of the NPPF suggests that *“where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.”* BMV agricultural land is defined as that falling within Grades 1, 2 and 3a of the Agricultural Land Classification (ALC).

Information which accompanies the application does not detail the agricultural quality of the application site, but on the basis of Natural England’s Regional Agricultural Land Classification Map for the East Midlands the application site would comprise Grade 2 (Very Good – BMV) agricultural land.

Whilst the NPPF does not suggest that the release of smaller BMV sites is acceptable, the magnitude of loss of agricultural land is considered to be low where less than 20 hectares of BMV would be lost. Given that the application site area (of 4 hectares) would fall significantly below this threshold it is considered that a reason to refuse the application in the context of criterion (b) of Paragraph 187 of the NPPF could not be substantiated. It is also the case that the draft North West Leicestershire Local Plan would seek to allocate the application site for residential development as discussed in the *‘Housing Allocation R17 (Land at Coalville Lane / Ravenstone Road) in the draft North West Leicestershire Local Plan’* section of this report above.

Notwithstanding the above, the loss of the Grade 2 agricultural land would weigh against the development in the overall planning balance.

Accessibility

Policy IF4 of the adopted Local Plan requires that development takes account of the impact upon the highway network and the environment and incorporates safe and accessible connections to the transport network to enable travel choice. Policy IF7 requires that development incorporates adequate parking provision.

As part of the consideration of the application the County Highways Authority (CHA) has been consulted, and their consultation response is provided following consideration of the Leicestershire Highways Design Guide (LHDG).

A Transport Assessment (TA) (including a Stage 1 Road Safety Audit (RSA) and Designers Response (DR)) and Framework Travel Plan (FTP) accompanied the application, which have been amended during its consideration. A Highway Planning and Design Technical Note (HPDTN) has also been submitted.

Only part access is submitted for approval at this time.

Access

The CHA notes that the proposed access, comprising a simple priority T-junction with a ghost right turn lane, would be onto the A447 (Wash Lane) with there being a 30/40mph speed limit terminal

point at the position of the site access. The access road would be 5.5 metres in width, with 6 metre kerb radii and 2 metre footways.

As part of the consideration of the application the proposed access has been relocated 2 metres to the south, with a section of footway to the north of the access narrowed, to allow for the retention of an existing Oak tree. The alignment of the footway has also been amended with the existing 1 metre wide grass verge separating the footway and carriageway being shown on the revised plans. The proposed access is as shown in the '*Vehicular Access Arrangement*' image within the '*Proposals and Background*' section of this report above.

A speed survey undertaken 140 metres to the south of the A447/Coalville Lane/Church Lane junction identified 85th percentile speeds of 40.6mph in a northbound direction and 40.3mph in a southbound direction. Whilst, in line with Policy IN5 of the LHDG, the CHA would seek to resist new accesses onto high-speed class A or B roads, they consider that as the recorded speeds were only marginally above 40mph there would be no justification to resist the development on the basis of Policy IN5.

Irrespective of this, the LHDG does not have adopted plan status and is guidance to the District Council, rather than being adopted into policies of the Local Plan, consequently refusing the application based on conflict with Policy IN5 of the LHDG could not be justified in any event.

In terms of visibility, the submitted plan demonstrates splays of 2.4 metres by 120 metres which would be in accordance with the LHDG, with the junction spacing between the site access and the junction of the A447 with Coalville Lane also being acceptable to the CHA.

With regards to swept path analysis at the site access, the CHA required an analysis of the Council's waste vehicle manoeuvring at the site access given that this was specified as a problem (no. 3) within the RSA and DR. Following the receipt of the amended swept path analysis, the CHA has concluded that it demonstrates that the Council's waste vehicles could manoeuvre appropriately into and out of the proposed site access and that whilst there would a minor encroachment into the ghost right turn lane (as a result of the Council's waste vehicles turning left out of the site) this would not compromise highway safety given that vehicles entering the ghost right turn lane would be significantly reducing their speed in order to turn right into the site.

Overall, the design of the access is acceptable to the CHA.

Speed Limit

When accounting for the nature of the road and the lack of frontage development, the CHA has determined that there would be no requirement to extend the 30mph speed limit.

Highway Safety

When accounting for the low number of Personal Injury Collisions (PICs) recorded to have taken place within 500 metres of the site in the most recent five-year period, the CHA has no highway safety concerns regarding the location of the site with there being no evidence to suggest that the proposed development would increase the risk of accidents occurring.

Impact to the Highway Network

The CHA requested the use of person trips, and that census mode share data be applied in order to determine the proposed trip rates. The results outlined in the submitted TA indicate that the two-way vehicle trips within the AM peak period (08:00 to 09:00) would be 88 vehicles with those in the PM peak period (17:00 to 18:00) being 78 vehicles.

When accounting for committed development (i.e. that development within the vicinity of the application site with planning permission), the CHA considers the trip generation to be acceptable and have determined that there would be no material impact on the highway network (including junctions subject to junction capacity assessments (JCAs)).

Junction Capacity Assessments (JCAs)

JCAs have been undertaken for the site access onto the A447 (Wash Lane) and A447/Church Lane/Coalville Lane junctions. The results of the JCAs are considered acceptable to the CHA and demonstrate that both junctions would operate well within capacity in the future year scenario.

Off-Site Implications

The CHA is supportive of the introduction of tactile paving at existing uncontrolled crossing points within the vicinity of the site, particularly to the north on the A447 (Swannington Road) and on Coalville Lane, as well as to the south on the A447 (Wash Lane). The provision of such tactile paving would be secured by condition on any outline permission granted.

Coalville Transport Strategy

The CHA has outlined that a financial contribution of £504,000.00 should be secured in a Section 106 agreement, as discussed in the '*Developer Contributions and Infrastructure*' section of this report below, in line with the Coalville Transport Strategy which is a comprehensive mitigation package of network improvements which are planned to safeguard against rate of deterioration and optimise traffic flow (whilst maintaining safety) on the A511.

Transport Sustainability

The FTP outlines that the nearest bus stops are located on Coalville Lane, approximately 295 metres from the centre of the site, which are served by hourly services between Ibstock, Ravenstone and Coalville and are accessible by existing raised footways. Within 300 metres of the site is a public house (The Kings Arms, Church Lane), with the nearest post office on Leicester Road, Ravenstone being slightly in excess of 800 metres (around 900 metres from the site access). The nearest primary schools (Woodstone Community Primary School on Heather Lane, Ravenstone and All Saints Church of England Primary School on Ashby Road, Coalville) would be in excess of 1 kilometre from the site. It is, however, acknowledged by the CHA that local amenities do exist on Ashby Road, Coalville which are approximately 730 metres from the site.

In addition, National Cycle Route 52 is situated 595 metres to the south of the site along Leicester Road, then north along the Bosworth Trail to follow the southern and eastern boundaries of Snibston Colliery Park. The route then continues northwards along Bridleway N94/3 to access Coalville Town Centre.

On this basis the CHA is satisfied that the application site is within a sustainable location.

In line with the recommendations of the CHA, the FTP has also been amended to include the following:

- (a) A potential target for reduction in single occupancy vehicles within five years of 10%;
- (b) That 100% of the proposed residents are made aware of the FTP;
- (c) That consideration will be given to the use of the Modeshift Sustainable Travel Accreditation and Recognition Scheme (STARS);
- (d) That reference to the website choosehowyoumove.co.uk was included which provides information on local walking maps and groups, cycle maps, public transport timetables and routes, and car sharing opportunities; and

- (e) That details of the Travel Plan Co-ordinator would need to be supplied to Leicestershire County Council (LCC).

The CHA will seek the implementation of the FTP by condition on any outline permission granted.

Contributions would also be sought by the CHA towards sustainable travel including travel packs, six month bus passes, FTP monitoring fee, and raised kerb provision at the two closest bus stops to the application site on Coalville Lane. These are as discussed in the *'Developer Contributions and Infrastructure'* section of this report below.

The Council's Health and Wellbeing Team (HWT) has commented that the Council's Local Cycling and Walking Infrastructure Plan (LCWIP) identifies that an on-road section of the National Cycle Network (NCN) 52 passes to the south and east of the application site, with NCN 52 then linking to an off-road section towards Coalville Town Centre and Snibston Country Park. It is recommended by the Council's HWT that a suitable cycle link be provided through the application site along with a connection to NCN 52 if feasible.

It is also outlined by the Council's HWT that the LCWIP does not identify any walking improvements within the area, but the developer should consider National and Local guidance when forming walking routes within the development.

At this stage only part access is sought for approval and therefore the requirements of the Council's HWT would be addressed as part of any reserved matters application(s) associated with the layout, should outline permission be granted.

Notwithstanding this, the submitted Indicative Development Framework (IDF) plan does identify that a pedestrian / cycling link would be provided from the south-western corner up to the north-western corner through the site which would provide a separate route to that on the A447 (Wash Lane). There would also be an opportunity to consider further links, to those identified on the IFP, as part of any reserved matters application(s) which could include links up the site boundaries to facilitate any future connections. This would be particularly relevant to the south where the remainder of Housing Allocation R17 under the draft Local Plan would be situated.

In terms of a link to NCN 52, the applicant has commented that whilst any future reserved matters application(s) associated with the layout (should outline permission be granted) would seek to facilitate any future links between the application site and NCN 52, there would be no feasible means of the development providing a link in its entirety due to the applicant not being the owner of land between the site and NCN 52.

Internal Layout

At this stage only part access is sought for approval and therefore the specific off-street parking arrangements for each individual property would be assessed and addressed following the submission of any reserved matters application(s), given that this would be dependent on the total number of bedrooms within a particular dwelling as required by the LHDG and Council's adopted Good Design SPD. When considering the off-street parking provision due regard would also be given to the requirements of the Council's Affordable Housing Enabler (AHE) as outlined in their consultation response.

The ability for vehicles to manoeuvre within the site so as to exit in a forward direction would also be a matter to be addressed at the reserved matters stage(s) once a layout is progressed.

Should the applicant wish for the internal highway to be adopted then it would be necessary for it to be designed in full compliance with the LHDG. An informative imposed on any outline permission granted would advise the applicant of this fact.

Accessibility Conclusion

Paragraph 116 of the NPPF outlines that development should only be refused on highway grounds where *“there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.”*

In the circumstances that there are no objections to the application from the CHA, subject to the imposition of conditions, it is considered that the part access sought for approval at this outline stage would be compliant with Policy IF4 of the adopted Local Plan as well as Paragraphs 115, 116 and 117 of the NPPF.

Compliance with Policy IF7 of the adopted Local Plan, as well as Paragraphs 112 and 113 of the NPPF would be required to be demonstrated at the reserved matters stage(s) when the internal access arrangements and off-street parking requirements would be provided.

Design, Density, Housing Mix and Impact on the Character and Appearance of the Area

Policy D1 of the adopted Local Plan requires that all developments be based upon a robust opportunities and constraints assessment and be informed by a comprehensive site and contextual appraisal. It also requires that new residential developments must positively perform against Building for a Healthy Life (BfHL) (formerly Building for Life 12 (BfL12)) and that developments will be assessed against the Council's adopted Good Design SPD.

Density

The proposed development would provide for a net density of approximately 26.25 dwellings per hectare which would be directly comparable with the 27.54 dwellings per hectare consented on the residential development constructed to the immediate east of the site (known as Land Off Coalville Lane and Ravenstone Road, Coalville). Paragraph 129 of the NPPF requires development to make efficient use of land and it is considered that this density would, when having regard to the location of the development and the implications of meeting relevant design policies, be considered reasonable in this location.

Design and Impact on the Character and Appearance of the Streetscape

At present the application site comprises agricultural land with land levels which fall from north to south and east to west with the south-western corner of the site being at the lowest land level. The immediate area is characterised by a mix of dwellings with traditional terraced and semi-detached forms of dwellings being present on Coalville Lane (northern side), Church Lane (northern side) and the A447 (Swannington Road) (western side) and then newer builds being present on Beadmans Corner, the residential estate to the immediate east (Hemlock Road and Buckthorn Road) and the eastern side of the A447 (Swannington Road).

It is noted that layout, scale, appearance, internal access and landscaping are included as matters to be considered at a later stage with only part access being approved at this stage. The A447 (which includes Wash Lane) comprises a principal highway from the Hoo Ash roundabout through to Ibstock with the traditional terraced dwellings having a slight separation from the back edge of the pavement and the more modern properties having greater separation distance from the pavement with off-street parking prevalent to their frontages.

