

Land South of Sacheverell Way, Grobby

Planning Statement (including Affordable Housing Statement)

Prepared on behalf of
Bloor Homes Limited

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1 INTRODUCTION

1.1.1 This Planning Statement (PS) has been prepared in support of an outline planning application (OPA) by Bloor Homes Limited (BHL, “the applicant”) for the residential development of Land South of Sacheverell Way, Groby (“the site”).

1.1.2 The OPA seeks the approval of the following:

“Outline planning application with all matters reserved, except for the primary means of vehicular access from Sacheverell Way, for a residential development of up to 180 dwellings, alongside associated access via two junctions from Sacheverell Way, green and blue infrastructure (including drainage, landscaping and public open space), ancillary infrastructure, and enabling ground remodelling.”

1.1.3 The OPA seeks to facilitate the timely delivery of the site, which has been identified by Hinckley and Bosworth Borough Council (HBBC) as a proposed residential allocation site in HBBC’s Regulation 18 version of their emerging Local Plan (eLP). That is a reflection of the site’s sustainable location adjacent to a Key Rural Centre (KRC), its suitability for residential development, its capacity, and its deliverability. Therefore, this OPA seeks to support the eLP, and facilitate much-needed residential development to respond to the established local housing needs (LHN) in the area and assist HBBC in remedying its Five Year Housing Land Supply (5YHLS) shortfall.

1.1.4 The planning application is accompanied by the following key documents that demonstrate the suitability of the site for residential development:

- Design and Access Statement;
- Transport Assessment;
- Travel Plan;
- Flood Risk Assessment and Drainage Strategy;
- Hydraulic Modelling Report;
- Ecological Impact Assessment;
- Biodiversity Net Gain Assessment and associated Metric;
- Arboricultural Impact Assessment;
- Landscape and Visual Impact Assessment;
- Built Heritage and Archaeological Assessment;

- Phase 1 Desk Study Report;
- Noise Impact Assessment;
- Air Quality Assessment;
- Lighting Impact Assessment;
- Statement of Community Involvement.

- 1.1.5 The development proposals as presented in the Design and Access Statement (DAS) have evolved through a detailed and iterative masterplanning exercise. The resultant Masterplan takes account of the findings and recommendations of the technical and environmental site assessments, feedback from consultation exercises, as well as best practice guidance relating to urban and landscape design. Therefore, the Masterplan has been robustly tested in terms of the site's capacity and the composition, distribution and scale of uses, and incorporates the primary mitigation required to avoid / minimise any impacts associated with the development.
- 1.1.6 The submitted DAS provides further context as to how the proposals have evolved. It sets out the key elements of the site's surrounding context and site characteristics that have informed the vision for the development of the site, and the overarching principles that underpin the Masterplan. As this application is submitted in outline, the internal layout, scale, appearance and landscaping are reserved for later consideration. However, the DAS provides an indication of those detailed design matters, demonstrating how the development of the site will facilitate a high-quality residential area that will sensitively respond to its context and will be well-integrated with the existing built form and surrounding landscape.

1.2 PURPOSE

- 1.2.1 In that context, the purpose of this Planning Statement is to outline the national and local planning context for the determination of this planning application.
- 1.2.2 It highlights how the development proposals represent sustainable development under the terms of the NPPF, and that there are significant material considerations in favour of the grant of planning permission.
- 1.2.3 It also highlights that there is significant 5YHLS shortfall in the District (as considered in detail in Section 5), and that NPPF paragraph 11d is therefore engaged both due to the Development Plan being out-of-date (in terms of the supply of housing), and via footnote 8; with there being no 'footnote 7' constraints that provide a "*clear reason*" for the application to be refused. In those circumstances, NPPF paragraph 11d states that planning permission should be granted unless the adverse impacts of doing so would "*significantly and demonstrably outweigh the benefits*" when assessed against the policies in the NPPF when taken as a whole.
- 1.2.4 In that context, this Planning Statement highlights that the proposed development will deliver significant benefits, not least in relation to the delivery of much-needed market and affordable

housing within an emerging allocation site, but also in terms of the delivery of usable open space and the support that the development will provide to local services and facilities. Set against that, it demonstrates that the harm arising from the development will be very limited, as a result of the primary mitigation that is embedded into the Masterplan and the secondary mitigation that can be delivered via developer contributions or condition, or at the detailed design stage.

- 1.2.5 In that regard, the Planning Statement highlights that planning permission should be granted in line with the NPPF, and within the framework set by Section 38(6) of The Planning and Compulsory Purchase Act 2004.

2 SITE DESCRIPTION

2.1 THE SITE

- 2.1.1 The site comprises an area of 10.5ha that is located on the southern edge of Groby, to the south of Sacheverell Way.
- 2.1.2 The site's northern boundary is defined by a tree-lined hedgerow adjacent to Sacheverell Way, beyond which lies the established settlement edge of Groby. The site's eastern boundary is defined by a public right of way (ref: R116/2) that runs parallel to the A46. A mature woodland block runs adjacent to the site's eastern boundary, between the site and the A46. A public right of way (ref: R51/3) also runs along the site's southern boundary, travelling west from the aforementioned public right of way. The southern boundary itself is delineated by a tree group and some individual trees. The site's western boundary also comprises a hedgerow, beyond which is a dismantled railway.
- 2.1.3 To the site's immediate west is additional land that is also under the control of BHL, comprising grassland with linear tree corridors and sporadic, informal tree clusters. BHL also controls land to the east of the A46. Neither of those areas of land will be subject to any built development, and are shown in a "blue line" on the Site Location Plan.

2.2 GROBY

- 2.2.1 The site is well-related to the existing built form of Groby. Residential development is located to the immediate north of Sacheverell Way, and the site is also in close proximity to a number of key services and facilities. Therefore, the site would be a logical extension to the built form of Groby.
- 2.2.2 Groby is recognised by Policy 8 of the extant Core Strategy (CS) as a KRC, ranking on Tier 2 of the settlement hierarchy; which is also reflected in the eLP. The identification of Groby as a KRC reflects the range of services and facilities that are available in the village, the high level of connectivity to other settlements, and the role that Groby plays in supporting surrounding settlements in the wider rural hinterland.
- 2.2.3 Groby village centre is located c. 1km to the site's north-west, and key services and facilities are also located in secondary local centres. It contains a wide range of services and facilities, including a number of food retail / convenience stores, a post office, a doctor's surgery, a pharmacy, a butcher, a dentist, places of worship, three primary schools, two pre-schools, an education learning campus (high school and community college), various parks (including the Marina, which has a BMX Track), Groby Community Centre and Groby Village Hall. The site is well-connected to those services and facilities; with residents able to access the village centre via a short journey. The site also benefits from key facilities within walking distance at Laundon Way, including a reasonably-sized food shop with parcel lockers, a primary school, and areas of open space.

- 2.2.4 Groby also plays an important role in the wider area. Given the range of services and facilities on offer within Groby, it acts as a rural centre for surrounding rural settlements including Ratby, Markfield, Newton Linford, Merry Lees, Stanton under Bardon, and Botcheston. It is, therefore, critical in supporting the day-to-day needs of residents in the wider area.
- 2.2.5 The site and village are also well-connected to other surrounding settlements via sustainable modes of transport. The 27 and 28 bus services that run along Sacheverell Way, with stops on nearby Laundon Way, provide access to Leicester, Glenfield, Ratby, Thornton, Ellistown and Coalville. The services provide access to Leicester city centre in under 30 minutes, meaning that residents of the site will be able to benefit from convenient, direct and sustainable access to the city and the full range of services, facilities and employment opportunities that are on offer therein.
- 2.2.6 The public right of way network surrounding the village, but particularly through the site / to the south of Groby, also provides access to the wider countryside and nearby settlements. That includes connections along the site's eastern boundary via public footpath R116/2, which continues to the south of the site before meeting public bridleway R115/2 (the Ivanhoe Trail), which links Ratby with the Mill Lane and Kirby Road Industrial Estates, and on to Glenfield.
- 2.2.7 The site is, therefore, located in an entirely sustainable location for growth, adjacent to a KRC with a range of services and facilities that is well-connected to other surrounding settlements.

2.3 SURROUNDING CONTEXT

- 2.3.1 The site and its surrounding area are not particularly environmentally sensitive and are free from any insurmountable constraints to development. The site has been used only for agricultural purposes, with no history of built development. In that regard, the following points are noted:
- The site is not subject to any statutory international ecological designations, and there are none in proximity to the site. The "blue lined" land to the south-west of the main part of the site is a candidate Local Wildlife Site (cLWS), but will not be subject to any development.
 - There are no designated heritage assets within or adjacent to the site. Whilst there are some existing listed buildings within the Groby Conservation Area (GCA), they are focused around Markfield Road / Leicester Road / Ratby Road which is c. 900m from the site at its closest point. Similarly, the scheduled monument within the GCA is located in excess of 1km from the site. Therefore, the distance, topography, vegetation and existing built form between the site and those assets means there is little to no intervisibility between them. Similarly, the cluster of listed buildings and the scheduled monument that is located c.1km to the south east of the site are not visually related to the site;
 - Individual trees, groups and hedgerows within the site are largely of lower quality, and can largely be retained. There is a historic Tree Preservation Order (TPO) that covers

part of the site and is dated from 1975. That is considered to be outdated given its age and the change in context in light of more recent development, and in any case only partial loss to one single tree group is proposed in relation to the TPO;

- The site is not subject to a national landscape designation, nor is it considered to be a “valued landscape” as referred to in NPPF paragraph 187a;
- The site’s designation within the Rothley Brook Meadow Green Wedge serves as a quasi-landscape planning tool, but does **not** hold any national status and seeks to **guide** development and not restrict it in principle. Compliance with the Green Wedge objectives is considered in the separate Green Wedge report, and summarised in Section 6 of this Planning Statement;
- Direct access to the site can be achieved from Sacheverell Way to the north, via two existing farm accesses. Public footpath R116/2 enters the site at its north-eastern corner, travelling parallel to the eastern boundary, towards the site’s south-eastern corner. There, it continues to the south towards the Ivanhoe Line, providing access towards Ratby and beneath the A46 towards Glenfield. At the site’s south-eastern corner, footpath R116/2 meets footpath R51/3, which travels west, through the “blue line” land, and on towards Ratby;
- The main sources of noise are from Sacheverell Way (to the north) and the A46 (to the east). This can be appropriately offset, as set out in further detail in Section 7.8;
- The site is not located within or near to an Air Quality Management Area; and
- The site is located within Flood Zone 1 and, therefore is, at very low risk of flooding from rivers and the sea. There is no risk of flooding from reservoirs. There are some areas of surface water flood risk. That largely relates to the western boundary of the site, along the disused railway track, and a linear surface water flow path that travels north-south through the site. However, this can be appropriately dealt with through the drainage strategy, as discussed in further detail in Section 7.3.

