

Planning Committee 4th November 2025
Report of the Assistant Director Planning and Regeneration



**Hinckley & Bosworth
Borough Council**

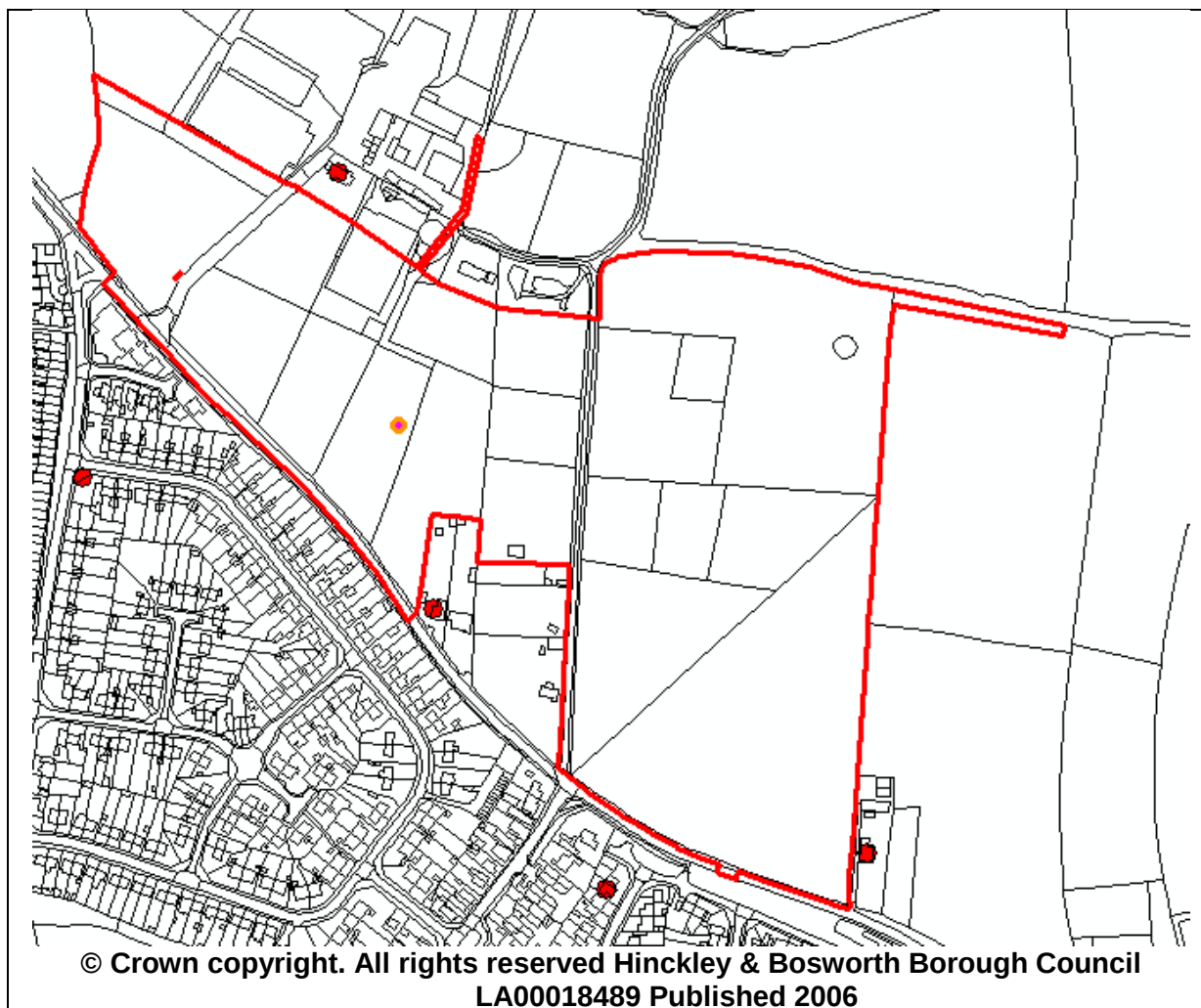
Planning Reference 24/01061/OUT

Applicant: David Wilson Homes

Ward: Newbold Verdon with Desford and Peckleton

Site: Land North of Barlestone Road, Newbold Verdon, Leicestershire

Proposal: Outline planning application (all matters reserved except vehicular access) for the erection of 240 residential dwellings (Use Class C3), retention of the existing accesses off Barlestone Road and the creation of new accesses off Barlestone Road, a cemetery and a health centre car park, public open space and associated infrastructure.



- 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 240 dwellings, a cemetery and health centre car park with associated accesses, landscaping, open space, drainage and biodiversity net gain provision on Land North of Barlestone Road, Newbold Verdon. Only access is sought for approval within this outline application and all other matters are reserved.
- 2.2. The scheme proposes to retain the existing access route which serves Newbold Verdon Equestrian Centre, no new residential properties would be accessed from this point but this access is proposed to serve the cemetery and any associated car parking area. The existing road (Nursery Lane/Harry's Lane) is to be retained and indicative measures have been included to prevent vehicular access for the future development whilst allowing the lane to be accessible for existing residents/agricultural vehicles. A new primary access is proposed to the north of Barlestone Road which is intended to serve the proposed residential properties and car park for the health centre.
- 2.3. Full details of the cemetery and health centre car park are reserved for later approval. The legal agreement would secure that the cemetery land and health centre car park would be transferred to Newbold Parish Council and Newbold Medical Centre respectively subject to their agreement.
- 2.4. 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:
 - Acoustics Assessment
 - Air Quality Assessment
 - Arboricultural Assessment
 - Biodiversity Net Gain Assessments/Metric
 - Design and Access Statement
 - Ecological Assessments
 - Flood Risk Assessment (FRA) and Drainage Strategy
 - Ground Investigation (Phase 1)
 - Heritage/Archaeological Assessment and Geophysics Survey
 - Illustrative Masterplan
 - Landscape Strategy Plan and Access Landscape Plan
 - Landscape and Visual Impact Assessment (LVIA) (and addendum note)
 - Lighting Assessment

- Minerals Assessment
- Open Space Provision Plan
- Parameter Plan
- Planning Statement
- Site Location Plan
- Site Plan
- Statement of Stakeholder and Community Consultation and Engagement
- Transport Assessments (including access drawings and addendums)
- Travel Plan
- Utilities Assessment

2.5 Amendments and additional information have been provided during the course of the application. Amendments made include alterations to the parameters plans and indicative landscaping in response to requests made by the case officer and landscape consultant. A half sized MUGA has also been included. Furthermore, the original proposals included land for the provision of a new health centre, however, this was amended to a car park at the request of the NHS in consultation with Newbold Verdon Medical Practice.

3. Description of the Site and the Surrounding Area

- 3.1. The application site comprises 13.9 hectares of agricultural grazing land to the northeast of Barlestone Road (B582), 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 land is currently agricultural grazing land, subdivided into several field parcels. The site is bound by Newbold Verdon Equestrian Centre to the northwest of the site with its access running through the site itself. Further agricultural land lies to the north and west and much of the east of the site with the exception of 'The Firs' which is a residential property with associated outbuildings. The site wraps around three residential properties 'Four Winds', 'Hollycroft' and 'Applegate' which are located off Barlestone Road close to the centre of the site. Barlestone Road lies to the south/south west of the site separated by field hedgerow and beyond this lies residential properties, Newbold Verdon Medical Practice and the built up area of Newbold Verdon.
- 3.3. The application site is crossed by two Public Rights of Way (PRoW) footpaths R88 and S11 and a route named 'Nursery Lane' also known as 'Harry's Lane' for the purpose of this report the lane will be referred to as 'Nursery Lane'. Footpath S11 lies in the northwest of the site running from Barlestone Road to the north and footpath R88 runs diagonally across the eastern part of the site from Barlestone Road to the northeast. Nursery Lane is a single track adopted road that serves two residential properties ('Four Winds' and 'Willowbrook'). The lane provides access to two unadopted Byways Open to All Traffic (BOTATs) which lie outside of the site to the north. As above, the site is also accessed by the Newbold Verdon Equestrian Centre access off Barlestone Road. Barlestone Road itself is a B classified road subject to a 40mph speed limit.

- 3.4. The topography of the application site is generally flat. There are several hedgerows within the site alongside field trees within the field boundaries. The site is not subject to any specific environmental or landscape designations.
- 3.5. In flood risk terms, the Site is located within Flood Zone 1, having the lowest probability of flooding. The majority of the Site also has very low/low risk from surface water flooding.
- 3.6. There are no designated heritage assets (Listed Buildings, Scheduled Monuments, Conservation Areas, Registered Battlefields or Parks and Gardens) within the Site or immediately adjacent to it.

4. Relevant Planning History

4.1 23/10191/PREMAJ

- Pre-application advice request for approximately 340 dwellings, public open space and land for a cemetery
- Pre-application advice received
- 3.11.2023

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents. Four site notices were posted within the vicinity of the site and a notice was published in the local press.
- 5.2 In total, **39** members of the public from **32** separate addresses have **objected** to the development. The reasons for the objections to the development are summarised below:

Principle of development

- The site is outside the village boundary
- There are other, more appropriate, potential development sites on the southern side of the B582 being assessed which will more than satisfy local housing allocations.
- The development is not being considered in the context of a wider, comprehensive long-term plan

Scale of development

- The development would nearly double the villages population; 239 houses have already been approved this would bring the total to 479

Design/Landscape/Countryside Impact

- Loss of visual amenity and significant alteration to the rural landscape

- Open fields and natural vistas, valued by residents and visitors alike, would be replaced with dense housing. This transformation would undermine the scenic and tranquil character of the area, reducing its appeal and sense of community
- The development will encroach on the separation of the village from Newbold Heath and Barlestone
- The site is Green Belt to protect the environment

Officer Note- The site is not within the Green Belt, there is no Green Belt within Hinckley and Bosworth Borough.