Whilst taking access from the A447 (Wash Lane) it is considered that the proposed residential estate would integrate into the streetscape by virtue of its projection away from this highway not being too dissimilar to the residential estate located to the immediate east (Hemlock Road and Buckthorn Road) which projects away from Coalville Lane.

In such circumstances, it is considered that a residential scheme could be developed at the reserved matters stage(s) which would integrate successfully into the streetscape.

On the basis that only part access is for approval at this stage the scheme is not sufficiently advanced to be fully assessed against Building for a Healthy Life (BfHL). Therefore, a further BfHL assessment would need to accompany any reserved matters application(s) to demonstrate how development would accord with the principles of this guidance. This would be secured by condition on any outline permission granted.

In providing their consultation responses, the Council's Affordable Housing Enabler (AHE) and National Forest Company (NFC) have also outlined that the layout of the development should account for the following requirements:

- (a) That the proposed footpath and cycleways be expanded to facilitate pedestrian/cycle access to Snibston Country Park to the east, as well as to the housing estate to the east via Larch Drive;
- (b) It would not be expected that the affordable housing would be 'pepper potted' across the site, nor should they be specifically provided in one area. From the perspective of the Council's AHE it would be acceptable to locate the affordable housing in three distinct areas on the site;
- (c) That the affordable housing should be located on adoptable roads to minimise the management costs associated with shared driveways;
- (d) That apartments with communal areas are not acceptable unless such properties meet a specialist housing need (e.g. residents with learning disabilities);
- (e) That 1 bed accommodation provided as terraced housing, or as quarter houses, is acceptable; and
- (f) That all 1 bed properties should be provided with private outdoor amenity space.

An informative would be imposed on any outline permission granted to make the applicant aware of the comments of the Council's AHE and NFC.

In terms of the appearance and scale of the dwellings, these would be subject to approval at the reserved matters stage(s) and, at that point, an appropriate design could be achieved which would accord with the Council's current design agenda by providing a scheme which either responds to the positive characteristics of dwellings within the area (a 'traditional' approach to design) or which respects the National Forest setting of the development (a 'landscape led' approach to design).

Within their consultation responses, the Council's AHE and the NFC have also outlined that the appearance and scale of the dwellings should account for the following requirements:

- (a) The affordable dwellings meeting the Homes and Communities Agency (HCA) Design and Quality Space Standards, albeit such standards have been withdrawn, to ensure adequate living space for future residents (i.e. 2 bed houses should meet 4 person space standards);
- (b) The affordable units should be designed to have an appearance which is indistinguishable from the market housing;
- (c) Any affordable apartments should not be provided within a large block and should be designed so that there are no communal areas, and that each apartment has its own entrance. Any apartments above two-storeys in height will not be accepted as affordable housing;
- (d) The design and materials associated with the proposed development should reflect the setting of the site within the National Forest (i.e. the inclusion of timber within the design); and
- (e) The design of the dwellings demonstrate how on-site renewable energy generation could be facilitated and how they would conserve energy.

The NFC has also indicated that the use of wooden play equipment and timber bollards would contribute positively to the setting of the site within the National Forest.

Again, an informative would be imposed on any outline permission granted to make the applicant aware of the requirements of the Council's AHE and NFC in respect of points (a) to (d).

In terms of point (e), the submitted design and access statement (D&AS) specifies that renewable energy technologies will be considered at the reserved matters stage(s). In line with criterion (5) of Policy D1 of the adopted Local Plan, which specifies that new development should have regard to sustainable design, a condition would be imposed on any outline permission granted which would require the reserved matters application(s) to demonstrate how the layout and appearance of the dwellings accommodates the above requirements, as well as those outlined in Paragraph 164 of the NPPF which stipulates that new development should be planned in a way "*which helps to reduce greenhouse gas emissions, such as through location, orientation and design.*" This could be achieved by dwellings (in viable locations) being provided with renewable energy technologies such as solar panels, air source heat pumps or ground source heat pumps.

Design, Density and Impact on the Character and Appearance of the Area Conclusion

Overall, it is considered that a layout, appearance and scale of residential development could be delivered at the reserved matters stage(s) which would be consistent with the aims of Policy D1 of the adopted Local Plan, the Council's adopted Good Design SPD and Paragraphs 131 and 135 of the NPPF. The part access sought for approval at this stage is therefore acceptable.

Housing Mix

With regards to housing mix, Policy H6 of the adopted Local Plan outlines that a mix of housing types, sizes and tenures is expected on residential developments proposing 10 dwellings or more. When determining an appropriate housing mix the information contained within the Housing and Economic Development Needs Assessment (HEDNA) is one of the factors to take into account alongside other criteria as outlined in Part (2) of Policy H6. The range of dwelling sizes (in terms of number of bedrooms) identified as appropriate in the HEDNA are as follows:

- 1 bed - 0-10% (Market) and 30-35% (Affordable);
- 2 bed - 39-40% (Market) and 35-40% (Affordable);
- 3 bed - 45-55% (Market) and 25-30% (Affordable); and
- 4 bed - 10-20% (Market) and 5-10% (Affordable).

It is proposed that up to 105 dwellings could be created on the site with the schedule of accommodation within the application form suggesting the following mix (%):

- 1 bed – 0% (Market) and 31.25% (Affordable);
- 2 bed – 21.43% (Market) and 40.62% (Affordable);
- 3 bed – 51.19% (Market) and 25% (Affordable); and
- 4 bed – 27.38% (Market) and 3.13% (Affordable).

From a 'market' perspective the mix would be weighted towards a 'mid-range' size of property (2 to 3 bed) which would be consistent with the market mix within the HEDNA, albeit it is acknowledged from the above market mix that there would be a greater percentage emphasis towards 4 bed (and above) properties than 2 bed properties.

As is discussed in the '*Affordable Housing*' subsection of the '*Developer Contributions and Infrastructure*' section of this report below, the Council's Affordable Housing Enabler would expect a mix of:

- 7 x 1 bed – 33.33%;
- 10 x 2 bed – 47.62%;
- 3 x 3 bed – 14.29%; and
- 1 x 4 bed – 4.76%.

This is based on the Affordable Home Ownership (AHO) properties being 2 bed dwellings and accounts for 105 dwellings being built.

If the AHO properties were to be 3 bed dwellings then the mix would be:

- 7 x 1 bed – 33.33%;
- 8 x 2 bed – 38.1%;
- 5 x 3 bed – 23.81%; and
- 1 x 4 bed – 4.76%.

Based on the housing mix specified within the application forms it is considered that it would be broadly compliant with that as requested by the Council's AHE.

It is noted that the means of securing a suitable mix of dwellings is a matter to be addressed at the outline stage rather than during the consideration of any subsequent reserved matters application, due to housing mix in itself not being a reserved matter, and as such a condition would be imposed on any outline permission granted to ensure an appropriate mix of dwellings is provided as part of any subsequent reserved matters application(s). This approach would ensure that a suitable mix of market and affordable properties are provided in accordance with Policies H4 and H6 of the adopted Local Plan. The applicant has agreed that the affordable housing to be delivered would meet the requirements of the Council's AHE.

As the proposed number of dwellings is above 50 there is a requirement for the development to provide bungalows, or suitable properties for the elderly, in line with Part 3 criterion (a) of Policy H6 of the adopted Local Plan. In the circumstances that only part access is sought for approval at this stage, compliance with Part 3(a) of Policy H6 of the adopted Local Plan would need to be demonstrated as part of any subsequent reserved matters application(s) associated with the layout of the development and the appearance of the dwellings. It is considered that any condition imposed requiring the need to demonstrate a suitable housing mix (as outlined above) could be supplemented by an informative advising the applicant of the need to have regard to Part 3(a) of Policy H6 of the adopted Local Plan.

The consultation response from the Council's AHE also specifies that the bungalows would be expected to have showers designed to meet the needs of elderly or disabled applicants, with baths being discouraged unless specifically designed for use by elderly or disabled occupants. They also state that level access should be provided. Again, an informative would be imposed on any outline permission granted to make the applicant aware of these requirements.

Neighbours and Future Occupants' Amenities

Policy D2 of the adopted Local Plan outlines that development proposals will be supported where they do not have a significant adverse effect on the living conditions of existing and new residents. Paragraph 198 of the NPPF requires development to be appropriate for its location.

The closest residential receptors to the application site would be those on Larch Drive and Spruce Close to the east, with the highways of the A447 and Coalville Lane separating the application site from those residential receptors on Beadmans Corner and Church Lane (to the west) and Coalville Lane and Swannington Road (to the north).

Topographically land levels on the site fall from north to south as well as from east to west with the south-western corner of the site being at the lowest land level.

Relationship between Existing and Proposed Dwellings

The impact on neighbouring occupiers arising from the proposed dwellings would need to be assessed at the reserved matters stage(s) once the layout, appearance and scale of the dwellings was known. Notwithstanding the details shown on the Indicative Development Framework (IDF) plan, it would appear that in principle a residential development could be provided on the site in a manner which would not adversely impact upon the amenities of the occupants of adjoining residential properties.

In establishing an acceptable relationship with existing residential properties at the reserved matters stage(s), it could also be ensured that the amenities of any future occupants of the proposed dwellings are adequately protected.

Other Amenity Impacts

The other aspect to consider in respect of residential amenity is any potential impacts arising from noise, dust and fumes which is as outlined in Part 2 of Policy D2 of the adopted Local Plan.

Paragraph 201 of the NPPF outlines that the focus of planning decisions “*should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.*”

A Noise Assessment (NA) has been submitted in support of the application which assesses the impact of noise to future amenities as a result of the relationship with the A447 (Wash Lane) and Coalville Lane and the premises of J Toon Metals and Skip Hire to the south. Whilst noise would be associated with the industrial premises to the south of the site at this time, it is noted that Housing Allocation R17 within the draft North West Leicestershire Local Plan would incorporate the land to the south and thereby a noise source would be removed should such land be developed.

The NA is considered acceptable to the Council's Environmental Protection Team, subject to the imposition of a condition on any outline permission granted which would require the reserved matters application(s) to be accompanied by a scheme of acoustic screening, insulation and design which adheres to the recommendations of the NA given that the layout is not for approval at this stage.

Such schemes of insulation and design would also have to demonstrate where within the development alternative ventilation arrangements may be necessary because of windows being closed to achieve recommended internal noise levels resulting from vehicular noise on the A447 (Wash Lane).

In terms of external lighting this would either be addressed by information being submitted as part of any reserved matters application(s), or subject to condition should no details be provided as part of any reserved matters application(s).

In order to ensure that construction activity is undertaken at reasonable times a condition limiting the hours of construction would be imposed on any outline permission granted, with separate legislation (such as the Control of Pollution Act 1974 (as amended)) controlling issues arising from other construction activity.

It is also the case that if any statutory nuisance issues were to arise as a result of the development, then the Council's Environmental Protection Team would be able to investigate such issues and take appropriate action, where required, under separate Environmental Protection Legislation.

Neighbours and Future Occupants Amenities Conclusion

Overall, and subject to the imposition of conditions, it is considered that the part access proposed would be acceptable and compliant with Policy D2 of the adopted Local Plan as well as Paragraphs 198 and 201 of the NPPF.

Air Quality

Part (2) of Policy D2 of the adopted Local Plan outlines that development will be supported which does not generate a level of pollution, which cannot be mitigated to an appropriate standard and so, would have an adverse impact on amenity and living conditions.

Policy En6 of the adopted Local Plan requires developments which are within or close to an Air Quality Management Area (AQMA) to be accompanied by a detailed investigation and assessment of the issues, and include appropriate mitigation measures where necessary.

Paragraph 199 of the NPPF outlines that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants (including cumulative impacts) and that opportunities to improve air quality or mitigate impacts are identified and secured.

The application is accompanied by an Air Quality Screening Assessment (AQSA), with the Copt Oak Air Quality Management Area (AQMA), at a distance of around 7 kilometres, being the closest AQMA to the application site.

It is concluded within the AQSA that the impacts arising to air quality as a result of construction activity (primarily associated with dust and fine particulate matter) would result in an effect which would be 'not significant' when accounting for the *'Guidance on the Assessment of Dust from Demolition and Construction'* produced by the Institute of Air Quality Management (IAQM).

In accordance with the Environmental Protection UK (EPUK) and IAQM document *'Land-Use Planning and Development Control: Planning for Air Quality'*, the air quality impact arising from the operational phase of the development would also be 'not significant' to both existing and future residential amenities.