2.3.2 Therefore, there are no particular environmental sensitivities or constraints to the site’s development; demonstrating the site’s suitability for residential development.

3 DEVELOPMENT PROPOSALS

- 3.1.1 Outline planning permission is sought for the construction of up to 180 dwellings, alongside associated access, multi-functional green and blue infrastructure ("GBI", including drainage, landscaping, and public open space), ancillary infrastructure and required ground remodelling. All matters are reserved aside from the primary means of vehicular access from Sacheverell Way, which is proposed via two new junctions.
- 3.1.2 The Masterplan identifies a net developable area of c. 4.80ha, with an associated residential capacity of up to 180 dwellings. The exact number of dwellings that will be delivered will be identified at the detailed design stage, and will be dependent on the housing mix; which itself will be subject to negotiation at the detailed design stage, taking account of evidence of need, market demand, the characteristics of the site and settlement, technical feasibility, and viability. However, it is envisaged that the development will deliver a mix of 1 to 5-bed homes across a range of house types and tenures to address the identified housing needs and create a balanced and cohesive community. That will include a policy compliant proportion of 40% affordable homes, as per HBBC CS Policy 15 (equating to up to 72 affordable homes).
- 3.1.3 Vehicular access is proposed via two accesses from Sacheverell Way to the north of the site, utilising existing field accesses to minimise the loss of vegetation on that frontage. A simple and legible internal street layout will link the two points of access, with two tree-lined primary streets running north-south from those points of access, connecting to cul-de-sacs that will serve the new dwellings. Residential development will be set out in a series of perimeter blocks that will overlook the street and public spaces, and secure private spaces at the rear.
- 3.1.4 New footpaths within the site will link with the existing road network (Sacheverell Way) and the right of way network to the south of Groby. That will include a looped footpath network within the site running through public open space (POS) and the built developable area, which will provide a recreational route through the development, and will link to public footpaths R116/2 and R51/3 as they run through the site.
- 3.1.5 A multi-functional green corridor will be delivered along the eastern side of the site. That will provide a substantial buffer between new housing and the A46 (particularly when including the existing robust vegetation line to the east of the application site). The green corridor will incorporate existing and new planting, swales, footpath links, and a children's play area close to the centre of the site.
- 3.1.6 The proposed drainage infrastructure will utilise the existing site topography. A drainage basin is proposed at the lower-lying land towards the south of the site. To the north, localised land remodelling will create a new drainage channel that will divert surface water flows towards the attenuation basin, and away from the proposed built form.
- 3.1.7 A secondary green corridor is also proposed along the site's western boundary. That will also incorporate a swale that will run towards the aforementioned attenuation basin, as well as new

tree planting, footpath links (including to Sacheverell Way, exiting at the site's north-western boundary), and a community orchard.

- 3.1.8 It is clear with reference to the Masterplan and DAS, therefore, that the proposals will facilitate the delivery of a high-quality new residential development that is sensitive to its context. In that regard, the proposals reflect best practice principles in relation to urban and landscape design and therefore comply with relevant national and local planning policies and guidance.

3.2 CONSULTATION

- 3.2.1 Whilst the development proposals are fundamentally driven by the detailed site assessments and the constraints and opportunities that have arisen as a result of them, they also reflect the consultation that has been undertaken by BHL.

CONSULTATION WITH HINCKLEY AND BOSWORTH BOROUGH COUNCIL

- 3.2.2 BHL has discussed the site's development potential with HBBC officers over a number of years, formally through the eLP's preparation, and has received favourable feedback. That has now culminated in the proposal to allocate the site for residential development in the eLP.

- 3.2.3 Formal pre-application advice in relation to this application was then sought in September 2025, with a pre-application meeting taking place in November 2025. Feedback from HBBC officers during that meeting was positive in terms of the principle of development, but raised some matters for consideration in terms of the design principles. In response to those queries:

- As to whether it would be more appropriate to provide vehicular access via one or two accesses, it is considered that utilising two site accesses would be more appropriate as:
 - It would assist in dispersing vehicular and pedestrian movements to the east and west along Sacheverell Way, dependent on the end destination;
 - It would provide greater permeability through the site for all users, ensuring that homes are not all served off of a single access;
 - If the development is served via a single access, and a "looped" arrangement were required from an urban design perspective, that would result in inefficient development blocks, which would have an adverse impact from a placemaking perspective and would reduce the capacity of the site (which would be at odds with the NPPF).
 - It is also noted that the location of the two site accesses has been located such that the required visibility offsets have been provided.
- The provision of a block of buffer tree planting towards the north-east of the site was supported by the officer. However, the officer queried whether additional tree planting could be provided towards the south of the eastern boundary to reduce intervisibility

with land to the east and south-east of the site (understood to be from the A46 on the approach towards the site from the south, and at the southern part of Glenfield). In that regard, it is noted that:

- In revisiting the site / considering previous site photos, it is noted that the existing planting on the southern part of the eastern boundary is well-established and robust, and therefore limits intervisibility from the south of the site when travelling along the A46 (which would be a transient view in any case).
- Further Zone of Theoretical Visibility (ZTV) assessment has been undertaken as presented in the submitted Landscape and Visual Assessment (LVA). The new ZTV now takes account of the existing built form and vegetation, as well as the topography (which was taken account of in the ZTV). It confirms that visibility of the site from the east / south-east is limited, which has been corroborated through fieldwork.
- Further tree planting is not able to be accommodated in this part of the site due to the easements that are associated with existing and proposed utilities infrastructure that underlies the site.
- With reference to the “site notes” that are set out in the second Regulation 18 version of the eLP (consulted on between September and November 2025), the officer queried whether the “blue lined land” to the south-west of the application site could be utilised for the delivery of a natural parkland area with, biodiversity enhancements, sustainable drainage and recreational benefits. The potential for that was considered at an earlier stage of the project. However, the project ecologist advised that interfering with the area by proposing recreational uses or drainage (which would require earthworks to be carried out) would potentially undermine the ecological value of that area, rather than realising ecological benefits. Therefore, BHL proposes to retain the blue lined area to the south-west of the site in its current form.

CONSULTATION WITH LEICESTERSHIRE COUNTY COUNCIL HIGHWAYS

3.2.4 Direct consultation has been undertaken with Leicestershire County Council (LCC) Highways to inform the scope of the Transport Assessment (TA). Agreement has been reached regarding the inputs into the assessment of potential highways through LCC’s Pan-Regional Transport Model (PRTM); including the trip rate, distribution, and the other developments that should also be considered. The conclusions of the TA are set out in Section 7.2.

PUBLIC CONSULTATION

3.2.5 Alongside the submission of the pre-application request, an online public consultation event was launched on 8th November 2025, and ended on 30th November. The Statement of Community Involvement that has been submitted alongside this OPA provides a summary of the feedback received. Very little feedback was received in relation to the Masterplan, but in relation to the other feedback received, it is noted that:

- The housing mix is a matter for consideration at the detailed design stage. However, it is envisaged that the development will provide a full range of house types, tenures and sizes.
- Feedback was received regarding the type of affordable housing that will be provided. The feedback received will be considered at the detailed design stage.
- With regard to queries relating to highways impacts, as set out above, the TA has been scoped alongside LCC Highways.
- Residents' concerns in relation to infrastructure capacity are noted. As part of this OPA, statutory consultees will request financial contributions. Subject to the tests of the CIL Regulations, contributions will therefore be made to support key infrastructure in the surrounding area. Moreover, residents of the proposed development will support the existing services and facilities in the area, through increased footfall.
- Regarding the suggestion that the site experiences flooding, it is noted that there are overland surface water flows within the site. However, as set out in Section 7.3, that has been modelled, and local land remodelling will be undertaken to route surface water around the built form and into the drainage basin at the south of the site.

4 PLANNING POLICY CONTEXT

4.1 NATIONAL PLANNING POLICY AND GUIDANCE

- 4.1.1 Section 38(6) of The Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that planning applications are determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 4.1.2 This Planning Statement, therefore, assesses the compliance of the proposals with national planning policy and the relevant planning policies within both the extant and emerging Local Plans (as summarised in **Appendix 1**).

