

Leicester
City Council

Wards: see individual reports

Planning & Development Control Committee

: 25th March 2026

SUPPLEMENTARY REPORT ON APPLICATIONS AND CONTRAVENTIONS:

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APPLICATION ORDER

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Recommendation: RECO subject to s106 Agreement	
20250928	Heacham Drive, Land to South
Proposal:	Erection of 60 dwellings, with access, open space, drainage, landscaping, and associated infrastructure (Amended Plans)(S106 Agreement)
Applicant:	Barratt David Wilson Homes North Midlands
App type:	Operational development - full application
Status:	
Expiry Date:	26 March 2026
JL	WARD: Abbey

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Amended Description: No

Amended Recommendation: No

Amended Conditions and Notes

Notes to Applicant – Two new notes to Applicant now included, relating to the requirement of a Badger Licence and Biodiversity Net Gain.

Conditions – Following publication of the report, amendments have been suggested to the wording of conditions in the interests of clarity and to avoid repetition 1, 14, and 20 (now condition 19) and condition 15 has been deleted.

Condition 1 now states: *Prior to the commencement of development a Habitat Management and Monitoring Plan (HMMP) to set out the management of all the proposed biodiversity enhancements in accordance with the submitted DEFRA Metric and prepared in accordance with a Biodiversity Gain Plan, shall be submitted to and approved in writing by the local planning authority. The HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:*

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

i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain

Within six months of the practical completion of the final dwelling, the habitat creation and enhancement works set out in the approved HMMP shall be completed, and a completion report evidencing the completed habitat enhancements has been submitted to and approved in writing by the Local Planning Authority. The residential garden for each individual dwelling shall be created prior to the occupation of the corresponding dwelling.

The development shall thereafter be undertaken in accordance with the approved HMMP. All habitat creation, management and monitoring measures shall be fully implemented and maintained for no less than 30 years following completion of the habitat works.

Notice in writing shall be given to the Local Planning Authority when the HMMP works have started. Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

(To enhance biodiversity, and in accordance with paragraph 187 of the National Planning Policy Framework, paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and Core Strategy policy CS17. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

Condition 14 now states: *Prior to the commencement of any above ground works, a detailed landscape management plan (LMP) showing the treatment and maintenance of all parts of the site which will remain unbuilt upon shall be submitted to and approved in writing by the local planning authority. This scheme shall include details of: (i) other surface treatments; (ii) fencing and boundary treatments, including details of any entrance gates; (iii) any changes in levels; (iv) the position and depth of service and/or drainage runs (which may affect tree roots), (In the interests of amenity, and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS17).*

Condition 19 (was 20) now states: *All dwellings shall be constructed in accordance with the "Category 2: Accessible and adaptable dwellings M4 (2) Optional Requirement" of the Building Regulations Part M. Three units (as specified in the application) shall be constructed to M4(3) standards. On completion of the scheme and prior to the occupation of the development a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to the local planning authority certifying compliance with the above standard.*

(To ensure the development enables access for all and is adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS06).

Condition 15 has been deleted and as a result, the number of some conditions has changed.

Representations

None

Further Considerations

None

Recommendation: Refusal	
20251436	Stoughton Drive and North of Gartree Road, land to East
Proposal:	Development of a 72no. bed care home (Use Class C2), together with associated communal and care facilities, means of access, parking, hard and soft landscaping, diverted public right of way and all other supporting infrastructure including attenuation basin (amended plans received)
Applicant:	Morrison Community Care (Leicester) Propco Limited
App type:	Operational development - full application
Status:	
Expiry Date:	27 March 2026
PK	WARD: Evington

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Representations

Officers have been copied into correspondence which has been sent both from the applicant, supporters and objectors directly to members of the planning committee. These emails provide a summary of each of their views on the application.

The applicant has submitted two further letters to support the application. The first being a letter from MP Shockat Adam (addressed to Mauricare Homes, the intended operator for the care home) setting out the potential benefits of additional care home capacity and associated housing and economic benefits, and the second being a letter from a retired Chartered Surveyor detailing his understanding of the history of the Green Wedge. It states that Green Wedges were introduced following WWII. He argues that historic plans to extend the ring road into this site means the site should be considered as brownfield land.

A late representation has been received in support of the application from the Managing Director of Mauricare Homes and circulated to members. He identifies the need for new build nursing care homes which can offer improved facilities to support residents and projected rising demand. The letter also states the proposal would provide a community-focused nursing home.

