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Chief Executive



Date: 05 January 2026

**Hinckley & Bosworth
Borough Council**

To: Members of the Planning Committee

Cllr MJ Crooks (Chair)	Cllr C Gibbens
Cllr J Moore (Vice-Chair)	Cllr SM Gibbens
Cllr CM Allen	Cllr CE Green
Cllr RG Allen	Cllr KWP Lynch
Cllr SL Bray	Cllr LJ Mullaney
Cllr MA Cook	Cllr H Smith
Cllr DS Cope	Cllr BR Walker
Cllr REH Flemming	Cllr R Webber-Jones
	(1 vacancy)

Copy to all other Members of the Council

(other recipients for information)

Dear member,

There will be a meeting of the **PLANNING COMMITTEE** in the De Montfort Suite, Hinckley Hub on **TUESDAY, 13 JANUARY 2026** at **6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

A handwritten signature in black ink, appearing to read 'RK Owen'.

Rebecca Owen
Democratic Services Manager

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Thank you

PLANNING COMMITTEE - 13 JANUARY 2026

A G E N D A

1. APOLOGIES AND SUBSTITUTIONS

2. MINUTES (Pages 1 - 2)

To confirm the minutes of the meeting held on 2 December 2025.

3. ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES

To be advised of any additional items of business which the Chair decides by reason of special circumstances shall be taken as matters of urgency at this meeting. Items to be taken at the end of the agenda.

4. DECLARATIONS OF INTEREST

To receive verbally from Members any disclosures which they are required to make in accordance with the Council's Code of Conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**

5. QUESTIONS

To hear any questions in accordance with Council Procedure Rule 12.

6. DECISIONS DELEGATED AT PREVIOUS MEETING

To report progress on any decisions delegated at the previous meeting.

7. 25/00347/FUL - THE WHITE SWAN, 47 HIGH STREET, STOKE GOLING (Pages 3 - 30)

Application for extension to existing public house, change of use of existing garden land for glamping use and associated works.

8. 25/00515/OUT - LAND SOUTH OF BOSWORTH LANE, NEWBOLD VERDON (Pages 31 - 90)

Outline application for up to 200 dwellings, a shop (use class E(a)) of up to 108 sqm gross external area and provision of up to 0.5 hectares of school playing fields and sport pitches, together with landscaping, open space, infrastructure and other associated works (all matters reserved except for access).

9. 25/00902/FUL - PINEHOLLOW BARN, STOKE LANE, HIGHAM ON THE HILL (Pages 91 - 114)

Application for siting of four static caravans and two touring caravans for residential use and conversion of the existing barn into a day room.

10. APPEALS PROGRESS (Pages 115 - 118)

To report on progress relating to various appeals.

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Agenda Item 2

HINCKLEY AND BOSWORTH BOROUGH COUNCIL PLANNING COMMITTEE 2 DECEMBER 2025 AT 6.30 PM

PRESENT: Cllr MJ Crooks – Chair
Cllr J Moore – Vice-Chair
Cllr SL Bray, Cllr MA Cook, Cllr REH Flemming, Cllr SM Gibbens, Cllr CE Green, Cllr C Harris (for Cllr CM Allen), Cllr L Hodgkins (for Cllr R Webber-Jones), Cllr KWP Lynch, Cllr LJ Mullaney, Cllr M Simmons (for Cllr RG Allen), Cllr H Smith, Cllr BR Walker and Cllr P Williams (for Cllr C Gibbens)

Also in attendance: Councillor WJ Crooks and Councillor LJP O'Shea JP

Officers in attendance: Chris Brown, Matt Jedruch, Rebecca Owen and Edward Stacey

270. **Apologies and substitutions**

Apologies for absence were submitted on behalf of Councillors C Allen, R Allen, Cope, C Gibbens and Webber-Jones with the following substitutions authorised in accordance with council procedure rule 10:

Councillor Harris for Councillor C Allen
Councillor Hodgkins for Councillor Webber-Jones
Councillor Simmons for Councillor R Allen
Councillor Williams for Councillor Cope.

271. **Minutes**

It was moved by Councillor Flemming, seconded by Councillor Lynch and

RESOLVED – the minutes of the meeting held on 4 November be confirmed as a correct record.

272. **Declarations of interest**

No interests were declared.

273. **Decisions delegated at previous meeting**

It was noted that the decision had been issued for the only item considered at the previous meeting (application 24/01061/OUT).

274. **25/00542/FUL - Trout Ponds Farm, Twycross Road, Sheepy Magna**

Application for change of use of existing livery buildings to storage and distribution (use class B8) and formation of hardstanding area for agricultural use.

The agent spoke on this item.

Attention was drawn to the amended recommendation in the late items. It was moved by Councillor Bray, seconded by Councillor Cook and unanimously

RESOLVED –

- (i) Permission be granted subject to:
 - a. Conditions outlined in the officer's report
 - b. If necessary, a Section 106 agreement to secure biodiversity net gain matters
 - c. Confirmation from Leicestershire County Council's Ecology department that it is satisfied with the submitted details.
- (ii) The Head of Planning be granted powers to determine the final detail of planning conditions and legal agreement.

275. 25/00775/OUT - 223A Main Street, Thornton

Outline application for the demolition of all existing buildings and structures and erection of a self-build dwelling (all matters reserved except access and layout).

The agent, a ward councillor and a representative of the parish council spoke on this item.

It was moved by Councillor Cook, seconded by Councillor Harris and

RESOLVED – permission be refused for the reasons outlined in the officer's report.

276. 25/00566/FUL - Westfield Community Centre, Rosemary Way, Hinckley

Application for change of use from a community facility (use class F2) to a special educational needs school falling within use class F1 (learning and non-residential institutions).

The applicant spoke on this item.

A member requested that the Head of Planning be asked to review the request for a planning condition for a construction and environmental management plan to be included. It was moved by Councillor Bray, seconded by Councillor Lynch and

RESOLVED – Permission be granted subject to the conditions contained in the officer's report and late items.

277. Appeals progress

Members received an update on appeals.

(The Meeting closed at 7.17 pm)

CHAIR

Planning Committee 13th January 2026
Report of the Assistant Director Planning and Regeneration



Hinckley & Bosworth
Borough Council

Planning Ref: 25/00347/FUL
Applicant: Mr P Sheppard
Ward: Ambien

Site: The White Swan, 47 High Street, Stoke Golding

Proposal: Extension to existing public house, change of use of existing garden land to glamping use and associated works



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1. Recommendations

1.1. Grant planning permission subject to:

- The planning conditions outlined at the end of this report.

2. Planning application description

2.1. This application seeks full planning permission for the partial demolition and single storey extension to the existing public house, construction of an external bar and pergola with dining pods, a change of use of existing garden land to use for glamping tents, and associated works.

- 2.2. The proposed demolition includes removal of existing outbuildings to the rear of the building and the removal of the existing single storey rear extension to the original public house building.
- 2.3. The proposed single storey rear extension projects a maximum of 23 metres from the rear of the public house building at a maximum width of 15.75 metres. The rear extension is sited directly on the northern boundary of the site and is separated by 11.35 metres from the southern boundary of the site.
- 2.4. The proposed single storey rear extension has an eaves height of 3.4 metres where it meets the rear of the existing building, and 2.75 metres where viewed from within the site to the west. It has a maximum ridge height of 5.55 metres. The extension has a multi-gabled roof form that sits below the height of the roofline of the original building. It has an attached wooden pergola at the rear which has dimensions of 6.1 metres by 4 metres with a flat roof form and a height of 2.85 metres.
- 2.5. The proposed single storey rear extension is to be finished in red facing brick and natural brown horizontal wall cladding. The balance of the red brick finish is concentrated along the northern side boundary, adjacent to the red brick buildings of neighbouring Mulberry Farm. The roof is to be clay tile in red/brindle to complement the existing clay roof tile on the original building. The proposed windows and doors are to be timber hardwood.
- 2.6. The proposal involves the construction of a detached external bar building as well as the erection of three dining pods, forming part of an outdoor dining area. The external dining area also involves the extension of the existing rear patio hardstanding to the rear of the proposed pergola and a gravel-surfaced area surrounding the proposed bar with tables for patron seating.
- 2.7. The proposed bar building has dimensions of 6.14 metres by 2.52 metres and has an attached deck with dimensions of 6.14 metres by 1.55 metres. The bar building has an eaves height of 2.2 metres and a ridge height of 3.05 metres. It is to be clad in natural brown horizontal wall cladding and clay roof tiles, to match the proposed extension.
- 2.8. The proposed dining pods are octagonal in shape and have a width of 3.3 metres and a total floor area of 9 square metres. The dining pods have a height of 2.1 metres and are constructed of polycarbonate.
- 2.9. The existing car parking area is located to the south of the existing public house building and provides approximately 10 car parking spaces. The proposal involves the relocation of the existing car parking access point and extension of the car parking area to the west. The expansion of the car park would provide 15 additional parking spaces, bringing the total to 25 parking spaces including 1 accessible space.
- 2.10. The proposal also includes the provision of four cycle-parking spaces and a bin storage area to the north of the car parking area. The bin storage area is to be enclosed with timber fencing at a height of 1.8 metres.
- 2.11. The proposed glamping use is located to the rear of the public house building and within the designated battlefield area for the Battle of Bosworth. The proposed glamping use comprises five bell tents with floor areas of 19.6 metres and a maximum height of 2.5 metres. The bell tents will accommodate a maximum of 4 persons of which a maximum of 2 would be adults. The bell tents would operate seasonally and be taken down annually during the winter off-season.

- 2.12. The proposal includes an amenities block building and playground area associated with the glamping use, both of which are located outside of the designated battlefield area. The proposed playground has an area of 41 square metres and will have a woodchip base. The proposed amenities building has dimensions of 6.14 metres by 2.48 metres with an attached deck with dimensions of 6.14 metres by 1.55 metres. It has an eaves height of 2.2 metres and a ridge height of 3.05 metres. The amenities building is to be clad in natural brown horizontal wall cladding and clay roof tiles.
- 2.13. The proposal would result in the re-opening of the White Swan Public House, which has in recent years been closed and out of operation.

3. Description of the site and surrounding area

- 3.1. The application site is located within the village of Stoke Golding, partially within the settlement boundary and partially within the designated open countryside. It is located wholly within the Stoke Golding Conservation Area and partially within the designated Registered Battlefield area for the Battle of Bosworth (Field) 1485, which is a Scheduled Monument.
- 3.2. The application site comprises the currently non-operational White Swan public house. The White Swan is a non-designated heritage asset as designated by the Stoke Golding Neighbourhood Plan.
- 3.3. The White Swan building is a two-storey white rendered building with a tiled, gable roof. It has an existing rear extension constructed of red facing brick, and associated outbuildings also located to the rear of the original building. The existing built form on the site is concentrated within the settlement boundary.
- 3.4. The land forming the rear of the site, west of the existing built form and within the designated open countryside, is an undeveloped grassed area of land surrounded by hedgerow with some scattered mature trees. This undeveloped grassed area includes the approximately 0.25 hectares of land on the site that is within the Registered Battlefield Battle of Bosworth (Field) 1485.
- 3.5. The site is accessed from the western side of High Street. High Street is an adopted and unclassified road subject to a 30mph speed limit. The site has an existing access point from High Street to the car parking area, to the south of the public house building.
- 3.6. To the north of the site is Mulberry Farm a site of historic agricultural use comprised of a series of agricultural buildings. The Mulberry Farm site has a current planning application under consideration for 25 dwellings and associated amenity space that includes the demolition of redundant farm buildings and the retention of the Mulberry Farmhouse.
- 3.7. To the south and east of the site are residential properties of varied character along High Street, Church Close and Roseway. To the west of the site are fields within the designated open countryside and the Registered Battlefield, beyond which is the Ashby Canal. These fields have history of ridge and furrow farming and the view from the fields adjacent the canal up toward Stoke Golding are a designated Locally Important View within the Stoke Golding Neighbourhood Plan.

3.8. The application site is in proximity to the Grade I listed Church of St Margaret to the south and Grade II listed dwelling The Birches to the north. The character of the wider surrounds is varied and includes various buildings of historic character with frequent examples of more modern development. The core of the commercial and community uses within the village are generally clustered to the south of the application site, along the southern end of High Street and its intersection with Main Street.

4. Relevant planning history

21/00070/FUL

- Proposed development of 6 detached dwellings with associated access, parking and landscaping (resubmission of 19/01244/FUL)
- Refused
- 20.05.2021

19/01244/FUL

- Erection of six detached dwellings with associated access and landscaping
- Withdrawn

5. Publicity

5.1. The application was publicised by sending letters to neighbouring properties. A site notice was also posted in the vicinity of the site.

5.2. A total of seven responses were received. Of these, five wrote in objection to the proposal and two wrote in support.

5.3. The responses received in objection to the proposal are summarised as follows:

- Concern regarding noise levels from glamping use.
- Concern regarding the potential for disruptive behaviour at the glamping use.
- Concern regarding noise levels from outdoor bar.
- Previous use of the site has resulted in noise issues from late night patrons.
- Requests to limit the hours of operation to manage noise.
- Request to limit the noise and disruption from construction on site.
- Concern regarding impacts to the privacy of backyards of neighbouring properties.
- Loss of rear outlook from gardens of neighbouring properties.
- Concern regarding traffic congestion on High Street.
- Concern regarding an undersupply of car parking spaces.
- There are existing parking issues and constraints in the surrounding streets.
- The existing traffic and parking issues in the area are exacerbated during school collection times.
- Concern regarding the siting of the glamping use within the battlefield site.
- Loss of perspective and views across the battlefield.
- Concern regarding the permanence of the amenity block structure so close to the battlefield site.

5.4. The responses received in support of the proposal are summarised as follows:

- The proposal would be an asset to the neighbourhood.

- The proposal would strengthen a local sense of community.
- Support for the design of the proposed extensions.
- Support for the maintenance of the character of the area.
- The proposal has the potential to bring trade and visitors to the village.
- Support for the introduction of a dining option to the area.

6. Consultation

6.1. Leicestershire County Council (LCC) Archaeology advised of the requirement for a Level 2 historic building survey and archaeological attendance, including provision for metal detecting, during demolition and subsequent groundworks for the development.

LCC Archaeology have recommended the imposition of one condition relating to the provision of a written scheme of investigation for historic building recording and archaeological attendance.

6.2. LCC Ecology advised that the Applicant will need to provide a Non-Licensed Method Statement (NLMS) for Great Crested Newts, badgers and reptiles. This was originally requested to form part of the application information, however LCC Ecology have agreed to this being provided through a pre-commencement condition.

LCC Ecology are satisfied with the Biodiversity Net Gain (BNG) information submitted with the application. A Habitat Management and Monitoring Plan (HMMP) and biodiversity net gain will need to be secured by condition.

LCC Ecology have recommended the imposition of three conditions relating to the provision of the NLMS, HMMP and a Landscape and Ecological Management Plan (LEMP), and one informative relating to nesting birds.

6.3. LCC Highways, the Local Highway Authority (LHA), have advised that in their view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe.

The LHA requested following the review of speed and traffic survey data that the Applicant relocate the existing access to the south to allow for an increased visibility splay for vehicles exiting the site. The relocation of the access improves the shortfall in visibility of the original access point and, though still in shortfall to the north by 1 metre, the LHA advise they are satisfied that given the access is well-established and that speeds in the area are low with high street parking incidence, that the proposal would be acceptable in the site-specific circumstances.

The LHA concur with the Applicant's trip generation details as provided, which state that the proposed development would have a low impact and increase trips by only seven one-way movements in any peak period and approximately 25 two-way movements over the course of a day.

The LHA have advised that they are satisfied with the number of car parking spaces provided to the site and the revised car parking layout. The addition of cycle parking provision was acknowledged and welcomed.

The LHA have recommended the imposition of one condition relating to the implementation of parking and turning facilities.

6.4. The Battlefields Trust advised of their objection to the application based on impacts to the registered battlefield, noting the long planning history relating to the site and the bringing back into use of the White Swan public house.

The Battlefields Trust commented:

We agree that the proposed development is less impactful on the registered battlefield than an earlier application which aimed to build houses on the site which was rejected by the planning inspector, in part on the grounds of the harm to the battlefield heritage.

Against this background, the Trust remains concerned that this planning application seeks to introduce glamping tents and ancillary buildings on or directly adjacent to the registered battlefield which are not in keeping with its rural character. It seems to the Trust that the glamping tents would be noticeable from the wider battlefield to the north and west and would have a harmful effect on the rural landscape. The ancillary buildings would obviously impact the setting of the registered battlefield as, on the plans provided by the applicant, they would be visible from the tents placed on registered area.

It is not clear from the application to what extent existing or proposed landscaping would mitigate these issues and it may be that a fuller explanation of this or changes to the landscaping proposed would address these concerns, to some degree. This might allow the Battlefields Trust to have a more positive view of the proposed development.

6.5. Hinckley and Bosworth Borough Council (HBBC)'s Conservation Officer noted that the application site is wholly within the Stoke Golding Conservation Area and contains the White Swan public house. The Conservation Officer also noted that the western portion of the site is within the Registered Battlefield the Battle of Bosworth (Field) 1485 and that the site is in close proximity to the Grade I listed Church of St Margaret.

The Conservation Officer stated:

The Battle of Bosworth is one of the most important battles and an iconic event in English history and the deciding battle of the Wars of the Roses. The application site is located to the east of Crown Hill, which was almost certainly the site of Henry VII's field coronation and is the location of the final act of the battle, this being key to the significance of the battlefield as a whole. Recent research has provided a detailed understanding of the battlefield area and has led to the amendment of its designation, reinforcing the evidential basis on what that boundary was determined, and affirming the clear significance accorded to the area of the battlefield in which part of the proposed development lies.

And further that:

The application site lies away from the focus of any major engagements associated with the battle so its role and contribution in understanding the movement and engagements of the battle is low, but it does lie around 200m to the east of Crown Hill – where Henry Tudor rallied his troops and was crowned King. It is also in close proximity to the Church of St Margaret, which would have been a key landmark feature at the time of the battle.

The site forms a part of how this section of the Battlefield is experienced. In its present undeveloped state it is a positive historic space, being part of the rural agricultural fringe of Stoke Golding. In views across the battlefield towards Stoke Golding and the church from the Ashby Canal, and in views across from sections of Crown Hill, the mature western boundary of the site is a clear feature that does provide a visual buffer to the land beyond. There are gaps in the buffer and it is seasonal, so the western half of the site can still be discerned and understood as an undeveloped parcel on the edge of the village. From the western boundary the gaps in the hedgerow and its seasonal nature also allow for views to the west and north-west across the Redemore Plain.

The Conservation Officer concluded that the site makes a moderate positive contribution to the significance of the battlefield.

The Conservation Officer advised that the proposed rear extension to the public house building would have appropriate scale, siting, form and construction materials that would complement the character and appearance of the Conservation Area and have no adverse impacts on the Registered Battlefield or the Church of St Margaret.

The Conservation Officer considered the expansion of the car parking area proportionate to the proposal without having significant adverse impact upon the character and appearance of the site. The opening up of the western aspect of the parking area would allow for better appreciation of view out on to the battlefield area without adversely impacting upon the setting of the battlefield.

The Conservation Officer commented positively on the relocation of the amenity block to a location wholly outside the battlefield area and noted that its modest scale and appearance meant that it would not be inappropriate within its immediate setting. The five bell tents associated with the glamping use were noted to be of standard canvas materials and proposed to be removed during the off-season. The Officer concluded that the tents would not reduce the ability of the observer to appreciate the topographical integrity and character of the battlefield and that their pegging into the ground would cause minimal adverse physical impact to the battlefield.

The comments received from HBBC's Conservation Officer summarised that:

...in my opinion the proposal will preserve the character and appearance and thus heritage significance of the Stoke Golding Conservation Area, the Registered Battlefield the Battle of Bosworth (Field), and the grade I listed building the Church of St Margaret. Consequently, the proposal accords with Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD, section 16 of the NPPF and the statutory duties of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

The Conservation officer recommended the imposition of two conditions relating to construction material details and boundary treatment and hard and soft landscaping details.

- 6.6. HBBC Drainage had no objection to the proposal and provided standard drainage notes for the Applicant's attention pertaining to surface water management and the surfacing of parking and turning areas.

6.7. HBBC Environmental Services (Pollution) recommended the imposition of five conditions relating to ventilation, noise attenuation, lighting, noise management and the prohibition of bonfires on the site.

6.8. Stoke Golding Parish Council advised that they welcomed and supported the proposed development of the White Swan and were in agreement with the majority of the application.

The Parish Council's primary concern at the time of response pertained to adequate parking and the 20 spaces originally proposed to serve the proposal, and strongly encouraged the inclusion of at least 10 additional parking spaces. They deferred judgement on relevant heritage and battlefield considerations to the planning authority.

It is noted that following the Parish Council's consultee response, the Applicant increased the number of proposed parking spaces by 5 spaces.

6.9. Hinckley CAMRA advised that they supported the re-opening of this important village facility which would contribute significantly to the local economy, social welfare and sustainability of the community. They noted that they did not wish to comment on other aspects of the proposal.

6.10. No response was received from the following consultees:

- Natural England
- Historic England
- Leicester CAMRA
- HBBC Waste

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 11: Key Rural Centres Stand Alone
- Policy 23: Tourism Development

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM24: Cultural and Tourism Facilities
- Policy DM25: Community Facilities

7.3. Stoke Golding Neighbourhood Plan (2024)

- Policy SG1: Decision-taking
- Policy SG7: Countryside
- Policy SG11: Locally Important Views
- Policy SG12: Ecology and Biodiversity
- Policy SG14: Non-Designated Heritage Assets
- Policy SG15: Design
- Policy SG17: Community Services and Facilities
- Policy SG20: Tourism

7.4. National Planning Policies and Guidance

- Planning (Listed Buildings and Conservation Areas) Act 1990
- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.5. Other relevant guidance

- Good Design Guide (2020)
- Stoke Golding Conservation Area Appraisal (SGCAA) (2013)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. Key Issues

- Principle of development
- Design and impact upon the character of the conservation area and registered battlefield
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Archaeology
- Ecology and biodiversity

Principle of Development

8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.

8.3. Paragraph 11 of the NPPF and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise.

8.4. The current development plan consists of the adopted Core Strategy (2009), the Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016) and the Stoke Golding Neighbourhood Plan (SGNP) (2024).

8.5. In accordance with Paragraph 232 of the NPPF, existing policies should not be considered out of date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to existing policies according to their degree of consistency with the NPPF.

8.6. The application site is located partially within the settlement boundary of Stoke Golding, while the central and rear areas of the site to the west of the existing built form are located within the designated open countryside.

8.7. Chapter 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 187(b) specifically highlights that this should be achieved by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.

8.8. Policy DM4 of the SADMP states that Council will protect the intrinsic value, beauty, open character and landscape character of the countryside from unsustainable development. To ensure this, DM4 only considers development in the countryside to be sustainable where:

- a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
- b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
- c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
- d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
- e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.

8.9. Importantly, Policy DM4 of the SADMP requires that development meets five further requirements to be considered sustainable development. These are discussed in further detail further in this report.

8.10. Policy SG7 of the Stoke Golding Neighbourhood Plan (SGNP) states that the countryside will be protected for the sake of its intrinsic character, beauty, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all. In countryside locations, only the following types of development will be supported:

1. Agriculture and forestry;
2. The re-use and adaptation of buildings in accordance with Policy SG23 and Site Allocations and Development Management Policies DPD Policy 15;
3. Rural exception housing sited and isolated homes in the countryside in accordance with Core Strategy Policy 17, Site Allocations and Development Management Policies DPD Policies DM5 and DM14, and the National Planning Policy Framework;

- 4. Development and diversification of agricultural and other land-based rural businesses;
- 5. Development by statutory undertakers or public utility providers;
- 6. Recreation and tourism provided it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; and
- 7. Renewable energy in accordance with Policy SG13.

8.11. Policy DM17 of the SADMP seeks that development proposals make best use of existing public transport services, ensure convenient and safe access for walking and cycling to services and facilities and that development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

8.12. Policy DM24 of the SADMP states that the Borough Council will seek to support the development of new cultural and tourism facilities across the borough. To reduce reliance on the private car, where new facilities are to be established it should be demonstrated that they can be accessed by a range of sustainable transport modes.

8.13. Policy SG20 of the SGNP seeks to support the development of new tourism facilities associated with the Bosworth Battlefield and Ashby Canal, where they respect the character of the countryside and heritage assets.

8.14. The proposal involves development associated with the operation and re-opening of an existing public house, The White Swan, located centrally to the village of Stoke Golding. The proposal involves the extension of the existing public house building and the establishment of a glamping use to the rear of the site.

8.15. The existing built form of the public house is located within the settlement boundary, though the proposed rear extension would extend into an area of the designated open countryside. The proposed glamping use and associated facilities, which would be physically independent from the built form of the public house, are located wholly within the designated open countryside.

