

Request by HDC	Obligation for		
Amount /Detail	Delivery	CIL Justification	Policy Basis
WASTE - £3985.20 INDEMINITY AGREEMENT REQUIRED TO SERVICE PROPERTIES IF ROADS NOT ADOPTED BY LCC	Bins	Effective household waste management is important in developing sustainable communities. One of the demands on a growing community is the need to be able to deal with household waste management and therefore this request for developer contributions is made in line with Local Plan Policy IN1. The developer contribution would be calculated based upon the total number of dwellings proposed and therefore directly relate to the proposed development.	Policy IN1 Infrastructure provision; Policy CI1 of the Broughton Astley Neighbourhood Plan; Harborough District Council Planning Obligations Supplementary Planning Document 2022
NEIGHBOURHOOD PLANNING AND GREEN SPACES OFFICER OPEN SPACE MAINTENANCE (Total £33,783.49) COMPRISING £19,829.12 – Parks and Gardens £13,953.37 – Amenity Greenspace	Ongoing maintenance of open space (if adopted by HDC / PC)	The Open Spaces Strategy 2021 and Provision for Open Space and recreation 2021 (both adopted as policy in 2021) set out the POS requirements for addition of dwellings over 10 dwellings. The contributions have been calculated using data for Broughton Astley and are directly related to the size of the development. Inappropriate contributions for this type of development have not been sought. The contributions are in proportion to the size of the development and relate to the new population taking into account the minimum quantity	Harborough Local Plan Policy IN1; Policy CI1 of the Broughton Astley Neighbourhood Plan; Built Facilities Strategy 2019; Harborough District Council Corporate Plan 2022; Harborough District Council Planning Obligations

		provision and existing population within the accessibility thresholds. The natural and semi natural greenspace contributions will mitigate the effects of climate change and benefit the entire population irrespective of age or circumstance. The hierarchy of open space management – transfer should be offered in order to Parish, District, Management company.	Supplementary; Planning Document 2022; Health and Wellbeing Strategy and Action Plan.
NEIGHBOURHOOD PLANNING AND GREEN SPACES OFFICER ON-SITE OPEN SPACE PROVISION (Total 0.0966 ha) COMPRISING 0.0345Ha – Parks and Gardens 0.0621 - Amenity Greenspace	Recreation & socialising. Central 'public area' sufficient. Remainder of the POS at the perimeter of the site sufficient.	The Open Spaces Strategy 2021 and Provision for Open Space and recreation 2021 (both adopted as policy in 2021) set out the POS requirements for addition of dwellings over 10 dwellings. The contributions have been calculated using data for Broughton Astley and are directly related to the size of the development. Inappropriate contributions for this type of development have not been sought. The contributions are in proportion to the size of the development and relate to the new population taking into account the minimum quantity provision and existing population within the accessibility thresholds. The natural and semi natural greenspace contributions will mitigate the effects of climate change and benefit the entire population irrespective of age or circumstance.	Harborough Local Plan Policy IN1; Policy C11 of the Broughton Astley Neighbourhood Plan; Built Facilities Strategy 2019; Harborough District Council Corporate Plan 2022; Harborough District Council Planning Obligations Supplementary Planning Document 2022; Health and Wellbeing Strategy and Action Plan.

NEIGHBOURHOOD PLANNING AND GREEN SPACES OFFICER OFF-SITE CONTRIBUTIONS (Total £158,929) COMPRISING £64,192 - Outdoor Sports Facilities £76,176 – Natural and Semi Natural Greenspace £3,174 – Children and Young People £1,449 – Allotments / Community Garden £8,487 – Greenways £5,451 – Cemeteries / Burial	OUTDOOR SPORTS FACILITIES To provide outdoor sports facilities within Broughton Astley or surrounding communities. To include pitch provision and enhancements, changing facilities enhancements in accordance with the current iteration of the Playing Pitch Strategy NATURAL / SEMI NATURAL GREENSPACE Enhancements to natural and semi natural greenspace either in the vicinity of Broughton Astley or on a strategic, district wide basis. CHILDREN/YOUNG PEOPLE	The Open Spaces Strategy 2021 and Provision for Open Space and recreation 2021 (both adopted as policy in 2021) set out the POS requirements for addition of dwellings over 10 dwellings. The contributions have been calculated using data for Broughton Astley and are directly related to the size of the development. Inappropriate contributions for this type of development have not been sought. The contributions are in proportion to the size of the development and relate to the new population taking into account the minimum quantity provision and existing population within the accessibility thresholds. The natural and semi natural greenspace contributions will mitigate the effects of climate change and benefit the entire population irrespective of age or circumstance.	Harborough Local Plan Policy IN1; Policy C11 of the Broughton Astley Neighbourhood Plan; Built Facilities Strategy 2019; Harborough District Council Corporate Plan 2022; Harborough District Council Planning Obligations Supplementary Planning Document 2022; Health and Wellbeing Strategy and Action Plan.

	Enhancements to existing play area in Broughton Astley ALLOTMENTS Enhancement of allotment or community gardens. GREENWAYS Enhancement of accessible links to the countryside and into the village. To enhance accessibility for those with reduced movement or mobility. CEMETERIES / BURIAL Provision of new burial spaces or enhancement of existing cemetery and burial sites for next of kin. Can be spent in Broughton Astley or on sites that provide strategic burial provision of the district.		
--	--	--	--

NEIGHBOURHOOD PLANNING AND GREEN SPACES OFFICER £2626 FOR ORIGINAL DISPLACED ALLOTMENTS (PLANNING REF: 15/01340/OUT)	ALLOTMENTS Enhancement of allotment or community gardens.	The Open Spaces Strategy 2021 and Provision for Open Space and recreation 2021 (both adopted as policy in 2021) set out the POS requirements for addition of dwellings over 10 dwellings. The contributions have been calculated using data for Broughton Astley and are directly related to the size of the development. Inappropriate contributions for this type of development have not been sought. The contributions are in proportion to the size of the development and relate to the new population taking into account the minimum quantity provision and existing population within the accessibility thresholds. The natural and semi natural greenspace contributions will mitigate the effects of climate change and benefit the entire population irrespective of age or circumstance.	Harborough Local Plan Policy IN1; Broughton Astley Neighbourhood Plan; Policy CI1 of the Broughton Astley Neighbourhood Plan; Built Facilities Strategy 2019; Harborough District Council Corporate Plan 2022; Harborough District Council Planning Obligations Supplementary Planning Document 2022; Health and Wellbeing Strategy and Action Plan.
NEIGHBOURHOOD PLANNING AND GREEN SPACES OFFICER Public Open Space (POS) Scheme for approval by Harborough District Council.	Public Open Space Scheme (POS)	The Open Spaces Strategy 2021 and Provision for Open Space and recreation 2021 (both adopted as policy in 2021) set out the POS requirements for addition of dwellings over 10 dwellings. This requirement is necessary to secure the delivery of high quality public open space in	Harborough Local Plan Policy IN1; Broughton Astley Neighbourhood Plan; Policy CI1 of the Broughton Astley Neighbourho

The Scheme will include as a minimum: • The Landscape Management Plan • Habitat Management and Monitoring Plans • Sustainable Drainage Systems (SuDS) Plans • Approved Landscape Plans • POS boundary plans		the interests of positive planning within Harborough District.	od Plan ; Open Space Design Guide : For Harborough District Council (December 2025); Harborough Open Spaces Strategy (March 2021); Policies GD5, GD8, GI2, GI5, CC4 of the Harborough Local Plan; and the National Planning Policy Framework (2024).
S106 GRANT OFFICER £35,550 – Community Facilities Request	100% paid to Harborough District Council prior to commencement of development.	The contribution request has been justified using evidence of need for the community facilities and indoor sports in the Parish of Broughton Astley. Any Community Facilities and Indoor Sports contribution would be allocated to projects supporting community facilities and indoor sports in the Parish of Broughton Astley. Therefore, the contribution requirement is directly related to the development because the contribution would be used for the purpose of providing additional capacity through	Harborough Local Plan Policy IN1; Policy CI1 of the Broughton Astley Neighbourhood Plan; Harborough District Council Corporate Plan; Built Sports Facilities Strategy 2019;

		Community Facility and Indoor Sport projects. The projects evidenced will benefit the new residents of the proposed development due to access to the spaces mentioned in this request.	Harborough District Council Planning Obligations Supplementary Planning Document 2022.
S106 GRANT OFFICER £12,802 – Indoor Sports Request	100% paid to Harborough District Council prior to commencement of development.	The contribution request has been justified using evidence of need for the community facilities and indoor sports in the Parish of Broughton Astley. Any Community Facilities and Indoor Sports contribution would be allocated to projects supporting community facilities and indoor sports in the Parish of Broughton Astley. Therefore, the contribution requirement is directly related to the development because the contribution would be used for the purpose of providing additional capacity through Community Facility and Indoor Sport projects. The projects evidenced will benefit the new residents of the proposed development due to access to the spaces mentioned in this request.	Harborough Local Plan Policy IN1; Policy CI1 of the Broughton Astley Neighbourhood Plan; Harborough District Council Corporate Plan; Built Sports Facilities Strategy 2019; Harborough District Council Planning Obligations Supplementary Planning Document 2022.
AFFORDABLE HOUSING Tenure Type and Mix for provision of affordable housing within the site.	Affordable housing requirement of 40% (8 units social and or affordable rented; 4 units Shared Ownership or Intermediate	A fundamental objective of the LP is to meet the need for affordable housing (Local Plan vision, LP Key Issue 2 and LP Objective 1). LP Policy H2 seeks a proportion of new dwellings within developments to be affordable. Providing housing on site will result in an	Policy H2 of the Harborough Local Plan; Policy H2 and Broughton Astley Neighbourhood Plan;

	units). All affordable units to meet Homes England Development Standards; be tenure blind in quality and choice of materials and be clustered. Unit Mix to comprise 11x2 Bed Houses. 1x3 Bed House. Delivery Triggers are as follows: 4 units to be completed and handed over to a RP partner prior to completion of 50% of market dwellings. The balance of 8 units to be completed and handed over to a RP partner prior to completion of 75% of the Market dwellings.	inclusive, sustainable development. The size and tenure of affordable housing is based on the current needs of those on the Councils waiting list.	Section 5 Harborough District Council Planning Obligations Supplementary Planning Document 2022
District contribution – 15% of application fee or £250 per contribution.	Associated Legal work and associated services.	It is appropriate for the Council to recover the costs associated with the negotiation, production and subsequent monitoring of developer payments. This covers the legal costs of creating agreements, any costs associated with obtaining independent or specialist advice to validate	Harborough Local Plan Policy IN1; Policy CI1 of the Broughton Astley Neighbourhood Plan; Harborough District Council

		aspects of the contributions and costs of monitoring.	Planning Obligations Supplementary Planning Document 2022.							
Request by LCC	Obligation for									
Amount /Detail	Delivery	CIL Justification	Policy Basis							
£29,040 (NHS TREATMENT ROOM/CONSULTATION ROOM DEMANDS)	To develop or alternatively use the contribution at Orchard Medical Practice, and / or Station Road Surgery and / or Countesthorpe Health Centre, towards other Primary/Community healthcare infrastructure that will be directly impacted due to the increase in population linked to this housing development. For example, a new healthcare facility. The Integrated Care Board would wish for any contributions to be with a 10 year spend deadline from the end of completion and last tranche received.	To provide the required GP facilities to meet the population increase, the average cost to mitigate the impact of the development, based on recent examples of development work at surgeries for 73 patients is as follows: <table><tr><td>Additional patients to be accommodated 73</td><td>x</td><td>Standard area m²/person 0.08</td><td>x</td><td>Cost of works including fees £/m² £5,000</td><td>=</td><td>Total £29,040</td></tr></table> Mitigating the development cost, means the cost of undertaking development works, which could consist of a physical extension, an reconfiguration, alteration, or enhancement works (including equipment) will support a project to mitigate the impact.	Additional patients to be accommodated 73	x	Standard area m ² /person 0.08	x	Cost of works including fees £/m ² £5,000	=	Total £29,040	Reg 122 Community Infrastructure Levy (CIL); Objective 4; Policy IN1 Harborough Local Plan; Sections 2 and 8, para's 8, 96, 98, 99, 101 National Planning Policy Framework. Harborough District Council Planning Obligations Supplementary Planning Document 2022. Policy CI1 of the Broughton Astley Neighbourhood Plan
Additional patients to be accommodated 73	x	Standard area m ² /person 0.08	x	Cost of works including fees £/m ² £5,000	=	Total £29,040				
(HIGHWAYS) TRAVEL PACKS £52.85 PER PLOT (PRE-OCCUPATION) (IF	100% of obligation to be provided prior to first occupation	To inform new residents from first occupation what sustainable travel choices are available in the surrounding area	Harborough Local Plan Policy IN1; Policies T1 and CI1 of							

PREPARED BY LCC) + £500 ADMIN CHARGE IF TRAVEL PACK NOT PREPARED BY LCC;			the Broughton Astley Neighbourhood Plan; Leicestershire Planning Obligations Policy Adopted July 2019 Harborough District Council Planning Obligations Supplementary Planning Document June 2022. Harborough District Council Planning Obligations Supplementary Planning Document 2022.
LCC HIGHWAYS 6 MONTH BUS PASS X 2 PER DWELLING (£632.50 PER PASS) .	25% prior to first occupation; Remaining 75% obligation to be paid prior to occupation of 25% of total dwellings	To encourage new residents to use bus services as an alternative to the private car to establish changes in travel behaviour from first occupation	Harborough Local Plan Policy IN1; Policies T1 and CI1 of the Broughton Astley Neighbourhood Plan; Leicestershire Planning Obligations Policy Adopted July 2019 Harborough

			District Council Planning Obligations Supplementary Planning Document June 2022; Harborough District Council Planning Obligations Supplementary Planning Document 2022.
Planning Obligations Team £716.10 - Waste Management £905.93 – Libraries £49,999.17 - Secondary Education £19,133.73 - Post 16 Education		Reconfiguration/Development of Whetstone HWRC. Improvements to Broughton Astley Library (Facilities / Stock) The development will yield 5.01 secondary aged children. Thomas Estley Community College has a net capacity of 900 and there will be a deficit of 3 places. Accommodate capacity issues created by the proposed development by improving/enhancing/remodelling existing facilities within the catchment/DfE planning area for the development or any school within the locality.	LCC Planning Obligations Policy (10 th July 2019) Paragraph 58 of the NPPF (December 2024). Policy CI1 - Broughton Astley Neighbourhood Plan Harborough District Council Planning Obligations Supplementary Planning Document 2022.

			Harborough Local Plan Policy IN1.
--	--	--	---

Committee Report

Applicant: Herring, Herring, Herring, Philips & Caddick Residential Ltd

Application Ref: 25/01537/OUT

Location: Land to the South of Station Road, North Kilworth

Proposal: Outline planning application for up to 49 dwellings and associated access (all matters reserved except for access)

Parish/Ward: North Kilworth

Application Validated: 07/11/2026

Application Target date: 06/02/2026 (extension of time agreed)

Reason for Committee consideration: Exceeds the threshold under the Scheme of Delegation (more than 25 dwellings proposed) and Cllr Nunn Call-in (see comments in Consultation section)

Recommendation

Planning Permission is **REFUSED** for the following reasons:

Harborough Local Plan Policy GD5 states that development should be located and designed in such a way that it is sensitive to its landscape setting and respects the landscape setting of settlements. Harborough Local Plan Policy GD8 states that development will be permitted where it achieves a high standard of design taking into account, amongst other things, its context and the characteristics of its surroundings. The application site has an open, natural, verdant character and appearance which makes a positive contribution to this rural edge of the village. The proposed development would completely change the character of this location by introducing substantial built form and associated infrastructure which, in the absence of any justification for occupying a countryside location, would constitute an unwarranted visual intrusion in this rural locality and be detrimental to the character and appearance of the open and natural edge to the village contrary to Local Plan Policies GD5 and GD8, and the National Planning Policy Framework.

The proposal is thus contrary to Harborough Local Plan policies GD2, GD5 and GD8, North Kilworth Neighbourhood Plan policies NK2 and NK3 and paragraph 135 of the NPPF. Noting the wording of paragraphs 139 and 11d i (with footnote 7) of the NPPF, the adverse impacts of granting planning permission are considered to significantly and demonstrably outweigh the benefits, including the provision of housing at a time when the Council cannot demonstrate a five year supply.

1. Site & Surroundings

1.1 The application site is approximately 3.15ha of agricultural field located on the East side of North Kilworth and comprises a large 'L-shaped' area of pastureland.

Figure 1: Site Location Plan

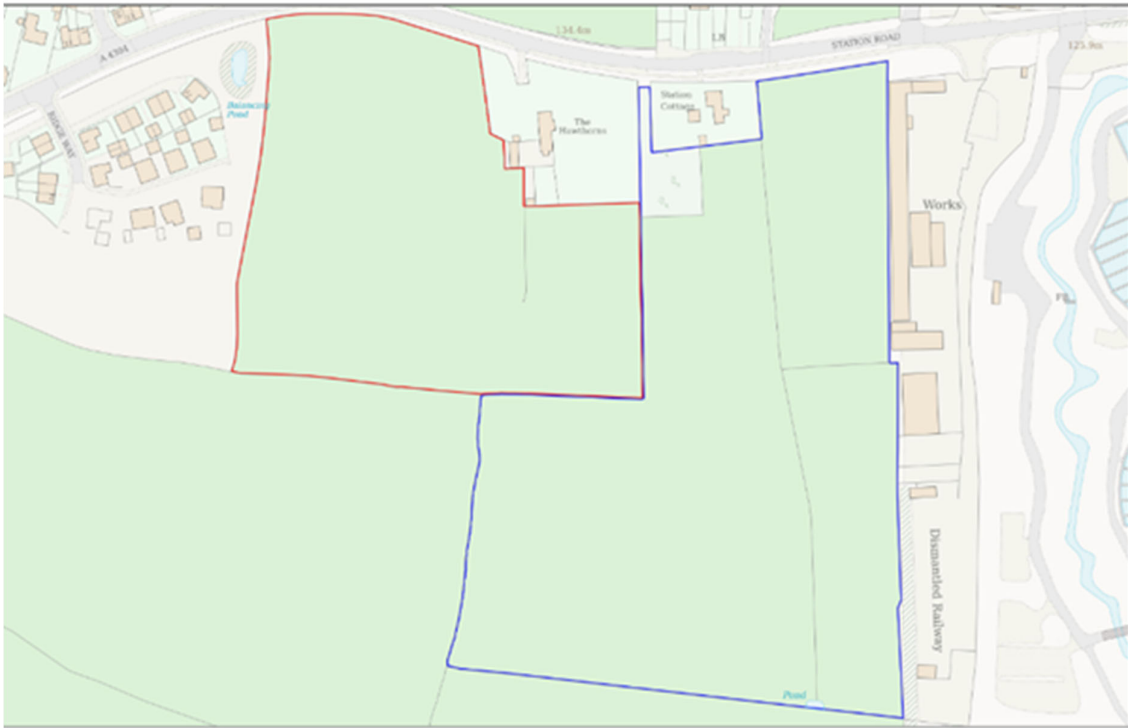


Figure 2: Database mapping showing site, Conservation Area (pale yellow) and Rights of Way (dashed red)



- 1.2 The field fronts Station Road, on the Eastern approach of the village, and fairly close to the Canal and new marina. There are a few dwellings interspersed at this end of the village, but it retains a rural feel.
- 1.3 The ground is characterised by visible ridge and furrow topography. There are a number of mature hedgerows and trees that define the site boundaries- enhancing the sense of seclusion and rural character
- 1.4 The site lies outside the Conservation Areas of North Kilworth and the Canal Conservation Area, and does not contain any Listed Buildings or Structures.

2. Site History

- 2.1 None relevant to the site.

3. The Application Submission

a) Summary of Proposals

- 3.1 The proposal is in outline with only access to be considered, for the erection of up to 49 residential dwellings, with access from Station Road. Except for access, all other matters are reserved for future consideration as Reserved Matters. This includes appearance, landscaping, layout and scale.
- 3.2 Vehicular access to the development site would be via a two-way T-Junction onto Station Road. It is intended that internal roads would be built to adoptable standards, although this is a detailed matter for consideration at reserved Matters stage. A 2.0m foot way is provided at both sides of the access junction for pedestrian access.



Figure 4.1: Extract from Dwg LA1063/LSP/100 Illustrative Landscape Strategy Plan

“The illustrative landscape proposals seek to provide a robust landscape strategy that will bring structure to the Proposed Development and integrate the scheme with existing vegetation and planting within the Site’s immediate context and setting. This green strategy will not only contribute to the sustainability of the Site, but also assist in creating a high-quality development which sits well within its landscaped context. Street tree planting, native scrub and hedgerow planting will assist in breaking up and softening the built elements”.

Illustrative Masterplan:



Excerpt from the Landscape and Visual Appraisal submitted:

“ To the south-east of the site a open space and attenuation area has been proposed. This multifunctional green space not only forms part of the site’s sustainable drainage strategy but also offers informal recreational opportunities and ecological enhancement. A green corridor is proposed running west to east through the development linking open spaces. The southern boundary is particularly sensitive and has been softened through landscaping and carefully positioned dwellings to maintain a rural edge and preserve important views from public rights of way and the wider landscape.”

Landscape and Visual Appraisal:

The Application Site and surrounding landscape to the southwest and northeast is placed within the Laughton Hills LCA which covers much of the landscape between Swinford to the southwest and up to Mowsley, Laughton and Saddington in the northeast.

It is identified as an area of high hills in the north, predominantly used for grazing, which flatten out to arable areas towards the south with medium sized fields divided by mature hedgerows with boundary trees. Views are open but limited in extent across the area due to the rolling topography and wooded areas

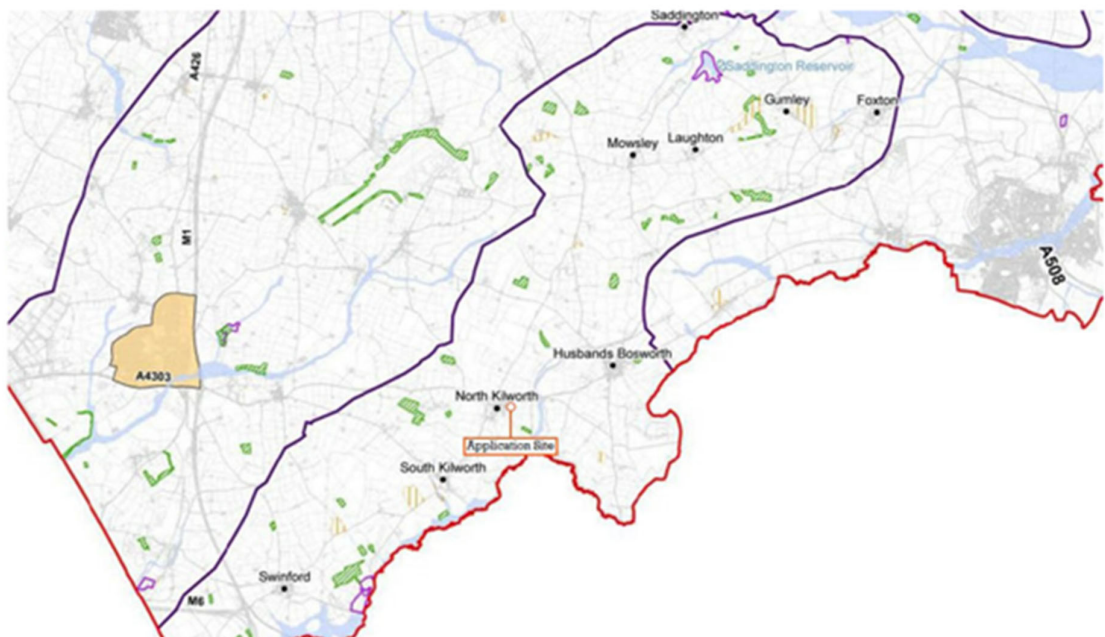


Figure 3.3: Extract from *Harborough District Landscape Character Assessment*, Figure 1.6 'Laughton Hills' with Application Site identified.

The HDLCA includes a landscape capacity assessment of each LCA, with the Laughton Hills LCA identified as having an overall Low to Medium Capacity, describing this as “in general the character area has a low capacity to accept further development”.

However, it goes on to note that “away from the visible plateaus of the north there would be some scope for carefully considered residential development that fits with the existing infrastructure of the villages and the topography of the surrounding landscape.

Where unsympathetic developments have previously occurred at the edge of settlements, sites have the capacity to accommodate further development, which is more in keeping with the scale and form of the traditional settlement pattern and envelope. Many of the villages have some capacity for small scale development internally as infill but care must be taken to not impact further on the surrounding countryside. Some of the villages along the A4034 such as Husbands Bosworth have the residential capacity in landscape terms to accommodate further development.”

The Applicant’s landscape appraisal (Jenk) is more localised and up to date landscape appraisal has been undertaken that is Site specific, taking in the localised landscape and settlement setting alongside the above published assessments.

Conclusions reached:

“ In terms of landscape character, the appraisal has established that while the Application Site is within open countryside, it forms a grassland field that is surrounded by residential development to the northwest, northeast and west and adjoins the Station Road corridor to the north. The development adjoining the western side is more recent and includes some ongoing construction works on its southern side. The Site itself is not isolated, nor does it extend into the wider rural landscape but forms an undeveloped and well contained parcel on the edge of the settlement / built up area extending along Station Road. Internally there are no landscape features of note.

The Application Site is discretely set within the surrounding landscape forming part of the settlement edge and includes a robust landscape framework to the south and east. The undulating landscape surrounding the Application Site and North Kilworth, alongside the established vegetation structure and built up areas, creates a compartmentalised landscape and provides a high degree of containment. As such the geographic extent of change is highly localised.

The Proposed Development proposes residential land uses in a logical manner without appearing to extend the settlement edge and would not introduce features that do not already exist within the localised setting and along the Station Road street scene. The vegetated boundaries are to be retained with new dwellings set back and the Proposals would not appear at odds with the natural evolution of the settlement pattern.

It is acknowledged that the proposed development will result in a degree of change within the immediate context of the site which is inevitable with all residential development on greenfield sites.

However, the extent to which this change will be appreciated in the context is highly localised and limited, and it is not considered so great as to significantly or demonstrably outweigh the benefits of the scheme”.

3.4 “The site is located in Flood Zone 1 and a drainage report forms part of the submission (including FRA and proposed drainage strategy)

This site-specific Flood Risk Assessment has been prepared in accordance with NPPF guidance and local policy on Flood Risk. The government approved flood mapping shows the site to be located within Flood Zone 1, indicating a low flood risk from fluvial

sources on the site. Other possible sources of flood risk have been appropriately assessed and mitigation measures discussed. Further to this, the proposed levels on the site shall be set such that in the unlikely event of these systems failing the development on the site will remain protected.

The drainage strategy demonstrated that an appropriate drainage system for both foul and surface water can be provided on the site which discharges to a suitable outfall with runoff rates being limited at Greenfield runoff rate (Q_{bar}). Subject to the mitigation measures proposed, the development may proceed without being subject to significant flood risk. Moreover, the development will not increase flood risk to the wider catchment area or off site for the design storm events.

Foul Water Drainage

A developer enquiry was submitted to Severn Trent Water to confirm possible outfall locations. STW's response stated that they would accept a connection into their existing foul public sewer network at manhole Ref. 1601, subject to a Section 106 agreement ahead of connection. This connection can be achieved via gravity, so no pumping of foul drainage will be required."

3.5 Landscape and Ecology:

"Over 60 additional trees are proposed to be planted throughout the site. This alone will increase the sites tree count by over 260% before the implementation of private turfed gardens and various other planting throughout the settlement. Existing habitat is to be preserved and maintained wherever possible throughout all stages of the development, for example timing any boundary trimming to outside of nesting bird season.

A tree survey has been submitted (Lightwoods Green)

The tree population is entirely within the hedge network around, and bisecting, the site. Ash is the dominant tree species across the site, making up nearly 80% of the individual tree population and all of the tree group population

The tree population is generally poor quality, with 23 individual trees (45% of the individual tree population) unsuitable for retention. These trees are shown for removal on the tree constraints plan and in the survey schedule. All bar one of these trees are ash and there appears to be a number of factors combining to compromise the health and structural condition of the trees, among these the most significant factor is ash dieback disease (*Hymenoscyphus fraxineus*). From the presence of this virulent disease it can reasonably be deduced that the remaining tree population will be highly vulnerable, though it is unclear at this stage as to whether the remaining ash maybe among those trees that have some degree of resistance to the disease. As resistant trees will be essential for the long-term survival of ash I urge that no trees in higher categories are removed unless absolutely essential.

There is a single exception to this recommendation, tree 7 is a low quality tree with a life expectancy of greater than 10 years. However, I do not consider the life expectancy will be much beyond 10 years and there is certainly no scope for recovery. On this basis I suggest this tree should be removed to facilitate development.

As the layout evolves there may be additional trees whose removal would greatly assist layout development or site infrastructure. If these are low quality examples of species other than ash, the removal will be acceptable.

There are a number of internal hedgerows of low quality identified for removal to facilitate development (H2, H9, H14, and H16). The advice to remove these is based on their arboricultural value; no assessment has been made under the hedgerow regulations. In addition to these low quality hedgerows, there may be a requirement to remove sections of moderate quality hedgerows as follows;

- H1 and H8 to facilitate site access from Station Road
- H3 to facilitate development of a narrow and otherwise isolated section of the site in the south east corner.

Tree 30 on the frontage with Station Road may have an impact on site access depending on the highway's constraints. This being a moderate quality ash, all efforts should be made to retain the tree, and removal only considered once all the options have been fully studied."

3.6 Heritage: (Heritage Assessment-Cotswold Archaeology):

" The ridge and furrow earthworks within the Site have been assessed following the methodology recommended in Turning the Plough (NCC 2001). The results total a score of 13 out of a possible 63. This score is low. There is a potential for archaeological remains and/or Eco facts being preserved in the soils beneath the ridges (NCC 2001). However, the disturbance around the ridge and furrow of the Site has impeded the legibility of the wider field system. Although the ridge and furrow earthworks within the Site qualify as a non-designated heritage asset, the earthworks are sufficiently recorded in LiDAR and aerial photography, and therefore, do not warrant preservation in situ

There are no archaeological heritage assets recorded within the Site. There is some potential for prehistoric and/or early medieval remains to occur within the Site, based on the results of nearby investigations. Whilst it is possible potential archaeological remains may be encountered during the development works, it is unlikely these will be of high significance. Consultation with the Archaeological Advisor to the Local Planning Authority is recommended in order to ascertain whether any further works within the Site would be required in accordance with the NPPF and the Local Plan.

This assessment has also included an assessment of the potential development effects upon nearby designated heritage asset through changes to their setting. No instances of harm have been identified, and the proposed development is considered to meet the requirements of policy and legislation relating to the setting of heritage asset."

b) Pre-application discussion

3.4 No pre-application advice was given.

4. Consultations and Representations

4.1 A summary of the technical consultees and representations received is set out below. Where appropriate the responses will be discussed in more detail within the main body of the report. If you wish to view the comments in full, please go to: www.harborough.gov.uk/planning

4.2 A summary of the technical consultee responses received is set out below. If you wish to view the comments in full, please go to: www.harborough.gov.uk/planning.

4.3

a) Statutory & Non-Statutory Consultees

Consultee	Date	Summary
<i>National Bodies</i>		
Severn Trent Water		None received
Fire Service	01.12.25	No comments to make
Environment Agency	N/A	Development falls within flood zone 1 and therefore there are no fluvial flood risk concerns. There are no other environmental constraints associated with the site within the remit of the Environment Agency.
<i>LCC</i>		
Archaeology	30.01.26	Summarised as follows: Following appraisal of the above development scheme, we recommend that you advise the applicant of the following archaeological requirements, for pre-determination trial trenching. Request provision by the applicant for: A field evaluation, by appropriate techniques including trial trenching, if identified necessary in the assessment, to identify and locate any archaeological remains of significance, and propose suitable treatment to avoid or minimise damage by the development. Further design, civil engineering or archaeological work may then be necessary to achieve this. Additional information provided by Applicant: submitted desk-based Assessment (Cotswold Archaeology DBA Ref.: MK1355_1) Further comments received from LCC (Arch) Having reviewed the submitted desk-based Assessment (Cotswold Archaeology DBA Ref.: MK1355_1) we would recommend that the applicant be required to complete the pre-determination Archaeological Impact Assessment.

