

CONSERVATION AND THE ENVIRONMENT

POLICIES AND PROPOSALS

Where appropriate, policies from the approved Leicestershire Structure Plan (1994) are included in this Local Plan. These appear in *italics*.

The Local Plan policies and proposals are in **UPPER CASE BOLD TYPE**.

All of the policies must be considered together before a view can be determined on a particular proposal.



Burrough's Almshouses, Cooks Lane, Sapcote.

CONSERVATION AND ENVIRONMENT

CONSERVATION AND ENVIRONMENT - POLICIES AND PROPOSALS

PLANWIDE POLICIES - SITES AND BUILDINGS OF HISTORIC, ARCHITECTURAL AND ARCHAEOLOGICAL INTEREST AND CONSERVATION AREAS

Sites and Buildings of Historic, Architectural and Archaeological Interest and Conservation Areas

- 9.41 The man-made heritage of Blaby District is an important resource of great educational, academic and tourism value. It includes not only archaeological remains but also historic buildings and areas.
- 9.42 The archaeological landscape of today is the product of human activity over thousands of years. Archaeological remains are generally fragile and vulnerable to damage and destruction and appropriate management is needed to ensure that they survive in good condition or are recorded as necessary. The buildings listed as being of special architectural or historic interest in the District represent a priceless cultural asset, the preservation of which is a legitimate concern of the planning system. In addition, areas of special architectural or historic interest may be designated as Conservation Areas. The need to protect archaeological sites, listed buildings and Conservation Areas as part of the area's heritage is recognised by Environment Policy 2 of the Structure Plan which states;

"Measures will be taken to identify, protect, preserve and enhance areas, sites and buildings of historic, architectural or archaeological importance. Development within Conservation Areas will be required to preserve and enhance the Area.

Planning applications for development on or adjacent to archaeological or other historical sites and buildings will be considered against the need to ensure their preservation.

Planning permission will not normally be granted for development which would affect a scheduled ancient monument or other nationally important archaeological site or its setting or amenity value. Where known sites of county or local significance are affected, planning permission may be granted in terms which would allow preservation in situ, or, where this is impractical, by investigation and recording.

In areas of archaeological potential planning permission will not normally be granted without proper evaluation of the archaeological implications of the proposed

CONSERVATION AND ENVIRONMENT

development."

The District Council will apply the above policy, and other Local Plan Policies, when assessing relevant applications for planning permission.

Scheduled Ancient Monuments and Archaeological Sites

- 9.43 Scheduled Ancient Monuments (SAMs) are nationally important archaeological sites which have the benefit of statutory protection. PPG 16 states that where nationally important archaeological remains, whether scheduled or not, and their settings are affected by proposed development there should be a presumption in favour of their physical protection. A list of SAM's in Blaby District is contained in Appendix 3. Further sites may be scheduled during the Plan period.

CE1 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD ADVERSELY AFFECT THE PRESERVATION OR SETTING OF A SCHEDULED ANCIENT MONUMENT OR OTHER IMPORTANT ARCHAEOLOGICAL SITE. THE LOCAL PLANNING AUTHORITY WILL REQUIRE ALL PLANNING APPLICATIONS FOR DEVELOPMENT ON SITES OF RECOGNISED OR SUSPECTED ARCHAEOLOGICAL IMPORTANCE TO BE ACCOMPANIED BY AN ARCHAEOLOGICAL ASSESSMENT AND (IF SHOWN NECESSARY) EVALUATION.

