



DEVELOPMENT CONTROL AND REGULATORY BOARD

21ST JULY 2011

**JOINT REPORT OF THE CHIEF EXECUTIVE AND THE DIRECTOR
OF ENVIRONMENT & TRANSPORT**

**APPLICATION UPON WHICH THE COUNTY PLANNING
AUTHORITY IS CONSULTED BY THE DISTRICT COUNCIL**

PART A – SUMMARY REPORT

- APP.NO. & DATE:** Application number 2011/0100/01 – Date received: 18th March 2011.
- PROPOSAL:** Application for outline planning permission for 4,250 dwellings, a mixed use district centre and two mixed use local centres featuring retail, commercial, employment, leisure, health, community and residential uses, non-residential institutions (including secondary school, primary schools and nurseries), a local convenience shop, a Strategic Employment Site of 21 hectares, open spaces and woodlands, new access points and associated facilities and infrastructure (comprising utilities including gas, electricity, water, sewerage and telecommunications, highway improvements and diversion to existing utilities where necessary). Detailed access proposals for two new road bridges over the M1 motorway and M69 motorway, and two road access points from Beggar's Lane and new accesses from Meridian Way, Chapel Green/Baines Lane and Leicester Lane.
- LOCATION:** Land north & south of the M69 motorway, west of the M1 motorway and east of Beggars Lane, Lubbethorpe, Leicester (Blaby District).
- APPLICANT:** Hallam Land Management Ltd, Barratt Homes, David Wilson Homes and Davidson Developments.
- MAIN ISSUES:** The need for the development in the context of local housing and employment land requirements, and in the context of the RSS; landscape impact; green infrastructure provision; impact upon the historic environment; highways considerations; potential mineral extraction; sustainable waste management and the impact upon local infrastructure and service provision.

2011/0100/01 – continued

RECOMMENDATION: Whilst the principle of the development in the location proposed is considered acceptable, significant amounts of additional information are required in respect of highways, archaeology and employment land provision, to make a judgement on whether the development is acceptable and creates an inclusive, sustainable and environmentally acceptable development. In addition, further information needs to be supplied to ensure the development meets appropriate policies in relation to biodiversity, geodiversity, minerals, waste management and green infrastructure. For those reasons the County Council is unable to support the proposal as it stands. In addition appropriate contributions need to be made in respect of service provision.

Circulation Under Local Issues Alert Procedure

Mr. D. R. Parsons CC, CBE
Mrs J. A. Dickinson CC

Officer to Contact

Dan Szymanski, Tel. 0116 305 7050
Email: planningcontrol@leics.gov.uk

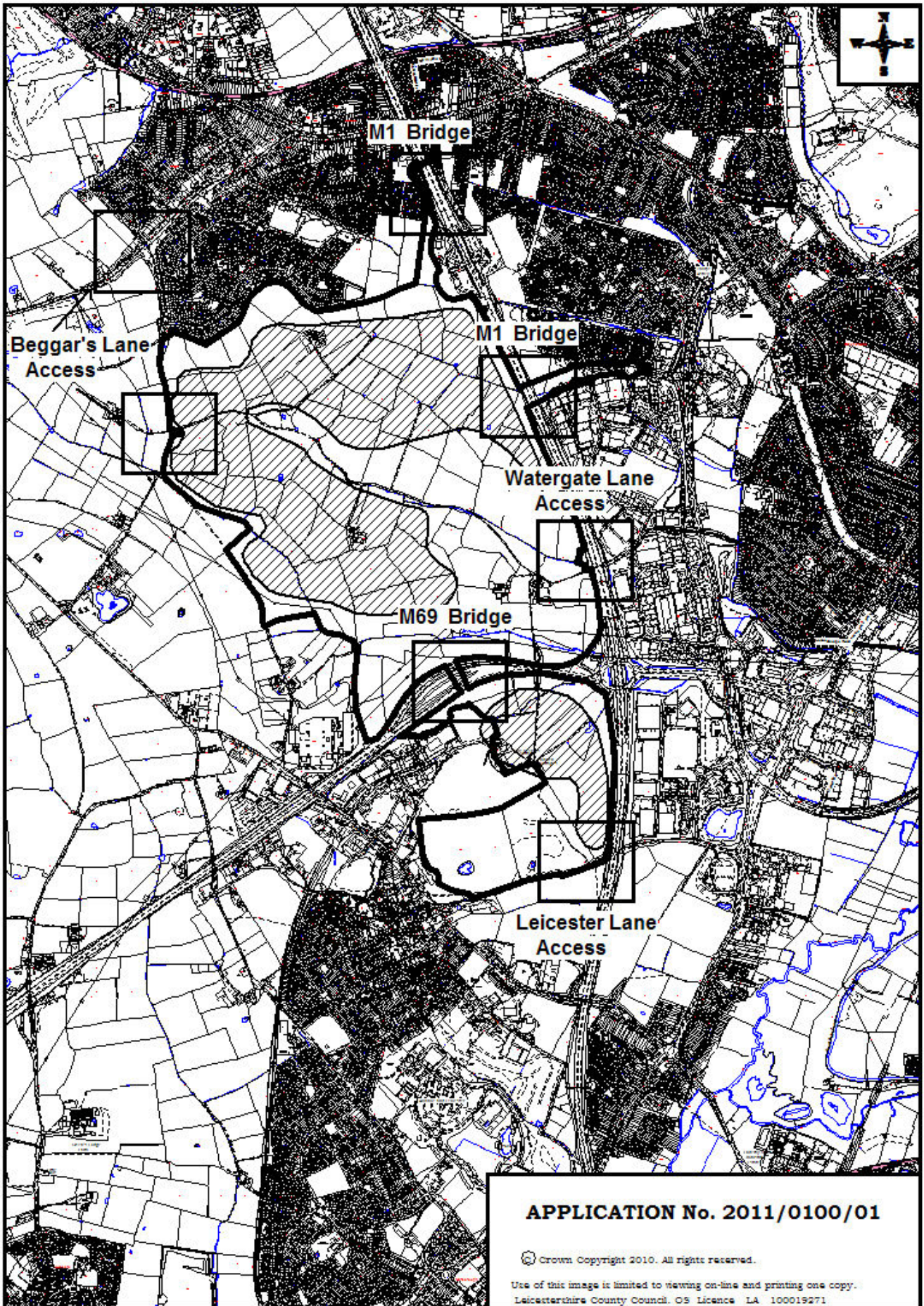
PART B – MAIN REPORT

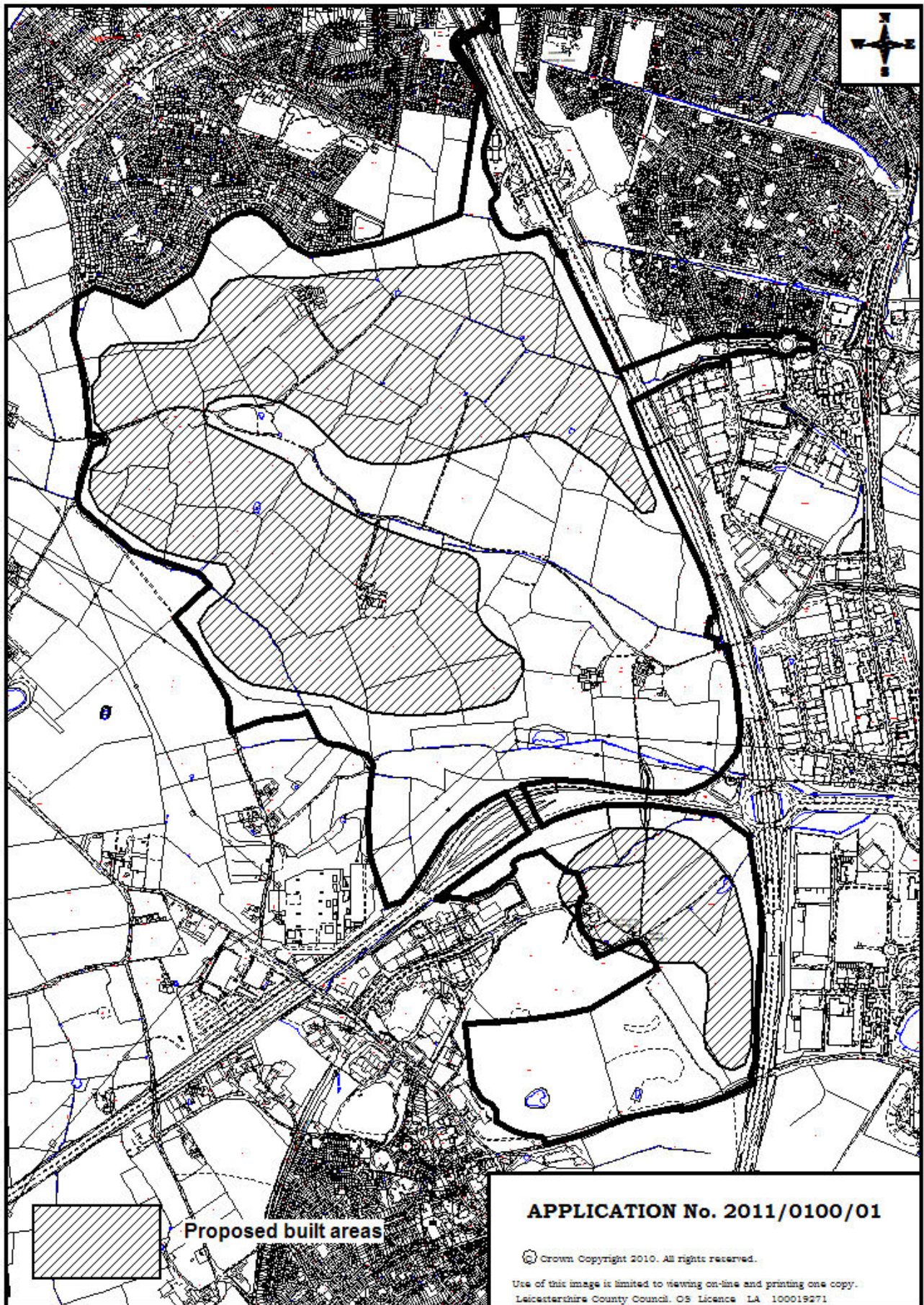
Background

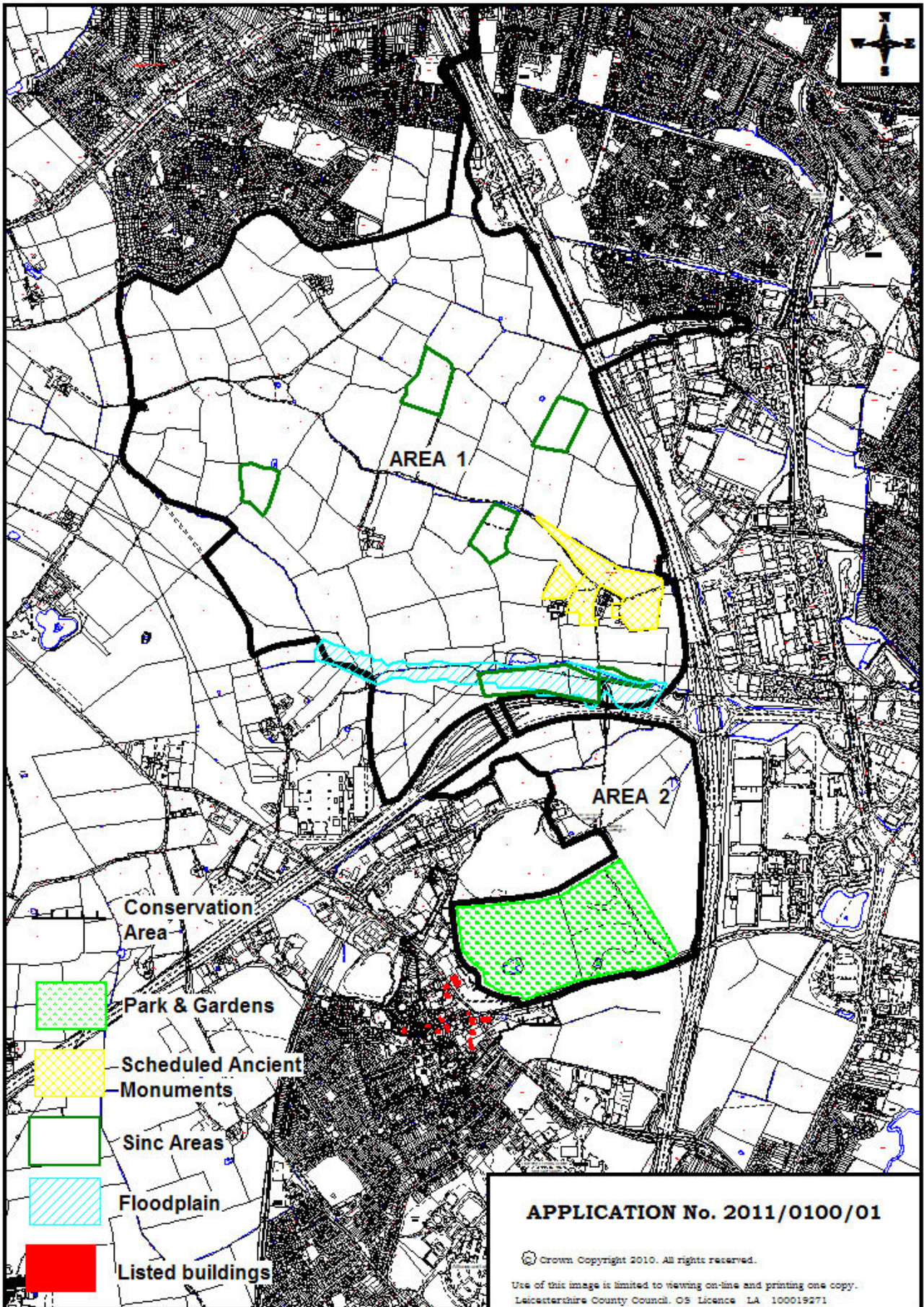
1. Blaby District Council has consulted the County Council on this application in order to obtain its views on the strategic planning aspects of the proposal, as well as a consultee on specialist disciplines and local infrastructure and service requirements. In the event of the application being refused and subsequently being the subject of an Appeal, the views expressed in the County Council's consultation responses would constitute a consideration in the determination of the application, along with the views of any other statutory and non-statutory consultees.
2. In January 2010, the County Council was consulted on a request for a Scoping Opinion in regard of this development, to determine the various matters that should be the subject of a formal Environmental Impact Assessment to accompany the (now current) planning application. A response was sent to the Local Planning Authority in February 2010, confirming the opinion of the CPA and other service departments. Consequently, the current application is accompanied by a comprehensive Environmental Statement as well as other detailed studies and assessments.

Location of Proposed Development

3. The application comprises 394 hectares of which 323 ha is a Sustainable Urban Extension (SUE) located north of the M69, and 71 hectares is a Strategic Employment Site (SES) located south of the M69. The land is owned by the Trustees of the Drummond Estate and several smaller land owners. The red line application area includes highway land not controlled by the promoters required for providing and improving accesses (i.e. under the control of the Highway Authority and Highways Agency).
4. The proposed development would form a western extension to the Leicester Principal Urban Area as defined in the Regional Plan. The site lies immediately to the west of the M1 motorway and north and south of the M69 motorway in Blaby District between the existing urban form at Leicester Forest East, Thorpe Astley, Meridian Park and Enderby. The land is in predominantly agricultural use, and includes some areas of woodland and discrete groups of farm buildings. The application boundary also includes land required for highway improvements and new access points.
5. The site boundary is broadly defined by the existing community of Leicester Forest East (LFE) to the north, by the M1 Motorway and Leicester Forest East Motorway Service Area to the east, by Leicester Lane to the south, and by Beggar's Lane and Enderby Park and Enderby to the west. The site is subdivided by the M69 motorway with the red line extending across the M69 motorway to provide for a proposed bridge link between the northern SUE and southern SES portion.
6. The southern SES portion of the site is bounded by the M1 and M69 and their associated earthworks and landscaping to the north and east. Leicester Lane forms the southern boundary to the SES and the western boundary is formed by







2011/0100/01 – continued

Enderby Hall and its immediate gardens, a landfilled former quarry known as Enderby Warren Quarry, and the Warrens Business Park. Enderby Warren Quarry also includes a geological Site of Special Scientific Interest (SSSI). The southern SES portion of the site also includes a mix of agricultural land and stands of woodland and includes Warren Farm and Warren Cottages. Enderby Park, a former parkland landscape which is now used for agriculture, also lies within the SES portion of the site. The site includes a number of small ponds and ditches, and a small watercourse runs close to the west and south boundaries of the SUE. There are also numerous hedgerows crossing the site which include mature trees in some areas. There are also freestanding mature trees on the site.

7. The northern SUE portion of the site is made up of predominantly agricultural land, but also includes four prominent woodland blocks. There are also existing groups of farm buildings present at Old Warren Farm, Newhouse Farm, Hopyard Farm and Abbey Farm and the Bungalow. Abbey Cottages and Lawn Cottages are residential dwellings that adjoin, but are outside of, the application site boundary. Just north of the M69 motorway run two sets of high voltage overhead cables which feed into the adjacent Enderby high voltage electricity sub-station.

Description of Proposal

8. The application subject of this report seeks outline planning permission for 4,250 dwellings, a mixed use district centre and two mixed use local centres featuring retail, commercial, employment, leisure, health, community and residential uses, non-residential institutions (including secondary school, primary schools and nurseries), a local convenience shop, a Strategic Employment Site of 21 hectares, open spaces and woodlands, new access points and associated facilities and infrastructure (comprising utilities including gas, electricity, water, sewerage and telecommunications, highway improvements and diversion to existing utilities where necessary). In addition it provides detailed access proposals for two new road bridges over the M1 motorway and M69 motorway, and two road access points from Beggar's Lane and new accesses from Meridian Way, Chapel Green/Baines Lane and Leicester Lane.
9. The 4,250 dwellings proposed in the SUE, consist of detached, semi detached and terraced houses, as well as townhouses, flats over garages and apartments. The site would be developed to have a density of 30 – 45 dwellings per hectare. Up to 30% of the new homes on the site are proposed in the form of affordable housing including both social rented housing and intermediate tenures of housing. The following mix of unit types are proposed:
 - Up to 5% of units are proposed to have 1 bedroom, all of which would be apartments;
 - 25% to 30% of the new homes would be 2-bed units, around a quarter of which would be apartments and flats over garages;
 - 25% to 30% of the new homes would be 3-bed units;
 - 30% to 35% of the new homes would be 4-bed units; and
 - 5% to 10% of the new homes would be 5(or more)-bed units.

10. The applicants have produced an urban design framework which identifies the strategic design considerations relevant to the development as a whole. The highest density blocks are located generally along the principal streets and within the District Centre, with core blocks also at the Local Centres. Density reduces towards the countryside edges of the development, at the parkland edges and where existing development on the urban-edge is of low density. Building heights are also highest in the District Centre and in the SES with the maximum building height at 15m above ground level, excluding any point features. Elsewhere the building height is not proposed to exceed 12m.
11. The proposed development is divided into a series of character areas which illustrate how the framework elements come together with the street, density, height, block and building typologies, to achieve a distinctive design character. The appearance of the development is reserved for future approval. However, the principles are identified for architectural design, materials and texture, colour palette, decoration, lighting, hard and soft landscape, street furniture and public art. The proposed development promotes a high standard of energy efficiency and adopts the Government's Code for Sustainable Homes (and the BREEAM Standards for commercial and employment buildings).
12. A District Centre is proposed to accommodate up to 10,260 m² of non residential floorspace, consisting of an envisaged mix of up to 4,230 m² net of retail (Class A1) floorspace, up to 2,000 m² net of business (Class B1) floorspace, up to 500 m² net of A2 (Financial & Professional Services), up to 730 m² net of A3-5 (Food & Drink), up to 1,500 sq m of D2 (Assembly and Leisure) community centre and up to 1,200 m² of D1 (Non-Residential Institutions) health centre to be operated by an appropriate NHS body. Up to 100 m² of floorspace is also assumed for a waste management facility (a 'waste bring site'). The District Centre would also accommodate up to 165 residential units including apartments over shops.
13. The two Local Centres proposed within the SUE would provide services within easy walking distance of new homes, collectively accommodating up to 3,140 m² of floorspace, each consisting of up to 310 m² (net) of retail (Class A1) floorspace, with the remaining floorspace accommodating uses in classes A3-5 (Food & Drink), D1 (Non- Residential Institutions), D2 (Assembly & Leisure) and offices/workspaces. Each Local Centre would also accommodate up to 40 residential units. The Local Centres would be located at the sites of Old Warren Farm and New House Farm, and potential may exist to re-use some of the existing farm buildings as part of the Local Centre developments. A further local convenience store is proposed in the western neighbourhood.
14. Employment land provision is proposed in two forms: as small scale office accommodation within the District Centre and Local Centres; and in the SES to the south of the M69 motorway. In total, 21 hectares (net) of land for Class B1 (business), Class B2 (general industry) and Class B8 (warehouse and distribution) uses is proposed, which could accommodate up to 84,000 m² of floorspace. A further 2,500 m² of Class B1 floorspace is proposed within the District Centre (see above) and Local Centres. Within the employment use classes, the applicants proposes that the SES would contain 1.9 hectares of land for Class B1 (Business) office uses; 4.9 hectares of land for Class B2 (General Industry) and 14.2 hectares of land for Class B8 (Storage and Distribution) uses.

2011/0100/01 – continued

15. A Secondary School and two Primary Schools with on-site playing fields are proposed within the SUE, together with financial contributions towards their provision. The proposed Secondary School site would be accommodated on a 10 hectare site adjacent to the District Centre. The Primary School sites include space to accommodate pre-school provision (if required) and would be located adjacent to Local Centres.
16. The applicants outline a proposed 'movement network' which comprises a street network, cycle, footpath and bridleway routes, and public transport proposals. This is supported by evidence in a Transport Assessment (discussed below) and sustainable transport initiatives proposed in the Travel Plan for the development. Junction improvements would be required to connect the proposals to the existing network; and off-site junction improvements would also be required, to provide for the additional traffic movements generated by the development.
17. The street network within the development proposes a network of 'primary streets' which would provide lateral access east-west across the site, linking into the existing road structure. These would be linked by 'secondary streets' that provide access into the individual development areas, and 'tertiary streets' providing local access within the sub-development areas and include 'home-zone' type streets. The primary, secondary and tertiary streets would accommodate motorised vehicles, cyclists and pedestrians; and would be designed to respond to the appropriate priority within each area, with increasing levels of pedestrian priority down the hierarchy. The street network includes the following connections with the existing highway network:
- New bus, pedestrian and cycle only access into Chapel Green, improvements to Baines Lane and the Baines Lane/A47 junction;
 - Pedestrian and cycle only access onto Watergate Lane;
 - Vehicular, pedestrian and cycle access from Meridian Way via a new bridge over the M1 motorway;
 - Two new vehicular access points from Beggar's Lane and improvements to the Beggar's Lane/A47 junction; and
 - Vehicular access to the employment area from Leicester Lane, connecting to the residential development via a new M69 all-modes bridge.
18. The application details a network of footpaths, cycle routes and bridleways, including the following routes:
- Lubbethorpe Bridleway to be retained as a footpath, cycle route and equestrian route for the majority of its length, as well as providing access to existing properties;
 - Footpath connections to Leicester Forest East;
 - Connections to Enderby, retaining the existing farm accommodation bridge unless improvements to the M1/M69 motorways proposed by the Highways Agency necessitate its removal; and,
 - Retention of existing footpaths and bridleways which cross the site and provision of new footpath connections including to the west of the site.
19. The public transport proposals include the provision of financial contributions towards scheduled bus services linking the development via the District Centre to Leicester City Centre and the railway station. There would be the provision of

2011/0100/01 – continued

infrastructure to promote movement by public transport, including the dedication of road space, and the provision of financial contributions towards the installation of priority signalling and the implementation of high quality waiting facilities. The development would provide dedicated routes for public transport to link the development with the A47 via Chapel Green/Baines Lane, and controlled access to Watergate Lane for those with existing access rights. This is all subject to further detailed traffic modelling using the LLITM and further design-specific modelling tools.

20. The proposals include around 21 hectares as formal open space and around 163 hectares as informal open space (which the applicants state exceeds Fields in Trust and local standards of provision). The landscape and open space structure has been formulated to respond to and enhance the identified features of landscape, historic and wildlife value across the site; the gently undulating landform and the system of shallow valleys; the setting of the Deserted Medieval Village of Lubbesthorpe SAM; the setting of Enderby Hall and the conservation of Enderby Park; the existence of known and potential archaeological resources; and the presence of habitats of nature conservation value; and, the need to protect existing and create new Green Wedges.
21. The development would be progressed as a series of phases, largely determined by access infrastructure availability. Three phases of development are proposed. Phase 1 of 300 units includes the provision of the first Local Centre and Primary School, with the bus route to the north within the SUE, and commencement of the SES. Phase 2 comprises development of around 2,000 homes, the District Centre, second Local Centre and Primary School and is served via the M1 motorway crossing to Meridian Way and a second southern access onto Beggar's Lane. Phase 3 entails completion of the SUE development with the crossing of the M69 and completion of the SES. It is estimated that the first occupations would be in 2013/2014 and that development would be complete by around 2026/27.
22. The applicants have produced a summary and appraisal of how the development conforms with national Planning Policy Guidance Notes and Planning Policy Statements, which will be discussed in the assessment section of this report as appropriate. The planning application is accompanied by a number of detailed assessments considering key aspects of the scheme which are summarised below.

Accompanying Assessments

The applicants have provided an Employment Assessment which gives a market-based assessment on the suitability and attractiveness of the proposed Strategic Employment Site. The assessment looks in detail at historic provision and take-up of employment land (specifically in relation to Structure Plan requirements), recent District and Housing Market Area Studies considering employment land need (in 2006 and 2008 respectively) and recent changes in employment land provision (specifically B1, B2 and B8 land) in the area. The assessment includes a section considering employment land and premises trends and occupiers requirements. It then focuses on the specific demand profile for Blaby District.