The AQSA also concludes that the designated habitats of the Grace Dieu and High Sharpley Site of Special Scientific Interest (SSSI), located around 3.6 kilometres to the north-east of the site, the Coalville Meadows SSSI, located around 3.7 kilometres to the east, and the River Mease SSSI (which is also a Special Area of Conservation (SAC)), located around 5 kilometres to the west, would not be impacted on as such designated habitats are further than 500 metres from any road that is likely to be used by traffic generated by the development.

As part of the consideration of the application the Council's Environmental Protection Team (Air Quality) has been consulted and no objections are raised. There is also no objection from Natural England, who advise on matters in relation to the impacts to SSSIs and / or SACs.

Air Quality Conclusion

On the basis that no objections have been raised by relevant statutory consultees it is considered that the proposed development would not conflict with Policies D2 and En6 of the adopted Local Plan or Paragraph 199 of the NPPF.

Ecology

Vegetation, in the form of trees and other shrubs, are present on the site. Such features could be used by European Protected Species (EPS) or national protected species. As EPS may be affected by a planning application, the Local Planning Authority has a duty under regulation 9(5) of the Habitats Regulations 2017 to have regard to the requirements of the Habitats Directive in the exercise of its functions.

Part (1) of Policy En1 of the adopted Local Plan states that proposals for new development will be supported which conserve, restore or enhance the biodiversity in the district.

The Ecological Impact Assessment (EclA) submitted in support of the application has been assessed by the County Council Ecologist whose initial consultation response outlined that whilst the EclA was satisfactory, there was a requirement for further ecological reports (in respect of bats, Great Crested newts (GCNs) and breeding birds) to be undertaken given the recommendations of the EclA. Such ecological reports were required to be submitted prior to determination in line with Paragraph 99 of Circular 06/05.

A revised EclA was subsequently submitted, and based on the recommendations of the revised EclA the County Council Ecologist has no objections to the application, subject to the imposition of conditions to ensure that hedgerows and trees (including those within a woodland copse) are retained (which is as demonstrated by the plans with the exception of the boundary vegetation removed to facilitate the delivery of the vehicular access) and that nest boxes (for both bats and birds) are provided. In addition, a pre-commencement badger survey would also be required.

It is considered that any outline permission granted could be conditioned to secure the above requests of the County Council Ecologist.

The mandatory requirement for 10% Biodiversity Net Gain (BNG) for major applications as required by the Environment Act came into force on the 12th of February 2024. However, this requirement would only be applicable to those applications received on or after the 12th of February 2024 and is not to be applied retrospectively to those applications already under consideration before this date and subsequently determined after this date. On this basis the proposed development would not be required to demonstrate 10% BNG. Notwithstanding this, Paragraphs 186(d) and 193(d) of the NPPF set out a requirement for developments to minimise their impacts on and provide net gains for biodiversity.

Whilst the application is not accompanied by any BNG Metric Calculations, given that the calculations spreadsheet was not developed at the time the application was originally submitted (in March 2021), the County Council Ecologist has commented that based on the recommendations within the revised EclA it would be possible for a 'gain' to be delivered on the site but this would need to be demonstrated through an ecological and biodiversity enhancement plan (EBEP). It is considered that a condition could be imposed on any outline permission granted which would require an EBEP to be submitted in support of any reserved matters application(s) associated with the layout and / or landscaping, and which could be supported by BNG Metric Calculations to demonstrate how a biodiversity 'gain' would be achieved.

Ecology Conclusion

Overall, the part access sought for approval would, when being subject to the imposition of conditions and informatives, be considered acceptable and compliant with the aims of Policy En1 of the adopted Local Plan, Paragraphs 186 and 193 of the NPPF, and Circular 06/05.

Landscaping

Part (3) of Policy En1 of the adopted Local Plan outlines that new development will be expected to maintain landscape features (such as trees and hedgerows) for biodiversity, as well as for other green infrastructure and recreational uses.

Part (2) of Policy En3 of the adopted Local Plan outlines that new developments within the National Forest will contribute towards the creation of the National Forest by including provision of tree planting and other landscape areas within them.

Impact to Existing Soft Landscaping Infrastructure

Whilst landscaping is a reserved matter, consideration is required to be given to the impacts the development may have to existing trees on the site, including the proposed part access sought for approval at this stage.

An Arboricultural Assessment (AA), compliant with BS 5837:2012 *'Trees in Relation to Design, Demolition and Construction – Recommendations'*, has been submitted in support of the application.

The AA identifies that there are 18 individual trees on the site (6 of which would be rated Category B (*'Trees of Moderate Quality'*)) and 8 groups of trees (one of which is rated Category B). Due to the position of the trees on the site's boundaries, the AA concludes that the majority could be retained when a layout is progressed at the reserved matters stage(s) with only one individual tree and part of a group of trees requiring removal to facilitate the proposed site access.

Following a site visit, and when accounting for the contents of the AA, the Council's Tree Officer considers that the loss of the individual Oak tree (rated Category B) and part of a group of trees (rated Category C (*'Trees of Low Quality'*)) would not be significant from an arboricultural perspective given that ample opportunity would exist to mitigate against such loss in developing a site layout and landscaping scheme as part of any subsequent reserved matters application(s), should outline permission be granted. On this basis the Council's Tree Officer has no objection to the outline application, with it being requested that an Arboricultural Impact Assessment (ArlA) and Tree Protection Plan (TPP) for the construction phase are conditioned as part of any outline permission granted (a TPP is also requested by the National Forest Company (NFC)).

Notwithstanding the above, it is noted that following amendments to the proposed access position, in line with the comments of the County Highways Authority (CHA), the individual Oak tree would now be retained and therefore only part of a group of trees would require removal.

National Forest

As the site area is four hectares, in accordance with Policy En3 of the adopted Local Plan and the National Forest Planting Guidelines, the NFC advises that 20% or 0.8 hectares of the site should be National Forest woodland planting and green infrastructure.

The submitted Indicative Development Framework (IDF) plan specifies that 1.14 hectares of green infrastructure would be delivered which would include 0.25 hectares of new woodland and 0.04 hectares in the form of a woodland belt. Whilst this is welcomed by the NFC, they considered that not all areas on the IDF would qualify as National Forest planting. On this basis the NFC has advised that as part of the Section 106 agreement (which is discussed in more detail in the *'Developer Contributions and Infrastructure'* section of this report below) the provision of the 0.8 hectares of National Forest planting can be secured on site (by the provision of a National Forest plan), with any shortfall being met by a financial contribution (calculated at £35,000 per hectare) which would deliver National Forest planting off-site.

In addition, the NFC has also requested the imposition of a condition which would secure the long-term management of existing established woodland in the south-western corner of the site.

Subject to the Section 106 securing the National Forest planting, as well as the imposition of the condition, the NFC has no objections to the outline application.

Street Trees

Paragraph 136 of the NPPF outlines that planning decisions should ensure that streets are tree lined, although footnote 63 associated with Paragraph 136 states “*Unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate.*”

The Illustrative Masterplan within the Design and Access Statement (DAS) indicates avenue style tree planting, although the NFC would recommend the provision of grass verges with tree planting to ensure the long-term sustainability of such planting rather than tree planting in close proximity to the front elevations of the proposed dwellings. The NFC has also advised that there would be potential to create a wooded entrance gateway.

As the layout and landscaping of the development are reserved for subsequent approval, should outline permission be granted, it is considered that further consideration would be given to the delivery of street trees and a wooded entrance gateway as part of the consideration of any reserved matters application(s). Informatives would be imposed on any outline permission granted to make the applicant aware of the requirements of the NFC.

Hard Landscaping

A scheme of hard landscaping would also be considered under a reserved matters application(s) when a hard landscaping scheme is presented for consideration. The part access sought for approval at this stage would be hard surfaced in accordance with the standards of the CHA given its association with the adopted highway.

Landscaping Conclusion

Overall, and subject to conditions and the securing of the National Forest on-site provision and contribution in a Section 106 agreement, it is considered that the part access proposed as part of the application would be compliant with Policies D1, En1 and En3 of the adopted Local Plan.

Flood Risk and Drainage

Policy Cc2 of the adopted Local Plan requires the risk and impact of flooding from development to be minimised, with Policy Cc3 requiring surface water drainage to be managed by Sustainable Drainage Systems (SuDS) (where feasible).

Flood Risk

On the basis of the Environment Agency (EA) flood risk map detailed on the Government website, the application site is wholly within Flood Zone 1, which is at the lowest risk of fluvial flooding.

It is also the case that the application site is predominantly at a very low risk of surface water (pluvial) flooding, with their being a ‘pooled’ area at low risk of surface water flooding centrally within the site towards the western site boundary (which also includes a minor area at medium and high risk of surface water flooding), which extends southwards parallel to the western boundary in the southern part of the site.

A flood risk assessment (FRA) has been submitted in support of the application and, notwithstanding the position in respect of fluvial and pluvial flood risk, the FRA concludes that the application site would not be at risk from tidal flooding, groundwater flooding or sewer flooding. Flooding from artificial sources (i.e. reservoirs and canals) is also unlikely given the application site is not in close proximity to such infrastructure.

Paragraph 173 of the NPPF outlines that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in the future from any form of flooding. Paragraph 174 of the NPPF subsequently outlines that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. It is, however, outlined at Paragraph 175 of the NPPF that the sequential test would not be applicable where a site specific FRA demonstrates that no built development within the site boundary would be located on an area that would be at risk of flooding from any source.

The '*Flood Risk and Coastal Change*' section of the NPPG specifies, at Paragraph 023 (Reference ID: 7-023-20220825), that the aim of the sequential test is to ensure areas at little or no risk of flooding from any source are developed in preference to areas at higher risk and this therefore means avoiding, as far as possible, development in current and future medium and high flood risk areas. Paragraph 024 (Reference ID: 7-024-20220825) further states that reasonably available sites in medium to high flood risk areas should only be considered where it is demonstrated that it is not possible to locate development in low flood risk areas.

In this particular instance the proposed part access sought for approval would be located in an area at very low risk of flooding from surface water, with there being a potential for a slight encroachment into an area at low risk of flooding from surface water. On the basis that the part of the site impacted by a medium and high risk of flooding from surface water is extremely limited, it is also considered that a layout of development could be progressed at the reserved matters stage(s), should outline permission be granted, which ensured that built development was not constructed in that particular part of the site. An informative could be imposed on any outline permission granted to make the applicant aware of this circumstance.

Flood Risk Conclusion

Overall, and when accounting for the development being sequentially located to avoid areas at medium to high risk of flooding from any source, it is considered that compliance with Policy Cc2 of the adopted Local Plan and Paragraphs 173, 174, 175 and 181 of the NPPF is demonstrated.

Surface Water Drainage

In terms of surface water drainage, the initial consultation response from the Lead Local Flood Authority (LLFA) outlined that whilst the applicant was proposing to discharge surface water via an attenuation basin to a ditch at a restricted rate of 13.5 litres per second they had not demonstrated that the ditch was in their control given that it lay outside of the application site on the opposite side of the A447 (Wash Lane). The LLFA also outlined that whilst such a ditch was adjacent to the highway it was not within the ownership of Leicestershire County Council (LCC) (as the Highways Authority) and therefore was in the ownership of the adjacent landowner. For the purposes of developing a surface water drainage strategy the LLFA also required a climate change uplift of 40% (rather than the applicant's proposed 30%).

A subsequent Drainage Technical Note (DTN) submitted by the applicant outlined that discussions were ongoing with the landowner in relation to surface water being discharged to the ditch (via the on-site attenuation basin), but the presence of a gas main within the A447 (Wash Lane) would potentially prevent a connection due to the shallow depth of the ditch. On this basis the applicant has looked at alternatives including:

- (a) A gravity connection to the watercourse network along Leicester Road (although this could be prevented by obstructions as well as third party land ownership);
- (b) A connection to the Severn Trent Water (STW) combined sewer within the A447 (Wash Lane) to the south; or
- (c) A pumped connection to the STW surface water sewer to the north.

The DTN contains correspondence from STW confirming they would not have any objections to surface water being drained into their network.

On the basis of the contents of the DTN, the LLFA has no objections to the application subject to the imposition of conditions to allow infiltration to be undertaken to demonstrate whether or not this would be feasible as part of the surface water drainage scheme, and that a precise surface water drainage scheme (including a climate change uplift), the management of surface water during the construction phase and a scheme for the future management and maintenance of the surface water drainage scheme are secured. In addition, a condition would also be imposed, at the request of the LLFA, which would ensure that all options to positively drain surface water to the ditch have been demonstrated (by evidence) to not be reasonably viable.

Surface Water Drainage Conclusion

Overall, and subject to the imposition of the recommended conditions of the LLFA on any outline permission granted, it is considered that the proposed development would not increase or exacerbate flood risk and as such would be compliant with Policies Cc2 and Cc3 of the adopted Local Plan and Paragraphs 181 and 182 of the NPPF.