CONSERVATION AND ENVIRONMENT

- 9.44 On sites of 0.4 Ha (1.0 Acre) or more or where development proposals would affect a site on the Leicestershire Archaeological Sites and Monuments Record (SMR) an initial assessment of whether the site is known or likely to contain archaeological remains should accompany the planning application. The assessment should be undertaken by a professionally qualified archaeological organisation or consultant with experience in assessing local conditions, but need not involve fieldwork. A desk-based evaluation of existing information may be sufficient at this stage. If, as a result of the initial investigation, or from other sources of information, it is considered that archaeological remains may exist an archaeological field evaluation will need to be undertaken by a professionally qualified archaeological organisation or archaeologist. The results of the evaluation must be made available to the Council before it determines the application.
- 9.45 Where important archaeological remains are found to exist and the Council considers that their preservation in situ is justified and feasible it will attach conditions to any planning permission requiring the remains to be left in situ and any damage to the remains to be avoided or minimised. It will not, however, always be either feasible or justifiable to preserve remains in situ. In such cases the Council will normally expect the developer to enter into a legal agreement, or impose conditions on any planning permission, requiring that excavation and recording of the remains be carried out before development commences. The excavation and recording of remains must be carried out by a professionally qualified archaeological organisation or archaeologist to the satisfaction of the Council and the results made publicly available.
- 9.46 A list of archaeological sites in Blaby District is given in Appendix 3. This list reflects the extent of present knowledge but may not be complete and the Leicestershire Arts, Museums and Records Service should be consulted for up to date information.

Buildings of Special Architectural or Historic Interest (Listed Buildings)

- 9.47 Structure Plan Environment Policy 2 provides the basis for more detailed policies relating to Listed Buildings. In addition to the Structure Plan Policy, the following policies will apply to development affecting listed buildings in the plan area.

CE3 APPLICATIONS FOR PLANNING PERMISSION FOR DEVELOPMENT WHICH ALSO INVOLVES THE DEMOLITION OR PART DEMOLITION OF A LISTED BUILDING WILL ONLY BE GRANTED WHERE:

- (i) SUFFICIENT EVIDENCE HAS BEEN PROVIDED TO DEMONSTRATE THAT THE BUILDING IS IMPRACTICAL TO REPAIR; AND;**
- (ii) SUFFICIENT EVIDENCE HAS BEEN PROVIDED TO DEMONSTRATE THAT THE BUILDING CANNOT CONTINUE IN ITS PRESENT USE AND NO SUITABLE ALTERNATIVE IS VIABLE.**

9.48 Listed Buildings constitute a small proportion of the District's building stock and are recognised as being an important national resource. When considering planning applications that involve demolition, or part demolition of a Listed Building, the District Council will take into account the importance of the building, its state of repair and whether there is a viable alternative use, or that its demolition and redevelopment would be of benefit to the area. The absence of a positive contribution to an area is not a reason for demolition.

CE4 PLANNING PERMISSION WILL ONLY BE GRANTED FOR A CHANGE OF USE OF A LISTED BUILDING PROVIDED THAT THE FOLLOWING CRITERIA ARE MET:

- (i) THERE IS NO DETRIMENTAL EFFECT ON THE CHARACTER OF THE BUILDING AS ONE OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST, AND**
- (ii) THERE IS NO DETRIMENTAL EFFECT ON THE SETTING OF THE LISTED BUILDING, AND**
- (iii) THE PROPOSAL WILL NOT CONFLICT WITH THE AIMS OF SUB CLAUSES (i), (ii) AND (iii) OF POLICY R1.**

CONSERVATION AND ENVIRONMENT

- 9.49 The best use for an historic building is most often that for which it was originally designed and the District Council will expect every effort to be made to continue this use where appropriate. Where a change of use is the only viable means of ensuring repair and retention Government advice will be taken into account. The District Council may consider the relaxation of its usual policies in respect of land use, parking and access where this would ensure the retention of a listed building.
- 9.50 In accordance with Government advice the District Council will normally require applications for planning permission for a change of use of a listed building to be accompanied by full details of any proposed or necessary alterations to the building or its setting in order that the effect on the character or its setting can be ascertained. Proposals for changes of use which involve substantial alterations to the fabric or setting of a building will normally be resisted. Excessive compartmentalisation or internal alteration, that might damage the historic or architectural interest of a Listed Building, should be avoided. Any decision taken on a planning application which is not accompanied by such details cannot be taken as pre-determining the outcome of a subsequent application for listed building consent.
- 9.51 Listed Building Consent will normally also be required for alterations to a listed building. The special interest of a listed building or its setting can be irreparably harmed by insensitive alteration or extension even of a minor nature. It is therefore important that the existing fabric should be retained as far as practicable and that the design of any alterations or extensions should be of a suitably high standard. The Council will resist proposals for any alterations, including rendering or painting the exterior of a listed building, which would adversely affect its character and appearance.