2011/0100/01 – continued

23. The assessment explains the shortfall in recent employment land provision is an issue that the Blaby AMR suggests should be considered during the preparation of the Council's Core Strategy. In summarising recent trends and needs in Blaby District it notes the area around Junction 21 of the M1 motorway (where it intersects with the M69) has become a highly successful business location. As a result, there is now a quantitative and qualitative shortage of development land. The limited land available (at Grove Park and Carlton Park) is promoted for offices, but there is no development land of quality available and deliverable to attract and accommodate industrial and distribution companies, a need that the SES seeks to meet. To meet the needs identified it is suggested that the development would provide 1.9 Ha (7,600m²) of B1 use, 4.9 Ha (19,700 m²) of B2 use and 14.2 Ha (56,700 m²) of B8 use.
24. The Retail Assessment considers the current role of the main retail centres in the area and outlines the main convenience retail provision that is currently available; the planning policies at a national, regional and local level; and (in accordance with national planning policy) an impact assessment of the proposed development on existing centres. It also explains why a sequential approach assessment is not required. The assessment confirms that the location and scale of the proposed retail provision is in keeping with the recommendations of the 2008 Blaby Retail Study. Although the development would not be fully complete until 2026, the main retail centre should be completed much earlier to establish sustainable shopping patterns. The proposed retail provision in the form of a district centre and two neighbourhood centres is required to support and address local needs arising from the Lubbethorpe urban extension.
25. There would be more than sufficient spending within the catchment area to enable existing (nearby) in-centre stores and out-of-centre stores, to achieve growth in turnover such that, unless new stores are introduced they would overtrade. Evidence suggests that there would be no adverse impact arising from Lubbethorpe and that there may be a need for further convenience floorspace in this part of Blaby over the plan period. It is considered that the centres of Blaby, Enderby and Leicester Forest East will continue to trade more or less as they currently do. Accordingly, it is considered that the proposal is consistent with the adopted and emerging development plan and PPS4, and will secure a sustainable pattern of development that meets local need without adversely impacting on the existing centres.
26. The applicant has provided an Energy Assessment to provide advice on renewable energy options for the development. This includes a summary of renewable energy planning policy, the Code for Sustainable Homes and the Building Regulations (towards achieving zero carbon homes), and the various government incentives and tariffs. It estimates the total amount of energy to be generated by the Lubbethorpe development, and how this translates into proportions of heat and electricity and annual CO₂ emissions. It assesses the possibility of using wind, biomass, solar and ground source heat technologies within the development.
27. Large scale wind turbines were considered unsuitable for the development because of noise and visual impacts on local residents. Smaller wind turbines have been considered of which the largest would provide equivalent to 1.4% of

2011/0100/01 – continued

the total energy demand, achieving a 2.11% CO₂ reduction. Passive solar design should be incorporated into the design of the buildings in the initial stages of development.

28. A 2 panel solar hot water system fitted to every dwelling would be sufficient to supply 70% of residential hot water demand, equating to 17.44% of the total energy demand and a 10.20% CO₂ reduction. This would require 5m² of SE-SW facing roof space per dwelling. A 2 panel solar PV system could be installed on each dwelling to meet all residential electricity demands. This would provide 36.63% of the total energy demand and reduce CO₂ emissions by 55.83%. This would require 26m² of SE-SW facing roof space per dwelling. Solar PV could be installed on non-residential buildings to meet the electricity demand. This would provide 14.27% of the total energy demand and a CO₂ saving of 21.75%.
29. Ground Source Heat Pumps can be used to meet space heating requirements. However they increase the electricity demand by 1kWh for every 4kWh of heat. If installed on all dwellings this would meet their space heating requirement, meeting 40.44% of the total energy demand, but only providing a 9.16% CO₂ reduction. On non-residential buildings they could provide 3.15% of the total energy demands and reduce CO₂ emissions by 0.65%. For biomass, domestic boiler capacities are too low for biomass boilers to be suitable. The study provides an assessment of the potential and benefits for biomass boilers in all non-residential buildings. For example, in each primary school a biomass boiler would provide 0.47% of the total energy demand and a 0.27% CO₂ reduction. A 2000kW biomass boiler could be installed in the warehousing and distribution space. This would provide 7.5% of the total energy demand and a 4.38% CO₂ reduction.
30. Biomass CHP could meet (subject to the generating capacity of the plant) all of the developments energy demands. A biomass boiler and steam turbine (peak load) is expected to exceed the total energy demand with excess electricity being exported to the grid. This would achieve a 136% reduction in CO₂. A base load CHP Plant would meet 92% of the total energy demand and achieve a saving of 89% CO₂ emissions. A gas CHP plant could meet all the energy demands for the development and provide a 68% CO₂ reduction. It is unlikely that the heat network for a CHP plant would be able to cross the M69 to the southern area of the site. Ground source heat pumps could be installed to meet the heating demand of this area of development.
31. The assessment recommends that further work on the scope and costs of the district heating network should be carried out once the energy strategy for Lubbesthorpe is agreed. The biomass CHP plant and the district heating network should be incorporated into the detailed design. A wood fuel resource assessment should be undertaken to ensure woody biomass and/or waste wood can be sustainably sourced locally. Discussions should be held with the District Council and/or neighbouring local authorities to assess the scope for a council led ESCo to include a CHP plant and heating network at Lubbesthorpe. An additional 30% reduction in CO₂ will be required in order to achieve the zero carbon target. This could be achieved by installing solar PV on site or pursuing renewable projects off site under the 'allowable solutions' option of level 6 of the Code for Sustainable Homes definition.

2011/0100/01 – continued

32. The applicant has submitted a Sustainability Assessment of the development, which draws together aspirations from a number of other documents and assessments. Some of the sustainability measures outlined are delivered through the master plan design itself that accompanies the outline application; some will be fixed through further strategy proposed pursuant to conditions, subsequent detailed design of buildings, spaces and infrastructure. The applicants state that document is deliberately submitted in draft form because several of the sustainability elements require commitments to be made by both the developers, the County Council and the District Council through s106 agreements. Therefore, it is intended that a final version of this document be issued once planning permission be granted and the s106 obligations agreed.
33. The Green Infrastructure Biodiversity Management Plan provides an overview of current conditions at Lubbesthorpe, before presenting the overall aims, objectives and management for the GI Proposals. It provides both generalised and detailed management prescriptions for the creation and management, together with a monitoring and preliminary five year working programme. The application makes provision for formal recreation grounds and children's play space. Recreation grounds are proposed in Old Warren Park, and smaller play spaces are proposed in Central Park, Brook Park and Enderby Park, with associated pavilions and other buildings. The proposals include provision of allotments and community orchards located alongside and within housing areas.
34. New areas of habitat creation are proposed including within Brook Park in the south of the SUE and the creation of a landscaped bund alongside the M1 within the SUE. All brooks and ditches would be conserved, and all boundary buffer strips would be at least 10 metres wide, to ensure their value to flora and fauna. Around 85% of the existing hedgerow framework would be retained. Existing hedgerows have been incorporated into the plans and reinforced as necessary to improve their structure and diversity. New hedgerows are proposed along the lines of new roads with species-rich grassland verges. Ditches and verges would be incorporated alongside hedgerows to create integrated habitats. Water bodies would be located within areas of existing habitat, with grassland, scrub and trees to contribute to habitat creation. All other existing water bodies are proposed to be retained and to undergo habitat enhancement.
35. The applicants have submitted a Minerals Assessment, which utilises desk top evidence to assess the potential mineral resource available and the potential for viable recovery of any resource. Using geological information and borehole evidence and a soils report, it has been concluded that there is a large tract of glaciofluvial sand and gravel present with a potential resource area of at least 11.5ha and around 300,000 tonnes of mineral. A Phase 2 Assessment should be initiated in this regard to properly identify the extent of any mineral resource in Area 2. When considering any extraction against the Minerals Local Plan and Minerals Development Framework, it is concluded that the potential resource could be recovered as a borrow pit within policy parameters. It is therefore recommended that a second stage of investigation is initiated which concentrates on proving the deposit, which could be used as a borrow pit in conjunction with the wider development. Taking account the findings of the archaeology studies, it is believed that extraction works could be carried out following the grant of outline planning permission and conditioned appropriately.

2011/0100/01 – continued

36. The Transport Assessment utilises traffic surveys at a number of junctions on A47, A563, B4114 and B582, with automatic traffic counter sites positioned on A47, Beggars Lane and Leicester Lane. That data forms the base traffic movements against which the impact of the development is assessed, supplemented by modelling using industry standard computer programs, namely ARCADY (roundabouts) and LINSIG (signals).
37. The assessment summarises improvements as part of the proposals including improvements to the signalised junction at Beggars Lane, a new bridge link road across the M1, a bus link via the existing M1 service bridge and Baines Lane onto the A47, a new bus lane on A47 between Baines Lane and the Braunstone Lane junction, a new bridge link road across the M69 and a new roundabout junction on Leicester Lane. Improvements are also proposed to the Narborough Road/ Leicester Lane junction. Access to the development site for vehicular traffic will primarily be via the new M1 bridge connecting to Meridian Way and via the new M69 bridge and link road, connecting to Leicester Lane. Connections would also be made to Beggars Lane at two locations. The applicant states that the Highways Agency is proposing a new slip road between the M69 and M1 and associated widening works. Although these improvements are currently on hold, an allowance has been made to accommodate the proposals in the future.
38. The results of the analysis show that with the proposed highway infrastructure in place the majority of junctions would operate within capacity. At junctions where the effect of the development is likely to result in the operating capacity being reached, the proposal will be to include MOVA (Microprocessor Optimised Vehicle Actuation). MOVA operates in a delay minimising mode; if any approach becomes overloaded, the system switches to a capacity maximising procedure. The provision of MOVA at these junctions which will ensure the capacity of these junctions is more effectively used (by up to around 13%).
39. The Blaby Road / High Street junction has been modeled by the applicant as being close to capacity, with any additional traffic through this junction reducing this capacity further and adding to queues. MOVA has already been provided at this junction and physical improvements are made problematic due to highway land constraints. Accordingly, it is considered that this constraint would restrict the distribution of traffic from the site via this route and traffic will re-route accordingly via the routes available through the development. In addition, the provision of infrastructure within the development linking the A47 with Meridian Way and Leicester Lane by providing new bridges across the M1 and M69 offers alternative routes for traffic to avoid travelling through Enderby. Other junctions that will exceed their design capacity are the Desford Road/ A47 junction and Leicester Lane/ Narborough Road junction. To address the capacity issues at these junctions, the proposal will include MOVA to be introduced as there is limited highway land available to undertake highway widening.
40. Phase 1 proposes the development of 300 dwellings and primary school, with phase 2 providing some 2,000 dwellings, the secondary school and local centres. The 3rd phase would include the remainder of the development. The bus provision is to be provided once 100 dwellings have been occupied together with the bus lane proposals between Baines Lane and Braunstone Lane. The proposed highway infrastructure is phased in such a way so as to ensure that the

2011/0100/01 – continued

measures provided in phases 1 and 2 are more than required for the particular phase. This ensures the impact of the development in each phase is no greater than the overall impact of the completed development. Travel Plans are submitted as stand alone documents and provide the measures that would be put in place to encourage use of alternative modes of transport.

41. The assessment explains that the design of the site layout follows the design principles of Manual for Streets (MfS) and the recently published Manual for Streets 2 (MfS2) together with the County Council's design guidelines. The main routes through the site would be 6 metres in width with a 30mph speed limit, reduced to 20mph where it passes schools. Local roads will be between 5.8m and 4.8m depending upon the level of use proposed and subject to a 20mph speed limit. The design of the highway layout will ensure that speed levels are self-enforcing where possible, reducing the need for physical traffic calming measures. Parking would be provided in accordance with the County Council's standards incorporating a mixture of parking arrangements including off-street, on-street and communal parking areas. The layouts would be designed to assist in calming speeds, maximising security and minimising visual dominance.
42. The applicant considers that measures being proposed by the development proposal will assist in providing improvements to the existing highway infrastructure and mitigating the developments impact on the local highway network. These include the considerable investment of new links across the M69 and M1 together with a dedicated high speed bus link to the City Centre. The site will have a number of facilities internal to the site which will reduce the need for residents to travel on the local highway network especially during the network peak periods and encourage the use of alternative modes of transport.
43. An Environmental Impact Assessment accompanies the planning application, which is divided into several chapters, the conclusions to which are summarised below. The statement deals with identified matters, and where appropriate provides a summary of the conclusions on the environmental impacts, whether they are positive/negative; their magnitude, and any mitigation measures to address these impacts:

Development Proposals (The Project)

44. This includes an explanation of the vision, the design principles and the layout. It explains the proposed land uses and quantum of development (where possible for an outline application), the urban design framework and the access framework, the scale and appearance of the development, environmental performance measures, and phasing.

Planning Policy

45. This section summarises adopted national, regional, County and local policy considerations, as well as other material considerations such as the Blaby Interim Housing Requirement, relevant supporting local, sub-regional and regional technical studies, as well as County and District wide studies that have informed the submission draft District Core Strategy and developer contribution (infrastructure requirements).

Consideration of Alternatives

46. The chapter outlines the main alternatives that have been considered and indicates the main reasons for the selection of the application site and the form of the development proposed. It explains that 4,250 new homes is considered consistent with the requirements of the Regional Plan and the emerging CS, which envisaged a development of 4,500 new homes. At the scale proposed the development is capable of accommodating a full range of facilities including shops, health care, primary schools and a secondary school, and supports a good quality bus service. A smaller development threatens the viability for provision of a secondary school and affects the ability to deliver high quality facilities to serve the new population. The employment development allows for more sustainable development of the SUE, reducing the need to travel for employment and within a reasonable walking and cycling range, with good quality public transport links. Without the SES as part of the development then local residents would need to travel further to work and the opportunities for a more self-contained development are reduced.

Socio-Economic Assessment

47. During the construction phase it is estimated that there would be a total of 416 people (FTE) employed per year over a 10 year construction period. During the operation phase 1,682 jobs would be created by the SES and an additional 658 within the SUE development. It is expected that there would be a further 2,527 indirect jobs created by the development. Therefore the impacts of the development will be major, beneficial and long term, and will be experienced at the local and district and sub-regional levels. The provision of new housing through the proposals will result in a major, long term benefit for the local, district and sub-regional area, and in regard to affordable housing are seen to be beneficial, major, district levels and long term. The project would have a neutral impact on the availability of provision of hospital care. In both primary and secondary education the medium and long term impacts are considered to be neutral on local education provision. Increases in the capacity of the secondary school may allow children in existing housing to be educated at the new secondary school which would lead to moderate beneficial impacts. As a result the scale and location of new facilities will meet the needs arising from the local community.

Landscape and Visual Resources

48. This section considers the impact of the development on landscape and visual amenity of the site and its surroundings, as well as discussing a Green Infrastructure (GI) framework. It is noted that part of the southern site area falls within the Sence and Soar Green Wedges; Enderby Parkland and Enderby Fields. Both the Lubbethorpe SUE and SES sites fall within the Urban Fringe Green Infrastructure Enhancement Zone. The application site falls entirely within the Leicestershire Vales National Character Area (NCA 94) and regionally in the Village Farmlands Landscape Character Area. The Landscape and Woodland Strategy places the application site within the Upper Soar character area.

2011/0100/01 – continued

49. At the local level the application site lies within 17 character areas, of which all but two (Enderby Hall and Enderby Fringe) are of a low – medium sensitivity. The application site has been assessed from 38 viewpoints. The applicant has concluded that once constructed (after a period of 10 – 15 years) the development would have some form of beneficial impact in 13 of the 17 character areas studied, with 2 areas subject of no impact and the other two no significant landscape impact. An assessment has also been made of the impact upon surrounding residential properties, roads and footpaths. These assessments conclude that generally there would be slight beneficial impacts. Adverse landscape effects during the construction phase would be restricted to the site area only and adverse visual effects would essentially be limited to the localised areas adjacent to the application site. On completion the Project would result in a slight to moderate beneficial landscape effect overall. No significant adverse landscape effects are anticipated in the long term.
50. The Green Infrastructure strategy (referred to in paras 34 – 35) is said to respond to the baseline environmental conditions. The assessment concludes that the project affords an extensive GI framework which would be well designed to create a balance between recreation and conservation needs, and ultimately there would be a range of beneficial landscape and visual effects arising from New Lubbethorpe.

Ecology

51. The 394 hectare site predominantly comprises agricultural land, with both arable and improved grassland compartments, blocks of mature plantation woodland, hedgerows and veteran trees. Lubbethorpe Brook cuts through the northern section, with an unnamed brook in the southern section, and there are a number of permanent and ephemeral field ponds and water-bodies. Much of the land is of relatively limited ecological value and the presence of protected and notable fauna is relatively restricted. Badgers, bats, water vole, barn owl and a variety of farmland birds have all been recorded in the habitats of greater value within the application site. The proposals would create areas of higher biodiversity value within around 208ha (53% of total site area) of new and existing green space, retaining the vast majority of hedgerows and woodlands as a framework. Habitats currently used by protected species would be maintained and enhanced and new habitats suitable for other fauna would be provided, taking into account both UK and Local biodiversity priorities. Prior to the submission of each detailed or reserved matters planning application, relevant plots and phases would be re-surveyed. Results would be used to influence the detailed design of each area and specific mitigation as necessary.
52. The applicant has assessed the effects of the proposal on each protected species and each habitat during construction and once the development is operational. The most significant impact is due to farmland habitat loss which cannot be mitigated for, and the significant adverse effects at a local level would occur for breeding and wintering skylarks. There is abundant habitat in the wider area and relatively low numbers of birds were recorded on site; the overall conservation status of these species in the wider area would not be expected to be affected. Two woodlands will be located within close to proximity a school and residential development where operational pressures (following mitigation)

2011/0100/01 – continued

would mean residual effects, significant at the site level would remain with respect to the habitat quality of these woodlands.

53. The assessment considers that would be substantial positive effects on the biodiversity of the local area in the long term through habitat creation and the subsequent management of new and retained habitats. The GI network would lead to an increase in the diversity and quality of habitats represented in the local area, complementing those of value in the wider county area, which would be of value to a greater range of fauna than currently present. Creative conservation techniques would guide detailed implementation and long term management targeting biodiversity enhancement. Positive effects identified are expected to be significant at a local, possibly district level.

Archaeology and Cultural Heritage

54. The application site and surrounding area has been the subject of more or less intensive activity from the pre-historic times to the present day, which is documented in this section of the ES. It describes the deserted village of Lubbesthorpe and the earthwork remains of a medieval rabbit warren adjacent to Beggars Lane (both scheduled monuments) and various finds on the application site including prehistoric (Mesolithic to Iron Age), Roman, Anglo-Saxon, Medieval, Post-medieval and Modern sites and finds. Whilst there are no Listed Buildings within the proposed development area, there are a number in its immediate vicinity, notably in Enderby (e.g. Enderby Hall, the church of St. John the Baptist, the Old Manor House and Barclays Bank) as well as Huncote Grange 1km to the west of Lubbesthorpe.
55. The applicant has assessed the site by means of a desk-based study, site inspection and a geophysical survey, including detailed magnetometry of targeted areas (approximately 20% of the site). The latter has found evidence of archaeological features, the most notable of which were two areas where anomalies suggest the presence of buried archaeological remains likely to represent early settlement, enclosures and field boundaries. Agricultural marks including ridge and furrow were present in several areas.
56. The ES concludes that there would be no physical impact on the scheduled monument at Lubbesthorpe, although there would be permanent impacts upon that setting and the setting of the Rabbit Warren monument. These impacts would be reduced by planned green infrastructure. With mitigation the impact upon Lubbesthorpe is deemed to be 'slight adverse', with a 'moderate adverse' impact upon The Rabbit Warren. The construction impacts on buried remains are likely to be permanent in nature such as the removal of archaeological features during ground breaking works, which the applicant concludes as being 'moderate adverse'. The development would have a 'slight adverse' impact upon the setting of some listed buildings. There would be a 'moderate adverse' effect upon the historic landscape which retains the pattern of early C16th enclosure.

Agriculture & Soil Resources

57. Development of the site would remove 337 hectares of land from agricultural use. 94 hectares of this land is best and most versatile quality (grade 2 and sub-grade

2011/0100/01 – continued

3a). The remaining is of moderate quality. Overall, the development would result in a 'moderate adverse' effect upon agricultural land. The loss of land affects four farm businesses (Hopyard Farm, Hunscombe Grange, Old Warren Farm and Lawn Farm) resulting in a 'moderate adverse' effect. Soil functions would be severely compromised over most of the site through sealing by roads and buildings. However, this would be partly mitigated by ensuring that the soils within domestic gardens and open space are in the best possible condition. Overall, there is a 'major adverse' impact in built areas and 'minor beneficial' impact in landscaped areas.

Water Hydrology & Drainage

58. This section of the Statement draws upon the findings of a Flood Risk Assessment submitted as an Appendix to the ES which applies a detailed methodology to consider the impacts of the development. The site lies within the catchment area of the River Soar. The majority of the site is undeveloped with surface water flows following natural topography into Lubbesthorpe Brook. Existing on-site drainage ditches also drain into the Brook. The majority of the site lies within Flood Zone 1 (at low risk of flooding). The area immediately north of the M69 lies within Flood Zones 2 and 3 and is of medium to high flood risk. The potential effects resulting from the project were identified as part of the design process, and relate to available flood storage due to ground raising, hard landscaping increasing in surface water runoff, flood risk downstream and an adverse effect on water quality, potential damage to a foul sewer running through the northern portion of the site.
59. The project has been designed to avoid significant adverse effects upon soil or groundwater quality, or be detrimental to the hydrogeological flow conditions. All built development and construction activities would be outside the flood extent to ensure that the project does not displace any flood waters or cause flooding to the development itself. Similarly, proposed SUDs features would be located outside the flood extent to ensure the required flood storage volume is available at all times. Proposals include the efficient collection, conveyance and treatment of foul water discharges to infrastructure which would be adopted and maintained by Severn Trent Water. Improvements to existing off site infrastructure would be undertaken as required to provide adequate capacity to serve the project. With mitigation measures it is concluded that the project would not result in any likely significant adverse effects in relation to water, hydrology or drainage.

Land Contamination

60. The applicant has undertaken a comprehensive desk-based study of utilising historic records and maps as well as records of consents and incidents granted by the appropriate regulating authorities (e.g. discharge consents, former landfills and recorded pollution incidents) across the site and surrounding area. The history suggests that ground conditions are predominantly undisturbed and that very little contamination should be present. However, localised hotspots may be present and should be targeted for ground investigation. To this end the assessment details activities to be incorporated into the site investigation including trial pitting, borehole sampling, ground water sampling, laboratory testing of topsoils, geotechnical testing and analysis, gas monitoring and risk

assessment. This would be targeted towards an area of made ground shown around the existing and former farm buildings, an adjacent landfill site, the site of the two Recorded Pollution Incidents, and in the vicinity of the large sub-station.

61. Remediation measures, should they be required, would have a beneficial environmental effect in relation to the local land quality, groundwater and surface water quality. In addition, an appropriately designed remediation strategy would allow material to be retained on site, reducing the need for off site disposal and importation of replacement clean materials. It is anticipated that the proposed development would have a slight/minor positive effect with respect to land contamination. The construction effects are concluded to be minor negative effects. Incorporation of the mitigation measures, if required, should ensure that there are no residual effects caused by the development and as such the remediation should have a minor positive effect on the character and integrity of the site. It is concluded that the development will have a minor positive effect on the site and surrounding area.

Noise, Vibration & Acoustics

62. The assessment of potential noise and vibration effects resulting from or impacting upon the project was based upon: Identifying potentially sensitive existing and future noise receptors on the site and surrounding area; Establishing baseline noise conditions currently existing at the site and nearby receptor locations through noise surveys; Assessing the suitability of the site for the project; Assessing likely noise and vibration levels generated during the construction works; Establishing design aims for plant and services to be located on, or within, the proposed new buildings at the site new residents; Formulating proposals for mitigation where appropriate; and, Assessing the significance of any residual effects.
63. An assessment has been undertaken to indicate whether the noise and vibration resulting from the project would be significant. For the existing residential properties adjacent to the site, increases in traffic flows caused by the project would not be sufficient to make a perceptible difference to noise levels. The project includes design measures which would be implemented to reduce the noise created by the proposed SUE and SES to an acceptable level, resulting in no likely significant adverse effects. Noise levels created by the M1 and M69 would also be appropriately mitigated and would not cause any likely significant adverse effects. A Code of Construction Practice (CCoP) would be followed to minimise noise and vibration effects for local residents throughout the construction phases of the project.

Air Quality

64. This Chapter assesses the likely significant effects of the project on local air quality, particularly in relation to existing sensitive receptors surrounding the site and its future occupants. It assesses the likely effects from dust and road traffic exhaust emissions and plant emissions generated during the construction and completed operational phase.

2011/0100/01 – continued

65. The effects of plant operating on the construction site would be negligible in the context of local background concentrations or existing adjacent road traffic emissions. The effects of construction vehicles entering and leaving the site would be negligible (on the wider main road network) to minor adverse (on roads closest to/accessing the Site). Following the employment of appropriate environmental management controls, it is envisaged that the effects of the demolition and construction works upon local air quality would be significantly reduced. As such, the worst-case (anticipated during dry and windy conditions only) residual effects resulting from dust would be temporary, short to medium term and of major adverse significance at Lawn Cottages; and temporary, short to medium term and of minor adverse significance at properties along/off Forest House Lane, Guinevere Way and Lancelot Close.
66. The completed and operational project would inevitably generate additional traffic movements and emissions, however, the project is not predicted to lead to any exceedances of the air quality objectives or lead to an extension of an Air Quality Management Area (AQMA). In addition, measures to reduce travel by car, and thus reduce further the predicted effect of the project on air quality, would be incorporated into a Travel Plan and Travel Pack for residents and employees within the Project respectively. The residual impact of the operational phase from heating plant systems on local air quality (with the imposition of suitable conditions to control effects) is considered to be negligible. The operational traffic associated with the completed project is predicted to result in negligible to minor adverse residual effects on local air quality.

Waste

67. This Chapter considers the waste arisings resulting from the construction phases of the project as well as arisings on completion of the project. In terms of construction a number of measures are integrated into the works to minimise waste include: Vegetation to be shredded and chipped prior to being taken off site for composting or reuse; Cut and filling activities to ensure all topsoil and subsoil would be reused, and minimising the import of material; Any identified contaminated material would be treated in-situ where possible for reuse. The effect of the earthworks stage prior to mitigation and reuse of material within the project is considered to be moderate adverse overall. Throughout the construction phases there is potential for raw material waste which would require disposal off-site e.g. concrete, bricks, wood, metals, glass, plastics. Contractors working on the project would be expected to employ a series of measures to mitigate potential construction effects. Following mitigation measures contained in the SWMP, the overall short term waste effect is assessed as 'low adverse'.
68. The Project is expected to generate approximately 4,920 tonnes of household waste annually from the housing (e.g. from collections), with approximately 1,797 tonnes of waste to be delivered to local Recycling and Household Waste Sites. The project would be built to current standards for Sustainable Homes which involves waste reduction practices and management of resources in an efficient manner. The household waste from the project is not considered to have a likely significant effect on the waste disposal capacity for LCC.

69. Anticipating that the business premises would be completed by the end of 2021, a total of 14,760 tonnes of commercial and industrial waste could arise. It is likely that competent recycling and resource efficiency drives will occur by the commercial and industrial sector and that this would allow significant reduction in waste arisings. It is not likely that commercial and industrial waste arisings would have a significant effect on collection or disposal of waste, as such there are not considered to be any resultant significant adverse effects. During 2021, the total waste arisings forecasted to be generated by the project is 21,583 tonnes of inert and non-inert waste. Future waste management capacity is tabulated in LCC's Waste Needs Assessment, October 2010. This suggests that there would be sufficient capacity for the waste generated by the project.