Foul Drainage

Foul drainage would be discharged to the mains sewer with such a connection being agreed with STW under separate legislation outside of the planning process. In agreeing a connection STW would have an opportunity to determine whether capacity exists in the foul drainage network to accommodate the development before enabling the connection with it being noted that no representation has been received from STW objecting to the application.

Foul Drainage Conclusion

On this basis of the above there would not be an increased risk of pollution discharge from the foul drainage network and the proposal would be compliant with Paragraph 198 of the NPPF.

Developer Contributions and Infrastructure

A request has been made for Section 106 contributions towards affordable housing, education, civic amenity, libraries, highways, health, National Forest planting, public/natural open space and play / recreation facilities. These requests have been assessed against the equivalent legislative tests contained within the Community Infrastructure Levy (CIL) Regulations as well as Policy IF1 of the adopted Local Plan and Paragraphs 35, 56 and 58 of the NPPF.

Affordable Housing

Although the application site lies within the Parish of Ravenstone with Snibston, it is detached from the defined Limits of Ravenstone whilst being immediately adjacent to the defined Limits of the Coalville Urban Area (CUA). It is therefore better related to the CUA. Also, Housing Allocation R17 of the draft Local Plan would see the site fall within the defined Limits to Development of the CUA should the draft Local Plan be taken forward to adoption.

Although the application site is not 'within' the CUA, when accounting for its direct relationship with the CUA it has been determined that the affordable housing to be delivered on the site would amount to 20%. This would be the amount which is required under Policy H4 of the adopted Local Plan for greenfield sites within the CUA, where the number of dwellings proposed is 11 or more.

Based on a scheme of 105 dwellings this would amount to 21 affordable dwellings, albeit recognising that as the application proposes 'up to' 105 dwellings the total number of dwellings constructed may be less than 105. Ultimately, however, 20% of the total number of dwellings built would be affordable.

Revisions to Paragraph 66 of the NPPF in December 2024 removed the requirement for 10% Affordable Home Ownership (AHO) on all major residential sites. In this respect the Government has fundamentally changed their priorities for affordable housing with a clear emphasis on the delivery and prioritisation of rented homes over low cost home ownership. Further there is a specific emphasis on Social Rented homes, as highlighted in the Written Ministerial Statement (WMS) of July 2024 which was formalised within the December 2024 revisions to the NPPF.

The adopted Local Plan viability was assessed on 80% Rented (40% Social Rented and 40% Affordable Rented) and 20% as AHO, and whilst this is acknowledged by the Council's Affordable Housing Enabler (AHE) they have indicated that the affordable housing tenure mix to be delivered as part of the development should amount to:

- 90% of the total number of affordable dwellings as rented units; and
- 10% of the total number of affordable dwellings as AHO units.

There is justification for this as it would offset the historic under provision of rented accommodation across the district (including Coalville) and reflect the way in which affordable homes are allocated, including the Government's priority to maximise affordable Rented provision. Such an approach is also considered to be in line with the Leicestershire Housing and Economic Needs Assessment (HENA) (2022) which states:

"analysis points to an acute need for rented affordable housing in all parts of the County...The evidence would support policy approaches which seek to prioritise rented affordable delivery to meet those with acute needs with few alternative housing options."

The authors of the HENA also acknowledged that the absence of an accepted methodology for calculating AHO 'need' may have resulted in an over-exaggeration of the requirement having failed to identify and include new and future provision, only considering shared ownership provision or accounting for the ability of some households to purchase existing lower quartile market homes.

In keeping with the Government's priorities, Social Rent should be provided with Affordable Rent (with rents restricted to Local Housing Allowance levels) only being delivered if Social Rent was proven to be unviable.

In order to meet the identified needs of the District, the Council's AHE has outlined that the following mix of affordable properties should be delivered (which is based on a total of 105 dwellings being built). A minimum percentage is also expressed when accounting for the number of dwellings to be delivered being 'up to' 105:

Rented – 19 units (90% of the total number of affordable dwellings)

- 1 x 1 bed 2 person bungalow (5%);
- 6 x 1 bed 2 person flats/houses (32%);
- 2 x 2 bed 4 person bungalows (to meet M4(3) standards) (11%);
- 6 x 2 bed 4 person houses (32%);
- 3 x 3 bed 5 person houses (16%); and

- 1 x 4 bed 6 person house (5%)

AHO – 2 units (10% of the total number of affordable dwellings)

- 2 x 2 bed 4 person houses (100%); or
- 2 x 3 bed 5 person houses (100%).

Whilst it is acknowledged by the Council's AHE that the percentages quoted add up to 101%, for the rented units, they have been rounded up to match the actual property types requested.

In the above respects the Council's AHE has outlined that almost a quarter of the housing register comprises households that require bungalow accommodation due to age, infirmity or disability. Therefore, all new developments are expected to provide a comparable proportion of bungalows to meet the growing need and this accords with criterion (a) of Part (3) of Policy H6 of the adopted Local Plan (which is specifically applied to residential developments of 50 dwellings or more).

The Council's AHE would also expect the recipient Registered Provider (RP) to allocate the rented bungalows to households **in need of such properties** and not to households that do not require specialised accommodation to meet either health or age requirements. (**officer emphasis**)

Following further discussion with the applicant they have confirmed that 20% affordable housing (i.e. 21 dwellings if 105 dwellings are built) would be delivered on the site and that the Section 106 agreement can incorporate the relevant requirements as highlighted in the consultation response of the Council's AHE (of the 2nd April 2025).

In the circumstances that appropriate mechanisms can be secured in the Section 106 agreement, the development would be considered compliant with Policies H4 and H6 of the adopted Local Plan as well as Paragraphs 64 and 66 of the NPPF.

Education

Leicestershire County Council (Education Authority) has requested an early years sector contribution of £163,827.30 and primary education sector contribution of £578,214.00 for Woodstone Community Primary School on Heather Lane, Ravenstone; a secondary education (11 – 16) sector contribution of £313,455.66 for Ibstock Community College on Central Avenue, Ibstock; and a Special Education and Disabilities (SEND) education sector contribution of £59,270.85 for Forest Way School, Warren Hills Road, Coalville. No request has been made for the post-16 education sector.

The contributions would be used to accommodate the capacity issues created by the proposed development by improving, remodelling, or enhancing existing facilities at Woodstone Community Primary School, Ibstock Community College and Forest Way School, or any school within the locality of the development including the potential construction of a new school.

The applicant has confirmed their acceptance to the payment of the education contribution.

Civic Amenity

Leicestershire County Council (Civic Amenity) has requested a contribution of £6,864.90 for improvements to the civic amenity facilities within Coalville which would mitigate the increase in the use of this facility generated by the proposed development.

Such a contribution would be utilised for either the acquisition of additional containers or installation of additional storage areas and waste infrastructure at the above civic amenity site, or on land adjacent, to increase the site's capacity for handling and separating waste.

The applicant has confirmed their acceptance to the payment of the civic amenity contribution.

Libraries

Leicestershire County Council (Library Services) has requested a contribution of £3,170.76 for improved stock provision (i.e. books, audio books, newspapers, periodicals for loan and reference use) at Coalville Library on High Street, or to reconfigure the internal space within the library to enable additional uses of the building (i.e. resident meetings including book readings and activities). The applicant has confirmed their acceptance to the payment of the library contribution.

Transportation

Leicestershire County Council (Highways Authority) has indicated that the following developer contributions would be requested which are required in the interests of encouraging sustainable travel to and from the site, reducing private car use and mitigating impacts upon the highway network.

- (i) A construction traffic routing agreement;
- (ii) A contribution of £504,000.00 towards improvements to the highway network in Coalville in line with the Coalville Transport Strategy;
- (iii) Travel packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area. These can be supplied by Leicestershire County Council (LCC) at a cost of £52.85 per pack or whereby an administration charge of £500.00 is payable for LCC to review any sample travel pack to be supplied by the applicant;
- (iv) Two six month bus passes per dwelling (2 application forms to be included in the Travel Pack and funded by the developer) to encourage new residents to use bus services, establish changes in travel behaviour from first occupation and promote the usage of sustainable travel modes other than the car (can be supplied through LCC at a cost of £360.00 per pass);
- (v) Raised kerb provision at the two nearest bus stops on Coalville Lane at a cost of £4,000.00 per stop (i.e. a total amount of £8,000.00) to support modern bus fleets with low floor capabilities; and
- (vi) Sustainable Travel Accreditation and Recognition Scheme (STARS) monitoring fee of £11,337.50.

The applicant has confirmed their acceptance to the payment of the transportation contributions.

Health

The Leicester, Leicestershire and Rutland Integrated Care Board (ICB) has requested a contribution of £101,640.00 which would be utilised to increase and improve primary care services at either Whitwick Road Surgery, Whitwick Road, Coalville; Long Lane Surgery, Long Lane, Coalville or Broom Leys Surgery, Broom Leys Road, Coalville.

The applicant has confirmed their acceptance to the payment of the health services contribution.

National Forest

It is outlined in the '*Landscaping*' section of this report above that the National Forest Company (NFC) would seek to secure the delivery of 0.8 hectares of National Forest planting on-site which would require the applicant to submit a National Forest plan detailing how such National Forest planting would be delivered.

If the relevant National Forest planting is not delivered on site, or is only partially delivered, then the applicant would be required to pay a financial contribution calculated at £35,000.00 per hectare for

the relevant National Forest planting to be delivered off-site.

The Section 106 would therefore be worded to allow for either the option of on-site provision of National Forest planting; or partial on-site provision and a financial contribution for off-site provision.

In line with Part (3) of Policy En3 of the adopted Local Plan, only in exceptional circumstances would a financial contribution for wholly off-site provision be acceptable.

The applicant has confirmed their acceptance to meeting the requirements of the NFC.

Open Space, Sport and Recreation Facilities

Policy IF3 of the adopted Local Plan outlines that open space, sport and recreation facilities should be sought on development proposals of 50 dwellings or more. Given that it is proposed that up to 105 dwellings could be created the terms of Policy IF3 would be applicable.

When considering an application against Policy IF3 due regard is to be given to four criteria, (a) to (d), which are as follows:

- (a) The scale of the proposed development and the mix and type of dwellings to be provided;*
- (b) The nature and scale of existing open space, sport and recreation provision within the locality of the proposed site;*
- (c) The likely population characteristics resulting from the proposed development as well as that of the existing population in the locality; and*
- (d) Local evidence of need, including (but not limited to) a Playing Pitch Strategy, open space assessment of need or equivalent sources.*

In terms of criterion (a) of Part (1) of Policy IF3 the proposed development would result in a mix of predominately 2 and 3 bedroom dwellings, with a lower percentage of 1 and 4+ bedroom dwellings (this is as outlined in the 'Housing Mix' sub-section of the 'Design, Density, Housing Mix and Impact on the Character and Appearance of the Area' section of this report above). Given such a mix it is considered that the dwellings would be predominately aimed at couples or families. When using a housing multiplier previously used by the District Council's Health and Wellbeing Team (in the consideration of application reference 23/00173/FULM) the population generated because of the development would be 245 people.

With regards to criterion (b) of Part (1) of Policy IF3, it is considered that a natural turf pitch must be within 15 minutes' walk time of a development site, and an artificial grass pitch (AGP) must be within 15 minutes' drive time. A natural turf pitch is available at Ravenslea Recreation Ground on Ravenslea which is within a 15 minute walk time via the A447 (Wash Lane) / Leicester Road / Ravenslea (can be reduced to 11 minutes if via the A447 (Wash Lane) and public right of way (PRoW) O46). Owen Street Sports Ground is situated within 1.4 miles of the application site (6 minute drive time).

Existing play / recreation facilities are also available at Ravenslea Recreation Ground, as well as on Buckthorn Road within the residential estate to the immediate east of the site.

In terms of criterion (c) of Part (1) of Policy IF3, the development site is within the Parish of Ravenstone and Snibston (but lies immediately adjacent to the boundary of the extent of the Coalville Urban Area (CUA)) with Ravenstone and Snibston having a population of 2,149 based on figures provided from 2021 Office for National Statistics Data. The existing population characteristics of the Parish of Ravenstone and Snibston would be varied given the influx in development undertaken in the settlement. The population characteristics associated with the development would likely involve the movement of small to medium sized families into the settlement along with younger couples.