CONSERVATION AND ENVIRONMENT

CE6 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH IS DETRIMENTAL TO THE SETTING OF A LISTED BUILDING. WHEN CONSIDERING APPLICATIONS FOR DEVELOPMENT IN THE VICINITY OF LISTED BUILDINGS THE DISTRICT COUNCIL WILL HAVE REGARD TO THE SCALE, FORM, SITING, DESIGN AND MATERIALS OF THE PROPOSAL IN RELATION TO THE LISTED BUILDING AND ITS SETTING.

- 9.52 The setting of a listed building is often an essential feature of its character, especially if the garden or grounds have been laid out as an integral part of its design and layout. In addition, many attractive streets and villages owe their character to the harmony produced by a range or complex of buildings and the inter-relationship of the spaces between them. These areas require careful consideration of the effect of proposed development, even where they are not immediately adjacent to a listed building.

CE7 ADVERTISEMENT CONSENT WILL ONLY BE GRANTED FOR THE DISPLAY OF SIGNS AND ADVERTISEMENTS ON A LISTED BUILDING WHERE THEY ARE THE MINIMUM NECESSARY FOR THE FUNCTIONING OF THE USE OF THE BUILDING AND ARE OF A TYPE THAT DO NOT DETRACT FROM THE CHARACTER OF THAT BUILDING.

- 9.53 Signs and advertisements can significantly alter the character and appearance of a building. Whilst recognising that a need may exist for the display of some signs and may contribute to the viability of a particular use of a building, the Council will expect these to be kept to a minimum and to retain the essential character of the building. Listed Building Consent is also required where the display of signs and advertisements involves the alteration of a listed building.

Conservation Areas

- 9.54 At present there are five Conservation Areas in the District at Aston Flamville, Blaby, Cosby, Kirby Fields and Wigston Parva. The following policies will apply to proposed development

CONSERVATION AND ENVIRONMENT

within these Conservation Areas in addition to Structure Plan Environment Policy 2 which requires development to preserve and enhance the area.

CE8 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH IS DEPENDENT ON THE DEMOLITION OF AN UNLISTED BUILDING IN A CONSERVATION AREA, FOR WHICH CONSERVATION AREA CONSENT WOULD ALSO BE REQUIRED, UNLESS IT CAN BE SHOWN THAT THE BUILDING IS:

- (i) WHOLLY BEYOND REPAIR; OR**
- (ii) INCAPABLE OF REASONABLE BENEFICIAL USE; OR**
- (iii) OF INAPPROPRIATE STRUCTURE OR DESIGN; OR**
- (iv) OF NO BENEFIT TO THE APPEARANCE AND CHARACTER OF THE AREA AND ITS REPLACEMENT WOULD CONSTITUTE A POSITIVE IMPROVEMENT.**

DEMOLITION WILL ONLY BE PERMITTED WHERE THERE ARE APPROVED DETAILED PLANS FOR REDEVELOPMENT.

9.55 This policy is intended to prevent the unnecessary loss of important unlisted buildings within a Conservation Area that would otherwise contribute to its character. Premature demolition, in respect of redevelopment in Conservation Areas, can often result in longstanding unsightly gaps that adversely affect the appearance of the street scene.

CE9 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD HAVE A DETRIMENTAL EFFECT ON VISTAS, STREET SCENES OR THE FORM AND CHARACTER OF OPEN SPACES WHICH CONTRIBUTE TO THE CHARACTER OR TOWNSCAPE QUALITY OF A CONSERVATION AREA OR ITS SETTING.

CONSERVATION AND ENVIRONMENT

- 9.56 Open spaces and vistas both within, into and from a conservation area can be an important element in its townscape. The policy above is aimed at safeguarding these elements.

CE10 PLANNING PERMISSION WILL BE GRANTED FOR THE DEVELOPMENT OR REDEVELOPMENT OF ANY SITES WHICH DETRACT FROM OR MAKE NO POSITIVE CONTRIBUTION TO THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA OR ITS SETTING PROVIDED THAT THE CRITERIA IN POLICY CE11 ARE COMPLIED WITH.

- 9.57 Conservation Areas may be enhanced by the sympathetic development or re-development of sites or buildings which detract from or make no positive contribution to their character or appearance.

