

UPDATE SHEET

PLANNING COMMITTEE – 14 July 2026

**To be read in conjunction with the
Report of the Head of Planning and Infrastructure to Planning
Committee**

- (a) Additional information received after the publication of the main reports;**
- (b) Amendments to Conditions; and**
- (c) Changes to Recommendations.**

A1	25/00236/FULM	Demolition of the existing gatehouse and construction of 1 no. commercial building (use class E(g) (ii)/(iii) / B2 / B8) with ancillary offices, cycle, car, van and HGV parking; and all other ancillary and enabling works including landscaping, drainage, engineering and boundary treatments.
		Former RBS Data Centre, Packington Hill, Kegworth.

Additional Information

Third Party Representations

Following the publication of the Planning Committee Agenda a further third-party representation to the application has been received which is summarised as follows:

- 1) The proposed movement of heavy goods vehicles (HGVs) at the site access and the surrounding highways will be of significant detriment to highway safety.
- 2) The relocation of the pedestrian refuge on Packington Hill is not safe for pedestrians.
- 3) A temporary fence on Pritchard Drive is not maintained, and brambles encroach onto the pavement. These issues have been reported to the applicant, but no action has been taken. Future maintenance of the site will therefore not be undertaken.

A full copy of the representation received is available to view on the Council's website.

3D visual representations have also been provided as a means of demonstrating the impact the proposed development would have on residential properties on Pritchard Drive which will be provided to Members at the Planning Committee meeting. They will also form part of the Planning Committee presentation given that they will be referred to by the third party as part of their presentation to the Planning Committee.

Planning Committee Technical Briefing

At the Planning Committee Technical Briefing on the 8th July 2026, Members raised the following queries:

- 1) That the tracking movement of HGVs at the site access and the surrounding highway network as agreed with Leicestershire County Council (LCC), as the County Highways Authority (CHA), be shown within the Planning Committee Update Sheet and as part of the Planning Committee Presentation;
- 2) The weight to be given in any decision to proposed changes at Junction 24 of the M1;
- 3) To ascertain from National Highways (NH) whether they have any further comments on the proposed development;
- 4) To add a note to the Planning Committee Update Sheet which relates to the application being referred to the Secretary of State for Transport (SoST) should a decision be made which is contrary to the recommendation of NH; and

- 5) To ascertain from Active Travel England (ATE) whether they have any further comments on the proposed development.

Additional Correspondence from Councillor Sutton

An email from Councillor Sutton was received by the case officer on the 8th July 2026 which outlined the following:

1. *Having revisited the National Highways (NH) response of 27th February 2025, a very long time ago, I note that whilst National Highways raised no objection, their conclusion was accompanied by a number of recommendations relating to the transport assessment, including the use of TEMPro Version 8, confirmation of committed developments to be incorporated into the assessment, and assessment years / opening year modelling in accordance with DfT Circular 01/2022*

Could you please confirm whether each of these recommendations was subsequently addressed by the applicant and, if so, identify the documents in which they can be found? If they were not addressed, could you explain why National Highways were not reconsulted?

2. *Could you confirm that it was NWLDC and not the applicant that requested the NH opinion and remind me ASAP of the criterion in this case that prompted the need to consult NH? Presumably as a statutory consultee? Or, if not, statutory the reasoning behind the decision to consult NH. Did LCC advise on this action?*
3. *I was not following the input about the Secretary of State for Transport. Could this be explained in writing? Is the issue being alluded to material to this application?*

Further correspondence was also received from Councillor Sutton on the 12th July 2026 which considers that the evidential basis upon which Members of the Planning Committee are being asked to determine the application has not yet been fully reconciled or transparently explained. This relates to:

- a) The County Highways Authority (CHA) significantly changing their position at a very late stage and whereby the consultation response raised important questions;
- b) Active Travel England (ATE) not being subject to further consultation;
- c) NH not being reconsulted;
- d) Unexplained discontinuity in the consultation responses from the Council's Urban Designer; and
- e) A gap in the Council's published Conservation and Heritage assessment in relation to the setting of designated heritage assets on the principal north-western approach to Kegworth.

Councillor Sutton is of the view that where important professional advice changes materially, or where material planning consideration appear not to have been fully addressed, the reasons should be transparently explained so that Members of the Planning Committee can understand what has changed, why it has changed and how the planning balance has been reached.

A full copy of the correspondence from Councillor Sutton is available to view on the Council's website.

Further correspondence was also received from Councillor Sutton on the 14th July 2026 which includes correspondence from Ann Carruthers (the Head of Highways at LCC) which provides responses to questions raised by Councillor Sutton at LCC's '*Growth, Highways, Transport and Waste Overview and Scrutiny Committee*' meeting of the 4th June 2026. This response from LCC being provided to Councillor Sutton on the 1st July 2026.

Councillor Sutton has requested that the full contents of the correspondence from Ann Carruthers be brought to the attention of Members and it is therefore attached as Appendix 1 to this Update Sheet.

In addition, Councillor Sutton has requested clarity on whether a condition is proposed which addresses the comments of the CHA in relation to the development not being brought into use (or occupied) until such time as the access arrangements have been implemented in full. This relates to the fact that Pritchard Drive does not comprise highway which is currently formally adopted by LCC as the CHA. The ownership of the balancing pond within the application site is also queried by Councillor Sutton.