The agent has also emailed concerns about the contents of the report in respect of conflicting HSE comments, how it deals with information with regard to flooding and BNG, a typographic error, misleading speculation over projected usage, inappropriate inclusion of scenarios of alternative applications on brownfield land and inappropriate reference in respect of community asset. (Full comments set out at Appendix A)

Further Considerations

Representations

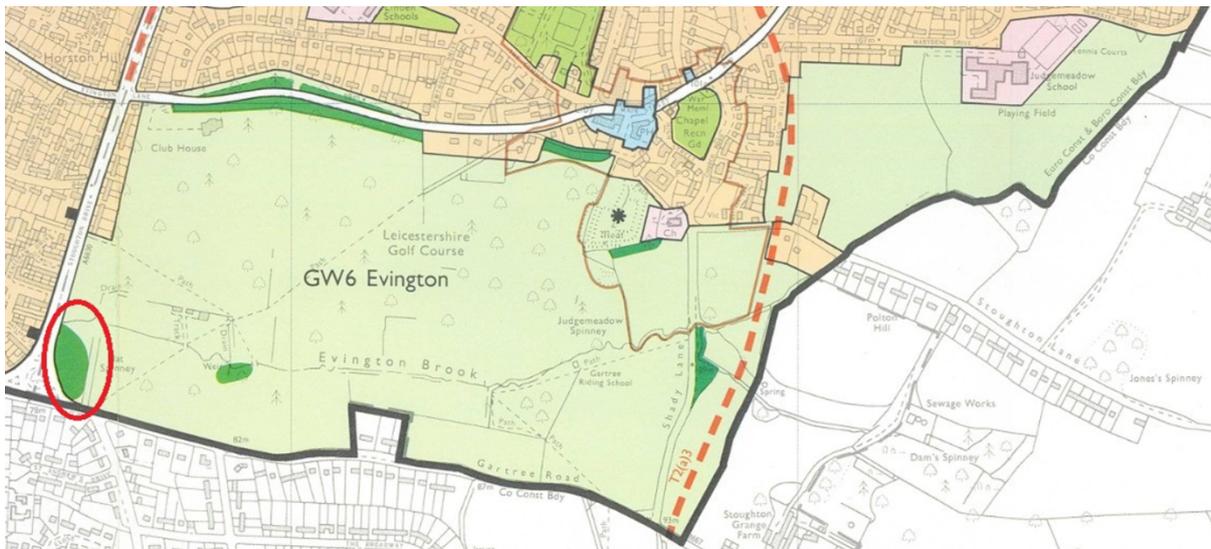
The additional correspondence that has been shared directly with members of the committee and the letter from MP Shockat Adam raise no new material planning considerations. All the issues raised have been assessed within the Committee report.

With regard to the challenge of the allocation as Green Wedge, this is not accepted.

Green wedge allocations were not introduced following World War II and the supporter may be referring to green belt legislation. It is important to note that Leicester does **not have a Green Belt policy** but does have important Local Plan policy protection for significant areas of green space in the form of our **Green Wedge Policy**.

Green wedge policies were introduced to Leicester by the Leicestershire Structure Plan in 1987. At that time, City Council approval was given to undertake a formal consultation exercise on the suggested green wedge boundaries, which involved the County Council, landowners, public agencies, and other interested parties. Comments received as part of this exercise and those received during the Local Plan process resulted in the defined boundaries of Green Wedges in the City of Leicester Local Plan, 1991-2001, which was adopted in 1994 (the '1994 CLLP').

The application site under consideration was part of the original Evington Green Wedge as can be seen in the below extract from the 1994 CLLP Proposals Map, where the application site can be seen encircled in red in the lower left side of the green wedge.



As such, the application site was included as part of the Evington Green Wedge from the point of its creation, which was many years after the events around the construction of the ring road as discussed in the letter. Therefore, the ring road is immaterial to the site's green wedge designation.

With regard to the contention that the application site should properly be considered brownfield land, it is necessary to consider the definition of brownfield or previously developed land in the NPPF (Dec 2024), which is:

"Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously

developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape".

Applying the NPPF definition to the application site, and in view the current adopted policy, it is indisputable that the application site cannot be considered brownfield/previously developed land.