Transport

70. This section utilises assumptions in the Transport Assessment to assess the environmental effects from the development. It makes reference to the importance of the proposed high quality public transport together with good opportunities to walk or cycle. This would reduce the need for private transport and increase opportunities for alternative ways to travel for those working, living and visiting New Lubbethorpe, Blaby District and Leicester. Greater use of sustainable modes of transport would reduce the effects of the private motor vehicle on the highway network, in terms of traffic congestion, air pollution and noise. Travel plans have been prepared for both the employment and residential use to help ensure that the project's sustainable transport initiatives are well used. A Residential Travel Pack would be issued to all new residents. It concludes that the project would not result in any significant adverse effects in relation to transport.
71. The analysis undertaken within this chapter shows that in terms of severance, there would be a substantial effect on Beggars Lane to the south of the junction with A47, and Meridian Way west of the junction with Lubbethorpe Way. Proposed improvements would assist in mitigating the increase in vehicle movements and ensure that the junction operates within capacity. All measures taken into account, it is considered that the increase in vehicle movements would not have a detrimental effect on Beggars Lane in terms of severance. There is currently no footpath provision south of the A47 junction along Beggars Lane, and there are no controlled pedestrian crossing facilities provided. However, as part of the proposed improvements, new pedestrian crossings facilities would be provided at the junction with the A47, accommodating pedestrian movements at the junction and as such mitigating for any increases in severance.
72. Meridan Way runs west of the A563 (Lubbethorpe Way) providing access to Thorpe Astley and associated residential and retail areas. Part of Meridan Way is dual carriageway allowing sufficient capacity to accommodate the increase in vehicle movements. All of the junctions on Meridan Way have been assessed and found to have sufficient capacity to accommodate the additional traffic movements without adding significant driver delay. The percentage increase in vehicle movements is based on the base traffic movements, which on Meridan Way are relatively low. Whilst an increase in movements along this route would result in a significant increase in terms of percentage change, traffic levels would remain relatively low in absolute terms.

Infrastructure and Services

73. The project provides for the main utilities (electricity, water supply, foul drainage, gas and telecommunications) to serve the site and would be designed to avoid significant adverse effects resulting during the construction period and operational phase. During the operation of the site, it is considered that there will not be any adverse environmental effect associated with the infrastructure service provision. Through the construction phase of the development it is recognised that there may be a minor effect on the infrastructure services however, that effect is considered to be not significant. Accordingly, it is considered that no significant environmental effects will result associated with the infrastructure service supply and foul drainage from the development.

Cumulative Effects

74. Each environmental topic is individually assessed in terms of the overall predicted impact that would result from the development proposals. The significance of this impact is then assessed (see Appendix A). While some topics were assessed as having an adverse effect, the majority of these would be 'slight' to 'negligible' overall. A number of topics would ultimately result in significant beneficial environmental effects arising from the project. In terms of the impact with other developments (i.e. other proposed SUEs), on the assumption that each project would seek to mitigate for any significant adverse effects through a well considered design response, and given the limited available published information on the potential environmental effects arising from these projects, the cumulative effects coming forward in conjunction with New Lubbethorpe, is not considered to have a significant adverse effect on the environmental resource.

Planning Policy

75. National planning policy relevant to the development is contained in PPS1 (Delivering Sustainable Development (2005) & Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 (2007)), The Code for Sustainable Homes, PPS3 (Housing (2006)), PPS4 (Planning for Sustainable Economic Growth (2009)), PPS5 (Planning for the Historic Environment (2010)), PPS7 (Sustainable Development in Rural Areas (August 2004)), PPS9 (Biodiversity and Geological Conservation (2005)), PPS10 (Planning for Sustainable Waste Management (2005)), PPG13 (Transport (2001)), PPG17 (Planning for Open space, Sport and Recreation (2002)), PPS22 (Renewable Energy (2004)), PPS23: (Planning and Pollution Control (2004)), PPG24 (Planning and Noise (1994)), and PPS25 (Development and Flood Risk (2006)).
76. The Development Plan for the purposes of section 38(6) of the Town & Country Planning Act 1990 (as amended) currently comprises of:
- The East Midlands Regional Plan (adopted March 2009);
 - Policies from the Leicestershire Minerals and Waste Development Framework Core Strategies & Development Control Policies up to 2021 (2009);
 - Saved policies and proposals from the Blaby District Local Plan (1999); and,

77. The Secretary of State (SoS) announced in July 2010 that Regional Spatial Strategies were revoked. However, there was a successful legal challenge from Cala Homes in November 2010, with the revocation judged unlawful. On 7th February 2011 Cala Homes lost a case for judicial review, meaning that the SoS's stated intention to abolish regional plans remained a material consideration. The Regional Plan contains housing numbers for Blaby District over the plan period together with general housing policies, and for the time being remains part of the Development Plan, until the enactment of the Localism Bill expected later this year or early in 2012. An updated evidence base was prepared in preparation for the [now abandoned] review of the Regional Plan. The evidence base which made up the review should be given due consideration by the Board, notwithstanding the abandonment of that review and the stated intention of the SoS to abolish the regional plans.
78. The Regional Plan (March 2009), and the Three Cities Sub-Regional Strategy within it, sets out an underlying strategy for the delivery of housing and jobs growth over the period to 2026. The Regional Core Objectives of the Regional Plan are:
- To ensure that the existing housing stock and new affordable and market housing address need and extend choice in all communities in the region;
 - To reduce social exclusion;
 - To protect and enhance the environmental quality of urban and rural settlements;
 - To improve the health and mental, physical and spiritual well being of the Region's residents;
 - To improve economic prosperity, employment opportunities and regional competitiveness;
 - To improve accessibility to jobs, homes and services; To protect and enhance the environment;
 - To achieve a 'step change' increase in the level of the Region's biodiversity;
 - To reduce the causes of climate change; and
 - To minimise adverse environmental impacts of new development and promote optimum social and economic benefits.
79. The Three Cities Sub-Regional Strategy within the Regional Plan explains that within Leicester and Leicestershire the location of this growth is to be focused on the existing Leicester urban area, initially by capitalising on its substantial urban capacity. Later in the plan period it will be met by planned sustainable urban extensions (SUEs) to the Principal Urban Area (PUA). The PUA includes Leicester City, Oadby and Wigston Borough and parts of Charnwood Borough, Blaby District and Harborough District. Elsewhere in Leicestershire the focus for growth is within and adjacent to the sub-regional centres, including SUEs as necessary.
80. The scale of growth set out in the Regional Plan for Leicester and Leicestershire is 4,020 dwellings per annum, of which at least 1,990 dwellings per annum should be within or adjoining the Leicester PUA. Within the District of Blaby 380 dwellings per annum are required, of which at least 250 dwellings per annum should be within or adjoining the Leicester PUA, including SUEs as necessary.

2011/0100/01 – continued

81. A range of employment sites at sustainable locations are sought. The Three Cities Sub-Regional Strategy Policy 4 requires that several factors are taken into account which include the housing distribution, in particular the SUEs; supporting the regeneration of the city centres, including large scale office developments, leisure and retail; the need to provide for the regeneration of deprived communities; and the need to promote local employment opportunities that will reduce out commuting. Three Cities Policy Sub-Regional Strategy Policy 5 refers to local authorities and implementing agencies co-ordinating the provision of enhanced and new green infrastructure, and identifies strategic priorities which include Green Wedges, community forest proposals and 'greenways' around Leicester.
82. Regional Plan Policy 44 includes sub-area transport objectives, which for the Three Cities Sub-area include reducing the use of the car in and around Leicester and promoting a step change increase in the quality and quantity of local public transport provision, and facilities to encourage walking and cycling.
83. Leicestershire Together is the Local Strategic Partnership (LSP) and includes all of the organisations and partnerships that deliver public services in the County. It has developed the Sustainable Community Strategy (SCS) 2008 to 2013 which sets out priorities for improvements in Leicestershire. These priorities are largely derived from evidence based reports. The SCS includes 49 outcomes; of which those relevant to this proposal include: ensuring that the housing needs of the people of Leicestershire are met; that new developments are built to higher design; security and environmental standards and are better supported by services and infrastructure; that there is an increase in the provision of affordable housing; and quality employment sites and premises being more widely available.
84. Leicestershire's third Local Transport Plan (LTP3) was launched on 1 April 2011. The long term strategy for LTP3 sets out a vision for transport to 2026 and provides a framework for how the county's transport system will be managed and developed in the future. The strategic outcomes that LTP3 seeks to deliver include a transport system which provides more consistent, predictable and reliable journey times for the movement of people and goods; all residents having efficient, easy and affordable access to key services, particularly by public transport, bike and on foot; more people walking, cycling and using public transport as part of their daily journeys and accessing the natural environment easily and efficiently, particularly by bike or foot. The key theme is making the best use of the transport system we have, only seeking to increase capacity where it is affordable and is the best choice in the context of the strategic goals and outcomes which LTP3 is trying to achieve.

Development Plans within Leicestershire

85. Within the County area there are currently two adopted Core strategies for Hinckley and Bosworth Borough Council and for Oadby and Wigston Borough Council in addition to the adopted Core Strategies and Development Control Policies for Minerals and Waste (Oct 2009). The Core Strategy for Hinckley and Bosworth Borough includes proposals for two SUEs, one at Barwell and the other at Earl Shilton. It is likely that the next district to adopt its Core Strategy will be Harborough District Council following their Core Strategy Examination in July 2011.

2011/0100/01 – continued

86. Leicester City Council adopted their Core Strategy in 2010, and the underlying strategy of the City's Core Strategy includes a focus on delivering the majority of growth within the existing PUA, in addition to new housing, employment and a district centre at Ashton Green located to the north of the City. It also supports the delivery of a SUE adjacent to the City within Blaby District.
87. Blaby District Council has an adopted Local Plan which contains saved policies setting out housing land requirements until 2006 and two housing proposal sites (neither of which form the application site) based upon the former Leicestershire, Leicester and Rutland Structure Plan. In addition the Local Plan also contains employment land requirements for the District up to 2006. The District Council has prepared a Local Development Framework Core Strategy which was submitted to the Secretary of State and subsequently withdrawn. Although this document has not been adopted yet, it should be given some weight in considering this planning application.
88. On 16 December 2008, the County Council's Cabinet considered comments on the Blaby Core Strategy Alternative Options paper. Key comments on the Alternative Options were:
- That Sustainable Urban Extension (SUE) location C (the site corresponding to New Lubbethorpe) was the preferred location, as it would provide the best critical mass to support infrastructure delivery;
 - That in regard to the County Council's preference for Site C as the location for the SUE, an additional qualification be added as to its design, viz that it be designed to ensure there is acceptable settlement separation between any proposed SUE and Leicester Forest East and Enderby by means of green wedges (with the potential for further westward extension if necessary), and taking into account the development of the proposed community forest in the area;
 - That the proposed locations for Strategic Employment Sites were not satisfactory and integrating employment with the SUE would be preferable;
89. On 8 September 2009, the Cabinet considered comments on the Blaby Core Strategy Submission Version. Key comments were (when advising on consistency with the regional plan):
- The previous consultation on the Blaby Core Strategy (the Alternative Options) was published in November 2008, in the context of the Proposed Changes to the Regional Plan published in July 2008. The final Regional Plan has now been published and this gives rather more flexibility in the location of development within or adjoining the Leicester PUA in Blaby; i.e. "250 dwellings per annum, including sustainable urban extensions as necessary". Whilst the proposed SUE is not inconsistent with the Regional Plan, the justifying text in Paragraph 7.3, (a sustainable urban extension west of Leicester [as necessary]) is out of date.
90. Blaby District Council currently hopes to publish its Core Strategy for public consultation in Winter 2011/2012, followed by submission in Spring 2012, which is likely to lead to examination of the Core Strategy in Summer 2012 with adoption in approximately Winter 2012/13. This means that the planning

2011/0100/01 – continued

application for the New Lubbesthorpe proposal currently before Blaby District Council will not be able to be determined within the context of an adopted Core Strategy. The relevant policies and proposals will be discussed in the Assessment section of this report.

Assessment of Proposal

91. The main overall issues for the County Council to consider are listed below, and considered in the report below.
- Conformity with the development plan and other material considerations in relation to housing land provision;
 - The proportion of land uses and the creation of a sustainable and inclusive community;
 - The phasing of the development and the provision of community services and infrastructure;
 - Environmental and Transportation considerations;

Housing Land Need

92. The East Midlands Regional Plan (2006 - 2026) sets out a requirement of 380 dwellings per year in Blaby District, of which at least 250 per year should be within or adjoining the Leicester Principal Urban Area (PUA). 180 dwellings were completed in 2009/10 (of which 37 were affordable homes) and 924 net completions of the 1,520 dwelling requirement between 2006/7 and 2009/10. However, since the 31st March 2010, several hundred dwellings have been granted planning permission in the District (either by the District Council or on Appeal). It is understood at the present time there are a total of 1,322 'commitments' (e.g. dwellings allocated, outline and detailed planning permissions, under construction and unallocated brownfield sites). Therefore past and projected housing completion rates are currently below the RP requirement.
93. Policy 1 of the draft Blaby District Core Strategy seeks to direct most new development in the District of Blaby (including housing and employment) within and adjacent to the PUA in accordance with the Regional Plan. It is proposed that of the 7,600 houses allocated in the Regional Plan (between 2006 – 2026) 5,250 houses will be provided in and adjacent to the PUA. Policy 3 (based upon the RP requirements) allocates land west of the M1 at Lubbesthorpe as a mixed-use Sustainable Urban Extension (SUE), containing (inter alia) 4,500 new homes (of which 1,350 (30%) should be affordable), employment opportunities, 3 primary schools and a secondary school, and retail provision (circa 3,000 – 4,500 m²).
94. Notwithstanding the RP and CS the District Council reconsidered its position in the light of the uncertainty and legal cases concerning RSSs. Its Full Council meeting of 16th September 2010 agreed to adopt an interim position (for Development Control purposes) for new housing in the District of 260 dwellings per year between 2006 and 2011 and 340 dwellings per year between 2011 – 2016 (apportioned between the PUA and the wider District). The figures were

2011/0100/01 – continued

based on the Secretary of State's Proposed Changes to the East Midlands Regional Spatial Strategy (July 2008). The approach has been approved until such time as the Council agrees a revised provision based on further evidence of housing need. Leicester and Leicestershire Authorities (including BDC) are currently undertaking an exercise to consider household projections which will conclude later this year, but it is understood that the current regional figures are conservative and robust. These are considered to be the best figures to use for development control purposes at the present time.

95. At the present time there is a need for a significant scale of residential development, evidenced in the Regional Plan, withdrawn Core Strategy and the Interim housing figures. This proposal is considered to accord with the development plan, and the other two documents informing housing need (the draft CS and Interim housing figures). Nonetheless housing need would be better informed following the outcome of the current demographic exercise.
96. In terms of the mix of housing within the development, it is important that the commitment is maintained for the provision of between 30% affordable homes (as stated in the application) with an agreed tenure split. However, there is no specific reference to accommodation for the elderly in the application (although there is a broad reference to a care home/retirement scheme). As the elderly population is growing, it will create a greater demand for specialist housing for older people. To support a balanced, mixed tenure community, provision for Extra Care housing needs to be made within the affordable housing proposals. It is requested that the developer makes provision for a scheme of 30-50 units of self-contained flats with support facilities and considers options around core and cluster models. It may be possible to incorporate some community facilities into the main extra care scheme which can be used by the whole community e.g. a doctor's surgery or a coffee shop.
97. To ensure the new community is sustainable and inclusive, the District Council should ensure that provision is made for the Gypsy and Traveller Community within the development. 10-15 pitches are provided within the development, of which 5-10 should be socially rented to adjust the balance. The applicant should make suitable provision as part an amended proposal.

Employment Land

98. The saved policies of the Local Plan contain employment land requirements for the District up to 2006, based upon Structure plan requirements. The Structure Plan was superseded by the East Midlands Regional Plan which did not set employment land figures. More recently the Leicester Shire Economic Partnership commissioned an employment land study for the Leicester and Leicestershire Housing Market Area (HMA) (November 2008). This report sets out (inter alia) the need for joint employment land planning and delivery up to 2026, and will be explained in light of current monitoring figures.

2011/0100/01 – continued

99. The Leicester Shire study identifies a minimum of 100,000 m² of offices, a maximum of 178 hectares of land for light industrial and small scale warehousing and 50 hectares for a road-rail strategic distribution centre within the Leicester-Leicestershire area. It also found that allocations to meet these requirements need to be planned for on a HMA-wide basis. The Study suggests there is a need for around 60 ha of employment land to meet the City's needs but, in recognising the particular shortage of developable land in Leicester for housing and employment, recommends up to 10 ha at Ashton Green and the balance of 50 ha to be found at South Charnwood. The implication is that in 2008 there was a significant under-supply of employment land and that significant allocations would need to be found.
100. For the District of Blaby, the Employment Land Study concluded that between 2007 and 2026 there would be a small decrease in warehousing jobs in the District of Blaby and modest increases (between 1,000 and 2,000) in industrial, office and 'public administration' office based jobs. The report forecasted that (up to 2026) there will be an undersupply of warehousing and industrial land of some 24 hectares within the District, and an oversupply (in the order of 18 – 20,000 square metres) of office space. This oversupply of office space primarily results from existing permissions at Grove Park and Carlton Park. The report suggested that a Strategic Employment Site of some 24 hectares should be provided to meet the outstanding need for industrial and small scale warehousing uses. This is consistent with the recent LDF consultation which looked at potential locations for a Strategic Employment Site.
101. The Blaby District Council Annual Monitoring Report for the year up to 31st March 2010 contains information on progress towards the milestones set out in the revised Local Development Scheme, May 2007, (LDS) and for the current monitoring framework. A total of 4,103m² of employment floorspace was developed in 2009/10; 2,410m² of this was in employment areas. A total of 25.67ha of land is defined as 'available' for employment use in the District of Blaby, with 10.09 Ha benefiting from planning permission.
102. The draft Core Strategy (Policy 4) seeks to direct the focus of employment growth to the northern and central areas of the District, citing the need for a *strategic (large scale – some 25 hectares) employment site ...which will need to have strong connections with the strategic road network....*” Policy 4 is entitled Strategic Employment Site which allocates land off the Warrens as a Strategic Employment Site providing some 20 hectares of employment land, in which the type of employment land provided should reflect needs arising from the local and wider population and businesses (including office and light industry (B1), General Industry (B2) and storage and distribution uses (B8)). The justification for this policy makes reference to both the Leicester and Leicestershire Employment Study (2008) and the Blaby District Employment Land and Premises Study (2006). It notes that these studies identify a requirement for a strategic employment site of some 25 hectares within the District, with the Blaby District Employment Land and Premises Study identifying a further requirement of some 20 hectares of employment land (outside of the Strategic Employment Site). This gives an aggregate need of 45 hectares for the whole District.

2011/0100/01 – continued

103. There appears to be a clear need for employment land within Blaby District, of which a significant amount should be provided within the PUA. The applicant appears to justify the size of the proposed employment area largely on the basis of the Core Strategy and the two reports that inform the CS. Therefore whilst there is a need for a development of at least 20 Ha, it appears that further employment land provision could be justified. A key element of considering the correct amount of employment land would be justifying the SES in the context of creating a truly sustainable SUE, and, meeting the wider needs of the District and PUA.
104. The applicant is considered to have done a thorough study in identifying the proportion of uses. For example, the division of land to provide 1.9 Ha (7,600m²) of B1 use, 4.9 Ha of B2 use (19,700 m²) and 14.2 Ha (56,700 m²) of B8 use. The applicant states that the proposed SES will generate in the order of 1,612 jobs, and the SUE will generate in the order of 651 jobs – a total of 2,263 jobs. The mix of employment uses will offer a spectrum of employment opportunities that will fit well with the range of skills present in the workforce in the area. However, there appears to be little consideration of whether this would provide for a sufficient amount to ensure the SUE is sustainable for example, for the size and envisaged demographic (may be based on different scenarios), let alone contributing towards meeting the wider need. This is a deficiency which needs to be addressed further by the applicants.
105. It is worthy of note that the District Council received an outline application (ref. no. 2010/0118/01) for employment development (B1, B2 and B8) (maximum 30ha), residential development (maximum 250 dwellings), provision of a local retail / community facility (maximum 1400 m²), associated landscaping, open space and infrastructure with vehicular accesses off Kirby Road and Ratby Lane, known as Glenfield Park. The County Council objected to this development for the following reasons:
- The location of the proposed development had been considered as part of the Blaby Local Development Framework process relating to the location of SUEs and SESs, and no overriding material considerations exist which would justify the proposed development at this location.
 - The application site is located in the Green Wedge between Glenfield and Kirby Muxloe, which provides an important strategic gap between settlements. The proposed development would conflict with the aims of the Green Wedges.
 - The Transport Assessment assumptions had not been agreed by the County Council, and significant further work is needed to agree a robust Transport Assessment.
 - Granting a planning permission for development at Glenfield Park may prejudice the provision of a Strategic Employment Site at the preferred location of The Warren, Enderby.

2011/0100/01 – continued

106. The application was refused by the District Council for reasons relating to the green wedge, highways, flood risk, archaeology, layout and design, and infrastructure provision. The application is the subject at an Appeal for which the Public Inquiry has recently been conducted. The applicant for that development is arguing that the application represents an immediately deliverable source of employment land. If the development is approved then it could meet the shortage of employment land identified in the current application. However, the outcome of the application should only be a consideration if a decision is reached on the development before the application for the SUE is determined.

Retail provision

107. It is proposed that the 'district centre' would provide a food store (3,000m² gross, 2,000m² net floorspace) for day-to-day needs of the community. It would anchor the district centre but will also be accompanied by a range of smaller units for shops, services, restaurants, cafés and such like (floorspace of 1,230m²). The three neighbourhood centres would cater for the immediate needs of their local catchment areas (defined by walking distance and passing trade). Two centres would include smaller scale retail facilities, each will be anchored by a small convenience food store (up to 310m² gross, or 200m² net) and other shops totalling 1,240m² in floorspace. There would also be a small convenience store located elsewhere in the development (185m² gross, 120m² net).
108. The applicants state that to be successful the retail offer in the proposed district centre must have sufficient critical mass and be of an appropriate mix to meet the needs and expectations of the future community. If the retail provision is insufficient it cannot compete with the retail offers elsewhere and will fail as a vital and viable centre. Therefore this key consideration dictates the amount of floorspace. The applicant states that it intends to deliver the food store (the key retail element of the district centre) as early as is practical within Lubbesthorpe's development phase to ensure sustainable shopping patterns early in the development.
109. The requirements for the SUE need to be balanced against impact upon viability and vitality other retail centres nearby. In accordance with PPS4, the applicant has undertaken such an assessment, based upon specified demographic and economic assumptions of the catchment area. The study concludes that there would be no adverse impact arising from Lubbesthorpe and there may be a need for further floorspace in that part of Blaby over the plan period (to 2026). The total floorspace conforms with key aspects of PPS4 (Planning for Sustainable Economic Growth). Policy E3 (Sustainable Urban Extension) of the Core Strategy stipulates net floorspace of 3,000m³ – 4,500m³. The Blaby District Retail Study which informed the preparation of the emerging CS, identified the need for a 2,000m³ – 3,000m³ food store (net), as well as other shops within the District Centre. Accordingly the proposals are consistent with the adopted and emerging development plan and PPS4 and will secure a sustainable pattern of development that meets local need without adversely impacting on the existing centres.

Education provision

110. The education authority confirms that presently there is limited capacity at primary schools in the area. The County Council calculates a yield of 24 primary age pupils per 100 2bed+ houses, 4.3 per 100 2+bed flats/apartments. On the assumptions that the applicant has put forward, the Council would expect around 950 Primary age pupils, resulting in the need for 2 new Primary Schools (1 of 420 places; the other of 630 places). This would require 1 x 2.5ha site + 1 x 2.0ha site for two schools catering for between 2 & 3 form entry, ideally with at least one school developed early on in the development.
111. The applicant proposes 2 primary schools of the size stipulated by the education authority in pre-application discussions, close to the local centres, one of which would be developed in phase 1 (along with 300 dwellings). The timing would ensure that sustainable travel patterns are developed early on and that the development would avoid exerting pressure on existing infrastructure. The location within local centres could result in beneficial co-location and dual use of sports and community facilities.
112. In terms of secondary school pupils, the development is of such a size that it could support a school of around 790 pupils, requiring a 10ha site, ideally adjacent to the district centre. The County Council would also require funding for the school and a separate financial contribution for 16 -18 year olds. Ideally, the proposed 10 Ha secondary school would also need to be developed reasonably early in the scheme, but the application does not provide detailed timing about the phasing of the school, which needs to be addressed. The location in the district centre may also allow the school to benefit from location with other community and sports facilities. Therefore subject to phasing details the development would appear to be making satisfactory provision for primary and secondary education.

Other Community Infrastructure

113. The 1964 Libraries and Museums Act requires local authorities to provide a comprehensive and efficient library service to all people who live, work or who are educated within Leicestershire (including mobile libraries and online provision). Within the planning application, there is a reference to the possibility of contributions towards improving Leicester Forest East library or providing library services in a community centre or school on the Lubbesthorpe site. New libraries have recently been opened at Kirby Muxloe and Braunstone Town. Both have community facilities and the latter is attached to the Braunstone Town Civic Centre. There is a current proposal to relocate Leicester Forest East Library to a new site.
114. Current policy thinking favours joint provision with other agencies via a multi-functional centre. As LFE is located at the northern tip of the development, its enhancement may not necessarily be the most sustainable option. It may be more appropriate to divert s.106 contributions towards a mobile library, part of a joint service centre or as a community run facility. The co-location with other

2011/0100/01 – continued

facilities is a preferred option for library services, linking with other services such as adult day care, a children's centre etc. Services would need to be in place at the point where the new development has approximately 5,000 residents.

115. Further information is required concerning the sport and leisure requirements for this development. There is insufficient detail to comment on adequacy, location etc at this stage. Currently the Blaby area has a deficiency in swimming pool, sports hall and synthetic grass facilities to meet a range of sport and leisure facilities. The size of the development in itself would require the development of a major leisure centre containing a 6-8 lane 25 metre pool, a 600m² - 1000m² sports hall, fitness suite and other key ancillary facilities. Outdoor sporting facilities would also be required. Therefore the applicants should provide further detail of the type and location of sports facilities to ensure the needs of the development are met and the existing deficiency in Blaby District is not increased.

Highways

116. The development proposals have a direct impact upon the network of three highway authorities. As well as the Leicestershire County Highway Authority (CHA), the highway networks of Leicester City Council (LCiC) and the Highways Agency (HA) must also be taken into account. In consideration of this, a specialist Transport Working Group (TWG) has been set up to determine the transport and highway issues arising from the application, which also includes representation from Blaby District Council (BDC).
117. At present there is insufficient detail to make a formal judgement regarding the transport impacts of this development proposal, and consequently, it is not possible for the applicant to demonstrate that its impacts can be adequately mitigated through the proposed supporting infrastructure and travel plan measures. However it is recognised by the applicant that a development of this size can only be satisfactorily determined through the use of a strategic transport and land use model. The applicants are currently working with the TWG to commission work to assess the development using the Leicester & Leicestershire Integrated Transport Model (LLITM) which is shortly to be released. It is expected that initial findings will be available during August.
118. The LLITM has been built specifically to assess large scale proposals for growth and is able to forecast the current and future patterns of demand of varying land-uses. The LLITM can forecast the changes in traffic patterns brought about by the imposition of new land uses and resultant demographic patterns, as well as the effects of transport interventions such as new road construction, public transport improvements, traffic calming and changes in the cost of travel. The model is also able to assess the likelihood of traffic to use a particular route and will provide a valuable assessment of the internal operation of traffic within the New Lubbethorpe development. However, until such time as the running of the model is complete, the County Council cannot add any further observations other than those attached in the appendix of this report.