A full copy of the correspondence from Councillor Sutton is available to view on the Council's website.

Officer Comment

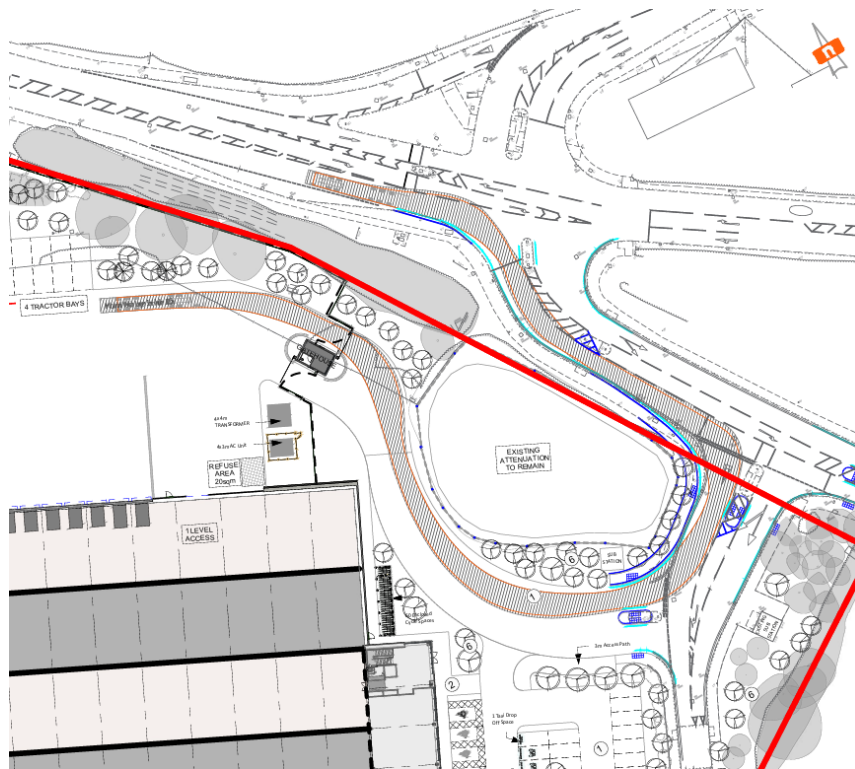
Further Third-Party Comment

The further third-party comment received does not raise any new issues which have not already been considered and addressed as part of the Planning Committee Report.

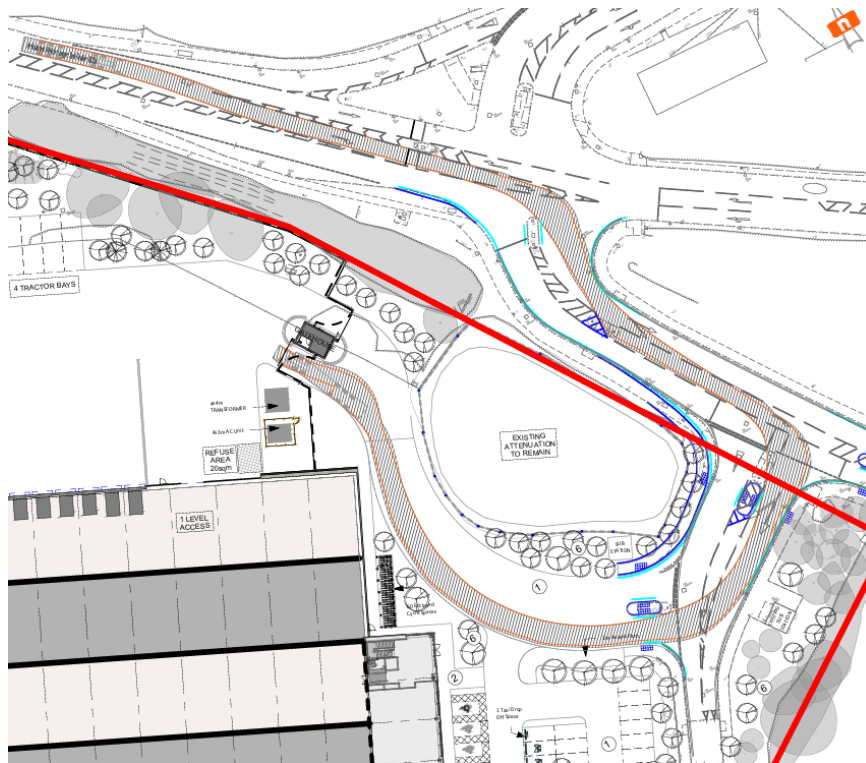
Planning Committee Technical Briefing and Councillor Sutton's Email of the 8th July 2026

In terms of 1), the plan showing the tracking movement of HGVs at the site access and the surrounding highway network as agreed with the CHA is as shown in the images on the following pages. These plans are also included in the Planning Committee Presentation.

Tracking Movement of Max Legal Length (18.55 Metres) HGV Out



Tracking Movement of Max Legal Length (18.55 Metres) HGV In



With regards to 2), and in discussions with the CHA, any proposed changes to Junction 24 of the M1 in the future, because of strategic growth in the immediate area, would not be material to the determination of the planning application. This is because those proposed developments do not comprise committed development (i.e. do not benefit

from planning permission) and have not been subject to detailed highway modelling to understand the extent and nature of any works required. The CHA has also advised that any highways scoping exercise undertaken by them presently would still 'test' Junction 24 of the M1 in its current layout.