		The DBA highlights the relevance of previous archaeological investigation results immediately west of the site, where no archaeological features pre-dating the ridge and furrow were identified. The assessment does not however refer to the results of a recent geophysical survey undertaken southwest of the site, which identified a series of discrete and linear anomalies interpreted by the surveyor as being possible/probable archaeology, including a potential sub-rectangular enclosure, numerous pit-like responses and possible enclosures/field systems. Given the potential for similar activity to extend into the current site, in addition to the wider archaeological potential indicated by the results of the Historic Environment Record (HER), we would recommend that the applicant be required to undertake further pre-determination evaluation, by appropriate techniques including geophysical survey and trial trenching. In addition to the potential for archaeological buried remains, the site contains extant earthworks representing former ridge and furrow cultivation of the site during the medieval and/or post-medieval periods. The DBA includes an assessment of these earthworks, in-line with the criteria outlined in <i>Turning the Plough</i>. Having reviewed the assessment we would advise that, while regrettable, the loss of ridge and furrow itself would not be a robust reason for refusal from a purely archaeological perspective. Although well-preserved, the ridge and furrow within the site does not represent a particularly complex set of earthworks and we believe that the loss of the monument's evidential and historical significance can be offset through an effective topographic/earthwork survey. We would however highlight that there are communal implications arising from the earthwork's removal that would not be mitigated through an archaeological recording exercise, the residual impact (loss of the communal and aesthetic values of the monument, values set out in Historic England's <i>Conservation Principles</i>) should therefore be considered as part of the LPA's balancing process. These values are relevant in relation to the conservation area and the impact on the surrounding North Kilworth landscape character, in addition to the monument itself as a non-designated heritage asset. In addition to mentioning the loss of historic ridge and furrow in comments provided by North Kilworth Parish Council on 02/12/2025, the comments provided by North Kilworth Parish Council & Residents on 09/12/2025 highlight that objections have been received citing 'heritage considerations specific to ridge and furrow that is present on the site'. We have also received an email directly from a member of the public raising their
--	--	--

		concerns with the proposed loss of ridge and furrow earthworks. The comments provided by North Kilworth Parish Council & Residents do acknowledge that 'The adjoining reserve housing site also contained evidence of ridge and furrow which was deemed not to be a factor to prevent the land from coming forward for housing and there is no evidence to suggest that a different stance should be adopted for this application'. It is also noted that the earthworks are not identified within the North Kilworth Neighbourhood Plan. Taking this into account however we would advise that the North Kilworth Parish Council and local community would be better placed than ourselves to comment on the impact of the loss of the ridge and furrow earthwork monument on the local community of North Kilworth.
Ecology	11.02.26	We have reviewed the additional documents submitted relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures and mandatory Biodiversity Net Gain and we are satisfied that there is sufficient ecological information available to support determination of this application. We note that trees T1 and T2 which were identified as offering PRF-I and PRF-M suitability for roosting bats respectively, are being retained as part of the development, therefore we are satisfied that no further surveys on T2 are required subject to mitigation to prevent disturbance during and post construction. We note that whilst access to pond WB3 located within proximity to the site could not be accessed, the proposed development largely impacts modified grassland which lacks terrestrial suitability for GCN, therefore we consider the precautionary measures set out in section 4.4.1 of the Preliminary Ecological Appraisal Report (Reference: 82-035-R1-1) (E3P, October 2024) to be appropriate to mitigate the residual risk to GCN during construction. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.
Lead Local Flood Authority (hereafter 'LLFA')	16.04.26	Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 3.15ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a low to high risk of surface water flooding. The proposals seek to discharge at 5 l/s via pervious paving and a dry detention

		basin to the on-site watercourse. There are no existing flood risk concerns within the immediate downstream catchment. The Technical Note provides information about the upsized culvert and the change this may have on the flooding outlines on the proposed site. The LLFA however still request that if the developer wishes to develop in areas currently shown to be at risk from surface water flooding that modelling needs to be completed to confirm the flood outlines on the site. The LLFA have therefore requested a condition be attached to any grant of planning permission for hydraulic modelling to be completed prior to any reserved matters approvals on site. All modelling must be 3rd party by the developer reviewed as part of the process. Notwithstanding any surface water drainage details submitted under this application, as the proposals are for outline permission, no specific drainage elements are fixed at this stage. As such, the LLFA would require that later reserved matters and detailed design fully comply with the new National Standards for SuDS and to any other amended local or national policy/guidance relevant at the time of submission of those details. This includes (but is not limited to) a reassessment of discharge rates, contributing areas, attenuation scale and the retention of the first 5mm of rainfall on-site. Any departure from the standard should be fully substantiated and agreed with the LLFA. Note to the LPA: Please see bespoke condition below for surface water modelling
Local Education Authority	All 04.02.26	Request S106 contributions to mitigate the impact of the development on Lutterworth High School.
LCC Waste		S106 contribution requested to mitigate the impact of the development on Lutterworth Household Waste and Recycling Centre.
LCC Libraries		S106 contribution requested to mitigate the impact of the development on Lutterworth Library.
NHS Integrated Care Board (ICG)		S106 contribution requested to mitigate the impact of the development on doctors surgeries.(Husbands Bosworth Medical Centre & The Wycliffe Medical Practice).
<u>HDC</u>		
Environmental Health		Summarised as follows/ pre-commencement conditions/ informative requested: • CMS • Dust Control • Hours of construction

		• Piling • Noise control
Contaminated Land		Summarised as follows: No objection subject to pre-commencement conditions: • Land contamination • Verification report
Community Facilities	03.12.25	Request S106 contributions to mitigate the impact of the development on community facilities and indoor sports in the locality.
Waste Management	11.11.25	Suggested conditions and contributions
Environment Co-ordinator	01.12.25	I note that this an outline planning application, so not all of the details are available at this stage. However, the application does not cover the requirements of Policy CC1. In order to meet the requirements of Policy CC1 the applicant should lay out the approach to reducing carbon emissions from the design by considering energy efficiency of the properties, including renewable energy and ensuring the design is taking account of future climate impacts, including overheating. Ideally there should be a statement on energy and sustainability included with the application highlighting the future approach. In order to meet the requirements of Policy CC1 the applicant should lay out the approach to reducing carbon emissions from the design by considering energy efficiency of the properties, including renewable energy and ensuring the design is taking account of future climate impacts, including overheating. Ideally there should be a statement on energy and sustainability included with the application highlighting the future approach.
Strategic Housing and Enabling Manager	13/11/2025	Summarised as follows: Harborough Local Plan Policy will require 40% of the 49 units to be provided as Affordable Dwellings. This equates to 20 units.
Neighbourhood and Green Spaces officer		Request S106 contributions Landscape management plan and future long term maintenance
Conservation Officer		Proposal will cause harm to setting of NK Conservation Area by loss of ridge and furrow earthworks and erosion of the visual openness and historic landscape character that underpin the Conservation Area's significance.
<u>Parish Council / Cllrs / MP</u>		
North Kilworth	02.12.25	Objects:

Alberto Costa (MP)	18.12.25	Refers to inaccuracies in information submitted and does not consider North Kilworth Sustainable Considers the size is too large Infill of important gap in the village, Impact on ridge and furrow. Impact on highway safety Should be pedestrian crossing Impact on excessive foot traffic using the footpath to The Bogs. Applicants own adjoining land-no access onto canal towpath.
Cllr Nunn	02.12.25	A number of residents have contacted my office to express concerns about this proposed development of 45 dwellings, alongside another application for 35 dwellings currently under consideration by Harborough District Council. Taken together, these proposals are viewed locally as an over-intensification of the village. Residents have also raised serious issues regarding traffic along Station Road. The proposed site entrance lies close to a blind bend and near the traffic camera, creating significant safety risks. Since 2020, four personal injury claims have been recorded due to accidents in this area. These incidents, combined with the camber of the road through North Kilworth, have reinforced local fears about road safety. In addition, there are longstanding concerns about the capacity of the sewerage system. Residents believe that the existing infrastructure has struggled in the past, and they question whether it can adequately support further development. Given these issues, constituents feel strongly that the proposed developments should not proceed. I would therefore be grateful if you could give full consideration to the concerns raised and ensure they are afforded appropriate weight in line with planning guidance Outside the scope of North Kilworth NP and Local Plan Dangerous road and access Loss of visible ridge and furrow Sewerage system can not cope Loss of wildlife Danger to rare Aquifer which flows under village.

--	--	--

Figure 4: Consultee response summary

b) Local Community

- 4.4 33 letters of objection received from, raising the following material planning concerns:
Full details available to view on-line.

Matters of principle	Unallocated site; contrary to policy including Neighbourhood Plan and limits to development. Loss of one of the only remaining areas of countryside which NP is seeking to protect. Unacceptable scale for a small village North Kilworth has already met and exceeded its planned housing requirement through: * allocated sites * reserve sites * recent approvals Although Harborough currently lacks a full 5-year housing land supply, tilted balance does not automatically support any site. Under the NPPF: * heritage harm * landscape harm * conflict with a made Neighbourhood Plan are all powerful material considerations. Even with tilted balance engaged, the combined harms clearly outweigh the benefits.
Heritage matters	Loss of archaeological features and loss of ridge and furrow. - remove part of the surviving ridge-and-furrow- sever the remainder- destroy the historic integrity of the field system The submitted layout places built development, roads, gardens, and drainage works directly across areas where ridge & furrow is still legible and intact. Under the NPPF: * heritage harm must be given great weight * such harm must be clearly justified * public benefits must decisively outweigh harm In this case, the harm is not outweighed by benefits. The loss of historic rural landscape character is unacceptable and irreversible. North Kilworth is a designated Conservation Area with historic lanes and open paddocks. A development of this size would erode its distinctive character and harm heritage assets.
Ecology matters	Loss of Biodiversity The site includes natural habitats and hedgerows. No clear biodiversity net gain measures have been provided, contrary to planning policy

	Impact on the Bogs Nature Reserve.
Design/landscaping matters	Landscape harm and erosion of village edge The development represents a significant urban extension into open countryside, contrary to Local Plan and Neighbourhood Plan aims to protect: * rural character * settlement form * key views The southern approach to North Kilworth is currently a distinctive rural edge. This proposal would: * introduce an estate-style suburban form * extend built development far beyond the existing settlement * damage the landscape setting of the village The Landscape and Visual Appraisal submitted by the applicant understates these impact
Highway matters	Unsafe access onto busy road; highway safety. The entrance to the development shown on the map is where most accidents start on this stretch of road Increase of traffic on Station Road. It is difficult to access/leave our driveway on Station Road now because of the volume of traffic especially when the A14/M1 is closed The entrance to the site will have poor visibility as it is on a bend of the busy main road. Speeding continues to be an issue in the village. An average speed camera such as the one in Walcote would be an improvement
Drainage & flooding matters	Adverse impact on sewerage system The area experiences seasonal flooding. Without robust drainage and sewage infrastructure, this development could worsen flood risk for existing residents. A number of photos submitted to show flooding on site-see on-line for details.
Residential amenity matters	At least 5 gardens would be overlooking our property with their gardens up to our boundary fence. On the Jenk plan it states that a linear openspace ins incorporated as part of the proposals 'that wraps around the new houses'. (drawing annotation 2) Just not on the part that butts up to our fence. With the difference in elevation any windows facing in our direction would mean we are overlooked
Other matters	Impact on infrastructure of village, including school and doctors surgery.. Public transport is limited. Cycling out of the village in any direction is not safe. The mix of houses is not going to help first time buyers, or those which to downsize and yet remain in the village. The proposed density is too high

5. Planning Policy Considerations

- 5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides that planning applications must be determined in accordance with the provisions of the development plan (this is the statutory presumption), unless material considerations indicate otherwise.

a) Development Plan

- 5.2 The Development Plan for Harborough District comprises the Harborough District Local Plan (adopted April 2019) and the North Kilworth Neighbourhood Plan (adopted 2017). The most relevant policies from the development for consideration of this proposal are as follows:

o *The Harborough District Local Plan*

SS1 – The Spatial Strategy
GD1 – Achieving Sustainable Development
GD2 – Settlement Development
GD5 – Landscape character
GD8 – Good design in development
H1 – Provision of new housing
H2 – Affordable housing
H5 – Housing density, mix and standards
HC1 – Built heritage
HC2 – Community facilities
GI5 – Biodiversity and geodiversity
CC1 – Mitigating climate change
CC3 – Managing floodrisk
CC4 – Sustainable drainage
IN1 – Infrastructure provision
IN2 – Sustainable transport
IN4 – Water resources and services

o *Neighbourhood Plan*

NK1-Housing Provision
NK2-Housing Provision
NK3- Windfall Sites
NK4-Housing Mix
NK5-Design Quality
NK6-Sustainable Development
NK13-Biodiversity
NK14-Important trees and hedges
NK15-Landscape
NK16-Important views and vistas
NK17-Traffic management
NK18-Parking
NK 19-Footpaths

b) Statutory Duties, Material Planning Considerations and other relevant documents

5.3 Material considerations include any consideration relevant in the circumstances which has a bearing on the use or development of land.

- The National Planning Policy Framework 2023 ('the Framework'/NPPF)
- Written Ministerial Statement *Playing your part in building the homes we need* (Angela Raynor, 30th July 2024)
- The National Planning Policy Framework (December 2024)
- National Planning Practice Guidance
- The Leicestershire Highways Design Guide
- Harborough District Landscape Character Assessment and Landscape Capacity Study (2007)
- Harborough District Landscape Character Assessment (LUC, August 2024)
- HDC Planning Obligations Developer Guidance Note
- Development Management Supplementary Planning Document
- The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990
- Harborough District Local Plan Regulation 19 Publication Version (March 2025)
- HDC Strategic Housing and Economic Land Availability Assessment (2024)
The Site is located to the East of the settlement of North Kilworth. The build out of the North Kilworth Neighbourhood Plan Reserve Housing Site adjacent to Western boundary of the Site extends the built form of the settlement along Station Road to this Site. Consideration is required as to the potential risk of coalescence with residential, employment and marina uses to the East.
- The Town and Country Planning (Use Classes) Order 1987 (as amended)
- Leicester and Leicestershire Housing and Economic Needs Assessment 2022
- The Climate Change Act 2008
- HDC Declaration of Climate Emergency 2019
- The Town and Country Planning Act 1990 (as amended, including as under the Environment Act 2021 relating to biodiversity net gain)
- Community Infrastructure Levy Regulations 2010 (as amended)

6. Officer Assessment

a) Principle of Development

o Harborough District Local Plan

- 6.1 Policy SS1 of the Local Plan is the Spatial Strategy for the District. It sets the settlement hierarchy for the District directing development to appropriate locations. It identifies North Kilworth as a Selected Rural Village (SRV), a sustainable location for *"more limited growth that will help to sustain these villages"* (para 3.1.12). Criterion 8 of Policy SS1.8 of the Harborough Local Plan also seeks to *'meet local needs in the SRV, while protecting the character and environment of local areas'*.
- 6.2 Policy H1 of HLP identifies the approximate number of homes to be provided in or adjoining each settlement in the settlement hierarchy. Some settlements, such as North Kilworth, have not been set a minimum housing requirement under Policy H1 *"because of the substantial number of completions and/or commitments that had already taken place by 31 March 2018 in proportion to the size of the settlement and the level of service provision"* (para 5.1.17).
- 6.3 Instead, Policy NK1 of the North Kilworth Neighbourhood Plan (NKNP) sets the minimum housing delivery target, which is set at a minimum of 24 dwellings over the plan period. Whilst the housing numbers within policy NK1 (NKNP) are considered out of date, the

settlement hierarchy laid out in Policy SS1 of the Harborough Local Plan, with its principle of directing development towards the larger settlements is considered in date. In order to facilitate housing delivery in North Kilworth, policy NK2 (NKNP) identified a housing allocation site (A) and 2 no. reserve housing sites (B) within the limits of development for the village, which are allocated to come forwards where they are required to remediate a substantial shortfall if housing land supply either through failure of delivery of the housing site allocation or to provide additional homes in the Parish in accordance with any new Development Plan. Through Policy NK2 (NKNP) each site provided an estimated yield of 20 dwellings each. The reserve site 2 (B) off Station Road has recently been granted outline planning consent (subject to completion of Section 106 Agreement). All other sites have now been delivered, yielding 75 no. dwellings (plus the 35 granted outline consent under reference 25/01056/OUT).



5 Year Housing Land Supply

- 6.4 Notwithstanding the above, the Council cannot currently demonstrate a 5-year supply of sites for housing and the HLP Local Plan is more than 5 years old. Paragraph 11d (sometimes called the 'tilted balance') of the Government's National Planning Policy Framework (NPPF) therefore is engaged, requiring that planning permission is granted 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.”

*protected areas or assets are defined in NPPF Footnote 7 and include amongst others designated heritage assets and other assets of archaeological interest.

- 6.5 The 5 year supply position also has implications for the NKNP, with paragraph 14 of the NPPF advising that where paragraph 11d applies to applications for housing, *“the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:*

a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement”

- 6.6 The NKNP is more than 5 years old (made 2017) and despite the Parish Council review in April 2023, the decision not to update the neighbourhood plan owing to limited housing allocations for North Kilworth set out in the emerging Local Plan, means that key policies with respect of housing delivery rates remains out of date. As a result, both of the above (a and b) criterion cannot be demonstrated. Furthermore, whilst the NKNP includes allocations to meet a housing delivery target which have been delivered, this is a minimum target with identified housing need not set at a settlement level. The site is outside of 'limits of development' identified on the NKNP proposals map (which is remains unaffected by failure to demonstrate a 5 years housing land supply), any conflict identified with the NKNP must be carefully weighed against the benefits of granting planning permission.

- 6.7 As the HLP is more than 5 years old and the housing requirement in the HLP which also underpins the NKNP is based on an assessment of housing needs which is out of date as well as not being able to demonstrate a five-year supply of deliverable housing sites, it is necessary to consider whether the determinative policies are out of date. In terms of the 'principle of development', Officers consider HLP Policy H1 and NKNP Policy NK1 and NK2 should attract reduced weight in the planning balance.

- 6.2 The site adjoins a site committed for development within the North Kilworth Neighbourhood Plan and thus Policy GD2.2 is most relevant of the general development policies. This supports development in Selected Rural Villages, including North Kilworth, providing that a number of criteria (a-g) are met. The first three criteria are either/or (a or b or c); the remaining criteria (d-g) must all be met.

- 6.3 Taking these in turn, Part 2.a. of the policy states that where there is no residual minimum housing requirement due to allocations, completions and commitments, only minor additional residential development will be supported. The proposal is for major development (the site area exceeds 0.5ha) and thus fails this criterion.

- 6.4 Part 2.b of GD2 supports development where it will meet an identified district-wide housing need. The Council cannot currently demonstrate a 5 year supply of housing and as the proposal is for residential development (ca 49 dwellings as indicated within the submission) the proposal finds support from this criterion.

- 6.5 Criterion c is not relevant to the proposal (conversions).
- 6.6 Criterion d supports proposals where *“its scale individually or cumulatively with existing and committed development reflects the size of the settlement concerned and the level of service provision within that settlement”*. North Kilworth is a small village with a population of ca 1210 – 1800 and, according to the Council’s own records of June 2025, 600 dwellings. It has a primary school, a pub, Café and tearooms, a village hall, football club, a church building, bowling green and The Bogs nature reserve. South Kilworth Golf Club is within walking distance. Other key services are found outside of the village, necessitating a bus, car or (motor) cycle journey. Recent and committed development has increased the modest size and scale of the village as detailed, bringing forward allocated sites in line with the Neighbourhood Plan.
- 6.7 The submission proposes up to 49 dwellings which officers consider is of a large and disproportionate scale to the existing settlement, both spatially and sustainably bearing in mind the low scale of service provision, particularly given the approvals granted on the adjoining site (most recently a further 35, under reference 25/01056/OUT). Officers consider that the proposal fails GD2.d
- 6.8 GD2.2e permits development where “it is physically and visually connected to and respects the form and character of the existing settlement and landscape
- 6.9 The form of the historic village is a series of narrow lanes and roads, many linked by right angles to form blocks. Two roads lead to each of Station Road and South Kilworth Road. The series of corners and short sections of road give much character to the village. There is a sense of intimacy, no major vistas, and no dominating buildings. The street scenes change with differing houses on all roads. a nuclear village with development focussed around The Green, and its roads and streets running off these. This form and character is framed by its rural setting, with gently rolling pastureland and arable fields surrounding the built form. “It is the unexpected and difference in each of the road sections of the village together with the open spaces of garden or paddock within the village road network and the lack of a cohesive physical or functional form that forms so much of the character of North Kilworth”. (taken from description of the Conservation Area)
The site in relation to the Conservation Area is shown below: (Conservation Areas in yellow) and is clearly between two Conservation Area (North Kilworth and Canal Conservation). The site is seen in the context of the rural relatively undeveloped Eastern entrance to the village, quite distinct from the marina development to its east, which sits naturally alongside the canal and longstanding marina on the east side of the canal.



Although the site is physically connected to existing new development, Officers consider that any further development does respect the form and character and landscape, developing one of the fields which forms part of the pastoral, rural setting of the village. The proposal thus fails to respect the form and character of the existing village and landscape, contrary to GD2.2.e.

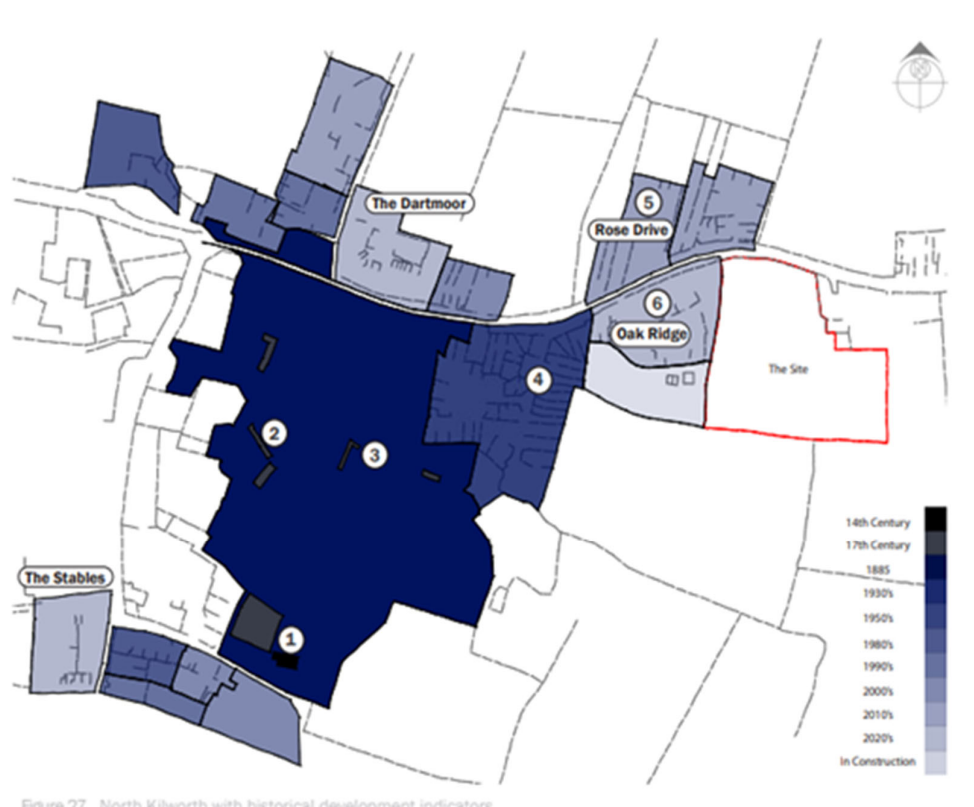


Figure 7: the spatial and physical relationship between the site and the existing settlement of North Kilworth

6.10 The proposal as indicated on the Framework Masterplan and the supporting information, retains all natural boundaries except for the loss of a small portion of the

northern hedgerow which would be removed to create the access. It is thus considered to comply with GD2.2f.

- 6.11 GD2.2g is not relevant to the proposal as it is neither within a designated Green Wedge nor within a Local Plan designated Area of Separation.
- 6.12 Although the proposed development is on a site which adjoins the committed built up area of a Selected Rural Village and meets a District-wide housing need, it has a scale which is considered disproportionate to the existing settlement, and is considered as being out of keeping with the character and appearance of the area, detracting from its rural setting. Officers consider that the proposal fails GD2 for this reason.
- 6.13 The proposal includes provision of affordable housing on the site. This is required by Local Plan policy H2, as 40% on sites delivering more than 10 dwellings or with a combined floorspace of more than 1000 square metres. Although the housing numbers are not specified in the description of the proposal, the supporting information indicates that this criteria will be met (20 affordable dwellings). Whilst type of affordable housing and tenure split would be determined at reserved matters stage, the applicant has committed to providing a policy-compliant level of affordable housing on the site and this is supported by the Council's Strategic Housing and Enabling Officer.
- 6.14 Policy H5 also requires that proposals for housing development make "efficient use of land", maximising density for the most sustainable sites. On this site, with a total area of 3.15 hectare (ha) and approximately 49 dwellings proposed, the density is low (approx. 17dph). This is comparable to the adjoining site (@25 dph)

Given the existing pattern / density of development adjoining the site (both recent and historic), it is considered that the proposed density of development is appropriate, taking into account both para's 11(d)(ii) and 129 (NPPF). Matters relating to water efficiency standards can be secured by planning condition and whilst the applicant has not provided evidence with respect of housing need, significant weight is attached to the fact that the LPA cannot demonstrate a 5 year housing land supply which demonstrates an unmet district wide housing need.

Emerging Harborough Local Plan

- 6.15 The New Harborough Local Plan (2020-2041) has reached submission stage of its preparation and awaiting assessment by an independent Planning Inspector to ensure it is 'sound' and legally compliant, based on the NPPF 2023.
- 6.16 Emerging Local Plan Policy DS01 proposes 13,182 homes across the district up until 2041, with annual housing requirements reduced from 2036 to 2041. The emerging plan includes a number of housing allocations, prioritising growth to upper tiers of the settlement hierarchy.
- 6.17 North Kilworth falls with Tier 5 (Small Villages) at the lower end of the proposed Settlement Hierarchy and attracts an allocation of 8 new dwellings over the plan period.
- 6.18 The latest district land supply position statement confirms that North Kilworth delivered 64 completions between 2020- 2023, with 21 commitments at 01.04.2023; together with the proposed minimum allocation (emerging Policy DS01), this results in a quantum of 93 dwellings for North Kilworth, which contributes to the overall housing supply within the district, including a 12.5% buffer. The allocation level for North Kilworth has been calculated to *'enable modest and proportionate growth in these locations ensuring an appropriate scale of development based on the level of existing*

residential planning permissions, a broad assessment of the development capacity (as evidenced through the Strategic Housing and Economic Land Availability Assessment Update 2024), the size of the village and the level of service provision’. (para 4.16, emerging Local Plan), with a 450 home windfall allowance over the plan period (2020 – 2041).

- 6.19 Now that the emerging plan has been submitted for independent examination, emerging policies can only be given limited weight in accordance with Para 49 of the NPPF, as there are still unresolved objections which need to be tested at examination. As a result, primacy is given to relevant policies contained within the Harborough Local Plan which are not affected by the LPA’s inability to demonstrate 5 year land supply as already discussed.

Loss of Agricultural Land

- 6.20 Submitted information does not confirm the agricultural land classification (ALC) grade for the site, although the adjoining site was indicated to be grade 3 (good to moderate). There is no reason to suggest that the application site is not similar). Grade 3 is divided into two subgrades with 3a being good and 3b being moderate; the Natural England dataset does not distinguish between the two subgrades.
- 6.21 Criterion 2(b) of Policy GI5 Harborough Local Plan permits development where there is no loss of any ‘*best or most versatile agricultural land*’ (BMV) unless this is demonstrably necessary to facilitate the delivery of sustainable development. BMV agricultural land falls within ALC grades 1, 2 and 3a. Para 187 (b) NPPF also seeks for planning decisions to recognise the wide economic and other benefits of the best and most versatile agricultural land. The lack of 5-year housing land supply is given significant weight in terms of demonstrating necessity for the site to be delivered for housing. These factors are given significant weight in favour of the proposal with respect of satisfying criterion 2(b), Policy GI5 Harborough Local Plan.

Conclusion

- 6.22 The site adjoins the committed built-up area of a sustainable settlement. Although it will provide housing at a time when the Council has an identified District-wide need, it is a large and disproportionate scale to the existing settlement and fails to respect the form and character of the exiting settlement and landscape, as required by Local Plan policy GD2.

b) Design

- 6.23 Design of the development itself is not a matter which is currently for consideration. The form/layout, mass, scale, proportions, style, materials etc (design) would be evaluated at Reserved Matters stage in the event of an Outline approval. However, Local Plan policies GD2 and GD8 also require consideration of amount of development and how it fits into its context. Local Plan policy GD8 requires that development is inspired by and respects and enhances local character and distinctiveness of the settlement, respecting the context and characteristics of the individual site and the wider local environment to ensure that it is integrated as far as possible into the existing built form.

Design – context and congruity

- 6.24 As discussed above, the historic core of North Kilworth is around the Green, with new development on the main access roads, but relatively well related to the centre. Given

the amount of new development which has already taken place, the site, together with the undeveloped site opposite, help to retain the rural character of the village particularly at its entrance. The Marina is seen as a separate canal related development and the village is largely undeveloped on this side of the road, until reaching the new development shown on the plans, which in itself is better related to the village. Further, the adverse impact of the loss of ridge and furrow on the site is not mitigated by the proposal and fails to respect the rural setting of the village.

- o *Design – layout, amount and mix*
- 6.25 The scale of development is considered disproportionate to the size of North Kilworth and whilst the Applicant considers that the development will be seen in the context of the adjoining development, it is of significant size, and less well related to the core of the village, leading to a dilution of character and encroachment into this undeveloped part of the village. It will significantly detract from the existing rural and verdant character of this part of the village, extending its built form. Whilst the indicative layout “per-se” may be acceptable in respect of a spacious layout and retention of boundary hedges, it is the location and loss of open field, which helps to retain part of the character of the village, that is considered unacceptable.
- 6.26 For these reasons, the proposal is considered to fail Local Plan policies GD2, GD5, GD8.1.a and d, and Neighbourhood Plan policies NK2 and NK3 and paragraphs 125 and 135 of the NPPF in terms of its design.

c) Landscape and Visual Impact

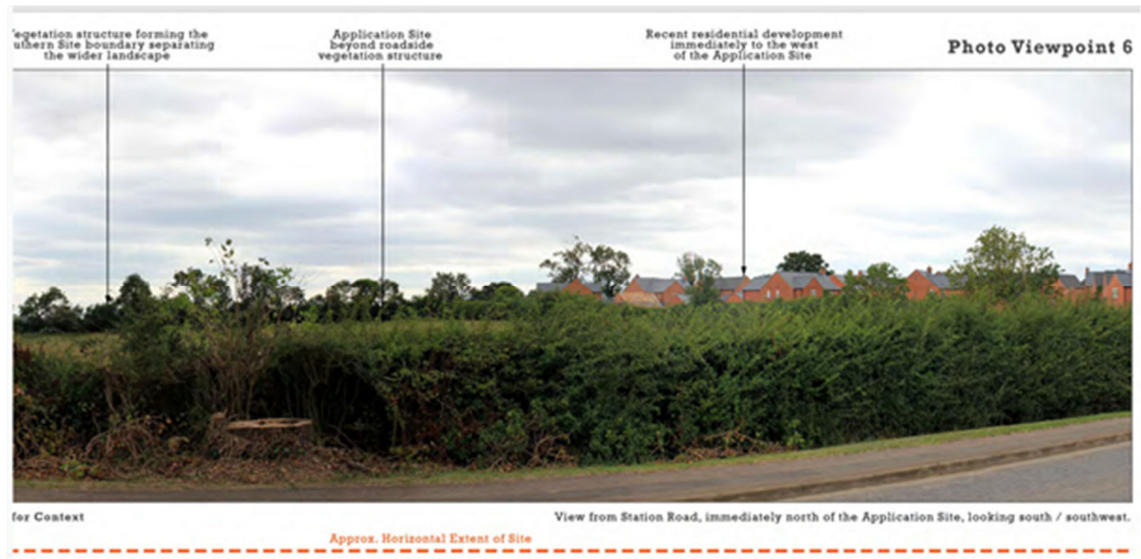
- 6.27 The site falls within the Natural England National Character Map Area 94 – Leicestershire Vales (NE532) which is described as ‘...a large, relatively open, uniform landscape composed of low-lying clay vales interrupted by a range of varied river valleys. Its sense of place comes less from its overall landform and more from its visually dominant settlements and views towards surrounding higher ground... The north of the area has a predominance of settlements and a general lack of tranquillity; this contrasts strongly with the distinctly more rural feel in the southern part of the area, where a mixture of arable and pastoral farmland is found.’ The focus of this character area is on landscape management, nature recovery and large scale conservation projects.
- 6.28 At a more local level, the District Wide Landscape Character Assessment identifies the site as falling within the Laughton Hills Landscape Character Area, which has a rolling topography and medium sized fields, which limits long distance views. The Grand Union Canal passes through this area and is located within North Kilworth, forming an important part of the area’s heritage. The area is considered to generally have a low capacity to accept further development, although it is accepted that there is more (i.e. Medium) scope towards the south of the character areas which is away from visible plateaus along the route of the A4304. In such instances, care must be taken not to impact further on the surrounding countryside.
The majority of the built form of North Kilworth is located south of the A4304. The linear form of the site responds to the existing settlement formation, extending the existing edge of the settlements’ built form further east, but remaining within the committed village boundary (i.e. within the limits of development) with respect of housing development.

There would be a greater impact when viewed from the Main Road to the front and further views from the East when entering the village.



Figure 3.1: Extract from Dwg LA1063/SS/003 Site and Setting Plan, with Application Site identified red.





- 6.29 Local Plan policy GD5 requires that proposals respect their landscape setting, avoiding the loss or substantial harm to features of landscape importance, making restoration/mitigation as appropriate, and safeguarding important public views. GD2 and GD8 also require integration into the local area and landscape.
- 6.30 Whilst officers largely agree with the findings of the LVA in relation to visual receptors, the amount of development proposed together with its location, would be visually incongruous at this entrance to the village. The character of the village as approached from an Easterly direction is characterised by it's rural open character, as illustrated by the top 2 photos above, and this would be significantly eroded.
- 6.31 The proposal will erode the landscape setting of North Kilworth by virtue of the loss of the pastoral field with ridge and furrow, contrary to Harborough Local Plan policies GD2, GD5.1.a and GD8.1.a, c and d

d) Heritage and Archaeology

- 6.32 The site is not within any designated Conservation Area and is sufficient distance from the nearest Listed Buildings and Scheduled Monuments to satisfactorily preserve their setting. However, the site has the potential to affect the setting of the North Kilworth Conservation Area, and the Canal Conservation Area, as it sits between the two. Further, any buried archaeological remains on the site could also be affected. In accordance with the NPPF, Local Plan policy HC1 and the statutory duties of the LPA under the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the impact of the proposal on designated and non-designated heritage assets must be considered, in proportion to their value and designation.

6.33 Rural Character and contribution to Conservation Area:

The site currently forms part of the open rural approach along Station Road, where the journey into the village is experienced as emerging from a predominantly agricultural landscape. This open character contributes positively to the setting of the village and to the appreciation of its historic rural context. Development of this site would result in a noticeable change to that character. The application site is located outside, but contributes to the setting of the North Kilworth Conservation Area

See images below of setting to village on approach from the east, the proposal site is currently open land, offering a visual buffer and maintaining a rural open appearance to the setting of the village.