With regards to criterion (d) of Part (1) of Policy IF3 consideration would be given to the North West Leicestershire Playing Pitch Strategy (NWLPPS) (2017) and Local Football Facility Plan (LFFP) (2017). In order to address both the current and future shortfalls created by housing development and population growth, it is anticipated that new grass pitches should be provided. However, the Council's Health and Wellbeing Team recognise that this solution can be costly, and therefore it is considered to be more cost effective to action dedicated pitch improvements to existing facilities.

Part (2) of Policy IF3 outlines that any open space, sport and recreation provision should be designed as an integral part of the proposed development in accordance with Policy D1 of the adopted Local Plan. Part (3) of Policy IF3 indicates that the provision of open space, sports and recreation facilities should be located on-site, unless an off-site or partial off-site contribution would result in equally beneficial enhancement to existing open space, sports and/or recreation facilities which is of benefit to the local community. The latter part of Policy IF3 indicates that further guidance will be set out in a supplementary planning document (SPD) but to date no such SPD has been produced.

The proposed scheme would result in the creation of up to 105 dwellings on a 4 hectare greenfield site. At this stage the application is in outline form, with only part access for approval, but the Indicative Development Framework (IDF) plan outlines that the proposed residential development would accommodate 2.86 hectares of the application site. On this basis 1.14 hectares would be available for the provision of public open space (POS), with the IFP also indicating that formal play / recreation provision would be provided on-site. It is considered that the delivery and details of the on-site POS and the formal play / recreation provision could be secured via the Section 106 agreement associated with any outline planning permission to be granted.

As proposed, however, the development would not deliver any sports facilities (i.e. playing pitches) but the consultation response received from the Council's Health and Wellbeing Team has not outlined a requirement for any sports facilities to be provided either on, or off, the application site and therefore it is considered that financial contributions secured from other residential developments in the area will deliver the required improvements to existing sports facilities within the vicinity of the site which would mitigate against any intensification in their use by future residents of this site.

Whilst the proposed development would not deliver any on-site sports facilities, or a financial contribution towards the delivery of sports facilities off-site and / or the enhancement of existing sports facilities, there are no objections to the application in this respect from the Council's Health and Wellbeing Team nor has any financial contribution been requested. Notwithstanding this, it is considered that the securing of on-site POS and play / recreation facilities would result in broad compliance with the intentions of Policy IF3 of the adopted Local Plan (and in particular Parts (1) and (3)) and on this basis there would be no justification to refuse the application due to the lack of (or financial contribution towards) sports facilities.

The requirements of Part (2) of Policy IF3 would be considered at the reserved matters stage(s), should outline permission be granted, when the layout of the proposed development is progressed.

Ravenstone and Snibston Parish Council

As part of their consultation response Ravenstone and Snibston Parish Council have requested a financial contribution of £20,000.00 for improvement works at Ravenstone Recreation Ground on Ravenslea.

Paragraph 57 of the NPPF outlines that planning obligations must only be sought where they meet all of the following tests:

- (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.*

This is also as outlined in Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended).

It has not been demonstrated how the financial figure has been calculated, nor is there any evidence of the 'improvement works' to which the proposed development would contribute towards. Therefore, there is insufficient detail on how such a contribution is required to make the development acceptable in planning terms. Without precise information on how the contribution has been calculated and where the money would be allocated it is considered that such a request fails the relevant tests outlined at Paragraph 57 of the NPPF, as well as the CIL Regulations, and could not be applied.

Section 106 Total Contributions:

On the basis of the above the following contributions would be secured within a Section 106 agreement, with it being noted that such contributions are applicable should 105 dwellings be constructed (i.e. if less dwellings are constructed the contribution will be reduced accordingly):

- (a) Affordable Housing – 20% of the total number of properties constructed on site (if 105 dwellings are constructed this would amount to 21 dwellings).
- (b) Education - £1,114,767.81.
- (c) Civic Amenity - £6,864.90.
- (d) Libraries - £3,170.76.
- (e) Transportation - £604,486.75.
- (f) Health - £101,640.00.
- (g) National Forest – Delivery of 0.8 hectares of National Forest planting on-site, or a combination of on-site planting and a financial contribution for off-site planting (off-site contribution being calculated at £35,000 per hectare).
- (h) On-site public open space (POS).
- (i) On-site play / recreation facilities.

Total Financial Contribution - £1,830,930.22

Overall, and insofar as the developer contributions are concerned, the view is taken that the proposed contributions would accord with the principles of relevant policy and legislative tests outlined in Policies IF1 and IF3 of the adopted Local Plan, Circular 05/95, the CIL Regulations and the NPPF.

Archaeology

As part of the consideration of the application the County Council Archaeologist has been consulted.

Following an appraisal of the Leicestershire and Rutland Historic Environment Record (HER), the County Council Archaeologist outlined that the site lay within a wider landscape of archaeological interest and that unknown archaeological remains could be present. In the circumstances that the development would comprise operations that would have the potential to impact on any buried archaeological remains which may be present, the County Council Archaeologist advised that an Archaeological Desk-Based Assessment (ADBA) would need to be provided.

An ADBA has subsequently been submitted by the applicant which concludes that there is a low potential for archaeological remains to be present, however it is acknowledged by the County Council Archaeologist that this position is untested due to the lack of archaeological investigations on the site. Whilst the County Council Archaeologist is satisfied that any archaeological remains would not be of such importance that a decision on the application could not be made, it is requested that any outline permission granted is subject to conditions requiring an appropriate programme of archaeological mitigation, including an initial phase of geophysical survey and exploratory trial

trenching, to be undertaken followed (where necessary) by intrusive and non-intrusive investigation and recording.

Archaeology Conclusion

Subject to the conditions requested by the County Council Archaeologist being imposed on any outline permission granted, the proposal would be compliant with Policy He1 of the adopted Local Plan, insofar as it relates to archaeology, as well as Paragraphs 207, 208 and 218 of the NPPF.

Land Contamination

Policy En6 of the adopted Local Plan outlines those proposals for development on land that is (or is suspected of being) subject to contamination will be supported where a detailed investigation and assessment of the issues is undertaken and that appropriate mitigation measures are identified, where required, which avoid any unacceptably adverse impacts upon the site or adjacent areas, including groundwater quality.

As part of the consideration of the application the Council's Land Contamination Officer has been consulted and following a review of the submitted information, they have raised no objections to the application and do not require the imposition of conditions on any permission granted.

Land Contamination Conclusion

In the circumstances that there are no objections from the Council's Land Contamination Officer it is considered that contamination would not pose a risk to the health and safety of future occupants and on this basis compliance with Policy En6 of the adopted Local Plan and Paragraphs 196 and 197 of the NPPF has been demonstrated.

Impact on Safeguarded Minerals

The southern part of the application site falls partly within a Minerals Consultation Area (MCA) for sand and gravel. Whilst the County Council Mineral and Waste Planning Team (LCCMWP) were consulted on the application, no consultation response has been received.

Policy M11 of the adopted Leicestershire Minerals and Waste Local Plan (LMWLP) specifies that minerals (such as sand and gravel) within Minerals Safeguarding Areas (MSAs) will be protected from permanent sterilisation by other development. The policy also outlines where planning permission will be granted for development which is incompatible with safeguarded mineral within a MSA.

Whilst no Mineral Assessment (MA) accompanies the application, it is considered that the extent of the MSA only applies to 0.87 hectares of the southern part of the application site. Paragraph 3.98 of the supporting text to Policy M11 of the adopted LMWLP stipulates that:

"A realistic judgement about the likelihood of the mineral being worked in an environmentally acceptable manner will be made, and the County Council will not seek to prevent development where it is unlikely that extraction of the mineral would occur in the future."

In this particular instance the MSA is located close to a built-up area comprising numerous residential receptors and although no representation has been received from the LCCMWP, it is considered that any mineral extraction would not be practicable, nor could it be made environmentally acceptable.

It is also considered that the proposed development would not result in concerns from a waste safeguarding perspective either.

Impact on Safeguarded Minerals Conclusion

Overall, and when accounting for there being no formal objection from the LCCMWP, it is considered that the proposed development would not conflict with Policy M11 of the LMWLP and Paragraph 230 of the NPPF.

Waste Collection

The application is in outline form with the only matter for approval at this stage being part access (i.e. the vehicular access into the site from the A447 (Wash Lane), details of the internal access and layout of the development have therefore been reserved for subsequent approval should outline permission be granted.

In commenting on the application, the Council's Waste Services Development Officer (WSDO) required the applicant to demonstrate that the Council's waste vehicles would be able to manoeuvre into and out of the proposed vehicular access.

Following the receipt of the swept path analysis demonstrating that the Council's waste vehicles can manoeuvre into and out of the proposed vehicular access there are no objections from the Council's WSDO. It is also outlined in the 'Accessibility' section of this report above that there are no objections from the County Highways Authority (CHA) to the swept path analysis.

It is considered that an informative could be imposed on any outline permission granted to make the applicant aware of the need to demonstrate whether any internal highway would be put forward for adoption by the CHA and that the Council's waste vehicles would be able to manoeuvre within the site so as to exit in a forward direction. Information would also need to be provided on the individual bin storage points for each dwelling and where bin collection points would be positioned if any part of the internal highway was not to be adopted by the CHA. Compliance with these matters would then be assessed at the reserved matters stage(s) when the layout and internal access were progressed.

Other Matters

Objection	Officer Response
There are insufficient services within Ravenstone to support the proposed housing development and investment should be put into such services.	<p>The 'Developer Contributions and Infrastructure' section of this report above outlines that relevant contributions have been sought from organisations to mitigate the impacts of the development on local services and amenities which would be secured in a Section 106 agreement should outline permission be granted.</p> <p>Given the location of the site, services within Coalville will also be accessible to future residents thereby ensuring they would not be wholly reliant on services in Ravenstone.</p>
There is no requirement for the proposed housing development or any affordable housing in the area.	<p>The housing figures for the district are only minimum figures, not maximum figures, and consequently the provision of housing within appropriate locations and appropriate settlements will remain acceptable in principle.</p> <p>It also outlined within the 'Affordable Housing' sub-section of the 'Development Contributions and Infrastructure' section of</p>

	this report above that affordable housing is required in connection with the proposed development.
The Statement of Community Involvement does not reflect the opinions of the community of Ravenstone.	<p>The NPPF, at Paragraph 41, <u>encourages</u> applicants to engage with a Local Planning Authority prior to the submission of a planning application with it also being <u>encouraged</u> that applicants engage with the local community.</p> <p>On this basis it is not <u>necessary</u> to engage with the public prior to submitting a planning application.</p> <p>The planning application is assessed against relevant policies of the adopted Local Plan and NPPF. The submitted statement of community involvement is primarily the means by which the applicant outlines how they have engaged with the community and how such engagement has perhaps influenced their approach to the application submission. Third parties have the opportunity to provide representations to the application thereby enabling their opinions to be considered in the overall assessment.</p>

Contribution to Sustainable Development and Conclusion

In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the development plan which, in this instance, includes the adopted North West Leicestershire Local Plan (2021). The application site lies outside the defined Limits to Development on the basis of the policies map to the adopted Local Plan.

On the basis that residential development of the nature proposed is not supported by Policy S3 of the adopted Local Plan there is direct conflict with this policy.

Although located within the Parish of Ravenstone and Snibston, the application site lies immediately adjacent to the defined Limits of the Coalville Urban Area (CUA), which is the 'Principal Town' and therefore would be physically, and visually, associated with the CUA. The site is regarded as an extension to the CUA in planning policy terms, as set out at paragraph 4.27 of the 'Proposed Housing and Employment Allocations for Consultation' document that formed part of the draft North West Leicestershire Local Plan Regulation 18 consultation (January to March 2024).

The overriding principle of Policy S2 is that those settlements higher up the settlement hierarchy take more growth than those lower down, and whilst within the countryside it is considered that the proposed development would not be significantly at odds with this 'principle' given that it would contribute to the growth of the 'Principal Town'.

In addition to the need to determine the application in accordance with the development plan, regard also needs to be had to other material considerations (and which would include the requirements of other policies, such as those set out within the National Planning Policy Framework (NPPF) (2024)). The NPPF contains a presumption in favour of sustainable development and considers three objectives of sustainable development (economic, social and environmental).

The Council can demonstrate both a five year housing land supply for 2025-2030 and has a Housing Delivery Test measurement of 242%. With reference to NPPF paragraph 11 and footnote 8, Local

Plan Policies S2 and S3 should not be regarded as out-of-date.