On this basis the impact arising as a result of any proposed changes to Junction 24 of the M1 in the future, and particularly how HGVs may continue to serve the application site and the premises of Refresco, would need to be determined as part of any planning application associated with any such future works to Junction 24 of the M1.

In terms of 3) and point 1. from Councillor Sutton's additional email, NH has been reconsulted and they have commented as follows:

"I can confirm that our recommendation of No Objection remains as set out in our response on the 27th of February 2025. This was based on our conclusion that the proposed development would have a minimal impact on M1 Junction 24, supported by our own internal checks and assessment.

Our comments relating to the sections on Traffic Growth, Committee Developments and Assessment Year and Scenarios were intended as advisory observations only. Whether or not these points were addressed would not have altered our recommendation of No Objection.

These comments were intended to be provided as advice on preparing and presenting transport assessments for the applicant and may also be of benefit to wider consultees, including the CHA. Therefore, we were not expecting any re-consultation on this planning application."

With regards to 4) and point 3. from the Councillor Sutton's additional email, the consultation response from NH (of the 27th February 2025), includes the following statement:

"Should the Local Planning Authority propose not to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Road) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete."

Essentially NH are a statutory consultee who can 'direct' a decision on a planning application should the decision on the planning application differ from their recommendation as part of a consultation response (for reference East Midlands Airport Safeguarding (EMAS) also have 'direction' powers). The 'direction' is that the decision is referred to the Secretary of State for Transport (SoST) who then has 21 days to determine if they wish to 'call in' the application for a decision (i.e. the SoST has the final decision) or whether they are content for the application to be determined in line with the Council's recommendation.

It is considered that this process would be material to the determination of the application if a refusal was to be made based on highway impacts to the strategic road network (SRN) as this would result in the need to engage with the SoST to determine if they wish to 'call in' the application, or whether it can be determined in line with a Committee resolution of refusal. A refusal on other grounds, e.g. residential amenity, design, visual impact or the impact to the local road network are not considered to trigger the 'call in' procedure given that the comments of NH are not of relevance to such matters.

In terms of 5), ATE has reiterated in their revised consultation response (of the 13th July 2026) that their recommendation is of 'Conditional Approval' and therefore they have no objections. Recommended conditions from ATE would include off-site highway improvements, cycle parking provision, and a revised travel plan. Such requests of ATE are secured within draft condition nos. 38, 41 and 42, respectively.

Whilst ATE consider that the crossing on Packington Hill could be more enhanced by comprising a Toucan crossing (as an example), the relocated pedestrian refuge has been assessed by the CHA to be acceptable and whereby it has been subject to a Stage 1 Road Safety Audit (RSA) (and associated Designers Response) which has not identified any safety concerns with the relocated pedestrian refuge. On the basis that Packington Hill comprises public highway the delivery of off-site infrastructure would be subject to approval by LCC (as the CHA), and it has not been demonstrated as part of the application whether the delivery of a Toucan crossing (as an example) would be acceptable in relation to highway safety or impacts on the highway network. Notwithstanding this, the relocated pedestrian refuge has been determined to be appropriate from a highway safety perspective and therefore imposing a condition requiring the delivery of a Toucan crossing would not be necessary to make the development acceptable in planning terms and consequently would fail the tests for conditions outlined at Paragraph 57 of the NPPF.

Although ATE consider that a contribution should be sought for improvements to bus stops, this matter is appropriately addressed within the Committee Report which reflects on the consultation response provided by the CHA which indicates that those bus stops closest to the site are already well equipped. On this basis to request a financial contribution in line within the advice of the ATE would not be necessary to make the development acceptable in planning terms and therefore would fail the tests outlined at Paragraph 58 of the NPPF.

The further consultation response from ATE can be viewed in full on the Council's website.

Councillor Sutton's Additional Correspondence of the 12th July 2026

In terms of the points a) to e) identified above, officers would comment as follows:

- a) The CHA confirmed that they had no objections to the application (subject to conditions) in their consultation response of the 23rd April 2026. Whilst this position was challenged by third parties and Councillor Sutton, the CHA reiterated that they had no objections in their consultation response of the 23rd June 2026 which was primarily responding to the queries raised by the third parties and Councillor Sutton.

It is therefore considered that although the position of the CHA has altered, they have appropriately addressed the reasoning as to why such a position has changed and this is as outlined in the Committee Report.

- b) ATE recommend conditional approval of the application in their original consultation response of the 28th February 2025 and therefore had no objections. Section 4.0 (Next Steps) of their consultation response advises that *"ATE would be content to review further submitted information is necessary and / or the setting planning conditions and obligations as appropriate."* The comments raised by ATE are appropriately addressed within the Committee Report and based on their original consultation response and the comments

within Section 4.0, officers considered that there was no requirement to consult them further as and when amendments were made to the application to address comments made by officers and other statutory consultees.

In any event, Councillor Sutton has contacted ATE directly (on the 7th July 2026) and their further comments to the application are as outlined above and whereby it remains that their recommendation is of conditional approval.