Archaeology

119. The Leicestershire and Rutland Historic Environment Record (HER) and submitted Environmental Statement demonstrate that the application site encompasses an area of considerable archaeological and historical significance. In broad terms these include evidence of human settlement and activity from the early prehistoric period to the present day. These include scheduled monuments, historic buildings and locations of artefacts and historic landscapes. Based upon the available information, the most significant individual recorded archaeological site comprises the scheduled and unscheduled remains of the former medieval village of Lubbesthorpe and adjacent earthworks at Hopyard Farm.
120. The County Council's archaeological adviser states that, whilst generally adequate, the submitted Desk Based Assessment is at least two years out of date and should be reviewed. More fundamentally, the assessment fails to give adequate assessment to the potential for, and significance of, earlier prehistoric archaeological remains. Based upon the results of this work consideration should be given to the need for, and value of, additional non-intrusive field survey to locate and characterise the potential resource. In addition, there is an insufficient level of definitive information as to the presence, character and significance of heritage assets likely to be affected by the development proposals. The DBA concludes that there is 'some potential for previously unknown sites to be present' within the development area. This is felt to be an underestimate of the archaeological potential. Additional information is requested in respect of buried archaeology which is detailed in Appendix B.
121. Whilst the ES identifies the listed and unlisted historic buildings affected directly and indirectly by the proposals, it gives at best limited consideration to the character or significance of those structures, or their capacity to accommodate the significant changes of use envisaged. In particular further consideration should be given to the direct impact to the setting of the Lubbesthorpe scheduled monument that would result from the change of use of Abbey and Hopyard Farms. It is recommended that the applicant submit historic building assessments of each of the affected farmsteads in support of this application.
122. In terms of the Historic Landscape, the ES makes reference to the Historic Landscape Character (HLC) of the application area drawing upon a recently completed study undertaken by Leicestershire County Council. The data is only descriptive and limited consideration given to understanding the significance of the historic landscape, nor is any significant assessment of the development impact undertaken. Given the significant and detrimental impact the proposals will have on the historic landscape, it is recommended that the developer is requested to undertake a re-appraisal of this aspect of the scheme. Of particular concern is the impact of the proposals upon the setting of the scheduled Lubbesthorpe deserted medieval village. In this respect, careful consideration should be given to ensuring that the proposed development does not detrimentally encroach upon the setting of the scheduled site and the unscheduled earthworks to the south-west. Of particular concern in this respect

2011/0100/01 – continued

is the character of the proposed M69 bridge, its direct impact upon the historic landscape and buried archaeological remains, as well as the impact of the bridge upon the setting of the scheduled monument.

123. The proposals include operations that may detrimentally impact upon buried and above ground archaeological remains, including the Lubbesthorpe scheduled monument, historic listed and unlisted buildings and the wider historic landscape. However, the archaeological implications of the proposals cannot be adequately assessed on the basis of the currently available information. It is possible that archaeological remains may be adversely affected by this proposal. Therefore, it is recommended that the District Council defer determination of the application and request that the applicant supplement the Environmental Statement as detailed in the appendix to this report.

Ecology

124. The applicants have stated that, whilst the application site is not ecologically rich in habitat, there are protected species which will need to be considered as the conditions are discharged and the site is developed (e.g. through further survey work and protected species licences where necessary). Through the Green Infrastructure Biodiversity Management Plan the applicants are proposing what they consider to be significant habitat conservation and enhancement, so much so that in the longer term the ES concludes that the development would have significant positive effects at a local, possibly district level. The main species that could particularly suffer is the Skylark (through habitat loss).
125. The County Councils ecological advisers have some concerns, for example, with the layout of the site where it is felt that insufficient buffer areas have been left between sensitive wildlife habitats and development or areas of high public activity. However, with relatively limited changes to the design and more detailed plans it is felt that the impacts of the development could be mitigated and compensated for. This includes for example, locating housing and play areas away from two ponds where water voles have been recorded, and ensure development does not surround and cut-off a current badger sett. Further works need to be done to update the Phase 1 survey report prior to determination (and if approved through the submission of reserve matter applications).
126. In terms of works on specific habitats, development should be moved away from certain woodland areas, which are proposed to be retained. Due to the presence of Local Red Data Book species (i.e. a species that is significantly in decline or threatened), Pond 4 should be retained and not removed as is currently planned. There are no details of how much hedgerow is proposed to replace the 4km worth to be lost. From the plans it appears that there will be a pinch point along Lubbesthorpe Brook where the brook first borders and then enters the application area. The applicant should submit detailed plans too include a modified layout and a buffer zone of at least 12m either side of the brook along the entire length within which no development takes place.

2011/0100/01 – continued

127. There is concern that there are no species lists for semi-improved grasslands in the application area, and there maybe other good areas of grassland that may be destroyed by the development. The applicant should submit species lists for the other semi-improved grasslands within the application site. In addition it is noted that there are some omissions from the reports submitted in support of the application and some errors, which will need to be rectified. The errors refer to incorrect labelling of certain habitats and small (although not insignificant) inconsistencies within the documentation (e.g. a bat survey report). However, it is considered that subject to the appropriate information being submitted prior to the determination of the application (except that suitable for reserved matter applications), the proposed development is acceptable in principle. The applicants and District Council are directed towards the County Councils full consultation response in Appendix B attached to this report.

Geology

128. The Environmental Statement is incomplete as it makes no reference to the Geodiversity interest of the Lubbethorpe area. Although geological sites may appear robust they can be damaged and destroyed by inappropriate development or activities. There is a geological Site of Special Scientific Interest to the west of the area referred to as Parcel 2. This important geological site has been in-filled but there are plans (by Natural England) to re-excavate the site in the future. It is important that any development does not impact on the planned future excavation of the SSSI.
129. The important geodiversity features at the site include rare palygorskite mineralisation at the boundary between Ordovician South Leicestershire Diorite and the overlying Triassic sediments. It is likely that the South Leicestershire Diorite extends into the area 'Parcel 2' beneath Triassic sediments. The 'buried landscape' is often undulating and contains ancient stream beds known as 'wadis'. The wadis often contain sand horizons which often act as aquifers which may affect the drainage of the area. The relationship of the proposed development site to the prehistoric River Bytham deserves more consideration. If any geologically interesting sites are used or exposed then consideration should be given to retaining some key features of interest, and the sites possible future as a new interpreted RIGS.

Landscape & Green Infrastructure

130. In terms of landscape considerations there are three main elements: individual trees, landscape character and green infrastructure. Much of the County Councils landscape advice is of a technical nature and some of which relates to individual woodlands and or management practices. The applicants and District Council are referred to the detailed comments which are in Appendix B of this report, which cover various aspects of landscape design and management.
131. The applicant has submitted a Tree Assessment Report to consider the individual trees across the application site. It categorises trees that are worthy of retention and states that root protection areas would need to be calculated for each tree when that phase of development commences. It also proposes areas of new planting and buffers for the planting which are considered acceptable.

2011/0100/01 – continued

However further details are required on species, age and stocking density for five woodland areas. The woodlands should be assessed and a 20 year woodland management plan produced prior to the commencement of the development. The management of existing and new woodlands is a long term commitment that needs to be fully funded. It is suggested that to manage the landscape planting and woodland, a landscape trust is set up that has revenue funding from the development at the earliest possible stage. Viable proposals should be provided by the applicant prior to the application being determined to ensure appropriate provision is possible.

132. The County Council's landscape advisers have also considered the information contained within the Design & Access Statement and the Green Infrastructure Biodiversity Management Plan. The retention, enhancement and management of the 4 main woodland groups north of the M69 to visually break up the new development is welcomed. The proposed retention of much of the hedgerow is welcomed, but consideration will need to be given to how these would be protected from residents once the erecting close-boarded fencing resulting in poor, overgrown, un-maintained hedges.
133. The green infrastructure management plan details the retention and management of the existing woodlands, but there are concerns about the proposed clearance of 20-30m rides through the woods, as these would change the long distance views of the woodlands and could also affect the stability of the woodland stands making them susceptible to wind blow. The "Woodland Edges" planting proposed as screening for the motorways is a very important feature of the overall scheme but will need a high level of investment in establishment and long term management.
134. There are a number of potential conflicting objectives and aspirations for the urban form of the development, which are inevitable for a development of this size. The District Council is referred to Appendix B of this report where the design conflicts and concerns are highlighted, and should be sought to resolved and balanced where possible. Particular concerns are the need to ensure that there are not too many tall prominent buildings across the development. The District should also consider whether four storey development would be in accordance with landscape objectives for the site. There are also concerns about the trees proposed along the main routes which are either too big or not locally occurring.
135. It is acknowledged that the location and layout of green spaces may not be in the best place to be accessed by local residents and may have many other demands. To some extent the location is largely constrained by the need to protect the setting of the Ancient Monument and the proposals at Enderby Hall.

Sustainability Issues

136. The applicant has provided an Energy Assessment to provide advice on renewable energy options for the development. It is informative in providing details on the expected energy requirements and the CO₂ footprints on all elements of the development. There is a thorough appraisal of the main types

of technology that can be applied to the elements of the development. It is disappointing that the application does not utilise this information to make a more definitive commitment on some of the non-residential buildings. More importantly there is no allocation of land to provide renewable energy needs for both off-site contributions to residential dwellings and meet the requirements of industrial land and buildings (e.g. sufficient to house the requisite size of CHP plant). The above proposals should be included within a revised submission of the application.

Mineral Development

137. The application has found a potential resource area of at least 11.5ha and around 300,000 tonnes of mineral (although this figure could be between 180,000 – 900,000 tonnes) in area 2, with no viable deposit in area 1. The Minerals Assessment recommends (subject to detailed survey work) the potential resource could be recovered as a borrow pit within policy parameters, used in conjunction with the wider development. The assessment surmises that taking account of the archaeology, mineral extraction work could be carried out following the grant of an outline planning permission and conditioned appropriately.
138. It is considered that provided that the proposed development is carried out as per the Site Masterplan, there is no mineral safeguarding objection to the proposed development in Area 1. Given the potential sand and gravel resource within Area 2, it is considered that the proposed further investigation should be undertaken prior to the determination of the current planning application. Depending on the findings of this assessment, proposals should then be drawn up to demonstrate how the mineral would be extracted, how restoration of the site would be achieved to allow the proposed built development to proceed, and how the mineral would be used within the proposed development. The District Council is advised that a separate planning application is likely to be required for any mineral extraction that is proposed.

Waste Management

139. From a municipal waste management perspective, subject to gaining appropriate developer contributions towards the costs of providing the additional capacity at the Whetstone Civic Amenity Site, there appears to be no overriding reason to object to the proposals. However there is some additional information the applicant needs to provide. The applicants' comment that a Recyclebank scheme would reduce the number of visitors to the Whetstone RHWS, is speculative and likely to be incorrect. Significant queues can already arise at peak times on the B582 on Enderby Road outside the site – an increase of 7.5% increase in users would only make this situation worse, and it is unclear how this is being addressed. However, subject to the issues being addressed, and some clarification sought on non-land use matters (as explained in the response at Appendix B) the proposed development is considered acceptable.
140. The applicants reach the conclusion that the proposed development would be accommodated in terms of C & I waste, as there would be sufficient capacity within the County to deal with C & I waste generated by the development.

2011/0100/01 – continued

Although the Waste Needs Assessment referred to in the Environmental Statement was updated in February 2011, it has not significantly changed and there remains sufficient potential capacity to deal with the predicted increase in C&I wastes arising from this development. The County Council broadly supports the suggestion of a community composting facility at Abbey Farm. Such a facility would need to seek a separate permission from the County. The area east of the Enderby Industrial Estate (Warren Park Way) has been designated as land for further industrial uses rather than residential, potentially reducing conflict between new residential areas and existing industrial estates.

Developer Contributions

141. The Community Infrastructure Levy is a new planning charge, introduced by the Planning Act 2008. The Levy will help to pay for the infrastructure required to support new development, through a CIL Charging Schedule. At the present time Blaby District Council does not have a charging schedule, therefore until such time as the DC adopts a schedule in accordance with the regulations, any contributions should be made to the County Council for service provision through a section 106 agreement. The County Council can only require contributions that meet the following tests:

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

142. The County Council has made requests (inter alia) in respect of education (the land and money to build the schools), libraries (c.£230k) and waste management (c.£120k). It is also likely that once current highway issues are resolved, significant highway works and contributions would be required. The contribution requests have been sent to the District Council separately.

Conclusion

143. There were four key themes for consideration set out that needed to be considered:

Conformity with the development plan and other material considerations in relation to housing land provision

144. The evidence in support of the RP, Blaby's Draft Core Strategy and interim housing requirements clearly demonstrates that there is a need for this amount of housing. The only adopted development plan document that justifies the housing numbers is the RP. The fact that the Secretary of State intends to abolish the RP is material and will apply in particular to any proposal that relies on that Plan. As this proposal does rely on the RP, less weight can be afforded to the plan in the light of the Secretary of State's intentions, particularly as the proposal is likely to be implemented over many years. Notwithstanding this, the development is consistent with the development plan, and Blaby's adopted interim housing figures.

2011/0100/01 – continued

145. Large scale housing provision within a SUE is accepted as being compliant with good planning principles. In terms of the location of the SUE, the adopted RP identifies the need for a SUE in Blaby west of Leicester therefore the development meets that policy requirement. The SoS's intention to abolish the RP gives rise to similar issues, as to the extent to which the RP should be relied upon given the scale and duration of the proposal. Whilst the withdrawn Draft Blaby Core Strategy identified Lubbethorpe as a suitable location, the absence of a properly justified and identified site within a local development plan, is of concern. There is an argument that a decision on such a major proposal ideally should be delayed until the Blaby Core Strategy is adopted. That said, all the evidence, including the consideration of alternatives; the need to meet housing needs and avoid delay in bring forward sustainable development, points to this being a suitable location, subject to the satisfaction of other planning matters.

The proportion of land uses and the creation of a sustainable and inclusive community

- 146 There is evidence from studies in respect of employment land in the County and Blaby District, which demonstrate overall shortfalls in provision. Whilst the proposals as part of this SUE are consistent with the District Council's withdrawn Core Strategy, little evidence is provided by the applicant to considering the wider needs of the District and County, and whether the employment provision would lead to a truly sustainable form of development. This is a significant deficiency with the application and needs to be addressed. In terms of retail floorspace, it is considered that the proposals are consistent with the adopted and emerging development plan and PPS4 and will secure a sustainable pattern of development that meets local need, without adversely impacting on the existing centres.
- 147 In principle, the amount of affordable housing proposed (30%) is considered acceptable. However, at the present time the proposals do not appear to make sufficient provision for the gypsy and traveller community or elderly persons housing, which is a deficiency in this application and needs to be addressed by the applicants.

The phasing of the development and the provision of community infrastructure

- 148 The applicant has designated sufficient land to provide the 2 primary schools and 1 secondary school on appropriately sized sites. The provision of a primary school in the first phase of the development is welcomed. Subject to details of the phasing of the secondary school the development is considered acceptable. However, further consideration needs to be given to the most appropriate solution for library provision, and further information should be provided by the applicants in regard of sporting and leisure provision.

Environmental and Transportation considerations

- 149 At present there is insufficient detail to make a formal judgement regarding the transport impacts of this proposal, and therefore, it is not possible for the applicant to demonstrate that its impacts can be adequately mitigated through the proposed supporting infrastructure and travel plan measures. The

2011/0100/01 – continued

applicants are currently working with the TWG to commission work to assess the development using the Leicester & Leicestershire Integrated Transport Model (LLITM) which is shortly to be released. It is expected that initial findings will be available during August. Until such time as the running of the model is complete, the County Council cannot add any further observations other than those attached in the appendix of this report.

150. There are significant deficiencies in the information submitted by the applicant in respect of archaeology and cultural heritage that means there is doubt of the conclusions of the Environmental Impact Assessment, and does not pass basic policy tests in PPS5. Although there are deficiencies in the information, it is considered that subject to the appropriate information being submitted prior to the determination of the application (except that suitable for reserved matter applications), the proposed development could be acceptable in principle. The applicants and District Council are directed towards the County Councils full consultation response in appendix B.
151. The applicant has submitted landscape and green infrastructure proposals in detail which is welcomed. However amendments should be made to these to reflect the concerns highlighted to ensure that creation, management and maintenance of the landscape is fully considered and justified. In addition the applicants should provide further details of how the maintenance and management would be funded in the future. There are also noted conflicting objectives for the urban environment that need to be addressed to ensure the development results in a satisfactory urban form and does not suffer unnecessary delays if it were to be approved.
152. Given the potential sand and gravel resource within Area 2, it is considered that the proposed further investigation should be undertaken prior to the determination of the current planning application. Depending on the findings of this assessment, proposals should then be drawn up to demonstrate how the mineral would be extracted, how restoration of the site would be achieved to allow the proposed build development to proceed, and how the mineral would be used within the proposed development. The applicant needs to establish whether any part of the development site will impact upon the River Bytham. The applicant also needs to submit some additional information in respect of waste management to ensure the proposed development is acceptable.

Recommendation

The Cabinet be recommended to forward the following the views:-

Blaby District Council be advised that:

It is acknowledged that in terms of housing need, the proposed development is consistent with the regional plan, the draft Blaby District Core Strategy and the interim housing requirement agreed by the District Council. On the basis of those figures and previous consultation responses, there is a clear need for significant housing development within the District. The form of development and location proposed are considered to be in accordance with the provisions of

2011/0100/01 – continued

the development plan and consistent with good planning principles. There is an argument that a decision on such a major proposal should ideally be delayed until the Blaby Core Strategy is adopted. However, all the evidence, including, the consideration of alternatives, the need to meet housing needs and avoid delay in bring forward sustainable development, points to this being a suitable location, subject to the satisfaction of other planning matters. Therefore there is no objection to the principle or location of the proposed development.

However, in the context of the planning application as submitted a number of issues have not been addressed satisfactorily. Until such time as these issues are addressed, the County Council is unable to support the application on the following grounds:

Further details should be submitted by the applicant in respect of gypsy and traveller and elderly persons accommodation to ensure that adequate provision is made.

On the basis of the information submitted there is insufficient evidence to verify the size, and employment opportunities within the Strategic Employment Site proposed as part of the development. The applicant appears to have given insufficient consideration to not only the wider needs of the District and County, but also whether the employment provision would lead to a truly sustainable form of development.

There are significant deficiencies in the information submitted by the applicant in respect of archaeology and cultural heritage that means there is doubt of the conclusions of the Environmental Impact Assessment, and does not pass basic policy tests in PPS5. Significant amounts of additional work needs to be undertaken by the applicant to determine whether the proposed development would be acceptable.

Given the potential sand and gravel resource within Area 2, further investigation should be undertaken prior to the determination of the current planning application. Depending on the findings of this assessment, it would allow the applicant to draw-up proposals to demonstrate how the mineral would be extracted, how restoration of the site would be achieved to allow the proposed build development to proceed, and how the mineral would be used within the proposed development. The applicant needs to establish whether any part of the development site will impact upon the River Bytham.

There is insufficient detail about the provision of sporting infrastructure within the development proposal, which is a key component of any sustainable community, and should be provided by the applicant. There are other concerns that the applicant needs to address (which the County Council should be re-consulted upon) that can be found in Appendix B of this document, before the application is determined.

2011/0100/01 – continued

The transport assessment work has not yet been completed in sufficient detail to fully assess the highway impacts of the development and identify mitigation. The applicant has commissioned further modelling using the Leicestershire and Leicester Integrated Transport Model (LLITM) which will be used to complete the transport assessment work. Therefore the highways work has not been completed to a sufficient stage to make a recommendation on the application.

The District Council is also requested to include the County Councils service requirements in a section 106 agreement if the development, if the development were to be approved. The requirements have been submitted to the District Council separately and include (inter alia) a request for the land and funding for two primary schools and one secondary school, a £230,990 contribution towards library services, a £119,510 contribution towards the improvement of household waste facilities. It is also likely that works and contributions towards highway infrastructure will be required, however these will not be known until the work to assess the development using the Leicester & Leicestershire Integrated Transport Model and the results considered.

ES Topic	Overall Environmental Effect of Project	Comments
Planning Policy	NA	The Project is in accordance with National, Regional and Local Planning guidance.
Alternatives	N/A	Blaby LDF Core Strategy Submission Version, July 2009 identifies the site as the preferred location for both the SUE and the SES.
Socio Economics	Significant Beneficial	The Project would provide jobs, housing, schools and a broad range of community benefits for the new community and the wider area.
Landscape and Visual Resources	Slight to Moderate Beneficial	Although the site falls within a green field landscape it is not exceptional or protected. The Project would be relatively well contained visually and includes a substantial framework of GI including existing woodland, many of the hedgerows and mature trees, new woodland planting, open space and recreation grounds.
Ecological Resources (including Arboriculture)	Significant Beneficial	Appropriate mitigation approaches have been adopted. The Project's significant GI of more than 40 percent of the Project area would ensure that the site's biodiversity is significantly enhanced.
Cultural Heritage and Archaeology	Moderate Adverse	Slight adverse effect on the setting of the SMs within and in the vicinity of the Project site and upon the listed buildings near to the area. Moderate adverse effect upon potential archaeological remains and upon the historic landscape as a result of some ancient hedgerow loss.
Agricultural Land Quality	Moderate Adverse	The Project would result in the loss of 337 ha agricultural land, although this is mainly sub-grade 3b land with some sub-grade 3a and grade 2.
Water, Hydrology and Drainage	Negligible-Moderate Beneficial	An appropriate Sustainable Drainage Strategy as part of the GI is promoted which would attenuate surface water discharge from the Project.
Land Contamination	Slight Beneficial	The Project's remediation operations would provide an enhancement of the baseline condition of the site and surrounding area.
Noise and Vibration/Acoustics	Negligible-Slight Adverse	Appropriate measures have been introduced to mitigate areas of the Project potentially sensitive to noise and vibration, both from existing sources and those resulting from the Project itself. The slight adverse effects are attributed to the proposed Meridian Way motorway bridge. No residual significant adverse effects occur.
Air Quality	Negligible-Slight Adverse	The slight adverse effects could include emissions from traffic. Overall, there are no significant adverse effects on air quality arising from the Project.
Waste	Slight Adverse	The Project would be built to current standards for Sustainable Homes. Target standards would be implemented as well as appropriate mitigation.
Traffic and Transport	Slight Adverse	The Project includes highway improvements and accessibility measures to mitigate the effects of the development proposals. A Framework Plan would be provided to encourage a reduction in employee's car journeys. A residential travel pack would be issued to all residents. There would be provision of public transport system, new footways and cycleways.
Infrastructure and Services	Slight Adverse	The Project introduces appropriate infrastructure and services to serve the new development.

Appendix B – Initial observations to Blaby District Council in respect of application ref. no. 2011/0100/01

1. Extra Care Housing

- 1.1 It is good to see the reference to affordable housing in the proposals, although the commitment is 'up to 30%', which implies it could be less. The document should include a commitment to the provision of 30% affordable homes with an agreed tenure split between social rented and intermediate housing.
- 1.2 Leicestershire's Extra Care Housing Strategy identifies the need for 500 additional extra care places by 2015. This is based on demographic changes, the need to replace existing failing accommodation and to provide a viable economic alternative to high cost residential care and hospitalisation.
- 1.3 By 2025 there will be an increase in Leicestershire of:
- 58,000 people over the age of 65;
 - 1,600 people requiring support in care homes;
 - 500 people, supported by LCC, admitted to residential / nursing care;
 - 16,000 people over 75 living alone.
- 1.4 Significantly 22% of the population will be over 65 by 2025; creating greater demand for specialist housing for older people. The County currently provides 166 units of Extra Care housing and none of this provision is available locally to Lubbethorpe. The County Council's strategic aim would be to develop up to 500 units.
- 1.5 The submitted documentation makes references to a care home / retirement scheme, however no specific details of provision are included at this stage. To support a balanced, mixed tenure community, provision for Extra Care housing needs to be made within the affordable housing proposals. Extra Care units will be self-contained but will need to be located close to local services and amenities, with access to shops, health facilities and social activities. To support this development a scheme of 30-50 units of self contained flats will be required; options around core and cluster models will also be considered. Delivery of Extra Care facilities are normally managed in line with general new build housing provision and should be phased alongside other affordable housing provision. Co-location of such schemes with other appropriate services (e.g. health, community/social activities, café/restaurant, gym) would be encouraged.
- 1.6 At present the financial climate precludes many other funding sources that could support the delivery of extra care housing schemes; however it may be possible to bid for grant funding (e.g. DoH) should it become available.

2. Gypsy and Traveller

- 2.1 Given the scale of this development it some provision to accommodate members of the Gypsy and Traveller community would be expected to be fully inclusive of the different ethnic and diverse socio-economic communities of the area.
- 2.2 To the south and west of the proposed development area there are approximately 35 Gypsy and Traveller pitches within 1/4 of a mile of the boundary, with many more in the district and area beyond.

2.3 The population of Gypsies and Travellers in Leicestershire is approximately 4,500-5,000, this would represent around 0.5% population. On this basis a development of 4,200 dwellings should include around 21 pitches for Gypsies and Travellers with 25% of these being socially rented. The last needs assessment suggested that future growth should be based on 50% of those currently living in housing and 100% of those living in sites. Therefore, the requirement could be reasonably be adjusted to 10-15 pitches in total and as all of the new Gypsy and Traveller provision in the County has been private to date, 5-10 of these should be socially rented to adjust the balance.

3. Education

3.1 The schools will need to be delivered as early as possible in the development to avoid pressure on existing infrastructure, a phased delivery of each school may be necessary. There is a need to build in future flexibility to cope with changing demands and views of the incoming community. The commissioning of the new school would have to include co-location and sharing of facilities and Leicestershire has good examples of co-location of Health Service facilities, dual use agreements with District Councils for sports facilities and community use of school facilities.

Primary

3.2 The planning application makes provision for a 2.5ha and a 2.0ha site for two primary schools catering for between two and three form entry located in the two new local centres at Lubbethorpe.

3.3 Leicestershire County Council calculates a yield of 24 primary age pupils per 100 2 bed+ houses, 4.3 per 100 2+ bed flats / apartments, 1 bed properties are not claimed for. There is currently limited capacity in the Primary schools in the area. On the assumption of 4152 houses, 303 flats and 45 1 bed properties the County Council would expect 1010 Primary age pupils. When the actual number and type of dwellings are known this calculation will be reviewed but on the assumptions listed above two new Primary Schools would be required, 1 for 420 places the other for 630. The County Council will require sites and funding for two new Primary Schools, the site areas quoted are sufficient for the two schools. The schools are likely to be academies and receive revenue funding directly from the Secretary of State for Education.

