

3.0 PLANNING POLICY: SUPPLEMENTARY CHAPTER

3.1 INTRODUCTION

3.1.1 This supplementary Chapter provides a response to the additional information that has been requested by Blaby District Council by referring to the following:-

- Additional Saved Policies of the Blaby District Local Plan which are of relevance to this application;
- Policy 11: Developer Contributions of the Council's Core Strategy Submission Version (July 2009) (now superseded by the January 2012 version);
- The Council's Housing Requirements for Blaby District;
- Reference to Policy M5 of the Blaby District Local Plan which has been deleted.

3.1.2 In supplying this further information, the opportunity has also been taken to provide an update to the National Planning Policy section of ES Chapter 3: Planning Policy

3.2 NATIONAL LEVEL

Addendum to Further Information Document in light of the publication of the National Planning Policy Framework (NPPF), March 2012

3.2.1 The Coalition Government published the National Planning Policy Framework (NPPF) on 27 March 2012 which became operational on publication. The NPPF provides replacement national planning policy and in the process leads to the abolition of all Planning Policy Statements (PPSs) and Planning Policy Guidance (PPGs) and Minerals Planning Guidance (MPGs) as well as a series of letters and ministerial statements that have been material to planning decisions and policy making. The NPPF becomes a material consideration in determination of all applications and the framework against which local plans and neighbourhood plans are to be prepared. Technical guidance on flood risk and minerals was published alongside the NPPF.

3.2.2 The Environmental Statement for the New Lubbesthorpe application has been prepared against the evolving national planning policy context and began against the now replaced policy frameworks, having taken into account first the draft and now the final version of the NPPF.

3.2.3 The basis of the assessment used in the Environmental Statement and this Further Information Document has not changed and the same criteria and standards for the assessment of effects has been used. However, the context against which this application is determined must now reflect the NPPF.

3.2.4 Importantly, the NPPF identifies a theme, described as a 'golden thread', which runs through the framework of a **presumption in favour of sustainable development**. Sustainable development is considered by the Government to effectively be the sum of the NPPF, therefore development in accordance with the NPPF, and in the absence of alternative locally derived and approved frameworks (and subject to EU law), should be permitted. This is stated in the foreward from Rt Hon Greg Clark MP Minister for Planning in the following way:-

“Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision. This framework sets out clearly what could make a proposed plan or development unsustainable.”

3.2.5 In the following section we consider the NPPF in relation to the individual chapters of the Environmental Statement and identify the relevant NPPF sections and paragraphs accordingly.

Chapter 3.0: Planning Policy

3.2.6 The following Planning Policy Statements and Guidance is superseded:-

- Planning Policy Statement 1: *Delivering Sustainable Development* (31 January 2005)
- Planning Policy Statement: *Planning and Climate Change – Supplement to Planning Policy Statement 1* (17 December 2007)

3.2.7 The relevant paragraphs of the NPPF are:-

The Presumption in favour of Sustainable Development

14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For **decision-taking** this means (text in italics has been added):-

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:-
 - any adverse impacts of doing so *would significantly and demonstrably outweigh the benefits*, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

Core Planning Principles

17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:-

- Be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider

opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;

- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- Contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Decision Taking

187. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Determining Applications

196. The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions.

197. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

214. For 12 months from the day of publication, decision-takers may continue to give full

weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework.

215. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

216. From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:-

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

218. Where it would be appropriate and assist the process of preparing or amending Local Plans, regional strategy policies can be reflected in Local Plans by undertaking a partial review focusing on the specific issues involved. Local planning authorities may also continue to draw on evidence that informed the preparation of regional strategies to support Local Plan policies, supplemented as needed by up-to-date, robust local evidence.

Chapter 5.0: Socio Economic Issues

3.2.8 The following Planning Policy Statements and guidance is superseded:-

- Planning Policy Statement 3: *Housing* (9 June 2011)
- Planning Policy Statement 4: *Planning for Sustainable Economic Growth* (29 December 2009)
- Planning Policy Guidance 17: *Planning for Open Space, Sport and Recreation* (24 July 2002)

3.2.9 The relevant paragraphs of the NPPF are:-

Delivering Sustainable Development

1. Building a strong, competitive economy.

19. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

21. Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. In drawing up Local Plans, local planning authorities should (inter alia):-

- set criteria, or identify strategic sites, for local and inward investment to match the strategy

and to meet anticipated needs over the plan period.

2. Ensuring the vitality of town centres

26. When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). This should include assessment of:-

- The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

27. Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

6. Delivering a Wide Choice of High Quality Homes

47. To boost significantly the supply of housing, local planning authorities should:-

- Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
- Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;
- Identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;
- For market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target; and
- Set out their own approach to housing density to reflect local circumstances.

49. Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

50. To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:-

- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- Where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

52. The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities.

8. Promoting healthy communities

69. The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning. Planning policies and decisions, in turn, should aim to achieve places which promote:-

- Opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;
- Safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- Safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

70. To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:-

- Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

- Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

73. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

75. Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

Chapter 6.0: Landscape Character and Visual Resources

3.2.10 The following Planning Policy Statements and guidance is superseded:-

- Planning Policy Statement 1: *Delivering Sustainable Development* (31 January 2005)
- Planning Policy Statement 7: *Sustainable Development in Rural Areas* (3 August 2004)

3.2.11 The relevant paragraphs of the NPPF are:-

7. Requiring Good Design

56. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

57. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

58. Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:-

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- Respond to local character and history, and reflect the identity of local surroundings and

materials, while not preventing or discouraging appropriate innovation;

- Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- Are visually attractive as a result of good architecture and appropriate landscaping.

60. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

61. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

63. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

64. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

65. Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).

66. Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.