- The B582 is a natural boundary and any homes built on the northern side will not integrate into the village

Ecology/Biodiversity

- The proposal will have a huge impact on wildlife, remove habitat and green space
- Bats, birds, owls, woodpeckers, foxes, and other ground dwelling animals were noted to use/live on the site and these populations or their hunting/scavenging grounds will be destroyed

Infrastructure

- Lack of infrastructure to cope with additional houses
- The GP surgery is under stress/over capacity, increasing the size of the surgery will not increase availability as there are no medical staff to fill it (Government recognised lack of Doctors).
- Whilst the capacity issues with the local GP is acknowledged by the developer, the solution may not be addressed in tandem with or prior to the commencement of the proposed development risking overwhelming the service
- If the surgery expanded the current site using S106 contributions we will lose the existing car park and a suggestion is to have it included in this development on the opposite side the main road, the B582. A drop off point outside the surgery would be both unrealistic and insufficient as the person being dropped off would be left unaccompanied whilst their driver had driven to the car park across the road, parked safely and walked to and used the pedestrian crossing back to the surgery. This could take up to 10 minutes where the elderly/frail/dementia patient is left unescorted and at risk.
- There is public transport to Leicester only, anyone working in Nuneaton or Hinckley have no public transport options
- Lack of things for the aging or young population in the village
- The School is too small and can't cope with more children
- Increased class sizes are proven to impact negatively on children's educational well being and mental health.
- Lack of/small shops only in the village which won't be able to supply the population
- Water pressure is poor
- Electricity keeps cutting out with frequent power cuts

- Chemists and dentists are struggling to cope with additional people
- The aging population will put more pressure on services and there is a need for an extra care facility

Highways

- There would be a huge increase in traffic
- Small village roads cannot cope with traffic and onstreet parking
- Every morning the B582 is backed up from the Desford crossroads the increase in traffic will impact everyone that lives along it.
- The Equestrian centre is a year round, busy, long standing local business which facilitates many visitors with large horse carrying vehicles coming in and out of the site. This is in between the Bosworth Lane traffic lights and the proposed entrance for the new development
- Due to the topography and bends in Barlestone Lane, the primary access location will have limited visibility for exiting the proposed development. Compliant visibility splays cannot be achieved
- There are no safe cycleways or walkways to the nearest towns of Hinckley, Coalville or Nuneaton. Or to Hinckley railway station.

Land stability

- There used to be a house on the land, it is now at the bottom of a mine shaft

Flooding

- During periods of heavy rainfall, several local access roads become impassable.
- There is an increased risk of pluvial/surface water flooding as more fields are developed. In recent bad weather the flooding has been the worst witnessed in 16 years.

Residential Amenity/Living conditions

- Crime rates will increase
- By adding more houses/more people the village will become busier which will impact the mental health of existing residents who live in a village for its quietness
- Noise from Barlestone Road is constant and the anticipated rise in traffic will inevitably contribute to heightened noise levels, negatively impacting the quality of life for residents in the area.
- Additional dust will cause issues in existing residents' homes, including breathing issues for residents on ventilators
- Loss of countryside views and walking routes will have detrimental impacts on mental health
- The development will enclose properties on Barlestone Road

Cumulative Impacts

- This proposal must also be considered in the context of recent developments.
- With multiple developments happening at the same time residents will be subjected to almost being surrounded by building sites and the cumulative impact on noise, general mess, traffic disruption etc

Impact on the Newbold Verdon Equestrian Centre

- The Equestrian Centre is an important community sports facility with grant funding to improve its facilities. Redevelopment of large parts of this community, regional and national sports facility seems wholly inappropriate.

5.3 In total **25** members of the public from **25** separate addresses have written in **support** of the application. The reasons for the support comments to the development are summarised below:

General housing needs and Affordable housing

- It would be good to get the new homes built so it can help with the housing crisis in the area
- It is good there is a mix of homes especially bungalows for older people for retirement
- There is a need for homes and affordable homes
- The development will help create affordable housing for young families
- It will help fewer people being housed in hotels and temporary accommodation as they will be able to have affordable house
- Will help first time buyers
- All villages have housing shortages, any area around Hinckley needs new housing
- The area clearly has the land and space available. We need more homes, and they cannot all be built in the same location.

Infrastructure

- The facilities alongside the new housing is positive
- The green spaces are positive
- The main benefit of this development is the infrastructure it brings including the car park

Economic Benefits

- The development will bring in more work and jobs for the area

6. Consultation

Coal Authority (No objections)

- 6.1 Have confirmed that the site falls within the Coal Authority's defined Development Low Risk Area and therefore have no specific comments to make.

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.
- 6.3 Following the submission of a Groundwater Assessment the EA advised that the cemetery site does not fall within requirements for a low risk cemetery due to the water levels on site. Therefore, the site will need an environmental permit, as stated in the submitted report. "The investigation area does not currently meet the requirements of the ICCM or Environment Agency for establishment of a cemetery without the need for an environmental permit.". Given that the site will need mitigation to make it suitable for the cemetery, in the form of raising the ground levels, this will require approval through the permitting process.
- 6.4 We would not therefore recommend conditions on the planning application with regard to monitoring and mitigation measures but would look to the environmental permit to control these.
- 6.5 We would encourage the 'twin tracking' of the EP, with the aim of encouraging more comprehensive submissions to assist in your determination of the planning application.
- 6.6 Officer Note- At this time a permit has not yet been applied for. However, the applicant has committed to obtaining the permit and undertaking any mitigation measures prior to transferring the cemetery land to the Parish Council.

HBBC Affordable Housing (No objections subject to conditions)

- 6.7 In the rural area, which includes Newbold Verdon, 40% of dwellings on sites of 4 dwellings or more, or 0.15 hectares or more, should be provided for affordable housing. The latest National Planning Policy Framework (NPPF), issued in December 2024, supersedes Core Strategy policy but this site as a major development would still be required to provide 40% of dwellings as affordable housing.
- 6.8 The tenure split should be provided as set out in the Core Strategy which requires 75% of the affordable housing provision to be for social rent and 25% for shared ownership.
- 6.9 Therefore on this site, 96 properties should be delivered as affordable housing. The tenure breakdown should be as follows: 72 dwellings for social rent and 24 dwellings for shared ownership.
- 6.10 The evidence of need for affordable accommodation for rent is taken from the Councils Housing Register, which at 22.10.25 shows the following live applications for housing in Newbold Verdon.

Bedroom size	General register applicants	With a connection to Newbold Verdon
1 bedroom	211	9
2 bedrooms	119	5
3 bedrooms	65	2
4 or more bedrooms	30	5
Total	425	21

- 6.11 Although the greatest demand for affordable housing for rent is for 1 bedroomed properties, it is difficult to attract a Registered Provider where there are large numbers of 1 bedroomed properties. The preferred property types for affordable or social rent would therefore be of the following mix:

1 bedroomed 2 person quarter houses	10% (8 properties)
2 bedroomed 4 person houses	45% (32 properties)
3 bedroomed 5 person houses	40% (28 properties)
4 bedroomed 6 person houses	5% (4 properties)

- 6.12 The rented properties should include a clause in the section 106 agreement that first preference will be given to households with a local connection to Newbold Verdon, with a second requirement that a borough connection is required if there are no village connection applicants.

- 6.13 For shared ownership, a mix of 2 and 3 bedroomed dwellings would be preferred. The affordable housing should be spread across the development in clusters and not concentrated in one area of the site. All properties should meet the Nationally Described Space Standards, and the properties for rent should also be for the higher bedroom space standards, so 2 bedroomed 4 person houses, 3 bedroomed 5 person houses and 4 bed 6 person houses.

HBBC Environmental Services Team (No objections subject to conditions)

- 6.14 No objections have been received subject to conditions concerning surface water drainage and its management including during construction.

HBBC Drainage (No objections subject to conditions)

- 6.15 No objections have been received on land contamination, noise, air quality, construction impact or lighting grounds subject to conditions which will require additional information in some cases.

HBBC Waste (No objections subject to conditions)

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

LCC Archaeology (Further information required)

6.17 The submission of the archaeological desk-based Assessment (DBA) is welcomed, we would recommend that the geophysical survey report should also be submitted in support of the application. As noted in the DBA the geophysical survey has revealed evidence for the presence of archaeological remains consisting of a possible enclosure feature on the south-western edge of the site and a number of further linear anomalies representing potential ditches near the 2 centre of the site. However, the nature and significance of these features is not currently fully understood from the geophysical survey results alone. Although the DBA has identified an enhanced potential for prehistoric remains to be present within the site, we do not agree that the potential for Roman remains to be present is low. As noted in the DBA itself the staple-shaped linear feature against the south-west edge of the site is potentially of Roman date. In addition to Roman pottery recovered during fieldwalking both within and c.350m west of the application area, a Roman site has been identified c. 400m to the east. We would therefore recommend that the applicant be required to complete the Archaeological Impact Assessment of the site through further pre-determination trial trench evaluation, in order to test any anomalies, in addition to any geophysically 'blank' areas.

6.18 The proposals include operations that may destroy any buried archaeological remains that are present, but the archaeological implications cannot be adequately assessed on the basis of the currently available information. Since it is possible that archaeological remains may be adversely affected by this proposal, we recommend that the planning authority defer determination of the application and request that the applicant complete an Archaeological Impact Assessment of the proposals.

LCC Development Contributions (No objections subject to infrastructure contributions)

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

LCC Ecology (No objections subject to conditions)

6.20 Sufficient ecological information has been submitted to support determination of the application and appropriate mitigation measures are proposed.

6.21 Conditions are recommended securing ecological mitigation, requiring BNG and associated management and other biodiversity enhancements.

LCC Highways (No objections subject to conditions/obligations)

6.22 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.

- 6.23 Full comments are integrated into the highway section of the report.