Secondary

3.4 The planning application makes provision for a 10ha site adjacent to district centre for a secondary school. Leicestershire County Council calculates a yield of 20 Secondary age (11-19) pupils per 100 2+ bed houses, 3.2 per 100 2+ bed flats / apartments, 1 bed properties are not claimed for. On the assumption of 4152 houses, 303 flats and 45 1 bed properties we would expect 842 Secondary age pupils. When the actual number and type of dwellings are known this calculation will be reviewed but on the assumptions listed a site and funding would be required. The County Council will require land and funding for a Secondary School and a financial contribution for 16 -18 year olds. The school would require a 7ha site. The school is likely to be an academy and receive revenue funding directly from the Secretary of State for Education.

Application as submitted

- 3.5 The application as submitted proposes 250 less dwellings. If this was 250 less houses it would reduce the primary age pupils by 60 and the secondary by 50 still leaving sufficient pupils for 2 Primary Schools and a Secondary School. If there were 250 less flats this would reduce the numbers 11 Primary and 9 Secondary age pupils.

4. Community Infrastructure*Libraries*

- 4.1 The 1964 Libraries and Museums Act requires local authorities to provide a comprehensive and efficient library service to all people who live, work or who are educated within Leicestershire. Latterly this relates to mobile libraries and online provision. Current policy thinking favours joint provision with other agencies via a multi-functional centre. Section 106 developer contributions are calculated by formula relative to the size of any proposed development. Claims are made for the provision of library materials and / or building work.
- 4.2 New libraries have recently been opened at Kirby Muxloe and Braunstone Town. Both have community facilities and the latter is attached to the Braunstone Town Civic Centre. There is a current proposal to relocate Leicester Forest East Library to a new site adjacent to the parish council offices and centre on Kings Drive. This is subject to planning permission.
- 4.3 The planning application proposes contributions towards improving Leicester Forest East library or providing library services in a community centre or school on the Lubbesthorpe site.
- 4.4 Requirements for a development of this nature are access to the library catalogue and access to library materials such as books, audio visual material, online resources and ICT facilities. Service provision does not need to be via a dedicated static library, it could be provided via a mobile library, as part of a joint service centre or as a community run facility. The use of public self-service kiosks would further enhance the flexibility of service provision. Providing a service from a community centre or via an improved / new library at Leicester Forest East could be appropriate although the latter would be very much on the northern edge of the proposed SUE at Lubbesthorpe. Preferred provision would be via a multi functional service centre and not a school. Facilities are best combined with learning, retail, adult day care, Children's Centres, surgery based services and district council services. Services would need to be in place at the point where the new development has approximately 5,000 residents. Phasing would need to align to the introduction of other related or partner services such as adult learning services and other outreach services.
- 4.5 Any new service would be incorporated into the current Glenfield Group management pending a current review of library, heritage and arts services in Leicestershire. There would be a requirement to consult with the new community on the potential for any new service to be community run in accordance with the current Communities and Wellbeing Transformation programme. The library service would require flexibility to access services online. The library stock profile

should be reviewed as part of a community profiling exercise. There is potential for funding from other external sources if bids fronted by community groups with LCC partner backing.

Faith

4.6 There is no mention of a place of worship in the proposals. In terms of a landmark, this should be specifically included.

Sport

4.7 Further information is required concerning the sport and leisure requirements for this development. There is insufficient detail to comment on adequacy, location etc at this stage. However following research undertaken during the past couple of years by Leicester-Shire & Rutland Sport (LRS), a clearer picture on demand both for Blaby and a development of this size can be established.

4.8 Currently the Blaby area has a deficiency in swimming pool, sportshall and synthetic grass facilities to meet a range of sport and leisure facilities demands. The development, eventually would host a population of circa 10,000 residents. This alone would warrant the development of a major leisure centre containing a 6-8 lane 25 meter pool, a 600m² - 1000m² sportshall, fitness suite and other key ancillary facilities. Outdoor sporting facilities would also be required in the form of floodlit synthetic playing areas. Given the proposed spread of the residential areas, there will obviously be a need for an appropriate mix of play areas (LEAP's and NEAP's) and the possible provision of a community hall of around 300m² of activity space.

5. Transport

LCC Highways Observations - Summary

5.1 Blaby District Council are not requiring the County Highway Authority to make a recommendation at this time as the application is not ready to be determined and the applicant is proactively engaged in carrying out further transport assessment.

5.2 Principle of development

County Highway officers support the principle to deliver new housing on this scale and in this general location for the following reasons:

- Concentrated urban expansion contributes towards the delivery of major transport infrastructure and other essential services to support new settlements. This allows the Highway Authority to ensure a comprehensive solution to existing local highway problems, in accordance the County's strategic transport goals.
- A mix of different land uses will reduce the need to travel, and where travel is a necessity, reduce the need to travel by private car through the integrated provision of high quality public transport, walking and cycling facilities.
- The above concentration of infrastructure cannot be realised where housing requirements are delivered across a wide area through a fragmented and piecemeal approach.
- The achievement of good connectivity to existing employment, retail and other services.

5.3 Determination

- The development proposals have a direct impact upon the network of three highway authorities. In view of this a specialist Transport Working Group (TWG) has been set up to assess the application which includes members of LCC, Leicester City Council, the Highways Agency and Blaby District Council.
- At present there is insufficient detail to make a full judgement regarding the transport impacts of this development proposal. It is therefore not possible for the applicant to demonstrate that its impacts can be adequately mitigated through the provision of the proposed supporting infrastructure and sustainable transport measures.
- The applicant recognises that a development of this size is best assessed through a comprehensive transport model. The Leicester & Leicestershire Integrated Transport Model (LLITM) has been developed for this purpose and a brief has been agreed and the tender process will commence this week. Following the appointment of the successful bidder (early July) it is expected that the modelling process will take up to 8 weeks, reporting at the end of August. However, initial findings should be available earlier.
- The initial LLITM run will concentrate solely on the development as submitted. Following this, further modelling (including microsimulation) will be necessary to test impact (e.g. around junction 21) and infrastructure solutions (e.g. A47 bus corridor) as informed by the first tranche of LLITM modelling.

Current Highway Authority concerns

5.4 There are currently seven major areas where further work is required to satisfy our current concerns and this will be informed by the initial LLITM runs:

- i) Greater consideration of impact is required around junction 21, Fosse Park, Grove Park, Meridian and the Outer Ring Road.
- ii) Potential increases in traffic on residential or minor rural routes;
- iii) A revised masterplanning and phasing strategy that ensures external travel is minimised during each stage of the development
- iv) Potential for a Warren Park Way link to mitigate potential impact on Enderby.
- v) The delivery of frequent and reliable public transport that reduces journey times along the A47 and provides linkage to local employment centres
- vi) Linkage to the cycle network and areas of employment, pedestrian linkage to adjacent areas.
- vii) A more robust and enforceable package of travel planning measures

5.5 At present, the development proposals do not adequately consider or investigate the above requirements. The initial LLITM runs will better inform these discussions at which point (late summer / autumn) highway officers will be in a position to recommend how best the above objectives can be realised.

Leicester & Leicestershire Integrated Transport Model (LLITM)

5.6 Philosophy

The TA offers recognition of the need to analyse the impacts of the development through a Strategic Transport Model.

- The advantage of using the LLITM over traditional models is its multi-layered capabilities and its use of a suite of models which are able to understand the relationship between land use planning, travel behaviour, transport impacts and environmental assessment.
- Using this model will provide the best opportunity to assess the development proposals as they stand and undertake testing of the effectiveness of potential supporting infrastructure. In short, the more that is inputted into the model, the more valuable and robust the outputs are likely to be, and subsequently, the more confidence there will be in resultant assumptions and recommendations.
- The need for detailed input is particularly pertinent, not just in the case of considering the development and the proposed physical infrastructure, but also in relation to travel plan and smarter choice measures and the derivation of modal shares.
- It is not possible to pre-determine the area of impact, as provided in the TA. LLITM will establish this through the modelling process.
- At this stage, it is necessary to consider the impact of the development as a whole, prior to undertaking more detailed, interim (phasing) analysis. The year of application and the years at which point the development may be completed (2026 and 2031) are therefore considered to offer the best opportunity for the Highway Authorities to assess the development that has been submitted for determination, prior to any potential revisions to the masterplan or supporting infrastructure.
- Subsequent modelling will need to include impact at each phase, without which it will not be possible to establish interim impacts and formulate robust and commensurate planning conditions, obligations and trigger mechanisms.

5.7 Use of LLITM – Next steps

The applicants have recently submitted a finalised brief for work to commence using the LLITM and this was approved by the CHA on the 7th June 2011. Following a three week tender process and selection of the successful bidder from the LLITM panel consultants, work on the model is expected to take up to eight weeks. A report will be produced to the following brief:

- To assess and establish the area of impact upon traffic flows, congestion, air quality, noise and road safety generated by the proposed development in 2011, 2016, 2021, 2026 and 2031
- To assess the effectiveness of the infrastructure, highway improvements and travel planning measures proposed as part of the planning application
- To assess the merits of the proposed masterplan and the effect of sustainable transport measures upon movement within the site

5.8 The brief will be subject to a mini-tendering process, orchestrated by the CHA, who will obtain tenders from the appointed panel of consultants who are able to provide modelling services. The cost of modelling and reporting will be borne by the developer consortium.

5.9 Future modelling

At this stage it is not possible to confirm the scope of future modelling until the results of the initial modelling are released. Further modelling will be agreed at the appropriate time and will form a separate brief, likely to comprise (but not be restricted to the following):

- To establish and test alternative infrastructure to support the development, as agreed by the relevant parties
- To understand the critical phasing path associated with the development to derive the correct timing / trigger points for infrastructure, and understanding interim impacts as the site develops.

5.10 Following subsequent LLITM modelling runs, there is likely to be a need for more detailed highway junction modelling to better inform the design of and interaction between existing / proposed highway infrastructure using individual junction or microsimulation modelling.

LCC Highways – Pre-application comments

5.11 The CHA's pre-application comments from November 2010 are not included in the submitted supporting documentation. This is a significant omission as it could be interpreted that the CHA have agreed to the scope of the Transport Assessment. This is not the case, and pre-supposes the findings of more detailed analysis using the LLITM.

Scope of Assessment

5.12 The extent of impact analysis presented in the TA is likely to increase as a result of the LLITM modelling which will accurately forecast those areas of the surrounding highway network that will be significantly affected by the proposed development. Those areas that have been considered in the submitted TA.

5.13 In addition to the areas of the network that are considered within the TA, it is expected that the scope of reporting will need to increase to include *at least* the following locations:

- A47 Hinckley Road / Warren Lane T-junction
- A47 Hinckley Road / Kirby Lane T-junction
- A47 corridor into central Leicester
- M1 junction 21 / M69
- A5460 / A563 Lubbethorpe Way
- A5460 / B4114 Narborough Road / Fosse Park Avenue
- A563 Soar Valley Way / B4114 Narborough Road (Everard's) junction
- A563 Soar Valley Way / A426 Lutterworth Road
- B4114 St John's / B582 Enderby Road (Foxhunter) roundabout
- Unclassified routes in Leicester Forest East / Kirby Muxloe / Ratby
- Potential inclusion of a link from Warren Park Way to the Employment site

5.14 The need for any further investigation of impact in locations not referred to above will be borne out of the first stage of LLITM modelling. This may include areas of the motorway and trunk road network which would be subject to the comments of the Highways Agency.

Masterplanning

5.15 The requirement for sound transport planning is intrinsic to the formation of a successful masterplan and it is considered by CHA that these two entities cannot be considered in isolation. The co-location of a mix of uses within a

convenient walking and cycling distance of new residents achieves the greatest benefit in reducing the need to travel by motorised modes of transport within and outside of the development.

- 5.16 In relation to layout, the treatment of the internal routes within the site has a direct relationship with the propensity of traffic to use a route, and in turn formulate the movement patterns of not only development traffic, but the patterns of traffic travelling throughout the local area.
- 5.17 The CHA have concerns regarding the submitted masterplan and are currently liaising with the masterplanners to ensure that the above issues are considered as part of the planning application process.

Phasing

- 5.18 The proposed phasing strategy is borne out of the developer's ability to raise the revenue to fund infrastructure in a systematic way. Whilst this may be a convenient approach financially for the developer, this will not deliver a sustainable development and is contrary to the objectives of the development and the current Leicestershire Local Transport Plan.
- 5.19 The result of the proposed strategy is that the phasing plan will not provide community, retail and educational provision in a coherent and integrated manner so as to reduce the need to travel and therefore will foster unsustainable travel habits from the outset. The risk is that the development will be unable to support essential local facilities when they *are* provided, with initial residents having already chosen to travel off-site with the options available to them.
- 5.20 The current approach to phasing generates a significant risk to the likelihood of the development fostering sustainable patterns of movement as initial occupiers base their choice of accessing local facilities upon what is available at the time, travelling off-site for these services and undermining New Lubbethorpe's own delivery of essential facilities during subsequent phases.
- 5.21 Secondly, the isolation of the employment uses from the remainder of the site for at least 10 years, and the provision of linkage late on in the process renders these developments separate from one another for a considerable time unless greater consideration is made on the linkage between the two.

Proposed Access

- 5.22 Beggars Lane
The role and function of Beggars Lane will change considerably as a result of the development and the future specification of this route requires further consideration given the demands that will be placed upon it. Agreement is therefore required on this route's acceptability in accommodating demand from all modes of travel from development, particularly in consideration of linkage to the employment located to the south of the junction of Beggars Lane and Desford Road. The upgrading of this route will need to be considered in the context of the findings of the initial LLITM runs and in relation to pedestrian / cycle access, which is considered later under Walking and Cycling.

5.23 M1 & M69 bridges

The CHA will reserve judgement upon how the location of the proposed bridges would affect traffic patterns until traffic distribution has been tested through LLITM. Whilst the TA makes the assumption that the M69 bridge will deter traffic from using the Enderby crossroads, this assumes incorrectly that a) traffic will be attracted through the site, and b) traffic accessing the employment site will not do so along the B582 Desford Road (west).

5.24 The attractiveness of the site itself as a through route needs to be established through the LLITM. At present, and as expressed earlier, the internal street hierarchy expressed in the D&A statement does not appear to support the assumptions that are made in the TA regarding through traffic.

5.25 M1 Service Area Access Bridge / Baines Lane

The principle of this link as a Public Transport (PT) only route is supported, given the benefits this would provide to PT vehicles over general traffic from the site, which will be restricted to accessing via Beggars Lane, Meridian Way or Leicester Lane. The delivery of bus priority signals at the A47 junction from the commencement of the development is essential to the success of this route in encouraging modal shift and benefitting from the existing public transport priority facilities along Hinckley Road.

5.26 The access road may be subject to an adoption agreement and any associated improvement works in order for public transport operators to use this route. The existing road is owned by the Highways Agency. Secondly, there will need to be stringent access controls within the development and also upon the accesses to the MSA to ensure that this is not abused. This requires further consideration.

5.27 In addition to public transport vehicles, the route will need to be safe and accessible by pedestrians and cyclists. It is therefore required that the provision of a 3m-wide shared footway / cycleway is explored where such provision does not exist in order to enhance the permeability of the site by non-car modes from all directions.

5.28 Warren Park Way – potential linkage to employment site

During pre-application discussions, it was agreed between the CHA and the applicant that the provision of this link and the effects it would create (eg. re-distribution of traffic / revised impact) is something that can be modelled using the LLITM before any judgements are made on its validity. The CHA also accepts that further investigative work is required before this can be considered in detail in relation to land ownership and the ability to create the link.

On-site layout

5.29 The CHA has provided the applicant with detailed comments in relation to the clarification of the internal highway design standards for adoption that should be implemented to ensure the key principles of Leicestershire County Council's core transportation policies are addressed in the context of the development proposals.

5.30 The comments relate purely to internal layout and contain no comments in relation to the existing network. The following key principles and comments have been raised:

- Clear need to justify the street hierarchy through clarification of likely associated traffic flows.
- Detail / evidence required demonstrating appropriate design speeds will be achieved rather than relying on imposition of 20mph limits in isolation for secondary and local streets.
- Need for amendments to the typical street typologies and designs to be achieved through future specific street / highway design codes.
- Where design is unable to control parking there will be a need to assess the use of traffic regulation orders (i.e. no waiting restrictions) predominantly on but not limited to primary routes.
- Developer should be made aware of the future roles / responsibilities for approval of SUDs as defined within Floods and Water Management Act 2010.
- Need for the developer to confirm the initial breakdown of associated legal agreements for delivery of highway and highway associated infrastructure (i.e. potential, section 278, section 38 (Highways Act) etc.

Walking, Cycling & Public Rights of Way

5.31 The submitted application recognises the need to ensure that the development is accessible by high quality non-motorised modes of transport. This is concurrent with established national and local policy and is essential to the minimisation of negative traffic impacts associated with the development, through the encouragement of more sustainable forms of travel.

5.32 A number of enhancements to the existing walking and cycling network are suggested by the applicant, although further investigation is required, particularly with regards to the likely demand for travel to Leicester and the employment uses to the south east of the site, neither of which have been examined or assessed in detail. Likewise, the site also needs to be considered as a destination, given the mix of uses which would encourage movement from the surrounding area.

5.33 As much of the site lies within a 5km cycling distance of the city centre and other destinations, and there is a realistic opportunity to promote cycling as a viable alternative to motorised travel. The proposals as submitted do not identify or propose a direct, high quality cycle link from the site to the city centre. Both CHA and LCiC officers are in agreement that the provision of such a route is imperative to the ultimate success of the scheme in encouraging modal shift towards cycling.

Public Transport

5.34 The development proposes the delivery of two public transport routes, the first of which comprises a 20-minute service from the site to Leicester City Centre via a bus-only link along Baines Lane, continuing along the A47 Hinckley Road. The second comprises a circuitous route suggesting linkage between the site and the employment uses to the south east of the site.

- 5.35 The principal of these two routes is supported. However, further investigation is required before the County and City highway authorities can provide confirmation that these routes are acceptable and viable in practice. Whilst clearly desirable, the suggested journey times appear ambitious in the absence of supporting evidence.
- 5.36 Officers from the CHA and LCiC are currently working with the applicants to examine how public transport can best achieve a viable alternative to private car use in order to fulfil the sustainability objectives of the development and augment a successful travel plan. This will subsequently require greater consideration as part of the LLITM, and further, more detailed junction-specific modelling.

Trip Generation

- 5.37 The trip generation and assessment methodology contained within the submitted TA reflects upon the work carried out by Scott Wilson within the 2009 report: Blaby District Local Development Framework – Assessment of Transport Implications. It is understandable that this has been used as an informative for the TA as it covers similar ground in considering impacts and identifying potential solutions to support growth in the area.
- 5.38 However, it should be recognised that the level of detail required to inform a broad analysis of land use allocations for an LDF is different from that required to support a planning application. As expressed earlier, a greater level of confidence can be applied to the use of the LLITM given that it is a multi-layered assessment tool.
- 5.39 In view of the above, whilst the submitted TA attempts to confirm the impact of the development, it is not until the proposals are tested through the CHA's strategic model that a clear picture of the extent and impact of the scheme will become apparent. The following comments are provided as a summary of the CHA's comments on the submitted TA.

Trip Distribution & Assignment

- 5.40 Agreeing the correct assignment of traffic is critical to the assessment process and this work can only be acceptable when undertaken on the basis of robust evidence. For this reason, whilst initial assessment of the capacity analysis in the TA may prove of some use, it is not complete, and we are therefore unable to make detailed recommendations until the traffic assessment process has been undertaken through use of the LLITM model.
- 5.41 In view of the above, the TA can only suggest at this stage that the totality of assessment will be agreed at a later date, and it is therefore inaccurate to make the assumption that the highway authorities have agreed the scope, as stated in paragraphs 2.3 and 8.3 of the document.

- 5.42 The suggestion of re-routing existing through traffic through the site needs to be treated carefully. Whilst there is some merit in redistributing traffic away from areas of current congestion on the highway network, this needs to be considered in the context of the masterplan, and the suggested road-hierarchy provided in Appendix 10 of the TA.

Traffic Impact – Existing Flows

- 5.43 A review has been carried out of the submitted background traffic flows in comparison with traffic data held by the County. Whilst this analysis will be largely superseded by data contained within the SATURN layer of the LLITM, a comparison exercise has been carried out for the main links that are presented within Table 8.1 of the TA.
- 5.44 Some of the above differences in flows are significant, particularly along the A47 where it crosses the M1. This will however be superseded as part of the LLITM modelling which will derive its traffic flow data from LCC appointed surveys, giving greater confidence to the impact analysis.

Scope of Analysis

- 5.45 The extent of the network to be assessed will result from the initial LLITM modelling runs. It is therefore inaccurate of the TA to specify the scope of junction assessment prior to establishing the trip generation and assignment work within the submitted TA, and more importantly, in advance of detailed modelling using the LLITM.
- 5.46 The CHA is therefore at present reserving judgement on the scope of analysis required to support the development proposals until the initial results of the LLITM modelling are available. The variations between the submitted baseline flows and those collected by the CHA can then be further assessed and agreed.
- 5.47 As established earlier, there are a number of key links and junctions on the local and strategic highway network which are omitted from the submitted TA and these are reflected in paragraph 4.1.1 of this report.

Base Traffic / Future Year junction assessments

- 5.48 As a result and in view of subsequent modelling, there is little merit in the CHA carrying out an analysis of the future year capacity assessment scenarios until some confidence can be applied to the submitted flows.
- 5.49 The use of LLITM will supersede much of the work contained within the TA, particularly with regard to the patterns of and forecasted distribution of development traffic, but also in relation to establishing the future year background traffic growth.
- 5.50 The LLITM is constructed to a validated base year of 2008, with future years of 2011, 2016, 2021, 2026 and 2031. These five year intervals run parallel to the LDF process, which is drawn from the Regional Spatial Strategy end year of 2026. These years will be utilised to varying degrees as and when the modelling process requires.

- 5.51 It is not considered by the CHA to represent a valuable exercise to analyse the submitted junction analysis at this moment in time, prior to the analysis of the proposed development using a multi-faceted strategic land use and transport planning model.
- 5.52 Notwithstanding the above, the CHA are currently undertaking checks upon the data that has been inputted into the various junction models (LINSIG / ARCADY) to ensure that the junctions have been coded correctly in terms of their geometry (in the case of roundabouts), as well as dimensions, timing and controller specification (in the case of signal junctions), as these models will need to be revisited to undertake more detailed testing following the application of LLITM.
- 5.53 Further to the above, the CHA are currently undertaking an initial without prejudice design check of the proposed highway improvements suggested in the TA, although stress that any comments made at this time are done so without prejudice and are subject to the inputting of agreed flows at a later date following the use of LLITM and further examination through a potential microsimulation exercise.

Travel Plan

- 5.54 The delivery of a robust package of travel plan measures to support the development is fundamental to the success of the proposals in achieving a sustainable form of development. Without a robust and targeted strategy in place, the development will fail to demonstrate that it can be accommodated on the local highway network without generating fundamental consequences in relation to congestion, road safety, noise and air quality. This is an essential component of the CHA's Local Transport Plan (LTP3), as expressed in Chapter 6, policy 1 (e).
- 5.55 The scale of the development proposed warrants a detailed and robust package of travel plan measures which will need to continually evolve as the development progresses over its build period, which may range from 12-20 years. Therefore this needs to be adaptable and times effectively to coincide with the delivery of infrastructure. As expressed in previous chapters, the imposition of such measures from the outset is imperative to the success of the Travel Plan and the CHA would require this to be secured through a s106 agreement.
- 5.56 The applicant has submitted two travel planning documents as part of the application. These comprise an *Umbrella Residential Travel Plan* and a *Framework Employment Travel Plan*. These have been reviewed by CHA officers and detailed comments have been submitted to the application. A number of current concerns are common to both travel plans and are expressed in this chapter.
- 5.57 There are six common themes which are required to form the basis of travel planning to / from and within the site. These themes will need to run consistently through each individual travel plan which forms a subsidiary component of the wider framework.

- i) Analysis – a review of existing facilities, establishing future requirements
- ii) Targets – establishment of desired modal shares through the life of the development
- iii) Proposals – Strategic and area-wide infrastructure and accessibility enhancements that contribute towards the reduction in travel and where travel is necessary, minimisation of single-occupancy car journeys.
- iv) Design Principles – Those features within the site that encourage movements by non-car modes
- v) Phasing – Availability of the full range of travel options at every stage
- vi) Monitoring / Review – Management and surveys to test success of measures to include fallback measures and penalties as required.

5.58 In their current format, the Umbrella Residential Travel Plan and Framework Employment Travel Plans are unacceptable and the CHA require a number of fundamental changes before these can be considered to form a robust basis for travel planning through the site in each of its phases.

6. Archaeology

6.1 The following advice is based upon information submitted in support of the current application, extensive previous and on-going discussions with the applicant and their various representatives (David Lock Associates, FPCR and ULAS), English Heritage and the planning authority, and is further informed by advice and guidance contained with the recent national Planning Policy Statement 5: Planning for the Historic Environment, particularly Policies HE6, 7, 8, 9 and 10, the East Midlands Regional Plan (Policies 26 & 27) and local policy detailed in the submission version of the Blaby Local Development Framework Core Strategy (Policy 17).

Archaeological Summary

6.2 The Leicestershire and Rutland Historic Environment Record (HER) and submitted Environmental Statement demonstrate that the application site encompasses an area of considerable archaeological and historical significance. In broad terms these include evidence of human settlement and activity from the early prehistoric period to the present day. Of particular note are:

- the scheduled remains of the former medieval village of Lubbesthorpe;
- buried archaeological remains of probable later prehistoric (Neolithic to Iron Age) date to the north-west (HER ref.: MLE218 & 6268) and south-east (MLE6259 & 7378) of the development area;
- Roman remains indicated by small scale observations within the area of the Lubbesthorpe scheduled monument (MLE219), a possible Roman kiln site to the south of the development area (MLE84);
- Anglo-Saxon artefacts recovered from the vicinity of Abbey Farm (MLE233 & 234);
- extensive evidence of the medieval and post-medieval landscapes around the Lubbesthorpe deserted medieval village, the latter including earthworks outside the currently scheduled area probably forming part of the former medieval village (MLE216);

- a probable early post-medieval brick kiln identified from fieldwalking and geophysical survey to the east of Abbey Farm (MLE218); and,
- the earthworks of a medieval or post-medieval fishpond north of the Lubbesthorpe Bridle Road (MLE222).

6.3 To this can be added a number of historic buildings situated within the development area including:

- Abbey Farm, a substantially intact 19th century planned courtyard farmstead reported to include elements of a much earlier 16th century house and chapel;
- Hopyard Farm, also understood to contain earlier post-medieval fabric, in addition to a well preserved range of 19th century courtyard farm buildings; and,
- the historic farmsteads at Old Warren Farm, in the north of the development area, New House Farm in the centre of the site and Warren Farm to the south of the M69.