8.16. The White Swan site is located less than 300 metres from the nearest bus stops along Main Street and Station Road. The stops provide access to an hourly service that travels between Burbage, Hinckley and Nuneaton. The site is in reasonable walking distance to residential areas within the Stoke Golding settlement, and High Street has lit footways on both sides of the highway. Additionally, the site has good links to the nearby Ashby Canal towpath and its associated footpath connections into the village.

8.17. Though the elements of the proposal occurring wholly outside of the identified settlement boundary are given no support by (a) through (e) of Policy DM4 of the SADMP nor provide demonstration in accordance with Policy SG7(6) of the SGNP, it is considered that the site is in a sustainable location central to the settlement of Stoke Golding as sought by Policies DM1, DM17 and DM24 of the SADMP and the broader sustainability policies of the NPPF.

8.18. Policy DM25 of the SADMP seeks to resist the loss of community facilities including ancillary areas. The policy goes on to state that the redevelopment or loss of community facilities will only be appropriate where it can be demonstrated that:

- a) An equivalent range of replacement facilities will be provided in an appropriate location within a reasonable distance of the local community; or
- b) There is a surplus of the facility type within the immediate locality exceeding the needs of the community; or
- c) The loss of a small portion of the site would result in wider community benefits on the remainder of the site.

8.19. Paragraph 17.4 of the SADMP confirms that public houses in the rural area are considered to be community facilities for the purposes of Policy DM25. Paragraph 17.5 goes on to state that public houses can represent a social focal point for communities and community activities and can form part of the character and charm of rural settlements. Locally, the borough is suffering from a decline in public houses with the loss in rural areas having the greatest impact on rural community life and the sustainability of settlements.

8.20. Policy SG17 of the SGNP lists the White Swan as a village pub which should be retained in accordance with Site Allocations and Development Management Policies DPD Policies DM8, DM22 and DM25.

8.21. The White Swan public house is currently not operational as a pub and has not been in recent years. The proposal would support the re-opening of a public house in a rural area and therefore support the retention of a community facility.

8.22. Given the above, it is therefore considered that the proposed development would support the retention of a community facility and provide access to a community facility and associated tourism facility in a sustainable location. The proposal is therefore afforded support by Policies DM1, DM17, DM24 and DM25 of the SADMP and Policy SG17 of the SGNP.

Design and Impact Upon the Character of the Conservation Area and Registered Battlefield

8.23. The Planning (Listed Buildings and Conservation Areas) Act 1990 places duties on the Local Planning Authority (LPA) when determining applications for development. Section 66 requires that special regard be given to the desirability of preserving listed buildings and any features of special architectural and historic interest which it possesses. Section 72 of the Act states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

8.24. Section 16 of the NPPF provides the national policy on conserving and enhancing the historic environment. In determining planning applications. Paragraph 212 of the NPPF requires great weight to be given to the conservation of designated assets and the more important the asset, the greater the weight should be.

8.25. Paragraphs 213-215 of the NPPF require that great weight is given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification and for that harm to be weighed against the public benefits of a proposal.

- 8.26. Paragraph 213(b) confirms that registered battlefields are assets of the highest significance and harm to, or loss of, the significance of a registered battlefield must be accompanied by clear and convincing justification which is wholly exceptional.
- 8.27. Paragraph 219 of the NPPF states that local planning authorities should look for opportunities for new development within conservation areas and the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 8.28. Policy DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. Policy DM11 states that conservation and enhancement of the historic environment in the borough will be done through the careful management of development that might adversely impact both designated and non-designated heritage assets. Policy DM12 states that proposals for the alteration of a listed building will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. Furthermore, development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.29. Policy DM10 of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally and incorporates a high standard of landscaping.
- 8.30. Policy DM4(i) of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside.
- 8.31. Policy SG14 of the SGNP identifies the White Swan Public House as a non-designated heritage asset. Policy SG14 states that the determination of planning applications which would affect non-designated heritage assets will be assessed having regard to the scale of any harm or loss and the significance of the heritage asset. New development should take opportunities to enhance heritage assets or better reveal their significance.
- 8.32. Policy SG15 of the SGNP states that only development that reflects the traditional character of Stoke Golding will be supported unless the development is of exceptional quality or innovative design. Development must also be in keeping with the scale, form and character of its surroundings, integrate into its surroundings, respect local building styles and modest building scales and be of red brick with dark blue plain clay roof tiles or Welsh slates with prominent chimneys. Development must protect and, where possible, enhance the setting of the canal and battlefield site.
- 8.33. The application site is located within the Stoke Golding Conservation Area and partially within the Registered Battlefield Battle of Bosworth (Field) 1485. The Grade I listed Church of St Margaret is also located in the vicinity of the site.
- 8.34. The Battle of Bosworth is one of the most important battles and an iconic event in English history and the deciding battle of the Wars of the Roses. The application site is located to the east of Crown Hill, which was almost certainly the site of Henry VII's field coronation and is the location of the final act of the battle, this being key to the significance of the battlefield as a whole.

8.35. Recent research has provided a detailed understanding of the battlefield area and has led to the amendment of its designation, reinforcing the evidential basis on what that boundary was determined, and affirming the clear significance accorded to the area of the battlefield in which part of the proposed development lies.

8.36. The principal reasons for its designation are provided by Historic England in the designation description (National Heritage List for England 1000004)¹ , with of particular relevance for this application being its:

- Historical importance: an iconic event in English history, the Battle of Bosworth brought the Tudor dynasty to the throne and saw the last death of an English in in battle.
- Topographic integrity: while agricultural land management has changed since the battle, the battlefield remains largely undeveloped and permits the site of encampments and the course of the battle to be appreciated.

8.37. The application site lies away from the focus of any major engagements associated with the battle so its role and contribution in understanding the movement and engagements of the battle is low. Notwithstanding this, it does lie approximately 200 metres to the east of Crown Hill where Henry Tudor rallied his troops and was crowned King. The site is also in close proximity to the Church of St Margaret, which would have been a key landmark feature at the time of the battle.

8.38. The site contributes to how this section of the battlefield is experienced. In its present undeveloped state, it is a positive historic space, being part of the rural agricultural fringe of Stoke Golding. In views across the battlefield towards Stoke Golding and the church from the Ashby Canal, and in views across from sections of Crown Hill, the mature western boundary of the site is a clear feature that does provide a visual buffer to the land beyond. There are gaps in the buffer, and it is seasonal, so the western half of the site can still be discerned and understood as an undeveloped parcel on the edge of the village. From the western boundary the gaps in the hedgerow and its seasonal nature also allow for views to the west and north-west across the Redemore Plain.

8.39. The form and character of the site assist in experiencing the historic landscape and provides context to the area. It can be understood as a remnant of a wider area of previously undeveloped landscape which occupied this space around Crown Hill, the church and the medieval settlement of Stoke Golding. The site is therefore considered to make a moderate positive contribution to the significance of the Battlefield.

8.40. The Stoke Golding Conservation Area Appraisal (SGCAA) (2013) recognises the historic interest associated with the village's connection to the battle and the Registered Battlefield and Conservation Area share overlapping and interrelated characteristics, such as:

- The character of the conservation area is primarily derived from the agricultural origins of the settlement with strong visual links between the historic settlement and surrounding countryside.
- Importance in the rural character of spaces around Crown Hil.

8.41. The SGCAA identifies important views from Ashby Canal over the countryside towards St Margaret's Church that can be appreciated both due to its ridge top location and gaps in the built form. These views reinforce the rural nature and

agricultural origins of the settlement and provide the impression of the countryside extending into the historic core of the village.

- 8.42. The view from the Ashby Canal towpath to the east toward the rear of the White Swan site is also designated as a Locally Important View under Policy SG11 of the SGNP.
- 8.43. The form of the White Swan public house alongside cartographic evidence suggest it dates from the early 19th century, and as such it is identified as an important local building within the SGCAA. Given the key characteristics of the application site, it makes a moderate positive contribution to the significance of the Conservation Area.
- 8.44. The SGCAA also recognises:
 - The detrimental impact of the Mulberry Farm buildings (adjacent to the application site) on the setting of Crown Hill.
 - The potential for frontage improvement to the site access from High Street.
 - The threat from infill development to green spaces.
 - Concerns with development which is discordant with traditional streetscape.
 - The need for permitted infill projects to respond to the conservation area's existing architectural scale, materials and character.
- 8.45. The nearby Grade I listed Church of St Margaret is located within 100 metres of the application site, and therefore it must be assessed whether the site falls within the setting of this asset. The NPPF (Annex 2) defines the setting of a heritage asset as "the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."
- 8.46. Historic England provide advice on the setting of heritage assets in their Good Practice in Planning Note 3 (2015), this identifies that the surroundings in which an asset is experienced may be more extensive than its curtilage. The extent and importance of setting is often expressed by reference to visual considerations.
- 8.47. The significance of the church is principally derived from its architectural and historic interest. The building demonstrates a high level of illustrative value, with the architecture demonstrating church building techniques and styles from the 13th century onwards. The aesthetic value of the church is apparent from both immediately adjacent and within the church yard, but also within the wider landscape. The church also has communal value in its continuous role as a religious centre for the community since the 13th century.
- 8.48. The clear aesthetic value of the church is apparent from both immediately adjacent within the church yard, but also within the wider landscape and this contributes to its significance.
- 8.49. The church has a tall and visually prominent tower and spire and a moderately sized church yard. The existing undeveloped areas of the application site and the siting of the intervening built form allow for views of the church tower and spire from within the site. There are also clear views of the church tower and spire from Ashby Canal looking over the application site, giving the impression of the countryside extending up toward the church. These views are more appreciable in winter when vegetation cover on the western boundary is not in full leaf. The application site is therefore considered to fall within the wider setting of the church.

8.50. There is no clear direct functional or historic connection between the application site and the church. However, the visual relationship between the application site and the church, this being apparent from numerous vantage points, demonstrates the importance of the church within the wider largely rural landscape and from within which the architectural and historic interest of the heritage asset and the character of its surroundings can be clearly appreciated. The application site is therefore considered to make a minor positive contribution to the significance of the church.

8.51. The proposal involves the demolition of the existing single storey rear extension and associated outbuildings on the site, and the construction of a new single storey rear extension. The existing sections of the building to be removed are largely mid-20th century in construction and are of no heritage interest.

8.52. The proposed single storey rear extension has a footprint of 320 square metres to accommodate operation of a restaurant as a complementary activity to the public house, which would provide an economic benefit to the site and secure long-term conservation of the existing building.

8.53. The proposed single storey rear extension has a maximum eaves height of 3.4 metres and a maximum ridge height of 5.55 metres. It is to have a mixture of red facing brick and natural brown horizontal cladding and have a clay tile roof, to complement the existing clay tile of the original building. To the rear of the extension is an attached wooden pergola with a total height of 2.85 metres located within a rear terrace area bound by brick walls to the north, west and south.

8.54. The proposed rear extension incorporates varied roof gables concealing some instances of flat roof behind. These are punctuated by the perpendicular gable on the southern elevation viewed from the car parking area. The built form of the extension is set in slightly from the building lines of the existing public house and ensures that the extension remains subservient to the original building.

8.55. The varied construction materials reflect traditional characteristics found in buildings within the surrounding area and materials prevalent in the wider Conservation Area. The use of timber cladding reflects the semi-rural character of site.

8.56. Though the extensions would be visible approaching the site from the south, when viewed directly from High Street the original building would retain prominence with the proposed extensions unseen to the rear. The character and appearance of the public house when appreciated from the High Street would therefore retain its existing significance.

8.57. It is not considered that the extensions would have any adverse impacts upon the registered battlefield as they are located wholly outside of the battlefield boundary. Furthermore, the design and siting of the building mean it is not considered it would have any negative impact upon the setting of the Church of St Margaret.

8.58. The proposal involves the expansion of the existing car parking area to the south of the existing and proposed areas of the public house building. The existing hardstanding would be extended to the west and, for the first 20 parking spaces, would be paved, and for the final 5 parking spaces would be reinforced grass surfacing. The provision of cycle parking and a bin store surrounded by timber fencing are to be sited to the north of the parking area.

- 8.59. The resulting size of the car parking area is considered to be proportionate to cater for the proposed use of the site without having a significant visual impact upon the character and appearance of the site.
- 8.60. The removal of the existing incongruous tarmac surfacing and replacement with paved car parking areas contributes to the enhancement opportunity identified within the SGCAA to improve the character of the site's frontage along High Street.
- 8.61. The semi-rural setting of the application site is reinforced with the use of timber fencing to the west of the car parking area, complemented by hedgerow, and the reinforced grass surface of the parking area to serve the glamping use. This retains the character of this section of the site which is adjacent the boundary of the Registered Battlefield area and preserves the significance of the battlefield when viewed from within the site.
- 8.62. The proposal involves the establishment of an outdoor garden dining area comprising a detached outdoor bar building and three dining pods. The proposed bar building has dimensions of 6.14 metres by 2.52 metres and an eaves height of 2.2 metres and ridge height of 3.05 metres. It is to be clad in natural brown horizontal wall cladding and have a clay tiled roof to match the proposed public house extension. The proposed dining pods are to be domed structures constructed of polycarbonate with a footprint of 9 square metres per pod and a maximum height of 2.1 metres.
- 8.63. The outdoor bar and dining pod structures are comparatively modest in scale and located to the rear of the proposed building extensions. Their visibility from beyond the site will be interrupted, if not prevented entirely, by the proposed planting of hedgerow to the south of the garden dining area and the built form of the public house building. It is not considered they would have any direct impact upon the Registered Battlefield, Conservation Area or the setting of the Church of St Margaret.
- 8.64. The proposed glamping use is located to the rear of the site and comprises five bell tents and an associated amenities building and playground. The amenities building has dimensions of 6.14 metres by 2.48 metres and an eaves height of 2.2 metres with a ridge height of 3.05 metres. It is to be clad in natural brown horizontal wall cladding and have clay roof tiles to match the public house extension. The proposed bell tents are constructed of heavyweight canvas and are to be in-situ seasonally, removed during the winter. The tents each have a footprint of 19.6 square metres and a maximum height of 2.5 metres. The five bell tents are located within the Registered Battlefield area, while the amenities building and playground are sited outside of the battlefield area.
- 8.65. The original iteration of the proposal situated the amenities building slightly over the battlefield boundary partially within the Registered Battlefield area. The Applicant has subsequently relocated the building such that it is located outside of the battlefield area, which avoids any direct physical impact upon it.
- 8.66. The scale of the ancillary building is modest, and the material finishes would be consistent with the semi-rural character of the wider site. It is not anticipated that the building or the associated playground would be appreciable in viewpoints from the wider area and therefore they would not adversely affect the setting of the registered battlefield.
- 8.67. It is considered that the proposed bell tents are modest in scale and total number. The visual impacts from the tents on the wider battlefield is considered to be negligible as they would not reduce the ability of the observer to appreciate the

topographical integrity and character of the battlefield from the wider area, or to appreciate the visual approach to Stoke Golding from the canal towpath. Furthermore, the visual impacts from the tents would be seasonal due to their removal in the off-season.

- 8.68. The glamping tents would be pegged into the ground and so any physical disturbance from their erection and removal would be minimal and unlikely to cause adverse direct physical impacts upon the registered battlefield.
- 8.69. The final details of boundary treatments and hard and soft landscaping and the final details and samples of the construction materials are to be conditioned to be provided to the LPA prior to commencement of the development, to ensure the final design details are acceptable in the setting of the site.
- 8.70. It is therefore considered that the proposal does not represent significant harm to the character and appearance or the historic significance of the Registered Battlefield, the Conservation Area, or the setting of the Church of St Margaret. It is also considered that the proposed development would be sensitive to the open landscape views within the Locally Important View from the Ashby Canal towpath.
- 8.71. The identified benefits of the proposal include the economic viability and securing the long-term functioning of the existing public house building, as well as minor improvements to the view of the application site from High Street as sought by the SGCAA.
- 8.72. It is therefore considered that the proposal would complement the character of the surrounding area, preserve the character and appearance of the Stoke Golding Conservation Area, the Registered Battlefield the Battle of Bosworth (Field) and the setting of the Grade I listed Church of St Margaret and be sensitive to the Locally Important View from Ashby Canal consistent with Policies DM10, DM11 and DM12 of the SADMP, Policies SG11, SG14 and SG15 of the SGNP, Section 16 of the NPPF and the statutory duties of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon Neighbouring Residential Amenity

- 8.73. Paragraph 135 of the NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 8.74. Policy DM10 (a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.75. Policy SG15 of the SGNP requires that development not significantly adversely affect the amenity of residents in the area, including by loss of daylight/sunlight, privacy, air quality, noise and light pollution.
- 8.76. The Good Design Guide requires the way buildings relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.

8.77. The application site is neighboured by residential development to the south and across High Street and along Roseway to the west.

8.78. The land to the north of the application site, Mulberry Farm, is currently comprised predominantly of dilapidated agricultural buildings with the farmhouse located adjacent High Street. Under planning application 22/00661/FUL, 25 dwellings would be constructed on the site. The currently submitted site layout for 22/00661/FUL would place 9 residential units adjacent the shared boundary with the application site. Notwithstanding this, as no permission has been granted on 22/00661/FUL, the exact resulting layout of any residential development on the Mulberry Farm site cannot be assured.

8.79. The application site benefits from an existing public house and historic use as a public house. To best serve communities, it is typical of public houses to be sited central to settlement areas and therefore surrounded by a mix of uses that includes private residential properties.

8.80. The proposed extension to the existing public house extends a maximum of 23.3 metres from the existing rear elevation of the original White Swan building for a maximum width of 15.85 metres. This brings the built form of the public house 8.1 metres deeper and further west into the site than the existing rear extension which is to be demolished.

8.81. The width of the proposed rear extension brings the public house 1.3 metres closer to the southern boundary of the site than the southern elevation of the existing original building, though only at the gable end of the proposed rear extension. All other elements of the proposed rear extension along the southern elevation maintain a separation distance equal to or in excess of the existing original building. Notwithstanding this, the public house has a separation distance of at least 11.6 metres from the southern boundary.

8.82. The proposed outdoor dining areas comprising the terrace and garden areas, standalone bar building and the outdoor dining pods are sited adjacent the northern boundary of the site. The terrace seating directly to the rear of the public house building is to be enclosed by brick walls along the northern site boundary and to the south and west of the terrace internally to the site.

8.83. The outdoor dining pods are located centrally on the site and are separated from the northern boundary by a minimum of 10 metres and the southern boundary by a minimum of 14 metres. The proposal involves the planting of hedgerows along the northern boundary and to the south of the dining pods, between the pods and the car parking area. The dining pods have rectangular openings oriented to the north but are otherwise fully enclosed.

8.84. The proposed hours of operation for the public house are 8:00 to 23:00, Monday to Friday, 8:00 to 0:00 (midnight the following day) on Saturdays and 8:00 to 23:00 on Sundays and Bank Holidays.

8.85. The Applicant has confirmed that it is not intended that the outdoor dining areas be used until the closing time of the wider premises. It is intended that a final dinner sitting in the outdoor areas will occur at 20:00 with the outdoor areas ceasing use by 22:00.

- 8.86. The proposed glamping use is located to the rear of the site and is neighboured to the south by dwellings on Andrew Close and Church Close. To the north, should the current layout of 22/00661/FUL receive planning permission and be constructed, there would be four dwellings adjacent the glamping use to the north.
- 8.87. The five bell tents proposed to comprise the glamping use are located central to the site and are separated from the northern boundary by a minimum of 11.4 metres and from the southern boundary by a minimum of 8.75 metres. The establishment of hedgerow is proposed along both the northern and southern boundaries adjacent the glamping area.
- 8.88. The height of the proposed tents and the establishment of hedgerows would protect neighbouring residential properties from any overlooking or overbearing impacts from the proposed use.
- 8.89. It is considered reasonable to assume that a tourism use in the form of glamping tents on the site would result in the potential for additional noise impacts as compared to what might be experienced through private domestic use of a site. As the glamping tents would operate seasonally, it is considered there would be no noise impact during winter months and the highest potential impact would be during the summer.
- 8.90. Notwithstanding the above, it is not considered that the amenity impacts arising from the use of the land for glamping would be so significant as to be inappropriate within a residential setting.
- 8.91. HBBC's Environmental Health Officer has reviewed the proposal and does not have any objections to the proposal on matters of amenity by way of noise or light impact. This is subject to the imposition of reasonable conditions requiring the submission of a noise management plan, ventilation details and noise attenuation scheme, and an external lighting plan, through which reasonable measures to manage the impacts of noise and lighting on the site can be ensured.
- 8.92. It is therefore considered that the proposed scheme would not result in a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, consistent with Policy DM10 of the SADMP, SG15 of the SGNP and the Good Design Guide.

Impact upon Highway Safety

- 8.93. Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, and does not have an adverse impact upon highway safety.
- 8.94. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority. This is currently the Leicestershire Highway Design Guide (LHDG) (2024).
- 8.95. Policy DM18 required developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.
- 8.96. Ultimately, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact

on highway safety, or the residual cumulative impacts on the road network would be severe.

- 8.97. The application site has existing access to the south of the public house building from High Street. The existing car parking area provides unmarked parking space for up to 10 cars.
- 8.98. The Local Highway Authority (LHA) reviewed the existing visibility splays from the north of the existing access point, originally proposed to be retained as part of this application, and found it in shortfall of the required visibility distances to the north.
- 8.99. The Applicant subsequently amended the proposal to relocate the access point further south to increase visibility to the north. This amendment still placed the visibility splays to the north in shortfall of the requirements of the LHDG by 1 metres, however the LHA noted that due to the existing nature of the access, the narrowness of High Street, the high incidence of on-street parking and the low recorded speeds through the immediate area, that in this site-specific context the shortfall would not have an unreasonable impact upon highway safety.
- 8.100. The LHA have reviewed the Transport Statement submitted and concur with the findings that the proposed development would have a low impact in terms of vehicle generation as compared to the existing situation as a public house.
- 8.101. The proposal provides 15 additional car parking spaces to the existing 10 spaces on site. Of these, 10 of the additional spaces are intended to be associated with the public house and 5 are intended to be for the use of each of the proposed glamping bell tents. The total resulting number of car parking spaces provided is 25.
- 8.102. The LHA are satisfied that the reconfigured car parking area and additional car parking spaces would be acceptable given the existing situation on site and the additional quantum of development proposed.
- 8.103. The proposal involves the provision of cycle parking spaces along the southern elevation of the original public house building. This improves access to cycling facilitates and benefits sustainable travel to the site from the surrounding area.
- 8.104. It is therefore considered that the proposal demonstrates safe access to the car parking area and a sufficient number of off-street car and cycle parking spaces proportionate to the scale of the scheme, in compliance with Policies DM17 and DM18 of the SADMP and the LHDG.

Archaeology

- 8.105. Policy DM13 of the SADMP requires that developers set out in their application an appropriate desk-based assessment and, where applicable, the results of a field evaluation detailing the significance of any affected asset. Where applicable, justified and feasible the LPA will require remains to be preserved in situ ensuring appropriate design, layout, ground levels, foundations and site work methods to avoid any adverse impacts on the remains. Where preservation of archaeological remains in situ is not feasible and/or justified the LPA will require full archaeological investigation and recording by an approved archaeological organisation before development commences.
- 8.106. The proposal involves the demolition of the existing rear extension and associated outbuildings to the rear of the original White Swan public house building. These

buildings are identified within the Leicestershire and Rutland Historic Environment Record (HER) and 1st Edition Ordnance Survey map as being of archaeological and heritage interest.

- 8.107. The proposal is located within an area of archaeological interest in the medieval settlement core of Stoke Golding and partially within the Registered Battlefield for the Battle of Bosworth.
- 8.108. LCC Archaeology have advised that previous trial trench evaluation and metal detector surveys undertaken on the site in support of previous applications returned evidence of unworked flint flaked of Neolithic or Bronze Age date and a dispersed scatter of shallow pits thought to be prehistoric in origin. Any potential archaeological remains within the site that might be associated with activity relating to the Battle of Bosworth would be of particular significance.
- 8.109. To ensure satisfactory understanding, recording and preservation of historic significance of the site, LCC Archaeology have recommended a pre-commencement condition be imposed requiring that the Applicant submit a written scheme of investigation (WSI) prior to development on site. The programme of work to form part of the scheme of investigation is to cover a historic building survey and archaeological attendance during development.
- 8.110. It is therefore considered that the proposal would be able to demonstrate consistency with Policy DM13 of the SADMP.

Ecology and Biodiversity

- 8.111. Paragraph 187 of the NPPF confirms that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils, and by recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services, while minimising impacts on and providing net gains for biodiversity.
- 8.112. Paragraph 193 of the NPPF states that where significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.
- 8.113. Policy DM6 of the SADMP states that developments must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long term future management. On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.
- 8.114. The application is subject to statutory Biodiversity Net Gain (BNG) requirements. The BNG statutory framework has been designed as a post-permission matter to ensure that the biodiversity gain objective of achieving at least a 10% gain in biodiversity value will be met for development granted planning permission. Notwithstanding this, the Planning Practice Guidance (PPG) is clear that BNG is a material consideration and that when determining a planning application LPA's need to consider whether the BNG condition is capable of being discharged successfully through the imposition of conditions and/or a legal agreement.