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

- 6.24 The LLFA notes that the 13.8 ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a low to medium risk of surface water flooding.
- 6.25 The Flood Risk Assessment identifies three sub-catchments for the site each discharging to a separate location with their own attenuation. The northern half of the proposals seek to discharge at a total 12.9 l/s via swales and attenuation basins to the on-site watercourses. There are no existing flood risk concerns within the immediate downstream catchment.
- 6.26 The proposals are considered acceptable to the LLFA subject to conditions.

LCC Waste and Minerals (No objections)

- 6.27 Further to the additional information received, the County Planning Authority has no objections. The additional information has provided evidence to support Policy M11 Safeguarding of Mineral Resources. Whilst the proposal is incompatible with a Mineral Safeguarding Area for sand & gravel and further testing has confirmed this, the applicant can evidence that the mineral concerned is no longer of any value or potential value due to the buffers likely required to extract the mineral and that the remaining mineral outside the buffers would likely be uneconomical to extract. In addition, to the northwest of the site predominantly cohesive deposits have been encountered.
- 6.28 It is welcomed by the County Planning authority that the mineral assessment had advised use of any extracted minerals for construction on site created by excavation of any foundations, drainage and landscaping excavations.

Leicestershire Police (No objections subject to obligations)

- 6.29 Contributions totalling £49, 230.33 have been requested for police equipment, infrastructure and crime reduction initiatives have been requested.

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

- 6.30 Contributions totalling £232,320 have been requested to provide healthcare facilities to meet the population increase.
- 6.31 The ICB confirmed that following the planned growth in and around Newbold Verdon, Newbold Medical Practice would be unable to meet patient needs and that in order to meet anticipated registration demands the surgery would need to expand.
- 6.32 The ICB, in consultation with Newbold Medical Practice, confirmed that utilising the safeguarded land for a new medical facility (as originally proposed) would not be

financially viable. Instead, the preferred option would be to extend the existing surgery. To extend the surgery it would be necessary to build onto their current car park.

- 6.33 The ICB, in consultation with Newbold Medical Practice, therefore requested that the gifted land was instead gifted for the purpose of creating a new car park, alongside the aforementioned contributions.
- 6.34 The practice has confirmed that they currently have 17 patient spaces and would lose between 5-7 spaces developing on the land. It was requested that the land should accommodate 20-25 spaces- this has been provided.

Newbold Verdon Parish Council (Objects)

- 6.35 The Parish Council has resolved to object to the proposal on the following grounds:
- “Non-Compliance with Local Policies
- The proposed development is located outside the settlement boundary, contravening Policy DM4.
 - The plans for Harry’s Lane conflict with Policy DM10 and would have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including vibration and visual intrusion);
Loss of Hamlet Identity
 - The development would remove the separation between the Hamlet of Newbold Heath and Newbold Verdon, effectively merging the two and erasing the individual status of Newbold Heath.
Road Safety Concerns
 - The busy road between the development and the village poses significant safety risks. The proposed crossing points lack adequate visibility due to the speed of vehicles along Barlestone Road.
Split Settlement
 - The physical separation of the development from the village would create a fragmented settlement, undermining community cohesion.
Insufficient Infrastructure
 - Schools and medical facilities are already under strain. The known shortage of medical appointments would not be alleviated by the proposed car park, which is impractical for ill or infirm patients.
 - Transport provision to secondary schools is inadequate, with 6th form students limited to one school with unreliable transport options.
Unsuitable Cemetery Land
 - The proposed cemetery land is unfit for purpose due to high water levels. Burials in this area could lead to toxins from embalmed bodies contaminating the local watercourse.
Increased Congestion
 - Existing congestion issues in the village centre would be exacerbated. Residents of the development are unlikely to walk to local shops, further contributing to traffic problems.

Neighbourhood Plan and Housing Numbers

- Whilst we are aware that there will be a need in the new Local Plan for Newbold Verdon to expect further development. We would point out the existing new build sites in the village and recently approved Brascote Lane site, all of which contribute towards our provision.
- The draft Newbold Verdon Neighbourhood Plan does not recognise this site as suitable. We are in the process of completing the plan and have identified other more suitable sites that we are currently consulting on.

For these reasons, the Parish Council strongly urges the rejection of this planning application. We believe that the proposal fails to address critical concerns regarding safety, infrastructure, and environmental impact, and does not align with local policies”.

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

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:

- Affordable Housing Supplementary Planning Document (2011)
- HBBC Good Design Guide (2020)
- Housing Needs Study (2019)
- 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)
- Local Development Scheme (LDS) (2025)
- Newbold Verdon Housing Needs Assessment (2022)
- Open Space and Recreation Study (2016)

7.6 HBBC are currently preparing their Emerging Local Plan. The Regulation 18 Local Plan Consultation launched on Friday 17th October. 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 attribute 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.
- 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). Therefore, the

application site is not 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 Bosworth Lane 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. An outline planning application for up to 200 homes on Land Northwest of Old Farm Lane and South of Bosworth Lane is currently under consideration.

- 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 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.

Housing Land Supply

- 8.17 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.
- 8.18 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.
- 8.19 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.
- 8.20 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 later in 2025 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.
- 8.21 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.

- 8.22 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.
- 8.23 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.
- 8.24 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.
- 8.25 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).
- 8.26 In this instance, Key Policy Paragraphs 66, 110, 115, 129, 135 and 139 apply in the determination of this planning application.
- 8.27 In light of the above, the ‘tilted’ balance of Paragraph 11(d) of the NPPF is engaged and the provision of up to 240 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

- 8.28 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.
- 8.29 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.
- 8.30 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.
- 8.31 Final number, mix of dwellings, layout and density would be determined at Reserved Matters stage. However, it is anticipated that a range of house types would be provided across the site ranging from 1-4 bedrooms and from 1- 2 storeys in height.
- 8.32 The Applicant has also committed to providing at least 5% of the total number of dwellings as bungalows which they state should be afforded additional positive weight in the planning balance.
- 8.33 Previous versions of the emerging Neighbourhood Plan contained a policy that new housing development proposals should provide a mixture of housing types specifically to meet the latest assessment of identified local needs in Newbold Verdon, as demonstrated in the Newbold Verdon Housing Needs Assessment. Draft Policy H5 highlighted that the largest single housing type within any development proposal should be 2-bed dwellings suitable for older people including bungalows and dwellings suitable for those with restricted mobility disabilities or special needs requiring support in the community. Policy H5 is attributed no weight owing to its infancy, however, the Newbold Verdon Housing Needs Assessment as an evidence document shows that the proportion of bungalows in Newbold Verdon is relatively in line with nationally, but below the proportion across Hinckley and Bosworth.

- 8.34 The Borough wide Housing Needs Study (2019) identifies that the sources used for analysis make it difficult to quantify a need/demand for bungalows in the Council area as Census data (which is used to look at occupancy profiles) does not separately identify this type of accommodation. Data from the Valuation Office Agency (VOA) does however provide estimates of the number of bungalows (by bedrooms) although no tenure split is available. In general, the study found that there is a demand for bungalows and in addition, analysis of survey data (in other locations) points to a high demand for bungalows from people aged 65 and over in particular. Bungalows are often the first choice for older people seeking suitable accommodation in later life and there is generally a high demand for such accommodation when it becomes available (this is different from specialist accommodation for older people which would have some degree of care or support). The study concludes there is a potential demand for bungalows but highlights that realistically significant delivery of this type of accommodation may be unlikely as often bungalows are not supported by house buildings due to potential plot sizes and low densities.
- 8.35 Hinckley and Bosworth has a slightly older age structure and similar levels of disability when compared with the national average. The older person population is projected to increase notably moving forward. An ageing population means that the number of people with disabilities is likely to increase substantially. This would suggest that there is a clear need to increase the supply of accessible and adaptable dwellings and wheelchair user dwellings as well as providing specific provision of older persons housing. The provision of bungalows would help address the identified shortfall and it is likely they would be attractive for older people and potentially those with disabilities. It is also possible that delivery of some bungalows might be particularly attractive to older person households downsizing and may help to release larger (family-sized) accommodation back into family use. Whilst housing mix would be fully secured at Reserved Matters stage the Applicants have committed to providing 5% bungalows, were the development to deliver 240 dwellings this would equate to 12 plots. The provision of 5% bungalows is proposed to be secured by condition and owing to the policy/evidence base above this is therefore attributed positive weight in the planning balance.

Affordable Housing

- 8.36 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.
- 8.37 A policy compliant level of affordable housing is proposed, were 240 dwellings to come forward at reserved matters stage this would equate to 96 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.

Custom and Self-Build Housing (CSB)

- 8.38 As above paragraph 63 of the NPPF outlines that housing needs for those wishing to commission or build their own homes should be reflected in assessed and reflected in planning policy.
- 8.39 Section 1 of the Self-Build and Custom Housebuilding Act 2015 defines self-build and custom housebuilding as the building or completion of houses by individuals, associations of individuals, or persons working with or for individuals or associations of individuals, to be occupied as homes by those individuals. Section 2A of the Self-Build and Custom Housebuilding Act places a statutory duty on the LPA to give permission to a sufficient number of self-build and custom housebuilding developments on serviced plots to meet the demand for self-build and custom housebuilding in the Authority's area.
- 8.40 The demand for self-building and custom housebuilding arising in an authority's area in a base period is evidence by the number of entries added during that period to the authority's Self-Build and Custom Housebuilding Register. At the end of each base period, the LPA have three years in which to approve an equivalent number of plots of land for self-build and custom housebuilding on serviced plots of land as there are entries for that base period. However, there is no duty for the LPA to grant permission for land that specifically meets the requirements expressed by those on the Register.
- 8.41 Currently, the Council has supplied less suitable cumulative permissions than the cumulative required demand for self-build and custom house-build dwellings at the end of Base Period 9 (31 October 2024 to 30 October 2025), which results in a modest shortfall of five self-build and custom-house build dwellings. However, the next base period ends following the completion/publication of this report and therefore an updated position will be set out in the late items report.
- 8.42 As part of the development the applicant has committed to provide 5% of dwellings as self/custom build serviced plots. Were the development to deliver 240 dwellings this would equate to 12 plots towards the Council's CSB supply. The provision of serviced self/custom build plots would be secured through the legal agreement.
- 8.43 Overall, subject to conditions, a legal agreement and final details at reserved matters stage, the proposal is considered to comply with policies 15 and 16 of the Core Strategy.