Buried Archaeology

- 6.4 Based upon the available information, the most significant individual recorded archaeological site comprises the scheduled and unscheduled remains of the former medieval village of Lubbesthorpe. The settlement is first referred to in the Domesday Book (1086), but is likely to have originated, as did many of Leicestershire's villages, in the 9th or 10th century AD. The right to construct a chapel dedicated to St. Peter was granted in 1302 to Roger le Zouch who held Lubbesthorpe in the early 14th century and a manor house was constructed by Lord Hastings in the mid 16th century. Both chapel and manor house were in considerable disrepair by the early 19th century, although the latter appears to have been incorporated into the house at Abbey Farm shortly afterward.
- 6.5 Lubbesthorpe appears to have become deserted during the late 16th to early 17th century, the reason for which remains obscure, although organised clearance of the village to make way for sheep pasture has been suggested. The site has been the subject of earthwork survey and aerial photographic analysis by the Leicestershire Museums Service in the 1980s and, more recently, LiDAR survey undertaken in relation to proposed widening and junction realignment of the M1 / M69. The former investigation recorded earthworks, the majority of which are now scheduled, between and to the east of Hopyard Farm and Abbey Farm, as well as recording features subsequently obscured by the dumping of spoil from the construction of the M1 motorway. The LiDAR survey provides clear evidence of a continuation of the village earthworks to the south and west of Hopyard Farm; it can be assumed in accordance with PPS5 Policy HE9.6 that these archaeological remains, whilst outside the scheduled monument, are of an equivalent character and significance to those encompassed by the scheduling.
- 6.6 Whilst it is considered that the existing archaeological desk-based assessment (DBA) is adequate for the late prehistoric (Late Bronze Age / Iron Age) onward, the data presented is at least two years old and should be reviewed to ensure incorporation of the results of more recent fieldwork and research (e.g. the East Midlands Research Strategy, the Leicestershire and Rutland Historic

Landscape Characterisation project, work undertaken associated with the proposed M1 / widening and Junction 21 improvements, and the results of recent excavations and fieldwork).

- 6.7 More fundamentally, however, the assessment fails to give adequate assessment to the potential for and significance of earlier prehistoric archaeological remains, notably of the Palaeolithic, Mesolithic, and Neolithic / Early Bronze Age periods. In each case, but most especially the former two, the resource is poorly defined and conclusion cannot safely be based upon consideration of existing records alone, especially where that is further constrained by the catchment of the development site and its immediate environs.
- 6.8 In line with the East Midlands Research Agenda (published by the University of Leicester), assessment of the Palaeolithic potential should include a much broader appraisal of the archaeological resource, as well as consideration of the potential for Pleistocene deposits and their likelihood to contain Palaeolithic remains. A similar reappraisal should be undertaken of the Mesolithic and Neolithic / Early Bronze resource. Based upon the results of this work consideration should be given to the need for and value of additional non-intrusive field survey, specifically fieldwalking to locate and characterise the potential resource.
- 6.9 In support of the DBA the applicant has commissioned the completion of a two stage geophysical survey comprising a magnetic susceptibility survey of the full application area and detailed gradiometry of a proportion of the site. The latter has targeted known archaeological remains, as well as areas of higher magnetic susceptibility. The results of this survey provide significant additional clarity as to the extent and character of two previously recorded later prehistoric sites (MLE6268 and MLE6259/7378), together with indicating the potential for previously unrecognised archaeological remains to the north-east of the development site. Both phases of geophysical survey provide useful but in no way definitive statements as to the presence and character of archaeological remains within the application area.
- 6.10 The detailed gradiometry, which offers the clearest indication of the location and extent of buried archaeological remains, targets approximately 20% (60ha, Environmental Statement (ES), Appendix 8) of the development area, the remainder of the site is covered only by magnetic susceptibility, which offers at best an impression of the archaeological potential of an area. In neither case does either technique permit characterisation of the exposed anomalies or confident assessment of their significance. In addition, it is commonly recognised that geophysical survey techniques can fail to identify archaeological remains either due to the local soil and environmental conditions and/or the character of the archaeological features under investigation. This is often a feature of earlier prehistoric and Anglo-Saxon archaeological remains.
- 6.11 It is therefore concluded that the assessment of the buried archaeological resource presented in the submitted Environmental Statement is limited by the capacity of the desk-based assessment and geophysical survey to effectively assess and characterise the archaeological resource. The applicant's DBA states that 'significant parts' of the application site have not been subject to

archaeological fieldwork, although this has been partly addressed by the subsequent magnetic susceptibility and magnetometer surveys.

- 6.12 The DBA concludes that there is 'some potential for previously unknown sites to be present' within the development area. This is felt to be an underestimate of the archaeological potential and the limited scope of the existing assessment compromises the ability to substantiate the extent, location, significance or character of that resource as required under Policies 6 and 7 of Planning Policy Statement 5.
- 6.13 Consequently, in line with PPS5 Policy HE6.1, it is recommended that the applicant is requested:
- to undertake a reappraisal of the existing desk-based assessment, specifically to update the report and to consider more thoroughly the earlier prehistoric resource;
- 6.14 and informed by the results of this,
- to commission the completion of further non-intrusive and intrusive fieldwork within the development area comprising targeted fieldwalking of those areas identified as having a potential for the presence of earlier prehistoric archaeological remains, and
 - to undertake a programme of trial trenching of known archaeological sites identified by the DBA and/or the geophysical survey, and areas impacted upon by the infrastructure access roads and entry points (notably the M1 and M69 crossing points) as detailed in the submitted scheme.

Historic Buildings

- 6.15 As mentioned above, the Environmental Statement (ES) identifies a number of listed and unlisted historic buildings within and in the immediate vicinity of the development area. These include a total of five unlisted historic farmsteads all depicted on the late 19th century 1st edition Ordnance Survey (OS) 6" and 25" plans. Of these Abbey, probably Hopyard and possibly New House Farms are also depicted on the OS drawings of c.1815, suggesting at least an early 19th century origin for each.
- 6.16 Historic records note the construction of a substantial house at Lubbesthorpe, apparently built by Francis Hastings, the second Earl of Huntingdon in 1551 and described as a 'fair and gallant house', Hartley has commented that the complex included a chapel in addition to the medieval chapel of St Peter already mentioned. However, in 1807 Nichols noted:
- 'The chapel has long been desecrated, and very few remains of that or the manor house are now to be seen... all the remains have lately been taken away to mend the roads with except one small fragment of a wall, and a barn is built upon the site of the chapel.'*
- 6.17 Inspection of Abbey Farm house has noted the presence of structural remains including a reused 15th century timber beam and masonry possibly from the chapel incorporated into the rear of the farmhouse. Anecdotal evidence suggests an early post-medieval date for parts of Hopyard Farm, and Old Warren Farm lies within a part of Lubbesthorpe taken into the parish from Leicester Forest in the early 17th century.

- 6.18 Immediately outside the development area lies Enderby Hall (LB ref.: 188943, MLE11130), a grade II listed building, reported to be originally of 16th century construction, although heavily altered with 17th, 18th and substantial 19th century additions and remodelling. To the east and north of the hall lies The Park, formerly part of the Enderby Hall Estate, preserving remnant elements of its 19th century parkland character, together with a fish pond and extensive surviving medieval ridge and furrow earthworks. In addition to the above mentioned structures, a number of listed and unlisted historic buildings lie in the immediate and local vicinity of the development area.
- 6.19 Whilst the ES identifies the historic buildings affected directly and indirectly by the proposals, it gives at best limited consideration to the character or significance of those structures. Given the expressed intention (Planning Statement 3.21.-23) to retain the five farmsteads within the development, two as the focus for 'local centres' (Old Warren Farm, New House Farm) and two as possible interpretation/amenity facilities (Abbey and Hopyard Farms), the ES provides no assessment of the significance of these structures or their capacity to accommodate the significant changes of use envisaged. To this should be added the direct impact to the setting of the Lubbesthorpe scheduled site that will result from the change of use of Abbey and Hopyard Farms. Similar concerns have also been raised by Tim Allen, the English Heritage Inspector of Ancient Monuments & Historic Buildings, in his letter dated 4th May 2011. It is therefore recommended that the planning authority request the applicant submit historic building assessments (equivalent to a Level 2 historic building survey) of each of the affected farmsteads in support of the current application.

Historic Landscape

- 6.20 The ES also makes reference to the Historic Landscape Character (HLC) of the application area drawing upon a recently completed study undertaken by Leicestershire County Council. Once again, however, the data is only descriptive and limited consideration is given to understanding the significance of the historic landscape as a whole or its individual elements, nor is any significant assessment of the development impact undertaken.
- 6.21 The recent HLC project concords well with the available historical records, which show Lubbesthorpe to be an agricultural landscape, dominated by arable cultivation during the medieval period, to which the surviving ridge and furrow earthworks (south and west of New House Farm, north and south of Abbey and Hopyard Farms) bear witness. This is followed perhaps as early as the 16th century by a process of enclosure possibly started by the Hastings family and followed by the Manners who acquired the manor following the death of Francis Hastings in 1559 and probably coinciding with the desertion of the village by the early 17th century.
- 6.22 Historically Lubbesthorpe lies on the edge of Leicester Forest, various wood / forest related names within and in the immediate vicinity of the development site bear testimony to the former extent of the forest, its management and progressive clearance. Historic mapping indicates that much of the woodland to the centre and north of the development area dates from the 19th and 20th

centuries. To the south, Fishpool Spinney, Freeboard Spinney and Fox Covert are rather earlier and appear to be shown of the OS drawings of 1815; these have been attributed to Sir Charles Lorraine Smith of Enderby Hall.

- 6.23 Given the significant and detrimental impact the proposals will have on the historic landscape, it is recommended that the developer is requested to undertake a re-appraisal of this aspect of the scheme. This should include:
- an assessment of the significance of the landscape and its constituent elements;
 - consideration of the capacity of the landscape and its significant components to accommodate change;
 - and, consideration of the results of the completed Leicestershire & Rutland HLC project.
- 6.24 Of particular concern is the impact of the proposals upon the setting of the scheduled Lubbesthorpe deserted medieval village (SM ref.: 30274), which has also been commented on by Tim Allen of English Heritage in his letter dated 4th May 2011. In that respect, careful consideration should be given to ensuring that the proposed development does not detrimentally encroach upon the setting of the scheduled site *and* the equally significant unscheduled earthworks to the south-west. Of particular concern are:
- the development of the triangular ridge-top site to the north of Abbey Farm, defined to the east by the M1 and woodland to the west;
 - land south of the M69, north of Warren Farm and east of Fox Covert
 - the proposed introduction of flood compensation and water retention basins currently shown adjacent to the scheduled monument, south of Lubbesthorpe Bridle Road, and north of the M69, south and west of the scheduled area.
 - the proposed use by buses of the track linking Lubbesthorpe Bridle Road to Leicester Lane, Enderby via Warren Farm.
- 6.25 The preservation of archaeological remains is, of course, a “material consideration” in the determination of planning applications. The proposals include operations that may detrimentally impact upon buried and above ground archaeological remains that are present, but the archaeological implications cannot be adequately assessed on the basis of the currently available information. Since it is possible that archaeological remains may be adversely affected by this proposal, we recommend that the planning authority defer determination of the application and request that the applicant supplement the existing Environmental Statement as detailed above.
- 6.26 This will require provision by the applicant for:
- i) Additional desk-based archaeological assessment of the application area and its environs;
 - ii) Historic Building assessments (equivalent to a Level 2 historic building survey) of each of the affected farmsteads in support of the current application;
 - iii) Field evaluation by appropriate techniques, including fieldwalking and trial trenching, to identify, assess and characterise any archaeological remains of significance, and propose suitable treatment to avoid or minimise damage by the development. Further archaeological work may then be necessary to achieve this; and,

- iv) Provision of further details including: the potential physical and visual impact of the proposed attenuation ponds and bunding; the nature and extent of the works associated with the proposed use of the track linking Lubbesthorpe Bridle Road and Leicester Lane, Enderby, via Warren Farm; the potential use and associated groundworks proposed on the land off Watergate Lane/Lubbesthorpe Way to be transferred by the applicant for use 'as part of an EA flood alleviation scheme' (ES 10.4.6).

- 6.27 This information should be submitted to the planning authority before any decision on the planning application is taken, so that an informed decision can be made, and the application refused or modified in the light of the results as appropriate. Without the information that such an Assessment would provide, it would be difficult in our view for the planning authority to assess the archaeological impact of the proposals.
- 6.28 Should the applicant be unwilling to supply this information as part of the application, it may be appropriate to consider directing the applicant to supply the information under Regulation 4 of the Town and Country Planning (Applications) Regulations 1988, or to refuse the application. These recommendations conform to the advice provided in DCLG PPS 5 "Planning for the Historic Environment", Policies 6, 7, 8, 9 and 10.
- 6.29 Should this application be refused on other grounds, the inadequacy of the archaeological information should be an additional reason for refusal, to ensure the archaeological potential is given future consideration.
- 6.30 The Historic & Natural Environment Team (HNET), Leicestershire County Council, as advisors to the planning authority, will provide additional guidance and/or Briefs for the required work on request, and will approve submitted Written Schemes of Investigation for each stage of assessment at the request of the applicant. This will ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority, in a cost-effective manner and with minimum disturbance to the archaeological resource. The Specification should comply with this Department's "Guidelines and Procedures for Archaeological Work in Leicestershire and Rutland" and relevant Institute for Archaeologists "Standards" and "Code of Practice", and should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable.

7. Ecology

Summary

- 7.1 There are a number of concerns with the layout of the site where it is felt that insufficient buffer areas have been left between sensitive wildlife habitats and development or areas of high public activity. However, with relatively small changes to the design and more detailed plans the impacts of the development can be mitigated and compensated for.

7.2 Key issues are:

- There are some omissions from the reports submitted in support of the application (see sections 5.7 - 5.9) and some errors, which will need to be rectified.
- Additional paperwork required:
 - Complete Phase 1 survey notes and species lists
 - Brook corridor plans if available
 - Plans of the formal and informal open spaces
- Additional survey work:
 - Initial emergence surveys must be carried out on Warren Farm and Warren Cottages for bats.
 - Updating survey work must be conducted for the following species: bats, badger, water vole and suitable reptile habitat. This should be according to the phase of works.

Species and habitats of importance present within development area

- 7.3 Five bat roosts were found in three of the farms within the application area (Abbey Farm, Newhouse Farm and Old Warren Farm). Water vole has been recorded in Pond 15 and the section of Lubbesthorpe Brook in the vicinity and, although not visually confirmed, is suspected to be present at Pond 11. Barn owls have been recorded nesting in boxes at Abbey and Hopyard Farms. Badgers are present within the development site.
- 7.4 There are 25 'important' hedgerows and 3 probable Local Wildlife Site hedgerows within the application site. There are also 21 near veteran and 22 veteran trees within the site.
- 7.5 Grasslands of District and Parish level are present to the south of the site along with Parish Level woodlands (not SINC as referred to in the survey reports) and a Parish level hedgerow.
- 7.6 The application site contains 19 ponds and 4 wet ditches. No ponds contained protected great crested newts, however, 9 ponds contained smooth newts. Pond 4, contains a local Red Data Book plant species - *Ranunculus omiophyllus* (Round-leaved water crowfoot), additionally Pond 4 also contains *Potamogeton natans* (Broad-leaved pondweed).
- 7.7 Lubbesthorpe Brook, which flows across the site is an important wildlife corridor and habitat feature, signs of water vole using the brook were observed close to Pond 15 and the brook flows along the edge of the wet woodland W6 to the north of the M69.

Documentation

- 7.8 Target notes relating to TN5 and TN6 cannot be located on the Phase 1 habitat plan (Figure 7.2). Additionally, target notes and species lists for the rest of the Phase 1 survey should be provided, particularly for the other semi-improved grassland within the application site.

- 7.9 Section 7.3.24 of the Environmental Statement has Pond 16 as supporting water vole, it is suggested that it is in fact referring to Pond 15.
- 7.10 The species lists in the Extended Phase 1 and Hedgerow survey report have highlighted two local Red Data Book (RDB) plant species for Leicestershire. These should be flagged up as rarities in the report. Detailed target notes should be made available for the following species:
- Pond 4 (proposed to be destroyed) has *Ranunculus omiophyllus* (Round-leaved water crowfoot), a local RDB plant species. Additionally, *Potamogeton natans* (Broad-leaved pondweed) was recorded within the same pond, which would qualify the pond as a potential Local Wildlife Site
 - *Polygonum bistorta* (Common Bistort) also a local RDB plant species was recorded within the section 'tall herbs and ruderal' and also in the section 'arable margins'. It is not clear where these two areas are, please can they be clarified.
- 7.11 There are a number of errors and inconsistencies with the documentation and figures within the bat survey report:
- Figures 6 - 15 appear to be labelled with the incorrect name when compared to the layout of the farms on County Council aerial maps.
 - There are two nocturnal survey results sheets for Hopyard Farm - labelled as Abbey Farm – Figures 6 and 7
 - Sections 3.55 and 4.10 of the bat report state that no bats were found to be roosting in Hopyard Farm, however, figure 7 shows building 2e at the farm as a roost.
- This situation should be clarified.

Impacts on Species

- 7.12 Bats - Although it is unclear what is planned for the farm buildings within the application site. As suggested, prior to work being undertaken on the farm buildings, further surveys, including emergence surveys at the optimal time of year, must be carried out and the mitigation proposals must be reviewed. The updated bat survey reports and mitigation plans must be submitted to and approved by the Local Planning Authority (LPA) before work can commence on the farm buildings.
- 7.13 Water Voles - Impacts on the Water Vole populations in ponds where they have been recorded are a concern; in Pond 15 close to the M69 and on the possible implications of the suspected Water Vole population at Pond 11.
- 7.14 Although section 7.5.44 of the Environmental Statement states that the two ponds will be managed in such a way that human activity will be discouraged from the area, and that a management plan to ensure the water-bodies are free from litter and pollution will be prepared, in both cases there is insufficient buffering between the pond and the area of high public activity. Pond 15 is a play area (NEAP) and Pond 11 is in close proximity to housing and roads. Disturbance from dogs and cats as well as children's play and other human activity can be disturbing to Water Voles.

- 7.15 The location of the NEAP should be relocated to at least 200m away from the vicinity of the Water Vole population in Pond 15. The presence or absence of water vole in Pond 11 should be established or that the plans are altered to allow a buffer of at least 100m around Pond 11.
- 7.16 Barn Owls - Section 7.5.45 of the Environmental Statement which gives proposed mitigation for impacts on barn owl when they are hunting is welcomed. The mitigation is to maintain short or close-mown grass in areas where hunting barn owls are at risk of collision with vehicles. Barn Owls' main prey, mice and voles, don't like short grass. The proposed compensation for this loss of hunting grounds by the provision of suitable foraging ground away from potential impacts is supported. Officers also welcome the proposed new nest boxes within Brook Park. Works to barns within any of the farm complexes should be preceded with a survey for Barn Owl activity. The results of the survey and any mitigation should be submitted to and approved by the LPA prior to any works commencing.
- 7.17 Badgers
Whilst it is noted the majority of the badger activity was found to be in the south of the site away from major development, outlier sett S2 to the north of the site will be situated within open space. Although furnished with links to the wider area, this sett will be surrounded by development and roads. It is felt that the plans should be altered in such a way that the sett is not surrounded by development or that the sett should be closed under license from Natural England.
- 7.18 Survey updates
The comprehensive suite of updating survey work will be undertaken prior to each phase of works is supported. These updated surveys must be submitted and approved by the LPA before each phase of development takes place.

Impacts on habitats

- 7.19 Woodlands
The close proximity of development to the two Parish Level woodlands W1 and W3 is a concern. The development is proposed on all four sides of W1, it is recommended that there should be at least a 20m unmanaged buffer around all woodland and where possible should include existing hedgerows. The buffer zones should not include footpaths / cycle paths or any other development.
- 7.20 Parkland
Pleased to see that The Park to the south of the M69 will be converted from arable use to neutral grassland.
- 7.21 Informal open space and nature conservation
The south of the site along the Lubbethorpe Brook corridor, between the main housing area and M69 will be primarily formal and informal open space. Zoning of land for formal recreation, play, informal recreation, public access and nature conservation, with a clear designation of the parts of this area which will be managed primarily for nature conservation should be included. The nature conservation and informal open space will need management plans, which should be submitted to the LPA for approval prior to commencement of development.

7.22 Ponds

Five ponds will be lost whilst 14 will be retained and enhanced within the development. Once developed, the remaining ponds will be subjected to increased human activity and to hydrological changes caused by alternations in local drainage patterns, and therefore, may not survive within the developed area. It is felt that the proposed creation of 29 wetland areas and water-bodies is adequate compensation for the actual and potential future loss of these ponds, apart from Pond 4.

7.23 Pond 4 is to be destroyed and replaced with a newly constructed flood attenuation pond. Pond 4 contains Broad-leaved pondweed, which qualifies it as a Local Wildlife Site. In addition a local RDB plant species is growing within the pond – Round-leaved water crowfoot. Pond 4 must be retained within the plans in its current form and managed in such a way that the pond and the aquatic vegetation within it remain in a healthy condition.

7.24 Veteran trees

The application site contains a number of veteran and near veteran trees. Section 4.2 notes that it is likely a number of veteran or near veteran trees will come into conflict with development but exact numbers will not be known until the final plans are available. The proposal to where possible incorporate veteran and near veteran trees into the master plan within open space is welcomed. Notwithstanding the above, it is felt that a significant quantity of veteran or near veteran trees will be lost as a result of this proposed development

7.25 Hedgerows

Section 7.5.8. of the Environmental Statement states that 10 hedgerows will be lost, one of which is 'important' under the Hedgerow Regulations (approx 138m in length) and two of which are of nature conservation priority under the Hedgerow Evaluation Grading System (HEGS) (approx 460m in length). Around 4km of hedgerow is proposed for removal. It is unclear what length of hedgerow will be planted in compensation for the loss of hedgerows and what area the new woodland planting will occupy. These figures should be submitted to the County Council for consideration.

7.26 Lubbesthorpe Brook

It appears that there will be a pinch point along Lubbesthorpe Brook where the brook first borders and then enters the application area. It is recommended that plans are modified to include a buffer zone of at least 12m either side of the brook along the entire length within which no development takes place. More detailed plans of the brook corridor, including clear zoning of land as described in point 15 above should be submitted. Section 7.5.25. of the Environmental Statement states that there will be two crossings over the brook. The inclusion of raised shelves to allow continued movement of species along the brook corridor and vegetation growth on either side of the brook to act as a hop over for birds and bats are welcomed. It should be ensured that no run-off from the construction phase or subsequent development be allowed to enter the brook.

7.27 Semi-improved and species-rich grasslands

There are two Parish level grasslands and a District level grassland within the application site. These grasslands have declined since last surveyed and do not contain the required number of indicator species required to qualify as Local Wildlife Sites. However, the species list for TN2 shows sufficient species within the grassland for it to potentially qualify as a Local Wildlife Site. As there is no abundance information it is not possible to assess the condition of the grassland. It is concerning that tree planting adjacent to the M69 may destroy an area of important grassland as almost half the area of the field is proposed for planting.

7.28 With reference to point 7.8 above, it is concerning that as there are no target notes or species lists for the other semi-improved grasslands present in the application area there maybe other good areas of grassland that may be destroyed by the development. Target notes and species lists for the other semi-improved grasslands within the application site should be supplied.

7.29 Officers would welcome the opportunity to visit the three previously designated grasslands and other semi-improved grasslands in the coming weeks.

7.30 Impacts from lighting

Welcome the iuse of directional low intensity lighting away from hedgerow lines (section 7.3.41) and avoidance of lighting where possible except for safety and security purposes. This should be extended to all natural features such as ponds, woodland, Lubbesthorpe Brook, bat roosts in farms and barn owl roosting / nesting sites and hunting areas.

8. Geology

8.1 The Environmental Statement is incomplete as it makes no reference to the Geodiversity interest of the Lubbesthorpe area. Although geological sites may appear robust they can be damaged and destroyed by inappropriate development or activities. More information on the importance of geodiversity can be found by contacting Natural England
<http://www.naturalengland.org.uk/ourwork/conservation/geodiversity/default.asp>
 X

8.2 There is a geological Site of Special Scientific Interest to the west of the area referred to as Parcel 2. This important geological site has been infilled but there are plans to re-excavate the site in the future. Further information from Natural England on the likely timescales for this is awaited. It is important that any development does not impact on the planned future excavation of the SSSI. The important geodiversity features at the site include rare palygorskite mineralisation at the boundary between Ordovician South Leicestershire Diorite and the overlying Triassic sediments. Examples of the rare mineralisation are stored in the collections of Leicester City Museum.

8.3 It is likely that the South Leicestershire Diorite extends into the area 'Parcel 2' beneath Triassic sediments. The 'buried landscape' is often undulating and contains ancient stream beds known as 'wadis'. The wadis often contain sand horizons which often act as aquifers which may affect the drainage of the area.

- 8.4 The relationship of the proposed development site to the prehistoric River Bytham deserves more consideration.
- 8.5 There are no Regionally Important Geological / Geomorphological Sites or proposed sites within the planned development areas. If any geologically interesting sites are used or exposed then consideration should be given to retaining some key features of interest, and the site's possible future as a new interpreted RIGS.

9. Landscape, Green Infrastructure and Sustainability

- 9.1 Concerns have been raised that the open space has so many other demands on it, that the likely needs of the local residents are not being properly met. In particular, the buffer between the development and Leicester Forest East, the need to protect the setting of the Ancient Monument and the proposals at Enderby Hall combine to mean that good locally accessible open space close to where people live is in short supply.
- 9.2 Given the scale of development, a more extensive 'buffer' zone between LFE and the northern area of the proposals could be expected. Also, it looks like the open space is over-emphasised in the south, concentrated around the archaeological area.
- 9.3 Consideration of the maintenance of the proposals is not given high consideration – a vital element that needs careful planning and factoring in at an early stage

Landscape

- 9.4 The overall landscape generally slopes up to fairly flat plateau area in the north-western part of the site with the western side having a rural character and the northern and eastern boundaries being dominated by the residential edge of Leicester Forest East and the M1/M69 road network. There are a number of notable landscape features which form important constraints and opportunities to the overall scheme and need to be carefully considered
- 9.5 The medieval village of Lubbesthorpe is a Scheduled Ancient Monument. The Design and Access Statement states that it will be "within a conserved and restored rural setting". The plan is to retain Abbey Farm and Hopyard Farm to help with the setting of the medieval village and to create woodland buffer zones around it to reduce the visual impact of the nearby development.
- 9.6 Although there are no landscape designations covering the site, the Enderby Conservation Area is close to the southern area of the site. Part of the old parkland associated with Enderby Hall is within the site boundary. This will be retained as a buffer zone for Enderby and will be developed as "Enderby Park" for the benefit of both the new community and that of Enderby.