- 8.115. The Applicant has submitted BNG information demonstrating that the 10% net gain can be achieved on site. LCC Ecology have advised that this would represent a significant on-site enhancement that would require the securing of an associated Habitat Management and Monitoring Plan (HMMP) via condition.
- 8.116. The development will also be subject to the mandatory Biodiversity Gain Plan condition.
- 8.117. The Ecological Appraisal submitted has identified no active signs of badgers on site, no trees on site with potential roosting for bats and negligible potential for roosting in existing buildings, and that there is potential habitat to support great crested newts in the closest pond to the site, though this pond is in poor condition.
- 8.118. Notwithstanding the above, there are active badger setts in the area and there is direct connectivity to the site for newts. As such, LCC Ecology have advised that a Non-Licenced Method Statement (NLMS) will be required for great crested newts, badgers and reptiles. This can be reasonably secured through a condition.
- 8.119. It is therefore considered that the proposal demonstrates that it reasonably conserves or enhances elements of biodiversity and complies with Paragraphs 187 and 193 of the NPPF and Policy DM6 of the SADMP.

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

A public authority must, in the exercise of its functions, have due regard to the need to:

 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions detailed at the end of this report; and
- That the Head of Planning be given powers to determine the final detail of planning conditions.

12. Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Site Location Plan, Drg No. 24 079 DL0101 P1 (submitted: 31.03.2025)
- Site Plan as Proposed, Drg No.24.079 DK0001 P3 (submitted: 23.10.2025)
- Site Plan as Proposed Detail, Drg No. 24.079.DK0002 P5 (submitted: 23.10.2025)
- Proposed Cellar Floor Drg No.24.079.DK0005 P1 (submitted: 31.03.2025)
- Proposed Ground Floor Drg No.24.079.DK0003 P1 (submitted: 31.03.2025)
- Proposed First Floor Drg No.24.079.DK0004 P1 (submitted: 31.03.2025)
- Proposed Elevations (East and South)- Drg No.24.079.DK0006 P1 (submitted: 31.03.2025)
- Proposed Elevations (West and North) -Drg No.24.079.DK0007 P1 (submitted: 31.03.2025)
- Proposed Floor Plans and Elevations Kitchen/Shower and Bar/WC Drg No.24.079.DK0009 P1 (submitted: 31.03.2025)
- Proposed Floor Plans and Elevations, Tents, Dining Dome, Bin and Cycle Store Drg No.24.079.DK0010 P2 (submitted: 08.08.2025)

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

3. No development shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the buildings hereby permitted have been deposited with and approved in writing by the Local Planning Authority, thereafter the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory external appearance and preserves the special interest of the site in accordance with the requirements of Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

4. No development shall commence on site until a schedule of hard and soft landscaping works, including boundary treatments, for the site, including an implementation

scheme, has been submitted in writing and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in full accordance with the approved landscaping scheme.

The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees which die or are damaged, removed or seriously diseased shall be replaced by trees or shrubs of the same size and species as those originally planted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016)..

5. No development shall take place until a scheme for ventilation of the premises, which shall include installation method, maintenance and management has been submitted to and agreed in writing with the Local Planning Authority.

The approved scheme shall be implemented in accordance with the agreed details before the premises are first brought into use for the development hereby approved and maintained in use thereafter.

Reason: To ensure that the development does not result in unacceptable odour or noise impacts which would cause unacceptable harm to amenity in accordance with Policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

6. Development shall not begin until a scheme for protecting neighbouring residential dwellings from noise from the ventilation system has been submitted to and approved by the Local Planning Authority.

All works which form part of the scheme shall be completed before the permitted development first comes into use.

Reason: To ensure the development does not result in unacceptable noise issues which would cause unacceptable harm to amenity in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

7. Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles).

The lighting shall be installed, maintained and operated in accordance with the approved details.

Reason: To ensure a satisfactory form of development that creates safe places while ensuring there are no unacceptable impacts to amenity, and in order to protect the protected wildlife species and their habitats that exist on site in accordance with Policies DM1, DM6, and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 135 of the National Planning Policy Framework.

8. Prior to coming into use, a noise management plan shall be submitted to and agreed by the Local Planning Authority on the management of noise from both the external areas of the pub and the glamping site.

The uses shall be operated in accordance with the approved plan at all times.

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance in accordance with Policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

9. There shall be no bonfires permitted on the site.

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory disturbance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Site Plan as Proposed Detail, drawing number 24 079 DK0002 P5. Thereafter the onsite parking and turning provision shall be kept available for such use in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with the National Planning Policy Framework (2024).

11. The development hereby permitted shall not be occupied until such time as secure cycle parking is provided in accordance with details submitted in writing and agreed to in writing by the Local Planning Authority. Therefore, the on-site cycle parking provision shall be kept available for such use(s) in perpetuity.

Reason: To promote travel by sustainable modes in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

12. Prior to commencement a Non-Licensed Method Statement (NLMS) for Great Crested Newts, badger and reptiles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development must be carried out in accordance with the approved NLMS.

Reason: To ensure a satisfactory form of development in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

13. No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details:

- description and evaluation of the features to be created/enhanced
- aims and objectives of management

- appropriate management options for achieving aims and objectives
- prescriptions for management actions
- work schedule
- species/seed mixes to be planted/sown
- ongoing monitoring and remedial measures

The approved plan will be implemented in accordance with the approved details.

Reason: To enhance biodiversity and ensure a satisfactory form of development in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

14. The development shall not commence until a 30-year Habitat Monitoring and Management Plan (HMMP) has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall be submitted concurrently and in accordance with the Biodiversity Gain Plan. The approved 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.

Reason: To enhance biodiversity in accordance with the National Planning Policy Framework and Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990.

15. No demolition/development shall take place/commence until written schemes of investigation (WSIs) for historic building recording and archaeological Attendance have been submitted to and approved by the local planning authority in writing. For land that is included within the WSIs, no demolition/development shall take place other than in accordance with the agreed WSIs, which shall include the statement of significance and research objectives, and;

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure satisfactory historic building survey, archaeological investigation and recording in accordance with Policy DM13 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

16. The holiday accommodation tents permitted herein shall be for holiday purposes only and shall not be used as the sole or main residence of the occupiers. No person shall occupy any part of the accommodation for a period exceeding four weeks. Furthermore, no person shall occupy the accommodation within a period of two weeks following the end of a previous period of occupation by that same period. The owners/operators of the holiday accommodation shall maintain an up-to-date register of the names and main home addresses of all the individual occupiers and shall make this information available for inspection within 7 days of any request in writing from the Local Planning Authority.

Reason: The site of the permission is outside of any area where planning permission would normally be forthcoming for residential development and is permitted only for use for holiday purposes in the interests of contributing to tourism and the economy of the area and to ensure compliance with Policy DM4 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Notes to Applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
2. Nesting birds are protected under the Wildlife & Countryside Act 1981 (as ended); therefore, building demolition and significant alteration or vegetation clearance should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.
3. Your attention is drawn to the Biodiversity Net Gain note within the Decision Notice. The development is subject to the Biodiversity Gain Condition. A Biodiversity Gain Plan needs to be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The application can be made online here: https://www.hinckley-bosworth.gov.uk/info/200249/view_planning_applications_and_decisions/1476/does_the_property_comply_with_planning_conditions

Planning Committee 13th January 2026
Report of the Assistant Director Planning and Regeneration



Planning Reference 25/00515/OUT

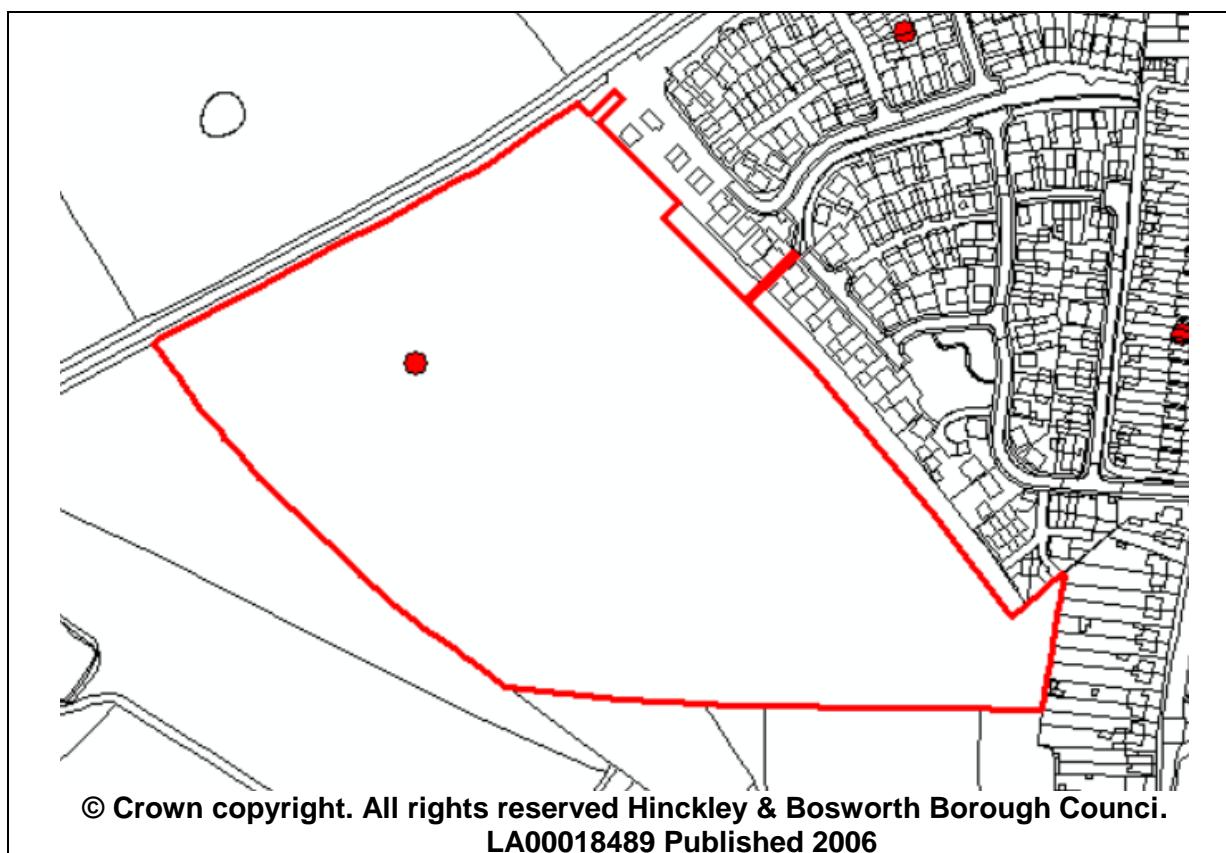
Applicant: Bloor Homes

Ward: Newbold Verdon with Desford and Peckleton

Hinckley & Bosworth
Borough Council

Site: Land South of Bosworth Lane, Newbold Verdon, Leicestershire

Proposal: Outline planning permission for up to 200 dwellings, a shop (Use Class E(a)) of up to 108 sqm gross external area and provision of up to 0.5 hectares of school playing fields and sport pitches, together with landscaping, open space, infrastructure and other associated works (All matters reserved except for access)



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report;
- The entering into of a S106 Agreement (as per the Heads of Terms set out in the report); and
- That the Assistant Director Planning and Regeneration be given powers to determine the final detail of planning conditions and obligations.

2. Planning Application Description

2.1. This planning application seeks outline planning permission for the provision of up to 200 dwellings, a shop (Use Class E(a) of up to 108 sqm gross external area, provision of up to 0.5 hectares of school playing fields, together with landscaping, open space, infrastructure and other associated works on Land South of Bosworth Lane, Newbold Verdon. Only access is sought for approval within this outline application and all other matters are reserved.

2.2. It is proposed that the development would be served by a primary vehicular access off Bosworth Lane (B585) in the form of a priority T-junction with ghost island right turn provision. In addition, a secondary access is proposed to connect to the existing Bloor Homes, Ferrers Green development to the north east of the site. The proposed primary pedestrian link to the site would be via a 2m wide footpath to Moat Close on the north eastern side of the site. This connection would tie into existing footpaths in the neighbouring estate. A further secondary pedestrian access is proposed adjacent to the secondary vehicular access. Whilst full details would be secured at a later stage, this would include a footpath link within the Ferrers Green development to the Hall Lane access to the north east. This would provide a pedestrian link to the Bosworth Lane bus stop and existing the existing footway on Bosworth Lane. A third pedestrian access is proposed leading into the school, albeit this would be for pupils and school-users only and not for public use generally. In addition, the development proposals include for pedestrian connections into Public Right of Way (PRoW) S19 that runs along the south west boundary of the site.

2.3. The indicative plans locate the built form of the development to the north east of the site with a landscaping buffer located along the countryside edge to the south west. The layout, appearance, scale and landscaping of the development are reserved matters for later consideration should the application be approved.

2.4. The proposal includes 0.05ha of land for the delivery of a shop. As discussed in further detail later in the report, it is proposed that the S106 agreement would require a marketing strategy to be agreed and implemented to identify a purchaser of the land and ultimately deliver the shop. If the land is not purchased following implementation of the agreed marketing scheme the S106 agreement would require that the land is instead delivered as public open space.

2.5. The proposals also include 0.5 hectares of land for use as school sport pitches and playing fields for Newbold Verdon primary school, the S106 would require this land is transferred to Leicestershire County Council as the Local Education Authority.

2.6. Given all matters are reserved except for vehicular access the extent of other matters is described and assessed via the indicative scales and appearance within the submitted plans. The application has been accompanied by the following reports and documents:

- Plans

- Illustrative Access and Movement Plan
- Illustrative Development Framework
- Illustrative Landscape Strategy
- Illustrative Open Space Standards
- Illustrative Storey Height Plan
- Parameter Plans
- Site Access Plans
- Site Location Plan (1:1250 or 1:2500)
- Affordable Housing Statement
- Agricultural Land Classification Assessment
- Air Quality Assessment
- Arboricultural Impact Assessment
- Archaeological Desk-based Assessment
- Biodiversity Net Gain Assessment
- Design and Access Statement
- Energy/Sustainability Framework Report
- Flood Risk Assessment and Drainage Strategy
- Heritage Assessment
- Landscape and Visual Impact Assessment
- Mineral Safeguarding Assessment
- Noise Impact Assessment
- Planning Statement
- Preliminary Ecological Appraisal
- Site Investigation (Phase 1)
- Statement of Community Involvement
- Transport Assessment
- Travel Plan

2.7 Amendments and additional information have been provided during the course of the application. Amendments have included alterations to the indicative plans in response to requests made by the case officer, this includes a green corridor and pedestrian route through the centre of the site alongside increasing the areas of public open space.

2.8 Furthermore, the original proposals included potential for community shop land to be delivered as either a community health and well-being hub or a community shop. However, this was amended to provide a shop only following consultation with the NHS who requested financial contributions to the existing surgery instead.

3. Description of the Site and the Surrounding Area

3.1. The application site comprises 8.38 hectares of agricultural land to the north west of Newbold Verdon. The site lies outside of but adjacent to the identified settlement boundary of Newbold Verdon which is a Key Rural Centre.

3.2. The site lies to the south east of Bosworth Lane (B585). There is open countryside beyond this to the north west, west and south of the site. A line of trees and

hedgerow runs along most of the north eastern boundary of the site beyond which lies residential development comprised of two previous phases of development by Bloor Homes (Ferrers Green development). A boundary of trees and shrubs separates the south eastern edge of the site from Newbold Verdon Primary School. Part of the easternmost boundary abuts the rear boundaries of dwellings on Dragon Lane.

- 3.3. PRoW S19 runs along the south west boundary of the site which links the site to open countryside to the north of Bosworth Lane and to Main Street to the south east.
- 3.4. The topography of the application site is generally flat and internally is devoid of any landscape features, however there are hedgerows to most site boundaries as referred to above. The site is not subject to any specific statutory environmental or landscape designations.
- 3.5. The Site is located within Flood Zone 1, having the lowest probability of flooding and is not at risk from surface water flooding.
- 3.6. There are no designated heritage assets within the site. However, there are several listed buildings in the vicinity of the site. This includes Grade I listed Newbold Verdon Hall and associated Grade II listed pavilions and the Grade II listed Church of St James which lie approximately 100m and 200m to the southeast of the closest site boundary respectively. Newbold Verdon Conservation Area lies immediately to the east of the site. The Moated Site South of The Hall, a scheduled monument lies 150m to the south east of the site beyond Newbold Verdon Hall.

4. Relevant Planning History

4.1 25/10008/PREMAJ

- Pre-application advice request for Outline application (Access only for erection of up to 200 dwellings, a community health hub and safeguarded land for education, together with landscaping, open space, infrastructure and other associated works).
- Pre-application advice given
- 16.04.2025

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents. Two site notices were posted within the vicinity of the site, and a notice was published in the local press.
- 5.2 In total, **15** members of the public from **13** separate addresses have **objected** to the development. The reasons for the objections to the development are summarised below:

Principle of development

- The site would lead to the loss of important agricultural land
- The area was not a preferred site in terms of the original local plan that was communicated to the village. Local planning requirements have not been adequately considered and the area is wholly unsuitable for residential expansion around Newbold Verdon. It will not effectively integrate within the current village boundary and will isolate those residents.
- There is no need for development in this area.

Scale of development

- The developments in the area would cause a rapid increase in population and a loss of village character

Design/Landscape/Countryside Impact

- The proposal will destroy the surrounding countryside
- Loss of countryside will impact the life of residents
- Loss of visual amenity and significantly alter the rural landscape
- The line of trees between the existing estate and site should be protected
- The proposal would cause the loss of Green Belt

Ecology/Biodiversity

- The proposal will have a huge impact on wildlife, remove habitat and green space

Infrastructure

- There is a lack of infrastructure to cope with additional houses
- The GP surgery is under stress/over capacity
- Concerns about what research has been done to show a community shop is needed?
- There is a lack of detail as to who would run the community shop or where the money would come from
- A larger shop is needed as opposed to a small village shop
- There is a poor bus service with public transport to Leicester only, anyone working in Nuneaton or Hinckley have no public transport options
- Young people who are looking to continue with education at the local colleges - Ashby/ Coalville or Hinckley have no public transport links and will need to rely on lifts and the roads are unsuitable for cycling to school or colleges.
- Nothing is proposed which would serve teenagers and young people in the village
- An extra care facility is needed
- The local school is small and already faces challenges during drop-off and pick-up times due to congestion and safety concerns. There appears to be little to no scope for expanding the school to accommodate a significant increase in pupil numbers.

- Water pressure is poor

Highways

- Small village roads cannot cope with traffic and additional parking in the centre
- There is congestion along Bosworth Lane and the junctions at each end
- Local villages are already congested
- There is a lack of information about pavements/cycle lanes along Bosworth Lane towards Bosworth to encourage active travel
- Traffic modelling/Impacts on the Bill in the Oak junction should be considered
- Additionally, the cumulative impact of existing and proposed developments, including those on Brascote Lane and Barlestorne Road, must be evaluated.
- The development offers no safe cycleways or walk ways to the nearest towns of Hinckley, Coalville or Nuneaton. Or to Hinckley railway station.

Flooding

- During periods of heavy rainfall, several local access roads become impassable.

Residential Amenity/Living conditions

- The proposal would result in the loss of privacy for existing neighbours, as well as overlooking and contributing to noise and disturbance for the school.
- The proposal suggests it will allow for expansion of the school area but will increase safeguarding concerns for that very school.
- Concerns about pollution from additional traffic

Cumulative Impacts

- The cumulative effect of current and proposed developments in Newbold Verdon is also deeply concerning. The village is already experiencing significant growth, including the 239-home development on Brascote Lane, which is under construction, and a proposed 240-home application off Barlestorne Road. This latest proposal, if approved, would place additional pressure on the local road network, services, and infrastructure. There appears to be insufficient evidence within the application demonstrating how these cumulative impacts will be assessed and mitigated, which is a serious omission.

5.3 No support or neutral comments were received.

6. Consultation

Active Travel (Refer to standing advice)

6.1 Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application.

Environment Agency (No objections)

6.2 The development falls within flood zone 1 and therefore the EA have no fluvial flood risk concerns associated with the site. There are no other environmental constraints associated with the application site which fall within the remit of the EA.

HBBC Arboricultural Officer (No objections)

6.3 There are a limited number of trees to be removed to facilitate the development. The green infrastructure should be comprehensively adhered to.

HBBC Affordable Housing (No objections subject to conditions)

6.4 The affordable housing requirement for Hinckley and Bosworth is set out in policy 15 of the Core Strategy. As this site is classed as a site in the rural area, the affordable housing requirement is for 40% affordable housing. The tenure should be split between 75% social or affordable rented and 25% intermediate tenure.

6.5 This would mean 80 properties should be available for affordable housing. There should be 60 properties for social or affordable rent and 20 properties for shared ownership.

6.6 The applicant has indicated that they will provide a policy compliant 40% affordable housing delivery on site. As this site will provide significant numbers for affordable housing, it is requested that the dwellings provide a mix of dwelling types. The preferred mix for rented properties would be:

10% one bed quarter houses;
5% two bed bungalows
45% two bed 4 person houses
35% three bed 5 person houses
5% four bed 6 person houses

The shared ownership properties should be a mix of 2 and 3 bed houses.
All of the affordable housing should meet the NDSS size standards.

As this site is in the rural area, a cascade should be included in the section 106 agreement for the rented properties to require a connection firstly to people with a local connection to Newbold Verdon and secondly to the Borough, as set out in the Council's allocations policy.

HBBC Conservation Officer

6.7 Less than substantial harm is identified to a number of heritage assets including:

- Newbold Verdon Hall (Grade 1 listed)
- Schedule Moated Site (Scheduled monument)
- Newbold Verdon Hall Pavilions (Grade II listed)
- Church of St James (Grade II listed)
- Newbold Verdon Conservation Area

6.8 As the proposal would cause harm to the identified designated heritage assets the less than substantial harm caused must be carefully weighed up against the public benefits of the proposal as required by Policies DM11 and DM12 of the SADMP and paragraph 215 of the National Planning Policy Framework.

6.9 Full comments are contained within the report below.

HBBC Environmental Services Team (No objections subject to conditions)

6.10 No objections have been received subject to conditions relating to noise, land contamination, light and construction mitigation.

HBBC Waste (No objections subject to conditions)

6.11 No objections subject to a condition requiring a scheme for the storage and collection of waste to be approved.

Historic England (HE) (No objection)

6.12 Concerns were initially raised around the impact change in setting to various designated heritage assets could have to their significance. HE highlighted that the site forms part of the setting of the scheduled monument recorded as Moated site south of The Hall (NHLE: 1009198) and Newbold Verdon Hall (NHLE: 1074089) and should be considered as contributing to their significance. HE suggested that the character of the historic environment should be reflected in a sensitive design.

6.13 Following a re-consultation, HE noted there are a suite of documents including a land use parameter plan, a development density plan, landscape strategy and heights plan. They appreciated that as reflected in the density plan, the density of development is lower closest to the designated assets, increasing towards where there is already modern residential development. They also noted the maximum heights shown on the height plan, which are modest and the additional trees, green spaces and landscaping around the south and west sides of the site, providing additional screening. Therefore following review of the additional information, HE has not objected to the application on heritage grounds.

LCC Archaeology (No objections)

6.14 Having reviewed the submitted trial trenching report (CFA Archaeology Report Ref.: 4734), LCC Archaeology department confirmed that no additional archaeological investigation would be required.

LCC Development Contributions (No objections subject to infrastructure contributions)

6.15 Requested infrastructure contributions towards libraries, waste management and education as set out in the below.

Officer Note- The LLC Planning Obligations team also reviewed the draft Heads of Terms for the S106 agreement and advised they were satisfied with the proposals.

LCC Ecology (No objections subject to conditions)

6.16 Following receipt of amended ecological appraisals and BNG calculations, no objections were raised.

6.17 Conditions are recommended securing ecological mitigation, requiring BNG and associated management/monitoring and the submission of a Construction Environment Management Plan for biodiversity.

LCC Highways (No objections subject to conditions/obligations)

6.18 The Local Highway Authority advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 116 of the National Planning Policy Framework (2024), subject to the conditions and/or planning obligations outlined in this report.

6.19 Full comments are integrated into the highway section of the report.

LCC as the Lead Local Flood Authority (LLFA) (No objection subject to conditions)

6.20 The LLFA notes that the 8.40 ha greenfield site, with a contributing drainage area of 4.24 ha is located within Flood Zone 1 being at low risk of fluvial flooding and low risk of surface water flooding.

6.21 The proposals seek to discharge via an attenuation basin at 13.3l/s to one of two possible discharge points downstream of the site within applicant owned land.