11. Conserving and Enhancing the Natural Environment

125. By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Chapter 7.0: Ecological Resources and Chapter 17.0: Geodiversity

3.2.12 The following Planning Policy Statements and guidance is superseded:

- Planning Policy Statement 9: *Biodiversity and Geological Conservation* (16 August 2005)

3.2.13 The relevant paragraphs of the NPPF are:-

11. Conserving and Enhancing the Natural Environment

109. The planning system should contribute to and enhance the natural and local environment by:-

- Protecting and enhancing valued landscapes, geological conservation interests and soils;
- Recognising the wider benefits of ecosystem services;
- Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

113. Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.

114. Local planning authorities should:-

- Set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure.

118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:-

- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- Proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;
- Development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;

- Opportunities to incorporate biodiversity in and around developments should be encouraged;
- Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and
- The following wildlife sites should be given the same protection as European sites:-
 - potential Special Protection Areas and possible Special Areas of Conservation
 - listed or proposed Ramsar sites; and
 - sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

125. By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Chapter 8.0: Cultural Heritage and Archaeology

3.2.14 The following Planning Policy Statements and guidance is superseded:-

- Planning Policy Statement 5: *Planning for the Historic Environment* (23 March 2010)

3.2.15 The relevant paragraphs of the NPPF are:-

12. Conserving and Enhancing the Historic Environment

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

131. In determining planning applications, local planning authorities should take account of:-

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:-

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

136. Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

137. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

140. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure

the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Chapter 9.0: Agricultural Land Quality

3.2.16 The following Planning Policy Statements and guidance is superseded:-

- Planning Policy Statement 1: *Delivering Sustainable Development* (31 January 2005)
- Planning Policy statement 7: *Sustainable Development I Rural Areas* (3 August 2004)

3.2.17 The relevant paragraphs of the NPPF are:-

112. Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

Chapter 10.0: Water, Hydrology and Drainage

3.2.18 The following Planning Policy Statements and guidance is superseded:-

- Planning Policy Statement 25: *Development and Flood Risk* (29 March 2010)
- Planning Policy Statement 25: *Development and Flood Risk Practice Guide* (December 2009)

3.2.19 The relevant paragraphs of the NPPF are:-

99. Local Plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.

100. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:-

- Applying the Sequential Test;
- If necessary, applying the Exception Test;
- Safeguarding land from development that is required for current and future flood management;
- Using opportunities offered by new development to reduce the causes and impacts of flooding; and
- Where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term unless material considerations indicate otherwise. Technical guidance on flood risk published alongside this Framework sets out how this policy should be implemented.

101. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.

102. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:-

It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and

A site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. Both elements of the test will have to be passed for development to be allocated or permitted.

103. When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:-

- Within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- Development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

Chapter 12.0: Noise and Vibration/Acoustics and Chapter 13.0: Air Quality

3.2.20 The following Planning Policy Statements and guidance is superseded:-

- Planning Policy Statement 23: *Planning and Pollution Control* (3 November 2004)
- Planning Policy Guidance 24: *Planning and Noise* (3 October 1994)

3.2.21 The relevant paragraphs of the NPPF are:-

120. To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

123. Planning policies and decisions should aim to:-

- Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- Recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- Identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

124. Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

Chapter 15.0: Traffic and Transport

3.2.22 The following Planning Policy Statements and guidance is superseded:-

- Planning Policy Guidance 13: *Transport* (3 January 2011)

3.2.23 The relevant paragraphs of the NPPF are:-

4. Promoting Sustainable Transport

30. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.

32. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:-

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- Safe and suitable access to the site can be achieved for all people; and

- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

34. Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.

35. Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to:-

- Accommodate the efficient delivery of goods and supplies;
- Give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- Incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- Consider the needs of people with disabilities by all modes of transport.

36. A key tool to facilitate this will be a Travel Plan. All developments which generate significant amounts of movement should be required to provide a Travel Plan.

37. Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

38. For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.

3.3 BLABY LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY SUBMISSION VERSION (JULY 2009)

- 3.3.1 **Policy 11** provides for developer contributions to be made to support the infrastructure requirements to serve new developments on and off-site and financial contributions towards maintenance. The policy also recognises that the council will consider a wide range of other sources of funding to support major projects including growth point Funding and Community Infrastructure Funds (although these two programmes no longer exist the authority recognises that growth proposals may give rise to major infrastructure projects which are of wider significance and where other funding streams can be directed). This policy is now superseded by the recently published submission version of the Core Strategy (January 2012).

3.4 BLABY LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY SUBMISSION VERSION (JANUARY 2012)

3.4.1 The Council published a replacement Core Strategy submission version for consultation in January 2012. This replaces the previous, July 2009, version that has been withdrawn owing to procedural concerns. The new strategy is based on the Council's own locally derived housing requirements but is also considered by the Council to be in general conformity with the Regional Spatial Strategy, which remains part of the statutory development plan until its proposed abolishment under the Localism Act.

Strategic Objectives

3.4.2 The Plan proposes 12 Strategic Objectives, most of which are relevant to the New Lubbesthorpe proposal:-

- i) To provide the appropriate quantity and mix of housing to meet the needs of the District's current and future populations;**
- ii) To optimise the provision of affordable housing to meet local needs;**
- iii) To deliver the infrastructure, services and facilities required to meet the needs of the population of the District of Blaby, including those arising from growth, and to make services accessible to all;**
- iv) To maximise sport and recreation opportunities;**
- v) To improve the design quality of all new developments in the District including the need to design out crime;**
- vi) To protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve bio-diversity, wildlife habitats and corridors through the design of new developments and the management of existing areas by working with partners;**
- vii) To preserve and enhance the cultural heritage of the District, recognising its contribution to local distinctiveness and to seek design solutions which preserve and enhance heritage assets where they are impacted by development;**
- viii) To minimise energy use and use of valuable resources and to encourage renewable energy production in suitable locations;**
- ix) To minimise the risk of flooding (and other hazards) to property, infrastructure and people;**
- x) To provide the appropriate quantity, quality and mix of employment opportunities to meet the needs of the District's current and future populations, and to meet strategic employment, education and training needs;**
- xi) To deliver the transport needs of the District and to encourage and develop the use of more sustainable forms of transport (Including walking, cycling and public transport);**
- xii) To maintain, and where appropriate improve, the position of retail centres within the retail hierarchy. To make sure that the existing centres, primarily Blaby Town**

Centre, have opportunities to grow in order to enhance their vitality and viability and to prevent expansion of out of town centres (Including the Motorways Retail Area) where this would result in an unacceptable impact on existing centres.