4.2 NATIONAL PLANNING POLICY CONTEXT

STATUS AND OBJECTIVES

- 4.2.1 The National Planning Policy Framework (NPPF) is the latest statement of the Government's planning policy. The NPPF was most recently updated in December 2024, following a period of consultation. The NPPF was accompanied by the Government's response to the consultation and the feedback received, which clarifies the Government's objective for the planning system and provides an indication of how the revised NPPF should be interpreted. That response is, therefore, an important material consideration in the application of the NPPF's policy tests and the determination of this application.
- 4.2.2 Upon the publication of the original version in 2012, the NPPF was intended to bring about a fundamental change in the approach to how housing needs should be assessed, planned for and delivered.
- 4.2.3 The 2024 NPPF, and the consultation statements and WMS that were published alongside it, have made the Government's position regarding housing delivery clear; with the Government recognising the need to significantly increase housing delivery in order to respond the ongoing and increasingly acute national housing crisis. In that context, the Government refers to the 2024 NPPF as a "pro-growth" statement of national policy. Indeed, the Government reiterated in its 'consultation outcome statement' that it is *"committed to rebuilding Britain, **delivering 1.5m new homes** along with the critical infrastructure that underpins economic growth."*
- 4.2.4 A key part of that is a commitment *"to **radically boosting the supply of housing**, while delivering homes and places that are high-quality and genuinely affordable"*, with the Government setting out its expectation that sites will *"be delivered quickly and to a higher quality."*
- 4.2.5 Therefore, the Government's position with regard to the planning system's role in facilitating the delivery of housing is very clear. That itself is a material consideration in the determination

of this application – and a significant one at that. Moreover, it is material to the interpretation of the NPPF and its policy tests.

HOUSING DELIVERY

- 4.2.6 The NPPF continues to emphasise the primacy of the Development Plan when determining planning applications, but also confirms that the NPPF is an important material consideration in itself (paras 2 and 5).
- 4.2.7 NPPF paragraph 61 re-affirms the Government’s objective of “**significantly** boosting the supply of homes” by ensuring that “a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”
- 4.2.8 The NPPF is also underpinned by the presumption in favour of sustainable development (PFSD, para. 11) both in plan-making and decision-taking.
- 4.2.9 That means that, where development proposals accord with an up-to-date Development Plan, they should be approved without delay (NPPF paragraph 11c).
- 4.2.10 NPPF Paragraph 11d establishes that the tilted balance in the PFSD is engaged where there are no relevant Development Plan policies, or where the policies which are most important for determining the application are out-of-date. NPPF Footnote 8 explicitly states that, for applications relating to the provision of housing, that includes situations where an authority is unable to demonstrate the required HLS position.
- 4.2.11 In such circumstances, case law establishes that, when considering whether policies are out-of-date, decision makers should consider the degree to which they accord with the NPPF and their effectiveness, and that weight should be afforded to them accordingly. That is considered in further detail in Section 5.
- 4.2.12 Where paragraph 11d is engaged, the NPPF states that planning permission should be granted unless:
- i) *The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii) *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework when taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

OTHER KEY POLICIES

4.2.13 There are also a series of other national policy tests that are of relevance to the proposed development. They are not referred to for brevity, and instead are referred to as appropriate through the remainder of this PS.

4.3 EXTANT LOCAL PLANNING POLICY

DEVELOPMENT FRAMEWORK

4.3.1 HBBC's Development Plan comprises the Core Strategy (CS, as adopted in December 2009) and the Site Allocations and Development Management Policies Development Plan Document (SADMP DPD, as adopted July 2016).

4.3.2 The CS contains strategic planning policies to guide development in the District in the period to 2026. The policies within the SADMP were then prepared to support the CS, by identifying sufficient sites to accommodate the level of development that was required at that point in time.

THE SPATIAL STRATEGY AND HOUSING DELIVERY

4.3.3 CS Policy 7 identifies Groby as one of nine KRCs, at Tier 2 of the settlement hierarchy. The supporting text to CS Policy 7 categorises KRCs as villages with populations over 1,500 people that provide localised facilities including a primary school, local shop, post office, GP surgery, community / leisure facilities, employment and a 6 day a week bus service which runs hourly.

4.3.4 Policy 7 states that the CS will put policies in place to *"support the Key Rural Centres and ensure they can provide key services to their rural hinterland"*, including policies for housing delivery. That recognises the relationship that KRCs have with the surrounding rural area, and the important role that KRCs play.

4.3.5 The identification of Groby as a KRC reflects that it is a suitable location for residential development given the range of services and facilities that are on offer in the village, its connections to higher order settlements including Leicester and its role in supporting the villages in the wider rural hinterland. Indeed, and as set out in further detail in Section 5, the 2020 Settlement Hierarchy Review (SHR) that has been prepared to support the eLP confirms that Groby is the largest of the KRCs, and has the joint highest 'score'; benefitting from all of the primary services and facilities that were audited within the SHR.

4.3.6 Recognising Groby's sustainability credentials, CS Policy 8 required HBBC to accommodate the delivery of a minimum of 110 new homes within Groby. Following on from that, the SADMP DPD allocated 3 sites totalling 94 dwellings, with the SADMP DPD stating that previous deliveries / committed sites at that point totalled a supply of 42 dwellings.

4.3.7 The site, alongside further land to the south, east and north of Groby, is identified in the Rothley Brook Meadow Green Wedge (GW). CS Policy 9 states that, within the Rothley Brook Meadow Green Wedge, *"uses will be encouraged that provide appropriate recreational facilities within*

easy reach of urban residents and promote the positive management of land to ensure that the Green Wedge remains or is enhanced as an attractive contribution to the quality of life of nearby urban residents.” It defines land uses that will be acceptable in the GW, provided that the uses do not damage the function of the GW. GW policy is discussed in further detail in Section 6 of this PS, with reference to the separate GW Analysis Report (GWAR) that has been submitted in support of this OPA.

DEVELOPMENT MANAGEMENT POLICIES

4.3.8 The CS and SADM DPD also contain a suite of development management policies. Whilst the most important policies within the CS and SADM DPD relating to housing can be considered out-of-date as set out above, the weight that can be applied to the plan’s other development management policies should be considered with a view to the level of consistency between the policy in question, and relevant policy tests as set out in the NPPF.

4.3.9 That is considered as appropriate throughout the remainder of this PS.

SUPPLEMENTARY PLANNING DOCUMENTS

4.3.10 Supplementary Planning Documents (SPDs) and Supplementary Planning Guidance (SPGs) can be material considerations in the determination of planning applications.

4.3.11 Of relevance to the site and proposed development is the Good Design Guide SPD; which has been taken account of in advancing the outline development proposals, but ultimately will be considered in further detail at the reserved matters stage.

4.4 EMERGING LOCAL PLANNING POLICY

4.4.1 Reflecting that the CS and SADMP are both over five years and are out-of-date, HBBC are currently preparing their eLP. The eLP will incorporate refreshed strategic and development management policies and, in light of the HLS shortfall and the increase to the Borough’s LHN, will identify additional residential allocation sites to meet the housing needs of the Borough in full.

4.4.2 The eLP is set to cover the period 2024 to 2045. However, it is currently at an early stage, with HBBC having undertaken an initial Regulation 18 consultation between July and September 2024 and then a focussed consultation (equivalent to a second Regulation 18 consultation) between October and November 2025.

4.4.3 The latter consultation identified additional proposed allocation sites to address the area’s full LHN, and provide an appropriate contribution towards the unmet needs arising from Leicester City Council (LCiC). As part of that strategy, the site is identified as a proposed allocation site in recognition of its sustainable location and merits as a location for development.

4.4.4 The most recent consultation document sets out that HBBC will undertake a Regulation 19 consultation in Spring 2026, before submitting the plan for examination later in 2026 (no later than December 2026). In that regard, the eLP is likely to be adopted in 2028 at the earliest.

4.4.5 Therefore, the eLP can be afforded little weight at this point in time, although the weight that can be afforded to it will increase as the plan advances towards adoption. Critically, however, that means that HBBC will be without an up-to-date Local Plan that will identify new allocations to address the LHN and existing HLS shortfall for the foreseeable future. Therefore, HBBC must proactively approve applications for high quality development on suitable sites in sustainable locations to remedy that, in line with national planning policy. The proposed allocation of the site is important in that regard as, although the allocation cannot be afforded full weight at this stage, it reflects a recognition by the Council that the site is a suitable location for growth at this scale. It would, therefore, be prudent for HBBC to prioritise the delivery of an emerging allocation site to meet its LHN and assist in remedying the 5YHLS shortfall in the Borough.

5 THE PRINCIPLE OF DEVELOPMENT

5.1.1 As referred to in the preceding section, the CS and SADM DPD are “out-of-date” in NPPF terms and therefore the weight to be applied to the key policies in relation to housing delivery must be significantly reduced as a result. The reasoning for that and the implications for the principle of the site’s development are set out below.

5.2 STATUS OF THE EXTANT LOCAL PLAN

5.2.1 The NPPF requires policies / plans to be reviewed “*at least once every five years*” to assess whether they need to be updated, and should then be updated as necessary. That aligns with the legal requirement as per Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012.

5.2.2 The CS is now 16 years old, and the SADM DP is 9 years old; and therefore do not meet those requirements. Moreover, no such Regulation 10A review has been undertaken, and HBBC have recognised in advancing the eLP that the preparation of a new local plan is necessary to replace the extant local plan.

5.2.3 From that perspective alone, the CS and SADM DPD are inconsistent with national policy and are, therefore, out-of-date.

5.2.4 However, case law has established that a more nuanced approach is required in considering if a Local Plan is out-of-date. That includes considering whether a plan is consistent with national planning policy and is effective. That is essentially the approach that a Regulation 10A review of planning policies should undertake.

5.2.5 It is clear that the CS and SADM DPD are no longer consistent with national policy and are not effective insofar as supporting the delivery of a sufficient quantum of housing.

5.2.6 Notably, the Government has recently introduced a revised Standard Method (SM) for calculating authorities’ LHN, aligning with their objective to significantly boost the supply of housing and facilitate delivery of 1.5 million homes in the next 5 years. The revised SM provides an LHN figure of 649 dwellings per annum (dpa) for HBBC, having increased from 432dpa using the previous SM.