6.22 The updated Flood Risk Assessment has updated the drainage strategy for the site to use a positively drained system consisting of an attenuation basin with a positive outfall to one of two points of discharge. Both points of discharge are within land owned by the developer and at a level which would allow for the sites drainage to connect. Further investigation into capacity and condition of both points will be completed prior to further stages of planning. No source control SuDS have been

proposed for use on site. Source control SuDS provide many benefits including reduction in run-off volume, treatment, amenity benefits and assisting with BNG requirements.

6.23 Notwithstanding any surface water drainage details submitted under this application, as the proposals are for outline permission, no specific drainage elements are fixed at this stage. As such, the LLFA would require that later reserved matters and detailed design fully comply with the new National Standards for SuDS and to any other amended local or national policy/guidance relevant at the time of submission of those details. This includes (but is not limited to) a re-assessment of discharge rates, contributing areas, attenuation scale and the retention of the first 5mm of rainfall on-site. Any departure from the standard should be fully substantiated and agreed with the LLFA.

6.24 The proposals are considered acceptable to the LLFA subject to conditions.

LCC Waste and Minerals (No objections)

6.25 The development site is located within a Minerals Safeguarding Area for sand and gravel. In order to demonstrate compliance with Policy M11 of the Leicestershire Minerals and Waste Local Plan, a Minerals Assessment, report ref: 28945-GEO-0402 Rev B, dated May 2025, has been submitted as part of the application. The assessment concludes that any proposal to extract mineral at the site would cause unacceptable environmental impacts on nearby residential receptors, particularly due to the lack of alternative transport networks beyond roads. A 100m buffer zone would render 3.7 hectares (ha) unsuitable for extraction, leaving only 2.4(ha) of potentially viable resource, which is likely to be uneconomical to extract given its limited size and location. Therefore, and subject to the recommendation relating to extraction of mineral resources as part of the development process as outlined within paragraph 6.4 of the report, the Mineral Planning Authority raises no objection.

Leicestershire Police (No objections subject to obligations)

6.26 Contributions totalling £89, 888.29 have been requested for police equipment, infrastructure and crime reduction initiatives.

NHS Leicester, Leicestershire and Rutland ICB (No objections subject to obligations)

6.27 Contributions totalling £193, 600 have been requested to provide healthcare facilities to meet the population increase.

6.28 The ICB confirmed that the 'Community Hub' originally proposed would not be large enough to accommodate a new medical facility and given the local practice already has a second site in Market Bosworth, it would not be in the position to facilitate a third. The ICB therefore confirmed that developer contributions would be sought to support current health infrastructure.

Newbold Verdon Parish Council (Support comments)

6.29 The Parish Council has resolved to support this application but with the following comments:

“Council support the application on the basis that it is a preferred site in the Newbold Verdon Neighbourhood Plan. It was chosen as a preferred site on the basis of offers made during the consultation period. We therefore expect the following provisions:

- 0.5 hectares at least is provided for school playing fields and sports pitches and developers liaise with the school to meet their requirements.
- A shop/retail premises will be built, it will include parking provision, storage facilities, parking space for delivery vehicles. Power, water, etc will be linked. It will be position near to the entrance to the site to allow ease of access for deliveries and customers.
- This shop will not be the responsibility of the Parish Council. The building will be completed before the housing is complete and will be dedicated for retail.
- The shop is needed to help reduce traffic into the centre of the village. It is anticipated that this shop, if positioned correctly on the site, will service passing traffic as well as residents at the north and west side of the village.
- Funds towards improvements to the Alans Way sports field, particularly upgrading of the all weather pitch and access to it.
- Provision for the improvement of the Drs surgery will be included, as per their requests.
- There will be a footpath only connection to the Old Farm Lane estate, no vehicular access between the two.
- Improvements to the Bull in the Oak junction are to be carried out as a result of this application”.

Sport England (No objection)

6.30 Sport England raises no objection to the application which is considered to accord with exception 3 of our playing fields policy and the requirements of paragraph 104 of the NPPF in that the proposed layout of the dwellings and access road should not impact on the use of the playing field.

6.31 An assessment of the need for additional sports facilities to be provided along with improvements to existing facilities should be undertaken as part of a Sport Facility Feasibility Report submitted for this application to establish the level and nature of on-site and off-site provision required which should be informed by Hinckley and Bosworth's Playing Pitch Strategy.

Officer Note- A Sport Facility Feasibility Report has not been requested as contributions are being sought for improvements to playing pitches in the area in

line with the HBBC Playing Pitch Strategy (2025) and Sport England Playing Pitch Calculator.

7. Policy

7.1 Core Strategy (2009):

- Policy 7: Key Rural Centres
- Policy 11: Key Rural Centres Stand Alone
- Policy 14: Rural Areas: Transport
- Policy 15: Affordable Housing
- Policy 16: Housing Density, Mix and Design
- Policy 19: Green Space and Play Provision
- Policy 20: Green Infrastructure
- Policy 24: Sustainable Design and Technology

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM21: Locating Sustainable Town Centre Uses
- Policy DM25: Community Facilities

7.3 Leicestershire Minerals and Waste Local Plan (2019):

- Policy M11: Safeguarding of Mineral Resource

7.4 National Planning Policy and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Levelling-Up and Regeneration Act (LURA) 2023
- Self-Build and Custom Housebuilding Act (2015)

7.5 Other Relevant Guidance:

- HBBC Affordable Housing Supplementary Planning Document (2011)
- HBBC Good Design Guide (2020)
- HBBC Housing Needs Study (2024)
- HBBC Local Development Scheme (LDS) (2025)
- HBBC Playing Pitch and Outdoor Sport Strategy and Action Plan 2025
- HBBC Open Space and Recreation Study (2025)
- Landscape Character Assessment (LCA) (2017)
- Landscape Sensitivity Assessment (2017)
- Leicestershire Highway Design Guide (LHDG) (2024)
- Leicester and Leicestershire Authorities Statement of Common Ground relating to Housing and Employment Land Needs (June 2022)
- Newbold Verdon Housing Needs Assessment (2022)

7.6 HBBC are currently preparing their Emerging Local Plan. The Regulation 18 Local Plan Consultation concluded on 28 November 2025. This Regulation 18 draft plan focuses on matters that are either new or updated post the last consultation on the previous Regulation 18 consultation/plan which took place in Summer 2024. The new Regulation 18 Local Plan includes new site allocations.

7.7 Emerging Local Plans can carry some weight in planning decisions but this is limited and conditional as set out in paragraph 49 of the NPPF. As the Regulation 18 Local Plan is only in draft form and is subject to further public consultation, submission and an examination only limited weight can be attributed to the Emerging Local Plan at this stage.

7.8 Newbold Verdon Neighbourhood Plan Steering Committee are preparing the Newbold Verdon Neighbourhood Plan. As the neighbourhood plan is not at an advanced stage and has not undergone relevant public consultation stages it cannot be attributed weight in the planning balance at this time.

8. Appraisal

8.1. The key issues in respect of this application are:

- Principle of development
- Housing land supply
- Housing Tenure/Mix
- Landscape and Visual Impacts
- Design and Layout
- Impact upon the historic environment
- Impact upon residential amenity
- Impact upon highway safety
- Impact upon ecological assets and biodiversity net gain
- Drainage and Flood Risk
- Minerals Safeguarding
- Sustainability

- Infrastructure and development contributions
- Planning balance

Principle of Development

8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions. Paragraph 3 of the NPPF confirms that it should be read as a whole.

8.3 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The three overarching objectives of sustainable development (economic, social, and environmental) are detailed within Paragraph 8 of the NPPF. Therefore, in accordance with Paragraph 11 of the NPPF, planning decisions should apply a presumption in favour of sustainable development.

8.4 However, Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.

8.5 The current Development Plan consists of the adopted Core Strategy, the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP) and the Leicestershire Minerals and Waste Local Plan.

8.6 Both the Core Strategy and the SADMP are over 5 years old and were adopted prior to the publication of the current NPPF. Paragraph 34 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary.

8.7 Nevertheless, in accordance with Paragraph 232 of the NPPF, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to existing policies according to their degree of consistency with the NPPF.

Residential Development

8.8 Chapter 11 of the NPPF promotes an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

8.9 Policy 7 of the adopted Core Strategy states the Council will support housing development within the identified settlement boundaries of Key Rural Centres, such as Newbold Verdon, which provide a mix of housing types and tenures as detailed in Policies 15 and 16 of the adopted Core Strategy.

8.10 The application site is within the designated open countryside outside of the identified settlement boundary of Newbold Verdon. Therefore, Policy 7 of the adopted Core Strategy is not applicable in these site-specific circumstances.

8.11 Key Policy Paragraph 110 of the NPPF confirms that the planning system should actively manage patterns of growth in support of promoting sustainable transport. Significant development should be focused on locations which are, or can be made, sustainable through limiting the need of travel and offering a genuine choice of transport modes. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

8.12 Chapter 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 187(b) specifically highlights that this should be achieved by, *“Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.”*

8.13 This is supported by Policy DM4 of the SADMP, which states that the Council will protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development. Policy DM4 of the SADMP only considers development in the countryside sustainable where:

- (a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
- (b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
- (c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
- (d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
- (e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.

8.14 Policy DM4 of the SADMP also requires that development meets five further requirements to be considered as sustainable development. These are discussed in detail further in the report.

8.15 The Regulation 18 Draft Local Plan seeks to allocate two development sites in Newbold Verdon- Land South of Arnolds Crescent (135 homes) and Land Northwest of Old Farm Lane and South of Bosworth Lane (200 homes), the latter relates to this site. Therefore, the application site is a draft allocation in the Emerging Local Plan albeit this is attributed limited weight. Previous versions of the

draft Neighbourhood Plan also sought to allocate the application site, with the Arnolds Crescent site as a reserve site but this can be attributed no weight in the planning balance at this time. Outline planning application has been granted on Land South of Arnolds Crescent (135 homes) subject to completion of the legal agreement.

8.16 The Council considers that the proposal is offered no support by Policy 7 of the adopted Core Strategy or Policy DM4 of the SADMP and represents new development in the designated open countryside. As such, the application does not accord with the current Development Plan Policy and is unacceptable in principle, subject to the assessment of all other material considerations, including the additional requirements of Policy DM4 of the SADMP. Other material considerations are set out within the next sections of the report.

8.17 The potential allocation tempers the conflict with the current Development Plan, however, owing to the draft and early stage of the Local Plan, the allocation can only be attributed limited weight at this time.

Shop

8.18 Policy 21 of the SADMP sets out a sequential test which can be applied for applications for the provision of new town centre uses such as shops (Use Class E(a)) outside of Hinckley Town Centre, District Centres or Local Centres. The purpose of this approach is to support the vitality and viability of settlement centres. Furthermore, this approach directs services to sustainable locations where future users will be able to access services by walking, cycling and public transport. In this case, due to the limited floorspace of the proposed shop it is exempt from the sequential test approach as a small, rural facility and therefore compliant with Policy 21 of the SADMP in principle.

8.19 A shop has been included within this application following pre-application discussions between the applicant and Parish Council and in response to the emerging Neighbourhood Plan, however, the latter can be attributed no weight in the determination of this application at this time. It is understood that the requirement for a shop was identified due to concerns about traffic in the village centre, the proposed shop is seen as a way to alleviate traffic by providing an alternative shop outside of the village centre and is therefore supported by the Parish Council.

8.20 It should be noted that whilst a shop is acceptable in principle in this location, the proposed shop location is not considered by officers to be an ideal location for a shop given its distance from Newbold Verdon village centre. There are concerns that its location would encourage residents to drive to the shop as opposed to walking due to its edge of settlement location. With this in mind through pre-application engagement with the applicants, officers have recommended that the shop would be provided centrally within the site close to indicative walking routes both from the village centre and the existing residential development to the north.

8.21 Following pre-application discussions with Newbold Parish Council, the Applicants initially proposed to gift the shop land to the Parish Council alongside a financial contribution for the construction of the shop. However, the Parish Council have since advised they would not assume responsibility for the shop premises. In light of this, the shop would need to be delivered privately. To secure this, the legal agreement will require the agreement of a marketing strategy which would then be undertaken by the Applicant. Officers do have concerns about the deliverability and potential popularity of a shop in this location and have therefore been in discussion with the Parish Council about alternative uses for the land should the marketing be unsuccessful. It is therefore proposed that should the shop not be delivered that the land will be brought forward as additional open space for the use of the community. No other alternative uses have been suggested by the Parish Council.

School playing fields and sport pitches

8.22 Policy DM25 of the SADMP states that the Borough Council will seek to support the formation of new community facilities (which includes educational facilities) across the borough. To reduce reliance on the private car, where new facilities are to be established it should be demonstrated that they are accessible to the community which they intend to serve by a range of sustainable transport modes.

8.23 The proposals also include 0.5 hectares of land for use as school sport pitches and playing fields for Newbold Verdon primary school. The land is adjacent to the existing playing fields for the school and is therefore a suitable location. Indicative proposals indicate how the land could be brought forward as playing pitches for the school and Leicestershire County Council as the Local Education Authority find the proposals acceptable.

8.24 The principle of the school playing field and sports pitches is therefore judged to be acceptable.

Housing Land Supply

8.25 Chapter 5 of the NPPF requires planning policies and decisions to deliver a sufficient supply of homes to support the Government's objective of significantly boosting the supply of homes without unnecessary delay. The overall aim should be to meet an area's identified housing need, including an appropriate mix of housing types for the local community.

8.26 In order to promote sustainable development in rural areas, Paragraph 83 of the NPPF requires new housing to be located where it will enhance or maintain the vitality of rural communities.

8.27 Paragraph 11(d) of the NPPF states that planning decisions should apply a presumption in favour of sustainable development where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out-of-date. Footnote 8 of Paragraph 11 of the NPPF highlights

that housing policies are out-of-date where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites.

8.28 The Planning Policy Team are currently reviewing the latest revisions within the 2024 version of the NPPF and its implications for the Council's Five-Year Housing Land Supply (5YHLS). A revised position will be published once the monitoring for the 2024/25 year has been completed. It is however likely that, with the revised need figure of 682 dwellings (649dpa + 5% buffer as per Paragraphs 62 and 78(a) of the NPPF), the Council will be unable to demonstrate a 5YHLS once the revised position is published.

8.29 As part of the planning appeal APP/K2420/W/24/3357570 at the Oddfellows Arms, 25 Main Street, Higham on the Hill, the Council have provided an indicative housing land supply figure via an Interim 5YHLS Statement (2024 and 2025). When applying the standard method figure and the 5% buffer to the Council's requirement of land for housing, the Policy Team confirmed that, as of 29 July 2025, the Local Planning Authority (LPA) could demonstrate a 3.89-year supply of land for housing. Paragraph 3.5 of this Statement confirms that these figures are indicative, and the supply figures are expected to decrease slightly as the monitoring exercise is further progressed.

8.30 In light of this, and due to the age of relevant housing policies within the adopted Core Strategy, the 'tilted' balance in Paragraph 11(d) of the NPPF is triggered in accordance with Footnote 8 and Paragraph 11 of the NPPF.

8.31 For decision-taking, Paragraph 11(d) of the NPPF requires planning permission to be granted unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a strong 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 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.

8.32 Footnote 7 of the NPPF confirms that areas and assets of particular importance include habitat sites (and those listed in Paragraph 189 of the NPPF) and/or designated as Sites of Special Scientific Interest (SSSI); land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in Footnote 75 of the NPPF); and areas at risk of flooding or coastal change.

8.33 Footnote 9 of the NPPF confirms that these key policies including Paragraphs 66 and 84 of Chapter 5 (Delivering a Sufficiently Supply of Homes), 91 of Chapter 7 (Ensuring the Vitality of Town Centres), 110 and 115 of Chapter 9 (Promoting Sustainable Transport), 129 of Chapter 11 (Making Effective Use of Land), and 135 and 139 of Chapter 12 (Achieving Well-Designed Places).

8.34 In this instance, Key Policy Paragraphs 66, 110, 115, 129, 135 and 139 apply in the determination of this planning application.

8.35 In light of the above, the ‘tilted’ balance of Paragraph 11(d) of the NPPF is engaged and the provision of up to 200 dwellings to the Borough’s supply of land for housing is considered to attract significant weight within the planning balance. The Applicant has also agreed to a reduced term for the submission of the first Reserved Matters application from 3 years to 18 months. This shortening of Reserved Matters submission timeframes was identified in the HBBC Housing Delivery Test Action Plan 2019 onwards as a tool to help speed up delivery of housing on development sites.

Housing Tenure/Mix

8.36 Policy 16 of the CS requires a mix of housing types and tenures to be provided on all sites of 10 or more dwellings, taking account of the type of provision that is likely to be required, based upon table 3 in the CS and informed by the most up to date housing needs data. All developments of 10 or more dwellings are also required to meet a ‘very good’ rating against Building for Life, unless unviable. A minimum density of 30 dwellings per hectare is required in rural areas, a lower density may be required where individual site circumstances dictate and are justified.

8.37 Paragraph 61 of the NPPF states that to support the Government’s objective of significantly boosting the supply of homes, it is important 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. The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community.

8.38 Paragraph 63 of the NPPF states that within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.

8.39 Final number, mix of dwellings, layout and density would be determined at Reserved Matters stage. However, the submitted Planning Statement indicates that the development would be expected to achieve a mix responding to the identified

need within the latest Housing Needs Assessment- this would be secured by planning condition.

Affordable Housing

8.40 Policy 15 of the CS sets out that a minimum of 2,090 affordable homes will be provided in the Borough from 2006 to 2026. At least 480 dwellings will be in the rural areas, at a rate of 40%. The rest will be delivered in urban areas at a rate of 20%. The Housing Needs Study (2019) identifies a Borough need for 271 affordable dwellings per annum (179 in the urban area and 92 in the rural area) for the period 2018-36. The Study states this is not a target, but that affordable housing delivery should be maximised where opportunities arise.

8.41 A policy compliant level of affordable housing is proposed, were 200 dwellings to come forward at reserved matters stage this would equate to 80 affordable homes (40%). These would be split between social/affordable rent and shared ownership properties. The provision of affordable housing would be secured via legal agreement and would be attributed positive weight in the planning balance.

Landscape and Visual Amenity

8.42 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Key Policy Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

8.43 Key Policy Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.

8.44 Key Policy Paragraph 129(d) and (e) of the NPPF confirm that planning decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting (including residential gardens) or of promoting regeneration and change, and the importance of securing well-designed, attractive, and healthy places.

8.45 Section 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 187(b) specifically highlights that this should be achieved by, "Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services..."

8.46 This is supported by Policy DM4 of the SADMP, which states that development in the countryside will be considered sustainable where:

- i.) It does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside; and
- ii.) It does not undermine the physical and perceived separation and open character between settlements; and
- iii.) It does not create or exacerbate ribbon development.
- iv.) If within a Green Wedge, it protects its role and function in line with Core Strategy Polices 6 and 9; and
- v.) If within the National Forest, it contributes to the delivery of the National Forest Strategy in line with Core Strategy Policy 21

8.47 Policy DM10(c) of the SADMP highlights that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.48 The application has been accompanied by a Landscape and Visual Impact Assessment (LVIA) and associated indicative landscaping plan.

Effects on Wider Landscape Character

8.49 At a national level the site is within National Character Area (NCA) 71: Leicestershire and South Derbyshire Coalfield, the NCA describes the wider setting and context of the site. NCA 71 extends from Swadlincote in the northwest to Newbold Verdon in the southeast, it is therefore a high-level character assessment. NAC 71 is described as “a plateau with unrestricted views of shallow valleys and gentle ridges” and with a “developing woodland character, heavily influenced by the work of The National Forest that covers the majority of the NCA” and is a landscape “in continuing transition, from an unenclosed rolling landform that was extensively scarred by abandoned collieries, spoil tips and clay pits, to a matrix of new woodland.”

8.50 The NCA, on the whole, is judged to have a medium susceptibility to change, which when combined with a medium landscape value results in a medium sensitivity. At this higher level, it is considered that the proposals would bring about negligible change to the key characteristics of this NCA beyond the site, and the overall effect would also be negligible.

8.51 At a more local, Borough level, the HBBC Landscape Character Assessment (2017) identifies that the site is within the northern part of Landscape Character Type (LCT): Rolling Farmland, described as: “A sparsely settled area of undulating mixed farmland with local variations in topography influenced by small streams.” Within this LCT Rolling Farmland, the site is situated in the north-western part of Landscape Character Area (LCA) D: Newbold and Desford Rolling Farmland and is adjacent to Urban Character Area 7: Newbold Verdon.

8.52 The application site displays several characteristics it shares with the key characteristics of LCA D, including the intact field boundary hedgerows and limited tree cover, to the south of the site is also a small-scale copse. There is also the PRoW running along the southern boundary of the site which effectively links residents of Newbold Verdon to the open countryside.

8.53 The landscape value of the site and the immediate landscape is considered of medium landscape value. The landscape of the site is influenced by recent development at the settlement edge the site. In terms of landscape features the site is a single arable field containing only peripheral hedgerows and trees, and a single PRoW along the southwestern boundary edge. The conservation area containing heritage assets, is of higher landscape value but falls outside of the immediate context to the south. Trees around the conservation area form part of the backdrop to the site, the church tower can be glimpsed from the PRoW within the site.

8.54 Indicative landscape proposals have informed the LVIA. Key aspects of the landscape proposals include focusing green infrastructure along the south/south western edge of the site which is more sensitive given this is the countryside edge close to heritage assets. This includes an indicative 40-70m green infrastructure corridor along the southwestern edge of the development with an approximate 10-20m belt of proposed vegetation within parts of the green infrastructure corridor. Approximately 3.12 hectares of land is proposed to be dedicated to landscaping, public open space and BNG proposals. On the whole existing boundary hedges are to be retained, however, the majority of the roadside hedge and a category B tree along Bosworth Lane would be removed to facilitate the proposed site access and required visibility splays. Compensatory hedgerow planting is proposed to rear of the visibility splays.

8.55 The LPA agrees with the findings of the LVIA on landscape effects. During construction the effects in landscape terms would be Negligible at a national scale to Minor Adverse/Negligible at borough scale to Major/Moderate Adverse for the site and immediate context scale.

8.56 The scale of the site relative to the study areas within the national and borough wide studies, limit the overall effect at construction stage. In line with the landscape character at a borough scale, features present on site such as existing hedgerows and tree vegetation along the boundary edges are to be retained wherever possible. However, effects on the site and its immediate context are higher as the scale of change of the proposed development relative to the study area is much larger and the transition from open agricultural field to residential development will alter the character of the site and its immediate context. The proposed development retains, where possible, many existing features however there will be vegetation removal along the proposed access off Bosworth Lane, compensatory planting will not mitigate the construction phase of the development hence the higher degree of harm. However, landscape impacts during construction are temporary and once mitigatory planting has established the impact of the development would reduce.

8.57 Following completion, the landscape effects remain as Negligible at a national scale to Minor Adverse/Negligible at a borough wide scale. The effects upon the site and immediate context will remain as Major/Moderate Adverse at completion, reducing to Moderate Adverse in the long term once the proposed new green infrastructure and planting matures that will reinforce/enhance the existing features on site.

Effects on Visual Amenity

8.58 As well as assessing the landscape effects, the LVIA includes an assessment of the likely visual effects of the proposed development upon surrounding receptors. The location of the 14 viewpoints were agreed by the LPA during pre-application discussions. These viewpoints represent publicly available locations at varying distances from the site.

8.59 During construction, the vegetation and topographical differences between the site and distance viewpoints mean that the development is likely to result in Neglige to Minor Adverse effects to six viewpoints. Minor Adverse to Moderate Adverse impacts would be experienced by a further six viewpoints closer to the site. These viewpoints include residential properties, and users of PRoWs and Barlestone Road who are close to but not adjoining the site. Moderate/Major Adverse effects are identified for residents backing onto the development site and users of the PRoWs within and directly adjacent to the site. Such users would have clearer views of the proposed development and its change from agricultural land to residential development.

8.60 Once completed, the LVIA considers there will be a range of impact from the assessed viewpoints. Once the proposed vegetation becomes established, the LVIA considers that the visual effects for all viewpoints would reduce.

8.61 In terms of the effects on residential properties and views from the settlement the worse effects (Moderate Adverse effects) are considered to be from Receptor A (residents in the Ferrers Green development to the north) and Receptor D (residential properties to the east). The LVIA considers that once planting has established effects will reduce from Receptor A to Moderate/Minor Adverse and to Minor Adverse for Receptor D. Officers are in agreement with the assessment for Receptor D but consider that due to the proximity of the site the effects for Receptor A are likely to remain at Moderate Adverse.

8.62 In terms of the effects on users of PRoWs and footpaths, the worse effect would be experienced by users of the PRoW running through the site (Receptor F). The LVIA concludes Major/Moderate Adverse effects at completion to Moderate/Minor Adverse effects in the long term due to the proposed green infrastructure corridor and associated new planting maturing, increasing the level of screening from these receptors. Whilst officers agree the indicative planting would screen some views over time, the indicative plans indicate that a significant length of the PRoW would experience open views into the development site and there would be a significant change from an undeveloped field to a SuDs basin, managed open space and residential properties. Officers consider that the effects would therefore remain at Major/Moderate Adverse.