Housing Delivery

3.4.3 The Council's strategy for housing is described in section 6.0 and states:-

"The strategy for delivering housing will be to focus the majority of development (5,520 dwellings) within and adjoining the Principal Urban Area in the northern part of the District. The majority of housing and employment (some 4,250 dwellings and 21 hectares of employment area) will be delivered in one large Strategic Growth Area (including a 'Sustainable Urban Extension' (SUE) and Strategic Employment Site (SES))." (paragraph 6.6)

3.4.4 The New Lubbesthorpe proposal responds to this strategy and provides up to 4,250 dwellings and the 21 hectares of employment land as a Strategic Employment Site.

3.4.5 The justification for this strategy is outlined in the Plan as follows:-

"The SUE will incorporate a mix of uses to provide the services, facilities and infrastructure needed to support the new population (and potentially help to support existing communities). The justifications for seeking this pattern of growth are set out more clearly in policies 1, 3 and 4, but in summary this approach seeks to: maximise 'self containment' by offering necessary services and facilities within the new development; and requires development in locations that can access existing employment and other services and facilities more easily (in terms of proximity to key services and access to a choice of transport modes). The settlements adjoining the urban area generally have a more comprehensive and frequent public transport offer and a greater likelihood that residents will use it. In addition, the majority of employment opportunities are located within the City of Leicester and around junction 21 adjoining the PUA." (paragraph 6.7)

3.4.6 The New Lubbesthorpe proposals include a comprehensive range of facilities to serve the new community and the proposals seek to optimise the use of public transport to serve the development, through the proposed Travel Plan.

Employment and the Economy

3.4.7 The strategy for employment growth is outlined at paragraph 6.11:-

"The northern and central areas will be the focus for employment growth. The provision of new employment land will be focused around the Principal Urban Area. These are the areas of greatest growth and have the greatest potential source of employees. A Strategic Employment Site (of some 30 hectares) has been granted planning permission around junction 21a of the M1. Other large scale employment sites are required to meet identified need. In order to be attractive to the market (and deliverable) they must have strong connections with the strategic road network. A Strategic Employment Site (SES) is proposed as part of the Strategic Growth Area at Lubbesthorpe." (paragraph 6.11)

3.4.8 The New Lubbesthorpe proposals include for the second Strategic Employment Site (21 hectares).

Transport

3.4.9 The approach to transport supports the spatial strategy and states:-

“The strategic approach will be to seek to reduce travel. Where this is not possible opportunities to maximise more sustainable modes of transport will be sought. This approach helps to reduce the emission of CO2 and other pollutants and reduce negative impacts on air quality. New development should deliver the range of services and facilities that will minimise the need to travel. New development will be focussed in areas that have access to services and facilities and are well served by a range of transport alternatives (including public transport, walking and cycling) and are not wholly reliant on private cars.” (paragraph 6.13)

3.4.10 The location of the SUE close to the urban area optimises the potential for sustainable transport solutions including walking, cycling and public transport. The development itself, by providing a full range of attractive facilities such as retailing and schools within the site also minimises the need to travel outside the development.

Retailing

3.4.11 The strategy for retail provision within the SUE is described in paragraph 6.16 as follows:-

“New retail facilities will be encouraged as an integral part of a sustainable new community at Lubbesthorpe. A District Centre and two Local Centres are required in order to serve distinct communities. The District Centre should include provision of a ‘Supermarket’ (less than 2,500 sq m (net)) as opposed to a superstore (more than 2,500 sq m (net)) and other retail facilities (including convenience, comparison, professional office and food related units). In order to deliver a satisfactory design solution that meets retail needs, a ‘high street format’ will be encouraged.” (paragraph 6.16)

3.4.12 The proposals for New Lubbesthorpe include a detailed Retail Impact Assessment which assesses the impact of the proposed District Centre and Local Centres. While the scale of retail provision is marginally higher than the strategy identifies, the assessment shows that this is readily accommodated without significant impacts on nearby stores and better serves the proposed new community.

Provision of Infrastructure

3.4.13 The strategy for new infrastructure provision focuses on the requirement for the SUE:-

“There will be a particularly strong focus on delivering new infrastructure associated with the SUE. Growth of this scale will require new schools, community facilities, healthcare facilities, play and open spaces, water supply and disposal, waste and transport infrastructure, as well as placing increased pressure on existing emergency services.” (paragraph 6.18)

Green Infrastructure

3.4.14 The green infrastructure strategy in relation to the SUE is described as follows:-

“The strategy is to improve the provision and access to a network (of all types) of Green Space around the District. The SUE will give an opportunity to link existing urban areas to open Countryside through Green links (with the potential to create new Green Wedges).” (paragraph 6.19)

- 3.4.15 The New Lubbesthorpe proposals create extensive new green infrastructure resources including major new parklands and a green wedge separation between Leicester Forest East and the new development, with routes through from the existing urban area to the countryside.