5.2.7 The CS sets a housing requirement of 9,000 dwellings across the plan period between 2006 and 2026; equating to an average annual housing requirement of 450dpa. That was based on the East Midlands Regional Plan, which itself was adopted over 16 years ago in March 2009, and pre-dated the first NPPF.

5.2.8 Comparatively, the current SM-derived LHN for the area (649dpa) is an uplift of 44% above the planned requirement of 450dpa. The CS and SADM DPD simply cannot facilitate that level of residential development, particularly as a number of the allocation sites have been delivered already or are reaching completion given the age of the plan. Indeed, HBBC’s Housing Delivery

Test Plan confirms that the Council has not facilitated the delivery of over 600 dwellings in a single year since 2014/15.

5.2.9 The extant Development Plan is, therefore, out-of-date on that basis alone, as it fails to meet the area's housing needs as required by the NPPF.

5.2.10 Furthermore, that has manifested itself in a 5YHLS shortfall against the area's LHN. Appeal decisions and case law have established that is also a significant material consideration when determining planning applications for the delivery of housing, and indeed NPPF Footnote 8 now recognises that this also indicates that a Development Plan is out-of-date.

5.2.11 The 5YHLS shortfall has been recognised in recent reports to Planning Committee, though the extent of the shortfall has not been calculated. To give an indication, however, HBBC's latest 5YHLS position (covering the period between April 2023 and March 2028) suggested that there is a total supply of 2,415 dwelling across that period. From December 2024, HBBC has been required to base its 5YHLS requirement on the revised LHN of 649dpa across a 5 year period, with a 5% buffer; resulting in an overall requirement of 3,407 dwellings. Even based on the claimed supply of 2,415 homes as of the most recent 5YHLS position, that would result in a position of just 3.54 years, with a shortfall of over 1,000 homes.

5.2.12 The likelihood is, however, that the actual supply of housing has decreased since April 2023 (the start date of the most recent 5YHLS Position). That is as a result of allocation sites having been delivered / reaching the end of their delivery, and the supply of new housing not having been supplemented through the approval of other new sites. Therefore, HBBC's 5YHLS position in the current period is likely to be below the 3.54 year figure, and is almost certain to continue to fall in the coming years unless the supply of housing is bolstered.

5.2.13 It is clear, therefore, that HBBC must identify additional residential commitments immediately both to meet the area's full housing needs and re-establish a five year supply of housing; in line with national planning policy. Given that it will be at least 2 years until the eLP is adopted, and potentially longer (as set out in Section 4), HBBC simply cannot defer the identification of additional residential sites to the eLP. Rather, it must determine applications in a timely manner by approving robust applications for residential development on suitable sites in sustainable locations for growth in line with the NPPF, and the delivery of emerging allocation sites such as this one should be prioritised.

5.3 APPLICATION OF KEY POLICIES

5.3.1 In light of the above evidence that the CS and SADM DPD are inconsistent with national policy and ineffective with regard to the delivery of housing, the weight to be applied to the policies that are the most pertinent to this application should be diminished. That is particularly the case for those policies that seek to restrict residential development.

SCALE OF DEVELOPMENT

- 5.3.2 The overall housing requirement of 9,000 homes is out-of-date in light of the above, and there should be no weight applied to it. Rather, HBBC should maximise opportunities to increase the supply of housing significantly beyond that figure in order to meet its LHN of 649 dpa (which, for comparison, would equate to a housing requirement of 12,980 dwellings across a 20 year plan period) plus an appropriate contribution towards LCiC's unmet housing needs. Indeed, that is the approach that HBBC have advocated in the second Regulation 18 version of the eLP.
- 5.3.3 The proposed housing target of 110 dwellings for Groby, as set out in Policy 8, is also derived from the overall housing requirement of 9,000 homes, and likewise is out-of-date. Therefore, it should not be seen as a cap to development, and in seeking opportunities to achieve a step-change in housing delivery, HBBC should support a significantly higher quantum of residential development in Groby. That is particularly the case given that, as set out below, delivery in the settlement has been very limited over recent years.

SPATIAL STRATEGY

- 5.3.4 Whilst the quantum of development that is attributed to each settlement by the CS and SADM DPD is out-of-date, as set out above, the general principles of the spatial strategy and the settlement hierarchy as set out in the CS are consistent with the NPPF.
- 5.3.5 That is because, in preparing the CS, HBBC defined the settlement hierarchy based on an audit of each settlement's size, the key services and facilities that are available therein, their connectivity to other settlements (including higher order settlements), and the role that they play in supporting surrounding lower order settlements. That aligns entirely with the NPPF's requirement to focus significant development *"on locations which are or can be made sustainable"* (NPPF paragraph 110).
- 5.3.6 Moreover, the CS's approach of identifying the most sustainable rural settlements (i.e. the KRCs), and focusing development towards it, is consistent with NPPF paragraph 83, which states that *"to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities"*. In that regard, the NPPF is explicit in stating that local authorities should *"identify opportunities for villages to grow and thrive, especially where this will support local services."* The NPPF also recognises that larger, more sustainable rural settlements (such as Groby) can be a service centre for surrounding less sustainable settlements in its surrounding area; stating *"where there are groups of smaller settlements, development in one village may support services in a village nearby."* The CS's identification of Groby as a KRC, distinct from the less sustainable villages in the *"rural villages"* and *"rural hamlets"* categories, aligns with the NPPF in that regard.
- 5.3.7 Given the need to increase the Borough's housing supply in light of the increased LHN and the 5YHLS shortfall, HBBC should approve robust applications for residential development on suitable sites, in line with its spatial strategy. That should include focusing significant growth to the KRCs given their sustainable credentials, and particularly to the emerging allocation sites that have been identified by HBBC in light of their suitability for development.

5.3.8 In doing so, the scale of development that is directed to each of the KRCs must reflect their relative merits. In that regard, the 2021 SHR finds that Groby, alongside Desford and Market Bosworth, are the most sustainable of the KRCs. It confirms that Groby is the largest of the KRCs, with a population of 6,480 (with the next largest KRC being Markfield, with a population of 5,140), and that Groby achieves the equal best “score” in the service and facilities audit, of 125 (with KRCs ranging between 65 and 125).

5.3.9 Indeed, Groby offers each of the primary facilities / services, being one of only three KRCs to do so. Moreover, in analysing that in further detail, it is clear that Groby actually benefits from a range and choice of a number of primary facilities, rather than just a single one. For example:

- There are three primary schools that are evenly distributed across the settlement, with two (Lady Jane Grey and Elizabeth Woodville Primary Schools) located in reasonable proximity to the site.
- The Brookvale Groby Learning Campus accommodates a secondary school (Years 7 to 11), but also a sixth form.
- In addition to the Groby GP Surgery, there is also a nearby pharmacy. Moreover, nearby settlements that are well-connected to Groby (such as Ratby and Glenfield) have GP surgeries, and Glenfield Hospital is located c. 4km from the site; accessible in 7 minute by private car, or 17 minutes by bus.
- There are a number of convenience stores of varying sizes / chains. That includes two reasonably large “Co-op Foods” (one of which is located in proximity to the site at Laundon Way), as well as a number of smaller or independent convenience stores.
- In addition to a post office that is open 6 days a week, there are two 24/7 drop-off and pick-up lockers; of which one is associated with the Co-op Food that is located near to the site at Laundon Way. They offer an alternative to some of the key services that the Post Office offers.
- There is both a community hall and a village hub.
- Within Groby there is an employment area that, compared to many of the other KRCs, is much larger in scale; offering a range of employment opportunities. Moreover, Groby (and the site in particular) benefit from sustainable and direct connections to nearby employment areas. That includes the Mill Lane and Kirby Road Industrial Estates to the south that are accessible via the public right of way network, and the wide range of employment opportunities on offer along the 27 and 28 bus routes that travel along Sacheverell Way, including in Leicester City Centre, along the Groby Road (including Glenfield Hospital and County Hall in particular), and within Ratby.

5.3.10 Moreover, Groby benefits from the vast majority of the “secondary facilities and services” as defined by the SHR, including pre-schools / nursery / childcare services, library, public houses,

takeaways / restaurants, places of worship, a pharmacy, a dentist, various indoor and outdoor sports and play facilities, and other retail services.

5.3.11 It is clear, therefore, that decisions should follow the settlement hierarchy by supporting the delivery of additional land within Groby, given its sustainable credentials.

5.3.12 That is particularly the case given that residential development in Groby over recent years has not met previous housing requirement, and does not reflect the sustainable credentials of the village. As set out above, the CS set out a proposed housing requirement of 110 dwellings in Groby in the period between 2006 and 2026; tied to the much lower overall housing requirement. Whilst provision was made within the SADM DPD for the delivery of c. 94 dwellings (with HBBC stating that commitments at the time totalled 34 dwellings), two of the sites have not yet been delivered, and the remaining site was delivered under capacity. Therefore, the allocation sites from the SADM have delivered just 30 dwellings since the plan's adoption in July 2016, and no other sites have been approved speculatively. The delivery of just 30 dwellings in a 10 year period, in the largest and most sustainable KRC, will clearly have suppressed housing needs, and that must be addressed through both through the eLP and the development management process.

SETTLEMENT BOUNDARIES

5.3.13 The CS identifies tightly drawn settlement boundaries, which the site lies outside of; restricting growth outside of them.

5.3.14 However, the identification of the settlement boundaries was ultimately driven by the strategy required to meet the housing requirement at that time; excluding undeveloped land that was not identified as an allocation. However, as set out above, the housing requirement and other housing policies are out-of-date as they fail to meet the Borough's current housing needs, and in light of the 5YHLS shortfall. Continuing to restrict development outside of the settlement boundaries would, therefore, be inconsistent with the NPPF's requirements for authorities to meet their housing needs and maintain a five year supply of housing. By extension, therefore, the settlement boundaries are also out-of-date. That also means that Policy 7 (Key Rural Centres) is out-of-date, insofar as it seeks to support only development within the settlement boundaries.