The village of North Kilworth is situated on high ground above the broad river valley, providing views both away from and towards the settlement and the development. The proposal would impact on key views from and within the conservation area and impact the significance of the setting through the change from open fields to residential.

6.34 Ridge and Furrow:

Within the site there is notable ridge and furrow earthworks, an increasingly rare survival of medieval agricultural practice. The ridge and furrow contributes to the historic landscape character of this edge of the village. Development risks diminishing legibility within the wider village setting, and historic agricultural practice. There is the risk of cumulative harm along with other recent development. The ridge and furrow contributes to the significance of the conservation area. The medieval village operated the open field system of agriculture and the practice of a millennium of ploughing. The development will remove the legibility of this and thus cause less than substantial harm to the conservation area.

Image of Ridge and Furrow within the site:



6.37 Archaeology:

There is potential for archaeology on the site. The HER does not appear to show any records within the site, but the heritage impact assessment outlines the potential for this.

To the southwest of the site there is the remains of a medieval hall and the moat is still evident. Cumulative impact of development can have an impact on the water table and it would be helpful to understand if any assessment has been carried out.

6.38 Former Railway Line and Grand Union Canal Conservation Area

A historic open gap remains between the village and this transport corridor. This separation is characteristic of the canal and intentional: the canal was engineered along lower, more level ground rather than at the settlement edge. The agricultural land between the village and the canal therefore forms a long standing buffer that helps to explain the historic spatial development of North Kilworth. Maintaining this openness is important to the setting of both the village and the canal conservation area.

The Grand Union Canal Conservation Area derives part of its significance from the rural landscape through which it passes. The open fields and agricultural land that frame the canal help to explain its original engineering, its rural working character, and its historic separation from the village. This landscape setting contributes to the canal's evidential, historic and aesthetic value, and any erosion of this openness can diminish the ability to appreciate the canal as part of a coherent rural corridor. The visual gap will reduce with the proposed development.

The resulting heritage impact is assessed as less than substantial harm in NPPF terms. This harm should be weighed carefully against the public benefits of the development.

County Archaeology have been consulted on the archaeology work

The DBA highlights the relevance of previous archaeological investigation results immediately west of the site, where no archaeological features pre-dating the ridge and furrow were identified. The assessment does not however refer to the results of a

recent geophysical survey undertaken southwest of the site, which identified a series of discrete and linear anomalies interpreted by the surveyor as being possible/probable archaeology, including a potential sub-rectangular enclosure, numerous pit-like responses and possible enclosures/field systems. Given the potential for similar activity to extend into the current site, in addition to the wider archaeological potential indicated by the results of the Historic Environment Record (HER), we would recommend that the applicant be required to undertake further pre-determination evaluation, by appropriate techniques including geophysical survey and trial trenching.

In addition to the potential for archaeological buried remains, the site contains extant earthworks representing former ridge and furrow cultivation of the site during the medieval and/or post-medieval periods. The DBA includes an assessment of these earthworks, in-line with the criteria outlined in *Turning the Plough*. Having reviewed the assessment we would advise that, while regrettable, the loss of ridge and furrow itself would not be a robust reason for refusal from a purely archaeological perspective. Although well-preserved, the ridge and furrow within the site does not represent a particularly complex set of earthworks and we believe that the loss of the monument's evidential and historical significance can be offset through an effective topographic/earthwork survey.

“ We would however highlight that there are communal implications arising from the earthwork's removal that would not be mitigated through an archaeological recording exercise, the residual impact (loss of the communal and aesthetic values of the monument, values set out in Historic England's *Conservation Principles*) should therefore be considered as part of the LPA's balancing process. These values are relevant in relation to the conservation area and the impact on the surrounding North Kilworth landscape character, in addition to the monument itself as a non-designated heritage asset.

The comments provided by North Kilworth Parish Council & Residents do acknowledge that 'The adjoining reserve housing site also contained evidence of ridge and furrow which was deemed not to be a factor to prevent the land from coming forward for housing and there is no evidence to suggest that a different stance should be adopted for this application'. It is also noted that the earthworks are not identified within the North Kilworth Neighbourhood Plan. Taking this into account however we would advise that the North Kilworth Parish Council and local community would be better placed than ourselves to comment on the impact of the loss of the ridge and furrow earthwork monument on the local community of North Kilworth.”

- 6.39 By virtue of the loss of ridge and furrow earthworks on the site and by the erosion of the visual openness and historic landscape character, the proposal will cause harm to the overall setting of the Conservation Area of North Kilworth. Officers consider that less than substantial harm will result from the proposal. Whilst great weight is given to the conservation of designated heritage assets and their setting, the public benefits of the proposal including the provision of housing at a time when the Council cannot demonstrate a five year supply are considered to outweigh the heritage harm, on balance.

e) Climate Change

- 6.40 Policy CC1 of the Local Plan sets standards for major development, requiring evidence of reduction in carbon emissions according to the energy hierarchy (supporting text paragraph 10.1.3), renewable energy technology, energy efficiencies, minimal carbon emissions during construction, justification for any demolition, and carbon-neutral

building cooling if appropriate. Paragraph 166 of the NPPF requires new development to “take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption” when determining planning applications.

- 6.41 Whilst the submission does not contain a sustainability statement which sets out how the site will deliver sustainable development in terms of sourcing, waste management, drainage, floodrisk, ecology, air quality, EV charging and water use, full details can be provided at Reserved Matters stage.
- 6.42 It is recognised that as national building regulations and sustainability requirements change over time, the measures may need to change to reflect this. A suitably-worded condition relating to the submission of Reserved matters can ensure that the final design meets addresses this. The proposal could reasonably be designed to comply with CC1.
- 6.43 Sustainable travel – by means other than the private motor vehicle – should be promoted by the scheme, and it is noted that this also partly underpins the settlement hierarchy of the Local Plan, where development is located in settlements where key services (eg schools, library, GP, pub etc) can be accessed without using a private vehicle. North Kilworth has a primary school, pub, village hall and sports ground. Other services are likely to be found in Lutterworth and Market Harborough and there is a bus service through the village providing sustainable links, although it is noted that this may not be regular enough.
- 6.44 Subject to details provided at the Reserved Matters stage, the proposal can demonstrate compliance with Local Plan policy CC1.

f) Highways

- 6.45 Access is a matter for detailed consideration as part of this application. The access layout is shown in detail on the submitted plans
Vehicular access is proposed from Station Road in the form of a simple priority T-junction. The proposed access consists of a 5.5m carriageway with 10m kerbed radii and 2.0m footway provision on both sides of the access road. However, in accordance with Tables 3 and 9 of the LHDG, given the scale of development, the access should be 4.8m in width with 6m radii. In addition, whilst there is footway provision shown on the submitted drawing, this does not extend to Station Road on the eastern side. This will therefore be required to be amended. If approved this will create a staggered crossroad arrangement, replacing the existing field accesses onto the highway. The proposed stagger distance between the two junctions is proposed as approximately 45m which is in accordance with the Manual for Streets requirement for a minimum stagger of 30m between opposing junctions.
- 6.46 The submitted Transport Assessment shows the background reasoning for the design and siting of the proposed access and uses various data including a TRICS data and personal injury collision data. A Road Safety Audit has been carried out along with speed surveys. In order to achieve the proposed visibility splays, works will be required to the existing mature hedgerow. In addition, the LHA highlight that there are existing street furniture/third party services which currently impede on the visibility at the site access. These may need to be relocated as part of the site access works. The visibility splays and indicative plan form of the access have been designed accordingly.
- 6.47 County Highways have reviewed all the submitted information and generally agree with the conclusions of the Transport Assessment.

- 6.48 There are several local facilities such as retail, leisure and educational facilities within walking distance of the site, the vast majority falling within the 2km upper walking limit. Husbands Bosworth which is located approximately 2.3km to the east of the site, provides residents with access to services North Kilworth does not provide, such as a medical centre. The LHA note the proposed pedestrian/cycle links shown on the Masterplan. However, the LHA consider that such links may have limited benefit considering the surrounding area. In addition, the proposed links fall outside of the sites redline boundary and the pedestrian link into Ridge Way would be reliant on third party land to be deliverable. Therefore, the LHA are concerned that these links as currently shown might not be achievable. However, there are footways proposed at the site access, which would provide onward pedestrian connectivity onto Station Road, which is welcomed and considered to be suitable. The closest bus stops to the site are located approximately 390m and 400m east of the proposed site access road on Station Road. Bus service LC10 runs from these stops which provides eight services a day to Lutterworth and Market Harborough, as well as for local trips to Husbands Bosworth to access additional services. The site is therefore considered to be generally in accordance with the Sustainable transport and active travel section of the LHDG, and as such the LHA considers the site to be in a sustainable location in transport terms. The LHA is satisfied for the LPA to include this transport context in its wider sustainability considerations for the site. In addition, it is noted that Travel Plan Measures and Initiatives have been included within the submitted Transport Statement. Whilst the proposed development falls below the threshold for a Travel Plan to be provided, the LHA welcomes the inclusion of these initiatives to support the proposed development.

g) Drainage / Flood risk

- 6.49 Local Plan policy CC3 requires that development be directed towards land within Flood Zone 1. The NPPF similarly directs planned development towards land with the lowest flood risk, and requires that a “sequential, risk-based” approach should be taken towards individual applications. The Sequential test is set out in the NPPF and Environment Agency guidance and aims to steer new development towards areas with the lowest risk of flooding from any source. Whilst CC3 clearly states that “The Sequential Test..should be used to assess the suitability of proposed development”, the more recent paragraph 175 of the NPPF allows the disapplication of the sequential test *“in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements would be located on an area that would be a risk of flooding from any source..” (inter alia)*. The recently-updated NPPG advises that a proportionate approach be taken when applying this paragraph and that that there are instances when the sequential test need not be applied. Paragraph 181 of the NPPF goes on to say that development in areas at risk of flooding should only be allowed where it can be demonstrated that various criteria are met, including that the most vulnerable development is in the areas of lowest flood risk. Officers consider that the NPPF should be followed in this instance, given that it is more recent than the Local Plan 2019.
- o *Flooding on the site*
- 6.50 The applicant has submitted a site-specific flood risk assessment (FRA) and drainage strategy. This finds that all the site is within flood zone one and at low risk of surface water, ground water or failed infrastructure flooding.
- 6.51 Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 3.15ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a low to high risk of surface water flooding. The proposals seek to discharge at 5

l/s via pervious paving and a dry detention basin to the on-site watercourse. There are no existing flood risk concerns within the immediate downstream catchment.

The Technical Note provides information about the upsized culvert and the change this may have on the flooding outlines on the proposed site. The LLFA however still request that if the developer wishes to develop in areas currently shown to be at risk from surface water flooding that modelling needs to be completed to confirm the flood outlines on the site. The LLFA have therefore requested a condition be attached to any grant of planning permission for hydraulic modelling to be completed prior to any reserved matters approvals on site.

Notwithstanding any surface water drainage details submitted under this application, as the proposals are for outline permission, no specific drainage elements are fixed at this stage. As such, the LLFA would require that later reserved matters and detailed design fully comply with the new National Standards for SuDS and to any other amended local or national policy/guidance relevant at the time of submission of those details. This includes (but is not limited to) a reassessment of discharge rates, contributing areas, attenuation scale and the retention of the first 5mm of rainfall on-site. Any departure from the standard should be fully substantiated and agreed with the LLFA

- 6.52 IN4 also requires that development should have access to an adequate water supply and that greywater and rainwater harvesting systems should be provided. Given the proximity of the proposal to existing dwellings it is likely that a water supply would be achievable. Details of greywater and rainwater harvesting could be required by condition, were the proposal considered acceptable.

o *Conclusion*

- 6.53 Subject to further details to be provided by condition, officers consider that the proposal could protect and provide suitable water resources and services, in accordance with IN4. Insufficient information has been submitted to demonstrate that the proposal will not increase flooding elsewhere and has an acceptable sustainable drainage system, contrary to Local Plan policy CC3.

h) Ecology, biodiversity and soils

- 6.54 Local Plan policy GI5 requires that proposals have no adverse impact on protected species or their habitats, incorporate improvements to habitats (including water course habitats), protect and enhance the strategic biodiversity network and wildlife corridors, including river corridors, disused railways and all water courses, make positive contributions and enhancements to biodiversity and maintain biodiversity during construction. The policy follows the avoid – mitigate – compensate strategy of national policy and recognises that the Harborough District is relatively poor in biodiversity terms.
- 6.55 The applicant has submitted a Preliminary Ecological Appraisal (October 2024) which addresses the impacts of the proposal on ecology and biodiversity. It includes surveys for winter birds, badgers, great crested newts, trees potentially used by bats, the grassland of the site itself and hedgerows. A desk-based survey was also carried out. In line with mandatory requirements, the submission also includes a Biodiversity Net Gain (BNG) baseline metric and plan.
- 6.56 The submitted survey recommends precautionary working and reasonable avoidance methods to avoid impacts on birds, great crested newts, reptiles and hedgehogs during

the construction phase. Except at the point of access, existing boundary hedges with trees will be retained and kept outside of residential curtilage.

- 6.57 Mandatory biodiversity net gain (BNG) applies to this application, requiring a minimum of 10% gain above a measured baseline. Gains are secured via planning condition or legal agreement, with the submission of a biodiversity gain plan a mandatory pre-commencement condition on any approval. The applicant has submitted a BNG baseline metric and plan, setting out the habitat types on the site and the number of habitat units they represent. The baseline metric and plan as amended are acceptable to LCC Ecology. As significant on-site gains are proposed as well as off-site gains, these will need to be secured via condition and legal agreement. A Habitat Management and Monitoring condition (to secure for 30 years on-site) is recommended, and fees to cover the monitoring of the provision by LCC Ecology for the 30 years will be included within the Section 106 legal agreement. If a Conservation Covenant is not to be used, the S106 agreement can also secure land outside of the site but also within the applicants' ownership for BNG. There is no requirement to provide full details of Biodiversity Gain at this stage as this is to be provided by the mandatory condition.
- 6.58 With the exception of the site access, the proposal retains all existing trees and hedges. Significant additional tree planting is also proposed (@60 trees) Existing hedges can be appropriately buffered and protected from development and this can be further considered and controlled at reserved matters stage.
- 6.59 The proposal is considered to have demonstrated the ability to deliver mandatory minimum biodiversity net gain, to ensure the retention and protection of the best quality trees and, will not have a harmful impact on protected species and their habitats. The proposal thus accords with Policy GI5.

i) S106 Obligations/Contributions

- 6.60 Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as s106 agreements, are a mechanism for securing benefits to mitigate against the impacts of development. Those benefits can comprise, for example, monetary contributions (towards public open space or education, amongst others), the provision of affordable housing, on site provision of public open space / play area and other works or benefits that meet the three legal tests under Regulation 122 of the CIL Regulations.
- 6.61 These legal tests are also set out as policy tests in paragraph 58 of the Framework whereby Planning obligations should only be sought where they meet all of the following tests:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 6.62 Policy IN1 of the Harborough District Local Plan provides that new development will be required to provide the necessary infrastructure which will arise as a result of the proposal. More detailed guidance on the level of contributions is set out in The Planning Obligations Supplementary Planning Document, January 2022.
- 6.63 The applicant has indicated that they would make the required contributions where they are CIL compliant. Whilst a S106 legal agreement has not been drafted, officers consider that the information submitted during the process of the application, together

with the progress made so far is sufficient to say that the proposal would satisfactorily mitigate the impacts of the development on local infrastructure, in accordance with policy IN1. If Members are minded to approve the application then this must be subject to an executed legal agreement being in place in order to ensure that the mitigation and the BNG are delivered.

7. Conclusion and the Planning Balance

- 6.64 The proposal will provide employment opportunities during construction and possibly beyond (through management of landscaping etc), and income generation through Council Tax. These economic benefits attract some positive weight.
- 6.65 Social benefits are chiefly the provision of approximately 49 dwellings, including affordable dwellings, at a time when the Council has a five-year shortfall. Also, new residents to the village will support its vitality and sustainability, increasing the amount, type and tenure of dwellings in the village. Officers consider that significant weight should be given to the provision of housing.
- 6.66 The environmental benefit of the proposal is a minimum of 10% biodiversity gain, Measures to mitigate the impact of climate change and make improvements to highways are considered to be neutral, being simply policy-compliant requirements of the scheme. Officers consider that there is harm to the character and appearance of the area and overall setting of the Conservation Area, including by loss of ridge and furrow. Environmental benefits are given reduced weight in the recommendation for these reasons.
- 6.67 The proposal would introduce a significant amount and scale of development to the eastern approach of the village with loss of ridge and furrow and erosion of the visual openness and historic landscape character. Visually, the proposal will detract from the existing form and character of the village, particularly its rural setting. The proposal will cause loss of ridge and furrow earthworks which form part of the pastoral rural setting of the village. The proposal thus fails to respect the form and character of the existing village and its landscape setting, contrary to Local Plan policies SS1.8, GD2.2.e. and GD5.1.a.
- 6.68 The attribution of weight in determining planning applications is a matter for the decision maker. In this instance, Officers consider conflict with the policies of the development plan and consider that the adverse impact of the proposal is not outweighed by the provision of housing at a time when the Council cannot demonstrate a 5 year supply. Officers recommend that the policies of the development plan should prevail and that the application is refused.

APPENDIX A – S106 OBLIGATIONS

Request by HDC	Obligation for Community Facilities contribution		
Amount /Detail	Delivery	CIL Justification	Policy Basis

£79,708 for the purpose of funding improvements to existing community facilities in the vicinity of the Development. Amount to be finalised once the housing numbers and mix are known but will reflect:	100 % to be paid to HDC prior to the Commencement of Development	See full CIL justification from HDC Community Facilities Officer on file The development would place additional demands on community facilities. The contribution request has been justified using evidence of need for the community facilities and the contribution would be allocated to projects as outlined in section 14 (Village and Community Centres) of the Harborough District Built Sports Facilities Strategy 2019 as relating to community facilities in North Kilworth and surrounding villages.	HDC Planning Obligations Supplementary Planning Document June 2022 Community Facilities Refresh Assessment May 2017 Built Sports Facilities Strategy 2019 Harborough Local Plan Policy IN1. Health and Wellbeing Strategy and Action Plan
Request by HDC	Open Space		
Amount /Detail	Delivery	CIL Justification	Policy Basis
£129,832.60 towards enhancements of existing provision or additional provision in North Kilworth of Open space. Cemeteries and burial grounds, greenways and outdoor sports facilities to be provided off-site. Parks & gardens, children & young people's provision, allotments/community garden and amenity greenspace to be provided onsite. Semi-natural/natural greenspace to be	On site landscaping to be provided prior to first occupation of 50% of dwellings 100% of off site contributions to be paid prior to occupation of 10% of dwellings	See full CIL justification of HDC Neighbourhood and Green Spaces officer consultation response on file	Harborough Local Plan Policy IN1. Open Spaces Strategy 2021 Provision for Open Space Sport and Recreation 2021

provided on or off-site. The preference is for the district council or the parish council to adopt on site open space. The use of Management Companies for ongoing landscape maintenance should be avoided. Commutated sums payable for ongoing maintenance.			
Request by HDC	Waste		
Amount/Detail	Delivery	CIL Justification	Policy Basis
£6509 for the provision of 1no black- and 1no blue-lidded household waste and recycling receptacles per household. Based on provision of 49 dwellings with cost of £132.84 per dwelling	Unspecified in the response.	See full CIL justification of HDC Waste consultation response on file	Harborough Local Plan Policy IN1
Request by HDC	Affordable housing		
Amount/Detail	Delivery	CIL Justification	Policy Basis
Based on the provision of 49 dwellings, Harborough Local Plan Policy will require 40% of the units to be provided as Affordable Dwellings. This equates to 20 units. The preferred unit mix and proposed affordable housing scheme must reflect	No trigger specified in the response, to be agreed.		Harborough Local Plan Policies H3 and IN1 HDC Planning Obligations Supplementary Planning Document June 2022 Guidance note for the provision of

Harborough's Housing needs based on our live applications data and will need to be agreed once the final housing numbers and mix are known.			Affordable Housing (updated January 2025)
Request by LCC	Libraries		
Amount /Detail	Delivery	CIL Justification	Policy Basis
£1,434.39 towards increasing capacity (stock/reading materials) at Lutterworth Library	No trigger specified in the response. To be spent within 10 years or as drafted in the Legal agreement	See full CIL justification from LCC Libraries on file This contribution would be used at to provide improvements to this library and its facilities, including, but not limited to, books, materials, or associated equipment or to reconfigure the internal or external library space to account for additional usage of the venue arising from an increase in members to the library as a result of this development. This contribution may also be spent to fund new library provision	Leicestershire County Council Planning Obligations Policy (2019). Harborough Local Plan Policy IN1.
Request by LCC	Schools		
Amount /Detail	Delivery	CIL Justification	Policy Basis
£137,323.43 Lutterworth High School	No trigger specified in the response. To be spent within 10 years or as drafted in the Legal agreement	This development will yield 7.68 secondary aged children (11-16). Lutterworth High School has a net capacity of 771 and there will be a deficit of 136 places if this development goes ahead. When taking into consideration the other secondary schools within a three-mile walking distance from the development there is an overall deficit of 158 places. Therefore, a full request for contributions in respect	Leicestershire County Council Planning Obligations Policy (2019). Harborough Local Plan Policy IN1.

		of the secondary education sector of £137,323.43 is justified, which is calculated by taking the number of deficit places, multiplied by £17,876. Not required for primary or Post 16 Education.	
Request by LCC	Waste		
Amount/Detail	Delivery	CIL Justification	Policy Basis
£3,564.26 for site reconfiguration and/or development of waste infrastructure at Lutterworth Household Waste Recycling Centre or any other household waste recycling centre directly impacted by this development. Estimated 90 dwellings x Waste site rate for Market Harborough (£80.04)	The contribution to be spent within 10 years or as drafted in the Legal agreement.	See full CIL justification from LCC Waste on file	Leicestershire County Council Planning Obligations Policy (2019). Harborough Local Plan Policy IN1.
Request by LCC	Highways		
Amount /Detail	Delivery	CIL Justification	Policy Basis
1 Travel Pack per dwelling (average £52.85 per dwelling) 2 six-month bus passes per dwelling (average £510 per pass)	No details given in response.	To encourage sustainable travel to and from the site and to establish changes in travel behaviour from first occupation.	Leicestershire County Council Planning Obligations Policy (2019). Harborough Local Plan Policy IN1. NPPF
Request by LCC	Ecology		
Amount/Detail	Delivery	CIL Justification	Policy basis

£5160.00 for monitoring of significant on-site and any off-site biodiversity gains. Includes monitoring plan review, site visits at 1, 2, 5, 10, 15, 10, 25 and 30 years, and any necessary enforcement.	No details given in response	To ensure mandatory monitoring of significant on-site biodiversity net gain, and any off-site gains which are not proposed via a Conservation Covenant	Schedule 9A of the Town and Country Planning Act 1990 (as amended)
Request by the Integrated Care Board			
Amount /Detail	Delivery	CIL Justification	Policy Basis
£47,432 towards providing additional clinical accommodation at Husbands Bosworth Medical Centre and the Wycliffe Medical Practice Surgery.	To be discussed	See full CIL justification from the NHS CCG on file	Harborough Local Plan Policy IN1.
Request by HDC	Obligation for Monitoring Fee		
Amount /Detail	Delivery	CIL Justification	Policy Basis
The formula for calculating the monitoring fee of a Section 106 agreement is as follows: Part One: Desk-based costs • (Number of 'trigger events' x 'Fee per monitoring point') plus Part Two: Site visit costs • (Number of 'trigger events' x Site Visit Fee) Based on the Council's Schedule of Charges 2021/22, Site visit monitoring is £70/hour; cost of	Within 14 days of commencement	To cover the costs of monitoring payments and implementation of the developer contributions and scheme. The sum of the monitoring fee to be paid to the Council must not exceed the Authority's estimate of its cost of monitoring the development over the lifetime of the planning obligation(s). Monitoring fees will therefore be based on current costs and will be reviewed periodically as necessary in line with changing costs.	Part 10 of the Community Infrastructure Levy (Amendment) (England) Regulations 2019 permits a local authority to secure fees to monitor and report on planning obligations contained within a Section 106 agreement, especially where the scale of development is complex and needs

each monitoring point in agreement is £349/monitoring point.			long term monitoring. HDC Planning Obligations Supplementary Planning Document June 2022
Request by LCC	Obligation for Monitoring Fee		
Amount /Detail	Delivery	CIL Justification	Policy Basis
£300.00 or 0.5% (whichever is greater) per financial obligation in favour of the County Council	Within 14 days of commencement	To cover the costs of monitoring payments and implementation of the developer contributions and scheme.	Leicestershire County Council Planning Obligations Policy (2019).

NOTE 1: Indexation may be applied to the above figures.

Committee Report

Applicant: Mr W. T. Renner & Mrs C. R. French

Application Ref: 25/01615/OUT

Location: Land East Of Zouche Way, Bushby

Proposal: Outline planning application (with all matters reserved except for means of access from Uppingham Road (A47)) for residential development of up to 130 dwellings including public open space, sustainable drainage system and associated infrastructure

Parish: Thurnby

Ward: Thurnby and Houghton

Validation Date: 01.12.2025

Target Date: 02.03.2026 (Extension of Time agreed to 24.07.2026)

Reason for Committee Consideration: exceeds thresholds under the Scheme of Delegation (more than 25 dwellings proposed)

Recommendation

Planning Permission is **ALLOWED** for the reasons set out in the report, subject to the recommended conditions set out in **Appendix A** and the completion of a satisfactory S106 as set out in **Appendix B**.

1. Site & Surroundings

- 1.1 The application site is located within Thurnby and Houghton Ward. The site is to the north of Uppingham Road (A47) and to the east of the existing built-up area of Bushby including the residential development off Zouche Way (see **Figures 1, 2 & 3**).
- 1.2 The site covers 7.22 hectares and is currently used as agricultural pastureland. It comprises two field parcels, connected by intervening land. The southern parcel adjoins Uppingham Road and is bounded to the south and east by hedgerows and mature trees. To the west, adjoining the Zouche Way development, the boundary is marked by a post-and-rail timber fence and, in places, a gappy hedgerow with mature trees. A mature hedgerow with trees separates the northern parcel from Harcourt Grove, while the application site boundary in this area is defined by a post-and-rail fence. Elsewhere, the site boundaries are formed by gappy hedgerows.
- 1.3 The application site, along with the recent development along Zouche Way, lies on the southern side of the Thurnby Brook valley, with the watercourse defining the northern edge of the Site and the lower extent of the landscape. Levels across the site generally slope downwards to the north away from the A47. The southern part of the site slopes steeply from Uppingham Road northwards towards a disused railway line. The northern part of the site comprises a single field located in a stream valley bottom to the north of the disused railway line.
- 1.4 Planning permission has been granted for a discount foodstore to the south-western side of the site which would be accessed via Zouche Way (application reference 25/00219/FUL). The approved location and site plan is shown at **Figures 4 & 5**.

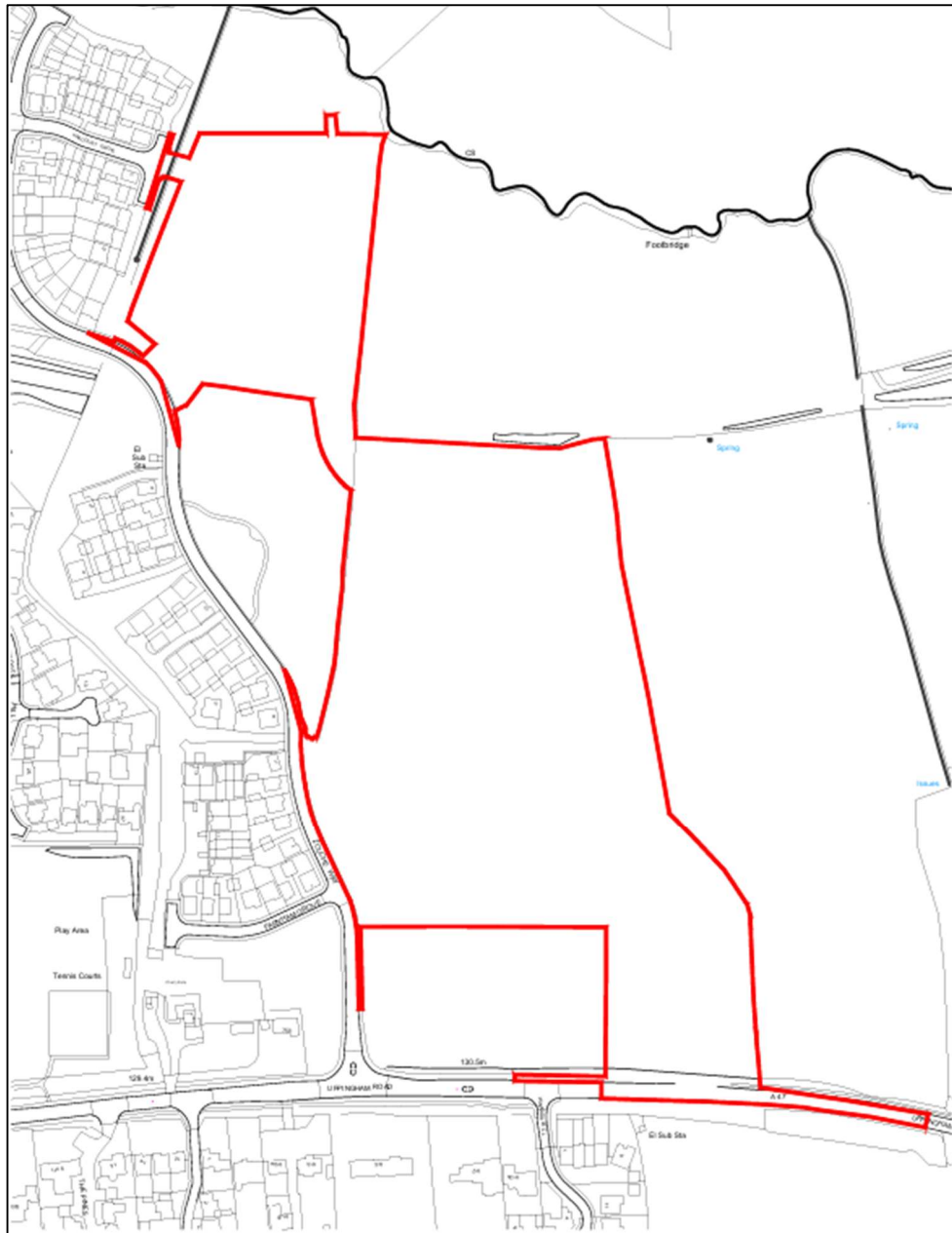


Figure 1: Application Site Boundary



Figure 2: Aerial View of the Site (extract from D&A Statement)

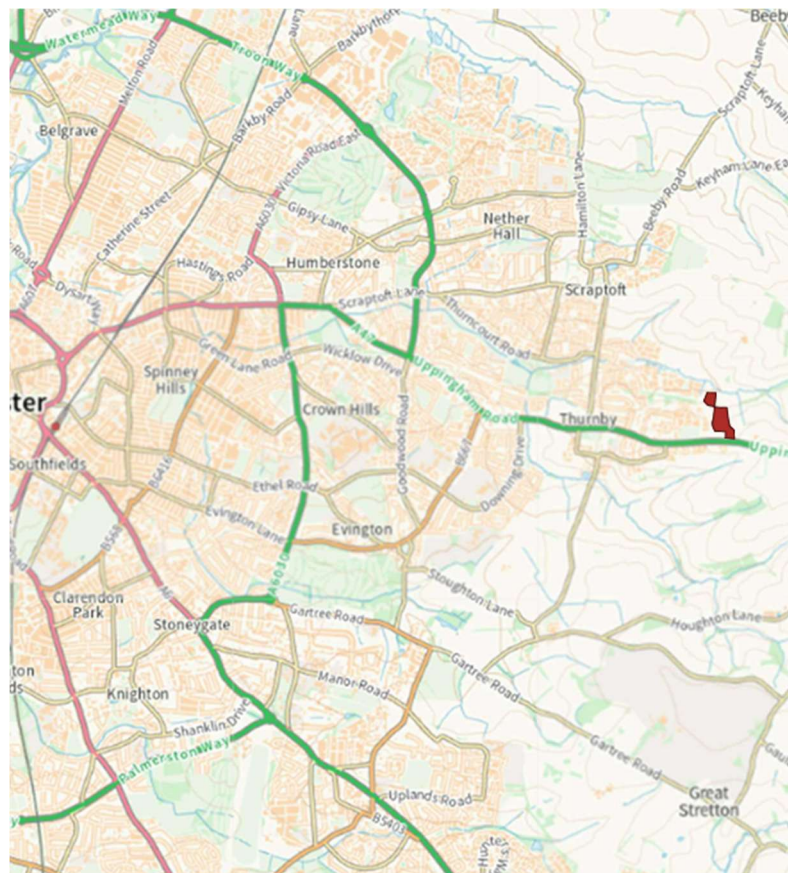


Figure 3: Application site in wider context (extract from D&A Statement)