Landscape and Visual Amenity

- 8.44 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.

- 8.45 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.
- 8.46 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.
- 8.47 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..."
- 8.48 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 Policies 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
- 8.49 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.
- 8.50 The application has been accompanied by a Landscape and Visual Impact Assessment (LVIA) and associated landscape plans. The application, plans and LVIA have been reviewed by a landscape consultant on behalf of HBBC, this review process has included meetings between HBBC and the applicant's landscape team at pre-application and application stage and amendments have been received as a result of comments from the landscape consultant and case officer.
- 8.51 Having reviewed the assessment approach and methodology of the LVIA, HBBC's landscape consultant was content with the assessment methodology and that it was generally consistent with the Guidelines for Landscape and Visual Impact Assessment (3rd edition) (GLVIA3).

Effects on Wider Landscape Character

- 8.52 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.”
- 8.53 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.
- 8.54 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.
- 8.55 The application site displays several characteristics it shares with the key characteristics of LCA D, including numerous intact hedgerows and clear large to medium sized field patterns, this includes the southern roadside boundary along Barlestone Road. Tree cover is limited to boundary trees but there is a small linear woodland copse to the northeast of the site adjacent to PRoW S11. There are views of the pastoral fields and trees from the edge of Newbold Verdon and the four PRoWs within/surrounding the site which also effectively link residents of Newbold Verdon to the open countryside.
- 8.56 The value of the landscape in and around the site is considered in relationship to the HBBC Landscape Character Assessment as medium. The site is an undesignated rural fringe landscape considered to be relatively representative of the local character, with some distinctive features in fair condition and generally well maintained, the site also has a relatively moderate level of tranquillity. The susceptibility of the site to the type of development proposed is medium as whilst a greenfield site at present, it is located immediately adjacent to the settlement edge of Newbold Verdon, a Rural Centre. Combining these factors results in medium sensitivity to the changes likely to be brought about by the proposed development.
- 8.57 At a site level in the context of the wider LCA the magnitude of change arising from the proposed development is considered to be low as, although several fields, that are currently used as paddocks, would be lost to housing, the existing on site PRoW and hedgerows with trees would be retained, apart from losses resulting from highway/pedestrian access works.

- 8.58 Beyond the site itself, the agricultural fields bounded by mature hedgerows with trees would remain unchanged, alongside the pockets of woodland, tree belts and copses. The key characteristics of the wider landscape beyond the site boundary would be physically unaffected by the proposals. In addition to this, due to the location of the site adjacent to the edge of Newbold Verdon and Barlestone Road the landscape in the local vicinity is already influenced by vehicles and residents in these areas. The HBBC landscape consultant agreed with the LVIA assessment that beyond the site, all of the key characteristics would remain and the character across the wider LCA would be unaffected by the proposals resulting in a low magnitude of change locally within the character area and a negligible effect with increasing distance from the site resulting in a subsequent negligible or minor adverse effect. The minor adverse effects would naturally be more noticeable in closer proximity to the site.

Landscape Value and Effects of Landscape Character of the Site

- 8.59 The landscape character is not of such value to be classed as valued landscape in the context of paragraph 180a of the NPPF. As there are no landscape designations, the site falls at the lower spectrum of the landscape value continuum, representing an area of pleasant but unremarkable (in wider landscape character terms) settlement edge landscape. However, there is a high degree of public access, numerous intact hedgerows, small enclosures, mature trees and some scenic qualities in the northwest part of the site. These elements are characteristic of the local area, and in fair condition, therefore it is agreed that the site and the immediate landscape is of medium landscape value.
- 8.60 It is clear that the proposed development would alter the site from enclosed pasture land to a residential development which would significantly change the landscape character of the site itself. Harm is attributed to the built form of the development and the loss of significant amounts of hedgerow along Barlestone Road as a result of necessary highway works (visibility splays) and some trees across the site. The applicants LVIA contends that the site is a logical extension to Newbold Verdon as the dwellings will be sited on the same natural levels as those on the existing settlement edge. However, the lack of any significant development to the north of Barlestone Road cannot be ignored. This development would uncharacteristically extend the built form of Newbold Verdon north of Barlestone Road, which at present forms the edge of the built-up part of the settlement.
- 8.61 On the other hand, there are mitigatory factors including that the north, east and west the site is reasonably contained by established vegetation including mature hedgerows with hedgerow trees. To the south, the site adjoins Barlestone Road together with existing residences on the edge of Newbold Verdon which act as a backdrop to the application site when viewed from some surrounding viewpoints. The landscape strategy plan also details a high level of open space and landscape buffers around the periphery of the site.
- 8.62 The applicants LVIA concludes that the magnitude of change is assessed as high, and when combined with a medium sensitivity this translates into major effects upon

the character of the site itself. With the establishment of the soft landscape buffers to the site perimeters the LVIA assesses that this will be reduced to moderate adverse effects over time. The HBBC landscape advice agrees that the magnitude of change is high and that proposals will have major effects upon the character of the site itself. However, there is disagreement on the effectiveness of the soft landscaping buffers which although greater to the north were minimal on the eastern edge of the site. The HBBC landscape consultant considered that although the effects on landscape character would slightly reduce as planting establishes would still be major/ moderate adverse by year 15.

- 8.63 In response to this advice, the Applicant increased the landscape buffer to the eastern boundary to up to 15m in width and strengthened the tree and shrub planting. This is considered a slight improvement but did not significantly alter the above overall view of the HBBC Landscape Consultant and major/moderate adverse impacts to the sites landscape character are likely.

Effects on Visual Amenity

- 8.64 A series of publicly accessible viewpoints from the area surrounding the site were reviewed and agreed with the case officer and HBBC landscape consultant during pre-application discussions. The effect of the development on all 22 viewpoints has been assessed for Year 1 and Year 15 of the development, including their sensitivity to change and the magnitude of change.
- 8.65 Key visual receptors with close open views towards and across the site include persons utilising the PRow through the site, running towards the site from the north and south and on the PRow to the northwest of the site; persons at the Newbold Verdon Equestrian Centre; persons on the B582 (Barlestone Road) to the west and south (where views are possible over and between roadside hedgerow); persons at the Medical Practice opposite the north-western part of the site; residents of properties along the northern edge of Newbold Verdon (north and south of Barlestone Road); and residents of residential properties adjoining the western half of the northern site boundary.
- 8.66 From some views the site is seen in the context of existing residential development along the northern edge of Newbold Verdon, in the context of the large-scale buildings at the Newbold Verdon Equestrian Centre and the farm buildings adjacent to the western half of the northern boundary of the site. There are some views northwest towards the site (beyond roadside and intervening field boundary hedgerows) from the B582 (Desford Road) along the eastern half of the northern edge of Newbold Verdon; and some views from the northern end of Mill Lane and Dragon Lane approaching the B582 (Barlestone Road) in the vicinity of the southern and north-western boundaries of the site.
- 8.67 Views towards the site from most (but not all) properties within Newbold Verdon are limited by intervening properties and vegetation. The site is potentially visible from some residential properties at Newbold Heath to the north and northwest of the site but there is filtering and screening by intervening field boundary hedgerow and trees.

- 8.68 For users of the PRoWs moving through the site there would be a high level of change resulting from proposed residential development. The impact on these views would be mitigated to some degree with the proposed design response which includes retention of the rights of way within green corridors or public open spaces. Furthermore, PRoW users would benefit from new public access to areas of open space around the existing routes and in the wider site.
- 8.69 Outside the site boundaries, proposed residential development would be most noticeable in views from the PRoWs northwest of the site (S12 and S13); from the B582 (Barlestone Road) and from existing residential properties adjacent to and overlooking the site, predominantly to the south and west.
- 8.70 The LVIA identifies major adverse effects to six viewpoints and major/moderate adverse effects to another four viewpoints at Year 1. Moderate adverse effects are assessed at six viewpoints, minor adverse for 3 viewpoints, with the remaining three viewpoints experiencing negligible effects. The HBBC landscape consultant agrees with the above assessment at Year 1 with the exception of viewpoint 15 which they consider would be major/moderate at Year 1.
- 8.71 Unsurprisingly at Year 1 the viewpoints assessed as having major adverse impacts are those on the PRoWs traversing the site. As outlined above there would be a high level of change upon sensitive receptors, with users currently experiencing the change from open countryside to built development in close proximity and without established landscape mitigation. The major/moderate adverse viewpoints are from the PRoW running adjacent to the north eastern boundary of the site (S12) and outside of the site to the east (S13). Viewpoint 15 is taken from the south of the site and Barlestone Road, looking north from Sparkenhoe and is representative of pedestrians and residents.
- 8.72 By Year 15, when landscape mitigation has matured, the LVIA predicts that no major or major/moderate adverse effects would remain. 12 viewpoints would experience moderate adverse effects, five would experience minor adverse effects and the remaining five would experience negligible effects.
- 8.73 Whilst HBBC's Landscape Consultant agrees that the harm would reduce for all viewpoints by Year 15, they concluded that major/moderate adverse harm would remain for viewpoints 19, 20, 21 and 22. These are viewpoints from Nursery Lane and PRoW R88 running diagonally through the eastern part of the site. In their view residential development will still be visible above the hedgerow despite mitigation planting. The proposal will change users' appreciation of the PRoWs from an open agricultural view to that of planting with residential development either side of the PROW with a road crossing Nursery Lane changing its character at this point. Furthermore, there is disagreement that the impact on viewpoints 13 and 14 which are from PRoW S13 to the east of the site would reduce to moderate adverse effects by Year 15. As set out in paragraph 8.63 in response to these concerns the applicant increased the landscape buffer to the east of the site, however, upon review the

HBBC landscape consultant considered the development would still be visible and it did not significantly change their opinion on the impact.