- c) As is outlined above, NH raised no objections to the proposed development in their consultation response of the 27th February 2025. Reconsultation was undertaken with NH at the request of Members following the Planning Committee Technical Briefing on the 8th July 2026 and whereby NH has confirmed that it still has no objections to the proposed development. NH has also confirmed that they did not anticipate being reconsulted on the application following their initial consultation response due to there being no objections.
- d) The Council's Urban Designer, in reviewing their consultation responses to the application, has commented as follows:

Consultation Response – March 2025

The initial proposal involved a 'standard B8 type' building design that was 16+ metres to the haunch and around 18 metres to the eaves. The footprint of the building was close to both the southern and western boundaries in particular.

Consultation Response – August 2025

A revised iteration of the proposals involved a radically different (and much more interesting design approach), of which is commented on at the time.

The curved and undulating eaves represent a positive alteration in how the height of the building will be perceived, although the overall footprint was not materially different to the original proposal.

Consultation Responses – November 2025 and April 2026

The sketch identified within the image on the following page illustrates the changes to the footprint of the proposal.

Although the design of the building did not change between August 2025 and April 2026 (particularly as the design of the building was previously assessed to be acceptable in the consultation response of August 2025), there was a clear and obvious change in the footprint of the proposals, along with a further reduction in height.

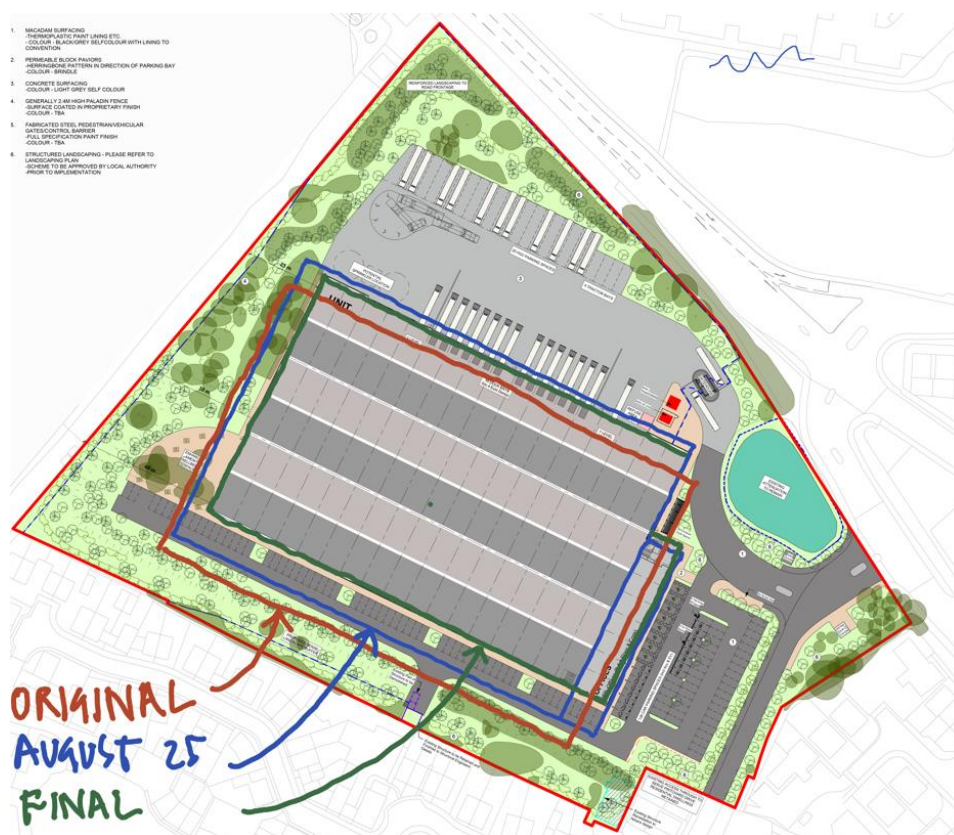
The most pronounced change was in pulling the building more significantly away from the southern boundary, as shown in the difference between the blue (August 2025) and green (April 2026) building outlines within the sketch below.

The western extent of the building has also been pulled in from the boundary to provide a greater separation distance.

This change to the overall footprint, along with further reductions in the haunch and overall height of the building, has enabled a denser and more considered approach to landscaping along the southern and western boundaries, as

requested within the consultation responses of August 2025 and November 2025.

Council's Urban Designer's Sketch Identifying Footprint Changes



- e) The consultation response from the Council's Conservation Officer, of the 17th February 2025, raised no objections to the application and determined that the former RBS Data Centre was not a non-designated heritage asset.

Included within the Council's Conservation Officer's consultation response of the 17th February 2025 is additional comments which were provided to a pre-application proposal on the site (for employment development) which was referenced 22/01050/PAAM. These comments, of the 27th July 2022, state: "*I have identified no impact on designated heritage assets arising from the proposed development.*"

As is outlined in the Committee Report the nearest designated heritage asset is the Grade II listed nos. 28 and 30 Packington Hill which is around 243 metres to the south-east of the site, with the boundary of the Kegworth Conservation Area being set around 273 metres to the south-east of the site. Both heritage assets sit on higher ground than the application site and are screened from the application site by intervening built forms meaning that views into and out of the identified heritage assets would not be materially different to that which currently exists.