Climate Change

- 3.4.16 The climate change strategy states:-

“The key method of achieving reduced contributions to global warming is by ensuring that new developments are located in the most sustainable locations and that the design and layout of new schemes and buildings seek to optimise energy efficiency without undermining viability.”
(paragraph 6.21)

- 3.4.17 The New Lubbesthorpe proposals identify the wide range of approaches and methods to reduce the carbon emissions from the development and provide renewable energy provision consistent with the Government’s objectives and extant Regional Spatial Strategy targets. Detailed strategies would be drawn up to serve each phase of the development.

Spatial Policies

- 3.4.18 There are 23 overall spatial policies contained within the CSS. Each policy is considered in relation to the Project below.

Development and Design Strategy

Policy 1: Strategy for Locating New Development

- 3.4.19 The strategy for locating development is described in Policy 1 as follows:-

“Most new development in the District of Blaby, including housing and employment, will take place within and adjoining the Principal Urban Area (PUA) of Leicester. The PUA comprises the ‘built-up’ areas of Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva. Some 8,395 houses will be developed in the District between 2006 and 2029, of which, at least 5,520 houses will be provided within and adjoining the PUA.”

- 3.4.20 The proposals for New Lubbesthorpe are consistent with the Council’s strategy of urban concentration, helping deliver the bulk of the district’s new housing requirements alongside the PUA in a sustainable form.

Policy 2: Design of New Development

- 3.4.21 The approach to the design of new development is described in Policy 2 as follows:-

“In order to secure a high quality environment, all new development should respect distinctive local character and should contribute to creating places of a high architectural and urban design quality, contributing to a better quality of life for the local community.”

- 3.4.22 The New Lubbesthorpe proposals are accompanied by a Design and Access Statement that describes the objectives for the development and illustrates how the proposals will respond to local character while at the same time creating sustainable and attractive new homes and places to work, shop, go to school and play.

Policy 3: Sustainable Urban Extension

3.4.23 Policy 3 deals specifically with the proposed Sustainable Urban Extension. It states:-

“The SUE should be a high quality, sustainable, mixed use development that is well connected and has a functional relationship with the wider area, but allows adequate opportunities to locally access services and facilities. It should contain:-

Housing

- *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). Some 4,250 new homes should be delivered in total, 1,350 (30%) of which should be affordable (80% Social / Affordable rent and 20% intermediate houses);*
- *Whilst densities will vary across the SUE, a notional minimum net density of 30 houses per hectare should be achieved.*

Employment

- *A Strategic Employment Site (see Policy 4 below);*
- *Other B class and non-B class employment opportunities (as defined in the District and Local Centres) within the development;*
- *Opportunities for ‘live-work’ accommodation.*

Education

- *2 primary schools (circa 4.5 hectares in total) capable of accommodating some 1,050 pupils;*
- *A secondary school (circa 10 hectares) capable of accommodating some 850 pupils, District and Local Centres.*

District and Local Centres

- *A District Centre, where appropriate uses will include:-*
 - *A supermarket (up to 2,500 sq m (gross) 2,000 sq m (net));*
 - *Other retail provision class A1 – A5;*
 - *Office Floorspace (Use Class B1(a)) up to 2,000 sq m;*
 - *Small workspaces (use class B1);*
 - *Health care facilities;*
 - *Community / Faith facilities;*
 - *Assembly and leisure uses;*
 - *Residential uses;*
 - *Appropriate car parking provision for the above uses.*
- *Two local centres, where appropriate uses will include:-*
 - *Retail provision class A1 – A5(combined retail floorspace)1,250 sq m (gross);*
 - *Health care facilities;*

- *Community / Faith facilities;*
- *Residential uses;*
- *Small workspaces (use class B1).*
- *Other small scale retail facilities to meet localised needs in parts of the development that are not within 400 metres walking distance of a Local or District centre.*

Green infrastructure

- *Green Infrastructure to be provided in accordance with an agreed Green Infrastructure Framework, including:-*
 - *Public open space provision (to exceed the minimum standards set out in Policy 15);*
 - *Strategic Green Infrastructure – including a linked network of routes and green spaces extending to the wider Countryside;*
 - *New Green Wedges adjacent to the existing settlements of Leicester Forest East and Enderby;*
 - *Provision of new trees and woodlands within the development and proposed new Green Wedges.*

Transport and Movement

- *Wide ranging transport solutions that maximise sustainable travel should be provided in accordance with an agreed transportation strategy (including travel plan).*
- *New and improved transport infrastructure will be required including:-*
 - *Two new bridges, one each over the M1 and M69 motorways;*
 - *Mitigation measures on the existing transport network where adverse impacts are identified;*
 - *A 20 minute frequency bus service from the site into Leicester City Centre;*
 - *A new bus service to link proposed residential development with local employment sites and retail facilities (Motorways Retail Area);*
 - *Bus services which penetrate the site and provide bus stops which are less than 400 metres walk from new residents;*
 - *New walking and cycling links to key retail, leisure, employment and education services and existing facilities including those around junction 21 of the M1, local villages (mainly Enderby, Braunstone Town and Leicester Forest East and Leicester City Centre);*
 - *Transport improvements should seek to achieve a modal shift away from private car use;*
 - *Provision of travel packs for new residents, as part of a wider travel plan.”*

General Infrastructure

- 3.4.24 The policy states that a masterplan should be prepared and agreed in advance of a planning application, and prepared in consultation with key stakeholders, and that subsequent

development will be in accordance with the masterplan. The policy states that detailed proposals should respect the integrity of important historic and environmental features and that the development will need to include measures that satisfactorily deal with noise and air quality impacts. It also states that development should be designed sensitively in relation to flood prone areas and provide a sustainable urban drainage system where benefits can be demonstrated.