5.3.15 Rather, HBBC must identify sites outside of the settlement boundaries to meet its overall LHN and re-establish a five year supply of housing. The focus instead should be on facilitating the delivery of suitable sites in sustainable locations, in particular where the site is subject to an emerging allocation.

6 GREEN WEDGE

6.1 WEIGHT

6.1.1 Likewise, the weight that should be applied to Policy 9, relating to the Rothley Brook GW, should be limited.

6.1.2 The policy sets out the land uses that will be acceptable in the GW, provided the operational development associated with any uses do not damage the function of the GW. It also states that any development should:

- Retain the function of the GW;
- Retain and create green networks between the countryside and open spaces within the urban areas;
- Retain and enhance public access to the GW, especially for recreation;
- Retain and enhance function as a floodplain and infiltration basin; and
- Should retain the visual appearance of the area.

6.1.3 Policy 9 does not include residential development within the list of acceptable uses. As set out below, however, (i) that is on the basis of a mis-interpretation of the purposes of the GW, and (ii) the list of acceptable uses was defined ahead of the increase to HBBC's LHN, the 5YHLS shortfall and the resultant need to identify additional allocation sites.

6.2 OVERALL OBJECTIVE OF GREEN WEDGES

6.2.1 GWs in Leicestershire were introduced in the Leicestershire Structure Plan (LSP, as adopted in 1987), and were subsequently maintained in the 1994 LSP. The supporting text to the 1994 LSP explicitly stated that:

*"Green Wedges **do not constitute a Green Belt** in the accepted sense, in that they **do not seek to restrict the growth of an urban area**. Instead Green Wedges seek to ensure that, as urban development extends, open land is incorporated within it."*

6.2.2 The 2005 Leicestershire, Leicester and Rutland Structure Plan listed the purposes of the GWs. The East Midlands Regional Plan (EMRP, 2009) then emphasised the need for a review of the GWs, reiterating that *"Green Wedges serve useful strategic planning functions in preventing the merging of settlements, **guiding development form** and providing a 'green lung' into urban areas, and acts as a recreational resource."*

6.2.3 Whilst the EMRP was later abolished, a GW Review Joint Methodology (GWR JM) was prepared by the Leicestershire authorities in July 2011, and itself confirmed that the GWR JM would

remain legitimate despite the abolition of the EMRP, and should provide a starting point for the review of GWs. The GWR JM appended excerpts of the 1994 LSP, and reiterated that “*areas of Green Wedge primarily seek to **guide the development form of urban areas***”.

6.2.4 On that basis, the GWR JM set out four evaluation criteria to be applied when assessing GW either at the micro or macro scale. Whilst three of the four are broadly reflected in the criteria set out in Policy 9, the policy does not highlight that GWs should **guide** development form, with the GW RJM explicitly recognising the need for urban areas to extend in an appropriate manner.

6.2.5 It is clear, therefore, that GWs are not a blanket constraint to development, and in fact are a tool for ensuring that development is appropriately planned. That has been recognised through various appeals, both in Leicestershire and nationally, that have highlighted that the weight to be applied to GW policy should be limited where an authority has a 5YHLS shortfall.

6.3 PERFORMANCE AGAINST GREEN WEDGE OBJECTIVES

6.3.1 HBBC have published a 2025 Green Wedge Review (GWR) as part of the preparation of the eLP. The 2025 GWR recognises the need to pragmatically review the GWR’s extents in light of the housing needs arising in the Borough, and its ultimate conclusion is that the site could potentially be removed from the GW subject to sensitive design. That conclusion is welcomed, and has ultimately resulted in HBBC proposing to allocate the site for development within the recent Regulation 18 consultation document.

6.3.2 Within the 2025 GWR, the application site is reviewed as part of Assessment Parcel E, which relates to a wider area of land to the south of Sacheverell Way (i.e. the land lying between it, the A46, and Ratby). Therefore, it is inevitable that some of the findings applied to Area E in the 2025 GWR do not necessarily relate to the application site itself.

6.3.3 Rather, the determination of this application should consider the case for the removal of **this** site from the GW. As set out in the Green Wedge Analysis Report (GWAR) that is submitted alongside this application, it is clear when considering the site specifically that that it does not make a particularly strong contribution to the function of GWs, that the site’s release would not undermine the function of the retained GW and that, in practical terms, the development of the site would actually align with the objective of the GW designations. Taking each of the objectives in turn, the following conclusions can be drawn:

PREVENTING THE MERGING OF SETTLEMENTS:

6.3.4 The GWR JM states that, in assessing merging between settlements, assessments should consider the physical separation between settlements, and the perceived distance between the settlements (i.e. how it is actually experienced on the ground). The 2025 GWR recognises that, in physical terms, the A46 and M1 form “*clear physical boundaries*” that provide a “*strong and defensible edge*” to the GW and that, whilst there is some intervisibility and intravisibility between Groby, Ratby and Glenfield, views are limited by the presence of mature vegetation.

They are key conclusions that point towards the assessment parcel and site making a limited contribution towards this purpose.

Groby and Ratby:

- 6.3.5 As shown in Figure 4 of the GWR, the gap between the existing settlement edge of Groby and Ratby is 570m. At its closest point, new residential development within the site would be located c. 650m from Ratby, and therefore would not reduce the gap between the settlements. That is a result of the carefully considered Masterplan; which provides an offset between the built form and the southern boundary (as well as the eastern boundary, as below),
- 6.3.6 Moreover, the proposed development would not extend the built form any further west along Sacheverell Way / Groby Way, which is the only vehicular route that connects the two settlements. In physical terms, therefore, there would be no merging of the settlements.
- 6.3.7 Moreover, the nature of the settlement form and landscape framework means that there is a clear separation between the two settlements in their current form. The M1 passes through the gap between the two, and is a very prominent feature in the landscape; particularly in terms of the related infrastructure, vegetation, movement and noise. Therefore, it acts as a significant threshold in the landscape that provides clear separation between the two (as the 2025 GWR recognises); and that would not be affected by the proposed development. In addition, the existing landscape framework very much limits intervisibility between the two settlements (a point that the 2025 GWR also recognises). That includes the existing, wide linear vegetation blocks either side of the M1, and the more recently planted vegetation on the south-western edge of the “blue lined” land. The additional planting within the site will enhance that further.
- 6.3.8 It is clear, therefore, that there would be no physical or perceived merging between Groby and Ratby.

Groby and Glenfield:

- 6.3.9 The recognition within the 2025 GWR that the distance between the two settlements *“and the presence of intervening vegetation and infrastructure, such as the A46 and M1 help preserve their separate identity”* is welcomed. That is also reflected in the analysis in the GWR, which considers the existing gap between Groby and the residential built form of Glenfield (which is the key matter of consideration in this regard).
- 6.3.10 The GWR demonstrates that the proposed residential development would not substantially and materially diminish that gap. Indeed, new residential development within the site would be some 785m from the residential edge of Glenfield and would not, therefore, affect the separate identity of the two settlements in physical terms.
- 6.3.11 Moreover, the nature of the relationship between the two settlements means that there will be no perception of merging between the settlements. The A46 passes between the two, and is a very prominent feature in the relationship (particularly when accounting for the associated infrastructure, vegetation, movement and noise) which visually and physically severs the gap

between the two settlements. Therefore, the A46 is a significant threshold in the landscape that provides a clear separation between the two settlements; and again that is recognised in the 2025 GWR. That will diminish any perceived merging between Groby and Glenfield.

6.3.12 Furthermore, in visual terms, whilst there is some inter-visibility between the two, the existing landscape framework means that the settlements are seen in the background of views, being well-contained by the landscape; a matter which is also highlighted in the GWR. Moreover, there are no direct routes between the two settlements where a visual perception of the two settlements coalescing could arise.

The Site and Proposed Development:

6.3.13 Given that the site is physically and visually well contained by Sacheverell Way to its north, the dismantled railway and existing planting to its west and the A46 and associated woodland block to its east, development within the site would be very well contained and, in physical and visual terms, would clearly be seen as forming part of Groby. That is particularly the case given that the Masterplan locates built development towards the north of the site, where it will be viewed as a natural extension to the built form.

6.3.14 Moreover, those strong physical boundaries and the robust landscape framework will define a clear settlement edge, beyond which will be the retained Green Wedge; which itself is a much more open area of land that clearly forms part of the gap between Groby and Ratby / Glenfield.

6.3.15 In that regard, it is clear that the physical and perceived separation between Groby and nearby settlements will be protected, and the actual harm to the Green Wedge in this respect will be extremely limited.

GUIDING DEVELOPMENT FORM:

6.3.16 The GWR JM states that, in designating new GWs or revising existing ones, consideration will be given to how that can *"help shape the development of new communities such as potential sustainable urban extensions."* In the current context, the allocation of greenfield sites in Groby is required to ensure that there is a sufficient supply of housing to meet the area's market and affordable housing needs, those arising in Groby itself, and to remedy the 5YHLS shortfall in the Borough. That requires the release of some sites from the GW.

6.3.17 That is particularly the case in Groby. The settlement is constrained by existing natural and man-made features to its north (the A50), east (the A46) and west (a dense area of woodland), meaning that there are very limited opportunities to meet those housing needs in what is the most sustainable KRC. Therefore, a revision to the GW boundaries is clearly necessary in order to meet those needs.

6.3.18 In that context, the 2025 GWR pragmatically recognises that, whilst development within Area E would initially be noticeable (as with any greenfield development), *"the landscape's scale and transitional character offer potential for carefully managed change."* Therefore, the GWR states that *"any boundary amendments would need to consider the area's visual sensitivity*

and its role in maintaining settlement separation, while recognising opportunities for growth that respond to the surrounding infrastructure and landscape features.” That is the approach that the Masterplan proposes to take.