CE11 PLANNING PERMISSION WILL ONLY BE GRANTED FOR A NEW BUILDING OR EXTENSION TO AN EXISTING BUILDING WITHIN A CONSERVATION AREA WHERE IT COMPLIES WITH THE FOLLOWING CRITERIA;

- (i) THE DESIGN IS OF A HIGH QUALITY, AND**
- (ii) THE PROPOSAL IS SYMPATHETIC TO THE TRADITIONAL CHARACTER OF THE AREA, AND**
- (iii) THE PROPOSAL RESPECTS THE SCALE, HEIGHT, MASSING, PATTERN OF FRONTAGES, MATERIALS, ROOFSCAPE AND ARCHITECTURAL DETAILING OF ITS HISTORIC SURROUNDINGS.**

- 9.58 Outline planning permission will not normally be granted for development in Conservation Areas. Full details of any proposal will be required in order that the visual impact on the character or appearance of the Conservation Area may be properly assessed. This will include plans and elevations showing the proposed development in its context, particulars of materials of construction and detailing and the location of any trees to be retained or removed. In certain

CONSERVATION AND ENVIRONMENT

cases detailed proposals will be required for development proposals on sensitive sites in close proximity to a Conservation Area.

CE12 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH, HAVING REGARD TO THE GENERAL FUNCTION OF THE AREA, WOULD GENERATE TRAFFIC LEVELS, PARKING, NOISE OR ENVIRONMENTAL PROBLEMS WHICH WOULD BE DETRIMENTAL TO THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA. EXISTING USES WHICH GIVE RISE TO THESE PROBLEMS WILL NOT NORMALLY BE ALLOWED TO EXPAND.

9.59 Increased traffic flows, parked cars and noise can all be intrusive and negative factors to the character of a Conservation Area, detracting from its special character. New development which generates such problems will therefore be resisted.

CE13 CONSENT FOR THE DISPLAY OF AN ADVERTISEMENT IN A CONSERVATION AREA WILL ONLY BE GRANTED WHERE IT IS:

- (i) THE MINIMUM NECESSARY FOR THE FUNCTIONING OF THE USE OF THE BUILDING AND**
- (ii) PROPERLY RELATED TO THE DESIGN OF THE BUILDING WHERE IT IS DISPLAYED.**

CE14 CONSENT WILL NOT BE GRANTED FOR THE DISPLAY OF INTERNALLY ILLUMINATED ADVERTISEMENTS IN CONSERVATION AREAS.

9.60 The display of advertisements can have a significant impact on the appearance of an area. An unnecessary proliferation of advertisements or advertisements which are poorly designed in relation to the building on which they are to be displayed can all detract from the appearance of a Conservation Area. Conversely, well designed signs can make a positive contribution.

CONSERVATION AND ENVIRONMENT

Internally illuminated signs are inappropriate in any of the Conservation Areas in the District. Any external illumination of signs should not detract from the appearance of the building on which they are displayed.

9.61 In addition to the above Policies, the District Council will also seek to preserve or enhance the special character and appearance of Conservation Areas by:-

- (i) Retaining, reinstating and extending the use of traditional street and paving materials and furniture, lamp standards, brackets, bollards, railings, boundary walls and telephone kiosks which help to form the character of a Conservation Area.
- (ii) Seeking to retain the historic street patterns, traditional building lines, open spaces, footways, footpaths and kerb lines which contribute towards the character of a Conservation Area.
- (iii) Encouraging the redesign or replacement of buildings, structures and features which are visually detrimental to the character of a Conservation Area.
- (iv) Having particular regard to the need to safeguard important trees and tree groups within the area.