8.63 Otherwise, there is agreement with the LVIA that for all other viewpoints from PRoWs and footpaths the effects would reduce to at least Minor Adverse impacts at Year 15.

8.64 Similarly, whilst some Moderate Adverse impacts are identified at Year 1 from receptors using nearby roads, officers agree that for such viewpoints the harm reduces to at least Minor Adverse at year 15 due to the mitigation planting.

Landscape Conclusions

8.65 The application proposals dedicate large areas to the south and west of the site to landscaping, green infrastructure, public open space and habitat areas including woodland, shrub and hedgerow planting. Should the application be acceptable the above matters would be secured at Reserved Matters stage albeit a condition is recommended ensuring general compliance with the submitted landscape and parameter plans.

8.66 The effects rising from the construction period will be short term and will therefore not cause any prolonged landscape or visual harm. In the long term, in terms of landscape character, effects upon the national level character will be negligible. At borough level, effects will be slightly higher at a minor adverse/negligible level. For site and immediate context effects will be moderate adverse as there will be a change to the character of the site due to the proposed development.

8.67 In terms of visual impacts, the greatest long term visual effects will be experienced by localised receptors, including users of PRoW's within the immediate context (such as S19/2, S19/1 & S60/1) to residential receptors to the immediate north of the proposed development on Moat Close and White Park Avenue, as well as road users to the west of the site (Bosworth Lane).

8.68 New planting and green infrastructure corridor along the south west and western edge of the development will help mitigate some of the long term effects of the development. However, it is considered that some Major Adverse impacts will remain to users of the PRoW within the site boundary.

8.69 To conclude, owing to the identified moderate adverse impacts to the landscape character of the site and major/moderate adverse impacts to some viewpoints there would be conflict with Policy DM4 and Policy DM10(c) of the SADMP, Chapters 12 and 15 of the NPPF, including Key Policy Paragraphs 129 and 135, the National Design Guide, and the Good Design Guide. In accordance with Paragraph 11(d) of the NPPF, the harm of the development shall be weighed against the planning benefits of the scheme.

Design and Layout

8.70 In accordance with Policy 16 of the adopted Core Strategy, all developments of 10 or more dwellings are also required to be assessed against the Building for Life design tool. Building for a Healthy Life is the latest iteration of that tool, and the submission of a Building for a Healthy Life Assessment at the Reserved Matters stage can therefore be secured via planning condition.

8.71 The Good Design Guide provides guidance upon how to design an appropriate new residential development. This includes appraising the context, creating appropriate urban structures through blocks, streets, enclosure, open space and landscaping, parking, amenity space and design detailing.

8.72 This is an outline application with all matters reserved except for access. Therefore, the detailed layout and appearance considerations are not being assessed at this stage, however, they will form details at the Reserved Matters stage. Notwithstanding this, the indicative plans illustrate that the development will consist of up to 200 dwellings, a shop and land for school playing fields.

8.73 The indicative proposals show a primary street running through the centre of the site from the main site access. Several secondary streets would extend off the primary street including to the secondary access to the site from the north. Pedestrian access points are proposed to the north of the site from Moat Close, adjacent to the secondary access point and from the PRoW in the south east of the site. A green corridor divides the site, allowing a direct pedestrian route from Moat Close to the shop land and the open space to the south of the site. A dedicated pedestrian access is also proposed to the school expansion land for children/parents to easily access the school, this would be gated and ultimately controlled by Newbold Verdon Primary School.

8.74 As outlined earlier in the report, the shop is indicatively shown in the centre of the site adjacent to pedestrian links to encourage walking to services. The playing field land is naturally located immediately adjacent to Newbold Verdon Primary School.

8.75 As set out above, the indicative plans show a large green infrastructure corridor to the south west of the site and a smaller corridor along the front/west of the site. The southern corridor includes a LEAP and LAP, with a second LAP shown within the central green corridor. Swales and an attenuation basin would also be located within the southern landscaped area.

8.76 Policy 16 of the adopted Core Strategy requires a minimum net density of 30 dwellings per hectare for developments within, or adjoining, Key Rural Centres. The development would achieve a density of up to 38 dwellings per hectare, with sufficient space to allow for lower densities towards the more sensitive south western countryside edge.

8.77 The Design and Access Statement outlines that the majority of the residential development will be 2-storey, with some 2.5 storey buildings to aid good placemaking. Local frontages, urban nodes and key buildings are identified, such as locations at key junctions and those overlooking areas of public open space and following the primary movement route.

8.78 Overall, whilst harm has been identified to the wider landscape/character of the area. It is considered that the design and layout of the development as presented within the parameters plan, indicative framework plan and design and access statement would be acceptable subject to further detail at reserved matters stage.

To ensure the general principles shown at outline stage are followed through at reserved matters stage a condition requiring general accordance with the submitted indicative plans is included.

Impact upon the Historic Environment

8.79 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the Local Planning Authority when determining applications for development which affects a Listed Building or its setting to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural and historic interest which it possesses.

8.80 Chapter 16 of the National Planning Policy Framework provides the national policy on conserving and enhancing the historic environment. Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

8.81 Therefore, in determining applications, Paragraph 212 of the NPPF requires great weight to be given to the conservation of designated assets and the more important the asset, the greater the weight should be.

8.82 Paragraph 216 of the NPPF highlights that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

8.83 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings and development affecting the setting of Listed Buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. Development proposals should ensure the significance of a conservation area is preserved and enhanced.

8.84 Policy DM13 of the SADMP requires developers set out an appropriate desk-based assessment and, where applicable, the results of a field evaluation detailing the significance of any affected asset. Where applicable, justified and feasible the LPA will require remains to be preserved in situ ensuring appropriate design, layout, ground levels, foundations and site work methods to avoid any adverse impacts on the remains. Where preservation of archaeological remains in situ is not feasible and/or justified the LPA will require full archaeological investigation and recording by an approved archaeological organisation before development commences.

8.85 There are no designated or non-designated heritage assets within the site boundary, however there are a number of designated heritage assets within the vicinity of the site. A Heritage Setting Assessment accompanies the application with the objective of understanding and describing the significance of heritage assets

affected by the proposal, including any contribution made by their setting. The assessment has been completed to a proportionate level and meets the requirements of paragraph 207 of the National Planning Policy Framework (NPPF) and Policy DM12 of the Site Allocations and Development Management Policies DPD (SADMP DPD).

8.86 The Assessment has concluded that heritage assets considered to be potentially sensitive to change resulting from the development of the site are:

- The Grade I listed building Newbold Verdon Hall;
- The scheduled monument 'Scheduled Moated Site (formerly scheduled as Moated site south of the Hall)';
- The three Grade II listed Pavilions at the Hall;
- The Grade II listed building Church of St James; and
- The Newbold Verdon Conservation Area

8.87 The Heritage Setting Assessment identifies how the application site contributes to the significance of the heritage assets potentially sensitive to the proposed development, followed by assessing the impacts of the proposed development upon such significance. The HBBC Conservation Officer agrees with the conclusions contained within Section 9 of the Assessment, which are summarised below:

Newbold Verdon Hall (grade I listed building)

8.88 The site was likely part of the manorial landholdings in the 17th and 18th centuries but would have possessed a different landscape character. The site lay beyond the designed landscape surrounding the Hall in the 18th century, only remnants of which survive today. It would have been peripherally experienced when moving along the Western Avenue (i.e. it was not the focal point of views) and from the vicinity of a fishpond, but is most likely to have been screened by an avenue of trees in views north-west from the hall, historically. It is visible from the hall today, but the key historic view north-west is now screened by trees and the avenue lost. The site has been and is associated agricultural land illustrating the later use of the hall as a farmhouse. Overall, the site is considered to make a small contribution to the significance of grade I listed Newbold Verdon Hall through setting.

8.89 The visibility of the development from the asset would be softened by a tree belt. The change in character of the site and the filtered views of development would cause less than substantial harm to Newbold Verdon Hall, at the lower end of this spectrum of harm.

Scheduled moated site (scheduled monument)

8.90 The site may have been part of an associated deer park, although the extent of such a feature, if present, is not known. The development is anticipated to be visible, albeit filtered by planting, in views from the moat, and, at most, a very low level of less than substantial harm is anticipated.

Newbold Verdon Hall Pavilions (grade II listed buildings)

8.91 The site makes only a very modest contribution to their heritage significance, through its character having a very small amount of illustrative value as to the later agricultural use of the structures, and change to this character being co-visible in some views to the assets. A very low level of less than substantial harm is anticipated to each asset.

Church of St James (grade II listed building)

8.92 The site is co-visible with the asset in views from the north-west, and there is glimpsed visibility of the area from the churchyard, with these views making a very modest contribution to the understanding of the settlement edge location of the asset. Change of the character of the site and the co-visibility of this in views would result in a very low level of less than substantial harm.

Newbold Verdon Conservation Area

8.93 With regards to the Conservation Area, taking into account the whole of the significance of the area, and the contributions the site makes to the assets within it, as well as the visibility of the site from the closest part of the area itself, the site is considered to make a very modest contribution to the significance of the asset through setting, and the proposed development would result in a very low level of less than substantial harm.

Heritage Harm vs Benefits Assessment

8.94 As the proposal would cause harm to the identified designated heritage assets the less than substantial harm caused must be carefully weighed up against the public benefits of the proposal as required by Policies DM11 and DM12 of the SADMP and paragraph 215 of the National Planning Policy Framework.

8.95 Paragraph 212 of the NPPF states that great weight should be given to the conservation of designated heritage assets, and the more important the asset, the greater the weight should be. Paragraph 213 of the NPPF states that any harm to the significance of a designated heritage asset should require clear and convincing justification. The need for justification is re-iterated in Policy DM11 of the SADMP.

8.96 Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the NPPF (paragraph 8). Public benefits may include heritage benefits as specified in the Planning Practice Guidance (Conserving and enhancing the historic environment – paragraph 20).

8.97 In this case, the harm identified is less than substantial and in most cases this is identified by the Conservation Officer to be at the low to very low level of less than substantial harm. However, this is still harm and in accordance with the NPPF great weight is given to the conservation of heritage assets.

8.98 In this case the proposal demonstrates no specific heritage assets. However, the proposal would result in a number of non-heritage benefits. This includes the provision of 200 dwellings towards the Councils housing land supply and up to 80 affordable homes, each of these benefits are attributed significant positive weight. Additional significant positive weight would be attributed to the economic and social benefits arising from the construction and occupation of the 200 dwellings. The provision of at least the mandatory requirement of BNG, school playing field land and shop is also attributed additional limited positive weight. In cumulation the benefits of the development are considered to outweigh the identified harm to the heritage assets noting the great weight given to their conservation. Due to the benefits of the development outweighing the harm, the development is not considered to result in any adverse impacts to the character and significance of the historic environment in accordance with Policies DM11 and DM12 of the SADMP, Chapter 16 of the NPPF, and the statutory duty of Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. However, the design and landscape related mitigation measures presented at this outline stage should be adhered to and enhanced at reserved matters stage to ensure the level of harm identified is not worsened through inappropriate final design.

8.99 In accordance with adopted CS Policy 11 and SADMP DPD Policies DM11, DM12 and DM13, archaeological assessments have been undertaken. Following the results of this the LCC archaeology department have advised no further archaeological investigations are required and they have no objection to the development and therefore the application is judged to accord with Policy DM13 of the SADMP.

8.100 In summary, subject to conditions the benefits of the development are considered to outweigh the harm to designated heritage assets in accordance with Policies DM11, DM12 and DM13 of the SADMP, Chapter 16 of the NPPF, and the statutory duty of Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact upon Residential Amenity

8.101 Key Policy Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.

8.102 Paragraph 14.2 of the SADMP states that new development should be located and designed in such a way that the amenity of both existing residents and occupiers is fully considered when assessing planning applications.

8.103 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters

of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.

- 8.104 The Good Design Guide SPD outlines that development will need to demonstrate that it will not result in loss of amenity to neighbouring properties by way of overlooking, overshadowing or noise.
- 8.105 To protect the residential amenity of neighbouring dwellings, the Council's Environmental Services team requested that a Construction Environmental Management Plan (CEMP) and restrictions on site preparation and construction hours are secured via planning condition. A development of this scale is likely to cause some noise, dust and disturbance at construction stage, however, securing an appropriate CEMP by condition will allow for this to be mitigated to an acceptable degree.
- 8.106 It is not until the Reserved Matters stage that the siting and scale of the housing will be secured. However, the indicative plans demonstrate that it is possible for a detailed design of the development to come forward at the that is not considered to result in any significant adverse impacts to the residential amenity of existing or future residents in terms of loss of light, privacy or through overdominance. The indicative proposals show landscaped buffers between residential parcels and existing residents which is welcomed.
- 8.107 The applicant has undertaken an Acoustics Assessment (AA) to determine the prevailing existing acoustic condition, to predict future sound levels and where required recommend appropriate mitigation. The acoustic modelling has demonstrated that BS 8233's upper-level criterion of 50 dB LAeq, will be satisfied at all garden locations on the site through the provision of standard 1.8m high close boarded timber fencing.
- 8.108 With regards to internal acoustic conditions across the site, the majority of habitable rooms across the site will satisfy the relevant criteria through the provision of standard thermal double glazing and direct airpath window mounted trickle ventilators to achieve the whole-dwelling ventilation requirements. Those dwellings most exposed to Bosworth Lane will benefit from up rated thermal double glazing and through wall ventilators.
- 8.109 The shop may require some plant equipment which would be finalised at a later date. The AA advises that the design criterion for new plant such as extracts or ventilation units shall be that the overall Rating Level measured at 3.5 metres from the facade of the nearest dwelling shall not exceed 40 dB for all daytime and evening operations, or 29 dB at night. The Rating Level must allow for any tonal content through the addition of appropriate acoustic character corrections as defined by BS 4142 where tonal noise is present. Use of the above noise limits for the design and installation of any new mechanical/electrical service plant on the outside of the community health hub will ensure that its operation does not adversely affect the existing background sound level and does not give rise to

adverse impacts under BS 4142. This is a matter that can be dealt with by way of a planning condition.

- 8.110 The AA has been reviewed by the Council's Environmental Services team who have advised that subject to detailed mitigation coming forwards through suitably worded planning conditions the noise impacts are likely to be acceptable.
- 8.111 An Air Quality Assessment has been submitted which predicts a negligible impact from the operational phase of the development. The report recommends mitigation measures during construction which would be secured through the CEMP.
- 8.112 The Council's Environmental Services team recommend that the lighting strategy of the shop be designed to comply with the criteria in the institution of lighting professionals guidance note 1 the reduction of obtrusive light for a site in environmental zone E3. A condition has been recommended requiring that this be submitted prior to commencement of development, however, officers consider such a condition is not yet necessary as this could be addressed at reserved matters stage for the shop building.
- 8.113 A Phase 1 Ground Investigation was undertaken and this recommends further intrusive investigation is required. The Environmental Services Team recommend this further investigation and any mitigation can be conditioned.
- 8.114 To summarise, it is therefore considered that the scheme, subject to the detailed matters to come forward at Reserved Matters stage, could be designed such to have a suitable relationship with the nearby residential units and shall protect the residential amenity of the future occupants of the scheme. Although concerns raised by the members of the public to the scheme have been taken into account, it is considered that the use of conditions, together with the Council's continued role in assessing detailed plans at Reserved Matters stage, ensures that sufficient scrutiny and control is retained to ensure all concerns are appropriately addressed.

Impact upon Parking Provision and Highway Safety

- 8.115 Section 9 of the NPPF promotes sustainable transport. Key Policy Paragraph 115(b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. In accordance with Paragraph 115(d) of the NPPF, any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 8.116 Ultimately, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.

8.117 Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, and does not have an adverse impact upon highway safety. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)).

8.118 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.

8.119 All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)).

Site Access

8.120 Two points of vehicular access are proposed to the site, primary access is proposed off Bosworth Lane and a secondary access is proposed from White Park Avenue.

Primary Access

8.121 Bosworth Lane (B585) is a B classified road subject to the national speed limit. The access includes a ghost right turn lane with a 6.75m wide access and 15m junction radii.

8.122 Following amendments, LCC as the Local Highway Authority (LHA) is now satisfied that the junction radii and tapers are in accordance with Design Manual for Roads and Bridges (DMRB) CD123, Para. 5.6.3. In addition, dimensions for the right turn lane have been shown, which are in accordance with Table 5.22 of the DMRB CD123 for a design speed of 100kph (62.5mph). The formation of the hatching is shown to be over a length of 77.5m and 75m suggesting that a taper of 1:25 has been provided. This is in accordance with Table 6.1.1 for a design speed 85 kph.

8.123 The Applicant is also proposing to reduce the speed limit to 40mph along Bosworth Lane as previously requested by the LHA.

8.124 Swept path analysis has been provided. The right turn in manoeuvre now no longer shows the rear of the vehicle encroaching into the straight ahead lane. In addition, the drawing now shows that vehicle speeds of 15kph have been used for the swept path analysis. Given the above, the LHA considers the site access design to be acceptable.

8.125 Notwithstanding this, the LHA had previously requested that a new pedestrian footway be provided along Bosworth Lane from the proposed site access to the existing Phase 2 access at Hall Lane. This requirement has been discussed with the LHA and Applicant as the case officer had concerns with the impact this requirement would have on the hedgerow along Bosworth Lane within the site boundary and adjacent to the Phase 2 development to the north. Officers consider

that as a result of providing the footway as requested by the LHA this hedgerow would have to be removed, alongside an existing Category A tree. This would have further landscape impacts and would further urbanise the entrance to Newbold Verdon to the detriment of the character of the area. Following discussions with the Applicant, it is proposed that a new footway instead be provided from the secondary access for the development continuing north within the Phase 2 development on the inside of the roadside hedgerow. The LHA would not adopt the footway as it would not be immediately adjacent to the road, however, such a footway would provide a pedestrian link to Hall Lane and the adjacent bus stop without compromising the existing hedgerow. A condition is recommended requiring details of this to be submitted at reserved matters stage, this will include details of surfacing, lighting and maintenance. It is understood that the lack of footway adjacent to the highway would not give rise to highway safety concerns for the development.

Secondary Access

8.126 The LHA has also reviewed TTC drawing number 210988-03 Rev. D (secondary access) which would connect the development to the existing internal roads constructed as part of application reference 20/00143/FUL. The LHA advises the corner radius of 7.5m which has now been detailed is in accordance with Table 9 of the LHDG. The Applicant has also detailed a 25.0m forward visibility splay on the bend and included this in their red line boundary for the site. Vehicular visibility splays have also been shown at the junction in each direction, which are accepted. Given all the above, the LHA considers the secondary access design to be acceptable.

Highway Safety

8.127 The LHA advised the frequency and severity of PIC's recorded within the Applicants study area over the latest five-year period does not suggest there are any inherent safety issues on the network. Given the LHA is now satisfied with the site access arrangements, it is considered the proposals are unlikely to exacerbate any existing highway safety concerns.

Trip Generation and Distribution

8.128 The LHA have accepted the Applicants trip rates, in order to distribute the development traffic through the network the Applicant has used LCC's Pan Regional Transport Model (PRTM).

Junction Capacity Assessments / Off-Site Implications

8.129 The Applicants study junctions are detailed below:

- Proposed Site Access Junction with B582 Barlestone Road.
- B582 Barlestone Road/B582 Barlestone Road/B585 Bosworth Lane Signal Junction.
- B585 Barlestone Road/Bagworth Road Priority T-junction.

- B582 Barlestone Road/Dragon Lane Priority T-junction.
- B582 Barlestone Road/Mill Lane Priority T-junction.
- B585 Bosworth Lane/A447/Bosworth Road Staggered priority T-junction (Bull in the Oak).
- Hall Lane/A447 Priority Junction.
- A447/Barton Road/Lount Road Priority Cross-roads.
- A447/Main Street/Barton Lane Crossroads

8.130 The LHA confirmed the above junctions have been modelled correctly.

8.131 The Applicant has also undertaken estimates for junction capacities within the PRTM analysis. This has indicated the Dans Lane/ A47 Hinckley Road and B582 Leicester Lane/ A47 Hinckley Road/ B582 Leicester Lane (Desford Crossroads) junctions in Desford exceed capacity in the 'do nothing' scenario in both the AM and PM peaks. The Applicant has stated this does not suggest the issues are as a result of the development traffic, rather these issues exist in the 2024 base scenario and get worse with the 'Do Nothing' scenario as a result of growth associated with committed developments. Furthermore, the Applicant states the forecast change in traffic flows show little to no change in flows at these locations as a result of the development traffic being added to the network.

8.132 Further information was requested in respect of this and the impact of the development on the Dans Lane/ A47 Hinckley Road and B582 Leicester Lane/ A47 Hinckley Road / B582 Leicester Lane (Desford Crossroads) junctions. This was due to the LHA actively seeking contributions towards an improvement scheme.

8.133 The Applicant has subsequently acknowledged that both junctions are operating over their capacity. The Applicant has not undertaken any further capacity assessments of either junction, however stated that the proposals would not result in a material increase in traffic at the locations. The LHA note that in the Desford Crossroads 2029 Do Something scenario, where the development is fully built out, traffic flow is reduced by approximately four vehicles on the Hinckley Road eastern arm in the AM peak. This could suggest that traffic is re-routing elsewhere due to congestion at the junction.

8.134 Notwithstanding this, under the site-specific circumstances, the LHA consider it would be more appropriate and reasonable, given the location of the development and that the Applicant has now agreed they will contribute towards an improvement scheme, at Junction 6 (Bull in the Oak), in lieu of any contribution towards the Desford Crossroads. Additional information on Junction 6 is provided further below.

Sensitivity Test

8.135 The LHA also requested the Applicant undertakes a sensitivity test using PRTM which includes the below three developments, as well as application 24/01061/OUT (Barlestone Road, Newbold Verdon), so the cumulative impact of all development in the area could be considered.

- 24/01079/OUT (126 dwellings - Land North of Station Road Market Bosworth);
- 24/00831/OUT (100 dwellings - Land North of Shenton Lane, Market Bosworth); and
- 24/01158/OUT (135 dwellings - Land off Brascote Lane, Brascote Lane, Newbold Verdon).

8.136 The Applicant has undertaken the sensitivity test as requested. This is shown as the Sensitivity Test – 2029 ‘Do Something’ scenario within the Applicants junction modelling results in the TAA.

8.137 Ratio of Flow to Capacity (RFC) is a term used in Transport Modelling to assess the operation of a junction. The result provides an indication of the likely junction performance, with a value of 1 implying that the demand flow is equal to the capacity. Typically, a value of 0.85 is seen as the threshold of practical capacity, with results higher than this more likely to experience queuing or delay.

8.138 The RFC of junctions 1, 2, 3, 4, 5, 7, 8 and 9 is not predicted to exceed 0.85 with the development in place in 2029, this includes under the sensitivity test scenario where all the above applications are considered to have been granted planning permission or allowed at appeal. The LHA is satisfied these junctions will operate within capacity. Further consideration has been given to junctions 6, as outlined below.

Bull in the Oak Junction (Junction 6)

8.139 The results of the Applicants junction modelling indicate that the junction is operating overcapacity in all scenarios in the AM Peak. The Applicant has acknowledged that the junction would benefit from an improvement scheme. The Applicant’s modelling results indicated that approximately 29 trips would route through the junction in the AM peak, however there would be an additional 35 two-way trips routing to/ from the northbound A447 through Osbaston. The Applicant has also acknowledged that improvements to the junction would likely result in traffic indicated to route through Osbaston to travel to the A447 would likely re-route through the Bull in the Oak junction if delays were reduced. This would mean 64 two-way trips are likely to go through the junction in the AM peak.

8.140 LCC have recently and independently from all current planning applications in the area identified draft proposals to signalise the junction, which would offer significant capacity benefits in future years, given the additional pressure cumulative development traffic is likely to have on this junction. The scheme has a current cost estimate in the region of £1.5m to £2m.

8.141 To date, the LHA have requested an appropriate contribution proportionate to the level of traffic generated from application references 24/01079/OUT and 24/01061/OUT. When considering the level of traffic generated by the proposed development (64 two-way trips), the LHA advise it requests a contribution of £607,296 towards the works. This would negate any further assessment of the junction.

8.142 The Applicant has confirmed they are agreeable to this contribution, which would be secured as part of the Section 106 agreement if planning permission is granted.

Transport Sustainability

8.143 The LHA has advised the Applicants Travel Plan was acceptable. The LHA previously asked the Applicant to contribute towards pump-priming the existing 153 bus service through the village with additional early morning and later evening bus services. However, since the application was submitted, the service has been updated and now includes additional morning services. Given the improvements to the timetable, the LHA believe it would not be possible to justify additional funding towards pump-priming the bus service.