- 8.74 Previous draft versions of the Neighbourhood Plan including a selection of important views. Viewpoint 5 'North from Harry's Lane' would be impacted by the development. It should be noted that whilst the plan showing the location of viewpoint 5 (Figure 17), shows this to be located at the southern end of Harry's Lane adjacent to Barleston Road, the photographs accompanying the views show a different viewpoint to the north of Harry's Lane. Whilst the Neighbourhood Plan carries no weight in the determination of this application, for the avoidance of doubt, this viewpoint was assessed within the LVIA. The assessment for this viewpoint (Viewpoint 1) showed major adverse impacts at Year 1 and moderate adverse impacts at Year 15- a view shared by HBBC's Landscape Consultant. There would be an impact to this viewpoint as it will change from an open view of agricultural fields to one of residential development and associated mitigation planting.
- 8.75 Concerns have been raised that the development would cause coalescence between Newbold Verdon and Newbold Heath. The LVIA included viewpoints from Newbold Heath and this did not demonstrate that the proposal would reduce the perceived separation between the settlements owing to intervening vegetation.

Landscape Conclusions

- 8.76 The application proposals dedicate a significant proportion of the site, approximately 43% of the total site area, to landscaping, green infrastructure, public open space and habitat areas including woodland, woodland edge, hedgerow planting a community orchard and land safeguarded for the cemetery. HBBC's landscape consultant highlighted additional positives include that the layout creates a series of secure perimeter blocks overlooking open space provision and buffer planting, that the retention of the majority of hedgerows apart from the access locations and Barlestone Road is positive. The landscape buffer to the north of the site is good and the creation of new triangular landscape spaces and additional tree planting is also positive. 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.
- 8.77 The landscape effects on the wider landscape character area are agreed to be minor adverse/negligible.
- 8.78 In relation to landscape effects on the site itself the magnitude of change is high and the proposals will have major effects upon the character of the site itself. The soft landscaping buffers although greater to the north are not sufficient to the eastern edge of the site and whilst the effects on landscape character will slightly reduce as planting establishes it is likely to be major/ moderate adverse by Year 15.
- 8.79 In terms of major moderate adverse visual effects these are limited to the site itself and in close proximity to the site from PROWs. Despite the mitigation, some major/moderate adverse impacts are considered to remain by Year 15.

- 8.80 To conclude, owing to the identified major/moderate adverse impacts to the landscape character of the site and 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

- 8.81 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.
- 8.82 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.
- 8.83 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 240 dwellings, set in several development parcels. The design of the development proposal is based on the principle of perimeter blocks that enclose back gardens which would provide a strong frontage to the public realm and ensuring active frontages overlook streets and spaces wherever possible.
- 8.84 A single, tree lined primary street would run through the centre of the site. Pedestrian access points are proposed at each existing point of access for the PRoWs alongside a new pedestrian access point to the east of the site opposite Sparkenhoe. Indicative walking routes around the site are also shown.
- 8.85 The cemetery and community orchard would be sited in the northwestern part of the site. From a landscape perspective it allows a significant undeveloped green buffer to this countryside edge of the development and approach into Newbold Verdon. The location of the cemetery is appropriate as there are strong pedestrian and vehicle links to the wider village from Dragon Lane and this provides a direct link to the existing cemetery at the Church of St James. As the cemetery would be served by the existing access point to the equestrian centre and not the main new residential access its location also allows for the cemetery to be well contained, creating more privacy and potential tranquillity.

- 8.86 The indicative plans shows the medical centre car park immediately opposite the medical centre which is the appropriate functional location for the car park within the development site close to proposed crossing points on Barlestone Road.
- 8.87 The plans show three SuDs basins around the edges of the site which form part of the northern and eastern landscape buffers and these are surrounded by open space.
- 8.88 Open space is spread across the site with accessible natural green space running around the edges of the site, between development parcels and along the PRowS. In particular a ~30m wide Green Avenue is proposed along PRow R88 which runs diagonally through the eastern parcel of the site, this is proposed to be lined by street trees and swales and is a particularly positive feature of the design. A LEAP and half sized MUGA are located near the centre of the site, with another central green located in the eastern parcel which would form further casual/informal open space.
- 8.89 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 an average density of 35 dwellings per hectare, with sufficient space to allow for high densities along the main street and lower densities on the peripheries of the site for design/place making purposes.
- 8.90 The Design and Access Statement outlines that the majority of the residential development will be 2-storey, with some single storey dwellings. Key development frontages are identified, such as at the entrance from Barlestone Road, those overlooking areas of public open space and following the primary movement route. The Design and Access Statement highlights these will be particularly prominent and critical to the appearance of the development and that particular attention will be paid to the massing and architectural style of these buildings, so that they contribute positively to the quality and character of the new development. These frontages would be designed as a composition, with consideration also given to the spaces they adjoin, in order to provide a cohesive approach to these prominent positions. This approach should be followed through at Reserved Matters stage.
- 8.91 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 masterplan and design and access statement would be acceptable and presents good design in isolation.

Impact upon the Historic Environment

- 8.92 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.
- 8.93 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.

- 8.94 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.
- 8.95 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.
- 8.96 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.
- 8.97 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.
- 8.98 There are no designated heritage assets within the site boundary. Newbold Verdon Conservation Area is located ~300m to the south of the site at its closest point. Similarly, the closest Listed building (92 Main Street) is located ~300m from the site. Other Listed buildings are located in the historic core of the village on Main Street. Due to the sites location and the intervening built form there is little intervisibility between the site and designated heritage assets and therefore the proposed development would not impact the setting or significance of the above designated heritage assets.
- 8.99 The data provided by the Historic Environment Record ('HER') contains one non-designated heritage asset within the study Site; the findspot of one Neolithic scraper, one Bronze Age thumb nail scraper, one retouched flake, four flakes, seven struck fragments, two Roman and 35 Medieval pottery sherds (MLE6358) recorded during fieldwalking. No other non-designated heritage assets are recorded on Site.
- 8.100 In accordance with adopted CS Policy 11 and SADMP DPD Policies DM11, DM12 and DM13, an Archaeological Desk Based Assessment (DBA) was undertaken in

order to identify and provide a description of the significant of archaeological assets on the Site and the likely effects to the proposed development.

- 8.101 LCC archaeology department subsequently requested the submission of a geophysical survey which was then submitted. This identified a potential archaeological feature, a possible enclosure feature, on the south-western edge of the Site measuring c32m wide, as well as a few possible ditches near the centre of the Site. The features identified in the survey are located in an area proposed for residential development in the indicative masterplan.
- 8.102 The nature and significance of these features are not currently fully understood from the geophysical survey results alone. Although LCC archaeology agree with the findings of the DBA which identified an enhanced potential for prehistoric remains to be present within the site, they do not agree that the potential for Roman remains to be present is low. As noted in the DBA itself the staple-shaped linear feature against the south-west edge of the site is potentially of Roman date. In addition to Roman pottery recovered during fieldwalking both within and c.350m west of the application area, a Roman site has been identified c. 400m to the east. LCC archaeology therefore recommend that the applicant be required to complete the Archaeological Impact Assessment (AIA) of the site through further pre-determination trial trench evaluation, in order to test any anomalies, in addition to any geophysically 'blank' areas.
- 8.103 A request for the AIA was made and the applicants have agreed to carry out the AIA, however, do not agree that this is required prior to the determination of this outline application. They consider that the current application is submitted as an outline scheme, with all details apart from vehicular access reserved for later submission. Neither the survey results, nor the findings of previous survey and trial trenching undertaken to the immediate south-west of the site, or earlier finds from the surrounding area (all of which are discussed within the submitted DBA) identify any major archaeological constraint within the site, anything that would conflict with the fixed vehicular access element of the scheme, or which would make it impossible to deliver development consistent with the current framework parameters and illustrative plans. They consider that any necessary measures to avoid or mitigate archaeological impacts can be addressed and accommodated within detailed design and reserved matters applications.
- 8.104 This rebuttal was sent to LCC Archaeology who did not alter in their request for a pre-determination AIA.
- 8.105 Notwithstanding the view of the LCC Archaeology department, it is considered that a pre-determination AIA is not necessary in this specific case. It is accepted that the full extent and significance of any archaeological remains will not be established until an AIA has been carried out. However, it is considered that this can be carried out prior to the submission of any Reserved Matters application and that the developable area and development proposals are flexible to ensure that the presence of archaeological remains can be factored into the final design of the development. Subject to the recommended condition requiring the AIA to be submitted and

approved prior to the submission of the first Reserved Matters application the application is judged to accord with Policy DM13 of the SADMP.

- 8.106 In summary, subject to conditions 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, 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

- 8.107 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.
- 8.108 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.
- 8.109 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.
- 8.110 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.
- 8.111 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.
- 8.112 It is not until the Reserved Matters stage that the siting and scale of the housing will be secured. However, the Parameters Plan and Indicative Masterplan 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.
- 8.113 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 55 dB LAeq, will be satisfied at all garden locations on the Site provided the mitigation recommendations outlined in this report are followed. Mitigation measures include the use of standard 1.8m garden fencing with some areas of 2m high garden boundaries which are typical garden boundary arrangements.