Views of the spire associated with the Grade II* Church of St Andrew are not appreciated from the application site. Views of the spire are therefore only readily appreciated from Derby Road on the approach into Kegworth away from

Junction 24 of the M1. Development on the application site will not obscure this view towards the spire, with the application site not comprising land which contributes to the setting of the Church of St Andrew.

On the basis that the Council's Conservation Officer has not identified any harm to the setting of designated heritage assets, there is no requirement to provide detailed comments as would be the case if it was identified that there was 'less than substantial' or 'substantial' harm to the setting of designated heritage assets (and whereby it would need to be identified where the 'harm' arises and the means of mitigating that 'harm').

Paragraph 215 of the NPPF only requires the public benefits of a development to be 'weighed' against the impact to a designated heritage asset if the impact arising is 'less than substantial'. On the basis that the Council's Conservation Officer has identified that no harm would arise to designated heritage assets there is no requirement to undertake this assessment.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires, as a minimum, the preservation of the setting of a listed building and the character and appearance of conservation areas. In the circumstances that no harm arises to the significance of the setting of any designated heritage assets it can be concluded that the setting of such designated heritage assets would be preserved. On this basis the requirements of Sections 66 and 72 are met.

Officers consider that the Planning Committee report has fully and robustly explained the impacts arising in respect of the matters identified above and how the overall recommendation to the Planning Committee has been reached by officers. Notwithstanding this, additional information provided in the update sheet should provide the necessary clarification to Members in their deliberations on this application.

Councillor Sutton's Further Correspondence of the 14th July 2026

As is advised above, the correspondence from Ann Carruthers (the Head of Highways at LCC) to Councillor Sutton of the 1st July 2026 is attached as Appendix 1 to this Update Sheet. It is considered that such correspondence does not raise any materially different matters which have not already been considered by the CHA in their consultation responses of the 23rd April 2026 (which raised no objections to the application) and 23rd June 2026 (which reflected on objections raised by third parties and Councillor Sutton). Such responses from the CHA are reflected within the Committee Report and the overall position of the CHA (i.e. they have no objections) is not altered.

The recommended conditions of the CHA are reflected in the Committee Report, with Members being aware that for the purposes of the Committee Report the conditions are only provided in shorthand form and therefore reflect what will be secured / required and when it will need to be provided / delivered. For the purposes of the comments from Councillor Sutton, the proposed conditions are nos. 37 and 38 within the draft list which require the delivery of the access arrangements (no. 37) and off-site highway works (no. 38) prior to the building being first brought into use (or occupied). The precise wording of these conditions would be drafted should the recommendation to permit the application be accepted by Members, but such wording would reflect the recommended wording provided by the CHA within their consultation response.

In terms of the balancing pond within the red line denoting the boundaries of the application site, the '*Surface Water Drainage*' subsection of the '*Flood Risk and Drainage*' section of the Committee Report specifies that the submitted Flood Risk Assessment and Drainage Strategy (FRADS) identifies that the drainage system of the former RBS Data Centre does not connect into the attenuation basin and that title documents indicate that it serves the residential development constructed by Persimmon (upon Pritchard Drive) who are responsible for its maintenance. Therefore, surface water drainage associated with the proposed development would not discharge into the existing balancing pond which is simply retained as part of the proposed development. As is outlined in the Committee Report, surface water associated with the proposed development would be discharged via permeable paving, linear drainage channels and an underground cellular tank to either the watercourse adjacent to Derby Road or, if infiltration is not feasible, directly into the Severn Trent Water (STW) public surface water sewer.

Planning Committee Site Visit – 13th July 2026

At the Planning Committee site visit on the 13th July 2026, Members queried whether any part of Pritchard Drive was formally adopted by LCC, as the CHA, due to the presence of double yellow lines and numbered street lighting on the part of Pritchard Drive where the application site would be accessed.

Officers have contacted the CHA who have confirmed that no part of Pritchard Drive comprises public highway which is formally adopted by LCC as the CHA.

As is outlined within the Committee Report, the adoption of Pritchard Drive is currently subject to existing Section 38 (Power of Highway Authorities to Adopt by Agreement) and 278 (Agreements as to Execution of Works) Agreements with LCC under the Highways Act 1980 (as amended). Therefore, in order for the works to be undertaken on Pritchard Drive, either the applicant would be required to seek agreement with parties subject to the existing agreements for the necessary amendments to be made, and then enter into a supplemental agreement, or await the adoption of Pritchard Drive as public highway.

As is identified above, draft condition no. 37 will secure the delivery of the proposed access arrangements, with draft condition no. 38 securing the off-site highway works. The CHA has made it clear as part of their consultation response that the fact that Pritchard Drive is not formally adopted is not material to the determination of the planning application and therefore a reason to refuse the application on this basis could not be justified.

RECOMMENDATION – NO CHANGE TO RECOMMENDATION.

Appendix One – Correspondence from Ann Carruthers (Head of Highways at LCC) to Councillor Sutton of the 1st July 2026.

Dear Councillor Sutton,

Thank you for your follow-up correspondence after the Growth, Highways, Transport and Waste Overview and Scrutiny Committee meeting on 4 June. Following your comments, further site observations have been undertaken at the Derby Road / Side Ley / Packington Hill junction in Kegworth. Points raised have been addressed below.

The response did not fully address the relationship between observed real-world vehicle behaviour and standard swept-path modelling assumptions.