AREA SPECIFIC CONSERVATION AREA POLICIES

Kirby Fields

CE15 PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT INVOLVING THE REDEVELOPMENT OR SUBDIVISION OF SITES OR BUILDINGS IN THE KIRBY FIELDS AREA WHERE IT MEETS THE REQUIREMENTS OF POLICIES R1, CE8, CE9, CE10, CE11, CE12, CE21 AND CE22 AND THE FOLLOWING:

- (i) **THE DEVELOPMENT WILL NOT ADVERSELY AFFECT THE SETTING OF AN EXISTING PROPERTY; AND**

continued

CONSERVATION AND ENVIRONMENT

CE15 (cont)

- (ii) THE DENSITY OF THE DEVELOPMENT IS IN KEEPING WITH THE GENERAL CHARACTER OF THE KIRBY FIELDS AREA AS A WHOLE. SINGLE STOREY DEVELOPMENT WILL NOT NORMALLY BE ACCEPTABLE; AND**

- (iii) DEVELOPMENT DOES NOT FORM A CUL-DE-SAC INVOLVING SIGNIFICANT WORKS OF HIGHWAY AND/OR FOOTWAY CONSTRUCTION.**

9.62 This Policy is in addition to the Planwide Policies for Conservation Areas and is intended to protect the character of the area, which is created by a combination of the architectural styles of the buildings in association with the mature landscaping and spacious plots within which they stand, and the informal pattern of the road network. The District Council considers that the environmental qualities of this area are such that it warrants the additional protection against further erosion which Conservation Area status conveys.

9.63 The District Council will seek to ensure that any works to make up to adoption standards the roads within the area will reduce to a minimum the degree of detriment to the environmental qualities of the area.

Cosby

CE16 PLANNING PERMISSION WILL NOT BE GRANTED FOR THE REPLACEMENT OF SHOPFRONTS WHICH ARE OF HISTORIC IMPORTANCE OR ARCHITECTURAL INTEREST OR WHICH CONTRIBUTE TO THE SPECIAL CHARACTER OF THE AREA, UNLESS THEY ARE BEYOND REPAIR. WHERE REPLACEMENT IS UNAVOIDABLE, ONLY CAREFULLY DETAILED TRADITIONAL STYLE SHOPFRONTS WILL BE PERMITTED.

CONSERVATION AND ENVIRONMENT

CE17 THE REPLACEMENT OR ALTERATION OF EXISTING SHOPFRONTS WHICH ARE OF INSUFFICIENT QUALITY TO WARRANT THEIR RETENTION AND THE INSERTION OF NEW SHOPFRONTS WILL ONLY BE GRANTED PLANNING PERMISSION IF THE DESIGN IS OF A HIGH QUALITY, RESPECTS THE SCALE AND PROPORTIONS OF THE BUILDING AND IS IN KEEPING WITH THE CHARACTER OF THE AREA.

- 9.64 Many of the shopfronts within Cosby Conservation Area are of a traditional style, in keeping with the scale and proportions of the buildings of which they form part and make a positive contribution to the character of the area. Every effort should be taken to retain them, and their repair and restoration will be encouraged.

PLANWIDE POLICIES - THE NATURAL ENVIRONMENT

The Natural Environment

Ecology and Geology

- 9.65 The following Structure Plan policies will be important considerations when the District Council assesses relevant planning applications:

Structure Plan Environment Policy 7: Ecology

"Measures will be taken to protect and conserve sites of ecological significance.

Development will not be permitted which could adversely affect proposed and designated National Nature Reserves, Special Protection Areas, Special Areas of Conservation, Ramsar Sites and Sites of Special Scientific Interest designated because of their ecological interest, unless an overriding national need can be shown and there is no other site suitable for that particular purpose.

Development will not be permitted which could adversely affect sites of county and District level ecological interest or Local Nature Reserves, unless an overriding national or local need can be shown.

Where development is to be permitted which could adversely affect any sites of

CONSERVATION AND ENVIRONMENT

ecological significance conditions will normally be imposed to minimise disturbance, to conserve its ecological interest as far as possible and to provide new habitats where damage is unavoidable. Consideration will be given to the creation of new ecological sites as a part of new developments."

Structure Plan Environment Policy 8: Geology

"Measures will be taken to protect and conserve sites of geological significance.

Development will not be permitted which could adversely affect proposed and designated Sites of Special Scientific Interest designated because of their geological interest or Regionally Important Geological Sites (RIGS), unless an overriding national need can be shown, or a suitable substitute site of equal or greater value can be proposed.

Development will not be permitted which could adversely affect sites of county and district level geological interest unless an overriding national or local need can be shown, or a suitable substitute site of equal or greater value can be proposed.