6.3.19 However, the suggestion that Sacheverell Way forms a boundary to strong development is not accepted. Whilst development beyond the road may not be acceptable in some cases (i.e. towards the west of the assessment parcel), it is not universally the case that the road is a boundary that should not be breached. Rather, the road is suburban in character, as opposed to the M1, A46 and A50; which provide clear and defensible boundaries to the settlement. Development to the south of Sacheverell Way could, therefore, be appropriate so long as it is in a suitable location, and designed in a sensitive manner.

6.3.20 The site clearly meets that criteria, and could be developed sensitively as a natural extension to the built form that would not undermine the remainder of the GW. It is contained by the A46, the dismantled railway line and notable tree belts that are readily recognisable landscape features and would, therefore, be well-contained with a clear boundary to the retained GW. As set out above, its relationship with the existing settlement and the key services and facilities on offer therein means that the site would be a natural and sustainable extension to Groby.

6.3.21 The release of the site would, therefore, be consistent with this GW objective; in that it would direct growth to a sustainable location that would form a logical extension to the built form by releasing what is a small area of the wider GW.

PROVIDING A GREEN LUNG INTO URBAN AREAS:

6.3.22 The GWR JM states that this objective seeks to provide a continuous link between the open countryside and land which penetrates deep into Leicester city’s urban area. The contribution that the site plays to this objective is, therefore, questionable, given that the countryside to the south of Groby is not part of the tract of land that runs into Leicester from its west (which relates more so to the north of Groby).

6.3.23 However, the GWR refers to the contribution that the GW makes in providing a green lung for residents of Groby and Ratby. The contribution that the site makes in that regard is limited, and the loss of the site would not fundamentally undermine this objective (particularly when taking account of the recreational improvements, as set out below). Nor does the site contain any of the historical features of local interest and potentially valuable habitats that are referred to in the GWR.

6.3.24 The contribution towards this objective is, therefore, very limited.

ACTING AS A RECREATIONAL RESOURCE:

6.3.25 The GWR JM states that GWs are intended to provide a recreational resource, both from an informal and informal perspective, with public access to be maximised.

6.3.26 The contribution that the assessment parcel makes in providing a recreational resource is limited. Whilst two public footpaths run along the site's margins, the remainder of the site is not publicly accessible and therefore provides limited recreational resource. The contribution that the site currently makes to this objective is, therefore, very limited.

6.3.27 Rather, the development would enhance the site's recreational resource; retaining c. 53% of the site as green and blue infrastructure that will be publicly accessible for residents of the site and surrounding area and enhance the recreational role of the wider GW. Notably, the GWR refers to the findings of the Green Infrastructure Study that the GW underperforms in terms of recreational provision, and highlights opportunities to enhance access and usability. A number of those opportunities will be addressed as part of the site's development, in terms of the delivery of nature-based play (in terms of a play area and potentially "play on the way" on a key green corridor), pocket parks and community growing spaces. It will also assist in addressing the current deficiency in natural and semi-natural spaces and food growing spaces in Groby. That will be a significant benefit of the development.

CONCLUSION:

6.3.28 In light of the findings of the 2025 GWR in relation to the assessment parcel, and the site-specific analysis that is set out in the submitted GWR, it is clear that the site itself makes a very limited contribution to meeting the objectives of the GW, that it could be released without undermining the remainder of the GW, and that the development of the site will actually realise benefits by providing usable recreation space and creating a clear boundary to the GW.

6.3.29 In that context, and given the limited weight to be afforded to CS Policy 9 and the significant need for residential development, the removal of the site from the GW is justified.

7 SITE SUITABILITY

- 7.1.1 A suite of technical and environmental assessments have been submitted alongside the OPA, and have informed the evolution of the Masterplan. They demonstrate that there are no other insurmountable constraints to development, and that any necessary mitigation is embedded into the development proposals.
- 7.1.2 The submitted site assessments have been subject to pre-application consultation and, where required, have been updated to address the comments received.

7.2 ACCESS AND HIGHWAYS

- 7.2.1 A Transport Assessment (TA) and Travel Plan (TP) have been submitted alongside this OPA.
- 7.2.2 The TA confirms that the site is located in a sustainable location for growth; with the site having good access to surrounding local facilities and benefitting from excellent connections to nearby settlements via active and sustainable modes of transport. It confirms that there are no highway safety issues that the development is likely to exacerbate, and that safe and suitable access can be provided from Sacheverell Way via two simple priority junctions; with detailed access plans appended. The TA confirms that the development will accommodate two pedestrian points of access / egress onto Sacheverell Way towards the eastern and western extents of the site, with the eastern route connecting to a new pedestrian crossing across Sacheverell Way, and the western route connecting to an existing crossing.
- 7.2.3 The TA confirms that the development will generate 114 and 118 two-way vehicular movements during a typical AM and PM peak period, resulting in an additional 2 vehicles per minute on the highway per peak period. Off-site traffic impacts have been modelled using LCC's PRTM model, based on a scope that has been agreed with LCC Highways. That assessment indicates that the proposed development is not forecast to result in significant increases in queues and delays across the local network. The TA also presents standalone junction assessments, which demonstrate that the development is not forecast to result in severe impacts on the local highway network.
- 7.2.4 In that regard, the TA concludes that the proposed development aligns with national and local policy in relation to access and highways, with the TP setting out measures to prioritise sustainable transport / active travel movements, which are expected to be secured via condition.

7.3 FLOOD RISK AND DRAINAGE

- 7.3.1 A Flood Risk Assessment (FRA), and Hydraulic Modelling Report (HMR) have been submitted in support of this application.
- 7.3.2 The FRA highlights that the site falls from its highest point at the north, along Sacheverell Way, to the lowest point at its south-western corner. The Rothley Brook, located c. 400m to the

south of the site, flows in a north-easterly direction, with ordinary watercourses within the site flowing to it. A 900mm culvert runs across the centre of the site.

7.3.3 The FRA confirms that the site is in Flood Zone 1 (very low risk of fluvial flooding). It also confirms that the site is at low risk of groundwater flooding and sewer flooding, and very low risk of reservoir flooding.

7.3.4 It is recognised that Environment Agency mapping shows areas of low, medium and high surface water flood risk within the site. That reflects the existing overland flow paths that exist within the site, by virtue of the site's topographical and hydrological nature. Therefore, detailed hydraulic modelling has been undertaken to understand how the surface water drainage strategy can respond appropriately to those overland flows. That is set out in the standalone HMR, whereby parcels of development have been modelled alongside a culvert and swale. The HMR confirms that such measures will successfully divert the existing flow paths around the developable area and into the proposed drainage basin to the south. The FRA also confirms that no adverse flood risks will impact third party land, that there will be a reduction in flood depth to the site's south-east, and that safe access can be provided. The development proposals accord with relevant planning policies relating to drainage.

7.3.5 Therefore, the development proposals accord with relevant national and local policies relating to flood risk and drainage.

7.4 ECOLOGY

7.4.1 An Ecological Impact Appraisal (EclA), Skylark Technical Note (STN) and Biodiversity Net Gain (BNG) Assessment have been prepared.

7.4.2 In terms of designated sites, the EclA confirms that there are no statutory designated sites within or immediately adjacent to the site. A non-statutory candidate Local Wildlife Site (cLWS) overlaps with the south-western boundary; relating to the grassland in the flood meadow to the south-west of the site. The EclA confirms that, though there will be partial loss of a small area, the more ecologically valued area to the west of cLWS will remain. Moreover, it is noted that the cLWS is not recognised by the Local Nature Recovery Strategy. The EclA also recommends construction management measures and concludes that, subject to their implementation, the proposed development is not expected to impact on the conservation of the cLWS or any other statutory or non-statutory designated sites.

7.4.3 The EclA confirms that the majority of the site, comprising cereal crop land, is of low ecological value and that the higher value areas (ditches and hedgerows) will be retained as far as possible. Provision of species-rich grassland, mixed scrub, a SuDS pond and urban trees is also expected to increase the overall ecological diversity, and can achieve a 10% Biodiversity Net Gain (subject to detailed design).

7.4.4 Species surveys have also been undertaken, with the EclA confirming that:

- Bats: No roosts have been identified, but the presence of foraging / commuting bats has been recorded. However, given the retention of the majority of the hedgerows and the ditch, no significant impacts are anticipated.
- Great Crested Newts (GCN): No GCN records have been returned from within 250m of the site and it is unlikely that the ditch on the site supports breeding GCN. Notwithstanding that, the EclA sets out precautionary working methods.
- Breeding birds: There is a modest assemblage of breeding birds within the site. Though the site's development will result in the loss of skylarks, only two territories were recorded, and their loss is unlikely to result in a significant effect to the species at population level. Through the implementation of the mitigation in the EclA, it is not expected that there will be significant impacts on the local breeding bird assemblage and overall the proposals are actually likely to result in beneficial effects.
- Badger and Reptiles do not pose statutory ecological constraints to the development, though appropriate precautionary measures are nonetheless recommended.

7.4.5 The BNG Assessment confirms that the required 10% net gain can be delivered on-site, subject to the detailed design proposals.

7.4.6 Overall, therefore, the EclA demonstrates that the development of the site will comply with all relevant national and local planning policy, and that the development will realise net gains to biodiversity.

7.5 ARBORICULTURE

7.5.1 An Arboricultural Assessment (AA) has been submitted alongside this application.

7.5.2 The AA assesses trees, groups and hedgerows within and in influencing distance of the site (including to the south-west). It confirms that the higher quality tree stock is located outside of the site, whereas the tree stock within the site is of moderate (Category B) or low (Category C) quality. The AA confirms that there is a historic Tree Preservation Order (TPO) from 1975 relating to the site.