Although the Council can demonstrate a five year housing land supply against the *adopted* Local Plan, it is a material consideration that the *new* Local Plan (2024 to 2042) is being prepared against a higher annual housing requirement of 686 dwellings. As the draft Local Plan, including housing allocations, becomes more advanced, the Council's housing land supply will need to be assessed against the new Local Plan period of 2024 to 2042 and against a housing requirement of 686 dwellings per annum. the requirement of 686 dwellings compares to 481 dwellings in the adopted Local Plan and so equates to a need for an additional 1,000 dwellings over the five-year period

The current housing land supply situation also needs to be weighed against the fact that the application site is a proposed housing allocation in the draft Local Plan which has been approved by the Local Plan Committee to proceed to Regulation 19 and is expected to form part of the Council's housing land supply in future years. It is also material that there were minimal objections to the allocation of the site as set out above and that these objections can be considered as largely resolved. There are therefore minimal unresolved objections to the allocation (as outlined in the 'Housing Allocation R17' section of this report above). Therefore some weight can be attributed to the allocation of R17 for housing in the draft Local Plan. This sustainably located site, which forms part of the proposed housing allocation, would therefore make a valuable contribution (of up to 105 dwellings, including 20% of those dwellings as affordable homes) to maintaining supply and delivery in the interim period.

There are no abnormal up-front infrastructure requirements prior to first delivery and occupation on what would be considered a relatively straightforward greenfield site, and therefore the development is likely to contribute to housing delivery within a five-year period should outline planning permission be granted. On this basis significant positive weight should be afforded to the social benefit of providing additional market housing. The 20% affordable housing to be secured through a Section 106 agreement would address the needs of the district and positive weight would also be afforded to this.

In addition to the above, the relevant consideration against the three objectives of sustainable development would be as follows:

Economic Objective:

This objective seeks to ensure that sufficient land of the right types is available in the right places and at the right time to support growth, innovation, and improved productivity, and that the provision of infrastructure is identified and coordinated. It is accepted that, as per most forms of development, the scheme would have some economic benefits including those to the local economy during the construction stage as well as ongoing expenditure in the local economy which will be of moderate benefit given the level of development proposed. The applicant has also confirmed that the contributions as set out in the '*Developer Contributions and Infrastructure*' section of this report above would be made and these would be secured in connection with the scheme.

Whilst the applicant had referred to an increased Council income from the New Homes Bonus and Council Tax, this would be no more than required to make the development acceptable in planning terms and mitigate the development's impact on Council services. This economic benefit would therefore have negligible weight.

Social Objective:

The economic benefits associated with the proposed development would, by virtue of the social effects of the jobs created on those employed in association with the construction of the development, also be expected to provide some social benefits. The NPPF identifies in particular, in respect of the social objective, the need to ensure that a sufficient number and range of homes can

be provided to meet the needs of present and future generations, and by the fostering of a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

Subject to the extent of the contribution being secured in a Section 106 obligation, the scheme would deliver affordable housing in line with adopted policies with the ability to deliver a range and type of housing which would meet identified needs and as outlined above, positive weight would be attributed to this.

In terms of the social objective's stated aim of fostering a well-designed and safe environment, it is considered that whilst approval is only sought for part access at this outline stage, sufficient information has been submitted to demonstrate that a residential scheme could be developed at the reserved matters stage(s) which would successfully integrate into and enhance the environment in which it is set.

As per the economic objective above, the scheme would provide for the necessary infrastructure to support the development and perform well in terms of the need to provide accessible services along with on-site public open space (POS) and play / recreation facilities. Given the accessibility of any POS and play / recreation facilities to the wider community this would amount to a moderate benefit.

Although, in the main, the obligations sought would largely be a means of mitigating the impacts to sectors such as education and health, there would also be wider public benefits including improvements to local bus stops, off-site highway improvements to pedestrian infrastructure and the provision of new walking and cycling routes through the site. Moderate weight would therefore be attributed towards these benefits.

Environmental Objective:

The scheme would also, it is considered, perform relatively well in terms of a number of aspects of the environmental objective, and including in respect of the impacts on the built and historic environment, making an effective use of land, and (insofar as those matters are assessed at the outline stage are concerned) mitigating and adapting to climate change. Given the direct relationship the application site would have with the CUA, as well as its proximity to Ravenstone, the ability to access services would be achievable via means other than the private car which would enable the development to contribute positively towards the movement to a low carbon economy.

The access onto Wash Lane proposed at this stage would also retain features of importance on the site (such as trees and hedges), with the location of such soft landscaping to the boundaries of the site enabling a layout to be progressed as part of any reserved matters application(s) (should outline permission be granted) which could successfully retain and incorporate such soft landscaping infrastructure. This would therefore protect and enhance the natural environment and is of moderate benefit.

At present surface water runoff from the site is not proactively managed, and the representation from the Parish Council has commented in relation to the flooding of adjacent land. The proposal presents an opportunity to address the situation and secure betterment through reduced runoff and a managed surface water drainage regime. This benefit would be of limited weight.

It is considered that such compliance with the Environmental Objective would outweigh the limited conflict associated with the loss of four hectares of Grade 2 (Very Good) Best and Most Versatile (BMV) agricultural land (the loss of 20 hectares or more of BMV would be considered significant) and the development being undertaken on a greenfield site. It is also acknowledged that the site is proposed to be allocated for residential development as part of the draft North West Leicestershire Local Plan (Housing Allocation R17).

Conclusion

Planning law requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The Council can demonstrate both a five year housing land supply for 2025-2030 and has a Housing Delivery Test measurement of 242%. With reference to NPPF paragraph 11 and footnote 8, Local Plan Policies S2 and S3 should not be regarded as out-of-date.

For the reasons given above, it is considered that the proposal would not be significantly at odds with the 'principle' of Policy S2 given that the site is regarded as an extension to the CUA and the development would contribute to the growth of the 'Principal Town' which lies at the top of the settlement hierarchy.

The proposal would conflict with Policy S3 of the adopted Local Plan in terms of being an unallocated site in the countryside outside the defined Limits to Development. Whilst significant weight is afforded to Policy S3, it is considered that proposed development does not conflict with the criteria used to assess the suitability of development in the countryside. The assessment against criterion (i) of Policy S3 has determined that the character and appearance of the landscape, and countryside as a whole, would not be adversely affected by the development in the context of its integration with the CUA.

Of particular relevance is that the site also comprises part of a housing allocation within the draft Local Plan (Housing Allocation R17) and would fall within the defined Limits of the CUA. Some weight can be attributed to the allocation of R17 for housing in the draft Local Plan.

The benefits of the proposal, including the valuable contribution it would make to maintaining housing supply and delivery in the interim period before the Council's five year housing land supply is assessed against the new Local Plan period, are outlined above and collectively would be significant in their degree and the positive weight to be given to them. Furthermore, the proposal would align with key policies of the NPPF to direct development to sustainable locations, make effective use of land and provide affordable homes. On this basis the development would accord with the policies of the NPPF taken as a whole.

In conclusion, the benefits of the proposal are considered to outweigh the conflict with the first part of Policy S3. Therefore, subject to the imposition of conditions and the securing of a Section 106 agreement, approval is recommended.

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Application for change of use from 3-bedroom domestic dwelling (C3) to 4-bedroom House in Multiple Occupation (C4) with a maximum of 4 occupants.

**Report Item No
A2**

49 Bridge Fields, Kegworth, Derby, DE74 2FW

**Application Reference:
25/00106/FUL**

Grid Reference (E) 449204

Date Registered:

Grid Reference (N) 327207

28 January 2025

Consultation Expiry:

Applicant:

4 March 2025

Mr and Mrs Paul and Sarah Wilson

Determination Date:

25 March 2025

Case Officer:

Extension of Time:

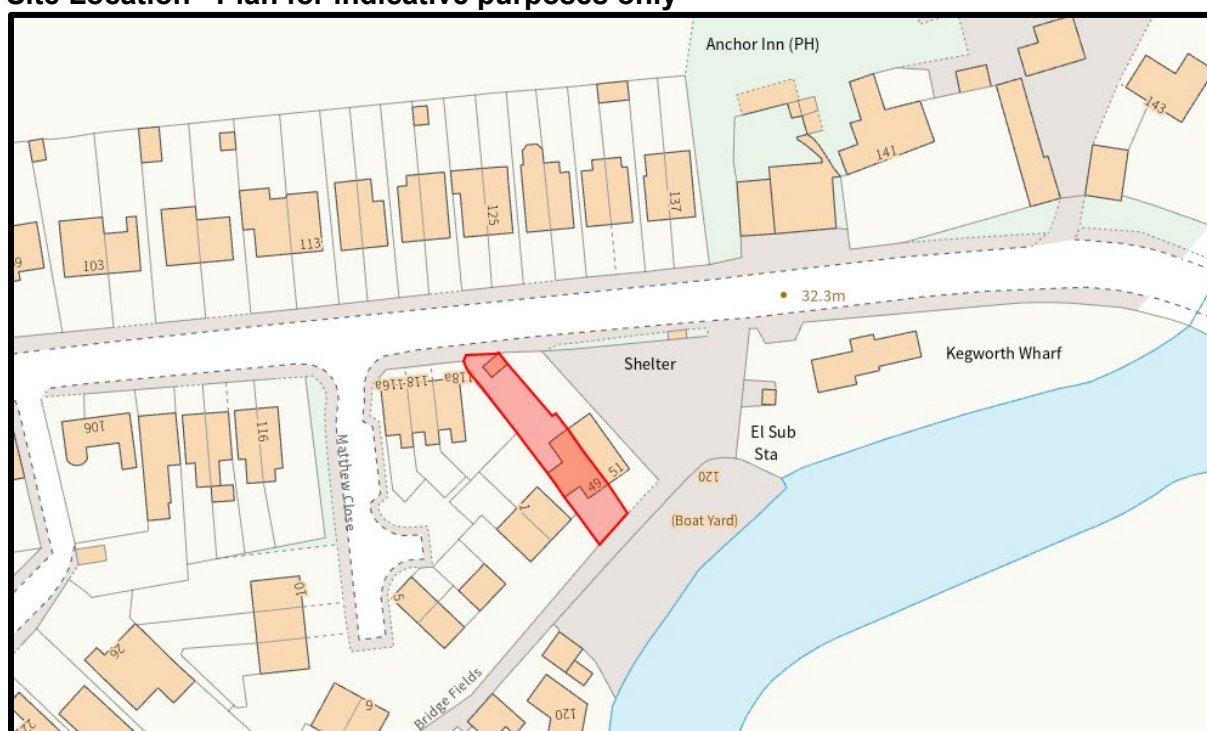
Sara Hullott

10 May 2025

Recommendation:

Permit, subject to conditions

Site Location - Plan for indicative purposes only



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Reasons the case is called to the Planning Committee

This application is brought to Planning Committee because the application is recommended for approval by officers and the application is submitted by the close relatives of a serving officer of the Council and objections have been received.

It must be emphasised that the officer who is the relative of the applicants for this case has not been involved in any way or form with the consideration of this application.

RECOMMENDATION – PERMIT, subject to the following conditions:

1. Standard time limit (3 years).
2. Approved plans.
3. Maximum of 4 residents living on site at any given time.
4. Retention of existing parking spaces.

MAIN REPORT

1. Proposals and Background

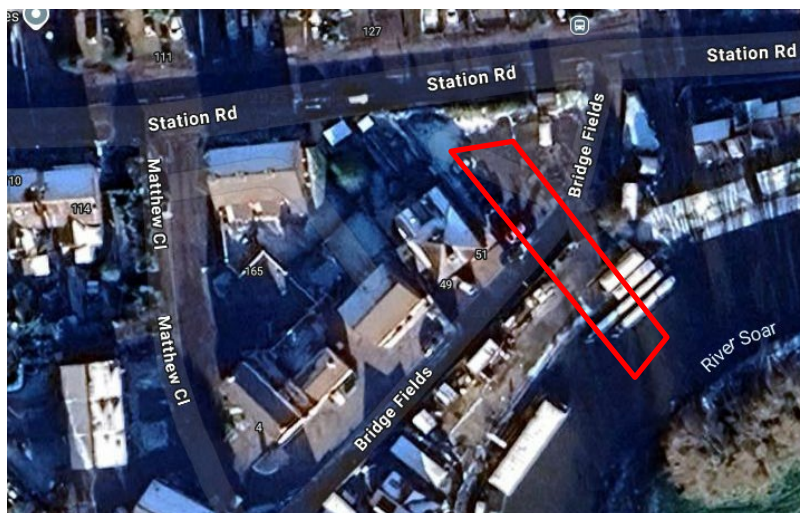
The mandatory requirement for 10% Biodiversity Net Gain (BNG) for small sites as required by the Environment Act came into force on 2 April 2024. This application is exempt due to the development being de minimis in scale and there being no loss of existing habitat and thus the delivery of the 10% BNG is not mandatory for this application.