- 3.4.25 The policy states that the Council will seek provision of renewable energy provision to an agreed specification.
- 3.4.26 In terms of delivering the SUE the policy states that 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 direct delivery by the developer, financial contributions and other funding streams) and the timing of infrastructure provision will be determined through a phasing plan to be agreed with the Local Planning Authority.
- 3.4.27 The proposals in the New Lubbesthorpe application are consistent with the requirements of the policy. They meet the various requirements for housing, employment, education and retail provision and district and local centre facilities. Provision of green infrastructure meets the requirements and the transport proposals are consistent with the specific requirements of the policy. In addition the masterplan was prepared and has evolved in consultation with stakeholders. Mitigation is provided to deal with noise and air quality issues to a satisfactory level (refer to Chapters 12: Noise and Vibration and 13: Air Quality), and the proposals are accompanied by an Energy Strategy and Sustainability Strategy that identify a framework for delivering detailed proposals. The phasing plans identify the three broad phases for delivery of the development and further more detailed phases for implementation will be agreed.

Policy 4: Strategic Employment Site

- 3.4.28 The Strategic Employment Site policy states:-

“Land east of the Warrens (south of the M69) at Enderby (as shown by an asterisk on the key diagram) is the preferred location for a Strategic Employment Site (SES) in conjunction with the proposed Sustainable Urban Extension (SUE) at Lubbesthorpe.

The SES will provide some 21 hectares (net) of employment land. The type of employment land provided will include B1, B2 and B8 uses. The quantity / split of these uses will be based on market demand, the needs of investors, the requirements for local businesses and inward investors.”

- 3.4.29 The policy states that a range of types of employment uses should be provided with no B1(a) office use exceeding 10% of the site, and only in exceptional circumstances should any single office 'floorplate' exceed 1,000 square metres (net) or be capable of being amalgamated to exceed that.
- 3.4.30 The policy states that the SES should be accessible to nearby communities and that a new bridge across the M69 will be required in order to encourage movements between the SES and the proposed SUE north of the M69.
- 3.4.31 The policy again requires a masterplan to be prepared which sets out in more detail the structure and development of the SES and SUE and that no development will commence until

Design Codes are prepared and agreed.

- 3.4.32 The policy identifies the potential to link the SES into the Warrens Industrial Estate with a link road if benefits can be demonstrated. The policy also seeks to ensure that the proposals have a minimal impact on local features including Lubbesthorpe Scheduled Ancient Monument, Enderby Hall, Enderby Conservation Area and Enderby Park.
- 3.4.33 The proposals provide a strategic employment site of 21 hectares at a strategic location accessible to Junction 21 of the M1 and M69 motorways. A range of employment uses are envisaged and the office component does not exceed 10% of the site or proposed floorspace. The site will be accessible to surrounding communities and connected via a new junction with Leicester Lane and via a new bridge over the M69; the existing farm accommodation bridge will remain as a pedestrian and cycle route and bridleway. A masterplan has been developed for the site which shows how the site can accommodate a range of uses and how the layout, scale and massing of development can minimise the impacts on sensitive surrounding features, and views from these locations have been tested in detail (refer to Chapter 8: Cultural Heritage and Archaeology).

Policy 5: Housing Distribution

- 3.4.34 Policy 5 describes the housing distribution and identifies that the bulk of new housing provided in the period 2006-2029 will be within and adjacent to the Principal Urban Area totaling 5520 dwellings (including 4,250 within a new SUE).
- 3.4.35 The New Lubbesthorpe proposal is consistent with this policy.

Policy 6: Employment

- 3.4.36 Relevant to the SES and SUE, this policy states that the Council will (inter alia):-
- Support the provision of a 21 hectare (net) Strategic Employment Site (SES) at Enderby adjoining the development of a Sustainable Urban Extension (SUE) at Lubbesthorpe;
 - Support the provision of some 2,000sq m high quality B1 office uses and / or research and development premises associated with the development of a District Centre at the Lubbesthorpe SUE;
 - Allow the provision of live-work units on residential proposals where capable of being implemented without adverse effects on amenity;
 - Promote local labour agreements with developers to enable local people to secure employment and skills development.
- 3.4.37 The New Lubbesthorpe SES proposals provide 21 hectares net of employment land for new development and are well related to the SUE to the north, and the proposals identify sites suitable for a range of employment uses. Some 2,000 sq m of new employment space is provided for within the District Centre. A gateway employment site of some 4,600 sq m is also provided, alongside opportunities for small-scale employment uses within the local centres as well as live-work opportunities, which will be identified at the detailed stage. Local labour/recruitment can be delivered through section 106 obligations.

Policy 7: Affordable Housing

- 3.4.38 The policy identifies that all development sites containing 15 or more dwellings within Blaby District will be required to contribute towards meeting affordable housing needs. It identifies the following affordable housing targets:-
- a) A minimum of 30% of the total number of dwellings within the proposed SUE as Affordable Housing. On all other developments of 15 or more dwellings a minimum of 25% of the total number of dwellings will be affordable. Where it can be demonstrated that these minimum requirements would make the development of a site unviable, a reduced percentage of affordable units and/or a revised tenure split will be negotiated;
- c) To ensure mixed and sustainable communities, residential development should integrate affordable and market housing through the dispersal of affordable housing units within residential development (pepper-potting) and use a consistent standard of design quality. The tenure split and mix of house types for all affordable housing will remain flexible and will be assessed on a site-by-site basis, taking into account the latest evidence on affordable housing needs, through the Strategic Housing Market Assessment and other evidence of local need.
- 3.4.39 The strategic objective of the New Lubbesthorpe proposals are to achieve 30% affordable housing provision with a mix of affordable tenures over the life of the development. It is important that this is considered in the context of the overall viability of the development and flexibility over the life of the development, to respond to the viability issues within each major phase.
- 3.4.40 The New Lubbesthorpe proposals aim to distribute the affordable housing provision throughout the development and ensure the designs are high quality and meet the requirements of the affordable housing providers to ensure their long-term sustainability.