Swept-path analysis is a valid method to demonstrate that the junction geometry can accommodate the design vehicle. This is supported by site observations, which generally show that vehicles, including larger vehicles, can complete turning manoeuvres without exceeding the available carriageway.

However, observations also show that driver behaviour varies. Some drivers take a tighter turning path (for example, adopting a “racing line”), which may result in occasional encroachment over the opposing stop line. This behaviour reflects driver choice rather than a geometric constraint and does not indicate a fundamental design issue with the junction.

The position taken appears to separate existing operational stress at the junction from the potential cumulative effects of additional freight-related movements.

Current observations indicate that the junction operates without evidence of systematic overrun, kerb strikes, or verge encroachment, which would typically suggest layout constraints.

In relation to future development, the assessment has focused on whether the junction can physically accommodate HGV movements and whether the additional traffic materially changes operation. Based on both modelling and observed behaviour, there is no evidence that the level of additional HGV movements would introduce a new or materially different operational issue beyond the existing baseline.

The question of cyclist and pedestrian safety was not substantively addressed, despite this forming part of my original question.

See below for response in conjunction with the following question.

There appears currently to be no dedicated cyclist provision through the junction and only limited controlled pedestrian crossing provision.

The junction operates as a signal-controlled layout with controlled pedestrian crossing provision in place along the southern and eastern arms. There is no dedicated cycle infrastructure through the junction at present, which is typical of many legacy signalised junctions of this type.

No specific safety concerns were identified during observations. However, as with any signalised junction, interactions between vehicles and vulnerable road users require appropriate care. I note that there has been a personal injury incident involving a pedestrian crossing the northern arm of Derby Road where there are no controlled pedestrian facilities.

The North West Leicestershire Local Cycling and Walking Infrastructure Plan (LCWIP) identifies this junction as a priority location for crossing improvements, as well as for widening the existing shared-use path on the eastern side of Derby Road. This would enhance connectivity to the A453 pedestrian and cycle underpass.

Leicestershire County Council (LCC) can review this in collaboration with North West Leicestershire (NWL) to assess options that align with these objectives and support integration with the wider active travel network. Any scheme identified that meets these objectives would still be subject to funding being available. Any such work would be progressed separately from the current planning application.

The future operational implications of increased conflicting HGV turning movements may have been understated because such movements are presently comparatively limited.

Observed HGV movements at present are relatively limited, and therefore the current evidence base reflects typical rather than high-frequency interaction scenarios.

Nevertheless, the swept-path analysis tests worst-case vehicle movements, and site observations confirm that even where positioning varies, the available space is sufficient. Occasionally vehicles will get close to each other, particularly where drivers adopt tighter paths, but this does not appear to result in physical conflict or infrastructure impact.

Nonetheless, it is worthy of note that to accommodate development related HGV's, a condition has been advised requiring minor amendments to existing kerblines on the north-western corner of the junction.

Summary

Both modelling and observed behaviour indicate that the junction can accommodate current and forecast traffic movements, including HGVs. There is no evidence of a significant safety or operational deficiency that would necessitate intervention as part of the current planning application.

Notwithstanding this, the junction has been identified within NWL LCWIP as a location for potential improvements to pedestrian and cycle provision. This reflects wider network objectives for the local authority rather than a specific deficiency arising from the proposed development.

Any future considerations for enhancement, such as improved crossing facilities or changes to support active travel, would therefore be best progressed separately, in collaboration with North West Leicestershire District Council, and as part of a wider corridor or network-based approach.

I trust this response addresses the points you have raised following the meeting.

Kind regards,
Ann

A2 25/00954/FUL

Demolition of existing building and new self-build dwelling along with package treatment plant and associated landscaping

Land off Back Lane, Castle Donington

Additional Information

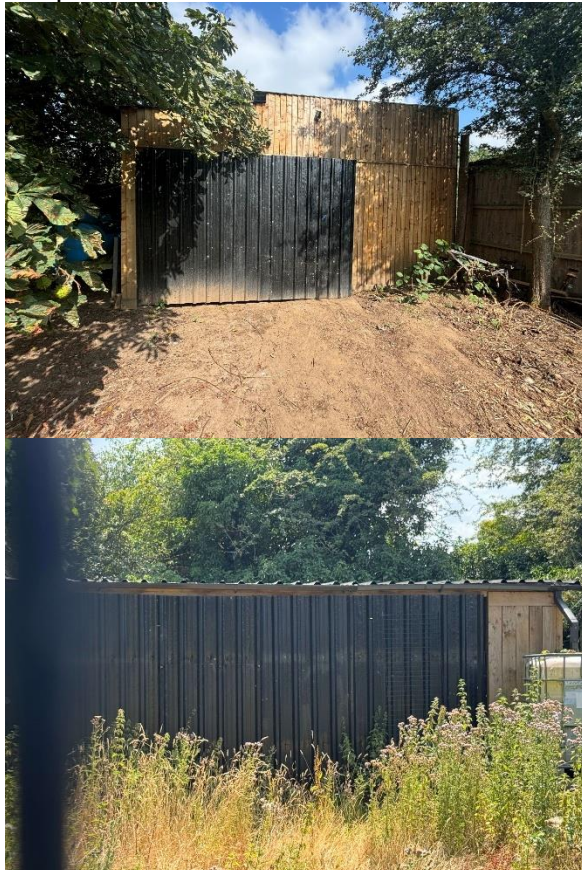
LCC Minerals have been consulted on the application and a response has not been received.