8.144 The site is within a sustainable location within walking distance to services within Newbold Verdon.

Internal Layout

8.145 The internal layout is not for consideration at this stage and therefore has not been considered in detail.

Public Rights of Way

8.146 The LHA have advised that a contribution of £89, 785 would be required towards improvements to Public Footpath S19 outside of the application site. This would include 2.0m wide surfacing, lighting, fencing and diversions. The applicant has confirmed within the TAA that they would be willing to contribute towards the works

8.147 Furthermore, it was advised there would need to be more detailed consideration of the treatment of footpath S19 inside the application site and at the associated boundary crossing points, including the crossing of Bosworth Lane. The LHA advise this section within the site could be dealt with by means of a suitably worded condition.

Construction Traffic

8.148 The LHA would not be able to seek to resist the proposals based on construction traffic, the type of vehicles used, or the route HGVs would take to access the site. Nevertheless, the LHA have advised the LPA to require a Construction Management Plan (CMP) to be submitted and approved prior to any construction works on the site. As a minimum the CMP should include details of the construction access, routing of construction traffic, along with details of parking and wheel washing facilities.

8.149 Overall, subject to conditions and planning obligations, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not

be severe. Based on the information provided, the development complies with policies DM17 and DM18 of the SADMP, the LHDG and paragraph 116 of the National Planning Policy Framework (2024)

Impact upon Ecology and Biodiversity Net Gain

- 8.150 Policy DM6 of the SADMP states that major development must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long term.
- 8.151 Paragraph 170 of the NPPF states that development should result in a net gain for biodiversity by including ecological enhancement measures within the proposal.
- 8.152 The development will be subject to the mandatory biodiversity net gain (BNG) condition and will be required to achieve 10% BNG.
- 8.153 In consultation with LCC ecology it has been demonstrated that subject to mitigation the development will not lead to adverse harm to protected species.
- 8.154 Further the submitted BNG metric identifies a 10.07% gain in on-site habitat units and a 38.86% gain in on site hedgerow units. BNG would be provided for on site in accordance with the BNG hierarchy and the development would generate BNG higher than the mandatory requirement which is afforded positive weight in the planning balance.
- 8.155 Overall, the development complies with Policy DM6 of the SADMP.

Drainage and Flood Risk

- 8.156 Policy DM7 of the SADMP outlines that adverse impacts from flooding will be prevented. Developments should not create or exacerbate flooding by being located away from area of flood risk unless adequately mitigated in line with National Policy. Policy DM10 outlines the requirement for an appropriate Sustainable Drainage Scheme.
- 8.157 Paragraph 181 of the NPPF states that when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 182 states applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should: a) take account of advice from the Lead Local Flood Authority; b) have appropriate proposed minimum operational standards; and c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.

8.158 In flood risk terms, the Site is located within Flood Zone 1, having the lowest probability of flooding, the site is also at low risk from surface water flooding.

8.159 Following consultation with the EA and LCC as the Lead Local Flood Authority (LLFA) it has been demonstrated that subject to conditions requiring full details of the drainage arrangements during construction and for the development itself, the proposal complies with policies DM7 and DM10 of the SADMP in terms of fluvial flood risk concerns.

8.160 The LLFA requested a condition requiring infiltration testing to be carried out prior to commencement of development. In this case, it has already been established and agreed that infiltration is not possible due to ground conditions and therefore whilst all other conditions are agreed, the condition requiring infiltration testing is not judged to be necessary in this case.

Minerals Safeguarding

8.161 Mineral resources of local and national importance should not be needlessly sterilised by non-mineral related development. The development site is located in a sand and gravel minerals consultation area and therefore Policy M11 of the Leicestershire Minerals and Waste Local Plan is relevant. The development does not fall within any of the safeguarding exemptions outlined in the policy and therefore a Mineral Assessment is required and has been undertaken.

8.162 The submitted Mineral Assessment has been reviewed by the LCC Planning Team who advised that they have no objections. Therefore, the application accords with Policy M11 of the Leicestershire Minerals and Waste Local Plan.

Sustainability

8.163 Policy 24 of the Core Strategy requires residential development to meet the Code for Sustainable Homes, this has largely been superseded by current building regulations. Policy DM10 requires development to maximise opportunities for the conservation of energy and resources through design, layout, orientation and construction.

8.164 Such detail would be considered at Reserved Matters stage, however, the application includes an Energy/Sustainability Framework Report which outlines that the development will aim to follow the established Fabric First approach and ensure compliance with Building Regulations. The development will include low and zero carbon technologies, likely to include solar photovoltaic panels and air source heat pumps.

8.165 It is considered that development can come forward in compliance with the aforementioned policies.

Infrastructure and Development Contributions

8.166 Policy DM3 of the adopted SADMP requires development to contribute towards the provision and maintenance of necessary infrastructure to mitigate the impact of additional development on community services and facilities.

8.167 Policy 14 of the adopted Core Strategy requires developments to support accessibility within rural areas by:

- Supporting the delivery of a viable, high quality public transport network between the Key Rural Centres and their nearest urban centre and between the Rural Villages and their nearest Key Rural Centre or urban centre.
- Supporting the provision of accessible transport services for mobility impaired and rurally isolated residents.
- Delivering safe cycle paths as detailed in the Hinckley & Bosworth Council's Rural Parishes Cycling Network Plan. This will deliver safe routes to school, to residential and employment areas, Key Rural Centres/urban areas, community, and leisure facilities and into the countryside.

8.168 Developers will be required to contribute towards these initiatives through developer contributions and/or land where they meet the tests set out in National Guidance. New development that would prejudice their implementation will not be permitted.

Affordable Housing

8.169 Key Policy Paragraph 66 of the NPPF confirms that where major development involving the provision of housing is proposed, planning decisions should expect that the mix of housing required meets identified local need, across Social Rent, other affordable housing for rent and affordable home ownership tenures.

8.170 Policy 15 of the adopted Core Strategy states that developments in rural areas, including Newbold Verdon) that provide 15 dwellings or more should allocate 40% of its units towards affordable housing.

8.171 The Building for a Healthy Life Assessment (BfHLA) confirms that developments should be designed where it is difficult to determine the tenure of properties through architectural, landscape, or other differences. A range of housing typologies should also be supported by local housing needs and policies to help create a broad-based community and the affordable housing units should be distributed across the development.

8.172 In accordance with National Planning Policy, the Council's Affordable Housing Officer has confirmed that 80 affordable housing properties should be provided (assuming 200 dwellings come forward) in the following tenure mix:

- 60 x Affordable/ Social Rent

- 20 x Shared Ownership

8.173 The Affordable Housing Officer confirmed that these affordable housing properties should include:

10% one bed quarter houses;
 5% two bed bungalows;
 45% two bed 4 person houses;
 35% three bed 5 person houses; and
 5% four bed 6 person houses.

8.174 All properties should, where possible, meet the Nationally Described Space Standards. However, the specific type of affordable housing within this provision will be confirmed at the Reserved Matters Stage.

8.175 Therefore, it is considered that the development can provide a policy compliant provision of affordable housing in accordance with Policy 15 of the adopted Core Strategy and National Planning Policy.

Public Open Space (POS)

8.176 Policy 11 of the adopted Core Strategy asserts that the Council will address the existing deficiencies, quantity and accessibility of green space and play provision within Newbold Verdon. New green space and play provision will be provided where necessary to meet the standards set out in Policy 19 of the adopted Core Strategy.

8.177 Policy 19 of the Core Strategy identifies standards for play and open space within the Borough. Developments should accord with this Policy and provide acceptable open space within the development, or if that is not possible contribute towards the provision and maintenance of open space off site.

8.178 The Open Space and Recreation Study (OSRS) (2025) has been published during the latter stages of consideration of this application and updates the open space standards and identifies the costs for off-site and on-site contributions.

8.179 A table of showing the OSRS requirements for on-site open space and the indicatively proposed onsite provision is identified below:

Typology	OSRS Requirement (ha)	Proposed On Site Provision (ha)	Equipment Provision based on OSRS requirements and On Site Provision	Maintenance Contribution (per year)*	Maintenance Contribution (20 year maintenance period)
Amenity Green	0.64	0.76	NA	£10,108	£202,160

Space					
Equipped Play Provision	0.12	0.09	£135, 504	£7191	£143, 820
Natural and Semi Natural	0.96	1.48	NA	£14, 060.00	£281, 200
Provision for Young People (MUGA)	0.14	0	£0	£0	£0
TOTAL:	1.87	2.34	£135, 504	£41, 617	£627,180.00

*Maintenance would be required if the onsite open space is transferred to the Borough or Parish Council

8.180 As can be seen above, the indicative proposals show an overprovision of amenity green space and natural and semi-natural open space. However, the indicative plans show areas identified as amenity green space which may be utilised for landscaping which would be incompatible with the amenity green space typology, therefore this overprovision may reduce at detailed stages of design. That being said a compliant level of both open space typologies is likely to be secured.

8.181 However, there would be a deficit of onsite Equipped Play Provision and in the Provision for Young People typology. It is important to note that under the previous Open Space and Recreation Study the on-site provision was sufficient and it was this study which informed the pre-application and much of the term of the application. Therefore, owing to the introduction of the new OSRS 2025 the applicant has been asked to address the shortfall as far as possible on-site and this proposal is the final proposal offered by the Applicant.

8.182 Given the undersupply of Equipped Play Provision and in the Provision for Young People typology onsite, officers consider that off-site contributions should be provided to make up for the shortfall. There is a MUGA and play area at the Dragon Lane greenspace which is within 700m walking distance of much of the application site, an appropriate walking distance in line with the OSRS. Improvements to this area, in this unique application circumstance, is considered to meet the requirements of the OSRS. The exact figure for off-site contributions would be determined at Reserved Matters stage when the exact open space areas are finalised, indicative figures assuming the areas advised at this outline stage are provided below.

8.183 In accordance with the OSRS the scale of development is not of a sufficient scale to warrant on-site 'Parks and Gardens' or 'Allotments'. In this circumstance off-site contributions would be required to enhance existing provision within the relevant accessibility catchment. There is currently no open space of the 'Parks and Gardens' typology within the accessibility catchment of the site and therefore it would not be reasonable to request offsite contributions towards this. Off-site

contributions are requested towards improvements at either 'Top Close' or 'The Bog' allotments. A table of off-site contributions requirements is shown below:

Typology	Equipment Provision Contribution	Maintenance Contribution (10 year maintenance period)
Allotments	£12, 448.80	£4704.00
Equipped Play Provision (Assuming a 0.03ha shortfall)	£45, 168	£23,970
Provision for Young People (MUGA) (Assuming a 0.14ha shortfall)	£158, 550	£74,620
TOTAL	£216, 166.80	£103, 294

8.184 The proposal includes land to be gifted to Newbold Verdon Primary School for use as school playing fields/pitches, however, the final detail of the size, number and use of the pitches to be provided is not yet known nor is the land secured for community use through this planning application. As a result, the Applicant will still be required to provide an off-site contribution and a maintenance contribution towards of outdoor sports/playing pitch provision in line with the HBBC Playing Pitch and Outdoor Sport Strategy (2025) (PPOSS). To calculate the required contribution the Council utilise the Sport England Playing Pitch Calculator, the results for this are outlined below:

	Number of Pitches	Capital Cost	Lifecycle cost (per annum)	Changing rooms (number)	Changing rooms (cost)
Total	0.65	£97,045	£13,127	0.67	£140,341
Natural Grass Pitches	0.63	£62,082	£12,099	0.61	£128,322
Adult Football	0.08	£9,389	£1,850	0.16	£33,678
Youth Football	0.26	£25,546	£5,160	0.29	£59,979
Mini Soccer	0.2	£6,091	£1,206	0	£0
Rugby Union	0.05	£8,700	£1,609	0.1	£20,506
Rugby League	0	£0	£0	0	£0
Cricket	0.03	£12,357	£2,274	0.07	£14,159
Artificial Grass Pitches	0.03	£34,963	£1,028	0.06	£12,018
Sand Based	0	£0	£0	0	£0
3G	0.03	£34,963	£1,028	0.06	£12,018

8.185 The HBBS PPOSS identifies there is currently spare capacity in the Central Analysis Area for adult football, mini soccer and cricket. Therefore only contributions towards pitches for youth football, rugby union and 3G pitches are necessary. In addition, as the development would still generate use and demand for all pitch types, contributions will be sought for the improvements to changing rooms and ancillary facilities. In summary, Playing Pitch and Outdoor Sports contributions are required for improvements to playing pitches and changing room/ancillary

facilities within the Central Analysis Area as identified in the HBBC Playing Pitch and Outdoor Sport Strategy (2025) as outlined below:

	Capital Cost for Improvements (£):	Lifecycle Costs (£) (for 10 year period):	Changing Room Improvement Costs (£)
Adult Football	N/A	N/A	£33, 678
Youth Football	£25, 546	£51, 600	£59, 979
Mini Soccer	N/A	N/A	N/A
Rugby Union	£8,700	£16, 090	£20,506
Cricket	N/A	N/A	£20, 506
3G Pitch	£34, 963	£10,280	£14, 159
Total:	£69, 209	£77, 970	£148, 828

Shop

8.186 The proposals include the provision of land for a shop. The provision of the shop would be secured through the S106 agreement. As Newbold Verdon Parish Council have confirmed they would not take on responsibility for the shop, the legal agreement will require the submission of and agreement to a marketing strategy for the shop.

8.187 As outlined earlier, should the marketing of the shop be successful the legal agreement would require the land to come forward as open space to ensure that community benefits are still realised.

Highway Contributions

8.188 Highway contributions are requested as follows:

- A contribution of £ 607,296 towards a junction capacity improvement scheme at the A447 Ashby Road/ B585 Bosworth Lane/ Bosworth Road (Bull in the Oak) junction. To accommodate the wider growth in the area, including the impact from this development. Suggested trigger point: Prior to occupation of the first dwelling on site.
- A contribution of £7,500 for a Traffic Regulation Order to reduce the existing speed limit on B582 Bosworth Lane as detail on TTC drawing number 210988-01 Rev.G. Justification: To ensure that legal orders are in place to support the delivery of the proposed highway works and in the interests of highway safety. Suggested trigger point: Prior to construction
- Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack per plot). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500. Justification: To inform new residents from first occupation what sustainable travel choices are available in the surrounding area. Suggested trigger point: Prior to the occupation of the first dwelling
- Six month bus passes, two per dwelling (two application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use

bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at an average of £605 per pass for an Arriva service). To encourage new residents to use bus services as an alternative to the private car to establish changes in travel behaviour from first occupation. Suggested trigger point: Payment of 25% of total obligated contribution paid prior to the occupation of the first dwelling. Remaining 75% of total obligated contribution paid prior to occupation of 25% of total dwellings, except payment may be deferred by agreement with the County Council.

- STARS for (Sustainable Travel Accreditation and Recognition Scheme) monitoring fee of £6,000.
- To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement. Suggested trigger point: Prior to the occupation of the first dwelling.
- A contribution of £89,785 towards improvements to Footpath S19 outside of the site including surfacing, widening, fencing, lighting, diversions and provision of appropriate street lighting. To improve the accessibility of Footpath S19 between the site and Main Street, Newbold Verdon. Suggested trigger point: Prior to occupation of the first dwelling.

Other Infrastructure Requirements

8.189 In addition, the following infrastructure contributions have been requested by LCC, the HBBC Section 106 Monitoring and Compliance Officer, and NHS England:

- Healthcare (LLR ICB) (Newbold Verdon Medical Practice) (£193, 600)
- Libraries (Newbold Verdon Library) (£6,039.54)
- Early Years Education (Newbold Verdon Primary School) (£256,984.00)
- Primary Education (Newbold Verdon Primary School) (£798,486.00)
- Secondary Education (The Market Bosworth School) (£597,058.40)
- Primary SEND Education (The Dorothy Goodman School) (£47,672.06)
- Secondary SEND Education (£65,224.80)
- Off-Site Outdoor Sports Contributions (£69, 209)
- Off-Site Outdoor Sports Maintenance (£77, 970)
- Off-Site Outdoor Sports Changing/Ancillary Facilities (£148, 828)
- Off-Site Public Open Space Contributions ~(£216, 166.80)
- Off-Site Public Open Space Maintenance ~(£103, 294)
- On-Site Public Open Space Provision Contributions ~(£135, 504)
- On-Site Public Open Space Maintenance (20 year period) ~(£627, 180)
- Waste (Barwell Household Waste and Recycling Centre) (£9, 906)
- County Council Monitoring Costs £300.00 or 0.5% depending upon which is the greatest for each planning obligation.
- HBBC Monitoring Costs £558 per obligation

8.190 Contributions totalling £89, 888.29 have been requested by Leicestershire Police for police equipment, infrastructure and crime reduction initiatives. HBBC are not currently satisfied that the requests meet the planning obligations tests of para 58 of the NPPF and Regulation 122 of the CIL Regulations 2010 as it has not been demonstrated that they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. Therefore, at this time, these contributions are not requested.

Summary

8.191 In light of the above, planning obligations totalling approximately £3,353,122 are identified. This is subject to change dependent on the number of dwellings which are developed at reserved matters stage and the final provision of on-site open space.

8.192 Land for the school and shop would also be secured within the legal agreement.

8.193 All the above contributions/obligations are considered to meet the tests for planning obligations and should therefore form part of the Section 106 legal agreement to be finalised should the application be approved. Therefore, subject to the above contributions, the development is considered to comply with Policy DM3 of the SADMP, and Policy 19 of the Core Strategy.

Planning Balance

8.194 The 'tilted' balance is engaged whereby in accordance with Paragraph 11(d)(ii) of the NPPF, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, 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.

Policy Weighting

8.195 Policies 7, 11 and 14 of the adopted Core Strategy and Policy DM4 of the SADMP are out of date as housing requirement figures have been updated. However, this does mean that these policies do not attract weight in the planning balance in light of their consistency with the NPPF in accordance with Paragraph 232 of the NPPF.

8.196 Whilst Policy 11 of the adopted Core Strategy highlights a minimum provision of 100 new homes within the Plan Period, this is not a maximum and does not restrict further residential development coming forward. Therefore, Policy 11 of the adopted Core Strategy is consistent with the NPPF and is afforded full weight in the planning balance.

8.197 The emphasis of Policy DM4 of the SADMP is to promote sustainable development proposals within the countryside and to safeguard it from unsustainable schemes, rather than to apply a blanket protection. In this regard, Policy DM4 is consistent with, and accords with, the NPPF, a view which has been supported by a number of Planning Inspectors such as within the appeal decisions for planning applications 17/00531/OUT, 18/00279/OUT, 19/00947/OUT, 19/01324/OUT, and 20/00102/OUT.

8.198 Due to this strong conformity with the NPPF, Policy DM4 of the SADMP can therefore it can be afforded full weight within the planning balance.

Benefits of the Development

8.199 In light of the latest revisions to the NPPF and Hinckley and Bosworth Borough's inability to demonstrate a five-year supply of land for housing, the provision of up to 200 dwellings to the Borough's supply of land for housing is considered to attract significant weight within the planning balance. A condition has been agreed shortening the timeframe for the submission of the first Reserved Matters application to 18 months which would also speed up delivery of housing on the site.

8.200 The scheme provides a policy compliant level provision of affordable housing in accordance with Key Policy Paragraph 66 of the NPPF and Policy 15 of the adopted Core Strategy. It is therefore considered that this provision towards affordable housing attracts significant weight in the planning balance.

8.201 The development would provide economic and social benefits during construction of the development and through longer term expenditure impacts generated by residents of the scheme each year. Social benefits arise through the provision of housing for a range of occupants and the positive impact on services. Owing to the scale of the development the economic and social benefits attract moderate weight in the planning balance.

8.202 The provision of the shop would provide an additional community benefit through the provision of new services to Newbold Verdon. However, there are concerns surrounding its deliverability and there is nothing to suggest that the existing retail services in Newbold Verdon are not sufficient. It is acknowledged that through the Neighbourhood Plan consultation the need for a new shop was identified to deter traffic from utilising the village centre, however, the Neighbourhood Plan carries no weight at this stage. Overall, therefore the provision of the shop is attributed very limited positive weight in the planning balance.

8.203 The provision of the land for Newbold Verdon Primary School is welcomed and could facilitate potential expansion of the school without compromising playing field land. The provision of the land is supported by LCC as the education authority. The gift of the land is attributed limited positive weight in the planning balance.

8.204 The development would result in BNG just above the 10% mandatory requirement, this is afforded limited positive weight in the planning balance.

8.205 The development would result in a significant amount of Public Open Space. However, as a result of the updated OSRS there is currently under provision for equipped play provision and the provision for young people (MUGA) compared to the latest evidence. It is considered this is satisfactorily mitigated against through off-site provision as proposed in the report. There would still be a significant oversupply of natural/semi natural green space, however, part of this land would be utilised for Biodiversity Net Gain requirements and the OSRS is clear that such land should not be double counted. Considering the above the provision of the additional open space is attributed limited positive weight in the planning balance.

8.206 The financial contributions that the scheme is required to provide are needed to mitigate the impact of the development on local services and facilities. Therefore, the benefit of the planning obligations that the scheme is required to provide attract neutral weight in the planning balance.

8.207 It is considered that the scheme, subject to the detailed matters to come forward at Reserved Matters stage, could be designed such to have a suitable relationship with the nearby residential units and shall protect the residential amenity of the future occupants of the scheme. Subject to conditions/reserved matters the proposal is considered to be policy compliant in highways, drainage/flooding, ecological, archaeological and mineral safeguarding terms. These impacts therefore make no material change to the existing situation in the area and as a result these elements are considered to attract neutral weight in the planning balance.

Harm of the Development

8.208 Notwithstanding the above, the proposal represents new development in the designated open countryside and is unacceptable in principle. The potential allocation in the emerging Local Plan can only be attributed limited weight at this time to counter the existing policy conflict in that regard.

8.209 Based on the indicative information submitted as part of this application, the scheme is considered to result in significant harm to the character of the site, the surrounding area, and the intrinsic value, beauty, open character, and landscape character of the designated countryside. Ultimately, this harm is considerable, experienced over a long period of time, and non-reversible. By virtue of the prolonged landscape impacts and the major/moderate adverse impacts that remain this harm is attributed significant negative weight in the planning balance.

8.210 Less than substantial harm is identified to a number of heritage assets. However, as required by policy this heritage harm is considered to be outweighed by the benefits of the development.

Conclusion

8.211 By virtue of these factors, significant harm of the development of the character of the surrounding area must be weighed against the significant benefits associated

with the provision of residential properties towards the Council's shortfall in housing, the provision of affordable housing, the social and economic impacts, and the limited benefits of the shop, school land, BNG provision and overprovision in open space.

8.212 In light of the above, and the 'tilted' balance required by Paragraph 11(d) of the NPPF, it is not considered that the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF when taken as a whole. As a result, it is recommended that, in accordance with Paragraph 11(d) of the NPPF that planning permission is granted.

9. Equality Implications

9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

9.3 There are no known equality implications arising directly from this development.

9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions and obligations.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions detailed at the end of this report.
- The entering into of a S106 Agreement relating to infrastructure/obligations detailed above.
- That the Head of Planning be given powers to determine the final detail of planning conditions and obligations

11.2 Conditions and Reasons

1. Approval of the details of layout, scale, appearance, landscaping and internal access (hereafter called the reserved matters) shall be obtained from the local planning authority in writing before development commences. Thereafter the development shall be implemented in accordance with the approved reserved matters.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

2. Application for approval of the first reserved matters shall be made within 18 months of the date of this permission.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall begin not later than 3 years from the date of this permission or not later than 2 years from the date of the approval of the last of the reserved matters to be approved, whichever is later.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

4. The development hereby permitted shall be carried out in accordance with the details within submitted application details received by the Local Planning Authority as follows:

- Site Location Plan 2508709.11.01 Rev B

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The development shall be in general accordance with the submitted application details received by the Local Planning Authority as follows:

- Land Use Parameter Plan Dwg. No. 2508709.11.06 Rev B
- Indicative Framework Plan Dwg No. 250879.11.03 Rev K
- Landscape Strategy Dwg. No. 11573-FPCR-XX-XX-DR-L-0003 Rev. P08

Each reserved matters application shall include a statement identifying how the proposals are in general accordance with the above plans.

Reason: To ensure a satisfactory form of development and to ensure the quality of the proposed development is not materially diminished between permission and completion in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 140 of the National Planning Policy Framework (2024).

6. The first reserved matters application relating to housing shall be accompanied by a scheme which details the proposed housing mix for the development which should be in accordance with the Council's adopted Development Plan or the most up to date Housing Needs/Market Assessments for the area.

Any subsequent reserved matters applications in relation to housing shall accord with the approved details and shall be accompanied by a statement which demonstrates compliance with the approved mix.

Reason: To ensure an appropriate housing mix to meet the housing needs of the locality is provided in accordance with Policy 16 of the Core Strategy 2009 and Paragraphs 61 and 63 of the National Planning Policy Framework (2024).