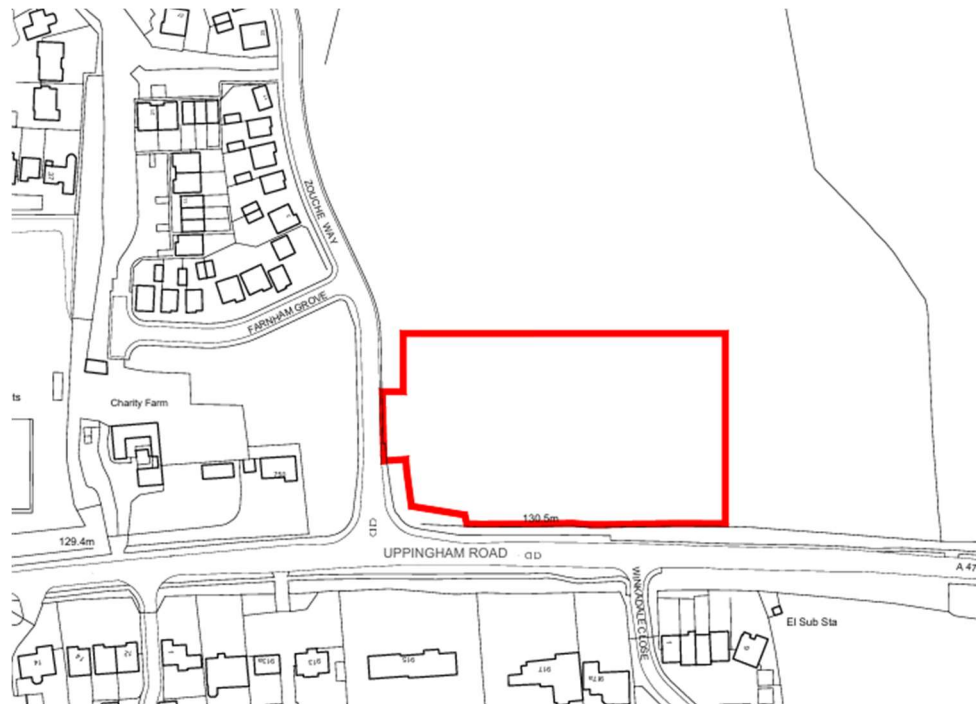


Figure 4: Location plan for application 25/00219/FUL for a discount foodstore

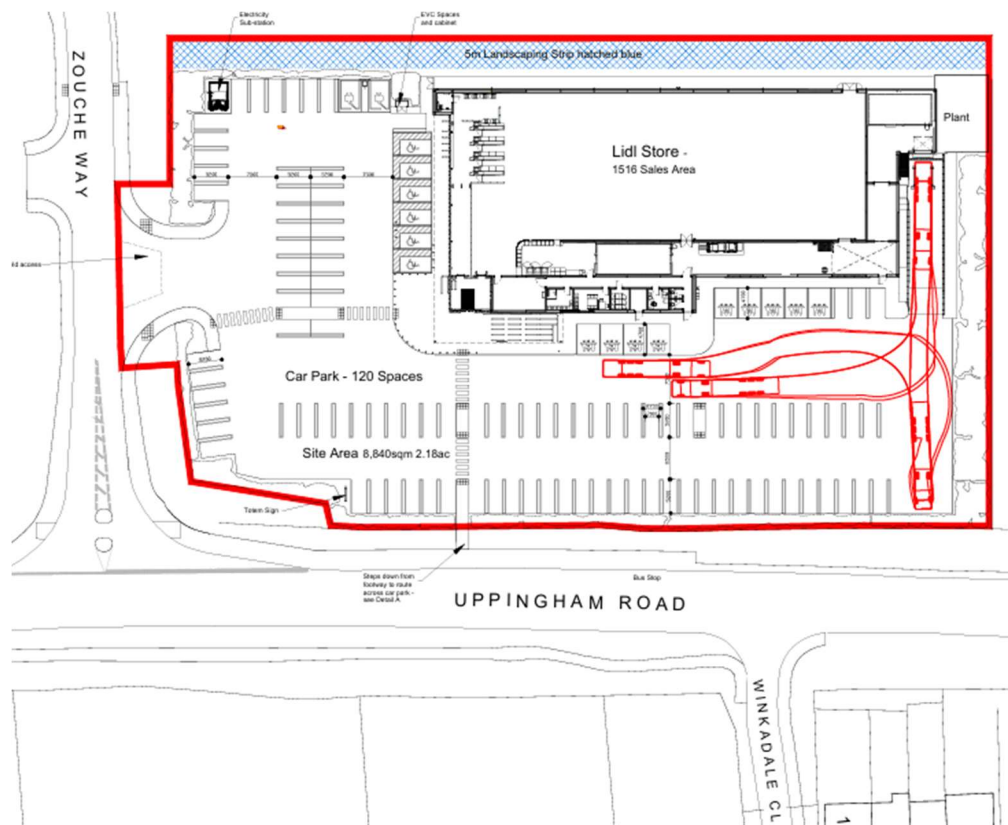


Figure 5: Site plan for application 25/00219/FUL

2. Site History

2.1 The application site:

25/01496/SCR	Request for Screening Opinion in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for a proposed outline planning application (with all matters reserved except for means of access from Uppingham Road (A47)) for residential development of up to 130 dwellings including public open space, sustainable drainage system and associated infrastructure	EIA not required
18/00312/OUT	Outline application for the erection of up to 125 dwellings and associated infrastructure, including highway and pedestrian access, open space and structural landscaping (access to be considered)	Refused 18.07.2018
11/00003/OUT	Residential development for up to 150 dwellings together with access, drainage, services and open space	Refused 09.03.2011

2.2 The following are relevant applications on land to the south-west of the application site:

26/00789/ADV	Installation of 2no. internally illuminated fascia signs; 1no. internally illuminated flagpole; 1no. column-mounted internally illuminated poster display unit; 1no. wall-mounted internally illuminated billboard; 2no. wall-mounted internally illuminated billboards; and 2no. non-illuminated directional signs	Pending consideration
25/00219/FUL	Erection of a discount foodstore (Use Class E) with access, parking, landscaping and other associated works	Approved 29.04.2026

2.3 Relevant planning history for Charity Farm developments (to the west of the application site). Note: minor parts of the listed applications include land which forms the current application site.

18/01968/FUL	Erection of 275 dwellings with associated infrastructure, public open space, landscaping and play areas (substitution of house types of 16/00874/REM)	Approved 21.11.2019
16/00874/REM	Development of up to 275 dwellings and up to 500 s.qm of retail use (Class A1) with associated infrastructure, including means of access, open space and landscaping (Reserved matters of 14/01088/OUT)	Approved 21.09.2017
14/01088/OUT	Development of up to 275 dwellings and up to 500 sq.m of retail use (Class A1) with associated infrastructure, including means of access, open	Approved 04.06.2015

space and landscaping (Revised scheme of Outline Planning Application 13/01306/OUT)

13/01306/OUT	Erection of up to 275 dwellings and up to 500m2 of retail use (Use Class A1) with associated infrastructure, access, open space and landscaping (means of access to be considered only)	Refused 22.01.2014 Appeal withdrawn
--------------	---	--

2.4 The following application proposes development to the south of Uppingham Road:

25/01587/OUT	Outline planning application for up to 900 dwellings, a primary school, local centre (including sui generis, C3, E, and F2 uses and a flexible community use building), open space, ancillary infrastructure and associated works (all matters reserved except for access)	Pending consideration
--------------	--	--------------------------

3. The Application Submission

a) Summary of Proposals

- 3.1 This outline planning application seeks permission for up to 130 dwellings with associated infrastructure. All matters are reserved except for access from Uppingham Road (A47), which is the only matter to be considered in detail at this stage. Appearance, landscaping, layout and scale are reserved for future consideration through Reserved Matters.
- 3.2 The primary vehicular access would be formed by a new junction from Uppingham Road (see **Figure 14**). The submission states that vehicular access points will be provided onto Zouche Way and Harcourt Grove. It is intended that internal roads would be built to adoptable standards, although this is a detailed matter for consideration at Reserved Matters stage.
- 3.3 A Development Masterplan has been provided, showing a suggested layout for the development. Whilst this is not for approval it does provide details of how the development could be laid out (see **Figure 6**).
- 3.4 The Design and Access Statement states that the site would provide approximately 4.5 hectares of net developable land, together with areas of amenity green space and natural and semi-natural greenspace. Based on a maximum of 130 dwellings, the scheme would achieve an average density of around 29 dwellings per hectare within the development parcels. The proposed development is expected to comprise mainly two-storey homes, with some three storey and bungalow provision and it would include a mix of detached, semi-detached and terraced properties.

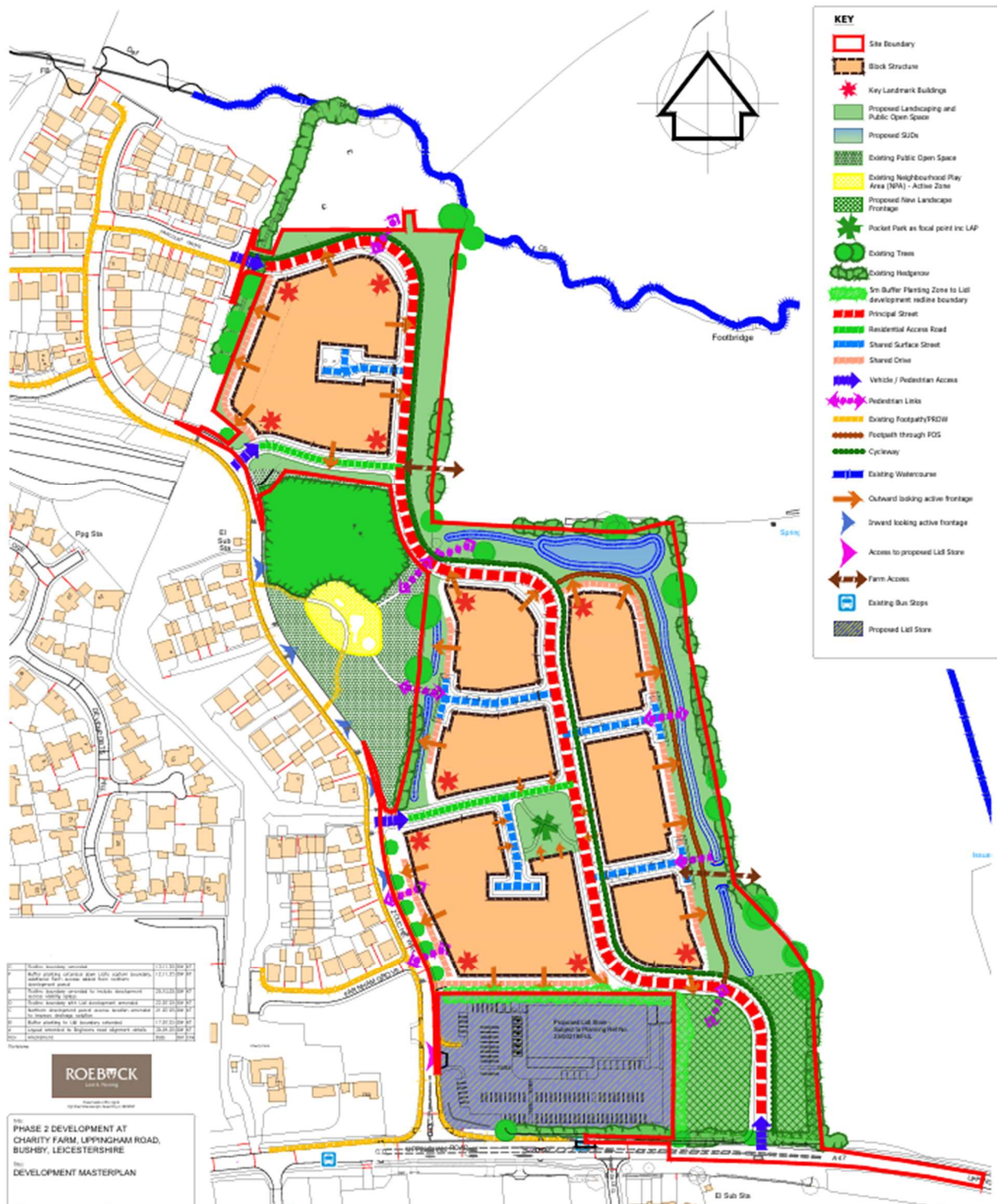


Figure 6: Development Masterplan

b) Schedule of Plans and Supporting Statements/Documents

3.7 The application has been supported by a series of plans:

- Site location plan
- Baseline Habitat Plans
- Development Masterplan
- Proposed Site Access Junction (Uppingham Road) Rev P04

- Proposed Site Access Junctions Rev P02
- Sketch Appraisal
- Topographical Survey

and the following reports:

- Arboricultural Impact Assessment (October 2025)
- Agricultural Land Classification and Considerations (November 2025)
- Archaeological Desk-Based Assessment (May 2025)
- Biodiversity Metric Calculation (November 2025)
- Breeding Bird Survey Report (October 2025)
- Design and Access Statement (November 2025)
- Desktop Utility Search (November 2025)
- Environmental Noise Assessment (March 2026)
- Flood Risk Assessment & Drainage Strategy Report (Version 5.0 February 2026) & Technical Note (March 2026)
- Landscape and Visual Impact Assessment (November 2025)
- Phase 1 Site Appraisal (May 2025)
- Planning Statement (November 2025)
- Preliminary Ecological Appraisal (October 2025) and Technical Notes (November 2025 & March 2026)
- Residential Travel Plan (October 2025)
- Road Safety Audit (March 2026)
- Statement of Community Involvement (August 2025)
- Sustainability Statement (March 2026)
- Technical Note (Minerals) (March 2026)
- Transport Assessment (October 2025) and Technical Note (March 2026)

c) Pre-Application advice

- 3.8 Pre-application advice was given in February and May 2025. It included consideration of the principle of development, heritage, highways, biodiversity, drainage and flooding, master planning, EIA screening, validation requirements and public consultation. The applicant subsequently undertook public consultation with the local community in late June and into July 2025. The planning application includes a Statement of Community Involvement which explains the community engagement undertaken by the applicant.

4. Consultations and Representations

- 4.1 Consultations with technical consultees and the local community were carried out on the application.
- 4.2 A summary of the technical consultee responses which have been received are set out below (see **Figure 7**). Developer contributions requests are also set out in **Appendix B**. If you wish to view comments in full, please request sight or go to www.harborough.gov.uk/planning

a) Statutory & Non-Statutory Consultees																
Consultee	Date	Summary														
National / Regional Bodies																
Active Travel England	17.12.25	Directs the Local Planning Authority to the ATE standing advice														
Environment Agency	12.12.25	There are no other environmental constraints associated with the application site which fall within the remit of the Environment Agency.														
Historic England	17.12.25	Directs the Local Planning Authority to the Historic England published advice and suggests seeking the views of the Council's specialist conservation and archaeological advisers.														
Leicestershire Fire & Rescue	11.12.25	Makes no comments.														
Leicester, Leicestershire & Rutland Integrated Care Board	12.12.25	Advises that without sufficient planning, housing developments have the potential to overstretch existing infrastructure for new and existing communities. To ensure that the health and well-being of the local community is protected, the ICB maintains that S106 funding is essential to help mitigate the impact/support the needs arising from the forecasted increase in population and that developer contributions are justified for use to increase access to NHS primary care services by improving patient capacity and flow. (See Appendix B)														
Leicestershire Police Designing Out Crime Officer	16.12.25	Advises that crime statistics for the surrounding area can be described as medium. Available data indicates that anti-social behaviour and burglary are among the most commonly reported incidents. The application submission confirms that the development will adhere to the principles outlined in the Secure by Design guides and a planning condition is recommended to ensure compliance with the latest New Homes guidance and to embed crime prevention measures with the designs.														
Severn Trent Water	n/a	No representation submitted.														
Sport England	15.12.25	The proposed development does not fall within Sport England's statutory remit and, therefore, Sport England has not provided a detailed response in this case but provides general advice to aid the assessment of the application.														
The Office of the Police & Crime Commissioner For Leicester, Leicestershire & Rutland	16.12.25	Advises that developer contributions toward capital infrastructure are essential ensuring the new developments do not place unsustainable pressure on existing police resources. The summary of S106 contributions requested as set out in the consultation response is: <table><tr><td colspan="2">Summary : S106 Contribution Requested:</td></tr><tr><td>1. Equipment for Police Officers, PCSO's, Specials, Staff)</td><td>£8,024.02</td></tr><tr><td>2. Infrastructure and Estate Support</td><td>£37,705.41</td></tr><tr><td>3. Fleet Requirements for New Development</td><td>£2,641.27</td></tr><tr><td>4. Transforming Policing Through Technology</td><td>£6,292.00</td></tr><tr><td>5. Crime Reduction and Prevention Initiatives</td><td>£6,292.00</td></tr><tr><td>Total Contributions</td><td>£60,954.70</td></tr></table>	Summary : S106 Contribution Requested:		1. Equipment for Police Officers, PCSO's, Specials, Staff)	£8,024.02	2. Infrastructure and Estate Support	£37,705.41	3. Fleet Requirements for New Development	£2,641.27	4. Transforming Policing Through Technology	£6,292.00	5. Crime Reduction and Prevention Initiatives	£6,292.00	Total Contributions	£60,954.70
Summary : S106 Contribution Requested:																
1. Equipment for Police Officers, PCSO's, Specials, Staff)	£8,024.02															
2. Infrastructure and Estate Support	£37,705.41															
3. Fleet Requirements for New Development	£2,641.27															
4. Transforming Policing Through Technology	£6,292.00															
5. Crime Reduction and Prevention Initiatives	£6,292.00															
Total Contributions	£60,954.70															
LCC																
Archaeology	18.12.25	Advises: - There is a low potential for significant archaeological remains - On the ridge and furrow Recommends - The southernmost area within the proposed new landscape frontage should														

		retain the ridge and furrow earthworks - An Earthwork Survey across the development would also be necessary to record the ridge and furrow remains to be destroyed by the proposed development. - Further post-determination trial trenching will be required in order to define the full extent and character of the necessary archaeological mitigation programme.
Developer Contributions	05.06.26	Sets out infrastructure requirements which will require S106 contributions to mitigate the impact of the development on Libraries, Early Years Education, Secondary Education, Primary SEND Education and Secondary SEND Education.
Ecology <i>1st consultation</i>	11.02.26	Advises that further information is required as regards: • European Protected Species – Otter • Protected species – Badger • Mandatory Biodiversity Net Gain
Ecology <i>On re-consultation</i>	01.04.26	Advises that there is sufficient ecological information available to support determination of this application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable. Planning conditions are required.
Highways	23.01.26; 24.04.26; 11.05.26; 27.05.26	The Local Highway Authority does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Without this information the Local Highway Authority is unable to provide final highway advice on this application (see Appendix C for full representations).
Highways <i>On final re-consultation</i>	12.06.26	The Local Highway Authority advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 116 of the National Planning Policy Framework (2024), subject to the conditions and/or planning obligations outlined in this report (see Appendix C for full representation).
LLFA	15.01.26	Advises that further information is required with an updated drainage strategy and queries the appropriateness of drainage work being located outside of the application site boundary. And the LLFA makes the following comments: The 6.94ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a low to high risk of surface water flooding. The proposals seek to discharge at 7.4 l/s via swales and use of the Phase 1 attenuation basin to the northern watercourse for the northern land parcel. The proposals seek to discharge at 22.8 l/s via swales, attenuation tanks and attenuation ponds to the ordinary watercourse along the western boundary for the southern land parcel. Note that NPPF gives weight to emerging policy with Harborough's Emerging Local Plan seeking to implement policy requiring a 20% reduction over greenfield QBAR discharge rates. The applicant should ensure that all relevant surface water policy is being considered and that the more onerous elements of relevant policies are used. Drainage strategy should be updated to reflect this reduction in runoff rates.

		The LLFA would like to draw attention to the LPA that the pond and hydrobrake to be used for the attenuation and the outfall for the northern parcel is outside of the red line boundary. The LLFA would like confirmation from the LPA/developer that this is acceptable and that enforcement can still be taken on land within the blue line boundary. The attenuation tanks are located underneath the highway in the southern parcel. The LLFA does not have concerns regarding this location, however the developer should note that LCC Highways will not adopt the tank itself or the road if the tanks are located underneath. Therefore, the developer should be aware of these adoption issues. Notwithstanding any surface water drainage details submitted under this application, as the proposals are for outline permission, no specific drainage elements are fixed at this stage. As such, the LLFA would require that later reserved matters and detailed design fully comply with the new National Standards for SuDS and to any other amended local or national policy/guidance relevant at the time of submission of those details. This includes (but is not limited to) a re-assessment of discharge rates, contributing areas, attenuation scale and the retention of the first 5mm of rainfall on-site. Any departure from the standard should be fully substantiated and agreed with the LLFA.
LLFA <i>On re-consultation</i>	13.03.26	Advises the proposals are acceptable subject to the inclusion of conditions and comments: - Previous LLFA queries have now been addressed. - Notwithstanding any surface water drainage details submitted under this application, as the proposals are for outline permission, no specific drainage elements are fixed at this stage. As such, the LLFA would require that later reserved matters and detailed design fully comply with the new National Standards for SuDS and to any other amended local or national policy/guidance relevant at the time of submission of those details. This includes (but is not limited to) a re-assessment of discharge rates, contributing areas, attenuation scale and the retention of the first 5mm of rainfall on-site. Any departure from the standard should be fully substantiated and agreed with the LLFA.
Mineral Planning Authority <i>1st consultation</i>	03.02.26	Advises that a Minerals Assessment should be undertaken in line with Policy M11 of the LMWLP.
Mineral Planning Authority <i>On re-consultation</i>	21.04.26	Advise that the Minerals Resource Assessment is acceptable and prior extraction of mineral deposits that lie beneath the site would not be a viable operation to be carried out prior to development taking place.
HDC		
Conservation Officer	06.01.26	Advises: • The Historic Environment Record (HER) indicates a number of archaeological points of interest in the vicinity of the site. Detailed comments on archaeological should be considered by the County Archaeological Team • The proposed masterplan indicates that the development would cover the whole of the onsite ridge and furrow causing substantial harm and total loss of the heritage asset • The former Great Northern Railway used to run through the two parcels of land and the development would result in less than substantial harm to this

		heritage asset • Comments on the relationship between the site and nearby listed buildings and the Thurnby & Bushby Conservation Area • Concludes that the proposal would result in harm to the identified heritage assets through the loss of rural landscape that currently contributes positively to the character and significance of their setting
Contaminated Land and Air Quality Officer	08.01.26	Advised that pre-commencement conditions concerning a risk based land contamination assessment and associated verification is required.
Environment Coordinator <i>1st consultation</i>	13.01.26	Policy CC1 has not been properly considered in the application submission and further information is required.
Environment Coordinator <i>On re-consultation</i>	26.03.26	The new Sustainability Statement lays out the approach to meet the requirements of Policy CC1.
Environmental Health <i>1st consultation</i>	12.01.26	Advises that an acoustic insulation scheme to include mechanical ventilation may be needed. This will need to be included in the detail of the application. Before determination of this outline planning application an acoustic survey is needed to assess existing noise levels from traffic and the approved supermarket to the south of the proposed housing.
Environmental Health <i>On reconsultation</i>	02.06.26	Advises that the future occupants of the development will not be subjected to excessive noise levels from the A47 and the new supermarket development and therefore has no objections to the proposals.
Environmental Services (Waste)	11.12.25	Requires a planning obligation to be secured to fund the provision of household waste and recycling receptacles for the new households.
Neighbourhood and Green Spaces Officer	19.01.26	Advises: • All POS should be provided on site except Outdoor Sports Provision, Greenways and cemetery provision. • Attenuation basins may count towards the provision of natural and semi natural greenspace if they are planted for habitat • and biodiversity. • Two farm accesses are proposed from the development. Previous developments have experienced problems with farm vehicles using estate roads and this should be given careful consideration and alternative access provided • The landscape proposals must be supported by a Landscape Management Plan and include a timetable for implementation and proposals for ongoing maintenance. The open space requirement that the site generates as a minimum would be 3.63975 hectares. Off site contributions are required for the enhancement of existing facilities or provision of new facilities. (See Appendix B)
Strategic Housing and Enabling Officer	07.01.26	The site will be subject to the HDC affordable housing requirement of 40% which equates to 52 affordable housing units. We generally stipulate 60% (21 units) to be provides as social and/or affordable rent and the 40% balance (14 units) to be provided as Shared Ownership or Intermediate units. The Affordable units must conform to Homes England Development Standards.
S106 Grants Officer	13.03.26	The development will generate additional demand for sports facilities. If this demand is not adequately met then it may place additional pressure on existing

		sports facilities, thereby creating deficiencies in facility provision. New developments should be expected to contribute towards projects which will improve the existing facilities to make them better able to meet the demand for sports hall space. A community facilities contribution is required to make this development acceptable in planning terms which would be allocated to projects supporting community facilities in the locality. (See Appendix B)
<i>Cllrs / Parish Councils / Neighbouring Authorities</i>		
Thurnby & Bushby Parish Council	14.01.26	Submits a neutral response, along with the following concerns: - Increased risk of flooding to existing residences close by, which will likely be worsened if this development goes ahead.
Leicester City Council	20.01.26	Supports the principle of providing residential development of the size proposed at this location, does not raise concerns in relation to traffic impact on the network and makes comments as regards: - Housing requirements and delivery - Local Plan site allocations - Settlement hierarchy and the Leicester Principal Urban Area - Cumulative impacts - Green wedges - Air quality - Transport impacts - Education impacts - Recommends that the application includes; - Bus pass contribution - Cycle signage - An air quality assessment - A construction environmental management plan or dust management plan
<i>Local interest groups</i>		
Thurnby & Bushby Society	11.01.26	Objects to the application on the following matters: • Landscape impact • Green area left on the south-eastern area of the site adjacent to the A47 • Housing blocks being sited onto the escarpment to the north of the field. The escarpment might qualify to be part of a Green Wedge • Ecological impacts • Traffic impacts including congestion and safety issues • Site has poor public transport and unreasonable walking and cycling distances • The site has inadequate access to facilities and services • Bushby cannot support more development • Greenfield sites should not be considered for building sites
CPRE Leicestershire	24.05.26	Objects to the application on the following matters: - Adverse impacts on the countryside, landscape character and setting of Bushby - Adverse impacts on the separate identity of Bushby and nearby settlements - Loss of agricultural land - Ecological and biodiversity impacts - Reliance upon off-site BNG compensation - Heritage impacts - Concerns regarding highways and transport sustainability

		- Conflicts with the Harborough Local Plan and risk undermining the plan-led system - The environmental impacts outweigh the claimed benefits of housing delivery
--	--	--

Figure 7: Summary of responses from consultees

b) Local Community

1. Objections

- 4.3 63 letters were distributed to properties within the surrounding locality in December 2025, with site notices being posted in the vicinity. 29 representations have been received from the following areas:

Dalby Avenue	Seagrave Drive
Farnham Grove	Uppingham Road
Ferrers Drive	Winkadale Close
Harcourt Grove	Zouche Way
Hollies Way	Main Street, Thurnby
Quency Avenue	The Square, Thurnby

- 4.6 Officers note that many of the representations are detailed. Whilst regard has been had to these in assessing this application, it is impractical to copy these verbatim and therefore a summary of the key points is provided at **Figure 8** below. Full copies of all representations (and photographs submitted by residents) can be viewed at www.harborough.gov.uk/planning.

Issues of Principle	• Elements of the Local Plan may be considered out of date, but the Local Plan is a material consideration and must still be afforded full weight. • The draft Local Plan identifies a further 90 dwellings in Thurnby & Bushby and this application exceeds this amount in Bushby alone. Bushby cannot absorb more houses • Lack of evidence that a development of this size is required in this location • If housing need exists it should be addressed through smaller and carefully planned schemes • Scale of the proposal is wholly disproportionate to the size of Bushby • Would not be a sustainable development • Conflicts with local and national planning policy • Would cause more problems than it would solve • 2013 High Court decision confirms harm resulting from development is a valid reason for refusal even where housing land supply considerations apply • Cumulative harm arising from the development justifies refusal of planning permission • A similar application has previously been rejected • Rural land should be retained and not covered in concrete. Once built on it is lost forever. • New development should be built on brownfield sites. Brownfield sites should be properly exploited and then development on greenfield sites could be avoided.
Highways issues	• Would result in increased traffic including onto the busy, congested, dangerous and fast A47 which is a main route into Leicester • The new access onto the A47 could result in more vehicles joining the A47 which would be dangerous • Would adversely impact on road safety for residents and pedestrians • There is increasing traffic joining the A47 via Main Street and Grange Lane at peak times, using them as a rat run and causing congestion and highway safety risks including near the school • Additional traffic would be dangerous and existing residents would suffer more traffic congestion • Vehicles mount pavements during school start and finish times

	• Village roads were not designed for this amount of traffic • The Transport Assessment fails to account for several committed and proposed developments in the area • The Transport Assessment and Planning Statement are inaccurate • The Transport Assessment misses the impact of extra traffic on local roads without signalised junctions • Impacts of a new roundabout on the A47 (proposed under a separate application) • One road in and out of the development is insufficient • Lack of public transport to serve the development means new residents will be highly dependent on private cars • Object to access through Harcourt Grove which is a quiet cul-de-sac and relied on for resident parking. The development would result in the loss of on-street parking on Harcourt Grove • Development would have insufficient parking provision • The County Council recognises that there is no supporting infrastructure for further housing developments in this area • 2005 High Court decision confirmed highway impacts can justify refusal of planning permission
Landscape and Visual issues	• One of Bushby's defining characteristics is the green, peaceful, village environment founded on its agricultural location. • The development would be out of keeping and harm the character and appearance of Bushby and the landscape • Development proposal bears no meaningful relationship to its rural setting • The unspoilt natural beauty of the area is enjoyed by residents and the loss of this is unacceptable • Cumulative impact of the proposed housing with a new Lidl supermarket • Object to building on countryside • Would destroy the green wedge • Would result in urban sprawl eroding the open and rural setting of the village • Loss of distinct identity of villages • Would blur the transition from village to countryside and diminish the openness that currently defines the edge of Bushby • The countryside is valued by residents and visitors • The development would be out of keeping with the established pattern of development surrounding Harcourt Grove • The existing Bloor development has had a detrimental impact on the area • Further high-density and low-quality development with minimal green space will have a negative impact. • The scale and layout of the development does not reflect the sensitivity of the site or the prominence of the site within the landscape • New developments are not planned to integrate new with old • Cumulative impacts on the village character from this and other speculative outline planning applications
Socio-Economic issues raised through representations	• The high number of family sized homes proposed is contrary to the Local Plan and the NPPF • Would place further pressure on infrastructure and local services including schools, healthcare, leisure and community facilities • There is no evidence that services have capacity to accommodate the development and no mitigation commitments are provided • Cumulative impact on facilities with developments also proposed in Houghton On The Hill, Billesdon, Stoughton and elsewhere in Bushby & Thurnby

	• 1995 High Court decision established mitigation must be necessary, directly related and fairly and reasonably related in scale to the development and this proposal does not meet this test. • More development will destroy the village feel and sense of community of Bushby • Questions whether building houses in this location would meet the needs of people under the greatest housing pressure.
Flooding and drainage issues	• Concerns regarding surface water drainage, flood risk and drainage capacity • Would add to flooding issues at Thurnby Brook to the south of Zouche Way • Thurnby Brook drains this site and flooding from the brook into houses on Cranbrook Road occurred in 2025 • Existing Bloor estate suffers from surface water runoff into roads and garages, the front garden of a house of Harcourt Grove floods and the drains cannot cope • Sustainable urban drainage did not prevent flooding in 2025 • Would result is the loss of permeable green land replaced by hardstanding • Site topography means there will be problems with flood water • Would cause issues downstream to properties already at risk of flooding • No provision for SUDS in the northern parcel. Questions whether this is because of the applicant's views on SUDS • Cumulative impacts of the proposal and other developments in the area needs to be assessed • 2014 High Court decision confirmed that uncertainty regarding flood risk can justify refusal of planning permission
Ecological issues	• The site has an abundance of wildlife which would be adversely impacted. • The application provides insufficient information on ecological matters and on mitigation and is contrary to national and local planning policies • The development would result in the loss and fragmentation of habitats • The site abuts an old railway cutting which is a wildlife corridor and the value is missed in the Planning Statement • No commitment to retain the 9 category A oak trees • Commitment to BNG appears low. BNG should be achieved locally
Residential amenity issues	• Adverse impact for existing residents from traffic and the scale and density development proposed. • Development would result in unacceptable overlooking, loss of privacy and an overbearing impact on houses on Harcourt Grove • Development would result in overshadowing and loss of daylight to nearby properties and gardens • The development would result in noise and disturbance during construction and once occupied. • Negative impact on the quality of life for existing residents • The application includes insufficient information as regards protection of residential amenity of existing houses. • 2004 House of Lords decision confirmed residential amenity is a material consideration • Moved to Bushby for the open air and scenery which would be spoilt by the proposed development. • The lack of reliable public transport disproportionately affects younger and elderly residents, limiting independence and contributing to social isolation and mental health concerns. • Development would adversely impact on the health and wellbeing of residents

Other issues raised through representations	• Impact of scale and density of development proposed • Noticeable decline in the quality and character of housing developments in Leicestershire and Leicester City • It will fall to residents to pay for the upkeep of the road • Would result in increased air pollution and carbon emissions with reduced numbers of trees and vegetation to filter carbon dioxide • Masterplan should be modified to build on the old railway cutting • Developers should not be allowed to submit applications for development on sites where planning permission has previously been refused • Speculative outline planning application across Stoughton, Houghton on the Hill, and Bushby & Thurnby. Each proposal appears to be prepared in isolation, without due regard to the cumulative and holistic impact on the surrounding villages. • Development will place strain on utilities • More light pollution • Crime levels will increase • Would result in the loss of agricultural land • Loss of historically important ridge and furrow
--	--

Figure 8: Summary of issues raised in representations through consultation with local residents

5. Planning Policy Considerations

5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides that planning applications must be determined in accordance with the provisions of the development plan, unless material considerations indicate otherwise.

a) Development Plan and material planning considerations

- *Local Plan for Harborough District*

5.2 The following Policies are of relevance to the decision-making process for this application:

SS1 – The Spatial strategy
 GD1 – Achieving sustainable development
 GD2 – Settlement Development
 GD4 – New housing in the countryside
 GD5 – Landscape character
 GD7 – Green Wedges
 GD8 – Good design on development
 GD9 – Minerals Safeguarding Areas
 H1 – Provision of new housing
 H2 – Affordable housing
 H4 – Specialist housing
 H5 – Housing density, mix and design
 HC1 – Built heritage
 GI1 – Green infrastructure networks
 GI2 – Open space, sport and recreation
 GI5 – Biodiversity and geodiversity
 CC1 – Mitigating Climate Change
 CC3 – Managing flood risk
 CC4 – Sustainable drainage
 IN1 – Infrastructure provision

IN2 – Sustainable transport
IN3 – Electric connectivity

- *Leicestershire Minerals and Waste Local Plan*
Policy M11 – Safeguarding of Mineral Resources

b) Other Relevant legislation

- *The NPPF 2024*

5.3 The following sections are of relevance to the decision-making process for this application:

Section 2: Achieving sustainable development
Section 4: Decision making
Section 5: Delivering a sufficient supply of homes
Section 8: Promoting healthy and safe communities
Section 9: Promoting sustainable transport
Section 11: Making efficient use of land
Section 12: Achieving well designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment
Section 17: Facilitating the sustainable use of minerals

- *Other Material Considerations*

5.4 The following documents are all material considerations in the decision-making process. The weight to be attributed to these is one for the decision maker to consider.