- 8.114 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 Barlestone Road will benefit from up rated thermal double glazing and through wall ventilators.
- 8.115 The AA has been reviewed by the Council's Environmental Services team who have advised that the mitigation outlined in the report should be conditioned to protect future occupiers. Further consideration needs to be given to the impact of the Equestrian Centre, however, the Environmental Services team are satisfied that this can be conditioned and managed at Reserved Matters stage.
- 8.116 An Air Quality Risk Assessment has been submitted which predicts that air quality will not be significantly impacted by the development. This has been reviewed by the Environmental Services team who have raised no concerns but highlighted that recommendations are made with regard to mitigation during the construction phase of the development and these should form part of the CEMP for the site.
- 8.117 A Lighting Impact Assessment has been undertaken, with additional information provided by the applicant during the course of the application concerning lighting at the equestrian centre. Again, this has been reviewed by the Environmental Services Team who have not raised any objections, a condition is recommended requiring full details of the lighting to be submitted as part of any forthcoming reserved matters application where the detailed positioning of any lighting can be considered.
- 8.118 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.
- 8.119 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

- 8.120 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.
- 8.121 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.
- 8.122 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)).
- 8.123 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.124 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

- 8.125 Currently, there are two points of access to the site off Barlestone Road which is a B classified road (B582) subject to a 40mph speed limit. These are the existing Equestrian Centre access and Nurser Lane. A new point of access is also proposed to serve the majority of the development.

Existing Equestrian Centre Access

- 8.126 The Applicant proposes to retain the existing Equestrian Centre access to serve the Equestrian Centre and proposed cemetery. The proposals would reduce the overall size of the equestrian centre, with the cemetery not intensifying traffic at the access. On this basis, the LHA are satisfied no works are required for this access.

Nursery Lane Access

- 8.127 Nursery Lane is an adopted unclassified road under LCC's responsibility, which provides access to two existing dwellings and two unadopted BOTATs. The lane is to be retained to maintain the existing rights of access to existing dwellings and this would cross the internal primary development road.

- 8.128 The LHA were concerned during the course of the application that vehicular visibility splays from Nursery Lane onto Barlestone Road are severely restricted. The LHA noted that a segregated pedestrian/ cycle route is proposed to link to Nursery Lane and consider it reasonable that the proposed route and Nursery Lane could be used in the future by pedestrians/ cyclists and horse riders. Given Nursery Lane is a single track adopted road, and the Applicant is not proposing to sever vehicle links, the LHA had concerns that despite the Applicant stating the route would be designed to be conspicuous to drivers, there would be nothing to prevent drivers from using it. This could lead to an intensification in use of Nursery Lane on to a B classified road where visibility is sub-standard for the recorded speed of passing traffic. In addition, it could lead to conflict between non-motorised users and vehicles, or between vehicles. The LHA therefore advised that the Applicant was required to propose measures to prevent vehicular access between Barlestone Road and the development road.
- 8.129 The Applicant has now proposed to gate Nursery Lane to only allow access to authorised users. Measures to restrict access to Nursery Lane are complex and would likely require Traffic Regulation Orders or stopping up/ downgrading of the highway. The Applicant has provided details of a gated farm track in Desford, which runs alongside Charity Close and crosses Archers Way. The LHA advise that site is not a direct comparison given the farm track is private and does not form part of the adopted highway, therefore gating that route is much simpler.
- 8.130 Importantly, the LHA have advised the LPA that it would be difficult to resist the proposals without measures to prevent misuse of the route between the development spine road, because it would be difficult to present evidence that drivers will use the route as a cut through at an appeal. Nevertheless, the LHA have asked the Applicant to continue to work with the LHA to agree a workable solution which could deter use, whether this be measures on the internal spine road, or measures on Nursery Lane. A suitable condition is proposed which would ensure full details of this scheme of improvements are submitted and approved prior to the submission of the first reserved matters application.

Proposed New Access

- 8.131 Apart from the proposed cemetery, the remaining development is proposed to be accessed off a new point of access onto Barlestone Road.
- 8.132 Speed surveys have been undertaken and detailed 85th percentile speeds of 42.5mph in each direction, whilst the speed survey to the south of the site access detailed 85th percentile speeds of 42.1mph in each direction. The Applicant has therefore provided 2.4 x 120m visibility splays in each direction at the proposed access, which is in accordance with Table 6 of the LHDG.
- 8.133 A Stage 1 Road Safety Audit (RSA) of the site access arrangements has been undertaken. The RSA raises eight problems with the access design/ off-site works. Designer's Responses have been provided to all problems. The LHA accepts the responses provided by the Applicant, except for Problem 1. This is due to LCC no

longer using red surfacing due to the ongoing maintenance issues associated with its use.

- 8.134 During the course of the application several amendments were made to the proposed new access design, along with off-site works. In their amended form the proposed plans have raised no objections from the LHA. Further specific design comments have been made regarding the access and off-site highway proposals which would be addressed at detail design stage with the LHA.

Highway Safety

- 8.135 Up to date PIC analysis was provided by the Applicant which covered all the study junctions which are being considered as part of the junction capacity assessments. The Applicant has subsequently obtained PIC data from Leicestershire County Council for between 1st January 2020 and 31st March 2025. The Applicant has reviewed the PIC data within pages 4 to 8 of the TN and concludes that there do not appear to be any clusters of PIC's at any specific location and it is therefore unlikely the proposals will exacerbate an existing highway safety concern.
- 8.136 The LHA has reviewed its PIC database which currently holds PIC data up to the end of July 2025 and is not aware of any additional PIC's within the study area. Given the above, whilst the LHA considers all PIC's are regrettable, the LHA accept it is unlikely the proposals would exacerbate an existing highway safety concern in the area.

Trip Generation and Distribution

- 8.137 Given the scale of the development proposed, the number of developments in surrounding villages, e.g. Desford, Market Bosworth and Barlestone, the LHA advised the Applicant at the pre-application stage that the trip distribution from the development is considered using the Leicestershire Pan Regional Transport Model (PRTM). PRTM has the benefit of assigning and distributing trips on the network and considers committed development as a part of the model run.
- 8.138 As part of the PRTM assessment, the model accounts for committed development traffic and background traffic growth. The PRTM Forecasting Report assessed the following scenarios:
- 2025 'Do Nothing'.
 - 2033 'Do Minimum'.
 - 2033 'Do Something' and
 - 2033 'Do Something Sensitivity'
- 8.139 To produce the 'Do Nothing' and 'with Do Something' scenarios, the forecasts have been run through the full PRTM modelling suite, which includes a highway, public transport and variable demand model. As a result, the scenario incorporates the response of travel demand to forecasted changes in travel cost and development of transport infrastructure over time.

8.140 In producing the 2033 'Do Something' scenario, the predicted trips generated by the proposed development have been added to the 2030 'Do Minimum' highway demand matrices using the agreed parent-zone distribution and assigned in the PRTM highway model.

8.141 The 2033 'Do Something Sensitivity' scenario has considered the above, along with the following three developments:

1. 24/01079/OUT (126 dwellings - Land North of Station Road Market Bosworth);
2. 24/00831/OUT (100 dwellings - Land North of Shenton Lane, Market Bosworth);
- and
3. 24/01158/OUT (135 dwellings - Land off Brascote Lane, Brascote Lane, Newbold Verdon).

The LHA is aware developments 1 and 2 have been refused planning permission by the LPA, however both are being appealed, whilst site 3 has been granted planning permission subject to S106 agreement.

Junction Capacity Assessments / Off-Site Implications

8.142 Following the PRTM assessment, the Applicant has undertaken capacity assessments of the following junctions, which were identified by PRTM as being the area of influence:

No.	Junction description
1	Site Access / B582 Barlestone Road Ghost Island Priority
2	B582 Barlestone Road / Bosworth Lane Signalised T-Junction
3	Bosworth Lane / Bosworth Road / A447 Staggered Crossroads
4	B582 / Newbold Road / Lockymead Drive Roundabout
5	B582 Barlestone Road / Dragon Lane Priority
6	B582 Barlestone Road / Mill Lane Priority
7	B582 Barlestone Road / Main Street Priority
8	A47 / B582 Staggered Signalised Crossroads (Desford Crossroads)
9	B582 / Main Street / High Street Mini-Roundabout
10	B582 / Station Road Priority
11	B582 / Barns Way Mini-Roundabout
12	Station Road / Barns Way Priority

8.143 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. The RFC of junctions 1, 2, 4, 5, 6, 7 and 11 are not predicted to exceed 0.85 with the development in place in 2033. The LHA is satisfied these junctions will operate within capacity in all scenarios. Further consideration has been given to junctions 3, 8, 9, 10 and 12, as outlined below.

Junction 3: B585 Bosworth Lane/ Bosworth Road/ A447 Staggered Crossroads (Bull in the Oak Junction)

- 8.144 The results of the Applicants junction modelling shown on Page 11 of the TN indicate that the junction would be operating overcapacity in the 2033 Do Minimum scenario in both the AM and PM peaks. This is exacerbated further with the proposed development in the 2033 Do Something scenario.
- 8.145 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 the junction. The scheme has a current cost estimate in the region of £1.5m to £2m. Alongside this proposed development, the level of trips which are anticipated to pass through the junction for the following application references have also been considered:
- 24/01079/OUT (Land north of Station Road, Market Bosworth – 126 dwellings – Refused by the LPA)
 - 25/00515/OUT (Land South Of Bosworth Lane, Newbold Verdon - 200 dwellings, a community shop (Use Class E(a)) of up to 108 sqm – Currently undetermined by the LPA)
- 8.146 To date, the LHA have requested an appropriate contribution proportionate to the level of traffic generated from application reference 24/01079/OUT. When considering the level of traffic generated by the proposed development, the LHA advise it requests a contribution of £778,098 towards the works. This would negate any further assessment of the junction.

Junction 8: A47/ B582 Staggered Signalised Crossroads (Desford Crossroads).

- 8.147 The results of the Applicants junction modelling shown on Page 11 of the TN indicate that the junction would be operating overcapacity in the 2033 Do Minimum scenario in both the AM and PM peaks. This is exacerbated further with the proposed development in the 2033 Do Something scenario, with an increase in queue lengths. LCC is actively seeking developer contributions towards an improvement scheme at the junction. However, under the site-specific circumstances, the LHA consider it would be more appropriate and reasonable, given the location of the development, to seek contributions towards Junction 3, in lieu of any contribution towards the Desford Crossroads.