Where development is to be permitted which could adversely affect any site of geological interest, conditions will normally be imposed to minimise disturbance to conserve its geological interest as far as possible and/or to provide substitute sites where damage is unavoidable."

- 9.66 In addition to relevant Local Plan policies these policies will be applied by the District Council to protect known sites and features of acknowledged importance to the ecology, geology, flora and fauna of the plan area, and they will be given due regard in considering any applications for development of sites of ecological or geological significance. Sites of ecological and geological interest within Blaby District are listed in Appendix 5 and Appendix 6 respectively and are liable to addition or modification as reassessment proceeds. In addition to the Structure Plan policies, the following policies will apply in the Plan Area.

Sites of Special Scientific Interest

- 9.67 Within the District there are six sites identified as Sites of Special Scientific Interest. Four of these are designated for their ecological importance: Aston Firs, Croft Hill, Croft Pasture and

CONSERVATION AND ENVIRONMENT

Narborough Bog and the remaining two, Croft and Huncote Quarries and Enderby Warren Quarry are geologically important. The following policy applies to all SSSI's.

- 9.68 When considering applications affecting SSSI's English Nature will be consulted in accordance with advice contained within PPG9. An Environmental Assessment will be required to accompany development proposals affecting SSSI's in accordance with the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988, and DOE Circular 15/88.

Other Nature Conservation Site Protection

CE19 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT ADVERSELY AFFECTING A SITE OF ECOLOGICAL IMPORTANCE OR A REGIONALLY IMPORTANT GEOLOGICAL SITE (RIGS) OR A LOCAL NATURE RESERVE (LNR) UNLESS IT CAN BE DEMONSTRATED THAT :

- (i) NO OTHER SITE IS SUITABLE OR AVAILABLE; AND**

continued

CONSERVATION AND ENVIRONMENT

CE19 (cont)

- (ii) THE BENEFITS OF THE PROPOSED DEVELOPMENT EXCEED THE DECREASE IN THE NATURE CONSERVATION OR GEOLOGICAL VALUE OF THE SITE; AND**

- (iii) IN THE CASE OF ECOLOGICALLY IMPORTANT SITES ANY SUCH DECREASE HAS BEEN KEPT TO A MINIMUM AND FULLY COMPENSATED FOR BY HABITAT CREATION/LOCAL ENHANCEMENT ELSEWHERE WITHIN THE SITE OR LOCALITY; OR;**

- (iv) IN THE CASE OF GEOLOGICALLY IMPORTANT SITES, A SUITABLE SUBSTITUTE SITE OF EQUAL OR GREATER VALUE CAN BE PROPOSED.**

IN THE CASE OF SUCH EXCEPTIONS DEVELOPERS WILL BE REQUIRED, THROUGH APPROPRIATE LEGAL MEANS, TO ENSURE THAT ADEQUATE PROVISION IS MADE FOR THE ESTABLISHMENT AND MANAGEMENT OF THE REPLACEMENT SITE.

Species Protected by Law

- 9.69 The deliberate killing, injury or taking of protected species or damage, destruction or obstruction of places used by such species for shelter or protection is an offence under the Wildlife and Countryside Act 1981. The presence of a protected species is a material consideration when determining a planning application. Where a development proposal is acceptable in the context of the other policies of this plan and reasonable precautions can be taken to prevent damage to or the destruction of the Protected species, the Council will either attach conditions to any

CONSERVATION AND ENVIRONMENT

planning permission granted or require the applicants to enter into a legal agreement to ensure that such precautions are taken.

Local Nature Reserves

- 9.70 The District Council has identified an area of 15.6 acres (6.3 Ha) of land at Braunstone as being of ecological significance and amongst the best remaining damp grassland habitats in Leicestershire. It is part of the much larger Aylestone Meadows area which extends alongside the River Soar into Leicester. Blaby District Council and Leicester City Council have jointly declared land at Aylestone Meadows as a Local Nature Reserve.

Landscape Improvements

- 9.71 The Structure Plan recognises that parts of the County would benefit from landscape improvements. In order to achieve this, Environment Policy 11 of the Structure Plan states that:

"Within the defined Countryside Priority Area or Local Landscape Improvement Areas, comprehensive landscaping will be required for new development and other measures will be taken to improve the landscape."