7.5.3 The AA confirms that there will be selective removal of trees within a single Category B group, and part-removal of three Category B hedgerows and a Category C group to accommodate vehicular and pedestrian / cycle access and movement throughout the site. The tree groups that will be partly removed are listed under the historic TPO, though it is considered that it is outdated and that the tree cover may not have been present when the TPO was served; and in any case it is noted that the other trees, groups and hedgerows within the TPO area will be retained.

7.5.4 On that basis, the AA confirms that the development has been designed to avoid impacts on the majority of trees and that, whilst some tree removal is necessary, new tree planting will mitigate that loss. It also sets out recommendations regarding the protection of existing trees,

implementation of new trees and hedgerows, and the long-term management of trees; which are expected to be secured by condition.

7.6 BUILT HERITAGE AND ARCHAEOLOGY

7.6.1 An Archaeological Desk-Based Assessment (ADBA) has been submitted in support of this OPA.

7.6.2 The ADBA confirms that the site does not contain any archaeological assets and that there are none within 1km of the site that are sensitive to change. The geophysical survey (submitted alongside the ADBA) of the site did not record any anomalies or obvious archaeological origin, that indications of ridge and furrow cultivation were noted, and that the site has a known potential for below-ground remains of medieval / post-medieval ridge and furrow and former, post-medieval field boundaries, with a low potential for remains from other periods. Therefore, the ADBA concludes that below ground archaeology is unlikely to represent a constraint to development.

7.6.3 From a built heritage perspective, there are no assets in proximity to the site, and therefore impacts are not anticipated.

7.6.4 In that regard, the development proposals are considered to comply with relevant national and local planning policies relating to built heritage and archaeology.

7.7 LANDSCAPE AND VISUAL IMPACT

7.7.1 A Landscape and Visual Impact Appraisal (LVIA) has been submitted, and assesses the likely impacts associated with the development, taking account both of the embedded mitigation and the recent planting at the south-west of the site.

7.7.2 The LVIA undertakes analysis based on a combination of desk-based and site work. Areas with potential visibility of the site were identified based on “Zone of Theoretical Visibility” (ZTV) analysis. The figures and appendices to the LVIA present that analysis in two formats; a Digital Terrain Model (DTM) that simply considers topography, and a Digital Surface Model (DSM) that also accounts for the built form, vegetation and structures. The DSM demonstrates that the visual envelope of the development will be very limited, and has focused the viewpoint analysis accordingly.

7.7.3 The LVIA concludes that the proposed development will result in moderate adverse impacts on the ‘landscape character of the site and surroundings’ upon completion, with the built form being more prominent within the views, but also recognising that the recreational use of the site will be increased. It also states that there will be minor adverse impacts on the landscape elements of the site at that point because, whilst the proposed access will result in the loss of arable farmland and minor loss of hedgerows / trees as above, the retained areas of vegetation and green and blue infrastructure will have been brought into enhanced management. The LVIA concludes that, at 15 years post completion, the effect on the landscape elements of the site will have improved to minor – moderate beneficial as a result of the maturing vegetation.

7.7.4 The visual appraisal finds that, at completion, there will be some moderate – major adverse impacts on the users of the public footpaths that are closest to the proposed development and of Sacheverell Way. However, those impacts are considered to be inevitable given that those routes run through or immediately next to the site, and by virtue of the nature of the existing view. Impacts will, however, reduce for some of those receptors after 15 years, once the proposed mitigation planting has matured.

7.7.5 Therefore, the LVIA reflects the effectiveness of the proposed mitigation (the location and nature of the built form, and proposed vegetation in particular) and that the development complies with the relevant national and local planning policies in that regard.

7.8 NOISE

7.8.1 A Noise Assessment (NA) has been submitted in support of this application and presents the findings of the acoustic survey of the site.

7.8.2 The NA finds that the dominant source of noise across the application site is from road traffic using Sacheverell Way and the A46, with traffic from the M1 only faintly audible. The NA confirms that there was no audible noise from the commercial area to the south of the A46.

7.8.3 Acoustic modelling of the proposed development has been undertaken; with the assumption that dwellings will face respective road sources, with gardens located behind houses to achieve additional distance attenuation, and that gaps between dwellings overlooking the A46 will be minimised to protect gardens. Based on that modelling, the NA confirms that external noise criterion can be met through careful consideration of the site layout and selective use of 2.5m high acoustic fences. In terms of internal acoustic conditions, it finds that the majority of dwellings will satisfy the relevant criteria through the provision of standard thermal double glazing and direct window mounted trickle ventilators, with uprated acoustic glazing and wall ventilators required for the most exposed plots.

7.8.4 The NA concludes that, with the implementation of the recommended mitigation strategy, the site is suitable for residential development.

7.9 AIR QUALITY

7.9.1 An Air Quality Assessment (AQA) has been undertaken, with input from the modelling that has been undertaken to inform the TA (as above).

7.9.2 The AQA confirms that:

- **Nitrogen Dioxide:** In 2030 with the development completed, absolute concentrations of Nitrogen Dioxide would remain below the current air quality objectives for all receptors, and the impact of the development is considered to be negligible. Moreover, the 1-hour objective will not be exceeded at any receptor.

- **Particulate Matter (PM₁₀):** Annual mean concentrations will remain below the objective at all assessed receptor locations, and the development will have a negligible impact.
- **Particulate Matter (PM_{2.5}):** Annual mean concentrations are expected to remain below the interim target level at all receptors, and the proposed development is expected have a negligible impact on all receptors.
- **Construction Dust:** On the basis of no mitigation being incorporated, the development presents a “medium risk”. Therefore, dust management mitigation is proposed during the construction phase.

7.10 LIGHTING

7.10.1 A Lighting Impact Assessment (LIA) has been submitted alongside this application.

7.10.2 Based on the assumptions applied and the lighting strategy proposed, the LIA confirms that:

- During the construction phase, residual impacts are likely to be temporary in nature and of a minor adverse significance.
- During the operational phase, residual impacts on all ecological and human receptors will be neutral / not significant. Therefore, subject to the implementation of the lighting strategy, no further mitigation is required.

7.11 LAND CONTAMINATION

7.11.1 A Phase I Desk Study Report has been submitted alongside this pre-application request. It confirms that the site has remained essentially undeveloped since the earliest reviewed mapping, and that the railway line separating the “blue lined” land to the south-west of the main part of the site was present from the 1880s and dismantled in the 1960s.

7.11.2 The Phase I report concludes that the Phase II assessment should include further geotechnical tests for the purposes of designing foundations, and consider potential linkages from the former landfill to the site’s south-east in further detail, but that no specific mitigation for historical coal mining and no radon protective measures are necessary. Therefore, the Phase I report confirms that, subject to the implementation of the necessary remedial measures, the site is likely to be suitable for development.

7.12 CONCLUSIONS

7.12.1 Therefore, it is evident that the site is not subject to any insurmountable constraints, that the required mitigation can be delivered (and indeed has been embedded into the Masterplan) and that the development proposals are compliant with the relevant local planning policies and the NPPF.

8 SOCIO-ECONOMIC AND ENVIRONMENTAL MATTERS

8.1.1 The NPPF highlights that the purpose of the planning system is to contribute to the achievement of sustainable development (para. 7), that has interdependent economic, social and environmental objectives that need to be pursued in “*mutually supportive ways*” (para. 8). At its heart is a presumption in favour of sustainable development that seeks to ensure that sustainable development is pursued in a positive way through both plan-making and decision taking (paras 10 and 11).

8.2 SOCIAL BENEFITS

Housing Delivery

8.2.1 The current acute housing supply crisis in the country is recognised by all of the main political parties, as is the importance of the housing industry to the nation’s economy. Remedying this crisis has been seen as a critical policy imperative for successive Governments. The February 2017 White Paper ‘Fixing Our Broken Housing Market’ presented startling facts and figures highlighting that on average only 160,000 new homes had been delivered each year in England since the 1970s.

8.2.2 At that time, it was estimated that 225,000 to 275,000 homes were needed each year to keep up with population growth and to start to tackle the years of under supply that have led to rising average house prices compared to earnings, declining home ownership in the under 35s, and escalating rental costs. The White Paper also acknowledged that the under supply of housing was having a severe negative impact on the economy in terms of labour mobility, the construction industry, economic spend, and increasing housing benefit costs.

8.2.3 A subsequent statement from the Ministry of Housing Communities and Local Government (October 2018) confirmed the Government’s commitment to delivering 300,000 homes a year by the mid 2020s, substantially higher than that proposed within the White Paper and a level that has not been achieved since 1969.

8.2.4 Recent statements by the Secretary of State for Levelling Up, Housing and Communities have continually reiterated the Labour Government’s commitment to bolstering housing supply, with the revised SM for calculating LHN seeking to deliver in excess of 300,000 new homes per year (totalling 375,000 dpa). In that regard, the NPPF changes that were introduced in late 2024 set out clear mechanisms to ensure that this level of housing is achieved over the coming 5 years.

8.2.5 Therefore, the NPPF continues to focus (para. 61) on significantly boosting housing delivery in order to address identified housing needs. It highlights the importance of ensuring that a sufficient amount and variety of land comes forward where it is needed, so that the housing needs of specific groups are addressed and that land is developed without unnecessary delay.

8.2.6 The importance that the Government attributes to increasing the supply of housing and the social benefits that would follow is, therefore, very clear.

Local Housing Need

8.2.7 As above, the LHN for HBBC totals 649dpa; which is a significant increase from the CS's housing requirement of 450dpa. That increase reflects the Government's intentions as set out above.