Leicestershire Fire and Rescue Service has been consulted on the application and have stated that they do not provide a response on planning applications however, they can be consulted at building regulation stage.

The committee report confirms that the shortfall of self-build plots when assessed against the need determined by the self-build register is 23 plots. As set out in the report, this is considered to be a significant unmet demand which is to be considered in the planning balance. There has been three additional self-build plots permitted since the publication of the committee report. As of 14th July, the shortfall therefore stands at 20 plots and this continues to represent a significant unmet demand. To meet its duties under the Act, the Council would need to grant planning permission for 20 self-build and custom housebuilding plots by 30 October 2026.

Matters Arising from the Planning Committee Technical Briefing

Additional site photos were requested, showing the existing structures on site. These are provided below:





Information was requested on how emergency services would gain access into the gated site.

The applicant has confirmed that the emergency services have a master key that would unlock the padlock on the gate. Additionally, all emergency service vehicles carry cutting equipment and could access the site this way, if required.

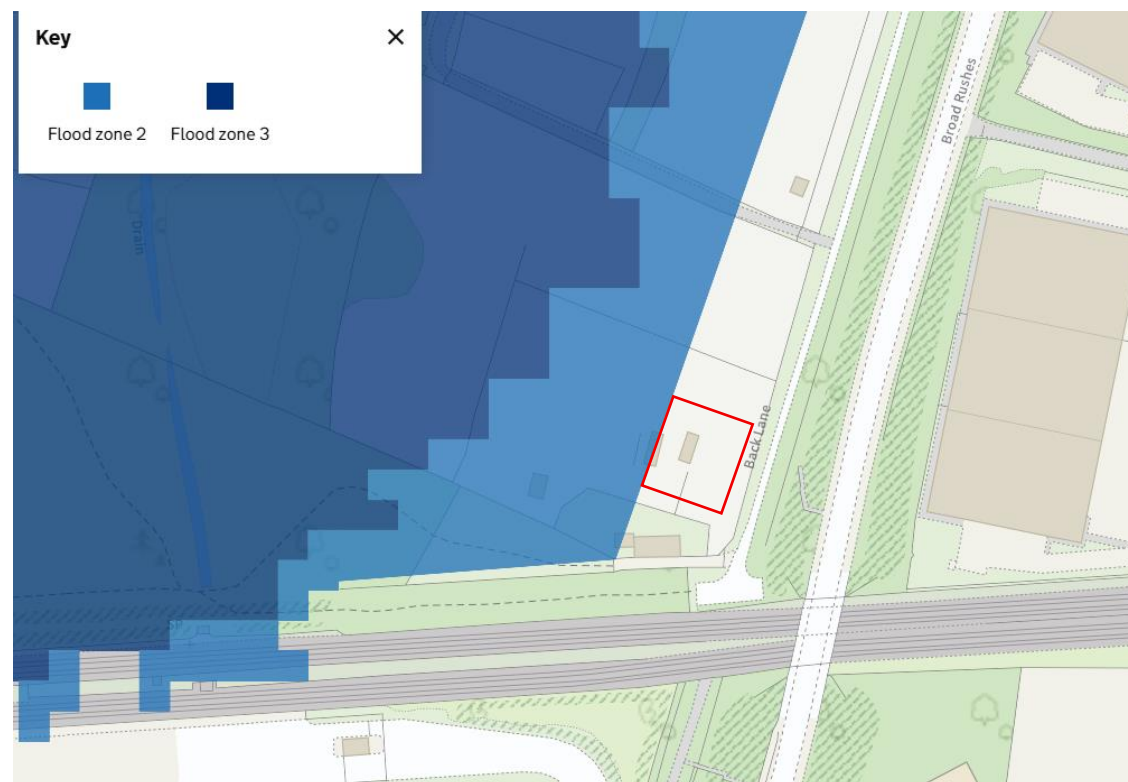
Information was requested on the exact distances between the dwelling and the nearest residential properties:

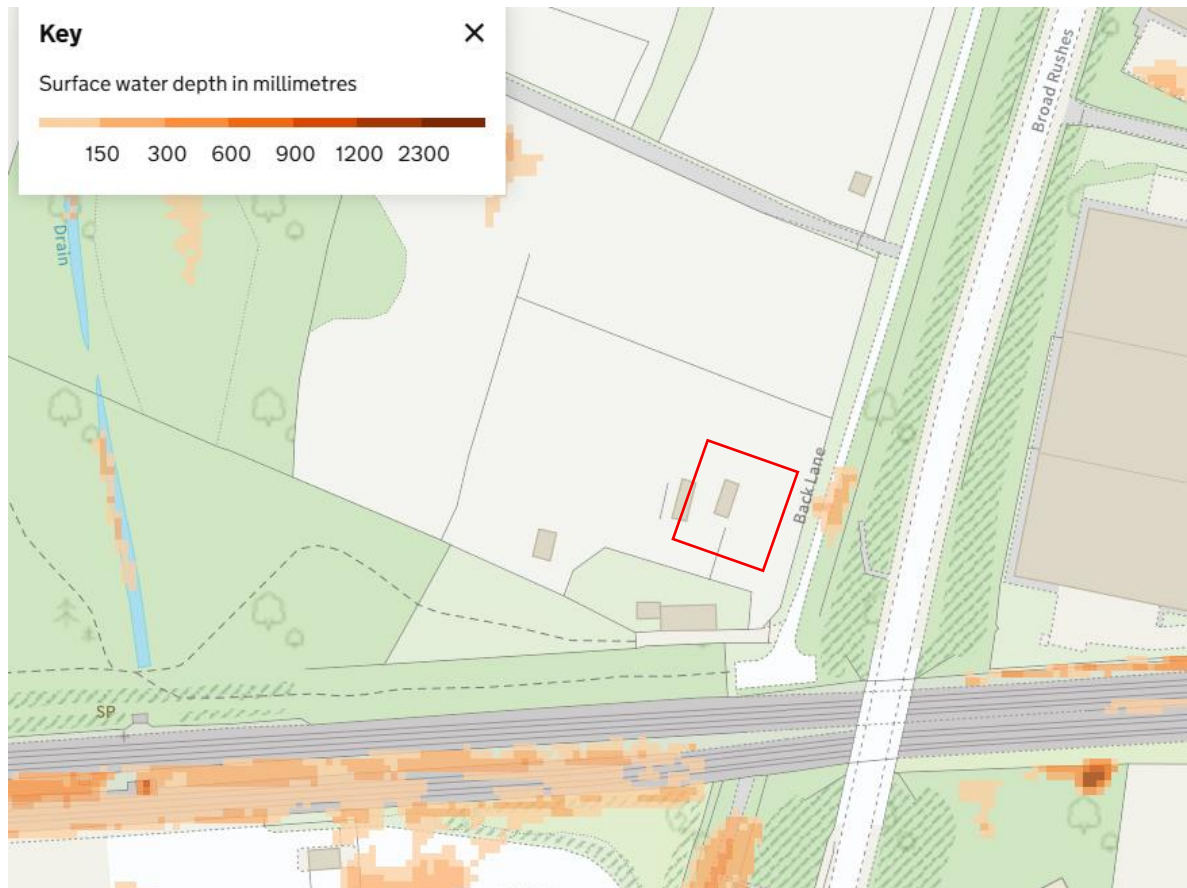
As the crow flies – 653m to rear of closest property on Walton Hill, and 680m to closest property on Spittal Hill.

Along the road network (excluding access drive) – 1km to closest property on Walton Hill

Along the road network (including access drive) – 1.26km to closest property on Walton Hill.

A map of the site related to nearby Flood Zones and surface water flooding was requested. These maps are provided below:





Information was requested on the exact distances between the proposed dwelling and the nearest bus stops, along with the measurement of the access driveway:

The access driveway into the site measures approximately 260m.

As the crow flies – 330m to Trent Lane bus stop, 780m to Station Road bus stop.
 Along the road network (excluding access driveway) – 680m to Trent Lane bus stop, 870m to Station Road bus stop.
 Along the road network (including access driveway) – 940m to Trent Lane bus stop, 1.13km to Station Road bus stop.

Whilst this means that, including the access driveway, the site would be located outside of the recommended 800m distance to the nearest bus stop, it is considered that it is not so significantly over the recommended distance, to warrant refusal of the application on these grounds. Officers consider that the site would remain sustainable, due to the land being previously developed land, on the edge of settlement, with relatively sufficient access to services via the bus stops outlined above.

If the site were to be considered unsustainable due to the above distances, it would therefore, be contrary to Policy S2 and S3 of the Local Plan, and the planning balance would be triggered with the need to consider the benefit of an additional self-build dwelling to help meet the current unmet demand.

In this case, any harm arising from conflict with Policies S2 and S3 of the Local Plan needs to be weighed up to determine if this would be considered to be significant and demonstrable and whether or not this is outweighed by the benefits of one self-build dwelling as proposed.

The proposed development would contribute towards the supply of self-build plots where there is an identified shortfall and the Local Planning Authority is failing in its statutory duty to provide enough self-build plots in order to meet demand. There is a shortfall of 20 self-build plots in the District for the current base period. It should also be acknowledged that, in terms of technical matters, the scheme would be satisfactory. Nevertheless, the scheme would result in residential development located outside of the limits to development.

Significant harm would additionally arise from the granting of a permission that is in conflict with Policies S2 and S3 of the Local Plan. However, balanced against this harm, the provision of an additional dwelling in a reasonably accessible edge of settlement location is afforded positive weight, and the need for self-build plots in the district is considered to be significant, with moderate weighting being given to the provision of one self-build plot. Limited positive weighting would also be attached to economic expenditure both during construction and through additional expenditure by future occupants within the local area which is of benefit to the local economy and assists in sustaining local services. It is considered that these would have moderate weight in the balance.

Furthermore, this location is more acceptable when compared to remote locations in the countryside where there would be more adverse environmental and social sustainability impacts. In this case the proposal would not constitute an 'isolated' dwelling given its edge of settlement location and distance from services in Castle Donington.

If it is considered that there would be conflict with the Local Plan it is Officer opinion that, given the contribution to the significant unmet demand for self-builds, along with the other benefits of the proposal, the adverse impact of allowing this development would not significantly and demonstrably outweigh the benefits of the proposal and there are no other material considerations that indicate that planning should be refused.

RECOMMENDATION – NO CHANGE TO RECOMMENDATION