- Development Management SPD (2021)
- Planning Obligations SPD (2022)
- HDC 5 Year Land Supply Position Statement (November 2025)
- Harborough District Council Landscape Sensitivity Assessment for potential residential and employment sites (2024)
- Harborough District Council Climate Local Action Plan (2015)
- Harborough District Council Declaration of Climate Emergency (June 2019)
- Harborough District Council 5 Year Housing Land Supply Statement (Nov 2025)
- Harborough District Council Playing Pitch Strategy (2022)
- Harborough District Council Open Spaces Policy and Guidance (2026)
- Harborough District Council Equality Plan (Strategy) 2025/28 (adopted 2024)
- National Planning Practice Guidance
- “Building the homes we need” Ministerial Statement made on 30th July 2024 by Angela Raynor MP (then Deputy PM and SoS for Housing, Communities and Local Government)
- Open consultation – National Planning Policy Framework: proposed reforms and other changes to the planning system (Dec 2025)
- Leicestershire Highways Design Guide
- Leicestershire, Leicester and Rutland Local Nature Recovery Strategy (July 2025)
- Leicestershire Planning Obligations Policy (2019)
- National Design Guide – Planning practice guidance for beautiful, enduring and successful places
- Building for a Healthy Life (2026)

5.5 The following legislation is relevant to the consideration of this application:

- Town and Country Planning Act 1990 (as amended)

- The Town and Country Planning (Development Management Procedure) Order 2015 (as amended)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 'EIA Regs'
- Environment Act 2021 (as amended)
- Climate Change Act 2008
- The Community Infrastructure Levy Regulations 2010 (No. 948) (as amended)
- Circular 11/95 Annex A - Use of Conditions in Planning Permission

Public Sector Equality Duty

- 5.6 In carrying out its functions the local planning authority must, in accordance with section 149(1) of the Equality Act 2010, have "due regard" to the need to:
- a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it

6. Assessment

a) Principle / Five Year Housing Land Supply

Harborough Local Plan

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 stipulates that in determining planning applications, determination must be in accordance with the development plan unless material considerations indicate otherwise. The development plan for Harborough District Council (HDC) is the Harborough Local Plan 2011-2031 (adopted April 2019).
- 6.2 Policy SS1 of the Local Plan sets out the spatial strategy for Harborough District to 2031 to manage and plan growth to appropriate locations in accordance with a settlement hierarchy. It sets the settlement hierarchy for the District and identifies Thurnby & Bushby as part of the Leicester Principal Urban Area (PUA), a sustainable location for development.
- 6.3 The Local Plan does not include any allocations for development of the application site (see **Figure 9**). Land designated as green wedge is situated to the north and east of the northern parcel of the application site. The application site is not situated in the green wedge.

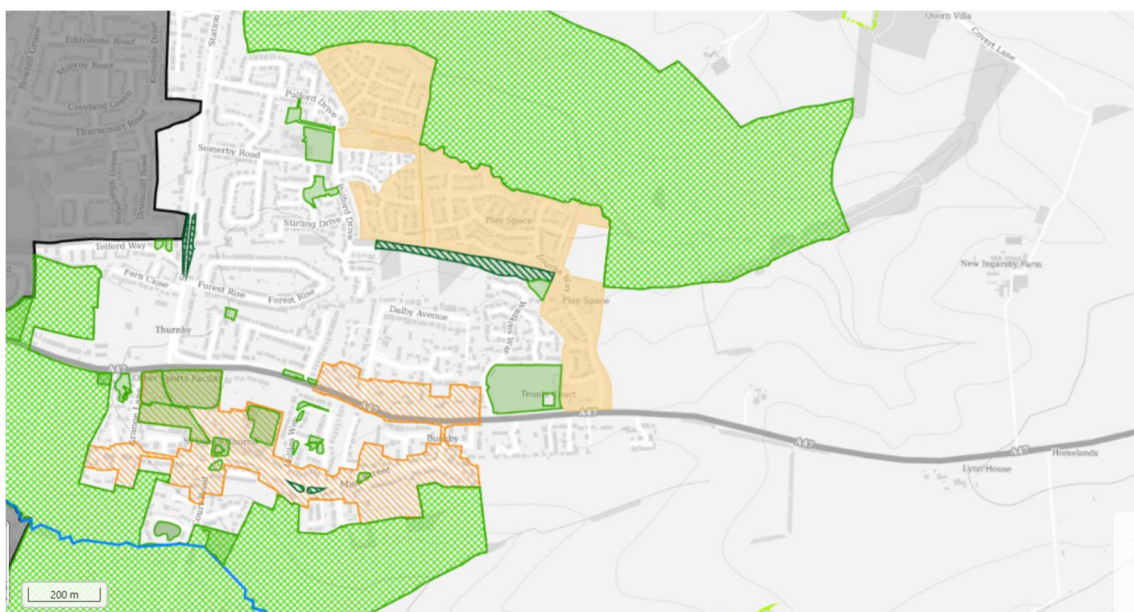


Figure 9: Extract from the Local Plan Proposals Map

- 6.4 The site adjoins the existing built form of Bushby and thus Policy GD2.2 is most relevant of the general development policies. This supports development in the PUA, providing that a number of criteria (a-g) are met. The first three criteria are either/or (a or b or c); the remaining criteria (d-g) must all be met.
- 6.5 Taking these in turn, Part 2.a. of the policy states that where there is no residual minimum housing requirement due to allocations, completions and commitments, only minor additional residential development will be supported. The proposal is for major development (the site area exceeds 0.5ha) and thus fails this criterion.
- 6.6 Part 2.b of GD2 supports development where it will meet an identified district-wide housing need. The Council cannot currently demonstrate a 5-year supply of housing and as the proposal is for residential development which would help to meet this need, the proposal finds support from this criterion. Criterion c is not relevant to the proposal (conversions).
- 6.7 Criterion d supports proposals where “its scale individually or cumulatively with existing and committed development reflects the size of the settlement concerned and the level of service provision within that settlement”. This part of the PUA is the largest area within the settlement hierarchy and has a full range of services. With the exception of the allocation at Scraftoft North and the committee resolution to approve, subject to a S106, application 25/00767/OUT for up to 200 dwellings at Beeby Road, Scraftoft, there are no further Major housing developments committed within the area, although there are a number of pending applications. The proposal is considered to meet this criterion.
- 6.8 GD2.2e permits development where “it is physically and visually connected to and respects the form and character of the existing settlement and landscape”. The site is physically and visually connected to the eastern edge of Bushby. Landscape impacts are considered below and subject to further consideration of whether the proposal respects the form and character of the existing landscape, it is considered to mostly comply with this criterion.
- 6.9 The proposal as indicated on the Concept Masterplan and the supporting information, retains all natural boundaries except for the loss of a small portion to create the points of access. It is thus considered to comply with GD2.2f. GD2.2g is not relevant to the

proposal as it is neither within a designated Green Wedge nor within a Local Plan designated Area of Separation.

- 6.10 The proposed development is on a site which adjoins the committed built-up area of part of the PUA and meets a District-wide housing need. Subject to specific consideration of whether the site respects the form and character of the existing landscape, the principle of development is considered to accord with GD2.
- 6.11 Policy H1 of the Local Plan allocates housing numbers to sustainable settlements in accordance with the settlement hierarchy of SS1. The numbers given are “in addition to existing commitments and completions and the allowance for windfall” with 1200 allocated to Scraftoft within an allocated Strategic Development Area. Whilst the allocation remains, the Council has disposed of the submitted planning application for the full development of this site, and this site is not proposed to be carried forward for allocation within the emerging Local Plan. For this reason and given the Council’s lack of a 5-year supply of housing, the wording and numbers of this policy are considered out of date and officers consider the policy should attract reduced weight in the planning balance. An application for part of the Strategic Development Area (application 26/00474/OUT) for up to 190 dwellings was received in May 2026.
- 6.12 The Local Plan requires that development delivers affordable housing, with Policy H2 setting out that this should be delivered as 40% of the total number of dwellings on a site, with a tenure split of 75% affordable/social rented, 25% low-cost home ownership product. The policy includes some flexibility on the tenure split according to the latest assessment of affordable housing need. The consultation response from the Council’s Strategic Housing and affordability officer reflects this, and the submission sets out the applicant’s commitment to providing policy-compliant affordable housing on the site. This can be secured by the S106 legal agreement and thus officers consider that the proposal will comply with Policy H2.
- 6.13 Policy H4 of the Local Plan relates to specialist housing, requiring that at least 10% of dwellings on any site of 100+ dwellings should be specialist housing. The supporting text to the policy explains that this is a form of “sheltered or extra care accommodation where the occupiers receive care and assistance of some kind, but live in self-contained dwellings and have a degree of independence”. The policy also requires that specialist accommodation should be conveniently situated in relation to local retail and community services. This goes beyond the sustainable location requirements of the Settlement Hierarchy (Local Plan policy SS1 and others) as services must not only be present, but also conveniently situated. Noting both the distance and number of road crossings between the site and the nearest community services in Thurnby & Bushby, officers consider that were specialist housing to be proposed on the site, it would not meet the requirement of Local Plan H4 in terms of its convenience. In the opinion of officers, requiring this provision by condition would not meet the six tests. However, the application documents do state that the applicant’s anticipate that a number of bungalows could be provided.
- 6.14 Policy H5 requires that proposals for housing development make “efficient use of land”, maximising density for the most sustainable sites. Whilst layout is a reserved matter, the submitted parameters plan and supporting information indicates that on this 7.22 hectare site, the net developable area would be 4.5 hectares, with a proposed density of around 29 dwellings per hectare. The indicative masterplan shows that the development can be designed to respect the site’s edge-of-countryside location. Bearing in mind that the proposal is for “up to 130 dwellings” (so the description allows flexibility for fewer than this) and that layout, scale and appearance are Reserved Matters, officers judge that the proposal makes efficient use of land in accordance with Policy H5.

including H1, are considered to be out-of-date. On this basis, HDC DM Officers are pragmatically and responsibly looking to engage Paragraph 11d of the NPPF and apply a “tilted” balance when assessing proposals for housing schemes in so far as Policy H1 being considered to be “out of date” with regards to the supply of housing land, and sustainable development being approved.

6.20 Paragraph 11d of the NPPF requires schemes to be granted permission unless

*“i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed” (these are defined in footnote 7 of the NPPF as land which is designated as SSSI, Greenbelt, Local Green Space, a National Landscape, a National Park, irreplaceable habitats, and designated Heritage assets); “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”.*

Emerging Harborough Local Plan (2020-2041)

6.21 The Council has submitted the emerging Local Plan to the Planning Inspectorate for examination. The emerging Plan focuses residential development predominantly on the Leicester Urban Area and Market Harborough which is largely a reflection of the higher levels of existing or potential accessibility to public transport

6.22 Emerging Local Plan Policy SA01 includes the application site as within proposed housing allocation TB1 for 125 dwellings (see **Figure 11**) The emerging policy sets out the following requirements for the site:

“1. The design and layout of development proposals must encourage a high degree of integration and connectivity between new and existing communities.

2. Assessments of traffic impacts should consider the interaction between the Thorpebury in the Limes SDA in Charnwood between Thurmaston and Syston and Syston and neighbouring Scraftoft developments that may provide connections to the A563 and A607/A46. The impacts will be informed by a Transport Assessment that sets out off-site and on-site transport measures to mitigate impacts from the development.

3. Existing hedgerows and associated trees will be retained and reinforced wherever possible, particularly along the southern and eastern boundaries.

4. The site is at risk from surface water flooding and may be at risk from fluvial flooding from Thurnby Brook. A site-specific Flood Risk Assessment will be required to assess the risk of surface water flooding and access/egress arrangements. A carefully considered and integrated flood resilient and sustainable drainage design will also be required, including a site-specific Surface Water Drainage Strategy, and SuDS maintenance and management plan. The sequential approach to layout should be taken to avoid development in water flood risk flow routes.

5. The site is close to the safeguarded waste site Houghton on the Hill Sewage Treatment Works. Any planning application must demonstrate that there would be no impacts on or to the amenity of development and that the proposed development would not prejudice waste operations”.

- 6.23 The Inspectors have been asked by the Council to consider the following modification to the criteria for allocation TB1:

“Add criterion to policy requirements: A Minerals Assessment must accompany the proposal, in accordance with Policy M11 of the Leicestershire Minerals and Waste Local Plan”.

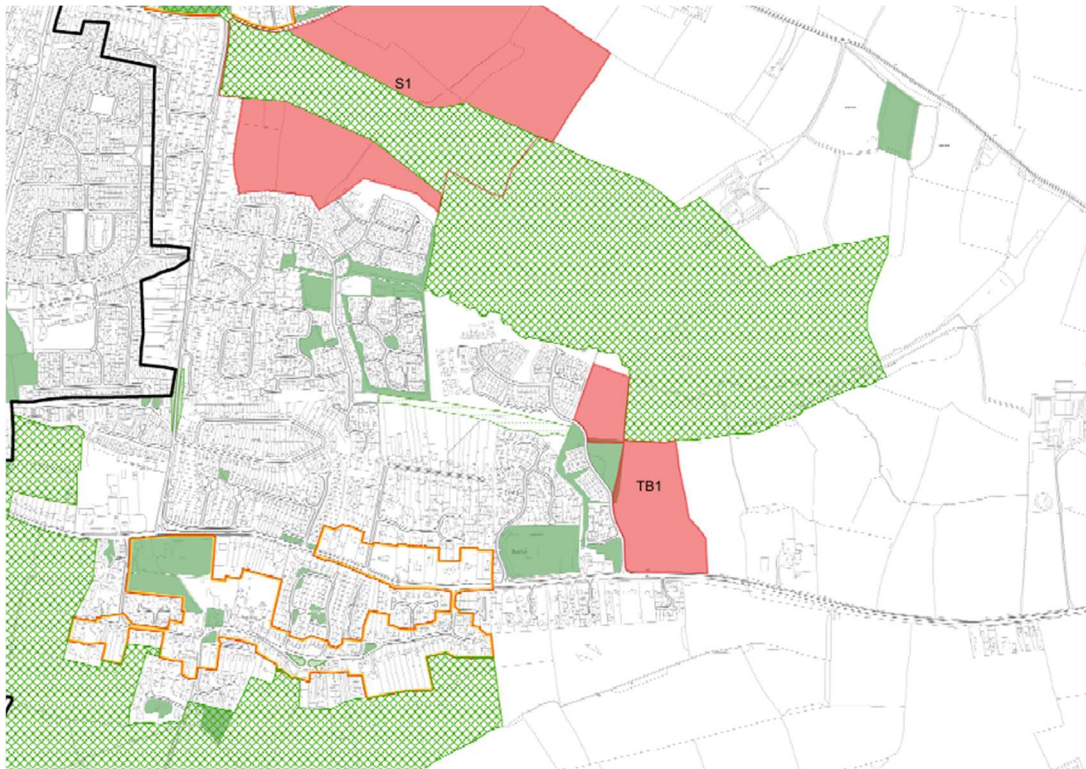


Figure 11: Extract from Policies Map for the Submission visions of the emerging Harborough Local Plan 2020 – 2041 (submitted for examination)

- 6.24 In accordance with Para 49 of the NPPF, limited weight should be given to the policies contained within the emerging Local Plan as there are still unresolved objections which need to be tested at examination

Conclusion

- 6.25 The site adjoins the existing built up area of Thurnby & Bushby and will provide housing at a time when the Council has an identified District-wide need and at a scale which is proportionate to the settlement (part of Leicester PUA) and its service provision. Subject to final conclusions regarding landscape, the proposal is physically and visually connected to an existing settlement and respects the form and character of the settlement. The principle of development thus accords with policies SS1 and GD2 of the Harborough District Local Plan. It is acceptable in principle under Local Plan policies SS1 and GD2. Even if a reduced weight is afforded to these policies due to the age of the Local Plan and the current housing requirement for the District, the proposal attracts weight from the ‘tilted balance’ as it will provide housing at a time when the Council does not have a 5 year supply. For these reasons, officers judge that the proposal is acceptable in principle.

b) Sustainability Considerations

- 6.26 The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development and LPAs are encouraged to approach decision taking in a sustainable way to foster sustainable development.
- 6.27 The Framework requires LPAs to grant planning permission for sustainable development. Para.8 of the NPPF states: “Achieving sustainable development means that the planning system has three overarching objectives”.
- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring 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 by identifying and coordinating the provision of infrastructure;
 - **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
 - **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 6.28 Sustainable development lies at the heart of the planning framework, at both the national and local level, requiring development to encompass economic, social and environmental benefits. The development of the site for the provision of up to 130 residential dwellings could provide all such benefits for the reasons explained below.

c) Heritage

- 6.29 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act (1990) (the Act) imposes a duty on the decision maker to give considerable importance and weight to the statutory duty to have special regard to the desirability of preserving a listed building or its setting; or any features of special architectural or historic interest which it possesses, when considering whether to grant planning permission for development which affects a listed building or its setting.
- 6.30 Section 16 of the NPPF states that in determining applications, local planning authorities (LPA) should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. This is supported by LP Policy HC1. Policy HC1 states that development affecting heritage assets will be permitted where it protects, conserves, or enhances their significance, character, appearance, and setting, and where possible reveals their significance and enables interpretation.
- 6.31 The application is accompanied by an Archaeological desk-based assessment and the Planning Statement includes the applicant’s assessment of heritage impacts. The County Archaeologist and the Council’s Conservation Officer have been consulted.
- 6.32 There are no designated heritage assets within the application site.
- 6.33 Ridge and furrow is located within the southern part of the application site and the applicant’s report states that it covers around 6.5% of the site. The masterplan shows

that there is potential for retention of part of the ridge and furrow in the open space and green infrastructure and a planning condition is recommended in this regard. An Earthwork Survey across the development would also be necessary to record the ridge and furrow remains to be destroyed by the proposed development. The loss of part of this non-designed heritage asset should be balanced against the benefits of the proposed development.

- 3.34 Part of the site of the former Great Northern Railway crosses the site (see **Figure 12**). The master plan shows how the route of the former railway could be incorporated into the development.

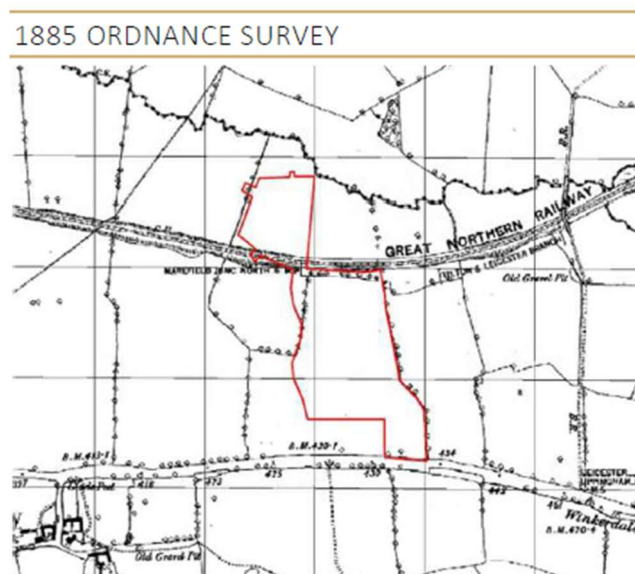


Figure 12: Extract from the Design & Access Statement showing an extract from an 1885 Ordnance Survey map

- 6.35 The nearest Grade II listed buildings are a milestone on Uppingham Road, approximately 0.35km from the site boundary, and Scraftoft Hall Farm farmhouse, approximately 0.45km to the north-east. The listed Church of St Luke in Thurnby would historically have been associated with the surrounding agricultural land, from which tithes were collected as part of the medieval parish economy. Thurnby and Bushby Conservation Area lies to the west of the application site within the historic village core, with the A47 and existing built development separating it from the site.
- 6.36 The Council's Conservation Officer has commented on the relationship between the application site, the proposed development and the designated heritage assets. The Officer identifies the proposed development would result in less than substantial harm to the significance of a designated heritage assets and non-designated heritage assets and/or its setting. The loss of at least part of the ridge and furrow is considered as substantial harm. This harm will therefore need to be weighed against the public benefits of the proposal.

d) Green Infrastructure and ecology

- 6.37 LP Policy GI5 requires that proposals have no adverse impact on protected species or their habitats, incorporate improvements to habitats (including water course habitats), protect and enhance the strategic biodiversity network and wildlife corridors, including river corridors, disused railways and all water courses, make positive contributions and enhancements to biodiversity and maintain biodiversity during construction. The policy

follows the avoid – mitigate – compensate strategy of national policy (NPPF paragraph 193) and recognises that the Harborough District is relatively poor in biodiversity terms.

- 6.38 The NPPF also promotes biodiversity gain (paragraph 187), and mandatory biodiversity net gain (BNG) applies to this application, requiring a minimum of 10% gain above a measured baseline.
- 6.39 The ecological impacts arising from the proposed development have been assessed through the submitted Ecological Appraisal, which is underpinned by a series of ecological surveys of the site. The application has been reviewed by the ecologist at LCC and who does not object to the application subject to the inclusion of conditions. The proposal would deliver mandatory minimum biodiversity net gain and would retain, protect and enhance protected species and their habitats in compliance with Local Plan Policy GI5, the Environment Act and the relevant sections of the NPPF.
- 6.40 LP Policy GI2 requires that new open space, sport and recreation facilities should be provided by new residential development. New publicly accessible open space will be provided as part of the scheme and include both natural and semi natural open space as well as formal play space. The indicative masterplan and Design and Access Statement show how this could be provided on site (see **Figure 13**). The Planning Statement explains “these areas have been strategically located to ensure that there is good natural surveillance as well as providing a rich wildlife habitat”. A financial contribution to off-site outdoor sports and facilities will be required. The proposal therefore accords with Policy GI2.

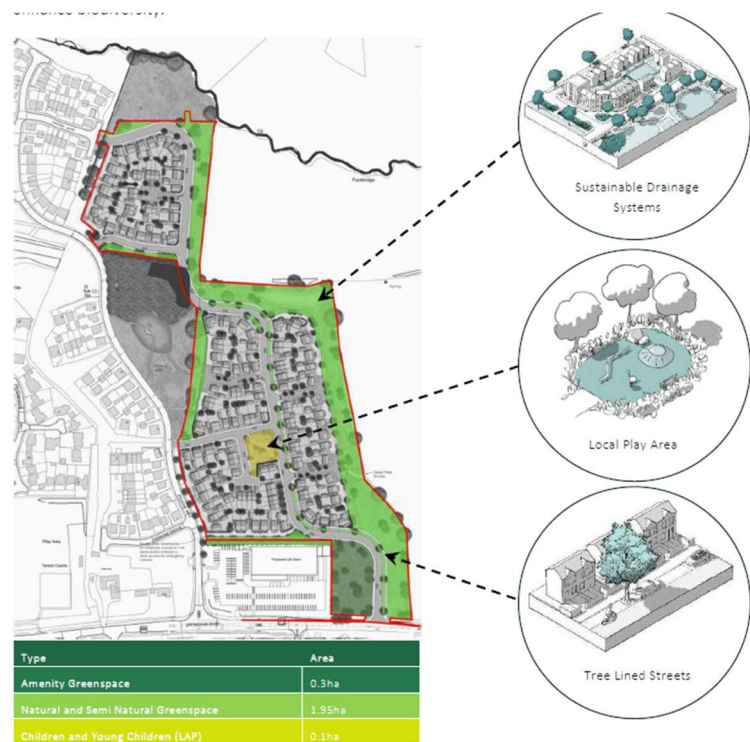


Figure 13: Extract from the Design and Access Statement

e) Highways infrastructure and sustainable transport

- 6.41 Paragraph 108 of the NPPF states that schemes can be supported where they provide safe access for all and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 109 makes it clear that

development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 6.42 LP Policy GD8 requires development to provide a safe access, adequate parking and servicing area and the safe, efficient and convenient movement of all highway users. HLP Policy IN2 states that development proposals should have regard to transport policies of the local highway authority.
- 6.43 The application has been accompanied by a Transport Assessment and Travel Plan.
- 6.44 There are no public rights of way within the site. There is no current public access to the application site.
- 6.45 There is an existing bus stop in front of the site along the Uppingham Road which provides a regular bus service to Leicester city centre.
- 6.46 The submitted application seeks outline planning permission with all matters reserved except for access from Uppingham Road (A47) which would be within the existing 40pmh speed limit on Uppingham Road. The internal layout is not to be commented on at the outline stage and the details of additional access points indicated are not for approval at this stage. Conditions can be imposed to ensure the internal layout and parking is designed fully in accordance with the Leicestershire Highways Design Guide.
- 6.47 A total of four vehicular access points are proposed, this includes a new, main access point, from the A47 / Uppingham Road, two additional entrance and egress points onto Zouche Way and a further point of vehicular access onto Harcourt Grove. Pedestrian links are proposed to link the new spine road with the existing public open space on the Zouche Way development. Concerns have been raised by residents of Harcourt Grove in relation to parking. No off-street parking serving the properties on Harcourt Grove would be lost as result of the current proposal and the off-street parking provision on Harcourt Grove is in accordance with the parking standards in the Leicestershire Highways Design Guide.
- 6.48 Uppingham Road is an A-classified road subject to a 40mph speed limit. The Applicant proposes a new priority T-junction with a ghost island right turn facility. An existing traffic island on Uppingham Road would be relocated. Three Highway trees would need to be removed to provide suitable access arrangements and Leicestershire County Council as Highway Authority will seek a total contribution of £1,000 toward new planting, to offset the removal of three highway trees (this aspect of the proposed development would be addressed as part of the Section 278 detailed design process if planning permission is granted). **Figure 14** shows the proposed access design.



Figure 14: Proposed site access junction (Uppingham Road)

- 6.49 The detail of secondary access points off Zouche Way and Harcourt Grove are not to be considered as part of this outline application. The detail of these access points will be considered in a future Reserved Matters application. The inclusion of these secondary access points will ensure that the proposed development is integrated with the residential development to the west.
- 6.50 The Applicant has interrogated the TRICs database (Trip Generation, Distribution and Assignment) to obtain likely traffic generation for the 130 dwellings proposed. Per dwelling the rates result in vehicular two-way trip rates of 0.573 in the AM peak (08:00 - 09:00) and 0.676 in the PM peak (17:00 - 18:00). For a development of circa 130 dwellings, this results in 76 two-way vehicular trips in the AM peak period and 90 two-way vehicular trips in the PM peak period.
- 6.51 The Applicant has liaised with Leicestershire County Council's Network Data and Intelligence (NDI) team to undertake Pan Regional Transport Model (PRTM) analysis.
- 6.52 As a result of the trip assignment, the following junctions have been identified as reaching the 30 two-way trip threshold:
- Proposed Site Access Junction
 - A47 Uppingham Road / Zouche Way
 - A47 Uppingham Road / Station Road
- The junctions have been assessed by either a PICADY or LINSIG assessment.
- 6.53 The proposed site access junction and the Uppingham Road/ Zouche Way junction are expected to operate within capacity in the future scenarios. The Highway Authority has required a junction capacity assessment for the Uppingham Road / Station Road junction which has shown there would be a material impact at the junction from the proposals and subsequently a deterioration in the performance of the junction in terms of queues and delays. The Highway Authority is satisfied that this can be mitigated with a financial contribution towards a revised configuration of the A47 Uppingham Road / Station Road signalised junction.
- 6.54 The Applicant has provided updated Personal Injury Collision (PIC) data, which was obtained from Leicestershire County Council for the most recently available five-year period, the data includes the 1.5 km section of the A47 Uppingham Road between the

site and the Station Road junction. The Highway Authority considers the assessment to be robust and has no current highway safety concerns on the links or junctions in the vicinity of the proposed development.

- 6.55 A Travel Plan accompanies the planning submission and a condition is recommended requiring additional information to be submitted in a revised travel plan prior to first occupation to include actions and measures with quantifiable outputs and outcome targets. Travel Packs to inform new residents of sustainable travel choices in the area with six month bus passes (two application forms per dwelling) to encourage sustainable travel to and from the site required. A Travel Plan Coordinator (TPC) will be appointed three months prior to occupation and be in post for the duration of the monitoring period. The TPC will lead on ensuring that the travel plan targets are met.
- 6.56 A 3m wide shared use footway would be provided on Uppingham Rd from the bus stop opposite Winkadale Close to the west of the site to the proposed access. Layout is a reserved matter, and detailed proposals should include footpaths and greenways to connect to existing external links. Layout will also include details of parking provision for each dwelling, number and location of EV charging points, cycle shelter/parking, footpaths and other trails.
- 6.57 The Local Highway Authority advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with NPPF paragraph 116 and LP Policy GD8, subject to the conditions and planning obligations outlined in this report.

d) Landscape and Visual Impacts

- 6.58 Section 15 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. Local Plan Policy GD5 details that development should be located and designed in such a way that it is sensitive to its landscape setting and character. Policy GD8 relates to development achieving a high standard of design.
- 6.59 Nationally, the site is within the High Leicestershire National Character Area. The site has no formal landscape designation and is not identified as a Valued landscape.
- 6.60 The 2024 Landscape Character Assessment commissioned by HDC identifies the site and its surroundings as Landscape Character Type 4: Settled and Farmed Edge. Lying in the north-west of the District, the Settled and Farmed Edge Landscape Character Type is located between the urban edge of Oadby and the city of Leicester to the west. It is broadly defined by its mixed farmed landscape and its proximity to settlements. The key characteristics include:
- A farmed landscape
 - Settlements with historic cores which have been expanded by modern development
 - A sense of elevation and long-distance views
- 6.61 Within the Stoughton to Scraptoft sub area (LCA 4a), the Landscape Character Assessment includes Development Management Guidance (see **Figure 15**).

Development Management

- Avoid locating development (both buildings and other structures) in proximity to elevated valley tops and in locations where they can be viewed from higher land and would be visually prominent within the landscape.
 - Utilise the tight valley landform and extensive woodland cover to integrate new development into the landscape.
 - Avoid siting development that would lead to loss or fragmentation of the landscape's habitats including nature conservation designations.
-
- Plan for the further enhancement and improved integration of existing urban edges.
 - Retain a sense of separation between the settlements of Scraftoft and Thurnby and Bushby to conserve their individual historic village cores. Avoid development which would lead to the coalescence of settlements.
 - Ensure access to the LCT is promoted and enhanced, due to its importance as an immediate rural hinterland to urban development within Leicester.
 - Avoid development which will interrupt long-distance views across neighbouring districts and LCTs or spoil views to the landmark church spires, which provide a strong sense of place and orientation in the landscape.
 - Utilise trees and woodland to screen major transport routes to reduce their visual and audial impacts.
 - Protect the unifying local vernacular of the area which includes red brick and slate. New development or conversions should retain some local character by incorporating traditional building styles and materials where possible. Protect dark skies by preventing and positively reducing artificial light pollution.

Figure 15: Extract from The 2024 Landscape Character Assessment commissioned by HDC

- 6.62 The application site, along with the recent development along Zouche Way, lies on the southern side of the Thurnby Brook valley, with the watercourse defining the northern edge of the Site and the lower extent of the landscape. Levels across the site generally slope downwards to the north away from the A47. The southern part of the site slopes steeply from Uppingham Road northwards towards a disused railway line. The northern part of the site comprises a single field located in a stream valley bottom to the north of the disused railway line.
- 6.63 The Site currently comprises two parcels of land. The parcels are currently characterised by areas of unmanaged, semi-improved grassland, with gappy hedgerows defining the eastern boundaries and trees located within hedgerows. Trees on the site are mature in age and predominantly English Oak and Ash with some Hawthorn and Field Maple. The site is not publicly accessible. Existing residential development is located to the west of the site, and the masterplan indicates how the site will provide vehicular and pedestrian links in this existing development (Zouche Way and Harcourt Grove). See **figures 17 to 23** for selected photographs showing views into the site.

6.64 A Landscape Visual Assessment (LVA) accompanies the planning application. The assessment includes a Zone of Theoretical Visibility (ZTV) analysis to understand the potential visibility of the proposals within the wider landscape setting (see **Figure 16**). The LVA report states that “The ZTV indicates that views of the proposals would be localised as a result of the undulating landform, with possible views from the north and east, and some localised views from the south. In reality, the undulating topography and well-vegetated character of the area minimises opportunities for views, ensuring that the Site is visually well contained. The primary views towards the Site are from the northern side of the valley, from the sparse network of public rights of way”. The LVA also considers a number of key views from publicly accessible locations such as Public Rights of Way.