The following policies are relevant to this application:

- Saved policy GE06 'Protection of green wedges' of the Local Plan,
- Policy CS13 'Green Network' of the Core Strategy, and
- Policy OSSR01 'Green Wedges' in the emerging Local Plan.

The application has been assessed against these policies which can be reviewed on pages 25 – 27 of the Committee Reports pack. The new letter submitted from the applicant does not alter Officers assessment.

The letter finally goes on to say *“denying the opportunity to use this small 2 acre site...risks the huge loss of...the remaining green wedge”* however the Green Wedge policy would continue to apply to the site and wider golf course.

The representation from Mauricare Homes, does not introduce new material planning considerations. The letter re-affirms points already raised on the local need for nursing care homes, which are assessed in the Committee Report. These additional points raised regarding local need is not disputed; however, the Green Wedge allocation of the site is given greater weight in the overall planning balance.

The letter does state that the proposal would integrate “spaces for community engagement”; however, this is not included on the plans or supporting documentation for the application.

In response to the agents concerns:

- HSE Comments – as a point of clarification, whilst the HSE objected to the previous application, their objection went on to say that the “pipeline operator” should be contacted for their comments, which in this case is Cadent Gas. Cadent Gas has commented on the current application and raised no objections.
- Residential Amenity (Page 32) – There are no concerns of light pollution from the proposals to nearby residential properties. The development would be a sufficient distance from dwellings to avoid significant harm in this respect.
- Biodiversity Net Gain (Page 36) – The revised BNG Plan and associated metric have been revised again to Version 5 dated January 2026. The Ecology comments relate to this version of the said reports.
- The further criticisms of the report drafting at Appendix A are not accepted but are attached to this addendum for member review

Appendix A

Agent concerns in respect of Report

3. With reference to your Committee Report, there are several points, as follows, that require clear clarification and / or correction as they do not present an accurate picture of the planning application.
- Page 6: the HSE position has been added without any prior discussion on this and are unnecessary given the comments referenced relate to the previous application which should be considered entirely independently. Furthermore, the comments provided seem to conflict with those of Cadent Gas which has clearly provided no objection irrespective of its low-pressure gas main which follows the route of Gartree Road. This has not been clarified in your Assessment and is therefore confusing to Members.
 - Page 18: a typo unhelpfully suggests to Members that light pollution is insurmountable: *“It is unlikely that this would happen given that any lighting on site would need to be ecologically sensitive and therefore I do not consider that conditions would adequately mitigate any harm in this respect.”*
 - Page 20: *“As such insufficient information has been provided as part of the application contrary to Core Strategy CS02”* – this is clearly a departure from the agreed position that the LLFA’s requests can be dealt with via condition and were not necessary in reporting on this application to Committee. The LLFA response is clear that: *“No objection subject to conditions requiring the following as pre-commencement conditions.”* – this does not amount to *“insufficient information”*.
 - Page 22: the section under BNG does not accurately reflect the updated information that was prepared by Leigh Ecology; namely, the Rev 5 BNG Plan and BNG Metric (both dated January 2026). The comments by the Ecologist that we had sight of were very clearly addressed and this was acknowledged in our most recent meeting via Teams.
 - Page 24: *“The letters do not confirm nor guarantee that if built, the bed spaces would be used by the City or County.”* – this statement seems to conflict with the HEDNA findings that there is an ongoing requirement for additional older people’s accommodation especially with supported care. As would the case for C3 market or affordable housing, it is not necessary to seek express confirmation from the relevant Housing teams of the City and County Council that the units would be used by them; in this case it is clearly implied by the location and need for C2 care beds across both Authority areas.
 - Page 24: *“Similarly this benefit would not be substantially different is such a development proposal came forward on a Brownfield development site which would be more suitable than the Green Wedge.”* This statement suggests that preference should be given a hypothetical and / or unreferenced C2 care scheme on non-GW land; this is unhelpful for Members as it is deflative to an unknown scenario rather than the application being presented to them.

- Page 23: *“It is raised that the Golf Course is a community asset; however, the local planning authority is not aware of a formal designation of the Golf Course as a community asset.”* As with the above, this is unhelpful to Members as a facility such as the golf course can be a (lowercase) community asset without being a (uppercase) Community Asset or Asset of Community Value (ACV). No reference is made to the site being a registered community asset, but it is very clearly an asset to its local and wider community by virtue of its heritage dating to 1890.