8.2.8 The Council must plan for that level of development. That is recognised by the Council, who are seeking to advance the eLP, which will identify additional allocation sites to meet that need. In identifying this site as a proposed allocation site, HBBC have recognised the sustainability credentials of Groby, the suitability of this site, and the development capacity that it has. It is, however, critical that development comes forward now to meet the area's LHN and address the 5YHLS shortfall that has arisen, and therefore the grant of planning permission to ensure the timely delivery of a proposed allocation site would be entirely appropriate.

8.2.9 Indeed, the site is available now and being promoted by a house builder who is committed to ensuring the timely delivery of the site. That means that 180 homes could immediately fall into HBBC's supply of deliverable sites, with residential deliveries realised within the forthcoming five year period. That positive benefit should be given substantial weight in determining this application.

8.2.10 In addition, and whilst it is noted that the housing mix is a reserved matter, it is expected that the proposed development will deliver a range and mix of housing types, sizes and tenures. It is expected that the development will deliver a proportion of bungalows and / or ground floor flats. That, too, will be a significant positive benefit.

Affordable Housing

8.2.11 The NPPF highlights that delivery of affordable housing is a key priority of the Government, which is also reflected in HBBC's extant and emerging planning policy. Indeed, the most recent data by the Office for National Statistics states that the median house price in the Borough is 7.69 times the median household income. That ratio has steadily increased since the adoption of the CS in 2009, at which point the ratio was 6.18.

8.2.12 The 2023 Housing Needs Study (HNS) that has been prepared to support the eLP states that there is a significant need for affordable housing in the Borough. When accounting for needs from households that are unable to buy or rent, the HNS suggests that there is a need for 430 affordable homes per annum across the Borough. There is, therefore, a growing affordability issue within the Borough that can only be addressed through the delivery of both market and affordable housing.

8.2.13 It is unlikely that HBBC will deliver that level of affordable housing unless there is a significant step-change in the delivery of housing. HBBC's November 2025 Annual Monitoring Report (AMR) confirms that there have been 1,898 affordable housing completions since the start of

the plan period in 2006. That equates to c. 100 affordable completions per annum; which falls significantly short of the need that has been established in the eLP's evidence base.

- 8.2.14 The proposed development would realise the delivery of a significant quantum of affordable homes in a sustainable location. Indeed, the delivery of 40% affordable housing in line with the adopted local plan requirement (equating to up to 72 affordable homes) will begin to address those affordable housing needs is, therefore, a significant material consideration.

Health and Wellbeing

- 8.2.15 The NPPF places significant emphasis on the promotion of healthy and safe communities. The proposed development will deliver a network of GBI, incorporating public open space and a play area that will be accessible to all. That will ensure that all new residents have access to open space on their doorsteps. As a result, it will promote physical activity and human interaction with nature, encourage social cohesion and neighbourhood stewardship; which are all associated with health and wellbeing benefits and are also fundamental to the principles of good placemaking and urban design.

8.3 ECONOMIC BENEFITS

- 8.3.1 The Government has consistently attached significant weight to the need to secure economic growth and employment. Indeed, the NPPF states (paragraph 85): *"Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development."*

Construction-Based Activity

- 8.3.2 In September 2024, the House Building Federation (HBF) and Lichfields published their "The Economic Footprint of Home Building in England and Wales" report. The Report states that around 240,000 new homes were built in England and Wales last year which resulted in the investment of £10.5 billion in land and homes, and £16.6 billion was spent on suppliers of which 90% stays in the UK.
- 8.3.3 In terms of jobs and growth, the Report states that nearly 834,000 jobs are supported; and 6,000 apprentices, 900 graduates and 3,300 other trainees are supported each year (excluding those in contractors and suppliers) by house building.
- 8.3.4 In relation to public services this results in £6.4 billion of tax paid including stamp duty land tax, corporation tax, NI, PAYE and Residents' council tax. In achieving the delivery of 240,000 new homes there has been £7 billion extra investment in local infrastructure and up to 3.4 extra jobs per new dwelling built.
- 8.3.5 The Report goes into significant detail on how house building supports the economy. With regard to the application itself, the provision of 180 homes would generate economic benefits including through the workforce and suppliers to build out the development but also in taxes and investment into local infrastructure. Using the HBF calculator, the proposal could support

the employment of 625 people and provide opportunities for 7 apprentices, graduates or trainees; increase open space, community sport, and leisure spending by £162,000; generate £8.1m towards new affordable housing; generate c. £1.125m towards infrastructure, £4.8m in tax revenue, and £362,000 in Council Tax revenue. Those values are based on a national study, but provide a good indication of the significant benefits associated with development of this scale.

8.4 ENVIRONMENTAL BENEFITS

8.4.1 As set out above, the site is relatively unconstrained. It is a predominantly greenfield site, but has no other specific environmental designations and there are few environmental sensitivities.

8.4.2 Moreover, as set out in detail above, a number of environmental and technical assessments have been undertaken, which confirm that the development of the site would not give rise to any unacceptable impacts in terms of landscape character and visual amenity, ecology, heritage, flooding, drainage and traffic. The technical assessments have, together with the feedback from consultation with key stakeholders, informed the preparation of the Masterplan to ensure that appropriate mitigation has been embedded to address any potential impacts that may arise from the development.

8.4.3 Therefore, the scheme proposals have been developed through a clear knowledge and understanding of the specific characteristics of the site. That has ensured that the scheme proposals will deliver a high-quality housing development that is connected to the existing urban form, sensitively integrated within the landscape and uses the site in an effective and efficient manner.

8.4.4 The Masterplan has carefully retained valued elements of the site by retaining hedgerows and trees where possible and supplementing them with new planting within the enhanced green corridors and spaces. This will reflect and enhance the landscape character of the area, and structure the built development. The landscape scheme will also be advanced on that basis at the detailed design stage. It will deliver usable public open space, but will also seek to maximise the delivery of on-site net gains to biodiversity.

8.4.5 It is clear that the proposed development will deliver environmental benefits, which should be given weight in the determination of the applications.

8.5 CONCLUSION

8.5.1 The proposed development will deliver a high-quality new development that optimises the use of an unconstrained site in a sustainable location. The delivery of up to 180 new dwellings will provide much needed housing to meet identified needs in the Borough in full, address the 5YHLS shortfall, and also make a significant contribution towards the affordable housing needs in the area.

8.5.2 Therefore, the proposed development of the site constitutes sustainable development, and will result in a number of significant economic, social and environmental benefits that reflect

the three dimensions of sustainable development identified in paragraph 8 of the NPPF. These benefits weigh substantially in favour of the proposed development.

9 SUMMARY AND CONCLUSIONS

- 9.1.1 Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 9.1.2 This Planning Statement has demonstrated that there are numerous, very significant material considerations that establish that the extant Development Plan is out-of-date. That is, (i) the CS and SADM DPD are well over 5 years old (at 16 and 9 years old, respectively), (ii) the planned housing requirement of 450dpa as set by the CS falls significantly below the SM-derived LHN of 649dpa and therefore the plan is unable to make provision to meet the full housing needs of the area, and (iii) consequently, that has manifested itself in a significant 5YHLS shortfall. In that regard, the extant Development Plan is out-of-date. That means that the tilted balance as set out in the PFSD is engaged. Accordingly, the weight that should be afforded to key policies in relation to housing should be reduced significantly; particularly where they seek to constrain development (i.e. in the case of the housing requirement, countryside policies, and GW policy).
- 9.1.3 The tilted balance establishes that planning permission for residential development should be granted unless the application of policies relating to the assets or areas as set out in Footnote 7 of the NPPF provide a strong reason for refusing the development, or the adverse impacts associated with the proposed development would significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF when taken as a whole.
- 9.1.4 This Planning Statement has highlighted that the site is located in a sustainable location for development and that there are no constraints associated with the site. That includes the site's GW designation; with the submission documents and eLP evidence base recognising that the site makes a limited contribution to the GW objectives and that development can be facilitated within the site, notwithstanding the GW designation. Moreover, the Masterplan for the site's development demonstrates that development within the site will respond sensitively to the site's context to provide much-needed housing within a high-quality landscape-led scheme. That is reflected through HBBC's proposal to allocate the site which demonstrates that it is a suitable location for development.
- 9.1.5 Therefore, the development proposals represent sustainable development under the terms of the NPPF, and the harm that would arise as a result of its development would be limited. Moreover, this report has demonstrated that there are no insurmountable constraints to development, and therefore it is clear that there are no policies in the NPPF that would *"provide a clear reason for refusing the development proposed."*
- 9.1.6 Conversely, the Planning Statement has established that there are a number of very significant benefits of the proposed development. It will realise the timely delivery of 180 homes within an emerging allocation site, thereby supporting the eLP, and delivering much-needed housing to address the 5YHLS shortfall. It will also deliver a policy compliant proportion of affordable housing (40%, or up to 72 affordable homes) to assist in meeting the significant need arising

in the Borough. Moreover, the development will deliver significant areas of usable GBI, including public open space and a play area, that will be utilised by new and existing residents. Delivery of much-needed housing in Groby, which has experienced limited housing delivery in recent years despite its sustainable credentials, will also provide support for the services and facilities that are located in the village.

- 9.1.7 Therefore, it is clear that the very limited harm associated with the proposed development would certainly not *“significantly and demonstrably”* outweigh the benefits of the proposed development. On the contrary, the significant benefits would very clearly outweigh the limited harm, which has been mitigated through embedded mitigation. Indeed, the specific tests that are referred to in NPPF paragraph 11dii provide further material considerations that weigh in favour of the grant of planning permission; in that it will direct development to sustainable locations, make an efficient use of land, secure well-designed places, and provide affordable housing.
- 9.1.8 In that regard, the proposals benefit from the full force of the tilted balance as set out in the NPPF’s PFSD. Therefore, planning permission should be granted within the framework set by Section 38(6) of The Planning and Compulsory Purchase Act 2004 to facilitate the timely delivery of the site.