The application seeks full planning permission for the change of use of an existing dwelling house (C3 use) at 49 Bridge Fields, Kegworth to a 4-bedroom House of Multiple Occupation (C4 use), with a maximum of 4 residents. No external physical alterations are proposed to the building, only internal changes.

Site Location Plan



Aerial Image of Site Location

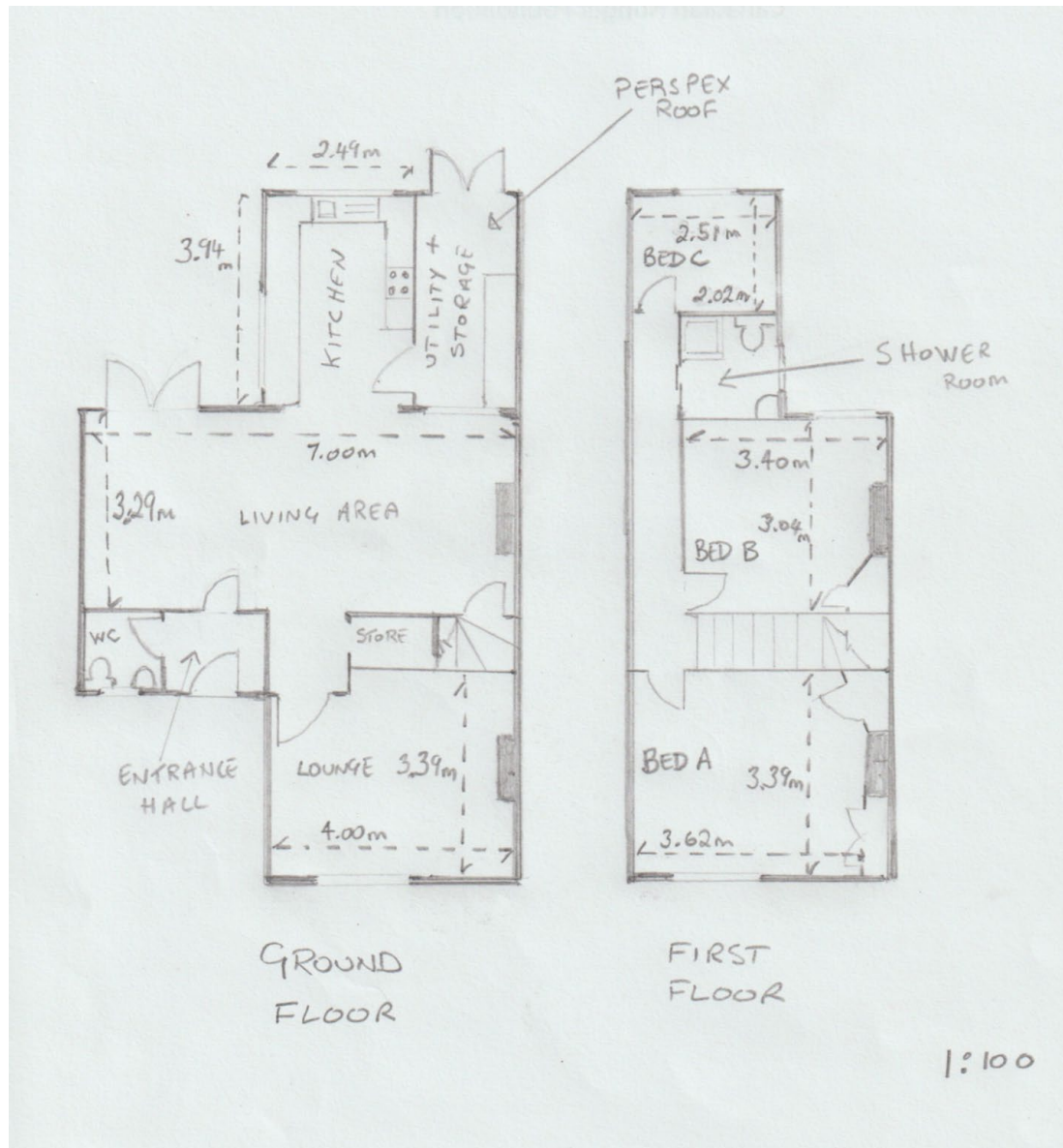


Site Photo

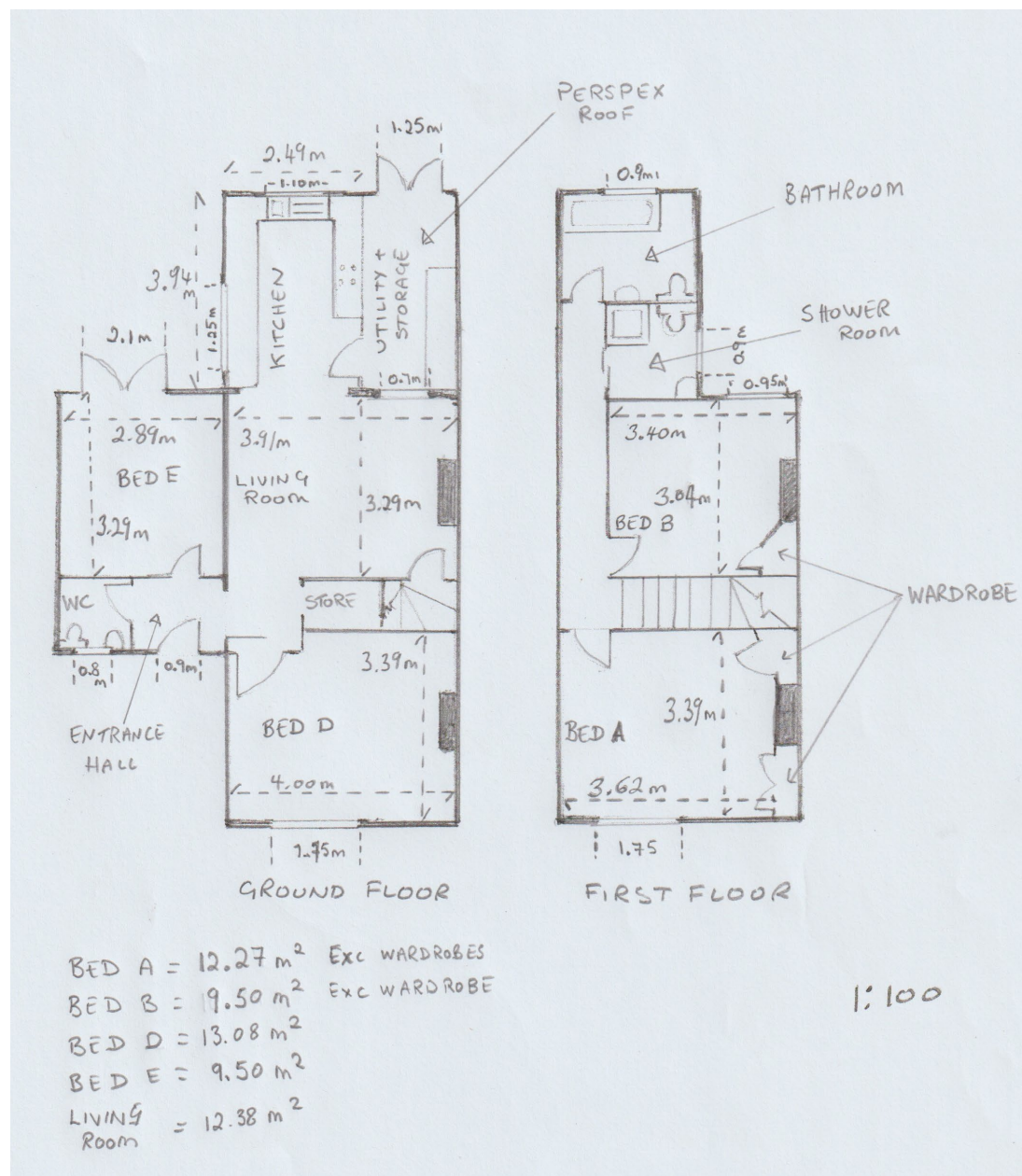


The application site consists of a two-storey semi-detached dwelling. The existing floor plans show three upstairs bedrooms and one bathroom, with downstairs kitchen and living areas. The proposed plans show that there would be two upstairs bedrooms, a bathroom and shower room. Downstairs, the existing living space to the front of the property would be converted into a bedroom and an internal wall would be added to create a fourth bedroom. The kitchen and utility room would be retained, along with a large section of the existing living room. There are no external alterations to the property proposed in this application.

Existing Floor Plans



Proposed Floor Plans



This site is situated within the settlement boundary of Kegworth. The site is located within the Limits to Development, as defined by the Policy Map to the adopted Local Plan (2021). Public Footpath L65 runs along Bridge Fields to the south of the site. The site lies within Flood Zone 2.

The proposed House of Multiple Occupation (HMO) would be occupied by a maximum of four residents.

The County Highways Authority, Environmental Protection, Parish Council and neighbours have been consulted and their responses have been considered in this report.

Precise details of the proposal are available to view on the submitted plans on the Council's website.

Relevant Planning History

There is no relevant planning history at the property.

2. Publicity

10 Neighbours have been notified.

Site Notice displayed 11 February 2025.

3. Summary of Consultations and Representations Received

The following summary of representations is provided. All responses from statutory consultees and third parties are available to view in full on the Council's website.

Kegworth Parish Council – Objects to the application on the following grounds:

The development would not be consistent with the emerging Local Plan HMO policy.

Access - The planning proposals would rely on the use of a footpath for vehicle access. It is proposed that the parking spaces would be accessed via a public footpath, which would be a safety issue.

Parking - There is insufficient space in the parking layout to allow for parking and turning.

Concentration of HMOs - The density of HMOs in the area exceeds the thresholds

No objections from:

NWLDC Environmental Protection

County Highway Authority

Third Party Representations

1 Neighbour objection has been received which can be summarised as follows:

Grounds of Objections	Description of Impact
Principle of Development and Sustainability	Too many HMO's within Kegworth

4. Relevant Planning Policy

National Planning Policy Framework (2024)

The following sections of the NPPF are considered relevant to the determination of this application:

Chapter 2. Achieving sustainable development
Chapter 4. Decision-making
Chapter 8. Promoting healthy and safe communities
Chapter 9. Promoting sustainable transport
Chapter 12. Achieving well-designed places
Chapter 15. Conserving and enhancing the natural environment

Adopted North West Leicestershire Local Plan (2021)

The North West Leicestershire Local Plan forms part of the development plan and the following policies of the Local Plan are relevant to the determination of the application:

S2 - Settlement Hierarchy
D1 - Design of New Development
D2 – Amenity
Ec5 - East Midlands Airport: Safeguarding
IF4 - Transport Infrastructure and New Development
IF7 - Parking Provision and New Development
Cc2 – Water – Flood Risk
Cc3 – Water – Sustainable Drainage Systems

Adopted Leicestershire Minerals and Waste Local Plan (September 2019)

The Leicestershire Minerals and Waste Local Plan forms part of the development plan and the following policies are/policy is relevant to the determination of the application:

Policy M11: Safeguarding of Mineral Resources

Other Policies and Guidance

National Design Guide (2021)
National Planning Practice Guidance
Leicestershire Highway Design Guidance
DEFRA Rights of Way Circular (1/09) - October 2009
Good Design for North West Leicestershire SPD - April 2017
Kegworth Article 4 Direction 2020: House in Multiple Occupation (HMO).

5. Assessment

Principle of Development

The starting point for the determination of this application is Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that decisions are made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the development plan comprises of the adopted North West Leicestershire Local Plan (2021).

The site is located within the Limits to Development, as defined by the adopted Local Plan, in the settlement of Kegworth. Policy S2 defines Kegworth as a 'Local Service Centre' which provides some services and facilities primarily of a local nature meeting day-to-day needs and is supportive of a reasonable amount of new development.

In addition, the National Planning Policy Framework (NPPF) promotes a presumption in favour of sustainable development. Paragraph 11 of the NPPF states that development proposals that

accord with an up-to-date development plan should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole or where specific policies indicate development should be restricted.