- 9.72 The Countryside Priority Area is defined in Leicestershire County Council's document "Countryside 2000" and shown on the Proposals Map as it affects the local plan area. "Countryside 2000" offers further guidance on conservation and enhancement of the rural landscape.

Areas of Local Landscape Value

- 9.73 The Structure Plan recognises the need for special protection for areas of local landscape value and contains policies with this in mind. Strategy policies 3 and 4 of the Structure Plan state, inter alia:

"Within Areas of Particularly Attractive Countryside and areas of local landscape value, housing and employment development adjoining settlements will only be appropriate where there is no adverse impact on the appearance or character of the landscape."

CONSERVATION AND ENVIRONMENT

Within Areas of Particularly Attractive Countryside and areas of local landscape value, provision for small scale built development for employment and leisure uses will normally only be made where there is no adverse effect on the appearance or character of the landscape."

- 9.74 It is the role of this Local Plan to identify those areas which are of local landscape value within the District and Croft Hill and land in its vicinity have so far been identified. In addition to the above Structure Plan policies, policy CE23 will apply.

Existing Trees and Woodlands

- 9.75 Environment Policy 10 of the Structure Plan states that:

"Development will not normally be permitted which would result in the loss or damage to ancient woodlands.

Measures will be taken to encourage improved management of existing woodlands and to increase the woodland cover of the County. Emphasis will be placed on the use of appropriate broadleaved species."

- 9.76 There are only two areas of ancient woodland in Blaby District; Aston Firs and Freeholt Wood. In addition to generally applicable policies towards development in the countryside, planning permission will not be granted for development which would result in the loss or damage of ancient woodlands in accordance with Structure Plan Environment Policy 10.
- 9.77 Many trees across the District have been recognised as being of special amenity value and are the subject of Tree Preservation Orders. Many areas of woodland are also of significance locally and will be protected from development.

CE21 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD RESULT IN THE DESTRUCTION OF TREES SUBJECT TO A TREE PRESERVATION ORDER OR WOODLANDS OF SIGNIFICANT AMENITY VALUE UNLESS IT CAN BE DEMONSTRATED THAT THE NEED FOR THE PROPOSED DEVELOPMENT OVERRIDES THE SPECIAL AMENITY VALUE OF THE TREES.

CONSERVATION AND ENVIRONMENT

Landscaping

CE22 PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT WHICH:

- (i) TAKES INTO ACCOUNT, AND RETAINS WHERE APPROPRIATE, EXISTING LANDSCAPE, ECOLOGICAL OR GEOLOGICAL FEATURES.**
- (ii) INCORPORATES GENERAL LANDSCAPING AND PLANTING OF AN APPROPRIATE QUALITY TO ASSIMILATE THE DEVELOPMENT INTO ITS LOCAL LANDSCAPE AND ECOLOGICAL CONTEXT.**
- (iii) PROVIDES A WELL LANDSCAPED AND INFORMAL EDGE WHERE DEVELOPMENT ADJOINS THE COUNTRYSIDE OR OTHER AREAS OF OPEN LAND.**

9.78 The retention of established landscape, ecological and geological features can provide context and continuity for new buildings and the provision of new landscaping and planting can help to assimilate development into its surroundings and screen unsightly features. This policy will ensure that, where new development is acceptable in the context of the other policies of the local plan, satisfactory landscaping will be achieved. In the case of large scale developments, specific requirements are set out in other policies in this document.

AREA SPECIFIC NATURAL ENVIRONMENT POLICIES

Croft Hill Area of Local Landscape Value

CE23 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD HAVE AN ADVERSE EFFECT ON THE APPEARANCE OR CHARACTER OF CROFT HILL WHICH IS IDENTIFIED ON THE PROPOSALS MAP AS AN AREA OF LOCAL LANDSCAPE VALUE.

CONSERVATION AND ENVIRONMENT

- 9.79 Croft Hill is a dominant visual feature in the largely flat landscape of the Soar Valley. It rises approximately 200 feet (60 metres) above the surrounding area with its height exacerbated by the steepness of form. Its appearance is enhanced by the varied mixture of grassland, woodland and scrub found on its slopes.