7. Each reserved matters application for housing, shall include a 'Building for a Healthy Life' assessment for the development which shall be submitted to and approved in writing by the Local Planning Authority. The details of the development shall incorporate the 12 considerations set out within the 'Building for a Healthy Life' document (Homes England). The development shall be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure the development is appropriate to the local area and meets amenity standards in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD, Policy 16 of the Core Strategy, and the Good Design Guide SPD.

8. Prior to or in conjunction with the first Reserved Matters application a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the surface water drainage development must be carried out in accordance with these approved details and completed prior to first occupation of any dwelling.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users and to accord with Policy DM7 and DM17 of the Site Allocations and Development Management Policies DPD.

9. No development shall commence until details in relation to the management of surface water on site during construction of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase and to accord with Policy DM7 of the Site Allocations and Development Management Policies DPD.

10. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development and to accord with Policy DM7 of the Site Allocations and Development Management Policies DPD.

11. Prior to, or in conjunction with, the first reserved matters application a scheme for the investigation of any potential land contamination on the site shall be carried out and submitted to and agreed in writing by the Local Planning Authority. The scheme shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

12. If during development, contamination not previously identified is found to be present at the site, no further development shall take place in the relevant phase until an addendum to the scheme for the investigation of all potential land contamination is submitted in writing to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the first dwelling being occupied in the relevant phase.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

13. Upon completion of the remediation works required by conditions 10 and 11, and prior to first occupation of any dwelling on site a verification report shall be submitted to and approved by the Local Planning Authority. The verification report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

14. Prior to, or in conjunction with, the first reserved matters application relating to housing a scheme for protecting the proposed dwellings from noise of traffic on Bosworth Lane shall be submitted to and approved by the Local Planning Authority. The scheme shall ensure that, upon completion of the development, good acoustic design will be used to achieve the following internal noise limits:
 1. Bedrooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A), and an 8-hour LAeq (23:00 to 07:00) of 30dB(A), with individual noise events not exceeding 45dB LAFmax more than 10 times (23:00 – 07:00 hours)
 2. Living rooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A)
 3. Dining rooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 40dB(A)

All works which form part of the scheme shall be completed before any of the permitted dwellings are first occupied.

Reason: To protect the amenities of the future occupiers of the scheme from unsatisfactory noise and disturbance in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

15. Prior to or in conjunction with the first reserved matters application relating to the shop, a scheme for protecting nearby dwellings from noise from the shop shall be submitted to and approved by the Local Planning Authority. Thereafter all works which form part of the scheme shall be completed before the shop first comes into use and retained and maintained in perpetuity.

Reason: To protect the amenities of the future occupiers of the scheme from unsatisfactory noise and disturbance in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

16. Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and agreed in writing by the LPA. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall include site preparation and construction hours. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of the development.

Reason: To protect the amenities of the occupiers of neighbouring residential properties and the occupiers of the proposed residential properties throughout the course of the development in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

17. Prior to the commencement of built development details of external lighting (including on any non-adopted highways and footpaths) shall be submitted to and approved by the Local Planning Authority. This information shall include a layout plan with beam orientation, a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles), and details of its maintenance and operation.

The external lighting shall then be installed, maintained, and operated in accordance with the approved details prior to the first occupation or use of development within that phase.

Reason: To ensure a satisfactory form of development and to create places that are safe, inclusive, and accessible, which promote health and well-being, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience, and in order to protect the protected wildlife species and their habitats that are known to exist on site in accordance with Policies DM1, DM6, and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 135 of the National Planning Policy Framework.

18. Each Reserved Matters application relating to housing shall include details for the adequate provision for waste and recycling storage of containers and collection across the site. The details should address accessibility to storage facilities and confirm adequate space is provided at the adopted highway boundary to store and service wheeled containers. Provision for waste and recycling storage and collection shall be implemented prior to first occupation of the dwelling to which they relate.

Reason: To ensure that there is adequate provision of waste and recycling storage so that the amenity of the occupants of the proposed development are not adversely affected in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Section 46 of the Environmental Protection Act 1990 and Waste Storage and Collection Guide for New Developments & Property Conversions.

19. All mitigation measures and/or works shall be carried out in accordance with the submitted details contained in Section 5 of the Ecological Appraisal Rev. H (FPCR, October 2025).

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and to accord with Policy DM6 of the Site Allocations and Development Management Policies DPD.

20. No development approved by this planning permission shall take place until a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

- Risk assessment of potentially damaging construction activities.
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

- c) The location and timing of sensitive works to avoid harm to biodiversity features.
- d) The times during construction when specialist ecologists need to be present on site to oversee works.
- e) Responsible persons and lines of communication.
- f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. The appointed person shall undertake all activities, and works in accordance with the approved details.
- g) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and to accord with Policy DM6 of the Site Allocations and Development Management Policies DPD.

21. Prior to the commencement of development, a Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall be submitted concurrently and in accordance with the Biodiversity Gain Plan. It shall include:

- a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- b) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;
- c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- d) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
- e) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

Notice in writing shall be given to the Council when the:

- initial enhancements, as set in the HMMP, have been implemented; and
- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

Reason: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered,

managed, and monitored for a period of at least 30 years from completion of development.

22. Prior to, or in conjunction with the first reserved matters application details of a pedestrian footpath linking the secondary access to the existing footway on Hall Lane shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

1. Scaled drawings of the footpath
2. Details of the proposed surfacing and lighting of the footpath
3. Timetable for the implementation of the footpath
4. Maintenance details for the footpath and associated infrastructure

Thereafter, the footpath and associated infrastructure shall be implemented, maintained and retained in accordance with the approved details and timetable for implementation.

Reason: To mitigate the impact of the development, to provide safe and suitable pedestrian access to surrounding infrastructure and to ensure a satisfactory form of development and to create places that are safe, inclusive, and accessible, which promote health and well-being, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community in accordance with Policies DM1, DM10 and DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 135 of the National Planning Policy Framework.

23. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on TTC drawing number 210988-10 Rev. A (the primary access) have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2024).

24. Prior to the occupation of the 151st dwelling, the access arrangements shown TTC drawing number 210988-03 Rev. D (the secondary access) shall have been implemented in full.

Reason: To mitigate the impact of the development, in the general interests of highway safety and in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2024).

25. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum, details of the construction access, details of the routing of construction traffic, details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not lead to on-street parking problems in the area in

accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2024).

26. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 215 metres have been provided at the primary site access on to Bosworth Lane. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2024).

27. The Travel Plan shall be carried out in accordance with the details contained within Travel Plan Reference 210988-04 Rev B (dated 20th May 2025 and authored by TTC). A Travel Plan Co-ordinator shall be appointed from commencement of development until five years after first occupation. The Travel Plan Co-ordinator shall be responsible for the implementation of measures as well as monitoring and implementation of remedial measures.

Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2024).

28. No development shall take place until a scheme for the treatment of the Public Rights of Way S19 within the site has been submitted to and approved in writing by the Local Planning Authority. A scheme shall include management during construction (including proposed temporary route(s)); ensuring plans reflect the correct legally-recorded PRoW alignments, or any legal diversion order to ensure they do so in future; and any new construction works. Physical construction should address width, surfacing, drainage, structures, signposting, and impacts of any landscaping and boundary treatments in accordance with the principles set out in the Leicestershire County Council's adopted guidance on Development and Public Rights of Way. Thereafter the development shall be carried out in accordance with the agreed scheme and timetable

Reason: To protect and enhance Public Rights of Way and access in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and Paragraph 104 of the National Planning Policy Framework 2024.

Notes to Applicant

BNG

1. Biodiversity Net Gain Condition Requirements.

Drainage

1. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year

return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations. Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for event durations up to the 24 hour (or longer where required) for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods with results ideally showing critical details only for each return period.

2. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
3. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual property ownership. For commercial properties (where relevant), this should also include procedures that must be implemented in the event of pollution incidents.

Contaminated Land

1. In relation to conditions relating to land contamination, advice from Environmental Health should be sought via esadmin@hinckley-bosworth.gov.uk to ensure that any investigation of land contamination is in accordance with their policy.

Waste collection

1. Each reserved matters application should detail the collection point for domestic waste which should be from the adopted highway boundary. Please ensure there is adequate space on the property to store the waste containers, up to three per property and also space at the kerbside (where the property meets the adopted highway) for the placement of the containers on collection day. Waste collection vehicles/personnel cannot travel along or collect from private roads/shared driveways, if any are to be installed it would be advisable to include an area next to the highway for the safe placement of the various containers on collection day, up to two bins per property.

Highways

1. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>

2. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
3. A minimum of 6 months' notice will be required to make or amend a Traffic Regulation Order of which the applicant will bear all associated costs. Please email road.adoptions@leics.gov.uk to progress an application.
4. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>
5. Planning Permission is required for any construction access onto a classified road, unless it is in strict accordance with the development access planning approval. To carry out off-site works associated with a construction access onto a classified road, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit. However, if planning consent has not been secured in respect of the construction access, the section 184 application will be refused.
6. All S278 works in Leicestershire require core samples of the existing road pavement during the Technical Approval process. This is to ensure that the full area of existing carriageway is suitable for the intensification of use, and that there are no underlying road pavement issues which are not evident on the surface, for example a perished binder layer. The cores also assist with ensuring that the pavement design matches the existing, for example you may propose a 40mm surface course, but the existing is 50mm. We would not want a 10mm layer of existing material left in situ. Any UKAS accredited lab is suitable, their website has a useful search function that can filter geographically for local providers.
7. Confirmation that statutory undertakers are not affected by the works should be provided. This should be either a websearch plan showing that they have no assets in the area of works, or if they do have assets in the area a formal NRSWA C3 response from the Statutory Undertaker stating that they are unaffected. If Statutory Undertakers are affected please provide the response letter, estimate of works and plan of the works. This can be undertaken at the detailed design stage of the scheme.
8. For information at this stage, in accordance with LHDG Tables 3 and 4 the longitudinal gradient at junctions should not exceed 1:30 for the first 10m.
9. The existing drainage system should be proven by a CCTV survey to ensure it is running free of blockages and suitable for the proposed changes. The survey should cover the existing highway drainage system to where it outfalls / joins the Severn Trent Water system. A drainage system will be required to ensure that surface water from the development does not flow in to the highway. This can be undertaken at the detailed design stage of the scheme.
10. Full width carriageway resurfacing is required across the entire length of the proposed junction. This will eliminate joints and potential weak points in the carriageway and also reduce the chances of differential settlement. This can be allowed for at the detailed stage of the scheme.

11. Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.
12. The Public Right(s) of Way must not be re-routed, encroached upon or obstructed in any way (including by scaffolding) without prior authorisation. To do so may constitute an offence under the Highways Act 1980.
13. The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
14. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
15. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
16. No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

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Agenda Item 9

Planning Committee 13 January 2026
Report of the Assistant Director Planning and Regeneration

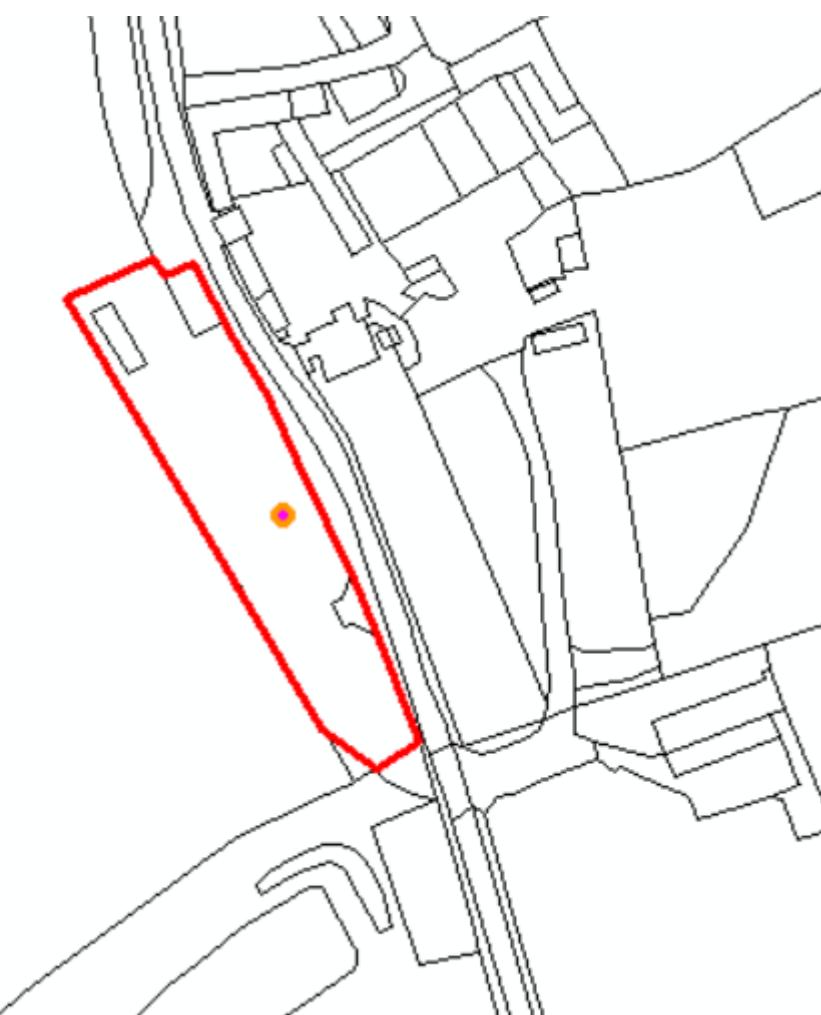


Hinckley & Bosworth
Borough Council

Planning Reference 25/00902/FUL
Applicant(s) Mr John Price
Ward Ambien

Application Site Pinehollow Barn, Stoke Lane, Higham on the Hill

Proposal Siting of four static caravans and two touring caravans for residential use and conversion of the existing barn into a day room



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Published 2006

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report; and
- That the Assistant Director Planning and Regeneration be given powers to determine the final detail of planning conditions; and
- Leicestershire County Council's Ecology Department confirming that it is satisfied with the submitted details.

2. Planning Application Description

- 2.1. This planning application seeks full planning permission for the provision of four static caravans and two touring caravans for residential use at Pinehollow Barn, Stoke Lane, Higham on the Hill. This application seeks to replace the existing planning permission for the site 08/000891/FUL, which currently permits two caravans for residential use in the site. Therefore, in comparison to this previous permission, the current application would increase the total capacity of the application site by three static caravans and one touring caravan.
- 2.2. The proposal would also include the conversion of an existing barn within the site into a day room alongside a 2.4m side extension to this structure. The proposed extension to the barn would be constructed in a brick finish and has a ridge height of 5m to match the existing structure.

3. Description of the Site and the Surrounding Area

- 3.1. The 2,120sqm application site ('Pinehollow Barn') comprises a narrow strip of land along the western side of Stoke Lane to the north of, and outside of the identified settlement boundary of, Higham on the Hill and its associated conservation area in the designated open countryside. The site is located within the Higham on the Hill Landscape Sensitivity Area and the wider Stoke Golding Rolling Farmland Landscape Character Area. The rural character of the landscape, low hedgerows and uncluttered rural views of church spires are identified as key sensitivities of the character of this area.
- 3.2. Pinehollow Barn is an established gypsy and traveller site that was granted planning permission in 2008 for one family with two caravans and an associated vehicular access via application 08/00891/FUL. The site is enclosed by close-boarded timber fencing along its eastern boundary and there is an existing brick barn to the north of the site.
- 3.3. The north, south, and west of the site are bounded by open agricultural land. Approximately 105m to the west of the site is Public Footpath T48. The Higham on the Hill Conservation Area and Public Footpath T47 are both adjacent to the southern boundary of the application site.
- 3.4. On the opposite side of Stoke Lane is Vale Farm and its associated outbuildings, Upper Pullins Farm, and Elm Barn, which all feature residential dwellings and agricultural structures. Public Footpath T46 runs between Vale Farm and Upper Pullins Farm. Stoke Lane is an adopted and classified 'C' road that is subject to the National Speed Limit.

4. Relevant Planning History

4.1 24/00464/CONDIT

- Variation of Condition 12 (additional caravans or mobile homes) of planning application 08/00891/FUL to allow for the siting of four static caravans and two touring caravans for residential use
- Revoked due to unlawfully permitting additional caravans, contrary to the description of development of 08/00891/FUL
- 06.09.2024

4.2 11/00815/FUL

- Use of land as a residential caravan site for four gypsy families with 8 caravans including laying and additional hard standing
- Refused
- 08.03.2012

The development was refused for the following reasons:

1. In the opinion of the Local Planning Authority, the proposed development, by virtue of its distance from local services and facilities, would be contrary to Policy 18 of the adopted Hinckley and Bosworth Core Strategy.
2. In the opinion of the Local Planning Authority, the proposed development would be visually intrusive, constitute overdevelopment of the site, and would be out of keeping with the character of the area. It would not be capable of sympathetic assimilation into its surroundings and would be contrary to Policy 18 of the adopted Hinckley and Bosworth Core Strategy.
3. In the opinion of the Local Planning Authority, the development, by virtue of the number of pitches proposed, would not be proportionate with the scale of the nearest settlement, Higham on the Hill, its local services and infrastructure and would therefore be contrary to Policy 18 of the adopted Hinckley and Bosworth Core Strategy.
4. In the opinion of the Local Planning Authority, the proposed development is not considered to meet the standards set out in the document, *Designing Gypsy and Traveller Sites: Good Practice Guide*, and would therefore be contrary to Policy 18 of the adopted Hinckley and Bosworth Core Strategy.
5. In the opinion of the Local Planning Authority, the proposed development is not considered to provide a safe and healthy environment for residents and would therefore be contrary to Policy 18 of the adopted Hinckley and Bosworth Core Strategy.

4.3 **11/00475/CONDIT**

- Variation of Condition 12 of planning permission 08/00891/FUL to allow occupation of the site with 8 caravans, of which no more than 4 would be static caravans.
- Withdrawn
- 09.08.2011

4.4 **08/00891/FUL**

- Change of use of land to the keeping of horses and a residential caravan site for one gypsy family with two caravans and formation of access.
- Permitted
- 03.11.2008

4.5 **08/00117/COU**

- Change of use of land to the keeping of horses and a residential caravan site for one gypsy family with two caravans
- Refused
- 12.03.2008

4.6 **06/00326/FUL**

- Change of use of land from agricultural to the keeping of horses and erection of stables
- Permitted
- 11.07.2006

4.7 **05/01029/FUL**

- Change of use of land from agriculture to the keeping of horses and erection of stables
- Withdrawn
- 06.01.2006

5. Publicity

5.1 The application has been publicised by sending out letters to local residents and a site notice was posted within the vicinity of the site. To address the concerns raised by members of the public, the Applicant submitted revised plans, and a further round of public consultation was undertaken.

5.2 As a result of the first round of public consultation, nine responses have been received from five separate addresses, including one from a councillor, which all objected to the proposed development. Comments of the second round of public consultation will be included within the Late Items Report for this application.

5.3 A summary of the concerns raised in the first round of public consultation are detailed below:

1. Character

- Harm to the surrounding area
- Harm to the designated open countryside
- Inappropriate scale in comparison to the nearest settlement
- No additional landscaping is proposed
- Overdevelopment of the site
- Significant intensification of the use of the site
- Visual intrusion into the rural landscape

2. Detimental impacts to nearby local businesses

3. Environmental harm and harm to watercourses

4. Fire Safety Concerns

- Insufficient separation between pitches
- Leicestershire Fire and Rescue Service have previously highlighted potential obstruction issues to the site
- Flooding and drainage concerns

5. Highway Safety Concerns

- Emergency access concerns
- Increased traffic and congestion

6. Historic Character

- Harm to the Grade II Listed The Old Vicarage
- Harm to the Higham on the Hill Conservation Area

7. Infrastructure Concerns

- Inadequate water and waste management facilities within the site
- The proposal does not provide space for the keeping of horses
- Uncertain compliance with Building Standards
- Waste management concerns

8. Neighbouring Residential Amenity

- Noise and disturbance

9. Planning History

- Previous applications have been refused within this site for more pitches
- The site has a history of breaches of planning control and unlawful development

10. Planning Policy Matters

- The gradual expansion of the site undermines the integrity of the planning process
- Inappropriate use of the site for commercial purposes
- The site is not allocated for gypsy and traveller use within the current or emerging Local Plan
- The submitted drawings are inaccurate and not to scale

11. Sustainability

- There are no local services or infrastructure near the site
- Unsustainable location for development

5.4 Members of the public have also requested that, should planning permission be granted, a planning condition secures the use of the site to named occupants of the site and limiting the duration of the site to these applicants, alongside a further planning condition to limit further intensification of the use of the site.

6. Consultation

Conservation

6.1 The Council's Conservation Officer considered that the proposed development would be compatible with the heritage significance of the Higham on the Hill Conservation Area and the heritage significance of the Grade II* Listed Church of St. Peter.

Ecology

6.2 Leicestershire County Council's Ecology Department had a holding objection to the development subject to the provision of a Preliminary Roost Assessment ('PRA') alongside the provision of additional information in relation to Biodiversity Net Gain ('BNG').

6.3 The Applicant submitted a PRA and additional BNG information on 12 December 2025 to address the outstanding concerns of the Ecology Department.

6.4 A response from the County Council to the Applicant's latest information was not received prior to the publication of the Committee Report. However, the Officer recommendation for the determination of this development is subject to Leicestershire County Council's Ecology Department confirming that it is satisfied with the submitted details.

Gypsy Liaison Officer

6.5 Leicestershire County Council's Gypsy Liaison Officer confirmed that the families associated with this development satisfy the definition of gypsy and traveller for the purposes of Annex 1 of the Planning Policy for Traveller Sites (2024), and all have strong local ties to the area, and are well known to the County Council's Multi-Agency Traveller Unit ('MATU').

Higham on the Hill Parish Council and Leicestershire Fire and Rescue Service

6.6 Higham on the Hill Parish Council made comments neither in objection, nor in support of the planning application, but the Parish Council did raise concerns in relation to fire safety such as due to insufficient separation between pitches and concerns in relation to the emergency vehicle access. The Parish Council therefore requested that Leicestershire Fire and Rescue Service were consulted on the planning application.

6.7 Leicestershire Fire and Rescue Service were consulted on the planning application, but no response was received. However, the Council's Environmental Health Department confirmed that they did not have any initial concerns with the development proposal from a Caravan Licencing perspective, subject to ensuring that all caravans are set away from the boundary fence of the site by a minimum of 3m.

Case Officer Comment: Although the submitted Proposed Plan do not set the caravans within the site 3m from the boundary fencing, it is considered that there would be sufficient room within the site to enable this in order for the development to meet the requirements of the Council's Caravan Licencing requirements. A condition has been added to require an amended site layout to ensure the permitted drawings comply with these requirements.

Highways

6.8 Leicestershire County Council as the Local Highway Authority, confirmed that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be serve in accordance with Paragraph 116 of the National Planning Policy Framework (2024), subject to planning conditions.

No Objections

6.9 The Council's Drainage or Environmental Health Departments, and Leicestershire County Council as the Mineral and Waste Planning Authority did not object to the planning application.

6.10 The Council's Waste Department did not object to the development subject to a planning condition that ensures the adequate provision for the storage and collection of waste and recycling containers across the site.

6.11 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- Policy 18: Provision of Sites for Gypsies, Travellers and Travelling Showpeople

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 National Planning Policies and Guidance:

- National Planning Policy Framework ('NPPF') (2024)
- Planning Policy for Traveller Sites ('PPTS') (2024)
- National Design Guide ('NDG') (2019)
- Planning Practice Guidance ('PPG')

7.4 Other Relevant Guidance:

- Good Design Guide (2020)
- Gypsy and Traveller Accommodation Needs Study ('GTAA') (2016)
- HBBC's Landscape Character Assessment ('LCA') (2017)
- HBBC's Landscape Sensitivity Study ('LSS') (2017)
- Leicestershire Highway Design Guide ('LHDG') (2024)

8. Appraisal

8.1. The key issues in respect of this application are therefore:

- Principle of development
- Land supply of deliverable sites
- Design and impact upon the character of the area and the historic environment
- Impact upon residential amenity
- Impact upon parking provision and highway safety
- Planning balance

Principle of Development

8.2 Paragraph 4 of the National Planning Policy Framework ('NPPF') confirms that the Framework should be read in conjunction with the Government's Planning Policies for Traveller Sites ('PPTS') and when making decisions on applications of these types of development, regard should also be had to the policies in this Framework, where relevant.

8.3 Paragraph 2 of both the NPPF and the PPTS confirm that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions and Paragraph 3 of the NPPF confirms that it should be read as a whole.

8.4 Paragraphs 23 to 28 within Policy H of the PPTS detail how planning applications should be determined for gypsy and traveller sites. In accordance with Paragraph 11 of the NPPF and Paragraph 24 of the PPTS, planning applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies within the NPPF and the PPTS. However, Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.