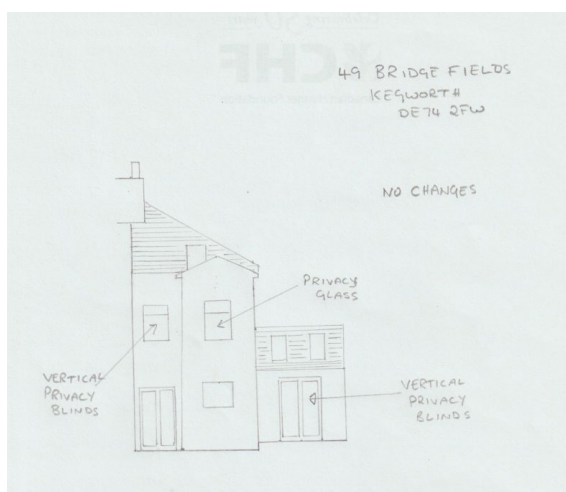
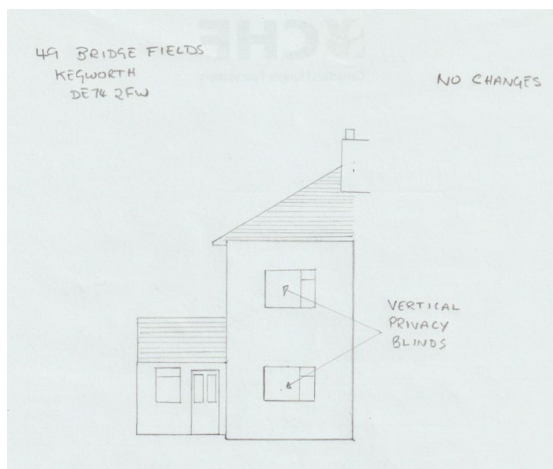
The proposal seeks to change the existing use of the residential dwelling to a four-bedroom HMO for no more than four residents at 49 Bridge Fields, Kegworth. No external changes are proposed.

In this case, the site is located within the limits to development therefore, the principle of development is considered acceptable, subject to compliance with all other relevant policies in the Local Plan and the NPPF.

Design, Character and Impact upon Street Scene

Policy D1 of the North West Leicestershire Local Plan (2021) requires that all developments are based on a thorough opportunities and constraints assessment and informed by a comprehensive site and contextual appraisal. In addition, new residential developments must also perform positively against the Council's adopted Good Design Supplementary Planning Document (SPD).

Existing and Proposed Elevations





No external alterations or extensions to the building would be required to accommodate the proposed change of use and as such there would be no further impacts on design beyond the appearance of the existing building.

It is considered that the proposal would accord with Policy D1 of the adopted Local Plan, the Council's Good Design SPD and advice contained in the NPPF.

Residential Amenities

Policy D2 of the Local Plan (2021) requires that proposals for development should be designed to minimise their impact on the amenity and quiet enjoyment of both existing and future residents within the development and close to it.

This application seeks permission for a change of use from a dwelling to a small HMO for a maximum of four residents.

The subject property is semi-detached with a rear garden and driveway to the front of the property. The property currently has three bedrooms and it is proposed to change two ground floor rooms into bedrooms, with one of the upstairs bedrooms being converted into a bathroom. The proposed change of use to a small HMO would accommodate a maximum of four residents within four bedrooms.

Consideration has to be given as to whether any additional noise and disturbance generated by changing the use from a family home to a small HMO, would give rise to a significant adverse impact upon neighbouring residential amenities to warrant a refusal of permission. Given the size of the property, it could accommodate a family with a greater number of people than proposed under this application, it is not considered that the change of use would give rise to any significant noise and disturbance or comings and goings (and associated waste generation/pollution) that would be demonstrably significantly over and above the occupation of the dwelling by a single large family. The Council's Environmental Protection Team has been consulted on the application and raises no objections.

The proposal does not include any external alterations to the existing property and as such it is not considered that the development would result in any overbearing or overshadowing impacts on neighbouring properties.

Whilst one of the existing first floor bedrooms would change to a bathroom, it is not considered that it would be reasonable to require obscure glazing to its window, as the use of rooms could change in the existing dwelling without the need for planning permission.

Overall, for the reasons set out above and subject to an appropriately worded condition to ensure the use of the site would operate within the parameters of the submitted application by restricting the number of residents to a maximum of four people, it is not considered that the proposal would result in significant impacts upon surrounding residential amenities and would accord with Policy D2 of the adopted Local Plan and the Council's Good Design SPD.

Highway Considerations

Kegworth Parish Council have raised concerns with regard to access and parking at the property. These concerns will be considered in the section below.

Policy IF4 of the North West Leicestershire Local Plan (2021) requires that development proposals consider the impact on the highway network and environment, including climate change. It also requires the incorporation of safe and accessible connections to the transport network, enabling travel choices for residents, businesses, and employees, particularly by non-car modes. Policy IF7 stipulates that development must provide adequate parking for vehicles and cycles to avoid highway safety issues and to minimise the impact on the local environment.

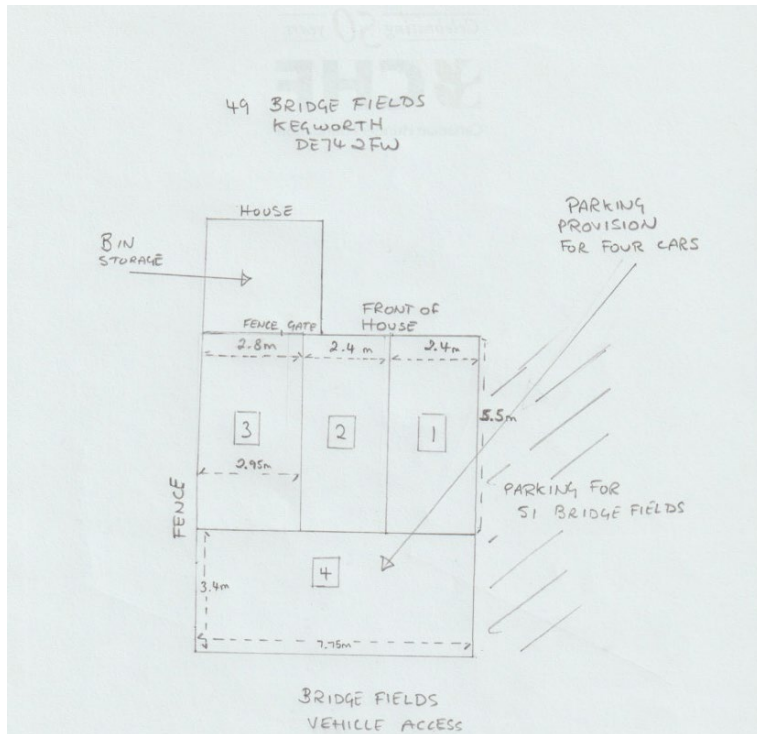
Access to the site is from Bridge Fields, which is a Public Right of Way which forms Public Footpath L65. Bridge Fields is narrow in width given its status as a Public Footpath and therefore primarily being a pedestrian route, however, it does provide vehicular access to a limited number of properties including the application site. No alterations are proposed to the existing site access arrangements which presently serve the existing dwelling.

The County Highway Authority (CHA) has been consulted on this application and have raised no objections stating that as this is an existing situation, the CHA considers it unreasonable to object on this basis.

The CHA notes that there has been one Personal Injury Collision (PICs) that has been recorded within 500m of the site in a northern, southern and western direction and circa 140m in an eastern direction due to its boundary with Nottinghamshire. The PIC was documented within the most recent five-year period and was recorded as 'slight' in severity. The CHA has given consideration to the above PIC and is satisfied that the development proposal is unlikely to exacerbate the likelihood of further such incidents occurring.

The existing parking provision on the site consists of four parking spaces which would be retained, as shown on the plan below.

The CHA notes that the fourth parking space is not in accordance with the LHDG as it blocks the access to the three other spaces and appears unable to provide sufficient turning space.



Based on Table 28 of the Leicestershire Highway Design Guide (LHDG) for a HMO containing up to six residents, one parking space should be provided per resident with a minimum of three parking spaces per dwelling.

Considering the existing parking situation and given that the applicant does have any clear scope to provide a fourth parking space in accordance with LHDG standards, the CHA considers it unreasonable to object to this application on this basis. The CHA has advised that they do not consider this development to result in any severe highway safety impacts as per paragraph 116 of the NPPF (2024).

The CHA has not raised any comments or objections in relation to impacts on users of the public footpath. As it is considered unlikely that there would be any significant increase in comings and goings to and from the site compared to the existing situation, it is considered that there would be no adverse impacts on the enjoyment of users of the public footpath and that safe and suitable access could be provided for users of the footpath.

Taking the above into account the proposal is not considered to result in an unacceptable impact on highway safety or the wider highway network or the public footpath. This would therefore comply with Policies IF4 and IF7 of the North West Leicestershire Local Plan, the relevant paragraphs of the NPPF as well as the Leicestershire Highway Design Guide.

Biodiversity Net Gain

Policy En1 of the adopted Local Plan states that proposals for development would be supported which conserve, restore or enhance the biodiversity in the District. This is supported by Paragraph 186 of the NPPF which states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

The mandatory requirement for 10% Biodiversity Net Gain (BNG) for small sites as required by the Environment Act came into force on 2 April 2024. However, the proposal relates to an application for change of use only with no external alterations to the building or site generally.

The biodiversity gain requirement does not apply to development subject to the de minimis exemption which is development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of onsite habitat, or 5 metres of linear habitats such as hedgerows. Based on the information submitted under this application, the Planning Authority considers that biodiversity net gain does not apply in this case and therefore, the proposed development would not be required to demonstrate 10% BNG.

Given the above, the development would accord with Policy En1 of the Local Plan, the aims of Paragraph 187 and 193 of the NPPF (2024), the Planning Practice Guidance.

Flood Risk

The site lies within Flood Zone 2. Part of the rear garden is within an area at low to medium risk of surface water flooding. The proposed use is not incompatible with Flood Zone 2. As a change of use is proposed, the proposal is not subject to the flood risk sequential test. It is also not subject to the flood risk exception test. Whilst a flood risk assessment has not been submitted, given that the proposed use is residential in nature in this case it is considered that a reason for refusal on the basis of a lack of a flood risk assessment could not be justified.

There would be no increase in surface water runoff or flood risk elsewhere as there would be no changes to the footprint of the building or to the extent of hardsurfacing within the site. It is also considered that given the continued residential use of the site and that the Council has no control over where rooms are located in the existing dwelling, that in this case requiring flood resilience measures or details of safe access/escape routes could not be justified.

It is therefore considered that the proposal complies with Policy Cc2 and Cc3 of the Local Plan, the NPPF and the PPG.

Airport Safeguarding

The site is within the safeguarded area of East Midlands Airport. The threshold for consultations with the airport is for development above 90m in height and as the proposal is for a change of use only with no proposed external alterations, the proposal would not raise any safeguarding issues and would be compliant with Policy Ec5 of the adopted Local Plan.

Other Matters

Concerns have been raised by a local resident and the Parish Council regarding the number of HMO's located within Kegworth. Whilst these concerns are recognised, there are currently no policies within the adopted Plan or NPPF which seek to limit the quantity/grouping of HMOs or control the location of HMOs. In the absence of any adopted policy to this effect or any objection from statutory consultees in respect of the highway/amenity or other significant impacts arising from the concentration of HMOs in this location, it is not considered that a reason for refusal on this ground could be sustained.

Whilst Policy H8 in the draft Local Plan does relate to HMO's in Kegworth, no weight can be attributed to the policy. Several comments have been made in respect of the policy as part of the

draft Local Plan Regulation 18 consultation (January to March 2024). The policy has also not yet been reviewed and presented back to Local Plan Committee.

Conclusion

The adopted Local Plan is silent on the matter of HMOs and in these circumstances, paragraph 11 of the NPPF applies which states that 'plans and decisions should apply a presumption in favour of sustainable development'.

For decision taking, it sets out in criterion (d) that '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 strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.'

The application site falls within none of the areas identified within paragraph 11(d)i of the NPPF and therefore the test to be applied in this case is that set out in paragraph 11(d)ii above.

The application site is situated within the defined Limits to Development, where the principle of development is supported, if it complies with relevant policies of the Local Plan. Policy S2 of the Local Plan supports sustainable development within Limits to Development, and the proposed development is considered to align with the overall spatial strategy for the district.

In addition to the above, no external alterations are proposed as a result of the development. The proposal is considered to be acceptable in terms of highway safety and the public footpath. The proposed change of use is not considered to result in significantly detrimental impacts on neighbouring amenity. There are no other relevant material planning considerations that indicate planning permission should not be granted.

In view of the above and on balance, it is considered that the proposed development complies with the relevant policies of the North West Leicestershire Local Plan and the NPPF (2024).

Subject to the imposition of conditions the proposed development represents sustainable development, and approval is therefore recommended.