Junction 9: B582/ Main Street/ High Street Mini Roundabout

- 8.148 The results of the Applicants junction modelling shown on Page 16 of the TN indicate that the development could cause a considerable increase in queueing and delay on the westbound (Manor Road) arm of the B582 (Arm D). The Applicant has subsequently proposed a mitigation scheme as shown on MEC drawing number 24832_08_020_10 in Appendix H of the TN, which involves kerb and refuge realignment on the eastern (High Street) arm of the B582 (Arm B) to increase the entry width to the junction as well as minor entry width widening on Arm D.

- 8.149 Whilst the Applicants proposals would result in the RFC of the junction still being exceeded in the AM peak and close to being exceeded in the PM peak, the proposed scheme would mitigate the impact of development traffic in the 2033 Do Something and 2033 Do Something Sensitivity scenarios.
- 8.150 The LHA advise that the lane widths to the eastern arm appear to be sub-standard in width, and the proposals have not been subject to a Stage 1 Road Safety Audit by the Applicant, therefore further, detailed assessment of the proposals would be required at detailed design.

Junction 10: B582/ Station Road Priority Junction

- 8.151 The results of the Applicants junction modelling shown on Page 17 of the TN indicate that the development could cause a considerable increase in queueing and delay on Arm B (minor arm on Station Road) in the AM and PM peaks. A mitigation scheme has been provided by the Applicant as shown on MEC drawing number 24832_08_020_11 in Appendix H, involving use of existing verge on Arm B (Station Road) to provide increased entry width for traffic emerging onto the B582.
- 8.152 With the scheme in place, whilst the RFC of the junction would still be exceeded in both the AM and PM peaks, the proposed scheme would mitigate the impact of development traffic in the 2033 Do Something and 2033 Do Something Sensitivity scenarios.
- 8.153 The proposals, whilst only minor widening of the carriageway, have not been subject to a Stage 1 Road Safety Audit by the Applicant and therefore further detailed assessment of the proposals would be required at detailed design.

Junction 12: Station Road/ Barns Way Priority Junction

- 8.154 The results of the Applicants junction modelling shown on Pages 18 and 19 of the TN indicate that the development could cause a considerable increase in queueing and delay on Arm B (minor arm on Station Road). A mitigation scheme has been provided by the Applicant as shown on MEC drawing number 24832_08_020_12 in Appendix H of the TN. This involves a reduction of the nearside footway on Arm B to 2.0m width to enable additional vehicular throughput on the arm. This would increase crossing widths for pedestrians to 5.5m on the northern side of the entry where a pedestrian refuge in the centre of the carriageway is already provided, however this would be a similar width to a typical residential access.
- 8.155 As per the above proposals, the design has not been subject to a Stage 1 Road Safety Audit by the Applicant and therefore further detailed assessment of the proposals would be required at detailed design

Further Off-Site Implications

- 8.156 The Applicant is proposing to reduce the speed limit along the section of Barlestone Road fronting the site from 40mph to 30mph. The Applicant is proposing to install 30mph gateway signing and lining at each speed limit change. In addition, four Vehicle Activated Signs (VAS) are proposed along the route to reinforce the speed limit and street lighting would be reviewed, with additional lighting provided if necessary.
- 8.157 Two new Toucan crossings are proposed across Barlestone Road. In addition, a shared use footway/ cycleway would be provided from the new site access alongside Barlestone Road to connect into the existing footway opposite Dragon Lane.
- 8.158 The Applicant provided an indication as to the level of pedestrians/ cyclists which they anticipate using each crossing. This included consideration of pedestrians which may need to cross Barlestone Road to access the health centre or car park for the health centre and has been accepted by the LHA.
- 8.159 It is also noted the Applicant has undertaken modelling of the Toucan crossings, which indicates that they would not lead to severe queueing or delays. The LHA has reviewed the junction modelling files and consider the modelling to be acceptable.

Transport Sustainability

- 8.160 The site is within a sustainable location within walking distance to services within Newbold Verdon. The aforementioned Toucan crossings proposing across Barlestone Road and associated pedestrian/cycle routes are considered necessary to ensure the direct and safe walking routes.
- 8.161 A Travel Plan has been submitted with the application which the LHA judged to be acceptable, however, this has not yet been updated to reflect the amendments made during the course of the application. The Applicant have accepted the provision of a Travel pack and two x six-month bus passes will be required for each dwelling. In addition, they have accepted the Travel Plan Monitoring Fee. This will be secured within the legal agreement.

Internal Layout

- 8.162 The internal layout is not for consideration at this stage and therefore has not been considered in detail. The LHA have advised the layout is designed to an adoptable standard and this is view supported by the case officer. The LHA advise it would also be beneficial to futureproof the design of the site for any further development to the east to provide a pedestrian/ vehicular link through and enable a second point of access onto Barlestone Road. Any future development to the east is not under consideration at this time and this latter point is for future/hypethetical guidance only.

Public Rights of Way

- 8.163 The application site is crossed by three minor highways, which are Public Footpaths R88 and S11 and Nursery Lane as outlined above. The application documents propose these PRoWs are retained.
- 8.164 The LHA advises that an appropriately worded condition should be imposed for the treatment of the PRoW's, including where relevant, management during construction (including proposed temporary route(s)); ensuring plans reflect the correct legally-recorded PRoW alignments; and any new construction works. In addition, this would need to address surfacing, drainage, structures, signposting, and impacts of any landscaping and boundary treatments.

Construction Traffic

- 8.165 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 routing of construction traffic, along with details of parking and wheel washing facilities would be required as a condition.

Impact upon Ecology and Biodiversity Net Gain

- 8.166 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.
- 8.167 Paragraph 170 of the NPPF states that development should result in a net gain for biodiversity by including ecological enhancement measures within the proposal.
- 8.168 The development will be subject to the mandatory biodiversity net gain (BNG) condition and will be required to achieve 10% BNG.
- 8.169 In consultation with LCC ecology it has been demonstrated that subject to mitigation the development will not lead to adverse harm to protected species.
- 8.170 Further the submitted BNG metric identifies a 36.98% gain in on-site habitat units and a 21.15% 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 much higher than the mandatory requirement which is afforded positive weight in the planning balance.
- 8.171 Overall, the development complies with Policy DM6 of the SADMP.

Drainage and Flood Risk

- 8.172 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.

- 8.173 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.
- 8.174 In flood risk terms, the Site is located within Flood Zone 1, having the lowest probability of flooding. The majority of the Site also has very low / low risk from surface water flooding.
- 8.175 Following consultation with the EA, LCC as the Lead Local Flood Authority and the HBBC Drainage officer 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.

Minerals Safeguarding

- 8.176 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.
- 8.177 The submitted Mineral Assessment has been reviewed by the LCC Planning Team who following the submission of additional information advised that they have no objections. Whilst the proposal is incompatible with a Mineral Safeguarding Area for sand & gravel and further testing has confirmed this, the applicant can evidence that the mineral concerned is no longer of any value or potential value due to the buffers likely required to extract the mineral and that the remaining mineral outside the buffers would likely be uneconomical to extract. In addition, to the northwest of the site predominantly cohesive deposits have been encountered. It is welcomed by the County Planning authority that the mineral assessment had advised use of any extracted minerals for construction on site created by excavation of any foundations, drainage and landscaping excavations.

- 8.178 Therefore, the application accords with Policy M11 of the Leicestershire Minerals and Waste Local Plan.

Sustainability

- 8.179 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.
- 8.180 Such detail would be considered at Reserved Matters stage, however, the planning statement outlines that the applicant would meet all building standards, features of the site would include solar panels, EV charging points and waste water heat recovery systems.
- 8.181 It is considered that development can come forward in compliance with the aforementioned policies.

Infrastructure and Development Contributions

- 8.182 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.
- 8.183 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.
- 8.184 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

- 8.185 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.

- 8.186 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.
- 8.187 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.
- 8.188 In accordance with National Planning Policy, the Council's Affordable Housing Officer has confirmed that 96 affordable housing properties should be provided (assuming 240 dwellings come forward) in the following tenure mix:
- 72 x Affordable/ Social Rent
 - 24 x Shared Ownership
- 8.189 The Affordable Housing Officer confirmed that these affordable housing properties should include:
- | | |
|-------------------------------------|---------------------|
| 1 bedroomed 2 person quarter houses | 10% (8 properties) |
| 2 bedroomed 4 person houses | 45% (32 properties) |
| 3 bedroomed 5 person houses | 40% (28 properties) |
| 4 bedroomed 6 person houses | 5% (4 properties) |
- 8.190 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.
- 8.191 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)

- 8.192 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.
- 8.193 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.

8.194 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.

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

Typology	OSRS Requirement (ha)	On Site Provision (ha)	Equipment Provision based on OSRS requirements	Maintenance Contribution (per year)*	Maintenance Contribution (20 year maintenance period)
Amenity Green Space	0.768	0.4	NA	£10, 214.40	£204, 288
Equipped Play Provision	0.144	0.17	£216, 806	£11, 505.60	£230, 112
Natural and Semi Natural	1.152	4.84	NA	£10, 944.00	£218,880
Provision for Young People (MUGA)	0.168	0.05	£190, 260	£8, 954.40	£179, 088
TOTAL:	2.323	5.46	£407,066.40	£41, 617	£832, 368.00

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

8.196 As can be seen above, the proposal would overprovide on equipped play provision and natural and semi-natural open space. However, there would be a deficit of onsite 'Amenity Green Space' 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 and the outcome of this will be reported on the late items report.

8.197 Officers consider that given the oversupply of natural and semi-natural open space, further amenity green space should be provided on site. However, will be requesting that off-site contributions make up for the shortfall in the 'Provision for Young People' typology. There is a MUGA 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, in addition to the half-size MUGA proposed on site is considered to meet the requirements of the OSRS.