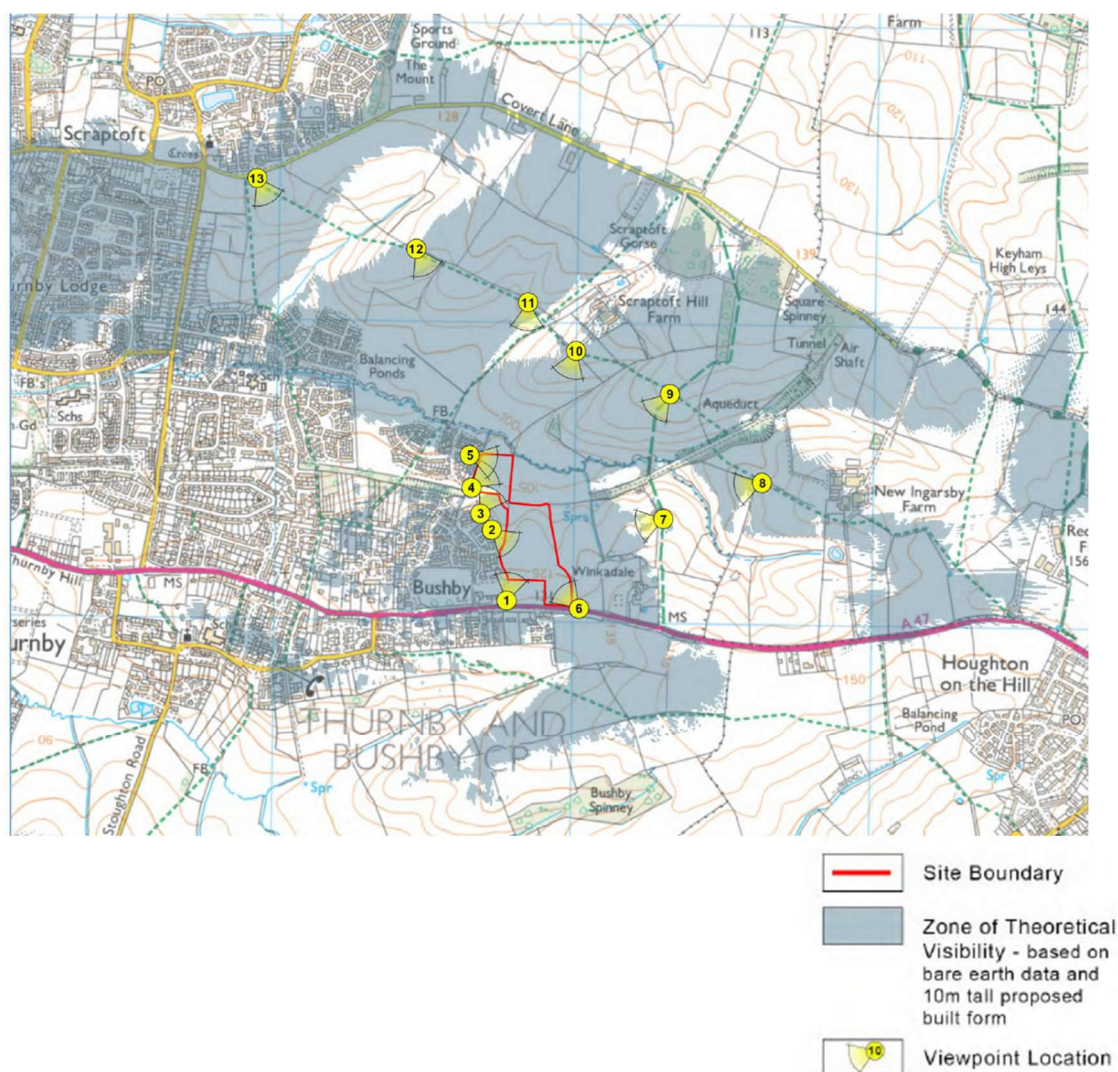


Figure 16: Extract from LVA showing zone of theoretical visibility and viewpoint locations considered in the LVA



Figure 17: Extract from LVA – View from the junction of Zouche Way and Uppingham Road (LVA Viewpoint 1)



Figure 18: Extract from LVA – View from Zouche Way to the west of the site (LVA Viewpoint 2)



Figure 19: Case Officer photograph 10.12.2025 From Zouche Way open space towards Uppingham Road with Zouche Way on right and application site to left



Figure 20: Extract from LVA – View from Zouche Way, across open space and play area towards northern parcel of the site (LVA Viewpoint 3)



Figure 21: Extract from LVA – View from Zouche Way over the northern section of the Site (LVA Viewpoint 4)



Figure 22: Google street view image March 2026 – View from Harcourt Grove towards the application site



Figure 23: Extract from LVA – Long distance view of the site from public footpath to the north of the site (LVA Viewpoint 10)

- 6.65 The development proposal would change the character of the site from farmland to residential development with associated open space and infrastructure. The implications of this change of the landscape should be balanced against other material considerations when reaching a decision on this planning application.
- 6.66 Part of the site forms a draft allocation of the site within the emerging Local Plan, albeit for 125 dwellings and on a larger site. The emerging Local Plan allocation states (amongst other things) that:
- “1. The design and layout of development proposals must encourage a high degree of integration and connectivity between new and existing communities.*
- 3. Existing hedgerows and associated trees will be retained and reinforced wherever possible, particularly along the southern and eastern boundaries.*
- The masterplan submitted with this planning application shows how these criteria can be met. It is important to note that limited weight should be given to the policies contained within the emerging Local Plan as there are still unresolved objections which need to be tested at examination.
- 6.67 Whilst the application is submitted in outline and layout, scale and landscaping would be subject to further Reserved Matters applications, the masterplan submitted does provide details of how the site could be developed. The masterplan shows the built development would be set back from the northern and eastern boundaries of the site with a landscaped green corridor along these edges. Apart from to create points of access, existing field boundary hedges can be retained and enhanced.
- 6.68 Views of the site from the surrounding area are generally constrained by the existing urban form, local topography and intervening vegetation. As a result, visibility of the application site is mainly limited to rising ground immediately to the north and east, within approximately 1km of the site. Where views are available, the existing built form of Thurnby and Bushby is already a prominent influence.
- 6.69 In this case, having regard to the draft Local Plan allocation (albeit with limited weight), the conclusions of the LVA, the characteristics of the site and the proposed landscape mitigation, officers consider that the landscape and countryside impacts of the proposal would be acceptable, subject to conditions securing the delivery and long-term management of the mitigation measures.

g) Layout and Design

6.70 Section 12 of the NPPF focuses on achieving well-designed places, with paragraph 131 noting how the creation of high-quality places is fundamental to what the planning and development process should achieve. Paragraph 135 sets out criteria for development proposals to ensure that they are well-designed. At a local level, LP Policy GD8 is relevant.

6.71 As this is in an outline application with all matters reserved, apart from access, the applicant is not requesting approval for design, appearance, landscaping or the scale of the development at this point. The submitted Design & Access Statement (DAS) considers the constraints and opportunities for the site (see **Figure 24**) to inform the design concept of the site.

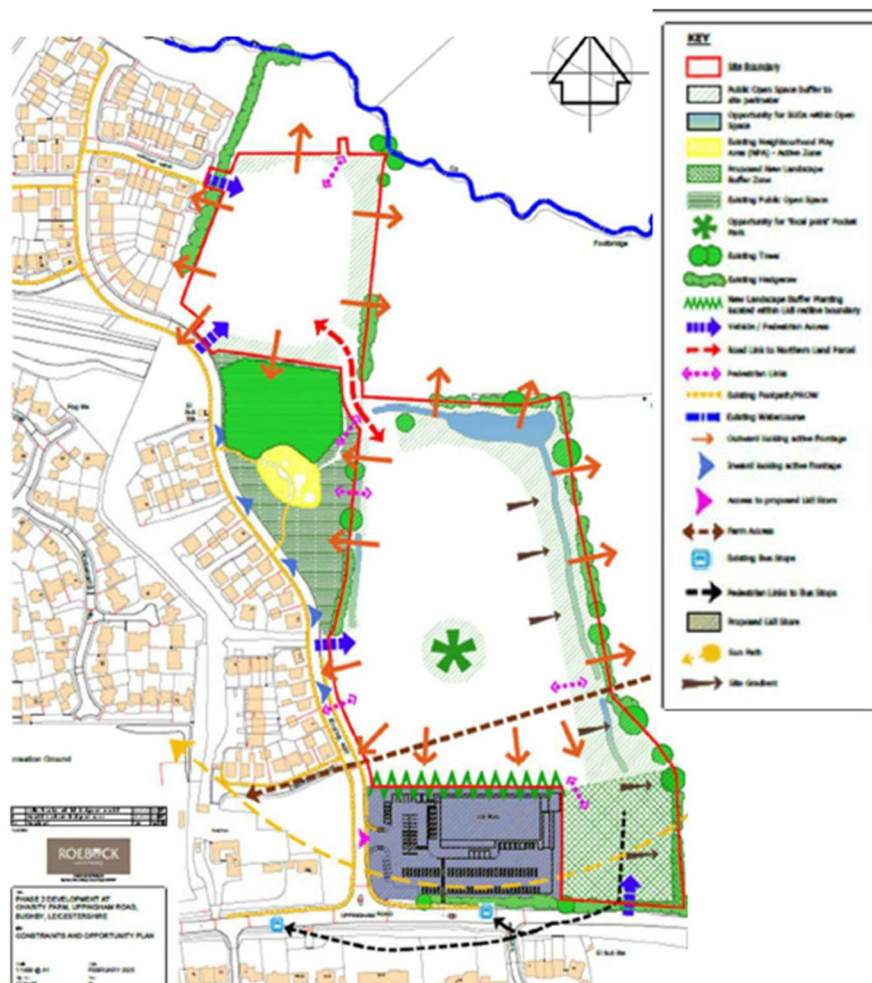


Figure 24: Constraints and Opportunities Plan – Extract from the Design and Access Statement

6.72 The application is accompanied by an indicative masterplan (see **Figure 6**). As explained in section 6d) - Landscape and Visual Impacts – the masterplan shows how the site could be developed and this considers the constraints of the site including landscape visual impact.

6.73 The Design and Access Statement explains the application:

- seeks permission for up to 130 dwellings and within the built development parcels this would result in 29 dwellings per hectare
- anticipates there would be a range of densities within the site with the houses in the central areas at a higher density and a lower density towards the northern and eastern edges
- anticipates the development would be predominantly two storey with some three storey and bungalow provision
- development will include a mix of detached, semi-detached and terraced properties
- indicative layout shows 2.4 hectares of publicly accessible open space and a local area for play would be provided
- all high-quality trees would be retained and hedgerows retained and improved (other than where access is needed into the site)
- sustainable drainage features will run down the eastern edge and include a balancing pond at the northern edge of the southern parcel designed to be attractive with wildlife features that enhance biodiversity
- a clear street hierarchy will be secured through the reserved matters application to ensure it is easy to navigate through the site
- strong integration and connectivity between the site and the existing Zouche Way development can be achieved

6.74 Having regards to the above, it is considered that the scheme has the potential to be designed at reserved matters stage to comply with the contents of the Local Plan (current and/or emerging) and the requirements of the NPPF.

h) Residential Amenity

6.75 Paragraph 135f of the Framework seeks to ensure a high standard of amenity for all existing and future users of development and this is also reflected in LP Policy GD8.

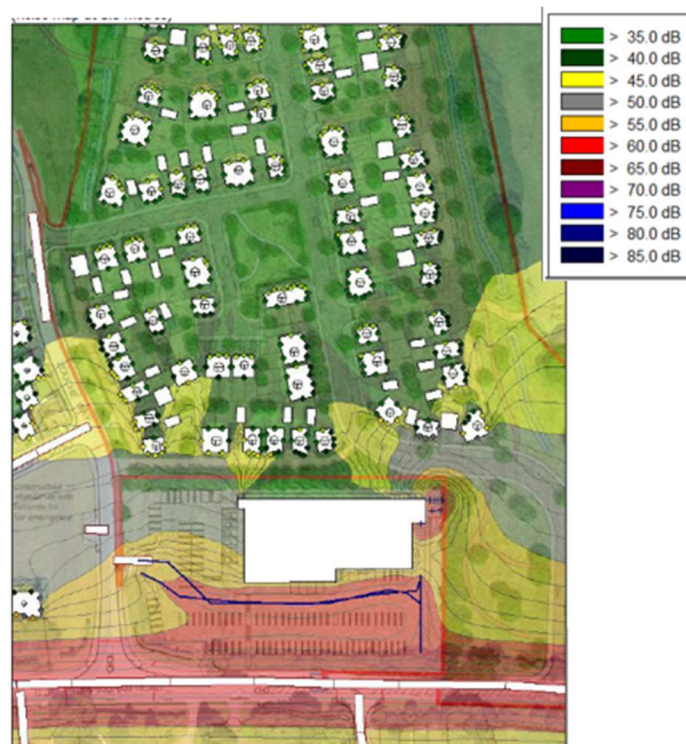


Figure 25: Daytime noise prediction map of Uppingham Road and the food store

6.76 Paragraph 185 of the NPPF states that developments should mitigate and reduce potential adverse impacts resulting from noise from new development. A Noise Impact Assessment accompanies the planning application and considers road traffic noise and commercial noise from the approved (but not yet complete and operational) discount food store. The Assessment includes noise modelling results and the daytime noise prediction map is shown at **Figure 25**.

6.77 The Assessment concludes:

- It will be necessary to design the building fabric to control the road and commercial noise levels internally
- All habitable rooms will need to be ventilated via attenuated means
- The development can be designed such that the private amenity areas of the dwellings have acceptable levels of amenity as regard noise

With the inclusion of these non-specialist measures, the dwellings would meeting internal noise standards in the relevant British Standard. Environmental Health have confirmed that the proposal is acceptable in this regard.

6.78 The proposal is for a residential use, with supporting infrastructure and landscaping. This is not considered to give rise to any harmful impacts by way of noise, odour, light, dust or air pollution during operation to existing neighbouring occupants subject to an acceptable design and layout in accordance with the Development Management SPD (2021). In light of the details submitted in terms of the indicative masterplan (see **Figure 6**) it is considered that the scheme can be accommodated on the site without causing a detrimental impact to the amenity of occupants neighbouring properties. A full assessment of any residential impact will be carried out as part of the consideration of any subsequent Reserved Matters application.

6.79 There would be increased traffic using Zouche Way and Harcourt Grove and associated impacts to existing residents and increased levels of activity. The Council's Environmental Health Officer has raised no concerns regarding this. As residential streets which are part of wider residential estates there are currently vehicular, pedestrian and cycle movements along these streets associated with residential properties. The proposed development would not introduce any different types of movement and given the scale of development and the nature of the roads it is considered that any change to the character of the area and impact on residential amenity of existing residents would be limited.

6.80 During construction there would likely be some adverse impacts on residential amenity. However, a planning condition is recommended requiring the submission of a Construction Management Plan to be approved and implemented. The Plan would contain good practice measures to limit the disturbance and inconvenience that may arise when building works are undertaken. In addition to planning controls, the Environmental Protection Act provides a variety of safeguards in respect of noise, air and light pollution.

6.81 On the basis of the above, the proposal is judged to be acceptable in terms of residential amenity impacts and it is therefore considered that the proposal is in accordance with Policy GD8 of the Harborough District Local Plan.

i) Managing flood risk and sustainable drainage

6.82 Local Plan Policy CC3 sets out (amongst other things) that new development should take place in the areas of lowest risk of flooding and Policy CC4 states that all major development must incorporate sustainable drainage systems (SuDS). This accords with

the NPPF which states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. The NPPF goes on to state that when determining any planning applications, LPAs should ensure that flood risk is not increased elsewhere. A flood risk assessment accompanies the planning application. During consideration of the application additional flood and drainage information has been submitted as requested by the LLFA.

- 6.83 This is a greenfield site located within Flood Zone 1 being at low risk of fluvial flooding and a low to high risk of surface water flooding. The proposals seek to discharge at 5.92 l/s via swales and use of the Phase 1 attenuation basin to the northern watercourse for the northern land parcel is indicated. The proposals seek to discharge at 18.2 l/s via swales, attenuation tanks and attenuation ponds to the ordinary watercourse along the western boundary for the southern land parcel.
- 6.84 The LLFA advise that the proposals are acceptable subject to the imposition of conditions. Notwithstanding any surface water drainage details submitted under this application, as the proposals are for outline permission, no specific drainage elements are fixed at this stage. As such, the LLFA would require that later reserved matters and detailed design fully comply with the new National Standards for SuDS and to any other amended local or national policy/guidance relevant at the time of submission of those details. This includes (but is not limited to) a reassessment of discharge rates, contributing areas, attenuation scale and the retention of the first 5mm of rainfall on-site. Any departure from the standard should be fully substantiated and agreed with the LLFA.
- 6.85 Sewerage undertakers have a statutory duty under Section 94 of the Water Industry Act 1991 to provide, improve and extend public sewerage systems and to ensure that their area is effectually drained. In addition, developers retain an established right to connect to the public sewer under Section 106 of the same Act. In this context, matters relating to off-site sewerage network capacity and wastewater treatment works capacity fall within a separate statutory regulatory regime. As such, they sit outside the scope of planning control. National policy is clear that planning decisions should assume other regulatory regimes will operate effectively, and planning conditions should only be imposed where they meet the tests of necessity, relevance, precision, enforceability and reasonableness.

j) Climate Change

- 6.86 Policy CC1 of the Local Plan states that Major development will be permitted where (amongst others) it demonstrates:
- a. how carbon emissions would be minimised through passive design measures;*
 - c. how the development would provide and utilise renewable energy technology;*
- 6.87 A Sustainability Statement accompanies the application which addresses how the proposed development will meet the necessary policy requirements. The proposals are set out as including:
- Orientating streets and plots to enable good levels of natural daylight, reducing reliance on artificial lighting,
 - Ensuring opportunities for south-facing roofs suitable for solar photovoltaic (PV) panels,
 - Incorporating high-performance fabrics and insulation standards which accord or exceed Building Regulations, reducing heating demand,
 - Designing layouts that encourage natural cross-ventilation, reducing overheating risk.

- Designing in accordance with the energy hierarchy which aims to reduce the energy requirements through a fabric first approach, and through fully incorporating passive design measures.
- Adopt a suite of best-practice construction and energy-efficiency measures
- Integration of renewable technologies where feasible
- Construction-phase carbon reduction
- Sustainable drainage and water management
- Green infrastructure and BNG
- Sustainable transport measures
- Waste reduction and recycling

6.88 Officers are satisfied that the strategy can be secured by planning condition, and that the proposed development will satisfy Policy CC1 of the Harborough Local Plan.

k) Affordable housing and housing mix

6.89 LP Policy H2 requires sites of greater than 10 dwellings to provide a minimum of 40% of the dwellings as affordable housing. LP Policy H5 sets out (amongst other things) that major housing developments should provide a mix of house types that is informed by up-to-date evidence of housing needs. These policies are reinforced by the Planning Obligations SPD (2022).

6.90 As an outline planning application the precise mix and layout of development is not being determined at this stage. Consideration will be given to the housing mix as set out in most up to date evidence as well as the characteristics of the surrounding area in determining the final mix and layout of the site through any subsequent application(s) for Reserved Matters. A condition is recommended to ensure that any subsequent Reserved Matters submissions provide for a housing mix that accords with the relevant up to date evidence at the time. The Section 106 Agreement will make provision for the full 40% policy compliant affordable housing provision. The development would therefore accord with Policy H2 of the Harborough Local Plan.

l) Infrastructure to support and mitigate the impacts of development (S106 Obligations)

6.91 LP Policy IN1 provides that new development will be required to provide the necessary infrastructure which will arise as a result of the proposal. More detailed guidance on the level of contributions is set out in the HDC Planning Obligations SPD (2022), Harborough District Council Protocol for the Delivery of New Public Open Space in the Planning Process (2022 as amended by the interim policy statement 2025) and the Leicestershire County Council Developer Obligations Policy (2019).

6.92 Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as s106 agreements, are a mechanism for securing benefits to mitigate against the impacts of development.

6.93 Those benefits can comprise, for example, monetary contributions (towards public open space or education, amongst others), the provision of affordable housing, onsite provision of public open space / play area and other works or benefits that meet the three legal tests as outlined within CIL Regulation 122 and

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development

These legal tests are also set out as policy tests in paragraph 58 of the Framework.

- 6.94 **Appendix B** identifies the developer contributions, how the requests are CIL compliant and a suggested trigger point to advise when the contribution should be made. With regards to the trigger points they should not necessarily be seen as the actual or final triggers points for the S106 agreement but treated as illustrative of the types of trigger points which may be appropriate.
- 6.95 As set out in Appendix B, the S106 would secure developer contributions to mitigate the impacts of development.
- 6.96 The Police & Crime Commissioner for Leicester, Leicestershire & Rutland has requested a financial contribution of £60,954.70 towards the provision of various equipment and for crime reduction initiatives based on the following:

(i) Personal Equipment NPA and Centralised Support	£8,024.02
(ii) Infrastructure and Estate Support	£37,705.41
(iii) Fleet Vehicles	£2,641.27
(iv) Transforming Policing Through Technology	£6,292.00
(v) Crime Reduction Initiatives	£6,292.00

In part the request could potentially meet the CIL tests (see appeal decision APP/T2405/W/25/336577). However, it has not been demonstrated that they are necessary to make this development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. As such the request is not considered to meet the requirements of NPPF paragraph 58 and Officers do not support this request.

m) Other Matters

Environmental Health

- 6.97 LP Policy GD8 references the need for identifying contamination issues on previously developed land. The application is accompanied by a phase 1 desk study report. The application site is a greenfield one, which has been used predominantly for agricultural purposes. There is the potential for limited made ground to be present on the site relating to the historic uses, such as the former railway line. A condition is recommended requiring a risk based land contamination assessment to be undertaken prior to the commencement of development.
- 6.98 LP Policy IN2 requires new residential and commercial developments to provide mitigation for any adverse impact on air quality, especially in Air Quality Management Areas, and residential amenity. HDC's Contaminated Land and Air Quality Officer has reviewed the application submission and raises no objections to the application in these regards.

Minerals Safeguarding

- 6.99 The application site is located entirely within a Mineral Safeguarding Area for sand & gravel as identified in the Leicestershire Minerals and Waste Local Plan (2019-31) (MWLP). Policy M11 of the Plan outlines that minerals, including sand & gravel, will be protected from permanent sterilisation by other development. Planning applications for non-mineral development within a Mineral Safeguarding Area should be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to it.
- 6.100 A Mineral Assessment has been submitted during the consideration of the application which has been reviewed by Leicestershire County Council as Minerals and Waste

Planning Authority who advise that extraction of mineral deposits that lie beneath the site would not be a viable operation. As such the County Planning Authority has no objections to the application.

Agricultural Land Classification

6.101 Section 15 of the NPPF states that planning policies and decisions should recognise the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land. This is emphasised in Policy GI5 (2b) in the Local Plan to prevent the loss of any 'best and most versatile agricultural land' unless this is demonstrably necessary to facilitate the delivery of sustainable development.

6.102 The application is accompanied by an agricultural land classification report. This shows the site is class 3 agricultural land split between class 3a and some 3b. Therefore, the Site contains best and most versatile agricultural land. The loss of agricultural land is a material consideration in the determination of this application. The submitted agricultural report sets out the limitations of the site from a farming perspective and states that the agricultural use has limited economic benefit.

Planning History

6.103 The planning history of the site is set out in section 2 of this report. The planning history is a material consideration in the determination of the current application. However, it is considered that very limited weight should be given to the planning history given the time that has elapsed since the previous decisions and that the current application should be assessed in relation to current planning policies and circumstances.

Proximity to the safeguarded waste site Houghton on the Hill Sewage Treatment Works

6.104 The sewage works is located some 1.1km to the south-east edge of the application site. The submitted Planning Statement considers that the existing topography and prevailing wind direction ensure that there would be no impact on the proposed development from the sewage works. Environmental Health have confirmed this is an acceptable conclusion.

The Planning Balance / Conclusion

7.1 When determining planning applications, a Local Planning Authority must determine applications in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF, which is a material consideration in decision making, requires that planning authorities identify a five-year supply of deliverable housing sites.

7.2 HDC's Housing Need has increased from 510dpa under the previous Standard Methodology to 723dpa under this new Standard Methodology. On this basis, the Council is currently unable to demonstrate a 5-year supply of deliverable sites for housing (a position of 3.1 years was published in October 2025) and, thus, its policies for housing supply, including SS1 and H1, are considered to be out-of-date. In light of this, and in accordance with the NPPF paragraph 11, a planning balance of the benefits and harm of any proposal needs to be undertaken, reflecting economic, social and environmental aspects of a scheme. Due to the Council's published 5 Year Housing Land Supply deficit, Paragraph 11d is engaged and a "tilted balance" falls to be applied. As such, **significant positive weight** must be applied to the provision of housing.

Economic Sustainability

7.3 It is recognised that there are economic benefits that will occur in respect of the construction of the development, in terms of job creation and local spend. These benefits

are not site specific as the same benefits would be created by a development of up to 130 dwellings regardless of its location, thus **limited positive weight** is afforded to this matter.

- 7.8 The proposal would result in the loss of agricultural land and this is afforded **negative weight**.

Social Sustainability

- 7.4 In terms of the social benefits, the need for Affordable Housing in the area is accepted, and as outlined in this report, a Policy compliant 40% provision would be made, thus **significant positive weight** is afforded.

- 7.5 The development would provide for financial contributions towards off-site social infrastructure to mitigate the impacts of the development and this is afforded **neutral weight**.

Environmental Sustainability

- 7.9 The proposed development has the potential to deliver a high quality, energy efficient development and meet the requirements of the Harborough Development Management SPD. However, any proposal would need to provide good design and meet current Building Regulation standards and thus should only be afforded **moderate positive weight**.

- 7.6 Open space and green infrastructure would be provided on site in accordance with the Council's adopted open space strategy. This is afforded **moderate positive weight**.

- 7.10 Impacts on ecology have been considered and can be satisfactorily mitigated. The creation of open space will lead to habitat improvements, and the development would deliver mandatory Biodiversity Net Gain. The is afforded **moderate positive weight**.

- 7.11 The development proposal would change the character of the site from farmland to residential development with associated open space and infrastructure. This is afforded **negative weight**. However, it is considered that the landscape has the capacity to accommodate this proposed development, and the residual landscape and visual effects are assessed as being acceptable. Furthermore, It has been demonstrated that the development can be designed in such a way that, notwithstanding the change to the character of the area, it can be sensitive to the landscape setting and character.

- 7.13 The development would result in less than substantial harm to the setting of designated heritage assets and would lead to the loss of ridge and furrow. This is afforded **negative weight**. Appropriate urban design will mitigate impacts, and planning conditions will ensure further understanding of the archaeology of the area before development commences.

- 7.15 The highway network has the capacity to accommodate the predicted traffic flows resulting from the proposed development, and the residual highway impacts would be acceptable. It has been demonstrated that the development can be designed in such a way that it will not have a severe impact on the highway network and thus should be afforded **neutral weight**.

- 7.16 The LLFA are satisfied that the applicant has demonstrated that the site is suitable for residential development in principle as regards the management of surface water drainage and flood risk matters. This should be afforded **neutral weight**. Full details will be considered at later reserved matters stage.

Overall balance and conclusions

- 7.17 There would be a substantial benefit from the proposed development in respect of meeting general housing need as well as affordable housing need. The benefits listed above are considered to clearly outweigh the identified harm and as such the application is recommended for **approval**, subject to conditions and a S106 legal agreement as set out in the appendices.

Appendix A – Suggested Conditions

If Members are minded to approve the application, Officers recommend that the following conditions are attached to any approval. The conditions have taken into account the advice contained with Annex A of the former Circular 11/95 and the PPG.

Reserved matters and commencement

1. Application for approval of the reserved matters shall be made within 2 years of the date of this permission.
Reason: To ensure the development begins within a reasonable timeframe, promoting timely completion and preventing the site from remaining undeveloped indefinitely.
2. The development hereby permitted shall begin not later than 3 years from the date of this permission or not later than 2 years from the date of the approval of the last of the reserved matters to be approved, whichever is later.
Reason: To ensure the development begins within a reasonable timeframe, promoting timely completion and preventing the site from remaining undeveloped indefinitely.
3. No development shall commence until details of layout, scale, appearance and landscaping (hereafter called the Reserved Matters) have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Reserved Matters.
Reason: This is an outline permission, and these matters have been reserved for the subsequent approval of the Local Planning Authority, and as required by Section 92 of the Town and Country Planning Act 1990 (as amended).

Approved plans

4. The development hereby permitted shall be carried out in accordance with the approved plans listed:
 - Location Plan Drg No. 1720-04 Rev D
 - Proposed Site Access Junction (Uppingham Road) drawing number LBL-LINK-XX-XX-DR-C-0001 Rev. P04Reason: For the avoidance of doubt and to ensure that the proposed development is carried out as approved.
5. This planning permission does not imply approval for the layout shown on the submitted masterplan.
Reason: For the avoidance of doubt as layout is a Reserved Matter.

Housing requirements

6. The quantum of residential units to be constructed for the development hereby approved shall be limited to a maximum of 130.
Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the submitted details and to set a maximum amount of development to ensure appropriate housing densities in accordance with Policies GD8 and H5 of the Harborough Local Plan 2011-2031.
7. The development hereby approved shall provide for a mix of both market and affordable housing informed by the Harborough Local Housing and Employment Land Evidence 2024 or any updated agreed evidence of housing need. The Housing Mix shall be submitted to and approved in writing by the Local Planning Authority as part of any Reserved Matters application and shall be shown on a 'Housing Mix' plan.
Reason: To provide the appropriate quantity and mix of housing to meet the needs of the District's current and future populations and in accordance with Policy H5 of the

8. The appearance, scale and layout Reserved Matters details required by condition 3 shall demonstrate that 4% of dwellings meet the accessible and adaptable standards in the Building Regulations [Part M4(2) Category 2] or any other up to date Approved Document or standard which supersede this.

REASON: To ensure that the development meets the needs of occupiers who require greater degrees of accessibility and adaptability in accordance with Harborough Local Plan Policy H5.

External materials

9. No above ground construction shall commence until details of all external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with the approved materials.

Reason: To safeguard the appearance of the development and the character and appearance of the area and having regard to Policy GD8 of the Harborough Local Plan 2011 to 2031.

Levels

10. The layout and landscape Reserved Matters details required by condition 3 shall include details of existing and proposed site levels. The details shall include finished ground floor levels of all buildings in relation to the existing and proposed site levels, the adjacent highway and adjacent properties (if relevant), together with details of the levels of all accesses (to include pathways, driveways, steps and ramps). The development shall only be carried out in accordance with the approved details.

Reason: To ensure satisfactory levels for the development, in the interests of the character and appearance of the development and the surrounding area, to protect residential amenities, and in the interest of flood risk to accord with Policies GD5, GD8 CC3, CC4 and IN4 of the Harborough Local Plan 2011 to 2031

Energy/sustainability scheme

11. The first application for approval of Reserved Matters shall be accompanied by a report which shall set out how the development has been designed to ensure:
- a. carbon emissions would be minimised through passive design measures;
 - b. the extent to which the development would meet relevant best practice accreditation schemes to promote the improvement in environmental and energy efficiency performance;
 - c. how the development would provide and utilise renewable energy technology;
 - d. whether the buildings would require cooling, and if so how this would be delivered without increasing carbon emissions; and
 - e. how carbon emissions during construction will be minimised.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is designed to limit carbon emissions in accordance with Policies GD8, CC1 and IN4 of the Harborough Local Plan 2011 to 2031.

Landscaping

12. The landscaping reserved matters details required by condition 3 shall include a comprehensive landscaping scheme. The Landscape Scheme shall include the following details:
- planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes, types, forms and proposed numbers/densities where appropriate;
 - earthworks showing existing and proposed finished levels or contours;

- means of enclosure and retaining structures;
- boundary treatments;
- vehicle parking layouts;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, etc.);
- external lighting including luminance levels and measures to minimise light spillage and impacts on ecology;
- CCTV;
- water features.

Reason: To ensure that the development includes landscaping, planting, boundary treatments and surfacing materials which are appropriate to the character and appearance of the development and the surrounding area, to protect ecology and associated habitats, drainage interests (promote sustainable drainage) and highway interests (prevent deleterious material and surface water entering the highway) having regard to Harborough Local Plan Policies GD2, GD5, GD8 and CC4, and the National Planning Policy Framework.

13. The approved landscaping scheme shall be carried out in accordance with a scheme for timing / phasing of implementation which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of the development. Any trees, hedges, shrubs or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the work is carried out within a reasonable period and is allowed to establish and to ensure the landscaping is implemented and maintained in the interests of the visual amenities of the development and its surroundings and having regard to with Harborough Local Plan Policies GD2, GD5, GD8 and GI5.

14. Prior to occupation of the completed development a Landscape Management Plan (LMP) has been submitted to and approved in writing by the Local Planning Authority.

The LMP shall include the following details:

- Desktop review of the site including context, designations and history;
- Site specific information including ecology, arboriculture and public rights of way;
- Aims and objective for the management of the Site;
- Management organisation who will be responsible for the open space post- practical completion;
- Procedure of review and monitoring of the open space and the Landscape Management Plan.

The Landscape Management Plan shall then be implemented in accordance with these approved details.

Reason: To ensure the proper management and maintenance of the approved landscaping in the interests of the character and appearance of the development and the surrounding area having regard to Harborough Local Plan Policies GD2, GD5 and GD8, and the National Planning Policy Framework.

Ecology

15. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (PEAR) (RammSanderson, October 2025), Badger Mitigation Report (RammSanderson, March 2026) and the Otter Survey Technical Note (RammSanderson, November 2025).

Reason: To conserve protected and Priority species and in accordance with the Conservation of Habitats and Species Regulation 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended), Policies GD8 and GI5 of the Harborough Local Plan 2011 to 2031.

16. No development shall commence (including ground works or vegetation clearance) until a Construction Environment Management Plan for Biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following details:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of biodiversity protection zones;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on ecology during construction including use of protective fences, exclusion barriers and warning signs;
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s);

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and in accordance with Policies GD8 and GI5 of the Harborough Local Plan 2011 to 2031.