Policy 8: Mix of Housing

- 3.4.41 Policy 8 identifies housing mix requirements and states that:-
- “Residential proposals should provide an appropriate mix of housing type (house, flat, bungalow etc.); tenure (owner-occupied, rented, intermediate) and size (bedroom numbers) to meet the needs of existing and future households in the District, taking into account the latest Strategic Housing Market Assessment and other evidence of local need.”*
- 3.4.42 The explanation of the policy also identifies a projected optimum shape of future housing stock for the district which is below with the proposed New Lubbesthorpe housing provision alongside:-
- Medium and larger units 66% (66%);
 - Multi person provision, flats, student housing etc. 4% (15%);
 - Smaller and medium sized units 29% (19%).
- 3.4.43 The proposed housing mix is consistent with this optimum mix, which is for the district as a whole and therefore achieved not solely through the SUE proposal. The higher proportion of multi-person provision reflects the proportion of flats and sheltered and care accommodation proposed. The CSS does recognise that relating the size of housing to the demographic profile is complex and also depends on market affordability of various households, who may

chose to buy a property larger than the one 'assigned' through a simple demographic conversion, which is recognised by the SHMA.

Policy 9: Accommodation for Gypsies and Travellers

3.4.44 Policy 9 provides for accommodation for gypsies and travellers and there are no specific requirements for provision within the SUE.

Infrastructure and Developer Contributions

Policy 10: Transport Infrastructure

3.4.45 The specific transport measures associated with the SUE are described in the Policy as follows:-

Sustainable Urban Extension

".....transport improvements will be required in order to provide maximum opportunities for walking, cycling and public transport and to ensure the effective functioning of the proposed SUE west of Leicester.

In order to encourage walking and cycling, new services and facilities should be provided at the heart of good walking and cycling networks that enable access not just for new residents but for existing residents in surrounding areas where appropriate.

New high quality public transport services (with a minimum frequency of 20 minutes) will be required to provide links to Leicester City Centre and to nearby areas of employment, retail (including those around junction 21 of the M1), leisure, health, community and education. Improvements to the A47 corridor will be required based on the findings of robust transport modelling.

Proposals should be mindful of the Leicester City Council Public Transport 'Termini and Routing Strategy'. Where it is demonstrated that proposals are likely to have an impact on the effective operation of public transport in Leicester City centre financial contributions for mitigation measures will be sought.

A new bridge will be required across the M1 to connect the proposed SUE with Meridian Way and Lubbesthorpe Way (A563).

A new bridge will be required across the M69 to the proposed Strategic Employment Site at Enderby to connect to Leicester Lane.

Opportunities to create an Enderby by-pass by linking Warren Park Way to Leicester Lane should be explored.

A 'public transport' walking and cycling link from the development site to the A47 (along Baines Lane).

Pedestrian and cycle links will be maintained and improved in order to allow journeys between the proposed SUE and key centres / services and facilities including:-

- *Employment (Grove Park, Meridian Business Park, the Warrens Industrial Estate, Next plc. and Carlton Park);*

- *Leisure (including at Enderby and Meridian leisure);*
- *Retail (the Motorway's Retail Area and Enderby and Leicester City Centre) and;*
- *Education."*

3.4.46 The New Lubbesthorpe proposals are supported by a Transport Assessment and Travel Plan. The TA has been prepared in conjunction with the Highway Authority and Highways Agency using the County's up to date LLITM model. This has determined an access strategy to and within the site and identified infrastructure improvements and the mitigation necessary. The measures include bridges to the M1 and M69. Public transport measures include a frequent bus service to Leicester city centre and to major attractions locally such as the Fosse Park retail areas and major employment sites. A comprehensive network of pedestrian and cycle links will connect with the employment sites and adjacent communities. The assessments also explore the potential benefits of the 'Enderby by-pass'. The proposals include for a comprehensive network of footpaths and cycleways.

Policy 11: Infrastructure, Services and Facilities to Support Growth

3.4.47 The policy requires as follows:-

"New developments must be supported by the required physical, social and environmental infrastructure at the appropriate time. The Council will work in partnership with infrastructure providers, grant funders and other delivery agencies to ensure that development provides the necessary infrastructure, services and facilities to meet the needs of the community and mitigates any adverse impacts of development."

3.4.48 The New Lubbesthorpe proposals have been generated through consultation with key providers of physical, social and environmental infrastructure and the proposals reflect the stated requirements of those stakeholders.

Policy 12: Planning Obligations and Developer Contributions

3.4.49 Policy 12 identifies the requirements for obligations and contributions and states:-

"Where requirements for infrastructure, services and facilities arising from growth are identified through robust research and evidence, it is expected that developers will contribute toward their provision (and in some cases maintenance).

Planning obligations and developer contributions will be sought and guided by the Council's latest Planning Obligations and Developer Contributions SPD and other evidence of need. Contributions should be made by providing the infrastructure (on or off-site) or by making financial contributions towards its provision and / or maintenance. Contributions will be phased or pooled to ensure the timely delivery of the necessary infrastructure, services and facilities."

The scope for obligations and developer contributions is subject to negotiations on the section 106 agreement associated with the permission, should it be granted. The scope of the required infrastructure, services and facilities is identified in the application.

Policy 13: Retailing and Other Town Centre Uses

3.4.50 The relevant sections of Policy 13 deal with the proposed SUE:-

Retail developments within the proposed SUE

“New retail facilities of an appropriate scale and type to meet the needs of new and existing residents will be encouraged; and will be required to be consistent in terms of location and design with an agreed masterplan.”