- 9.7 There are 4 main woodland groups within the area to the north of the M69 which form prominent features within the site. These will be retained to help to visually break up the new development. There are detailed proposals in the Green Infrastructure management plan to protect and enhance these woodlands and provide new buffer planting around them.
- 9.8 There is a network of good hedges throughout the site and some good quality individual and veteran trees of mainly ash and oak. There is a desire to “retain and incorporate” the hedgerow features into the development which will provide some initial structure to the site. There is also the proposal to use existing hedges to form boundaries to residential development. This proposal is fine in theory but in practice, residents require secure and private garden boundaries and what tends to happen is that close-boarded fencing is retrospectively erected inside the hedge which often results in poor, overgrown, unmaintained hedges.
- 9.9 There are some existing ponds and watercourses of habitat value within the site and the brook to the south has a large flood area which will be incorporated into the “Brook Park” area.
- 9.10 The eastern side of the site is dominated by the M1 motorway with the M69 severing the southern part of the site. The proposal is to provide 50-70m wide screen belts adjacent to the motorways which will incorporate 4-6m high bunds with dense woodland planting to reduce the impact of the motorways on the site. The “Woodland Edges” planting is a very important feature of the overall scheme but will need a high level of investment in establishment and long term management.

Trees and Hedgerows

- 9.11 The Tree Assessment Report appears to be a comprehensive survey undertaken in accordance with British standard 5837:2005. Section 4.0 states that all trees assessed within retention category A-C are worthy of retention within any proposed development and where possible existing hedgerows and trees have been retained. Further detailed arboricultural management recommendations will have to be made in the context of any new development proposals.
- 9.12 Paragraph 4.6 refers briefly to the woodland blocks and states that where development is proposed in close proximity the root protection areas must be calculated from the largest boundary trees to ensure adequate standoff distances from the woodland edges. It further states that new buffer planting should be undertaken on the boundaries of the existing woodland that could be incorporated as an alternative into the open space. This proposal is supported and it is suggested that new planting should be a minimum of 30.0m in width and planted as a locally native ash/field maple woodland NVC W8.
- 9.13 The GI Biodiversity Management Plan describes the five existing woodland blocks W1 -W5 as broadleaved plantation woodland. There is no information on species, age class or stocking density. Proposals for management include thinning and understorey planting.

- 9.14 It is advised that the woodlands are further assessed and a 20 year woodland management plan is produced prior to the commencement of any development; Forestry Commission grant is available to fund this work.
- 9.15 The proposal in para. 5.5 to cut an east-west ride at 20 to 30m wide may affect the stability of the woodland blocks and lead to progressive windblow.
- 9.16 It is advised that new native woodland planting is ash / maple woodland NVC W8 with an understorey of hazel and hawthorn. Planting blackthorn would not be advised as it is very invasive.
- 9.17 The management of existing and new woodlands is a long term commitment that needs to be fully funded. It is suggested that to manage the landscape planting and woodland a landscape trust is set up similar to the Milton Keynes Trust that has revenue funding from the rent received on office and industrial units.
- 9.18 The Green Infrastructure management plan details the retention and management of the existing woodlands and includes the planting of buffer zones around the woodlands to give them additional protection. There are concerns about the proposed clearance of 20-30m rides through the woods. This proposal will not only change the long distance views of the woodlands but it could also affect the stability of the woodland stands making them susceptible to wind blow.
- 9.19 The Green Infrastructure management plan also specifies the protection required for the hedges and individual trees. This should be clearly defined and adhered to throughout the development. The proposed retention of veteran trees is a good idea but there could be conflict where the trees are within the built environment. Residents do get very worried about safety of mature trees in close proximity of their properties.
- 9.20 There is a proposal to retain standing dead wood and whilst this is supported within the woodlands and certain park areas, it is unclear whether creating monoliths or carved features within residential areas would be appropriate in terms of appearance and long term maintenance.

Proposed Open Spaces

- 9.21 **Old Warren Park**
There is a proposal to provide a park called "Old Warren Park" which will provide a buffer zone between Leicester Forest East to the north and the new development to the south. This will involve retaining the existing vegetation along the edge of the residential area and along Beggar's Lane and strengthening it with new woodland planting. There would be provision for sports pitches in this area.
- 9.22 It is encouraging to see the positive proposals for the parkland at Old Warren Park and Central Park - an effective maintenance programme must be factored in.

9.23 Central Park – The Commons

This is the large central park which surrounds Lubbesthorpe medieval village where there is a commitment to preserve and improve the setting of the Scheduled Ancient Monument by retaining existing trees and hedges and providing screening to mitigate the visual impact of the new development.

9.24 There seems to be a contradiction between the Design and Access Statement and the Green Infrastructure Plan regarding Lubbesthorpe Bridle Road. The Design and Access Statement suggests that the road will be predominantly used for pedestrian and cyclists. However, the Green Infrastructure document mentions that a “dedicated public bus route along Lubbesthorpe Bridle Road” will be provided. Clarification needs to be provided on this issue.

9.25 There is suggestion that sheep and cattle grazing could continue on this park area, however, question whether this will be feasible on what will become a relatively small, essentially urban area. Question whether grazing animals are appropriate in a town park situation. This matter does need to be addressed as the cost of grass cutting could become a major issue.

9.26 Brook Park

A new park is proposed along Lubbesthorpe Brook where the creation of a wetland and meadow landscape with flood detention areas is proposed. Concerns have been raised as to whether safety issues have been considered relating to public access to areas of open water.

9.27 In addition, it is difficult to estimate at this stage the amount of water that will accumulate from a sustainable drainage scheme and to design the landscape accordingly.

9.28 Brook Park: question whether sufficient water would be available to create the features proposed.

9.29 Enderby Park

The proposed park aims to retain and restore some of the formal character of the old parkland whilst meeting the needs of community by providing play areas and sports pitches for Enderby and the new development. There could be a conflict between creating a parkland landscape and providing the formal recreation in this area of open space.

9.30 There is reference to an existing avenue of trees within the Enderby Hall parkland and little evidence could be seen of this on the aerial photograph.

9.31 In Green Infrastructure document, there is a proposal to strip the topsoil from this area to create the correct conditions for species rich neutral grassland. Consideration needs to be given to where the excavated soil will be deposited. In addition, the lowering of the ground levels in this area could have an impact on the existing parkland trees.

- 9.32 Enderby Park: The proposals suggest using existing hedgerows/ trees as boundary treatments – in reality, the quality of these landscape features may be of insufficient quality to be effective. The Creation of a ‘diverse landscape’ is admirable but it may be difficult to successfully integrate existing hedgerows/ ponds etc into the new structure.
- 9.33 The “Recreation and Play” section will require more detailed information. Any formal play areas should have adequate surveillance over them. Also, “natural play” is presently being championed by Play England rather than the provision of formal play equipment.

Landscape Management

- 9.34 New Lubbethorpe is a major development and with it comes, quite rightly, a high proportion of green infrastructure in the form of both existing and new landscape features. It is therefore essential that the long term management of all this green space is carefully considered and determined at this stage.
- 9.35 In the Design and Access Statement it is proposed that the open space is to be managed by a Community-based Management Trust. It is essential that the details of this arrangement are put in place and approved at an early stage to ensure that the necessary finance is determined and set aside for the long term management of all of the green infrastructure. There would need to be certainty that this could be achieved in practice.
- 9.36 In the Green Infrastructure document it states that a “Full-time Park Ranger system will be a key element to the management regime”. As with the Community-based Management Trust, the details of this proposal will need to be approved and put in place before the development commences.
- 9.37 The concept of “Creative Conservation” is proposed throughout the development which involves creating a network of connected spaces to link together the existing landscape features with new green spaces and parks. The proposals are welcomed and further but further details will be required to fully explore the proposals.
- 9.38 The “Art in the Landscape” proposal should carefully consider where art is located. The overall theme for New Lubbethorpe is to create informal natural landscapes and unsure that artwork is always appropriate in these locations.
- 9.39 The following list gives a general outline of what is proposed in the site management:
- Grass cutting operations for all the green infrastructure areas.
 - Existing woodland management, thinning and monitoring.
 - New woodland management, thinning and monitoring.
 - Annual check and work to Veteran trees.
 - Hedgerow maintenance.
 - Maintenance of Greenways
 - Maintenance of “squares, circuses and pocket parks”
 - Inspection and management of avenue street trees
 - Clearance of open water areas
 - Monitor and clear ditches.

- Maintain bat/bird boxes.
- Emptying dog bins in the parks.
- Emptying litter bins in the parks.
- Litter picking in the parks.
- Maintenance of information boards in the parks.
- Maintenance of paths and cycleways within the parks.

10. Design and Phasing

- 10.1 The western boundary of New Lubbethorpe should be designed in a way that it should not preclude further extension westwards. However, there should be a concept of when it should be "closed off", which could be with the current proposal. The green strips to the north (Brook Park and North Park) and extending from the SAM should be identified as nascent green wedges, with a view to extension if / when New Lubbethorpe extends to the west.
- 10.2 The phasing of development, particularly the early links between the housing developments and the employment areas mean that early completion of sustainable transport links will be very important.
- 10.3 The proximity of some proposed housing to the M1, particularly in the event of further widening of the M1 needs to be carefully considered in terms of impact of noise and air quality.

Proposed Built Environment

- 10.4 The proposed development is described as an extension to Leicester, not a new town or village, with its own identity "set comfortably into the landscape with new parks, sports fields, tree lined avenues and streets, woodlands and water combining to create a rich landscape setting for development".
- 10.5 The Design and Access Statement states that the development will have mixed densities with one district centre which will "contain buildings visible from throughout New Lubbethorpe, creating a locally distinctive new skyline". There are concerns relating to the "distinctive new skyline" and the maxim "less is more" springs to mind. Too many tall, prominent buildings across the development are likely to be vying for attention. Generally, in a traditional village setting, the church is usually the only prominent building. Furthermore, it is not always necessary to have definite landmark buildings to create a sense of place; this can often be achieved by the effective design of the landscape and the spaces between buildings.
- 10.6 The need to have some prominent buildings within the development to create focal points is understood but whether four storey buildings are generally appropriate in this location is questioned. The development must be "set comfortably into the landscape" and this will only be achieved by respecting the scale of the surrounding settlements on the edge of the city. The Hallam Fields development in Birstall is cited as an example of having little respect for the local setting.

- 10.7 The proposed large 4 storey buildings and their use as focal points are questioned – this is not appropriate/ necessary in this landscape, (see Poundbury in Dorset where massive structures look out of place and ‘blot’ the landscape).
- 10.8 There is reference in the Design and Access Statement to having extensive views across the development. Although it is agreed that it is important to maintain views of important features in and around the site, it is also important to shorten or visually break up views which adversely show the massive extent of development. This can be achieved with landscape features which will create interest and add structure to the overall development.
- 10.9 Three neighbourhood centres are proposed within New Lubbesthorpe, each of which “will have their own identity”. It is quite a difficult task to create a sense of identity in large new developments. The proposal to retain and re-use some the existing farm buildings should be encouraged to create some character in the neighbourhood areas. However, in order for this to be successful, the new development must respect the scale and style of the existing buildings.
- 10.10 The proposed materials for the development are in character with the local area, predominantly using a mix of red and brown brick with a mixture of hedged and brick boundary treatments. Whilst it is agreed that the concept of having a general palette of materials and colours, this should be used with care on a development of this size. The buildings should take account of the vernacular architecture and materials but there should be some scope for innovation (it is disappointing to see an image of Sainsbury’s used in the Design and Access Statement with its typical “one design fits all” approach as an example of the type of development in the District Centre).
- 10.11 The proposal for a higher building density in district centre with a lower density in the transitional areas approaching the more rural edges of the development makes sense and the proposal for this to be strengthened by the placing of recreation grounds and paddocks amongst the residential areas will create a more natural edge.
- 10.12 Pleased that boundaries on the more rural edges are to be defined by hedges and post/rail fences. There is a need to avoid suburban close boarded fences on the rural edges.
- 10.13 There is a proposal for the key routes through the development to have a tree lined character. The “primary street landscape” suggests species such as Horse Chestnut, London Plane, Beech and Flowering Cherry. Concerns have been raised about the use of Horse Chestnut as a street tree as it is large and has a dense, low canopy. Beech is ultimately a large forest tree and should only be planted where there is adequate space for it to mature. Likewise, London Plane is a large, commonly planted street tree and is a good choice provided there is adequate space available. Flowering Cherry trees such as the Japanese varieties do not grow large enough to create the correct sense of scale in a town setting. These species should only be planted in the more suburban neighbourhood centres. In addition, Flowering Cherry does not sit well with the general policy for “indigenous and locally occurring species”.

10.14 Continuing on the street tree theme, there are concerns that the proposals for enclosed frontages and gateways will conflict with the idea of avenue planting. Having looked at the "Street Typologies", the Main Street elevation shows the trees planted at a distance of 8m from the buildings and the Avenues elevation shows the trees at an 7m distance. This layout is mentioned again in Table 6 titled "Residential Character Areas" where higher and medium density development will have "minimal or zero set backs" from the street combined with avenue style street tree planting. These proposals are acceptable for smaller growing tree species such as Flowering Cherry but the proposed clearance from buildings would not be acceptable for large stature trees such as London Plane and Beech which could have a mature spread of up to 15m. In addition, the proposals would not be in accordance with the NHBC Guidelines for Building Near Trees which gives specific advice on foundation design to take account of possible shrinkage and heave caused by the water demand of mature trees. As the creation of avenues is such a fundamental part of the proposed street scene, consideration should be given to increasing the verge widths or setting back the building line in order that sufficient space is available to plant large growing trees along the main routes through the development.

11. Minerals

11.1 The Minerals Assessment accompanying the planning application indicates that there is some scope for sand and gravel in Area 1 (land to the north of M69), but that any minerals that may be present would not be built upon. Provided that the proposed development is carried out as per the Site Masterplan, there is no mineral safeguarding objection to the proposed development in Area 1.

11.2 The Minerals Assessment estimates that between 180,000 to 900,000 tonnes of sand and gravel may be present in Area 2 (land south of M69), with the most likely tonnage being about 300,000 tonnes. The report suggests that there is potential for all the mineral resource in Area 2 to be utilised by any proposals for built development at the site. It recommends that a site specific intrusive investigation exercise be initiated to identify the extent of any mineral resource and a scheme be developed for recovery of minerals in Area 2. It is proposed that this further investigation be carried out following the grant of outline planning permission.

11.3 Given the potential sand and gravel resource within Area 2, proposed further investigation should be undertaken prior to the determination of the current planning application. Depending on the findings of this assessment, proposals should then be drawn up to demonstrate how the mineral would be extracted, how restoration of the site would be achieved to allow the proposed build development to proceed, and how the mineral would be used within the proposed development.

11.4 A separate planning application is likely to be required for any mineral extraction that is proposed.

12. Waste

- 12.1 Leicestershire County Council as a local authority has two distinct but related statutory duties relating to the management of waste arisings within Leicestershire. These statutory functions are:-
- a) as a Waste Planning Authority; and
 - b) as a Waste Disposal Authority
- 12.2 The County Council is therefore responsible for determining strategically the ongoing planning of waste infrastructure within the authority area; determining waste planning applications; and the management of the Local Authority Collected Waste arisings.
- 12.3 It is recognised within the Lubbesthorpe Environmental Statement, Chapter 14 that the proposed development would increase waste arisings from the commercial, industrial and municipal¹ elements of the development.
- 12.4 After assessing the proposals, subject to the provision of developer contributions to support the local civic amenity site at Whetstone, there appears to be no particular reason to object to the proposals on the grounds of the increased waste that the proposed development would generate.
- 12.5 A more detailed assessment of the proposals is discussed below.

Waste Planning

- 12.6 The Waste Needs Assessment referred to and attached to the Environmental Statement was updated in February 2011. The proposed development has not significantly changed the assessed provision of existing and future new waste sites and there would remain sufficient potential capacity to deal with the predicted increase in Commercial and Industrial wastes arising from this proposed development.
- 12.7 It is noted that the area east of the Enderby Industrial Estate (Warren Park Way) has been designated as land for further industrial uses rather than residential. This would concord with existing Waste Planning Policies as it potentially reduces the conflict between any new residential areas and the existing industrial estates with waste activities upon them.

The proposed Community Composting Facility at Abbey Farm

- 12.8 A community composting facility is broadly supported from a Waste Planning perspective as it allows for the recycling of certain types of locally generated waste which accords well with a number of waste policies. This facility would require a separate permission from the County Council to undertake such an operation.

¹ it should be noted that the use of the definition of 'Municipal' waste within the Lubbesthorpe Environmental Statement as 'waste arising from Household and schools' does not fully represent the types of waste that Leicestershire County Council as a Waste Disposal Authority has to manage; Municipal Waste legislatively also has a different meaning.

- 12.9 However there are a number of concerns with such a Community Composting Facility as there is a lack of clarity in how the proposal would operate. No specifics have been provided as to which organisation would be expected to manage and be responsible for the costs associated with the proposed facility. If the facility is not managed appropriately the costs associated with the collection and disposal of such wastes may fall on the Blaby District Council or Leicestershire County Council.
- 12.10 Further details of the proposed optional Kitchen Waste collection are also required. As per previous comments there seems to be no due consideration given to the collection costs associated with the proposal and which organisation would be expected to manage the operations. Any facility that is designed to accept Kitchen Waste would need to be a fully permitted waste facility (either an Anaerobic Digestion or In-vessel Composting facility) and is likely to be of a different, larger, scale compared to a 'community' green waste composting facility.

The Whetstone Civic Amenity Site

- 12.11 The proposed development is likely to have a significant impact on the nearest Civic Amenity Site, known locally as a Recycling and Household Waste Site (RHWS), at Whetstone. The Lubbesthorpe Environmental Statement, Chapter 14 states that the proposals would not have a significant impact on the site; however the patronage may increase by approximately 7.5% at a site that already has capacity pressures at peak times. A further increase in usage at this scale is unlikely to be able to be accommodated at this site without significantly affecting the service provided and the levels of recycling currently achieved. However subject to receiving appropriate Developer Contributions, these impacts could be mitigated by providing the required additional capacity at the Whetstone RHWS.
- 12.12 The Lubbesthorpe Environmental Statement, Chapter 14 highlights that the introduction of Recyclebank Scheme would reduce the number of visitors to the Whetstone RHWS. However there is no evidence provided in the document to support this statement. Such schemes generally target wastes that would otherwise normally be placed in kerbside residual waste containers and not waste delivered to RHWSs. Hence the impact of a Recyclebank scheme is likely to be very limited in reducing waste being delivered to the Whetstone RHWS.
- 12.13 The increased usage of the Whetstone RHWS due to the proposed development is likely to have a significant impact on the B582, Enderby Road. At present queues can arise at peak times from householders delivering waste to the Whetstone site. It is believed that a 7.5% increase in users could create further congestion issues. The Lubbesthorpe Environmental Statement Chapter 14 indicates this has been considered in the traffic assessment; however Chapter 15 appears to make no reference to such an assessment. If an assessment of the traffic on the B582, Enderby Road, Whetstone has been undertaken this should be included to allow a proper assessment of the traffic impacts in this locality to be made.

Waste Recycling, Reduction and Minimisation Proposals

- 12.14 The Recyclebank scheme has been proposed for the development; however there is no existing scheme and this is only one potential option for encouraging doorstep recycling. This may mislead stakeholders reading the document to believe that a Recyclebank scheme would be implemented. Consultation with Blaby District Council, as the Waste Collection Authority, would be required with regards any such proposed household waste collection scheme.
- 12.15 There is recognition within the Lubbethorpe Environmental Statement Chapter 14 that appropriate space should be provided for storing waste receptacles at any individual property to improve recycling rates. It is also recommended that this is extended to areas within the kitchen to allow separation of wastes at source.
- 12.16 The concept of providing a 'simple waste management guide' is a sound principle and should be promoted. This will ensure that new residents know how to minimise and recycle the waste they generate. It is assumed that the developer will be designing and producing this document, however it is recommended that the developer consults with the Waste Management sections of both Leicestershire County Council and Blaby District Council to ensure the information provided is appropriate, relevant and avoids duplication at the time of issue.

13. Developer Contributions

- 13.1 The Community Infrastructure Levy is a new planning charge, introduced by the Planning Act 2008. The Levy will help to pay for the infrastructure required to support new development, through a CIL Charging Schedule. At the present time Blaby District Council does not have a charging schedule, therefore until such time as the DC adopts a schedule in accordance with the regulations, any contributions should be made to the County Council by a section 106 agreement. The County Council can only require contributions that meet the following tests:
- Necessary to make the development acceptable in planning;
 - Directly related to the development; and,
 - Fairly and reasonably related in scale and kind to the development.
- 13.2 The County Council has made requests (inter alia) in respect of education (the land and money to build the schools), libraries (c.£230k) and waste management (c.£120k). It is also likely that once current highway issues are resolved, significant highway works and contributions would be required. The contribution requests have been sent to the District Council separately.

Appendix C – Planning Policy

National Policy Guidance

1. Planning Policy Statement 1 (PPS 1) (Delivering Sustainable Development) deals with the Government's overall objectives for the planning system through a planned system, and retains the primacy of the development plan (Section 38(6) of the Planning and Compulsory Purchase Act 2004). It sets out the Government's overarching planning policies on the delivery of sustainable development and creating sustainable urban and rural communities while achieving other objectives such as protecting and enhancing the natural environment and the quality and character of the countryside and existing communities; and ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car.

2. Planning Policy Statement: Planning and Climate Change Supplement to Planning Policy Statement 1 sets out how spatial planning can contribute to the Government's Climate Change Programme through integrating climate change into decision-making processes. The guidance addresses the location and form of development, levels of environmental performance and energy supply including the use of de-centralised energy supplies. It outlines key planning objectives for the delivery of sustainable development, including:
 - securing the highest viable resource and energy efficiency and reduction in emissions;
 - delivering patterns of urban growth and sustainable rural developments that help secure the fullest possible use of sustainable transport and which overall, reduce the need to travel, especially by car;
 - securing new development and shape places that minimise vulnerability and provide resilience to climate change;
 - conserving and enhancing biodiversity, recognising that the distribution of habitats and species will be affected by climate change;
 - reflecting the development needs and interests of communities and enable them to contribute effectively to tackling climate change; and,
 - responding to the concerns of business and encourage competitiveness and technological innovation in mitigating and adapting to climate change.

3. Planning Policy Statement 3 (PPS3) (Housing) issued in November 2006 sets out the Government's intention to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. It is intended that previously developed land will provide sites for at least 60% of new housing. It promotes the creation of sustainable communities, locations which offer a range of community facilities with good access to jobs, key services and infrastructure. One of the main objectives is to secure the delivery of high quality, well-designed housing, a mix of market and affordable housing, a sufficient quantity of housing, housing developments in suitable locations, and to provide a flexible and responsive supply of housing land.

4. The guidance encourages a mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural. Design is a key material consideration in the determination of planning applications. It is a requirement that local planning authorities should provide for the delivery of housing for at least 15 years from the

date of adoption of the relevant Development Plan Document policies. LPAs should ensure a continuous five year supply of deliverable sites. An amendment in June 2010 removed the national indicative density of 30 dwellings per hectare.

5. When proposing any local requirement for sustainable buildings planning authorities should: focus on development area or site-specific opportunities; specify the requirement in terms of achievement of nationally described sustainable buildings standards, for example in the case of housing by expecting identified housing proposals to be delivered at a specific level of the Code for Sustainable Homes; ensure the requirement is consistent with their policies on decentralised energy; and not require local approaches for a building's environmental performance on matters relating to construction techniques, building fabrics, products, fittings or finishes, or for measuring a building's performance unless for reasons of landscape or townscape.
6. Planning Policy Statement 4 (PPS4) (Planning for Sustainable Economic Growth) was published in December 2009. To help achieve sustainable economic growth, the Government's objectives for planning are to: build prosperous communities by improving the economic performance of cities, towns, regions, sub-regions and local areas; reduce the gap in economic growth rates between regions, promoting regeneration and tackling deprivation; deliver more sustainable patterns of development, reduce the need to travel, especially by car; and, respond to climate change and promote the vitality and viability of town and other centres as important places for communities.
7. Planning Authorities should assess the detailed need for land or floorspace for economic development, including for all main town centre uses over the plan period. All planning applications for economic development should be assessed against: the accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured; and, the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives the impact on local employment.
8. Planning Policy Statement 5 (PPS5) (Planning and the Historic Environment) was published in March 2010 and sets out the Government's intentions for 'Planning and the Historic Environment'. The Government's overarching aim is that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations. Para 5 sets out the aim to conserve England's heritage assets in a manner appropriate to their significance. The effect of an application on the significance of such a heritage asset or its setting is a material consideration in determining the application.
9. Policy HE6 states that when considering proposals planning authorities should require an applicant to provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage asset and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset. Policy HE7 states that, in considering the impact of a proposal on any heritage asset, planning authorities should take into account the particular nature of the significance of the heritage asset and the

value that it holds for this and future generations. HE9 states that where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, authorities should weigh the public benefit of the proposal against the harm.

10. Planning Policy Statement 7 (PPS 7) (Sustainable Development in Rural Areas) applies to the rural areas, including country towns and villages and the wider largely undeveloped countryside up to the fringes of larger urban areas. It sets out the government's objectives for rural areas. This includes raising the quality of life and the environment in rural areas including (inter alia) good quality, sustainable development that respects and, where possible continued protection of the open countryside for the benefit of all. It seeks to promote more sustainable patterns of development: by focusing most development in, or next to, existing towns and villages; preventing urban sprawl; discouraging the development of 'greenfield' land, and, where such land must be used, ensuring it is not used wastefully.
11. The presence of best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification), should be taken into account alongside other sustainability considerations when determining planning applications. Where significant development of agricultural land is unavoidable, local planning authorities should seek to use areas of poorer quality land (grades 3b, 4 and 5) in preference to that of a higher quality, except where this would be inconsistent with other sustainability considerations. Little weight in agricultural terms should be given to the loss of agricultural land in grades 3b, 4 and 5, except in areas (such as uplands) where particular agricultural practices may themselves contribute in some special way to the quality and character of the environment or the local economy.
12. Planning Policy Statement 9 (PPS9) (Biodiversity and Geological Conservation) (August 2005) sets out planning policies on protection of biodiversity and geological conservation through the planning system. Planning decisions should be based upon up-to-date information about the environmental characteristics of their areas. These characteristics should include the relevant biodiversity and geological resources of the area. In reviewing environmental characteristics local authorities should assess the potential to sustain and enhance those resources.
13. Where granting planning permission would result in significant harm to interests, local planning authorities will need to be satisfied that the development cannot reasonably be located on any alternative sites. In the absence of any such alternatives, local planning authorities should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, then planning permission should be refused.
14. Planning Policy Statement 10 (PPS10) (Planning for Sustainable Waste Management) states that the overall objective of Government policy on waste, is to protect human health and the environment by producing less waste and by using it as a resource wherever possible. In determining planning applications, all

planning authorities should, where relevant, consider the likely impact of proposed, non-waste related, development on existing waste management facilities, and on sites and areas allocated for waste management. Where proposals would prejudice the implementation of the waste strategy in the development plan, consideration should be given to how they could be amended to make them acceptable or, where this is not practicable, to refusing planning permission.