Fosse Meadows Nature Park

CE24 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WILL ADVERSELY AFFECT THE CHARACTER OR AMENITY OF FOSSE MEADOWS NATURE PARK AS AN AREA OF PARTICULAR SIGNIFICANCE FOR INFORMAL RECREATION, COUNTRYSIDE EDUCATION OR THE PROVISION AND CONSERVATION OF ECOLOGICAL OR LANDSCAPE FEATURES.

- 9.80 The continued enhancement of Fosse Meadows Nature Park, in accordance with the objectives approved by the Council, and in co-operation with the Countryside Commission will provide valuable opportunities for informal recreation and education, whilst safeguarding nature conservation and landscape interests. The District Council considers that it is appropriate to protect the area from development which would diminish these qualities.

PLANWIDE POLICIES - DESIGN

General Design Considerations

Crime Prevention

- 9.81 Circular 5/94 "Planning Out Crime" is the main source of Government advice on crime prevention. PPG 1 (General Policy and Principles) also refers to crime prevention as one of the social considerations to which, in accordance with the Town and Country Planning (Development Plan) Regulations 1991, regard must be given in development plans. This requirement is reflected in Environment Policy 1 of the Structure Plan which states inter alia:

"Measures will be taken to maintain and improve the quality of the built environment of Leicester and its adjoining settlements and other settlements including

CONSERVATION AND ENVIRONMENT

.... (c) *ensuring development proposals are designed to minimise crime.*
..."

9.82 In addition to the Structure Plan policy the following Local Plan policy will be used to assess applications in the context of Crime Prevention.

CE25 IN ASSESSING DEVELOPMENT PROPOSALS, CONSIDERATION WILL BE GIVEN TO THE PRINCIPLES OF CRIME PREVENTION AND PLANNING PERMISSION WILL ONLY BE GRANTED IF ANY NECESSARY DESIGN MEASURES, AIMED AT REDUCING THE POTENTIAL FOR CRIME, HAVE BEEN INCORPORATED INTO THE LAYOUT.

9.83 The District Council, through the planning system, can have some influence on the circumstances in which crime occurs. Appropriate design, layout and landscaping of new development, together with selected improvements in existing environments, can reduce crime, increase the risk to offenders and reassure the law-abiding public. The District Council will expect developers to incorporate features in their proposals which will reduce the opportunity for crime and minimise the fear of crime.

Light Pollution

CE26 WHERE THE DISTRICT COUNCIL IS THE DETERMINING AUTHORITY, PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT WHICH INCORPORATES A LIGHTING SCHEME (INCLUDING ILLUMINATED ADVERTISEMENTS) WHERE THE PROPOSAL WOULD NOT:

- (i) BE OF NUISANCE TO NEARBY RESIDENTS AND/OR ROAD USERS IN TERMS OF GLARE, OR**
- (ii) CREATE UNNECESSARY LEVELS OF LIGHTING OR LIGHT SPILLAGE, OR**
- (iii) BE SIGNIFICANTLY OUT OF KEEPING WITH THE CHARACTER OR APPEARANCE OF THE AREA.**

CONSERVATION AND ENVIRONMENT

- 9.84 Light pollution is a legitimate land use consideration for inclusion in development plans. It is caused by excessive artificial light being directed into the night sky. This not only has detrimental ecological effect upon the fauna and flora in their natural habitats, but also through the wastefulness of energy can contribute to the volume of greenhouse gases produced. In addition to its environmental effects light pollution can be a nuisance to both road users and residents because of unnecessary glare. It is, therefore, in the interests of both the protection of the environment and amenity and safety that light pollution is prevented and reduced wherever possible. A good light should be well-directed and almost invisible from a distance.
- 9.85 For those lighting schemes where a planning application is required and the District Council is the determining authority the principles of reducing light pollution will be pursued by the application of the above policy. In all other instances the District Council will seek to encourage developers to adopt these principles, in particular the use of low-pressure sodium lights and full cut-off or ultra low-profile housings. Where necessary the District Council will attach conditions to any planning permission to prevent any unnecessary levels of lighting or light spillage.
- 9.86 The principles of reducing light pollution do not conflict with the principles of crime prevention.