3.4.51 The supporting text also states:-

Sustainable Urban Extension

“The Blaby District retail study indicated that there was potential to provide additional retail floorspace for convenience goods (in the region of 2,000 to 3,000m² net) within new developments to the west of Leicester. Development of new large scale retail facilities (superstores) will not be encouraged as part of the Masterplan. A new District Centre based around the new street network would provide opportunities to serve the new local community and attract some passing trade in order to assist the viability of new shops.” (paragraph 7.13.18)

3.4.52 The New Lubbesthorpe proposals provide a District Centre with retail provision and two local centres each providing convenience retail uses. The proposals are supported by a detailed Retail Impact Assessment which identifies that the scale of the proposed new retail provision will not impact unduly on the viability of the existing retail provision.

Policy 14: Green Infrastructure (GI)

3.4.53 The relevant section of Policy 14 states:-

Sustainable Urban Extension

“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 and existing communities by providing green links (for people and wildlife) from the urban area to the wider countryside.”

3.4.54 The New Lubbesthorpe proposals provide an extensive network of new green infrastructure including new parklands and a green wedge between Leicester Forest East and the proposed new housing development.

Policy 15: Open Space, Sport and Recreation

3.4.55 Policy 15 outlines the standards that new developments are to achieve. These standards have been used to plan the provision of open space within the development and are considered further in Chapter 2: Development Proposals. The plan achieves the overall quantity of open space required for each type. The accessibility of some open spaces is less than prescribed by the policy which is largely because of the configuration of the development and the need to ensure a large separation of development from the Scheduled Monument.

Policy 16: Green Wedges

3.4.56 The policy states that:-

“Green Wedges are important strategic areas. They will be designated in order to:-

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

In addition, opportunities to create new Green Wedges will be explored particularly in areas around the proposed Sustainable Urban Extension to the west of Leicester.”

- 3.4.57 The New Lubbesthorpe proposals provide a green wedge between the existing settlement of Leicester Forest East and the new housing development within the SUE, which forms an extensive new parkland area and serves to protect the distinctive settlement identity of LFE.

Policy 17: Areas of Separation

- 3.4.58 Policy 17 identifies areas of separation but these are not relevant in the context of the proposed SUE and SES.

Policy 18: Countryside

- 3.4.59 Policy 18 provides the policy for protection of the countryside areas within the district and identifies (inter alia) that:-

“The need to retain Countryside will be balanced against the need to provide new development (including housing) in the most sustainable locations. The detailed boundaries of Countryside will be determined through the Allocations, Designations and Development Management DPD.”

- 3.4.60 The New Lubbesthorpe proposals are consistent with the identification of the location for the SUE and SES in the CSS, and seek to minimise their wider impact on the countryside. Proposals for Enderby Park will help restore and maintain this area in agricultural uses.

Policy 19: Bio-diversity and Geo-diversity

- 3.4.61 The relevant section of Policy 19 states:-

Sustainable Urban Extension

“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 Lubbesthorpe Brook and other water courses) 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.”

- 3.4.62 The New Lubbesthorpe proposals have been developed with regard to the existing and potential bio-diversity and geo-diversity interest of the site. The Green Infrastructure Bio-diversity Management Plan A (GIBMP) is a supporting document to this Further Information Document. A geo-diversity assessment has been undertaken to assess the potential effects of development on the geological SSSI in the south alongside the SES (refer to Chapter 17: Geodiversity).

Policy 20: Cultural Environment

3.4.63 The relevant section of Policy 20 states:-

Sustainable Urban Extension

“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.”

3.4.64 The New Lubbesthorpe proposals have taken close account of the Scheduled Monument within the site and the Scheduled Monument next to the site. The form of the masterplan has reflected the requirements of the key consultees on the set back of development and further measures aim to mitigate views of the development from the Scheduled Monument within the site (refer to Chapter 8: Cultural Heritage and Archaeology).

Climate Change and Flooding**Policy 21: Climate Change**

3.4.65 The policy states:-

“Development which mitigates and adapts to Climate Change will be supported. The Council will contribute to achieving national targets to reduce greenhouse gas emissions by:-

- a) *Focussing new development in the most sustainable locations, in accordance with Policy 1 and Policy 5.*
- b) *Seeking site layout and sustainable design principles which reduce energy demand and increase efficiency. This includes:-*
 - (i) *Providing for safe and attractive walking and cycling opportunities, including secure cycle parking and, where appropriate, showers and changing facilities;*
 - (ii) *Utilising landform, building orientation, massing and landscaping to reduce the likely energy consumption;*
 - (iii) *Supporting the Government’s zero carbon buildings policy and encouraging residential development to achieve Code for Sustainable Homes Level 3. This will be increased progressively over the plan period, where feasible, to support the Government’s longer term aspirations for sustainable design;*
 - (iv) *Encouraging the use of sustainable materials and construction methods.*
- c) *Encouraging the use of renewable, low carbon and decentralised energy at the commercial, community and domestic scale. Renewable and low carbon energy generation will be supported within the District where the proposal:-*
 - (i) *Ensures that the siting and scale of development avoids significant harm to a designated heritage asset or its setting;*
 - (ii) *Ensures that the impact of the development on local landscape character and historic landscape character is minimised;*

- (iii) Ensures that the proposal does not result in significant detriment to residential amenity for new or existing residents;*
- (iv) Includes measures to mitigate any adverse impacts on the built and natural environment resulting from the construction, operation and decommissioning of any development;*
- (v) Does not create an overbearing cumulative noise or visual impact, when considered in conjunction with similar developments and permitted proposals in the area.*

The Council will ensure that all development minimises vulnerability and provides resilience to climate change and flooding by:-

- a) Supporting innovations which have a positive impact upon climate change adaptation on all development where feasible. (This could include, but is not limited to; appropriate shading and planting; green roofs; SuDS; rain water harvesting and storage and; grey water recycling). Opportunities for people, biodiversity, flood storage and carbon management provided by multi-functional green spaces and green infrastructure networks will also be encouraged;*
- b) Managing flood risk in accordance with Policy 22.*

3.4.66 The New Lubbesthorpe proposals have been developed to ensure they optimise the opportunities for sustainable development. The application is supported by an Energy Strategy and a Sustainability Strategy that both set a framework for the development of detailed proposals at the design stage. The Design Coding process will respond to the specific attributes of each phase and the site to achieve reductions in carbon emissions. The proposals have been the subject of a Flood Risk Assessment which demonstrates there will be no impacts on areas that flood and that water will be managed to existing green field run-off rates through SuDS.