15. Proposed new development should be supported by site waste management plans. Planning authorities should ensure that new development makes sufficient provision for waste management and promote designs and layouts that secure the integration of waste management facilities without adverse impact on the street scene or, in less developed areas, the local landscape.
16. Planning Policy Guidance Note 13 (PPG13) (Transport) sets out the Government's intentions to secure an integrated land use-transportation policy that reduces the growth in use of the private car and encourages alternative means of transport. The objectives of this guidance are to integrate planning and transport at the national, regional, strategic and local level to:
 - promote more sustainable transport choices for both people and for moving freight;
 - promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and,
 - reduce the need to travel, especially by car
17. When considering planning applications, local authorities should (inter-alia): actively manage the pattern of urban growth to make the fullest use of public transport, and focus major generators of travel demand in city, town and district centres and near to major public transport interchanges; and accommodate housing principally within existing urban areas, plan for increased intensity of development for both housing and other uses at locations which are highly accessible by public transport, walking and cycling.
18. Planning Policy Guidance Note 17 (PPG17) (Planning for open space, sport and recreation) states that the countryside around towns provides a valuable resource for the provision of sport and recreation. Generally local authorities should encourage the creation of sports and recreational facilities in such areas and the development of areas of managed countryside, such as country parks, community forests, and agricultural showgrounds. Where planning permission is to be granted for such land uses, local planning authorities should ensure that facilities are accessible by walking, cycling and public transport as alternatives to the use of the car.
19. Planning Policy Statement 22 (PPS22) (Renewable Energy) sets out the government's policy framework and overall objectives to increase the contribution of renewable energy, based on sustainable development principles. The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission.

20. It requires planning authorities and developers to consider the opportunity for incorporating renewable energy projects in all new developments. Small scale renewable energy schemes utilising technologies such as solar panels, biomass heating, small scale wind turbines, photovoltaic cells and combined heat and power schemes can be incorporated both into new developments and some existing buildings. Local planning authorities should specifically encourage such schemes through positively expressed policies in local development documents.
21. A Companion Guide to PPS22 encourages the appropriate development of further renewable energy schemes, throughout England. Last year the government consulted upon a revised PPS (Planning for a Low Carbon Future in a Changing Climate) that combined and updates the policies in PPS1 and PPS22. The draft PPS responded to new legislation created since PPS1 was published (e.g. the Climate Change Act 2008, EU Directive 2009/28/EC, The Energy Act 2008), revised climate change projections and the publication of the definition of zero carbon homes. However, this has not been adopted by government to date.
22. Planning Policy Statement 23 (PPS23) (Planning and Pollution Control) sets out the government's policies on pollution control of both potentially polluting development, and development that may be subject to the impacts of pollution. It advises that any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to impacts on health, is capable of being a material planning consideration, in so far as it arises or may arise from or may affect any land use.
23. Planning Policy Statement 25 (PPS25) (Development and Flood Risk) states that the aims of planning policy on development and flood risk are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe without increasing flood risk elsewhere and where possible, reducing flood risk overall.

Regional Policy Guidance

24. The Secretary of State (SoS) announced in July 2010 that Regional Spatial Strategies were revoked. However, there was a successful legal challenge from Cala Homes in November 2010, with the revocation judged unlawful. On 7th February 2011 Cala Homes lost a case for judicial review, meaning that the SoS's stated intention to abolish regional plans remained a material consideration. The Regional Plan contains housing numbers for Blaby District over the plan period together with general housing policies, and for the time being remains part of the Development Plan, until the enactment of the Localism Bill expected later this year or early in 2012. An updated evidence base was prepared in preparation for the [now abandoned] review of the Regional Plan. The evidence base which made up the review should be given due consideration by the Board, notwithstanding the abandonment of that review and the stated intention of the SoS to abolish the regional plans.

25. Policy 31a (Regional Housing Provision (excluding Northamptonshire) states that total housing provision figures below are the figures that local planning authorities should plan for over the plan period. Local authorities can test higher numbers through their development plan documents provided that they are consistent with the principles of sustainable development set out in PPS1 and tested through sustainability appraisal.

Area	Annual Apportionment from 2006	Total Housing Provision 2006 – 2026
Leicester & Leicestershire	4,020	80,400
Leicester	1,280	25,600
Blaby	380	7,600
Charnwood	790	15,800
Harborough	350	7,000
Hinckley & Bosworth	450	9,000
Melton	170	3,400
NW Leics	510	10,200
Oadby & Wigston	90	1,800

26. The scale of growth across Leicester and Leicestershire is 4,020 dwellings per annum, of which at least 1,990 dwellings per annum should be within or adjoining the Leicester PUA. Within the District of Blaby 380 dwellings per annum are required of which at least 250 dwellings per annum should be within or adjoining the Leicester PUA, including SUEs as necessary. Of the above, Policy 14 (Regional Priorities for Affordable Housing) required that 26,500 dwellings should be affordable housing. Policy Three Cities SRS3 stated that 1,990 of the 4,020 dwellings per year to be provided within Leicester and Leicestershire should be within or adjoining the Leicester PUA. The figures remained the same within draft RSS.

27. The EMRP does not set out any specific figures for the provision of employment land. Policy 20 (Regional Priorities for Employment) does require (inter alia) that allocated sites should serve to improve the regeneration of urban areas and be concentrated in and around the Principal Urban Areas. Policy 20 of the draft RSS re-iterated this policy aim. A range of employment sites at sustainable locations are sought. The Three Cities Sub-Regional Strategy 4 requires that several factors are taken into account which include the housing distribution, in particular the SUEs; supporting the regeneration of the city centres, including large scale office developments, leisure and retail; the need to provide for the regeneration of deprived communities; and the need to promote local employment opportunities that will reduce out commuting.

28. Policy 27 (Protecting and Enhancing the Region's Natural and Cultural Heritage) requires development to ensure the protection, appropriate management and enhancement of the Region's natural and cultural heritage. As a result the following principles should be applied:

- damage to natural and historic assets or their settings should be avoided wherever and as far as possible, recognising that such assets are usually irreplaceable;
- unavoidable damage must be minimised and clearly justified by a need for development in that location which outweighs the damage that would result;

- unavoidable damage which cannot be mitigated should be compensated for, preferably in a relevant local context, and where possible in ways which also contribute to social and economic objectives;
- there should be a net increase in the quality and active management of natural and historic assets across the Region in ways that promote adaptation to climate change, and an increase in the quantity of environmental assets generally; and,
- the Region's best and most versatile agricultural land should be protected from permanent loss or damage.

29. Three Cities Policy Sub-Regional Strategy Policy 5 refers to local authorities and implementing agencies co-ordinating the provision of enhanced and new green infrastructure, and identifies strategic priorities which include Green Wedges, community forest proposals and 'greenways' around Leicester.
30. Policy 28 (Regional Priorities for Environmental and Green Infrastructure) seeks partnership working to ensure the delivery, protection and enhancement of Environmental Infrastructure across the Region. Such infrastructure should contribute to a high quality natural and built environment and to the delivery of sustainable communities. This includes (inter alia) taking account of current deficits and likely future demands, including those likely to result from climate change, to identify any further needs or constraints.
31. Policy 29 (Priorities for Enhancing the Region's Biodiversity) states that partnership working should be encouraged to deliver a major step change increase in the level of biodiversity across the East Midlands. Measures should include (inter alia): achievement of the East Midlands regional contribution towards the UK Biodiversity Action Plan targets; creating, protecting and enhancing networks of semi-natural green spaces in urban areas; creating, protecting and enhancing features of the landscape which act as corridors and 'stepping stones', essential for the migration and dispersal of wildlife; and, development and implementation of mechanisms to ensure that development results in no net loss of BAP habitats and species, particularly for restricted habitats with special environmental requirements, and that net gain is achieved.
32. Policy 39 (Regional Priorities for Energy Reduction and Efficiency) states that Local Authorities, energy generators and other relevant public bodies should: promote a reduction of energy usage in line with the 'energy hierarchy'; and develop policies and proposals to secure a reduction in the need for energy through the location of development, site layout and building design.
33. Policy 40 (Regional Priorities for Low Carbon Energy Generation) states that Local Authorities, energy generators and other relevant public bodies should promote: the development of Combined Heat and Power (CHP) and district heating infrastructure necessary to achieve the regional target of 511 MWe by 2010 and 1120 MWe by 2020; and the development of a distributed energy network using local low carbon and renewable resources. In order to help meet national targets low carbon energy proposals in locations where environmental, economic and social impacts can be addressed satisfactorily should be supported. As a result, Local Planning Authorities should (inter alia): identify suitable sites for CHP plants well related to existing or proposed development and

encourage their provision in large scale schemes; support the development of distributed local energy generation networks; and develop policies and proposals to achieve the indicative regional targets for renewable energy set out in Appendix 5.

34. Regional Plan Policy 44 includes sub-area transport objectives, which for the Three Cities Sub-area include reducing the use of the car in and around Leicester and promoting a step change increase in the quality and quantity of local public transport provision, and facilities to encourage walking and cycling.

County Minerals and Waste Policies

35. Policy WLP1 (Waste Minimisation) of the Leicestershire, Leicester and Rutland Waste Local Plan seeks to encourage initiatives to reduce the amount of waste produced and taken to final disposal. Policy WLP7 (Assessment of Proposals) lists the considerations that will be taken into account when considering a planning application for waste management development.
36. The Leicestershire & Leicester Waste Development Framework Core Strategy and Development Control Policies up to 2021 contains policies seeks to locate non-strategic waste sites to the most appropriate locations, including within sustainable urban extensions (WCS3) and adopts a sequential approach to the identification of sites (WCS4). It includes policies to assess proposals for energy/value recovery from waste (WCS6) and other forms of waste management development (WCS9). Policy WDC1 (Sustainable Design) seeks to ensure that waste management facilities are of a suitable design and their environmental impact is minimised by specified measures.
37. Policy MCS1 of the Minerals and Waste Development Framework for which the Minerals Core Strategy provides for a phased strategy to maintain the supply of minerals. It provides for the extraction of mineral, in principle, in areas outside of allocated areas where:
- (i) it can be demonstrated that it is required to meet a proven need that cannot otherwise be met from a more sustainable source or
 - (ii) it consists of a small-scale extension to an existing site or
 - (iii) it involves significant net environmental benefits or
 - (iv) the sterilisation of resources would otherwise occur;
38. Policy MCS10 (Strategy for Resource Management) states that the strategy for resource management is to:
- reduce the demand for primary minerals by:
 - (i) encouraging the use of mineral waste, power station ash and construction and demolition wastes before primary minerals;
 - (ii) supporting recycling initiatives;
 - safeguard deposits of sand and gravel, limestone, igneous rock, shallow coal, fireclay, brickclay, gypsum, building and roofing stone in Leicestershire that are of current or future economic importance and significant infrastructure such as rail linked facilities:
 - (i) through the identification of Mineral Safeguarding Areas in the Site Allocations Development Plan Document;

- (ii) by supporting the extraction of proven mineral resources where practicable in advance of other planned development where this can be done in an environmentally acceptable way;
- (iii) through the establishment of a list of important sources of building and roofing stone;
- encourage the use of high quality materials for appropriate purposes.

39. Policy MDC8 (Safeguarding Mineral Resources) states that planning permission will not be granted for any form of development within a Mineral Safeguarding Area that is incompatible with safeguarding the mineral and significant infrastructure such as rail linked facilities unless specified criteria are met, including:

- the applicant can demonstrate to the satisfaction of the Local Planning Authority that the mineral concerned is no longer of any value or potential value; or
- the mineral can be extracted satisfactorily prior to the incompatible development taking place; or
- the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or
- there is an overriding need for the incompatible development;

40. Policy MDC9 (Extraction in advance of surface development) states that planning permission for mineral extraction that is in advance of approved surface development will be granted where the reserves would otherwise be permanently sterilised provided that operations are only for a temporary period and that the proposal will not cause unacceptable harm to the environment or communities. Where planning permission is granted, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.

41. Policy MDC26 (Borrow Pits) states that planning permission will only be granted for borrow pits to supply materials for major construction projects where:

- (i) there is a need for a particular type of mineral which cannot reasonably be supplied from existing sites, including alternative materials, or where the transport of mineral to the construction project from existing sites would be seriously detrimental to the environment and local amenities because of the scale, location and timing of the operations;
- (ii) the site is in close proximity to the proposed construction project it is to serve so that mineral can be transported to the point of use without leading to harmful conditions on a public highway;
- (iii) the site can be restored to a satisfactory after-use without the need to import material other than that generated by the construction project itself and which can be brought to the site without leading to harmful conditions on a public highway;
- (iv) the proposal will not cause unacceptable harm to the environment or communities.

42. Policy MDC28 (Incidental Mineral Extraction) states that planning permission for mineral extraction that forms a subordinate and ancillary element of other development will be granted provided that operations are only for a temporary

period and will not cause unacceptable harm to the environment or communities. Where planning permission is granted, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.

Local Planning Policies

43. The Blaby District Local Plan sets out a number of policies which although relevant have largely been superseded by studies and evidence to support the LDF. A summary of those of most relevance are as follows.
44. Policy R4 sets out the circumstances in which the District Council would negotiate affordable housing for sites not allocated within the local plan. Policies R13 and R14 set out the need for children's play space and open space provision for formal recreation. Policy R15 sets out the need for new residential development up to 2006.
45. Policy E1 places a general presumption in favour of employment development forms, subject to certain criteria in Primarily Employment Areas. Outside those areas Policy E2 specifies development must meet the criteria in Policy E1. Policy E7 relates to a strip of land to the east of the M1 motorway which was formerly safeguarded by the Department of Transport for possible improvements to the M1 motorway, but is now allocated for employment development.
46. Transport and Accessibility policy covers a range of topics: T1 – public transport provision for major new development; T3 – new highway schemes: pedestrian/cyclist facilities and environmental safeguards; T4 – traffic impact assessments; T6 – off-street parking; T8 – off-road facilities for loading/ unloading and servicing, T10 – car parking and servicing areas, and T12 – access and mobility needs for open spaces.
47. The majority of the site is proposed in land allocated as Open Countryside wherein Policy C1 generally supports agricultural development, and Policy C2 seeks to resist development which would have a significantly adverse impact upon the appearance or character of the landscape other than limited small scale employment and leisure development (and ancillary dwellings) subject to certain criteria. The south part of the site between Leicester Lane and Warren Farm including Enderby Park is located within the Green Wedge under Policy C3 which allows development in relation to agriculture, recreation, forestry, transport routes and mineral uses, subject to satisfying certain criteria within Green Wedges specified in Policy C2.
48. Policy CE1 seeks to resist granting planning permission where a development would adversely affect the preservation or setting of a Scheduled Ancient Monument and archaeological sites. Policy CE6 resists the grant of permission for development adversely affecting the setting of a listed building. Policy CE12 resists development which would increase the amount of traffic through a Conservation Area. The plan contains other policies relating to the impact of development on existing trees and woodland, specifically Tree Preservation Orders and woodlands of significant amenity value (CE21), the need to provide appropriate landscaping and ecology within proposals (CE22), crime prevention (CE25).

49. Policy IM1 sets out the approach to planning obligations. Where appropriate the Local Planning Authority will seek planning obligations and potentially these will relate to transport infrastructure and public transport services, storm drainage infrastructure, public open space and children's play areas, education/community facilities, affordable housing or to secure the removal of an existing building.

Local Development Framework

50. The Blaby District Core Strategy (Submission Version) sets out a strategic approach which will guide future development of the District. In addition, it sets the framework for future Development Plan Documents (DPDs) and Supplementary Planning Documents mentioned above (which must be in conformity with the CS).

51. Policy 1 (Locating new development) seeks to direct most new development in the District within and adjacent to the Principal Urban Area (PUA). Some 7,600 houses will be developed in the District between 2006 and 2026, of which, some 5,250 houses will be provided in and adjacent to the PUA. Some 2,350 houses will be developed in the areas outside of the PUA (between 2006 and 2026).

52. Policy 2 (Design of New Development) requires development proposals to demonstrate that they have taken account of local patterns of development landscape and other features and views and are sympathetic to their surroundings. High quality places (which are safe and socially inclusive) will be required through the application of good design principles including layout, street design, scale, materials, natural surveillance, orientation, and sustainable construction.

53. Policy 3 (Sustainable Urban Extension) allocates land west of the M1 at Lubbethorpe as a mixed-use Sustainable Urban Extension (SUE). The SUE will contain:

- Some 4,500 new homes, 1,350 (30%) of which should be affordable,
- Employment opportunities,
- 3 primary schools and a secondary school,
- Health care facilities,
- Community / Faith facilities,
- Retail provision (circa 3,000 – 4,500 sq m (net)),
- Green space provision (including play and open space and strategic Green Infrastructure,
- New and improved transport links (including walking, cycling and public transport provision) to key services and facilities including those in Leicester City Centre.

54. A Masterplan will be prepared (as a Supplementary Planning Document) to set out in more detail the structure and development / design requirements of the SUE. No development shall be permitted on the land allocated for the SUE until the Masterplan has been completed. Subsequent development shall be in accordance with the Masterplan. The promoters/developers will be required to assess the feasibility of providing renewable sources of energy (including on and off site power generation) to help meet the energy needs of the SUE and to identify opportunities to effectively manage waste. The delivery of the SUE's

services, facilities, infrastructure, land and buildings will primarily be provided by the developer, in partnership with appropriate service providers (through developer contributions and other funding streams). In order to meet the housing needs of the District and create a mixed and balanced community, the SUE should provide a range of housing (including a mix of affordable housing tenures) to meet future needs.

55. Policy 4 (Strategic Employment Site) allocates land off the Warrens (south of the M69) at Enderby as a Strategic Employment Site (SES) to provide some 20 hectares of employment land. The type of employment land provided should reflect needs arising from the local and wider population and businesses. In order to help meet the employment needs of the District, the SES should provide a range of employment opportunities (which should include office and light industry (B1), General Industry (B2) and storage and distribution uses (B8)). The SES should seek to ensure nearby communities (including the proposed Sustainable Urban Extension) are able to gain easy access to the SES by a range of transport modes. A new link across the M69 will be required. A Masterplan will be prepared (as a Supplementary Planning Document), with no development be permitted on the land allocated until the Masterplan has been completed.
56. Policy 5 (Settlement hierarchy) allocates 5,250 dwellings over the plan period (until 2026) within or adjacent to the PUA, with 4,500 within a SUE.
57. Policy 6 (Affordable housing) states that the Council will seek to enable some 30 affordable houses per year up to 2013, rising to 134 houses per year in the period 2013 – 2026, 104 of which per year will be provided as part of the SUE. In order to ensure that affordable housing can be provided on suitable sites without resulting in schemes becoming economically unviable, the Council's target is to secure 30% affordable housing within the proposed SUE. In order to meet identified local needs some 80% of affordable housing should be social rented and 20% intermediate housing. A mix of affordable housing types should be provided in order to reflect identified needs.
58. Policy 7 (Mix of housing) Residential proposals should meet the housing needs of all sections of the community, including accommodation type (house, flat, bungalow etc); tenure (owner-occupied, rented, intermediate) and size (bedroom numbers). Large housing sites (10 dwellings and above) should seek to provide a mix of housing in order to meet the needs identified in Strategic Housing Market Assessments (and other sources of evidence). All housing should be built to 'Lifetime Homes' standards and on large housing sites (10 dwellings and above) 10% of all new housing should be to wheelchair standards.
59. Policy 8 (Accommodation for Gypsies and Travellers) states that provision will be made for 13 residential pitches (plus 5 transit pitches and 1 plot for show people) between 2007 and 2012. Subsequent requirements will be informed by up to date Gypsy and Traveller Accommodation Assessments.
60. Policy 9 (Transport Infrastructure) states that the preferred approach of Blaby District Council will be to seek to reduce the need to travel by private car by locating new development so that residents can access services and facilities without reliance on 'private motor vehicles'. With regard to the Sustainable Urban

Extension Transport works will be required to ensure the effective operation of the SUE west of Leicester and to provide maximum opportunities for walking, cycling and public transport. Improved bus services will be required to link into the wider network accessing Leicester City Core and to nearby areas of employment / retail (including those around junction 21 of the M1). A new link across the M1 will be required to connect the SUE with Meridian Way and Lubbethorpe Way (A563). An improved link across the M69 to the proposed Strategic Employment Site at Enderby will be required, this will form part of the Enderby by-pass. Pedestrian and cycle links will be maintained and improved to allow journeys between the new SUE and key centres of employment / retail (including employment and retail facilities around the M1 junction 21 and Leicester City Centre).

61. Policy 10 (Services and Facilities to support growth) states that new developments will be expected to contribute to additional infrastructure and community needs generated by the development. The SUE west of Leicester will require provision of a new secondary school, and 2 to 3 primary schools (depending upon the scale of development). In addition, education, health, library and other public facilities will be required in order to sustain new residents and the wider population. Through the SUE Masterplan, the Council will seek to encourage co-location of education, health, library and other public facilities at the SUE where opportunities arise.
62. Policy 13 (Green Infrastructure) states that Blaby District Council and its partners will seek to maintain existing, and provide new, 'networks of multi-functional green spaces'. The growth proposed as part of a Sustainable Urban Extension west of Leicester provides an opportunity to plan for a green infrastructure network, serving the needs of new communities and providing green links (for people and wildlife) from the urban area to the wider countryside.
63. Policy 14 (Play and Open Spaces) outlines open space, play and recreation requirements in respect of settlement size and distance to/from certain types of facility. Policy 15 (Green Wedges) outlines the locations and purpose of green wedges. It specifies acceptable land uses and states that Opportunities to create new Green Wedges will be explored particularly in areas around the proposed Sustainable Urban Extension to the west of Leicester.
64. Policy 16 (Bio-diversity and geo-diversity) sets out a hierarchy of ecological designations and their protection. Developments that would have an adverse impact on 'Protected and notable species' (under the Wildlife and Countryside Act 1981 as amended) will be resisted. Opportunities to improve Biodiversity will be explored as part of the SUE west of Leicester. Potential to improve the bio-diversity of Green corridors (particularly those adjacent to the Lubbethorpe Brook to the south of the site) and linkages to the open countryside to the west should be explored. The existing hedgerows and fox coverts on the site will provide further opportunities to provide green linkages. Several ponds and water features exist that need to be retained.
65. Policy 17 (Cultural Environment) states that sites and areas of historic value including Scheduled Ancient Monuments (SAMs), Listed Buildings and Conservation Areas will be preserved, protected and where possible enhanced. Proposals for development on, in, or adjacent to historic sites, areas and buildings

will be considered against the need to ensure their preservation and setting and only be acceptable where it would not adversely affect any important historic site, building, area, or its setting or amenity value. The SUE west of Leicester lies in close proximity to two SAMs. The masterplanning and subsequent development of the SUE must respect the archaeological significance of the SAMs and their setting. There are opportunities to provide access and interpretation of the SAM.

66. Policy 18 (Energy Efficiency and the Design of New development) states that the Council encourages more sustainable building practice. New Residential Development will be required to meet the 'energy efficiency component' of the Code for Sustainable Homes (CSH) at the following levels: Minimum of Code Level 3 to March 2013; Minimum of Code Level 4 to March 2016; Code level 6 from April 2016 onwards. Non domestic buildings should seek to meet energy improvements in line with the 'Code for Sustainable buildings' or any subsequent or replacement code.

67. Policy 19 (Location of renewable energy facilities) states that development that contributes to the provision of 'renewable energy' will be allowed in appropriate locations. The policy sets out criteria to regulate the impact of such development. The potential to supply new developments with renewable energy from on and off site facilities will be explored, particularly as part of the SUE Masterplan. Opportunities to provide combined Heat and Power networks within the SUE and other large scale developments should be explored between partners including landowners, energy providers and developers. 10% of energy provided on new developments should be from decentralised and renewable or low carbon sources.

68. Policy 21 (Waste) states that the Council will work with its partners, including Leicestershire County Council as the Waste Disposal Authority, in order to research and develop coordinated services and appropriate infrastructure for waste collection, treatment, transfer and disposal. The Council will seek to encourage the management of waste minimisation. New developments should seek to:

- Encourage a hierarchy of waste management giving priority to waste prevention, re-use, recycle/compost, recovery, disposal;
 - Ensure that the design of new developments and services are flexible enough to allow new technological developments to be accommodated;
 - Secure waste Management facilities that are close to new areas of development (particularly in relation to the SUE);
 - Educate residents in waste-related matters and encourage engagement with waste prevention and reuse initiatives;
-

DEVELOPMENT CONTROL AND REGULATORY BOARD

The considerations set out below apply to all the following applications.

EQUAL OPPORTUNITIES IMPLICATIONS

Unless otherwise stated in the report there are no discernible equal opportunities implications.

IMPLICATIONS FOR DISABLED PERSONS

On all educational proposals the Director of Children and Young People's Service and the Director of Corporate Resources will be informed as follows:

Note to Applicant Department

Your attention is drawn to the provisions of the Chronically Sick and Disabled Person's Act 1970, the Design Note 18 "Access for the Disabled People to Educational Buildings" 1984 and to the Equalities Act 2010. You are advised to contact the County Council's Assistant Personnel Officer (Disabled People) if you require further advice on this aspect of the proposal.

COMMUNITY SAFETY IMPLICATIONS

Section 17 of the Crime and Disorder Act 1998 places a very broad duty on all local authorities 'to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all reasonably can to prevent, crime and disorder in its area'. Unless otherwise stated in the report, there are no discernible implications for crime reduction or community safety.

BACKGROUND PAPERS

Unless otherwise stated in the report the background papers used in the preparation of this report are available on the relevant planning application files.

SECTION 38(6) OF PLANNING AND COMPLUSORY PURCHASE ACT 2004

Members are reminded that Section 38(6) of the 2004 Act requires that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Any relevant provisions of the development plan (i.e. any approved Local Plans) are identified in the individual reports.

The circumstances in which the Board is required to "have regard" to the development plan are given in the Town and Country Planning Act 1990:

Section 70(2)	:	determination of applications;
Section 77(4)	:	called-in applications (applying s. 70);
Section 79(4)	:	planning appeals (applying s. 70);
Section 81(3)	:	provisions relating to compensation directions by Secretary of State (this section is repealed by the Planning and Compensation Act 1991);
Section 91(2)	:	power to vary period in statutory condition requiring development to be begun;
Section 92(6)	:	power to vary applicable period for outline planning permission;
Section 97(2)	:	revocation or modification of planning permission;
Section 102(1)	:	discontinuance orders;
Section 172(1)	:	enforcement notices;
Section 177(2)	:	Secretary of State's power to grant planning permission on enforcement appeal;
Section 226(2)	:	compulsory acquisition of land for planning purposes;
Section 294(3)	:	special enforcement notices in relation to Crown land;
Sched. 9 para (1)	:	minerals discontinuance orders.