8.5 The current Development Plan consists of the adopted Core Strategy and the adopted Site Allocations and Development Management Policies Development Plan Document ('SADMP'). In accordance with Paragraph 232 of the NPPF, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to existing policies according to their degree of consistency with the NPPF.

8.6 Paragraph 26 of the PPTS confirms that local planning authorities should very strictly limit new traveller site development in the open countryside that is away from existing settlements or outside areas in the Development Plan.

8.7 Chapter 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 187(b) of the NPPF specifically highlights that this should be achieved by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.

8.8 Chapter 11 of the NPPF promotes an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. This demonstrates that safeguarding and improving the environment is an effective use of land.

8.9 Policy DM4 of the SADMP states that the Council will protect the intrinsic value, beauty, open character, and landscape character of the countryside from

unsustainable development. To ensure this, Policy DM4 of the SADMP only considers development in the countryside sustainable where:

- (a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
- (b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
- (c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
- (d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
- (e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.

8.10 Therefore, the development proposal would not comply with any of the limitations set out above, and therefore the development would be contrary to, and in conflict with Policy DM4 of the SADMP. However, this does not mean that the development would not be sustainable.

8.11 For example, the site has an established use as a residential gypsy and traveller site, which was approved via planning permission 08/00891/FUL. This is a significant material consideration within the determination of this planning application. Importantly, Policy DM4 of the SADMP also requires that development meets five further requirements to be considered as sustainable development. These are discussed in detail further in this Report.

Summary

8.12 In summary, the Development Plan is the starting point for decision making, and the NPPF and the PPTS are material considerations within the determination of planning applications for gypsy and travellers, which should be read in conjunction with each other and as a whole.

8.13 The development would be outside of any identified settlement boundaries in the designated open countryside and would therefore be offered no support by Policy DM4 of the SADMP or Paragraph 26 of the PPTS.

8.14 However, it is appreciated that the site has an established use as a residential gypsy and traveller site. Therefore, the principle of this development would be subject to the assessment of all other material considerations in these site-specific circumstances. Other material considerations are set out within the next sections of this Report.

Land Supply of Deliverable Sites

8.15 Chapter 5 of the NPPF requires planning policies and decisions to deliver a sufficient supply of homes to support the Government's objective of significantly boosting the supply of homes without unnecessary delay. The overall aim should be to meet an area's identified housing need, including an appropriate mix of housing types for the local community.

8.16 Paragraph 11(d) of the NPPF states that planning decisions should apply a presumption in favour of sustainable development where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out-of-date. Footnote Paragraph 27 of the NPPF confirm that the PPTS sets out how gypsy and travellers' housing needs should be assessed for those covered by the definition in Appendix 1 of that document.

8.17 Policy 18 of the adopted Core Strategy sets out the criteria for the provision of sites for gypsies, travellers, and travelling show people within the Borough. However, this policy is largely superseded by the PPTS. Therefore, the targets for residential pitches that are identified within Policy 18 of the adopted Core Strategy are considered to be out-of-date.

8.18 The Council's most up-to-date Gypsy and Traveller Needs Assessment ('GTAA') (2016) identified a need for seven pitches, including the two existing pitches within this site, and a supply of seven pitches. However, evidence on the need for gypsy and traveller accommodation remains to be updated. The County Council's Gypsy Liaison Officer also stated that due to age of the GTAA, this document is not considered to be relevant within the determination of this current application.

8.19 The Council has commissioned consultants to undertake a study to investigate the need for pitches to accommodate gypsies, travellers and travelling show people in the Borough. However, it is accepted that since 2016 there has been limited additional gypsy and traveller accommodation granted in the Borough.

8.20 In light of the absence of a new needs assessment for deliverable sites for gypsy and travellers, and due to the out-of-date targets within Policy 18 of the adopted Core Strategy and the out-of-date assessment within the GTAA, it is unlikely that the Council can demonstrate an up-to-date five-year supply of deliberate gypsy and traveller sites.

8.21 Paragraph 28 of the PPTS states that if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, the provisions of Paragraph 11(d) of the NPPF apply.

8.22 For decision-taking, Paragraph 11(d) of the NPPF requires planning permission to be granted unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a strong 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 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.

8.23 When the 'tilted' balance is engaged, Footnote 9 of the NPPF highlights eight key policy paragraphs to support the determination of planning applications. Key Policy Paragraphs 115, 129, 135, and 139 of the NPPF would be applicable to the current development proposal in these site-specific circumstances.

8.24 Paragraph 25 of the PPTS highlights that local planning authorities should consider the following issues, amongst other relevant matters, when considering planning applications for traveller sites:

- (a) the existing level of local provision and need for sites; and
- (b) the availability (or lack) of alternative accommodation for the applicants; and
- (c) other personal circumstances of the applicant; and
- (d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites; and
- (e) that they should determine applications for sites from any travellers and not just those with local connections.

8.25 Firstly, it is acknowledged that the proposed development would be within an established gypsy and traveller site. Furthermore, as detailed within this Report, it is accepted that since 2016 there has been limited additional gypsy and traveller accommodation granted in the Borough, and it is unlikely that the Council can demonstrate an up-to-date five-year supply of deliverable gypsy and traveller sites.

8.26 The County Council's Gypsy Liaison Officer confirmed that the gypsy and traveller site at Aston Firs within the Borough of Blaby, which is owned and managed by Leicestershire County Council, is at capacity, and there are a number of families living on this site that have grown up children who would like to start their own families with nowhere to move to.

8.27 The Gypsy Liaison Officer confirmed that the development would be required to provide accommodation for the Applicant and their extended family including their children, parents, and parents-in-law.

8.28 In light of the above factors, the benefits associated with providing three additional static caravans and one further touring caravan to the Council's supply of deliverable

land for gypsy and traveller residential pitches would be considered to attract significant positive weight in the planning balance.

Summary

8.29 In summary, the 'tilted' balance of Paragraph 11(d) of the NPPF is engaged whereby planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. The benefits associated with providing three additional static caravans and one further touring caravan to the Council's supply of deliverable land for gypsy and traveller residential pitches would be considered to attract significant positive weight in the planning balance.

Design and Impact upon the Character of the Area and the Historic Environment

8.30 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the Local Planning Authority when determining applications for development which affects a Listed Building or its setting to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural and historic interest which it possesses.

8.31 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

8.32 Chapter 16 of the National Planning Policy Framework provides the national policy on conserving and enhancing the historic environment. Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Therefore, in determining applications, Paragraph 212 of the NPPF requires great weight to be given to the conservation of designated assets and the more important the asset, the greater the weight should be.

8.33 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings and development affecting the setting of Listed Buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. Development proposals should ensure the significance of a conservation area is preserved and enhanced.

8.34 Key Policy Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.

8.35 Key Policy Paragraph 129(d) and (e) of the NPPF states that planning decisions should support development that makes efficient use of land, taking into account the

desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places respectively.

8.36 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Key Policy Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

8.37 Paragraph 26 of the PPTS confirms that local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settlement community, and avoid placing an undue pressure on local infrastructure.

8.38 Policy 18 of the adopted Core Strategy states that planning permission for new gypsy and traveller sites will be granted providing the site is capable of sympathetic assimilation into the surroundings and is appropriate to the scale of the nearest settlement and its local services and infrastructure.

8.39 Policy DM4(i) of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside.

8.40 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.41 The application site benefits from an established use as a gypsy and traveller residential site for a static caravan and a touring caravan. This domestic and urbanised use of the site has been in place for over 15 years and is considered to have been highly visually prominent from public views along Stoke Lane heading north, Public Footpath T48 to the west, and Public Footpath T47 to the south throughout this time.

8.42 The proposed development would increase the total number of caravans within the site to four static caravans and two touring caravans. The proposed development would not increase the size of the existing site, nor create or amend any of the existing boundary treatment or surfacing of the site.

8.43 Given the limited number of new caravans, the limited number of proposed works to facilitate the development, the size, scale and character of the existing site, and the established use of the site, the proposed increased capacity of the site would not be considered to result in any significant adverse impacts to the character of the site and the surrounding area in these site-specific circumstances.

8.44 By virtue of the size and scale of the proposed development and its visual containment within the site, the proposal would not be considered to have any

material effect upon key characteristics of the adjacent Conservation Area or result in any material reduction in the ability to appreciate and understand the significance of the Conservation Area and the Grade II* Listed Church of St Peter when located within the setting of these designated heritage assets. As a result, in conjunction with the professional advice of the Council's Conservation Officer, the introduction of this small number of static and touring caravans within the application site would only be considered to result in a negligible, and not adverse effect, upon the heritage significance of both the Higham on the Hill Conservation Area and the Grade II* Listed Church of St Peter.

- 8.45 Although some of the existing trees along the western boundary of the site would be removed to facilitate this development, given the size, scale and quality of these trees this impact would not be considered to result in a significant adverse impact to the character of the site or the surrounding area in these site-specific circumstances. It is also appreciated that these trees are not protected and could be removed without planning permission.
- 8.46 Furthermore, the minor extension to the existing barn would be considered to be in keeping with the existing character of the barn and the existing use of the site and therefore would not be considered to result in any significant harm to the character of the area.
- 8.47 By virtue of these factors, the proposal would be considered to respect the character of the existing site, the surrounding area, the designated open countryside, and the historic environment in accordance with Policies DM4, DM10, DM11, and DM12 of the SADMP.

Impact upon Residential Amenity

- 8.48 Key Policy Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.
- 8.49 Policy 18 of the adopted Core Strategy states that planning permission for new gypsy and traveller sites will be granted providing the site will not cause unacceptable nuisance to existing neighbours by virtue of noise and other disturbance caused by movement of vehicles to and from the site, and that the site is appropriate to provide a safe and healthy environment for residents.
- 8.50 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.51 The Good Design Guide requires the way buildings relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of

amenity. Notwithstanding this, these separation distances are the minimum standards that are required, and every application will be assessed on its own merits depending on the individual characteristics of the site such as orientation, ground levels, window positions, garden size, and shape.

8.52 There are no neighbouring residential properties immediately to the north, south, or west of the site. The closest residential properties to the site are therefore Elm Barn and its associated residential annexe, Vale Farm, and Upper Pullins Farm.

8.53 None of these neighbouring properties to the east feature principal windows to habitable rooms that face towards the application site. These properties are also separated from the application site by Stoke Lane, and it is therefore considered that the proposed development would not result in any significant adverse impacts to neighbouring residential amenity as a result of loss of privacy or any overlooking impacts.

8.54 The proposed development would consist of single storey structures. Whilst it is acknowledged that there are ground level changes within the site and the surrounding area, it is not considered that the provision of these additional static and touring caravans would result in any significant adverse impacts to neighbouring residential amenity as a result of loss of light or any overbearing impacts

8.55 Although concerns have been raised in relation to noise and disturbance, the proposal would increase the capacity of the site by only three static caravans and one touring caravan. This proposed scale, size, and capacity of development would not be considered to result in any adverse noise or disturbance or light impacts to the significant detriment of the neighbouring properties to the east. It is also noted that the neighbouring properties near to the site are also immediately adjacent to, or are associated with, established agricultural and commercial uses, such as the metalworks company at Vale Farm.

8.56 Ultimately, the Council's Environmental Health Department have reviewed the development proposal and did not have any objections to the development. Nevertheless, the capacity of the site could be secured via planning condition to prevent any significant adverse impacts to neighbouring amenity as a result of noise or disturbance.

8.57 By virtue of these factors, the proposal would not be considered to result in any significant adverse impacts to neighbouring residential amenity, in accordance with Policy DM10 of the SADMP, Policy 18 of the adopted Core Strategy, and the Good Design Guide, subject to planning conditions.

Impact upon Parking Provision and Highway Safety

8.58 Key Policy Paragraph 115(b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. In accordance with Key Policy Paragraph 115(d) of the NPPF, any proposal should ensure that any significant impacts from the development on the transport network

(in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

8.59 Ultimately, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.

8.60 Policy 18 of the adopted Core Strategy states that planning permission for new gypsy and traveller sites will be granted providing the site has safe highway access, provision for parking, and servicing.

8.61 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.

8.62 All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)) (2024).

8.63 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.

8.64 The proposed development would utilise, and makes no amendments to, an existing vehicular access onto Stoke Lane, which has served the established use of the site since 2008.

8.65 Leicestershire County Council as the Local Highway Authority ('LHA') highlighted that a previous variation of condition application (11/00475/CONDIT) sought permission for eight caravans within the site, of which no more than four would be static caravans. Whilst this application was withdrawn by the Applicant, the LHA noted that they raised no objections to this variation subject to a planning condition on 29 June 2011.

8.66 In comparison to this previously withdrawn scheme, the current proposal would be smaller in nature and would seek two less touring caravan pitches within the site. As such, the LHA are of the opinion that the current development would likely lead to less trips on the public highway than the previous scheme to which they raised no objection to.

8.67 Whilst the Proposed Site Plan does not include any details in relation to the scheme's proposed off-street parking, it is considered that, due to the size of the site, sufficient parking provision would be possible within the application site to facilitate this proposed development.

8.68 Although the current scheme includes the conversion of an existing barn into a day room, the LHA did not consider this to result in a material impact upon the public highway, subject to a planning condition that ensured the proposed day room would remain ancillary to the residential use of the site and that the structure cannot be used by third parties.

8.69 Public Footpath T47 runs to adjacent to the southern boundary of the site. This section of the Footpath is separated from the application site by an existing close-boarded fence, which screens the Public Footpath from this site. The LHA have highlighted that the proposed layout makes no practical difference to the existing situation, and the Applicant has confirmed in writing that the existing boundary treatment along this southern elevation is unaffected by the proposed works.

8.70 By virtue of these factors, in conjunction with the professional advice of Leicestershire County Council as the Local Highway Authority, the proposal would not be considered to create an unacceptable impact on highway safety or the road network. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP, Policy 18 of the adopted Core Strategy, Paragraph 116 of the NPPF, and the LHDG, subject to planning conditions.

Planning Balance

8.71 To conclude, the Development Plan is the starting point for decision making, and the NPPF and the PPTS are material considerations within the determination of planning applications for gypsy and travellers, which should be read in conjunction with each other and as a whole.

8.72 It is unlikely that the Council can demonstrate an up-to-date five-year supply of deliberate gypsy and traveller sites, and therefore the 'tilted' balance of Paragraph 11(d) of the NPPF is engaged whereby planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

8.73 The benefits associated with providing three additional static caravans and one further touring caravans to the Council's supply of deliverable land for gypsy and traveller residential pitches would be considered to attract significant positive weight in the planning balance.

8.74 Although the development proposal would not be considered to be offered support by Policy DM4 of the SADMP or Paragraph 26 of the PPTS in principle due to its countryside location, the application site has benefitted from an established use as a residential gypsy and traveller site for over 15 years.

8.75 Given the limited number of new proposed caravans, the limited number of proposed works to facilitate the development, the size, scale and character of the existing site, and the established use of the site, the proposed increased capacity of the site would not be considered to result in any significant adverse impacts to the character of the

site and the surrounding area in these site-specific circumstances in accordance with Policies DM4 and DM10 of the SADMP, subject to planning conditions.

8.76 Furthermore, in conjunction with the professional advice of the Council's Conservation Officer, the introduction of this small number of static and touring caravans within the application site would only be considered to result in a negligible, and not adverse effect, upon the heritage significance of both the Higham on the Hill Conservation Area and the Grade II* Listed Church of St Peter in accordance with Policies DM10, DM11, and DM12 of the SADMP.

8.77 The proposed development would consist of single storey structures that are separated from the closest neighbouring residential properties to the east by Stoke Lane. In conjunction with the professional advice of the Council's Environmental Health Department, by virtue of the residential use of the site, the proposed capacity of the development, the separation distances between the site and the neighbouring residential properties, and the single storey massing of the proposed structures, the development would not be considered to result in any significant harm to neighbouring residential amenity in these site-specific circumstances in accordance with Policy DM10 of the SADMP, subject to planning conditions.

8.78 The proposed development would utilise, and makes no amendments to, an existing vehicular access onto Stoke Lane, which has served the established use of the site since 2008. A previously withdrawn application within this site sought planning permission for a development that had a larger capacity than the current scheme, to which LHA had no objections from a highway perspective. It is also considered that, due to the size of the site, sufficient parking provision would be possible within the application site to facilitate this proposed development. By virtue of these factors, in conjunction with the professional advice of Leicestershire County Council as the Local Highway Authority, the proposal would not be considered to create an unacceptable impact on highway safety or the road network. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP, Policy 18 of the adopted Core Strategy, Paragraph 116 of the NPPF, and the LHDG, subject to planning conditions.

8.79 In light of the above, it is considered that the potential adverse impacts of the development would not significantly and demonstrably outweigh the benefits of the scheme in these site-specific circumstances. In accordance with Paragraph 11(d) of the NPPF and Paragraph 28 of the PPTS, the development proposal would therefore be recommended for approval.

9. Equality Implications

9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

9.3 There are no known equality implications arising directly from this development.

9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions, and subject to Leicestershire County Council's Ecology Department confirming that it is satisfied with the submitted ecology details.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions detailed at the end of this report; and
- That the Head of Planning be given powers to determine the final detail of planning conditions; and
- Leicestershire County Council's Ecology Department confirming that it is satisfied with the submitted details.

11.2 Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites (2024).

Reason: To ensure compliance with Policy 18 of the adopted Core Strategy (2009) and the Planning Policy for Traveller Sites (2024).

3. Notwithstanding the layout of the caravans within the site, the development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:

- Proposed Plans (PHB 01A) (submitted: 12.12.2025)

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Prior to the stationing of more than two caravans on the site, an amended site layout demonstrating compliance with the Caravan Licencing requirements (particularly in respect of fire separation distances with boundary treatments) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the caravans shall not be stationed otherwise than in complete accordance with the approved details.

Reason: In the interests of the health and safety of the future occupiers of the site.

5. There shall be no more than four static caravans and two touring caravans on the site (with a caravan being as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968).

Reason: In the interests of visual amenity and to safeguard the intrinsic value, beauty, open character, and landscape character of the open countryside in accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016), and Chapters 12 and 15 of the National Planning Policy Framework (2024).

6. There shall be no commercial activities undertaken at the site, including the external storage of goods or materials not ancillary to the residential use or the keeping of horses, and no vehicles over 3.5 tonnes shall be stationed, parked or stored on the site.

Reason: In the interests of visual amenity and to safeguard the intrinsic value, beauty, open character, and landscape character of the open countryside in

accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016), and Chapters 12 and 15 of the National Planning Policy Framework (2024).

7. There shall at all times be provision on site for vehicles to enter and leave the site in a forward gear.

Reason: To ensure that vehicles entering and leaving the site may do so in a forward gear in a slow and controlled manner, in the interests of general highway safety and in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016).

8. Prior to the stationing of more than two caravans on the site, a scheme of hard and soft landscaping works, including boundary treatments, for the site including an implementation scheme, shall be submitted in writing to, and approved in writing by, the Local Planning Authority. The scheme shall be carried out in full accordance with the approved landscaping scheme in the first planting and seeding seasons following the stationing of more than two caravans on the site. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period, any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. **Notes to Applicant(s)**

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
2. Your attention is drawn to the Biodiversity Net Gain Condition within the Decision Notice. The development is subject to the Biodiversity Gain Condition. A Biodiversity Gain Plan needs to be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The application can be made online here: https://www.hinckley-bosworth.gov.uk/info/200249/view_planning_applications_and_decisions/1476/does_the_property_comply_with_planning_conditions.

Highways

3. Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.
4. The Public Right(s) of Way must not be re-routed, encroached upon, or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
5. The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
6. If the developer requires a Public Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
7. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
8. No new gates, stiles, fences, or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way, and the County Council may be obliged to require its immediate removal.

Drainage

9. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc., and the minimisation of paved areas, subject to satisfactory propositi test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone, or in combination with infiltration systems and/or rainwater harvesting systems.
10. Any proposed access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).

Waste

11. Hinckley & Bosworth Borough Council's recycling and refuse collection services are from the boundary to the adopted highway and do not travel along, nor collect from private roads or driveways. Please refer to the policies within the Wheeled Bin and Container Policy (updated March 2018).

It would be advisable to include an area near the roadside for the safe placement of the various containers on collection day. This will then keep the access clear to allow vehicular access. It will be the responsibility of the occupiers to ensure that all containers/wheeled bins are brought to the collection point.

PLANNING APPEAL PROGRESS REPORT - Week ending: 19.12.25

WR – WRITTEN PRESENTATIONS

HAS – HOUSEHOLDER APPEAL

IN – INFORMAL HEARING

PI – PUBLIC INQUIRY

File Ref	Case Officer	Application No	Type	Appellant	Development	Appeal Status	Process Dates
	TH	23/00824/OUT	WR	Mr L Lawrence	Land off Barwell Lane Kirby Mallory (Erection of 7 dwellings, 3 self-build and garages)	Awaiting Start Date	17.07.25
	RS	25/00597/TPO (PINS: 3371021)	WR	Mr Nunn	Shady Trees 19 Station Road, Desford (Raise canopy to 5m)	Awaiting Start Date	13.08.25
25/00026/PP	SA	24/01079/OUT (PINS:3372919)	PI	Richborough	Land North of Station Road Market Bosworth (Outline planning application for the erection of up to 126 dwellings, with associated access, landscaping, open space, and drainage infrastructure (all matters reserved other than access))	Start Date Statement of Case Hearing	08.12.25 12.01.26 12.02.26 2 day
	SA	25/00344/FUL (PINS:6001403)	WR	Carlota Larrosa	38 Almeys Lane Earl Shilton (Change of use from dwellinghouse to Sui Generis (use as large HMO) and addition of a side extension)	Awaiting Start Date	04.11.25
25/00024/PP	SA	25/00298/FUL (PINS: 6001503)	WR	Sarah Flamson	New Farm, Hinckley Road, Cadeby (Erection of storage building (B8))	Start Date Statement Final Comments	13.11.25 18.12.25 06.01.26
25/00022/CLD	SA	25/00490/CLE PINS: 3373915)	WR	Ms Melanie Brewster	Whittington Stables Whittington Lane, Thornton (Application for a Certificate of Existing Lawful Use of Development (CLEUD) for an Existing Residential Property)	Start Date Final Comments	27.10.25 29.12.25

25/00021/PP	SA	24/01145/FUL (PINS: 6001009)	WR	Mr G Warren	The Cottage, Station Road, Desford (Erection of Bungalow)	Start Date Finial Comments	13.10.25 01.12.25
25/00025/HEDGE	RS	25/00214/HEDGE (PINS: APP/HH/2348)	Q	Colin Coleman	29 Church Lane Desford (High hedge complaint)	Awaiting Decision	
25/00019/PP	SI	25/00329/HOU (PINS: 3372636)	HAS	MR Harjinder Dosanjh	2 Sycamore Drive Groby (Erection of a 1800mm high fence.)	Awaiting Decision	
24/00026/ENF	CZ	21/00251/UNUSES (PINS: 3347029)	WR	Mr J Hemmings	Land at Shenton Lane, Upton (Use of agricultural land for car sales business)	Awaiting Decision	
25/00013/ENF	CZ	24/00004/UNHOUS (PINS: 3365801)	WR	Mr Mark Lester	69 Burbage Road Burbage (Erection of a timber fence to front of the property)	Awaiting Decision	
25/00023/FTPP	SA	25/00275/HOU (PINS: 6001128)	HAS	Richard Taylor	2 Caldon Close Hinckley (Loft extension.)	Awaiting Decision	
25/00020/FTPP		25/00467/HOU (PINS: 3372830)	HAS	Mr R Hayes	163 Coventry Road Hinckley (Erection of double storey rear, single storey front and loft extensions (revised scheme of 23/00218/HOU)	Awaiting Decision	

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Decisions Received

25/00016/PP	AG	25/00080/FUL (PINS: 3367497)	WR	Mr John Roux	Land Adjacent 29 Elizabeth Road, Hinckley (New build detached dwelling)	Dismissed	14.10.25
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25/00017/PP	CZ	24/00125/HOU (PINS:3367680)	WR	Mr Mark Lester	69 Burbage Road Burbage (Erection of a timber fence to front of the property)	Dismissed	17.10.25
25/00015/PP	SA	25/00081/FUL (PINS: 3367598)	WR	Mr and Mrs G Pratt	Land opposite Paddock View, Twycross Road, Sheepy Magna (Change of use of agricultural land to domestic garden)	Dismissed	17.10.25
25/00018/PP	TH	24/00831/OUT (PINS: 3369401)	IH	Gladman Developments Ltd	Land off York Close Market Bosworth (100 Dwellings, open space, landscaping, SuDS, access point and demolition of one dwelling)	Dismissed	15.12.25
25/00014/PP	SA	24/00322/FUL (PINS: 3367383)	WR	Mr & Mrs Simon & Jill Warner	White House Bosworth Road Wellsborough (Erection of single storey self- build/custom-build dwelling (Resubmission of 23/00923/FUL).	Dismissed	15.12.25

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