17. No above ground construction shall commence until a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist has been submitted to and approved in writing by the local planning authority. The Strategy shall be in line with the recommendations in Section 4 of the Preliminary Ecological Appraisal Report (PEAR) (RammSanderson, October 2025) and Section 4.2 of the Breeding Bird Survey Report (RammSanderson, October 2025) and the content shall include:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended) and in accordance with Policies GD8 and GI5 of the Harborough Local Plan 2011 to 2031.

18. No above ground construction shall commence until a "lighting design strategy for biodiversity" has been submitted to and approved in writing by the local planning authority. The strategy shall be in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) and shall:

- a) identify those areas/features on site that are particularly sensitive for bats and riparian mammals including otter and that are likely to cause disturbance in or around their

breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. No other external lighting shall be installed without prior consent from the local planning authority. Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and in accordance with Policies GD8 and GI5 of the Harborough Local Plan 2011 to 2031.

19. No development shall commence until a 30-year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the Local Planning Authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

- a) Description and evaluation of the features to be managed;
- b) Ecological trends and constraints on site that may influence management;
- c) Aims, objectives and targets for management - links with local and national species and habitat action plans;
- d) Description of the management operations necessary to achieving aims and objectives;
- e) Preparation of a works schedule, including annual works schedule;
- f) Details and a timetable of the monitoring needed to measure the effectiveness of management;
- g) Details of the persons responsible for the implementation and monitoring;
- h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and
- i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain

Reason: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development and to accord with Policy GI5 of the Harborough Local Plan 2011 to 2031.

Archaeology

20. No development shall commence until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. No development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- a) The programme and methodology of site investigation and recording (including a topographic earthwork survey of the ridge and furrow) and the nomination of a competent person(s) or organisation to undertake the agreed works
- b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: To ensure satisfactory archaeological investigation, recording, dissemination and archiving in accordance with Policy HC1 of the Harborough Local Plan 2011 to 2031.

21. The layout and landscape Reserved Matters details required by condition 3 shall set out how part of the ridge and furrow earthworks in the southernmost part of the site can be retained and preserved insitu.

Reason: To preserve part of the ridge and furrow earthworks which is a non-designated heritage asset and in accordance with the NPPF and Policy HC1 of the Harborough Local Plan 2011 to 2031.

Flood risk and drainage

22. No development shall commence until a surface water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details and completed prior to first occupation.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users and to accord with Policies CC3, CC4 and IN4 of the Harborough Local Plan 2011 to 2031.

23. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development, to reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users and to accord with Policies CC3, CC4 and IN4 of Harborough Local Plan 2011 to 2031.

24. No development shall commence until infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy and to accord with Policies CC3, CC4 and IN4 of the Harborough Local Plan 2011 to 2031.

Noise mitigation

25. The layout Reserved Matters details required by condition 3 shall set out how the layout has been designed to ensure that BS:8233:2014 indoor ambient noise levels will be met, to include daytime and nighttime levels of 35 dB LAeq, 16 hour and 30 dB LAeq, 8 hour, respectively and L_{Amax} not exceeding 45dB(A) on more than 15 occasions during any night-time period and to ensure the Noise Rating level within the dwellings falls within the Noise Rating curve NR30 across the development and if any further mitigation is required.

Reason: To ensure the layout of the development will result in adequate levels of amenity for the future occupants in terms of noise and to accord with Policy GD8 of the Harborough Local Plan 2011 to 2031.

Risk Based Land Contamination Assessment

26. No development shall commence until a Risk Based Land Contamination Assessment has been submitted to and approved in writing by the Local Planning Authority. The Risk Based Land Contamination Assessment shall be carried out in accordance with:

- BS10175:2011+A2:2017 Investigation Of Potentially Contaminated Sites Code of Practice; and
- BS8576:2013 Guidance on Investigations for Ground Gas – Permanent Gases and Volatile Organic Compounds (VOCs); and

- BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings; and
- Gov.uk Land contamination risk management (LCRM) website <https://www.gov.uk/government/publications/land-contamination-riskmanagement-lcrm>.
- Or any documents which supersede these.

Reason: In order to ensure that the land is fit for use as the development proposes to accord with Policy GD8 of the Harborough Local Plan 2011 to 2031.

27. Should any unacceptable risks be identified in the Risk Based Land Contamination Assessment, no development shall commence until a Remedial Scheme and a Verification Plan has been prepared and submitted to and agreed in writing by the Local Planning Authority. The Remedial Scheme shall be prepared in accordance with the requirements of:

- Gov.uk Land contamination risk management (LCRM) website <https://www.gov.uk/government/publications/land-contamination-riskmanagement-lcrm>; and
- BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings; and
- Or any documents which supersede these.

The Verification Plan shall be prepared in accordance with the requirements of:

- Evidence Report on the Verification of Remediation of Land Contamination Report: SC030114/R1, published by the Environment Agency 2010; and
- Gov.uk Land contamination risk management (LCRM) website <https://www.gov.uk/government/publications/land-contamination-riskmanagement-lcrm>; and
- BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings; and
- CIRIA C735, "Good practice on the testing and verification of protection systems for buildings against hazardous ground gases" CIRIA, 2014;
- Or any documents which supersede these.

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the land is fit for use as the development proposes to accord with Policy GD8 of the Harborough Local Plan 2011 to 2031.

28. If, during the course of development, previously unidentified contamination is discovered, development must cease on that part of the site and it must be reported in writing to the Local Planning Authority within 10 working days. Prior to the recommencement of development on that part of the site, a Risk Based Land Contamination Assessment for the discovered contamination (to include any required amendments to the Remedial Scheme and Verification Plan) must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity.

Reason: In order to ensure that the land is fit for use as the development proposes to accord with Policy GD8 of the Harborough Local Plan 2011 to 2031.

29. Prior to occupation of the completed development, or part thereof, Either
- 1) If no remediation was required by conditions 25, 26 & 27 a statement from the developer or an approved agent confirming that no previously identified contamination was discovered during the course of development, or part thereof, is received and approved in writing by the Local Planning Authority, or
 - 2) A Verification Investigation shall be undertaken in line with the agreed Verification Plan for any works outlined in the Remedial Scheme and a report showing the findings of the

Verification Investigation relevant to the whole development, or part thereof, shall be submitted to and approved in writing by the Local Planning Authority.

The Verification Investigation Report shall:

- Contain a full description of the works undertaken in accordance with the agreed Remedial Scheme and Verification Plan;
- Contain results of any additional monitoring or testing carried out between the submission of the Remedial Scheme and the completion of remediation works;
- Contain Movement Permits for all materials taken to and from the site and/or a copy of the completed site waste management plan if one was required;
- Contain Test Certificates of imported material to show that it is suitable for its proposed use;
- Demonstrate the effectiveness of the approved Remedial Scheme; and
- Include a statement signed by the developer, or the approved agent, confirming that all the works specified in the Remedial Scheme have been completed.

Reason: In order to ensure that the land is fit for use as the development proposes to accord with Policy GD8 of the Harborough Local Plan 2011 to 2031.

Construction Environment Management Plan (CEMP)

30. No development shall commence (including ground works or vegetation clearance) until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall detail the following:
- a) The parking of vehicles of site operatives and visitors
 - b) Loading and unloading and storage of plant, materials, fuels and chemicals
 - d) Location of contractor compound(s)
 - e) Screening and hoarding details
 - f) A detailed reactive and proactive road cleaning schedule, incorporating the use of road sweepers, on-site wheel wash facilities and the use of hand brooms on wheels and roads where necessary with the location of the facilities shown on a plan
 - g) Measures to control noise and the emission of dust and dirt during construction (including proposals for monitoring)
 - h) Hours of operation - the details shall include the hours of construction, deliveries and the hours for the loading/unloading of materials
 - i) The means of access and routing for construction traffic and indication of signage locations to assist those delivering to the site
 - j) Management of surface water during construction including details of any temporary localised flooding management system and a scheme to treat and remove suspended solids from surface water run-off during construction
 - k) Measures to protect all existing trees, shrubs and hedges to be retained
 - l) If piling is proposed, then a piling method statement should be submitted
 - m) Details of a Construction Communications Strategy which contains points of contact and details for residents to report HGVs utilising inappropriate routes
 - n) Details of any floodlighting to be installed associated with the construction of the development

The approved details shall be adhered to throughout the construction period for the development.

Reason: Having regard to Policies CC3, CC4, IN2 and IN4 of the Harborough Local Plan 2011 to 2031. To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area. To ensure that all trees, shrubs and hedges to be retained are adequately protected during the construction of the development. To protect the amenity of nearby residents during construction. To prevent an increase in flood risk and maintain the existing surface water runoff quality during construction.

Waste Collection

31. The first application for approval of Reserved Matters shall be accompanied by a Waste Collection Strategy. The Strategy should demonstrate how each property on the development will be accessed by waste and recycling collection vehicles and how the waste and recycling bins will be stored at each property on the development and presented to these vehicles on the respective waste collection day. The development shall be constructed to incorporate the features contained in the approved Waste Collection Strategy.

Reason: To ensure that waste collection facilities for each dwelling are properly incorporated into the development, and to prevent the placement of large numbers of bins at the highway boundary on the respective waste collection day and to accord with Policy GD8 of the Harborough Local Plan 2011 to 2031.

Highways

32. No part of the development hereby permitted shall be occupied until such time as the offsite works (footway/cycleway) shown on Proposed Site Access Junction (Uppingham Road) drawing number LBL-LINK-XX-XX-DR-C-0001 Rev. P04 have been implemented in full.

Reason: To provide facilities to enable the use of sustainable modes of transport and in accordance with Policies GD8 and IN2 of the Harborough Local Plan 2011 to 2031, to mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework.

33. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Proposed Site Access Junction (Uppingham Road) drawing number LBL-LINK-XX-XX-DR-C-0001 Rev. P04 have been implemented in full. Visibility splays shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety and in accordance with the National Planning Policy Framework and Policies GD8 and IN2 of the Harborough Local Plan 2011 to 2031.

34. No part of the development hereby permitted shall be first occupied until an amended framework Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

Reason: To reduce the need to travel by single occupancy vehicle, to promote the use of sustainable modes of transport and in accordance with Policies GD8 and IN2 of the Harborough Local Plan 2011 to 2031.

Appendix B – 25/01085/OUT S106 Contribution Table

If Members agree with the recommendation to Approve the application, this should be subject to a section 106 agreement to cover contributions and arrangements / requirements set out below. Officers consider that the obligations have taken into account the advice contained with CIL Regulations, and specifically that they are CIL Reg 122 and 123 compliant.

Request by HDC	Obligation for Community Facilities contribution		
Amount /Detail	Delivery	CIL Justification	Policy Basis
Community Facilities contribution for Thurnby & Bushby Parish for a new community building, extension or refurbishment of an existing building. NEW BUILD OR EXTENSION or REFURB TOTAL £154,050 Based on the average figure for a 3-bedroom house (130 residential home based on 2.3 residents per dwelling) As the numbers of housing and the housing mix is not fixed, the calculation is based on 130 dwellings, all having 3 bedrooms.	CIL compliant project in Thurnby & Bushby Parish to be identified within a HDC strategy or policy. On receipt, money will be allocated through Harborough District Council's robust, CIL compliant grant process. 1st trigger point – 100 % to be paid to HDC prior to the Commencement of Development	<u><i>Necessary to make development acceptable in planning terms</i></u> - HDC Planning policy states that for a development of this scale, a community facilities contribution is required to make this development acceptable in planning terms - The calculation above is based on recent Planning Obligations SPD approved in September 2016 and published in June 2022. - HDC consider the Community facility contribution justified and necessary to make the development acceptable in planning terms with accordance with the relevant national and local policies and the additional demands that would be placed on key facilities as a result of the proposed development <u><i>Directly related to the development</i></u> - Any Community Facilities contribution would be allocated to projects supporting community facilities in Thurnby & Bushby. Therefore, the contribution requirement is directly related to the development because the contribution would be used for the purpose of providing additional capacity through Community Facility projects. - The projects evidenced will benefit the new residents of the proposed development. <u><i>Fairly and reasonably related in scale and kind to the development</i></u> - The proposal is for residential development of up to 130 dwellings and subsequent provision of Community Facilities providing benefit to future occupiers is fairly and reasonably related the scale and type of the proposal. - HDC consider the Community Facilities request to be fair and reasonable in scale and kind to the proposed scale of the development and is in accordance	Harborough Local Plan: Policy IN1 Harborough District Council Planning Obligations Supplementary Planning Document 2022 Community Facilities Refresh Assessment 2017 Built Sports Facilities Strategy 2019 OTHER SOURCES OF EVIDENCE: - Consultation with community and user group. - Surveys - Community feedback - Committee meetings - Population trend - Health needs - Feasibility studies

		with the thresholds identified in the adopted policies and to meet the additional demands on the locality's Community Facilities.																	
Request by HDC	Obligation for indoor sports facilities contribution																		
Amount /Detail	Delivery	CIL Justification	Policy Basis																
For project(s) identified within the Built Sports Facilities Strategy or any other HDC document Based on the average figure for a 3-bedroom house TOTAL £57,266	1st trigger point – 100 % to be paid to HDC prior to the Commencement of Development <table><tr><td colspan="2">Sports Halls</td></tr><tr><td>Courts</td><td>0.07</td></tr><tr><td>Halls</td><td>0.02</td></tr><tr><td>Cost</td><td>£54,492</td></tr></table> <table><tr><td colspan="2">Indoor Bowls Centres</td></tr><tr><td>Rinks</td><td>0.01</td></tr><tr><td>Centres</td><td>0</td></tr><tr><td>Cost</td><td>£2,774</td></tr></table>	Sports Halls		Courts	0.07	Halls	0.02	Cost	£54,492	Indoor Bowls Centres		Rinks	0.01	Centres	0	Cost	£2,774	The additional population will generate additional demand for sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision. In accordance with the NPPF, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development.	Harborough Local Plan Policy IN1 Built Facilities Strategy 2019 Harborough District Council Corporate Plan 2022 Harborough District Council Planning Obligations Supplementary Planning Document 2022 Health and Wellbeing Strategy and Action Plan
Sports Halls																			
Courts	0.07																		
Halls	0.02																		
Cost	£54,492																		
Indoor Bowls Centres																			
Rinks	0.01																		
Centres	0																		
Cost	£2,774																		
Request by HDC	Obligation for Affordable Housing																		
Amount /Detail	Delivery	CIL Justification	Policy Basis																
Based on the provision of 130 dwellings, Harborough Local Plan Policy will require 40% of the units to be provided as Affordable Dwellings. This equates to 52 units. Our tenure split requirements are for the affordable requirement to be provided as 60% Affordable rented and 40% to be provided as intermediate or shared ownership. We will be flexible on our tenure request.	To be confirmed.	A fundamental objective of the LP is to meet the need for affordable housing (Local Plan vision, LP Key Issue 2 and LP Objective 1). LP Policy H2 seeks a proportion of new dwellings within developments to be affordable. Providing housing on site will result in an inclusive, sustainable development. The size and tenure of affordable housing is based on the current needs of those on the Councils waiting list.	Harborough Local Plan Policies H2 and IN1 Harborough District Council Planning Obligations Supplementary Planning Document 2022 Guidance note for the provision of Affordable Housing (updated 2025)																

Request by HDC	Obligation for Greenspaces		
Amount /Detail	Delivery	CIL Justification	Policy Basis
See Table below Commuted sums payable for ongoing maintenance of onsite open space if adopted by the district council or parish council (based on amount to be provided)	The preference is for the district council or the parish council to adopt on site open space with a commuted sum payable to the Authority for the long term maintenance of the land. The use of Management Companies for ongoing landscape maintenance should be avoided. On site open space to be completed by occupation of 75% of dwellings Off site contributions to be paid by occupation of first 25% of dwellings	The Open Spaces Strategy 2021 and Provision for Open Space and recreation 2021 (both adopted as policy in 2021) set out the POS requirements for addition of dwellings over 10 dwellings. The contributions have been calculated using data for Thurnby & Bushby and surrounds and are directly related to the size of the development. Inappropriate contributions for this type of development have not been sought. The contributions are in proportion to the size of the development and relate to the new population taking into account the minimum quantity provision and existing population within the accessibility thresholds. The natural and semi natural greenspace contributions will mitigate the effects of climate change and benefit the entire population irrespective of age or circumstance.	Harborough Local Plan IN1. Harborough District Council Planning Obligations Supplementary Planning Document 2022 Open Spaces Strategy 2021 Provision for Open Space Sport and Recreation 2021
Request by HDC	Obligation for Waste Services contribution		
Amount /Detail	Delivery	CIL Justification	Policy Basis
For the provision of 1no black- and 1no blue-lidded household waste and recycling receptacles per household. Cost per household - £132.84 X Number of dwellings – 130 £17,269.20	Prior to first occupation	Effective household waste management is important in developing sustainable communities. One of the demands on a growing community is the need to be able to deal with household waste management and therefore this request for developer contributions is made in line with Local Plan Policy IN1. The developer contribution would be calculated based upon the total number of dwellings proposed and therefore directly relate to the proposed development. The developer contribution amount requested would be based on a full cost recovery basis.	Harborough Local Plan IN1. Harborough District Council Planning Obligations Supplementary Planning Document 2022
Request by HDC	BNG Monitoring		
Amount /Detail	Delivery	CIL Justification	Policy Basis

£5,360.00 for monitoring of significant on-site and any off-site biodiversity gains. Includes monitoring plan review, site visits at 1, 2, 5, 10, 15, 10, 25 and 30 years, and any necessary enforcement.	TBC	To ensure mandatory monitoring of significant on-site biodiversity net gain, and any off-site gains which are not proposed via a Conservation Covenant	Leicestershire County Council S106 Charging Policy & Schedule: Off-site and significant on-site Biodiversity Net Gain Monitoring 2025
Request by HDC	Obligation for Monitoring Fee		
Amount /Detail	Delivery	CIL Justification	Policy Basis
In accordance with Section 4.5 of the HDC Planning Obligations SPD.	To be confirmed	To cover the costs of monitoring payments and implementation of the developer contributions and scheme.	Part 10 of the Community Infrastructure Levy (Amendment) (England) Regulations 2019 permits a local authority to secure fees to monitor and report on planning obligations contained within a Section 106 agreement, especially where the scale of development is complex and needs long term monitoring. Harborough District Local Plan policy IN1 HDC Planning Obligations Supplementary Planning Document June 2022
Request by LCC	Obligation for Libraries		
Amount /Detail	Delivery	CIL Justification	Policy Basis
£3,925.70 towards improvements to Oadby Library and its facilities including but not limited to books materials or associated equipment or the reconfiguration of internal or external library space to account for addition usage	Prior to first occupation	The nearest library to this development is Oadby Library and it is estimated that the total assumed occupancy of 390 arising from the development will create additional pressures on the availability of the facilities at that library, and others nearby. This contribution would be used at to provide improvements to this library and its facilities, including, but not limited to, books, materials, or associated equipment or to reconfigure the internal or external library space to account for additional usage of the venue arising from an	Harborough Local Plan Policy IN1 Leicestershire Planning Obligations Policy 2019 Harborough District Council Planning Obligations Supplementary Planning Document 2022

arising from an increase in members as a result of the Development. Based on an assumed occupancy of 255 people.		increase in members to the library as a result of this development. This contribution may also be spent to fund new library provision.	
Request by LCC	Obligation for Education		
Amount /Detail	Delivery	CIL Justification	Policy Basis
EARLY YEARS £202,833.80 SECONDARY 11-16: £388,087.96 PRIMARY SEND: £30,986.84 SECONDARY SEND: £42,396.12 As the numbers of housing and the housing mix is not fixed, the calculation is based on 130 dwellings, all having two or more bedrooms.	TBC	This development will see an increase of 11.05 Early Years children to the area. The area already has a deficit of 21 places. This development of an additional 11.05 places will create a total deficit of 32.05 places. This development will yield 21.71 secondary aged children (11-16). Beauchamp College has a net capacity of 1,650 and there will be a deficit of 63 places if this development goes ahead. This development will yield 0.4719 primary aged SEND children. Wigston Birkett House Community Special School has a net capacity of 236 and there will be a deficit of 46 places if this development goes ahead. This development will yield 0.52 secondary aged SEND children. Wigston Birkett House Community Special School has a net capacity of 236 and there will be a deficit of 46 places if this development goes ahead.	Harborough Local Plan Policy IN1 Leicestershire Planning Obligations Policy 2019 Harborough District Council Planning Obligations Supplementary Planning 2022
Request by LCC	Obligation for Highways		
Amount /Detail	Delivery	CIL Justification	Policy Basis
Travel Packs 1 per dwelling at £52.85 per pack £52.85 x 130 =£6,870.50	TBC	To inform new residents from first occupation what sustainable travel choices are available in the surrounding area In the interests of encouraging sustainable travel to and from the site,	Harborough Local Plan Policy IN1 Leicestershire Planning Obligations Policy Adopted July 2019

Or, if not supplied by LCC, a sample Travel Pack to be submitted & approved in writing by LCC which attracts an admin charge of £500. 6month bus passes (two per dwelling) If supplied by LCC would be approximately £510.00 per pass (cost to be confirmed at implementation) £510.00 x 2 x 130 =£132,600 Travel Plan Monitoring = £6,000 Appointment of a Travel Plan Co-ordinator	From commencement of development until five years after occupation of the last unit	achieving modal shift targets and reducing car use. To encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car In the interests of encouraging sustainable travel to and from the site, achieving modal shift targets and reducing car use. To ensure effective implementation and monitoring of the Travel Plan submitted in support of the planning application.	Harborough District Council Planning Obligations Supplementary Planning Document June 2022
Request by LCC	Obligation for Highways		
Amount /Detail	Delivery	CIL Justification	Policy Basis
A contribution of £2,000 towards a revised configuration of the A47 Uppingham Road / Station Road signalised junction.	TBC	To accommodate the impact from this development on the highway network.	Harborough Local Plan Policy IN1 Leicestershire Planning Obligations Policy 2019 Harborough District Council Planning Obligations Supplementary Planning Document 2022
Request by LCC	Obligation for Monitoring Fee		
Amount /Detail	Delivery	CIL Justification	Policy Basis
A sum to be paid in respect of the cost of monitoring	TBC	The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allow for a sum to be	Harborough Local Plan Policy IN1

planning obligations. In this respect the county council charges £300.00 or 0.5% depending upon which is the greatest for each planning obligation.		paid in respect of the cost of monitoring planning obligations.	Leicestershire Planning Obligations Policy 2019 Harborough District Council Planning Obligations Supplementary Planning Document 2022
Request by LLR ICB	Obligation for Healthcare Services contribution		
Amount /Detail	Delivery	CIL Justification	Policy Basis
Funding to be allocated: Bushby Surgery, Billesdon Surgery & Severn Surgery. To develop one or all the named surgeries or alternatively use the contribution towards other Primary/Community healthcare infrastructure that will be directly impacted due to the increase in population linked to this housing development. For example, a new healthcare facility. 315 Additional patients to be accommodated X 0.08 Standard area m2/person X £5,000 Cost of extension including fees (£/m2) TOTAL: £125,840.00	TBC	The development will result in a minimum population increase of 315 patients. Housing developments have known to put additional pressure on healthcare infrastructure and their requirements based in Primary, Community and Secondary Care facilities. To ensure that the health and well-being of the local community is protected, S106 funding is essential to help mitigate/support the needs arising from an increase in population and is used towards increasing access to these services	Harborough Local Plan Policy IN1 Harborough District Council Planning Obligations Supplementary Planning Document June 2022

to support a project to mitigate the impact.			
--	--	--	--

Obligation for Greenspaces

Site: Zouche Way Bushby Ref 25/01815/OUT Dwelling Number 130 Assumed Population 299 <i>All figures are from Provision for Open Space Sport and Recreation 2021</i>		notes: All contributions are on site except cemetery, greenways and outdoor sports contributions. The amount of natural and semi natural greenspace proposed is below the minimum threshold for the site. The remainder can be made as an off-site contribution pro rata. The preference is for the district council or the parish council to adopt on site open space. The use of Management Companies for ongoing landscape maintenance should be avoided.				
POS type		Minimum Area (ha)	Commuted sum for maintenance per ha	Total commuted maintenance for minimum area of POS (payable only if the POS is adopted by DC or PC)	Off-site contribution if required	Amount proposed on site (ha)
Parks and Gardens 0.5ha per 1000 pop	on site	0.1495	£574,757.00	£85,926.17		
Outdoor Sports Facilities as per Active Places Power	off site				£267,399.00	
Amenity Greenspace 0.9ha per 1000 pop	on site	0.2691	£224,692.00	£60,464.62		
Natural and Semi Natural Greenspace	on site					
	all areas 8.5ha per 1000 pop	2.5415	£260,117.00	£661,087.36		
Children and Young People Provision 0.3ha per 1000 pop	on site	0.0897	£3,051,803.00	£273,746.73		
Allotments/community gardens 0.35ha per 1000 pop	on site	0.10465	£60,223.00	£6,302.34		
Greenways 1.3ha per 1000 population	Off-site contribution		provision of additional signage and other enhancements of the sustainable travel infrastructure		£35,581.00	
Cemeteries and Burial Grounds 0.375ha per 1000 pop	Off-site contribution				£23,621.00	
Total		3.15445			£326,601.00	0
Any off-site contributions to be through negotiation of S106 with officers. If off site contributions are required, this will either be for enhancement of existing facilities or provision of new facilities within the accessibility thresholds of the site for each typology. If more Open Space than the minimum provision for any typology is proposed by the developer, then commuted sums will be calculated on a pro rata basis. The preference is for the district council or the parish council to adopt on site open space. The use of Management Companies for ongoing landscape maintenance should be avoided.						

Conclusion and contributions sought including appropriate projects.	Parks and Gardens	0.1495 ha to be provided on site. includes urban parks and formal gardens. Parks usually contain a variety of facilities and may have one of more of the other types of open space within them. For informal recreation and socialising
	Outdoor Sports	£267,399.00 off site provision in accordance with PPS 2024. To support enhancement and provision of outdoor sport facilities in the vicinity of Bushby and surrounding villages in accordance with the priorities of the PPS
	Amenity Greenspace	0.2691 ha to be provided on site. Includes informal recreation green spaces and greens.
	Natural and Semi Natural Greenspace	2.5415 ha to be provided on site Includes country parks, nature reserves, publicly accessible woodlands, urban forestry, scrub, grasslands, wetlands and wastelands. May include SUDs areas.
	Children and Young People	0.0897ha of play area to be provided on site (1NEAP) Areas designed primarily for play and social interaction involving children and young people, such as equipped play areas, multi-use games areas and skateboard parks. Not the design for the play area should provide a play experience different to those already available in Thumby & Bushby. A post installation inspection will be required.
	Allotments	0.10465ha to be provided on site to provide opportunities for those people who wish to do so to grow their own produce as part of the long-term promotion of sustainability, health and social inclusion. May include community orchards.
	Greenways	£35,581.00 to be provided as an off-site contribution for enhancement of existing and provision of new sustainable transport links. These include towpaths and walkways alongside canals and riverbanks, cycleways, public footpaths and disused railway lines.
	Cemeteries	£23,621.00 to be provided as an off-site contribution for enhancement of burial grounds and provision of new burial spaces either in the district of Harborough. May be used for land purchase as part of new cemetery. The contribution may also be used for a strategic cemetery to serve Harborough district
CIL Compliance	Necessary to make development acceptable in planning terms	The Open Spaces Strategy 2021 and Provision for Open Space and recreation 2021 (both adopted as policy in 2021) set out the POS requirements for addition of dwellings over 10 dwellings.
	Directly related to the development	The contributions have been calculated using data for Bushby and surrounds and are directly related to the size of the development. Inappropriate contributions for this type of development have not been sought.
	Fairly and reasonably related in scale and kind to the development	The contributions are in proportion to the size of the development and relate to the new population taking into account the minimum quantity provision and existing population within the accessibility thresholds. The natural and semi natural greenspace contributions will mitigate the effects of climate change and benefit the entire population irrespective of age or circumstance.
Pooling	No more than 5 contributions to any one project	n/a
Trigger Points	1st Trigger on site	to complete on site open space by first occupation of 75% of dwellings
	2nd Trigger on site	
	1st Trigger off site	to pay 50% off site contributions by first occupation of 25% of dwellings
	2nd Trigger off site	to pay remaining 50% of off-site contributions by first occupation of 50% of dwellings

FROM ACTIVE PLACES POWER

Part 3: Estimated demand and costs for new pitches (matches and training demand) and ancillary provision

	Number of Pitches	Capital Cost	Lifecycle cost (per annum)	Changing rooms (number)	Changing rooms (cost)	Total
Total	0.63	£113,373	£16,378	0.83	£174,026	£287,399
Natural Grass Pitches	0.6	£81,037	£15,446	0.77	£162,540	
Adult Football	0.1	£12,255	£2,414	0.21	£43,960	
Youth Football	0.17	£16,439	£3,321	0.2	£41,896	
Mini Soccer	0.14	£4,409	£873	0	£0	
Rugby Union	0.1	£17,964	£3,323	0.2	£42,344	
Rugby League	0	£0	£0	0	£0	
Cricket	0.08	£29,969	£5,514	0.16	£34,340	
Artificial Grass Pitches	0.03	£32,336	£933	0.05	£11,486	
Sand Based	0.01	£5,395	£140	0.01	£2,225	

Appendix C – Representations from Leics County Council as Highway Authority

Issued 23rd January 2026

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

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

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) have been consulted by the Local Planning Authority (LPA) on a planning application for the *'Outline planning application (with all matters reserved except for means of access from Uppingham Road (A47)) for residential development of up to 130 dwellings including public open space, sustainable drainage system and associated infrastructure'*. The proposals are located on land east of Zouche Way Bushby Leicestershire.

The LHA have reviewed the following submitted documents in preparation of these observations:

- Application Form.
- Roebuck Land & Planning – Development Masterplan. Drawing Number 1720-06 Rev. G.
- Link Engineering – Transport Assessment. Project Number LE25053 Revision P03.
- Link Engineering – Residential Travel Plan. Project Number LE25053 Revision P01.
- Link Engineering – Proposed Site Access Junction (Uppingham Road). Drawing Number LBL-LINK-XX-XX-DR-C-0001.
- Link Engineering – Proposed Site Access Junction (Uppingham Road). Drawing Number LBL-LINK-XX-XX-DR-C-0002 Rev. P01.

The LHA note the following relevant planning history at the site:

- 18/00312/OUT | Outline application for the erection of up to 125 dwellings and associated infrastructure, including highway and pedestrian access, open space and structural landscaping (access to be considered) | Land at Charity Farm Uppingham Road Bushby Leicestershire LE7 9RP. Refused July 2018. The LHA advised approval subject to conditions and contributions in a response dated 18 June 2018.

The LHA provided pre-application advice, dated 17 March 2025, which is contained in Appendix A of the Transport Assessment (TA).

The LHA note that the proposals would form an extension to the Phase 1 Charity Farm development.

Site Access

Following provision of the additional information requested within this report including the Personal Injury Collision (PIC) analysis detailed below, the LHA will provide further advice on the proposals in respect of [Policy 2](#) of the Leicestershire Highway Design Guide (LHDG). Policy 2 states:

'The council will apply a risk-based assessment of proposals for new accesses onto the existing highway network and alterations to and / or intensification of existing accesses so that they do not result in unacceptable road safety and operational concerns.'

Access from Uppingham Road

A primary access point is proposed from Uppingham Road, which is an A-classified road subject to a 40mph speed limit. The Applicant proposes a new priority T-junction with a ghost island right turn facility.

The LHA have reviewed drawings LBL-LINK-XX-XX-DR-C-0001 and LBL-LINK-XX-XX-DR-C-0002 (Proposed Site Access Junction (Uppingham Road)) and note the following:

- A minimum stagger distance as per the Design Manual for Roads and Bridges (CD123 Paragraph 2.23 has been provided, with an approximate distance of 80m from the proposed access to Winkadale Close.
- Through lane widths of 3.0m are proposed, this is in accordance with the DMRB CD123 Paragraph 6.8.

The LHA require the Applicant to address the following points:

- The LHA require a drawing showing the existing highway boundary and the proposed land take required for the proposed works.
- At ghost island junctions where no diverge or merge tapers are provided, the corner radii should be 15 metres followed by a corner taper of 1:6, over a distance of 30 metres, as per DMRB CD123 5.6.3).
- The width of the turning lane varies from 2.5m up to 3.13m. In accordance with the DMRB CD123 paragraph 6.10, a minimum width of 3.0m is required at new junctions.
- Dimensions should be shown for the right turn lane in accordance with Table 5.22 of the DMRB CD123. These should include the turning length, deceleration length and the direct taper length.
- The bifurcation arrow is to Diagram 1039 and not 1038 as shown on the drawing.

Swept Path

- A vehicle speed of 15kph should be used for swept path analysis. A note should be added to the swept path drawing confirming this.
- The right turn in manoeuvre shows the rear of the vehicle overrunning the straight-ahead lane, which could result in collisions with adjacent vehicles.
- The left turn out manoeuvre shows the vehicle overrunning the lane line into the right turn lane, which could result in collisions with oncoming vehicles.
- Swept paths should be provided for the left turn in and right turn out manoeuvres.

Visibility

The Applicant has provided a speed survey that shows 85th percentile speeds of 48.4mph eastbound and 45.3mph westbound. The surveys were conducted from 7 October 2025 for one week. The LHA confirm that the Applicant obtained the appropriate permits prior to undertaking the survey. It is noted these speeds are more than the posted speed limit.

In accordance with [Table 6](#) of the LHDG, visibility splays of 160m should be provided for the submitted 85th percentile vehicle speeds of 45.3mph and 48.4mph.

The Applicant proposes basing visibility on based on Stopping Sight Distance (SSD) calculations using DMRB 'Desirable Minimum' parameters. Using parameters of a two second driver reaction time and deceleration rate of 0.25g the following splays would be required:

- 2.4m by 127m to the east of the access.
- 2.4m by 142m to the west of the access.

Whilst this approach would be acceptable to the LHA, drawing LBL-LINK-XX-XX-DR-C-0001 does not demonstrate these splays in their entirety.