Policy 22: Flood Risk Management

3.4.67 Policy 22 specifies requirements to minimise flood risk by:-

- a) Directing development to locations at the lowest risk of flooding within the District, giving priority to land in flood zone 1. Where development is proposed in flood risk areas, mitigation measures must be in place to reduce the effects of flood water;*
- b) Using Sustainable Drainage Systems (SuDS) to ensure that flood risk is not increased on-site or elsewhere and to protect the quality of the receiving water course. Where possible, the Council will encourage development to reduce the overall flood risk through the design and layout of schemes which enhance natural forms of drainage. (This could include, but is not limited to; floodplain creation; surface water storage and; removing culverts and barriers to flow);*
- c) Managing surface water run-off to minimise the net increase in the amount of surface water discharged into the public sewer system;*
- d) Closely consulting the Environment Agency in the management of flood risk to ensure that any risk of flooding is appropriately mitigated and the natural environment is protected in all new development.*

3.4.68 No development is proposed at New Lubbesthorpe within areas liable to flood. The proposed SuDS system would manage the surface water outfall from the site to existing greenfield run-off rates. Provision of storage ponds and soakaways and other permeable methods are proposed to reduce run-off even further. The proposals have modelled existing watercourses where information on them was limited and the drainage strategy has been prepared in close consultation with the Environment Agency.

Policy 23: Waste

3.4.69 Policy 23 outlines the requirements for waste minimisation, stating that the Council will:-

- *“Encourage a hierarchy of waste management in the following priority order; waste prevention, re-use, recycle/compost, recovery, and disposal as a last resort;*
- *Ensure that their design and services are flexible enough to allow new technological developments to be accommodated;*
- *Ensure that waste collection is considered in their design to maximise recycling opportunities;*
- *Secure waste management facilities that are close to new areas of development (particularly in relation to the SUE);*
- *Ensure that new sensitive receptors (particularly residential) are not located near to or do not place additional burdens on existing licenced waste management facilities;*
- *Promote the use of Site Waste Management Plans; and*
- *Educate residents in waste-related matters and encourage engagement with waste prevention and reuse initiatives.”*

3.4.70 The New Lubbesthorpe proposals are accompanied by a waste strategy (refer to Chapter 14: Waste) that seeks to minimise the generation of waste and to ensure that waste management facilities are put in place at the dwelling and neighbourhood level to ensure waste is recycled. The strategy works within the current local authority waste management and collection arrangements.

3.5 BLABY DISTRICT LOCAL PLAN (ADOPTED SEPTEMBER 1999)

3.5.1 In addition to the policies covered in ES Chapter 3: Planning Policy, the following ‘saved’ policies continue to be relevant to the proposals.

3.5.2 Policy T2 provides for the provision of bus and car laybys to serve major development; Policy T15 provides a protected line for high or abnormal loads as shown in the proposals map along the A47 Hinckley Road corridor.

3.5.3 Policy C5 provides for the change of use of buildings in the countryside and green wedges against certain criteria including whether the buildings can change use without significant alteration, the building is structurally sound, the building is of appropriate design to the use and its setting, the development would not have a detrimental effect on the appearance of the building or the landscape, and would not result in an unsatisfactory relationship with nearby uses. For residential development further criteria are identified which are that the building is of a sufficiently traditional style to merit retention, ancillary domestic elements do not detract from

the original non-residential function and that the design is sympathetic to the character and fabric of the original building.

- 3.5.4 Policy L1 provides for planning permission for sports and recreation development and ancillary development such as car parking where this would not have a detrimental effect on the amenity of the area, or be out of keeping with the appearance and character of the area and the policy states that where the development is likely to give rise to noise conditions may be attached to regulate the use and location
- 3.5.5 Policy CE6 states that permission will not be given for development that is detrimental to the setting of a listed building. Policy CE9 states that planning permission will not be given for development which would have a detrimental effect of the vistas, street scenes or the form and character of open spaces which contribute to the character or townscape quality of a conservation area or its setting. Policy CE12 states that planning permission will not be granted for development which would generate traffic levels, parking, noise or environmental problems which would be detrimental to a conservation area, and existing uses which give rise to these problems will not normally be allowed to expand.

3.6 OTHER MATERIAL CONSIDERATIONS

Housing Requirements for the District of Blaby

- 3.6.1 The Council approved its housing requirements for the period 2006-2029 on 6 September 2011. The Council approved the setting of 365 houses per annum with 66% (241) provided within or adjoining the Principal Urban Area (PUA), and the remaining 34% (124) elsewhere in the rest of the district. This compares with a rate of 340 dwellings per annum identified for the period 2011-2016 agreed at the Council meeting of 16th September 2010 (the 'interim' housing requirement), and the figure of 380 per annum provided for in the period to 2001-2026 in the RSS (paragraph 3.43 of the ES).
- 3.6.2 These housing figures are now incorporated into the Submission Version of the Core Strategy 2012.