The LHA note, in the vicinity of the site access, there are several highway trees, these should be included in a revised plan to ensure that visibility or proposed access arrangements will not be hindered by them. It should be noted that the removal of highway trees can be very costly as their 'Capital Asset Value for Amenity Trees' ('CAVAT') values are taken into consideration. This will be

considered further upon submission of a revised access drawing. If the Applicant would like further information they can contact forestry@leics.gov.uk

Road Safety Audit

The LHA require the submission of a Stage 1 Road Safety Audit, along with designer's response to any issues raised. Further details on the LHA's RSA Policy can be found at the following link: <https://www.leicestershirehighwaydesignguide.uk/highway-development-management/road-safety-audit-policy>.

Secondary access points

Section 4.2.4 of the TA states 'Two additional site accesses will be created along Zouche Way, along with another connection through to Harcourt Grove towards the northern end of the site. All of these access junctions will comprise 6m kerb corner radii and will be lined by 2m wide footways. 2.4 x 43m visibility splays will be provided from each access point.' The Applicant should provide drawings of all access points for review.

Zouche Way is currently under a S38 agreement. It is noted that the Applicant for this planning application is Bloor Homes and therefore party to that S38 agreement.

Notwithstanding this, the Applicant should be aware that any proposed amendments to the number of homes to serve Zouche Way may impact the existing S38 agreement. It cannot be guaranteed when Zouche Way will become public highway.

Off Site Highway Works

In accordance with The Local Transport Note (LTN)1/20 Table 6-1 a minimum separation of 0.5m is required between the cycleway and the carriageway.

Highway Safety

The Applicant has provided Personal Injury Collision (PIC) data via CrashMap for a five-year period to the end of 2023. This is shown in Section 3.3 of the TA.

The LHA acknowledge Crashmap data as a source of Personal Injury Collision (PIC) data. However, the applicant should also contact ftcd@leics.gov.uk to obtain PIC data from Leicestershire County Council (LCC) for the most recently available five-year period. The data submitted is considered out of date.

The Applicant is reminded that as standard, junctions subject to capacity assessments should also be included and assessed.

Trip Generation, Distribution and Assignment

The Applicant has interrogated the TRICs database to obtain likely traffic generation for the 133 dwellings proposed. This is shown in Table 2 of the TA, replicated below:

Table 2: Derived 85th Percentile Vehicle Trip Rates

LAND USE	WEEKDAY AM PEAK (08:00 – 09:00)			WEEKDAY PM PEAK (17:00 – 18:00)		
	ARRIVE	DEPART	TWO-WAY	ARRIVE	DEPART	TWO-WAY
Houses (Private)	0.375	0.198	0.573	0.250	0.426	0.676

The rates result in vehicular two-way trip rates of 0.573 in the AM peak (08:00 - 09:00) and 0.676 in the PM peak (17:00 - 18:00). For a development of circa 133 dwellings, this results in 76 two-way vehicular trips in the AM peak period and 90 two-way vehicular trips in the PM peak period.

The above trip rates are considered acceptable by the LHA.

The Applicant has liaised with Leicestershire County Council's Network Data and Intelligence (NDI) team to undertake Pan Regional Transport Model (PRTM) analysis.

The developments trip distribution and area of influence are provided within Appendix E and Appendix F of the TA.

Traffic Flow Scenarios

The Applicant has obtained traffic counts at all study junctions dated June 2024.

To obtain future year background traffic flows, TEMPro growth factors have been applied to the 2024 base year counts to represent the 2025, 2028 and 2030 Base scenarios. The LHA require the Applicant to provide details regarding the parameters applied to reach these rates. Growth factors obtained are shown in Table 4 of the TA, which is reproduced below.

Table 4 TEMPro Growth Factors

GROWTH	WEEKDAY AM PEAK FACTOR	WEEKDAY PM PEAK FACTOR
2024 – 2025	1.00471	1.00481
2024 – 2028	1.03479	1.03629
2024 – 2030	1.05463	1.05755

It is noted that live application 25/00219/FUL, which is adjacent to the proposals, has been included as a committed development. The Applicant should confirm, via the Local Planning Authority (LPA) whether any other applications should be considered.

Junction Capacity Assessments

As a result of the trip assignment, the following junctions have been identified as reaching the 30 two-way trip threshold:

- Proposed Site Access Junction
- A47 Uppingham Road / Zouche Way
- A47 Uppingham Road / Station Road

Junction 1 - Proposed Site Access Junction

The Applicant has undertaken a PICADY assessment of the Proposed Site Access Junction on Uppingham Road using Junctions 11 software. The results of which are shown in Table 5 of the TA, replicated below:

Table 5 Site Access Junction Assessment Summary

APPROACH	WEEKDAY AM PEAK (08:00 – 09:00)				WEEKDAY PM PEAK (17:00 – 18:00)			
	QUEUE	DELAY	RFC	LoS	QUEUE	DELAY	RFC	LoS
	2028 DESIGN							
Site Access	<1	12	0.08	B	<1	13	0.14	B
A47 (right turn)	-	7	0.01	A	-	7	0.01	A
	2030 DESIGN							
Site Access	<1	12	0.08	B	<1	13	0.14	B
A47 (right turn)	-	7	0.02	A	-	7	0.01	A

Ratio of Flow to Capacity (RFC) is a term used in Transport Modelling to assess the operation of a junction. The result provides an indication of the likely junction performance, with a value of 1 implying that the demand flow is equal to the capacity. Typically, a value of 0.85 is seen as the practical threshold for capacity, with results higher than this more likely to experience queuing or delay.

As shown above the junction is expected to operate within capacity in the future scenarios with a maximum RFC of 0.14.

The A47 Uppingham Road / Zouche Way and A47 Uppingham Road / Station Road junctions have been assessed with the following baseline scenarios:

- 2025 Base
- 2028 (Opening Year) Base
- 2028 (Opening Year) Base + Committed Development
- 2028 (Opening Year) Design
- 2030 (Future Year) Base
- 2030 (Future Year) Base + Committed Development
- 2030 (Future Year) Design

Junction 2 - A47 Uppingham Road / Zouche Way

The Applicant has undertaken a PICADY assessment of the A47 Uppingham Road / Zouche Way junction using Junctions 11 software. The results of which are shown in Table 6 of the TA, replicated below:

Table 6 A47 / Zouche Way Junction Assessment Summary

APPROACH	WEEKDAY AM PEAK (06:00 – 09:00)				WEEKDAY PM PEAK (17:00 – 18:00)			
	QUEUE	DELAY	RFC	LoS	QUEUE	DELAY	RFC	LoS
2025 BASE								
Zouche Way	<1	11	0.20	B	<1	10	0.13	A
A47 (right turn)	-	7	0.01	A	-	7	0.01	A
2028 OPENING YEAR BASE + COMMITTED								
Zouche Way	<1	12	0.29	B	<1	14	0.36	B
A47 (right turn)	-	7	0.03	A	<1	7	0.06	A
2028 OPENING YEAR DESIGN								
Zouche Way	<1	13	0.30	B	<1	15	0.37	B
A47 (right turn)	-	7	0.03	A	<1	7	0.06	A
2030 FUTURE YEAR BASE + COMMITTED								
Zouche Way	<1	12	0.29	B	<1	14	0.37	B
A47 (right turn)	-	7	0.03	A	<1	7	0.06	A
2030 FUTURE YEAR DESIGN								
Zouche Way	<1	13	0.31	B	<1	15	0.38	B
A47 (right turn)	-	7	0.03	A	<1	7	0.06	A

As shown above the junction is expected to operate within capacity in the future scenarios with a maximum RFC of 0.38.

Junction 3 - A47 Uppingham Road / Station Road

The Applicant has undertaken a LINSIG assessment of the A47 Uppingham Road / Station Road signalised T-junction, shown in Table 7 of the TA, replicated below:

Table 7 A47 / Station Road Junction Assessment Summary – Development Impacts

APPROACH	WEEKDAY AM PEAK (08:00 – 09:00)		WEEKDAY PM PEAK (17:00 – 18:00)	
	2028 DEVELOPMENT IMPACT			
	MMQ	DoS	MMQ	DoS
A47 W	0.6	1.1%	0.5	1.3%
Station Rd	0.3	1.5%	0.1	0.1%
A47 E	0.4	1.3%	1.0	2.8%
PRC	-1.8%		-1.5%	
	2030 DEVELOPMENT IMPACT			
A47 W	0.5	1.1%	0.8	1.2%
Station Rd	0.4	1.6%	0.2	0.1%
A47 E	0.4	1.1%	1.0	2.5%
PRC	-1.8%		-1.5%	

For LINSIG assessments the operation of individual junction arms is expressed in terms of Degree of Saturation (DoS), whilst overall junction performance is expressed as Practical Reserve Capacity (PRC). This is 90% degree of saturation on any given approach lane (i.e. if any lane exceeds 90% then PRC will become a negative value).

It is noted that the above shows the impact of the development only, not the performance of the whole junction. This should therefore be provided for review.

The LHA have reviewed the junction modelling files and confirm that, although there are some minor errors, this will unlikely affect the resulting junction performance.

Internal Layout

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

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

The acceptability of an adopted road layout is subject to a Section 38 agreement in accordance with the Highways Act (1980). For the site to be suitable for adoption, the internal layout and parking must be designed fully in accordance with the LHDG. As discussed in the 'Site Access' section. The site would not be eligible for a Section 38 agreement as Rushey Close does not have a S38 agreement.

Transport Sustainability

Travel Plan

The LHA have reviewed the Link Engineering Residential Travel Plan and note the following:

The site is located north and east of the existing Bushby Fields estate off the A47. The A47 runs west-east connecting Birmingham to Peterborough and coastal towns such as Kings Lynn.

A continuous footway is provided along the northern (site) side which connects to Bushby, Leicester and Houghton-on-the-Hill. The northern footway is a shared footway/cycleway and has an existing bus stop along site frontage. The southern footway goes to Winkadale Close. A right turn refuge is available for right turn vehicles into Zouche Way and informal crossings are provided either side of Zouche Way.

The nearest rail station is Leicester Railway Station which is located 7km from the site. This station provides access to London, Nottingham and Sheffield, amongst others. The station has step-free access and sufficient parking for both cars and bikes to encourage multi-modal travel.

Chartered Institution of Highways & Transportation (CIHT) acceptable walking distances have been considered and a list of amenities and their distance and walk times provided. It is noted that most necessary facilities and amenities are at least a twenty-minute walk, this includes the local Primary School, GP Surgery and shopping facilities. No information has been provided on appropriate cycle distances and times.

Access to the site for pedestrians is proposed to be via a 3m wide shared footway/cycleway along the western side and 2m wide footway along eastern side. There will be additional accesses with 2m wide footways. Information on numbers of parking spaces for the site is not provided but is noted to be in line with LHDG design guidance. The Applicant should consider exploring the potential for EV charging at all homes. The quantum and location of covered and secure cycle parking that will be available to residents should be outlined.

Modal share for the site has been produced from 2011 Census Harborough 011 Middle Super Output Area (MSOA), which is 80.5% single occupancy vehicles (SOV). From this baseline person trips are provided for peak times. The LHA are content that a precise modal split will be determined by initial travel surveys. SMART Targets have been provided and include 10% reduction in SOV and 100% Travel Plan awareness. Monitoring for the site include surveying residents within three months of first occupation and then annually for five years. Furthermore, traffic counts will also be provided in monitoring report.

A Travel Plan Coordinator (TPC) will be appointed three months prior to occupation and be in post for the duration of the monitoring period. The TPC will lead on ensuring that the travel plan targets are met by producing the following: creating welcome packs for new residents to provide information on their travel options, hosting a biker's breakfast, car sharing events, or other events relating to sustainable travel and promoting discounted travel passes. LCC can provide Welcome Packs to residents and employees at a cost of £52.85 per pack. Alternatively, the developer can commission the creation of a Welcome Pack, however this would need to be proofread by LCC's Sustainable Travel Team and incurs a blanket cost of £500.00.

The Applicant is required to provide households with two free 6-months bus pass. For this development, the nearest stop is served by CentreBus and so would therefore come at a cost of £510.00 per six-month pass.

For the LHA to accept the Travel Plan, the Applicant is required to address the following matters:

- Further information on local walking and cycling infrastructure that would be used for necessary journeys. For example, to bus stops, doctors or local primary schools.
- Provide information on how sustainable travel to nearby amenities/facilities that are over a 20-minute walk will be encouraged, such as the local primary school and doctors.
- Information to be provided on opportunities for cycling in the area, such as to local amenities, work opportunities or school. This should include the CIHT acceptable cycle distances.
- EV charging for all homes.
- Details of covered and secure cycle storage will be available.
- The Applicant is required to produce an action plan.

Upon approval of a travel plan, Leicestershire County Council (LCC) will require a monitoring fee of £6,000.00 for the site.

It should be noted that a revised Travel Plan can be secured via condition at a later date if a positive outcome is reached on the outstanding matters to be addressed.

Bus infrastructure

The LHA is currently corresponding with the LPA on bus services in the vicinity of the site to maximise the opportunity for public transport trips. This will be commented on further upon receipt of the requested information as contained within this report.

Informative

Where an open watercourse or ditch is in close proximity to the footprint of any works, or directly affected by the proposals, the design will be required to reflect the requirements of Part 3 of Leicestershire County Council's Ordinary Watercourse Regulation and Culvert Policy. Further information is available at <https://www.leicestershire.gov.uk/sites/default/files/2024-02/Leicestershire-Ordinary-Watercourse-Regulation-and-Culvert-Policy.pdf>.

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

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

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) have been re-consulted on a planning application on land East of Zouche Way Bushby for an:

'Outline planning application (with all matters reserved except for means of access from Uppingham Road (A47)) for residential development of up to 130 dwellings including public open space, sustainable drainage system and associated infrastructure'

The LHA previously requested the Applicant to provide further information in observations dated 23 January 2026. The Applicant has subsequently submitted the following documentation via the Local Planning Authority (LPA) which has been reviewed:

- Link Engineering – Proposed Site Access Junctions Sketch. Drawing Number LBL-LINK-XX-XX-DR-C-0003.
- Link Engineering – Proposed Site Access Junction (Uppingham Road). Drawing Number LBL-LINK-XX-XX-DR-C-0001 Rev. P02.
- Link Engineering – Proposed Site Access Junction (Uppingham Road). Drawing Number LBL-LINK-XX-XX-DR-C-0002 Rev. P01.
- Link Engineering – Technical Note. Dated 6 March 2026.
- Kevin R. Twigger & Associates Ltd – Sketch Appraisal. Drawing Number 1720-01 Rev. H.
- Kevin R. Twigger & Associates Ltd – Development Masterplan. Drawing Number 1720-06 Rev. H.
- Link Engineering – Road Safety Audit Stage 1 Audit Response. Dated 23 March 2026.

The LHA understand, from discussions with the LPA, that the access from Uppingham Road will be the only access to be determined under this outline application. The secondary accesses will be agreed under any future reserved matters application, should the outline application receive consent.

Site Access

Access from Uppingham Road

The LHA have reviewed drawing LBL-LINK-XX-XX-DR-C-0001 Rev. P02 and welcome that the existing highway boundary and the proposed land take required have been shown.

A turning lane width of 3.0m in accordance with the Design Manual for Roads and Bridges (DMRB) CD123 paragraph 6.10 is shown on the drawing.

The LHA require the Applicant to address the following points for the access to be considered safe and suitable:

- The access arrangements continue to show junction radii of 6m and 10m which would not be in accordance with DMRB CD123 paragraph 5.6.3.
- For a design speed of 70kph, in accordance with CD123 Table 5.22 of the DMRB CD123, a direct taper length of 15m is required, and a deceleration length of 40m. Drawing LBL-LINK-XX-XX-DR-C-0001 Rev. P02 shows a 5m direct taper length and a 25m length deceleration length.

Swept Path

The LHA have reviewed drawing LBL-LINK-XX-XX-DR-C-0002 Rev. P01 and welcome that the updated swept paths show that for the left turn out manoeuvre the vehicle no longer overruns the lining into the right turn lane.

The LHA require the Applicant to address the following points:

- A vehicle speed of 15kph should be used for swept path analysis. A note should be added to the swept path drawing confirming this.
- The right turn in manoeuvre still shows the rear of the vehicle overrunning the straight-ahead lane, which could result in collisions with adjacent vehicles.
- Swept path for the right turn out manoeuvre is required.

Visibility

As per previous comments, the visibility splays proposed are acceptable to the LHA, these have now been shown in their entirety. The LHA are concerned that the highway trees to the west of the access will hinder the proposed visibility splays. The Applicant should put forward their intention for the highway owned trees. It should be noted that the removal of highway trees can be very costly as their 'Capital Asset Value for Amenity Trees' ('CAVAT') values are taken into consideration. This will be considered further upon submission of a revised access drawing.

The Applicant should contact forestry@leics.gov.uk to ascertain the required documents to be submitted to support any removal/amendments to the trees and to ascertain the CAVAT value. It is likely that an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) will be required.

Road Safety Audit (RSA)

The LHA have reviewed the RSA and the designer's response to issues raised. The responses are accepted by the LHA.

Secondary access points

As previously noted, the secondary access points are not to be considered as part of this outline application.

Nonetheless, the arrangements shown in drawing LBL-LINK-XX-XX-DR-C-0003 have been reviewed with the following points to address for the Applicant's information at this stage:

- Sheet 1 - an uncontrolled pedestrian crossing should be provided across the access. The proposed access would result in a priority crossroads due to the existing access opposite the proposed one. The [Junction type, geometry and spacing section](#) of the LHDG does not recommend the provision of crossroads.
- Sheet 4 - the arrangement shown would require pedestrians travelling between Harcourt Grove and the proposed development to walk a considerable distance off the desire line. Uncontrolled crossings, or at level crossing points should be provided for these movements.
- Confirmation of the access widths should be provided on a drawing.
- Swept path analysis should be provided for the largest vehicle that will use the two proposed accesses.

Off Site Highway Works

A 3m wide shared use footway is shown on Uppingham Rd (from the bus stop opposite Winkadale Close to the west of the site to the proposed access) on drawing number: LBL-LINK-XX-XX-DR-C-0001 Rev. P02. However, a 0.5m separation between the cycleway and the carriageway is required, which is the minimum width required by LTN1/20 Table 6-1.

The Applicant should note that, where an open watercourse or ditch is in close proximity to the footprint of any works, or directly affected by the proposals, the design will be required to reflect the requirements of Part 3 of Leicestershire County Council's Ordinary Watercourse Regulation and Culvert Policy. Further information is available at

<https://www.leicestershire.gov.uk/sites/default/files/2024-02/Leicestershire-Ordinary-Watercourse-Regulation-and-Culvert-Policy.pdf>

Highway Safety

The Applicant has provided updated Personal Injury Collision (PIC) data, which was obtained from Leicestershire County Council (LCC) for the most recently available five-year period, the data includes the 1.5 km section of the A47 Uppingham Road between the site and the Station Road junction. The PIC data is shown within Table 1 of the Technical Note (TN), which is replicated below for clarity.

Table 1: PIC Data Summary

YEAR	TOTAL	SEVERITY		
		SLIGHT	SERIOUS	FATAL
2020	3	3	0	0
2021	3	0	3	0
2022	3	3	0	0
2023	3	2	1	0
2024	1	1	0	0
2025	3	1	2	0
TOTAL	16	10	6	0

The LHA consider that the Applicant has provided a robust assessment of PICs within the vicinity of the site.

The circumstances of each of the recorded PICs have been considered and the LHA confirm that there are no current highway safety concerns on the links or junctions in the vicinity of the proposed development. Nonetheless, the LHA require the provision of a safe and suitable access to be demonstrated.

Trip Generation, Distribution and Assignment

As per previous comments, the submitted trip rates are considered acceptable by the LHA.

Traffic Flow Scenarios

The Applicant has given details regarding the parameters applied to reach the growth rates in the TN, which states *'TEMPPro version 8.1, Dataset 80 has been used to derive growth factors. These are locally adjusted using the N RTP Core (2022) dataset for the Harborough 011 geographic region and applied to "A Road" for a typical weekday AM and PM peak period.'*

The LHA expect all roads to be selected to verify the growth rates. However, given the Applicant has liaised with Leicestershire County Council's (LCC's) Network Data and Intelligence (NDI) team to undertake Pan Regional Transport Model (PRTM) analysis and modelled growth applied appropriately through discussions with LCC. The LHA considered the methodology applied to be acceptable.

Junction Capacity Assessments

As per previous comments, the proposed site access junction and the Uppingham Road/ Zouche Way junction are expected to operate within capacity in the future scenarios.

The LHA requested that a junction capacity assessment for the Uppingham Road/ Station Road junction be submitted for the performance of the whole junction for the future year scenarios. This has been shown in Tables 6 of the TN, shown below for clarity.

Table 6: A47 Uppingham Rd / Station Rd - 2030 Future Year Design Assessment Summary

APPROACH	WEEKDAY AM PEAK		WEEKDAY PM PEAK	
	MMQ	DoS	MMQ	DoS
A47 W	18	86.2%	21.8	87.2%
Station Rd	14.3	86.6%	11.6	86.0%
A47 E	10.8	65.2%	11.1	62.6%
PRC	3.9%		3.2%	

For LINSIG assessments the operation of individual junction arms is expressed in terms of Degree of Saturation (DoS), whilst overall junction performance is expressed as Practical Reserve Capacity (PRC). This is 90% degree of saturation on any given approach lane (i.e. if any lane exceeds 90% then PRC will become a negative value).

A maximum DoS of 87.2% is shown in the future year assessment scenario.

It is unclear if the proposed development has been added to this scenario. Therefore, the applicant should confirm the proposed development is included in this future year assessment.

The LHA note that the junction is shown to be near capacity in the future years, given the development would represent 50 AM peak hour and 53 PM peak hour movements at this junction, as shown in the traffic flow diagrams contained within Appendix F of the Transport Assessment. The LHA believes there would be a material impact at the junction and subsequently a deterioration in the performance of the junction in terms of queues and delays. The LHA would advise the applicant, should a positive recommendation be forthcoming, that they will need to provide a fair and proportionate Section 106 contribution towards future MOVA validation at the A47 Uppingham Road / Station Road junction.

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

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

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) have been re-consulted on a planning application on land East of Zouche Way Bushby for an:

'Outline planning application (with all matters reserved except for means of access from Uppingham Road (A47)) for residential development of up to 130 dwellings including public open space, sustainable drainage system and associated infrastructure'

The LHA previously requested the Applicant to provide further information in observations dated 24 April 2026. The Applicant has subsequently submitted the following documentation via the Local Planning Authority (LPA) which has been reviewed:

- Link Engineering – Technical Note. Dated 1 May 2026.

Site Access

Access from Uppingham Road

The LHA have reviewed drawing LBL-LINK-XX-XX-DR-C-0001 Rev. P03 and welcome that junction corner radii are now shown at 10m on both sides of the access and dimensions as shown as required in Table 5.22 CD123 of the Design Manual for Roads and Bridges (DMRB).

Swept Path

The LHA have reviewed drawing LBL-LINK-XX-XX-DR-C-0002 Rev. P02 and welcome that the right turn in manoeuvre no longer shows the rear of the vehicle overrunning the straight-ahead lane.

The right turn out manoeuvre shows the vehicle overrunning the existing traffic island, the Applicant should confirm whether this island will be removed or relocated as part of the proposals. The LHA would advise that the island be relocated as it provides an element of speed control.

A vehicle speed of 15kph should be used for swept path analysis. A note should be added to the swept path drawing confirming this.

Visibility

As per previous comments, the visibility splays proposed are acceptable to the LHA. The LHA are concerned that the highway trees to the west of the access will hinder the proposed visibility splays. The Applicant should put forward their intention for the highway owned trees. It should be noted that the removal of highway trees can be very costly as their 'Capital Asset Value for Amenity Trees' ('CAVAT') values are taken into consideration. This will be considered further upon submission of a revised access drawing.

The Applicant should contact forestry@leics.gov.uk to ascertain the required documents to be submitted to support any removal/amendments to the trees and to ascertain the CAVAT value. It is likely that an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) will be required.

Secondary access points

As previously noted, the secondary access points are not to be considered as part of this outline application.

Nonetheless, the arrangements shown in drawing LBL-LINK-XX-XX-DR-C-0003 Rev. P01 have been reviewed. The LHA welcome that an uncontrolled pedestrian crossing is now shown to be provided across the access and the access is in accordance with Table 3 of the Leicestershire Highway Design Guide (LHDG) which is available at:
<https://www.leicestershirehighwaydesignguide.uk/>

Off Site Highway Works

It should be noted that Local Transport Note 1/20 provides guidance on segregated facilities for horizontal clearance but not for shared use facilities. Therefore, the LHA would advise the Applicant that the requirements for segregated use should also apply to shared use. Also, [Standard](#)

[Drawing SD-1100-14](#) in the LHDG shows that a 500mm safety margin is required for combined footway / cycleways.

The Applicant should note that, where an open watercourse or ditch is near the footprint of any works, or directly affected by the proposals, the design will be required to reflect the requirements of Part 3 of Leicestershire County Council's Ordinary Watercourse Regulation and Culvert Policy. Further information is available at
<https://www.leicestershire.gov.uk/sites/default/files/2024-02/Leicestershire-Ordinary-WatercourseRegulation-and-Culvert-Policy.pdf>

Junction Capacity Assessments

Uppingham Road/ Station Road junction

As per previous comments the LHA believes there would be a material impact at the junction from the proposals and subsequently a deterioration in the performance of the junction in terms of queues and delays. The LHA would advise the applicant, should a positive recommendation be forthcoming, that they will need to provide a fair and proportionate Section 106 contribution towards future MOVA validation at the A47 Uppingham Road / Station Road junction.

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

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

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) have been re-consulted on a planning application on Land east of Zouche Way Bushby for an:

'Outline planning application (with all matters reserved except for means of access from Uppingham Road (A47)) for residential development of up to 130 dwellings including public open space, sustainable drainage system and associated infrastructure'

The LHA previously asked the Applicant to provide further information in observations dated 11 May 2026. The Applicant has subsequently submitted the following documentation via the Local Planning Authority (LPA) which has been reviewed:

- Link Engineering – Proposed Site Access Junction (Uppingham Road). Drawing Number LBL-LINK-XX-XX-DR-C-0002 Rev. P02; and
- Email from Applicant to LPA. Dated 17 May 2026.

Site Access

Swept Path

The LHA have reviewed drawing LBL-LINK-XX-XX-DR-C-0002 Rev. P02, which confirms that a 15kph speed has been used to demonstrate the swept path.

The Applicant has confirmed that the traffic island will be relocated as part of the proposals, as shown in drawing LBL-LINK-XX-XX-DR-C-0002 Rev. P02. The LHA therefore consider that the demonstrated swept path is acceptable.

Highway Trees/ Visibility

The LHA have reviewed the previously submitted Tree Survey (Report Reference - RSE_9525_R1_V1_ARB) and note that three highway trees are to be removed to provide suitable access arrangements. The LHA would not object to the removal of these trees, however, a suitable contribution toward Leicestershire County Council's (LCCs) tree planting budget would be required for new planting in the local area, to offset this removal. The LHA would seek a contribution of £1,000 toward this new planting.

Secondary access points

As previously noted, the secondary access points are not to be considered as part of this outline application. These access points will be considered in a future reserved matters application, should the LPA grant permission for this outline application.

Off Site Highway Works

The Applicant states, within the email to the LPA, that *'there is no such feature for the existing footway cycleway, so it would look very odd to introduce it for this small section to the east of the bus stop only.'*

The LHA require the 0.5m buffer strip as per Leicestershire Highway Design Guide (LHDG) standard drawing [SD-1100-14](#) and would argue that the requirements for segregated use in Local Transport Note (LTN) 1/20 would apply to shared use. The LHA note that this would also be required for any future scheme that may connect to the section of shared used cycleway. The LHA advise that this provision is achievable within the highway boundary.

The Applicant should note that, where an open watercourse or ditch is near the footprint of any works, or directly affected by the proposals, the design will be required to reflect the requirements of Part 3 of Leicestershire County Council's Ordinary Watercourse Regulation and Culvert Policy.

Further information is available at

<https://www.leicestershire.gov.uk/sites/default/files/2024-02/Leicestershire-OrdinaryWatercourseRegulation-and-Culvert-Policy.pdf>

Junction Capacity Assessments

As per previous comments the LHA believes there would be a material impact at the junction from the proposals and subsequently a deterioration in the performance of the junction in terms of queues and delays. The LHA would advise the Applicant, should a positive recommendation be forthcoming, that they will need to provide a fair and proportionate Section 106 contribution towards future MOVA validation at the A47 Uppingham Road / Station Road junction.

The LHA welcome that the Applicant, within the email to the LPA (dated 17 May 2026), has confirmed that they will provide a reasonable contribution toward this scheme.

Closing

The LHA require the provision of a 0.5m buffer strip for the shared used cycleway, to the west of the proposed access, as per standard drawing SD-1100-14 of the LHDG and LTN1/20.

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Highway Authority advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 116 of the National Planning Policy Framework (2024), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) have been re-consulted on a planning application on Land east of Zouche Way Bushby for an:

'Outline planning application (with all matters reserved except for means of access from Uppingham Road (A47)) for residential development of up to 130 dwellings including public open space, sustainable drainage system and associated infrastructure'

The LHA previously asked the Applicant to provide further information in observations dated 27 May 2026. The Applicant has subsequently submitted the following documentation via the Local Planning Authority (LPA) which has been reviewed:

- Link Engineering – Proposed Site Access Junction (Uppingham Road). Drawing Number LBL-LINK-XX-XX-DR-C-0002 Rev. P02.
- Link Engineering – Proposed Site Access Junction (Uppingham Road). Drawing Number LBL-LINK-XX-XX-DR-C-0001 Rev. P04.

Site Access

Highway Trees/ Visibility

As per previous comments, the LHA will seek a total contribution of £1,000 toward new planting, to offset the removal of three highway trees. This aspect of the proposed development will be addressed as part of the Section 278 detailed design process if the LPA is minded to grant permission.

Secondary access points

As previously noted, the secondary access points are not to be considered as part of this outline application. These access points will be considered in a future reserved matters application, should the LPA grant permission for this outline application.

Off Site Highway Works

The LHA welcome that a 0.5m buffer strip has been demonstrated in drawings LBL-LINK-XX-XX-DR-C-0001 Rev. P04 and LBL-LINK-XX-XX-DR-C-0002 Rev. P02 as requested.

The LHA are therefore satisfied that a safe and suitable access has been demonstrated.

Junction Capacity Assessments

Uppingham Road/ Station Road junction

As per previous comments the LHA believes there would be a material impact at the junction because of the proposed development and subsequently a deterioration in the performance of the junction in terms of queues and delays.

Therefore, the LHA would advise the applicant that they provide a fair and proportionate Section 106 contribution towards future MOVA validation at the A47 Uppingham Road / Station Road junction. A relevant Section 106 contribution is advised below with the payment required to allow the LHA to undertake the review post occupation subject to the applicant obtaining the necessary planning permission.

Closing

Based on the information submitted the applicant has demonstrated that a safe and suitable access to serve the proposed development can be delivered in line with Paragraph 115 of the National Planning Policy Framework (2024).

Furthermore, the applicant has tested the impact of the proposed development on the local highway network, and the LHA considers that the residual cumulative impacts of development can be mitigated subject to the inclusion of the following conditions and contributions.

Conditions

1. No part of the development hereby permitted shall be occupied until such time as the offsite works (footway/cycleway) shown on Proposed Site Access Junction (Uppingham Road) drawing number LBL-LINK-XX-XX-DR-C-0001 Rev. P04 have been implemented in full.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2024).

2. No part of the development hereby permitted shall be first occupied until an amended full Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2024).

3. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Proposed Site Access Junction (Uppingham Road) drawing number LBL-LINK-XX-XX-DR-C-0001 Rev. P04 have been implemented in full. Visibility splays shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access in the interests of general highway safety and in accordance with the National Planning Policy Framework (2024).

4. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

Contributions

To comply with Government guidance in the National Planning Policy Framework (NPPF 2024) and Leicestershire County Council Planning Obligations Policy the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets and mitigating the impacts of the development:

1. Travel Packs to inform all new residents, one pack per dwelling, from first occupation what sustainable travel choices are in the surrounding area including incentives to encourage

changes in travel behaviour towards the greater use of sustainable travel modes. These can be supplied through LCC at (average) £52.85 per pack.

Justification: To inform new residents from first occupation what sustainable travel choices are available in the surrounding area

2. Six-month bus passes, (two application forms per dwelling to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £510.00 per pass.

Justification: In the interests of encouraging sustainable travel to and from the site, achieving modal shift targets and reducing car use.

3. A contribution of £6,000 for the monitoring of the Residential Travel Plan and the effects of the development using the County Council's monitoring programme.

Justification: Justification: In the interests of encouraging sustainable travel to and from the site, achieving modal shift targets and reducing car use.

4. Appointment of a Travel Plan Co-ordinator from commencement of development until five years after the occupation of the last unit. The Travel Plan Co-ordinator shall be responsible for the implementation of measures as well as monitoring and implementation of remedial measures.

Justification: To ensure effective implementation and monitoring of the Travel Plan submitted in support of the planning application.

5. A contribution of £2,000 towards a revised configuration of the A47 Uppingham Road / Station Road signalised junction.

Justification: To accommodate the impact from this development on the highway network.

Informative

- Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>
- Any works to highway trees will require separate consent from Leicestershire County Council as Local Highway Authority (telephone 0116 305 0001). Where trees are proposed to be removed, appropriate replacements will be sought at the cost of the applicant.
- Where an open watercourse or ditch is in close proximity to the footprint of any works, or directly affected by the proposals, the design will be required to reflect the requirements of Part 3 of Leicestershire County Council's Ordinary Watercourse Regulation and Culvert Policy. Further information is available at <https://www.leicestershire.gov.uk/sites/default/files/2024-02/Leicestershire-Ordinary-Watercourse-Regulation-and-Culvert-Policy.pdf>.