8.198 This would result in the onsite equipment provision costs for the 'Provision for Young People' typology reducing to £56, 625 with the total 20 year maintenance cost for this typology reducing to £53,300.

8.199 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 (per year)	Maintenance Contribution (10 year maintenance period)
Allotments	£14,938.56	£564.48	£5644.80
Provision for Young People (MUGA)	£133, 635	£6289.40	£62,894
TOTAL	£148, 573.56	£6, 853.88	£68, 538.80

8.200 An off-site contribution and a maintenance contribution towards of outdoor sports/playing pitch provision should also be provided within an agreed Section 106 Agreement. This will be reported on the late items report.

Cemetery Land

8.201 The HBBC OSRS 2025 does not provide a quality/value score or provision standard for cemeteries. The Study states that for cemeteries provision should be determined by demand for burial space.

8.202 The pre-submission version of the NP identifies that the cemetery adjacent to the St James' Church (the only cemetery in the village) will in the next few years have reached its capacity and that the Parish Council is therefore seeking a suitable plot of land to acquire- this is identified as Community Action CF3. Parish Council Minutes dated 1st July 2024 confirm that Newbold Verdon are still looking for Cemetery expansion. The minutes state that this will be a permanent agenda item due to the limited capacity of the existing cemetery. Through consultation with the Parish Council no land has currently been identified for this purpose, there is therefore an identified demand for burial space within Newbold Verdon.

8.203 The development includes 1.1ha of land safeguarded for a cemetery with associated parking and landscaping. Through pre-application discussions, the Parish Council has not been able to confirm the area of land required for the cemetery to the Applicant. The Applicant has undertaken an assessment of likely demand and

consider that when considering the mortality rate and current population of Newbold Verdon, the population increase as a result of committed developments as well as this proposed development, a cemetery equating to 0.4 hectares would be appropriate. This figure does not include any associated infrastructure such as car parking and landscaping. Therefore, the land being offered is considered a sufficient amount of space to address future cemetery needs.

- 8.204 Whilst the proposed cemetery would be located at the edge of the village, the nature of land required for a cemetery means this is likely to be the case for any new cemetery site for the village. Furthermore, it is in a sustainable location within walking distance for residents and suitable vehicular access is provided.
- 8.205 Following consultation with the EA it was established that the cemetery site does not currently meet the requirements for a low-risk cemetery and as such an environmental permit would be required. This is due to groundwater levels being within 1m of the base of any graves proposed for the cemetery. In order to facilitate the delivery of the cemetery at the site, the applicant has confirmed in writing that they would apply for an environmental permit if outline planning permission is secured and that they would undertake the necessary remedial work to mitigate any potential impact of the proposed cemetery on the underlying groundwater quality. The S106 would secure this is undertaken prior to the land being transferred to the Parish Council.
- 8.206 Based on the existing information, the remedial work will most likely involve raising site levels above the existing levels to allow sufficient clearance of the groundwater table. The degree to which levels will be raised will be established later following completion of a further groundwater risk assessment which will be prepared to support the permit application. Based on current estimates is most likely to be between 0.54 and 1.4m but this would not be across the whole cemetery area.
- 8.207 Overall, the provision of the cemetery land would address the local need and the provision of the cemetery land and any remediation work/permitting is proposed to be secured as part of the legal agreement.

Health Centre Car Park

- 8.208 The proposals include the provision of land for a health centre car park which would be gifted to Newbold Verdon Medical Practice. The ICB confirmed that following the planned growth in and around Newbold Verdon, Newbold Verdon Medical Practice would be unable to meet patient needs and that in order to meet anticipated registration demands the surgery would need to expand. The ICB, in consultation with Newbold Verdon Medical Practice, confirmed that utilising the safeguarded land for a new medical facility (as originally proposed) would not be financially viable. Instead, the preferred option would be to extend the existing surgery however, to extend the surgery it would be necessary to build onto their current car park which would then lead to a loss of car parking.
- 8.209 The ICB, in consultation with Newbold Verdon Medical Practice, therefore requested that the gifted land was instead gifted for the purpose of creating a new car park,

alongside the aforementioned contributions. The practice has confirmed that they currently have 17 patient spaces and would lose between 5-7 spaces developing on the land. It was requested that the land should accommodate 20-25 spaces, sufficient space has been identified which would provide for more than 25 spaces.

- 8.210 The provision of the health centre car park would be secured through the S106 agreement.

Highway Contributions

- 8.211 Highway contributions are requested as follows:

- A contribution of £778,098 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.
- A contribution of £12,995 for a Traffic Regulation Order to reduce the existing speed limit on B582 Barlestone Road from 40mph to 30mph as detailed on MEC drawing number 24832- 08-020-09. 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.
- 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.
- 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).
- A contribution of £6,000 prior to first use of the development for the monitoring of the Travel Plan and the effects of the development using the County Council's monitoring programme payable prior to the occupation of any part of the development hereby permitted of any part of the development hereby permitted. Reason: To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that the Travel Plan targets are met.

Other Infrastructure Requirements

- 8.212 In addition the following infrastructure contributions have been requested by the County Council, the Council's Section 106 Monitoring and Compliance Officer, and NHS England:

- Healthcare (LLR ICB) (Newbold Verdon Medical Practice) (£232, 320)
(Officer Note: This is in addition to the gifted car park land)

• Libraries (Newbold Verdon Library)	(£7, 247.45)
• Early Years Education (Newbold Verdon Primary School)	(£374, 462.40)
• Primary Education (Newbold Verdon Primary School)	(£1,018,758.00)
• Secondary Education (Bosworth Academy)	(£602,314.79)
• Primary SEND Education (The Dorothy Goodman School)	(£57,206.48)
• Secondary SEND Education	(£78,269.76)
• Off-Site Outdoor Sports Contributions	To be confirmed
• Off-Site Outdoor Sports Maintenance	To be confirmed
• Off-Site Public Open Space Contributions	(£148, 573.56)
• Off-Site Public Open Space Maintenance	(£68,538.80)
• On-Site Public Open Space Contributions	(£273,431)
• On-Site Public Open Space Maintenance (20 year period)	(£706,580)
• Waste (Barwell Household Waste and Recycling Centre)	(£11, 887.20)
• County Council Monitoring Costs	To be confirmed
• HBBC Monitoring Costs	To be confirmed

- 8.213 Contributions totalling £49, 230.33 have been requested by Leicestershire Police for police equipment, infrastructure and crime reduction initiatives have been requested. HBBC do not consider the request to meet the planning obligations tests of para 58 of the NPPF 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.

Summary

- 8.214 In light of the above, planning obligations totalling a minimum of £3,579,589.44 in addition to the highway contributions have been requested. This is subject to change due to the additional information and discussions on the open space contributions which are still under discussion with the Applicant owing to the late timing of the OSRS publication and the publication of this report. This will be addressed on the late items report.
- 8.215 Land for the cemetery and health centre car park and the provision of 5% of plots being custom and self build plots would also be secured within the S106.
- 8.216 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

- 8.217 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

- 8.218 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.
- 8.219 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.
- 8.220 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.
- 8.221 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

- 8.222 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 240 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.
- 8.223 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.
- 8.224 The Planning Statement identifies economic and social benefits. During construction of the development it is predicated that 218 indirect and induced jobs would be created elsewhere in the economy of each year of build which includes 160 direct full time equivalent (FTE) construction jobs and 11 direct FTE construction jobs generated by the build filled by apprentices. An estimate of £128,396,203 total Gross Value Added (GVA) is predicted over the build period. Longer term expenditure impacts include a predicted £6, 907, 680 gross potential spending power which is the

amount of ongoing expenditure 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 significant weight in the planning balance.

- 8.225 The provision of the cemetery will address a need for additional burial space within Newbold Verdon. A published requirement has not been provided by the Parish Council and therefore it is difficult to establish the extent to which the proposed cemetery would address demand. However, countered against this is the lack of other cemetery sites coming forward on either committed or proposed development sites within the village and the absence of other land being identified by the Parish Council. In light of this, the provision of the cemetery land is afforded significant weight in the planning balance.
- 8.226 The provision of 5% self and custom build plots would help address the need for self and custom build dwellings in the area. As the monitoring period will be completed after completion of this report but prior to Planning Committee, the weight attributed to this matter will be addressed fully in the late items report. However, this is likely to attribute moderate to significant weight dependent on any published shortfall.
- 8.227 The provision of the health centre car park land does not directly lead to improved healthcare facilities of residents in Newbold Verdon. However, it would facilitate the medical practice to extend the surgery onto the existing car park utilising existing S106 contributions and those provided as part of this development. The provision of the health centre car park is therefore attributed moderate positive weight in the planning balance.
- 8.228 The provision of 5% bungalows would address a need for this housing type in Newbold Verdon and the wider Borough. Owing to the general lack of desire from developers to provide bungalows as part of development sites but the reasonably limited number of bungalows, this matter is attributed moderate weight in the planning balance.
- 8.229 The development would result in BNG exceeding the 10% mandatory requirement, this is afforded moderate weight in the planning balance.
- 8.230 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 on site amenity greenspace and 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.
- 8.231 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.

- 8.232 The development is not considered to result in any adverse impacts to the character and significance of the historic environment, and 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

- 8.233 Notwithstanding the above, the proposal represents new development in the designated open countryside and is unacceptable in principle. 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.
- 8.234 The landscape effects on the wider landscape character area are agreed to be minor adverse/negligible. However, in relation to landscape effects on the site itself and the immediate area the magnitude of change is high and the proposals will have major effects upon the character of the site itself. Whilst the green infrastructure on site is significant the effects on landscape character is likely to be major/ moderate adverse by Year 15. In addition, in terms of visual effects these are limited to the site itself and in close proximity to the site from public rights of way. Yet despite the mitigation, some major/moderate adverse impacts are considered to remain by Year 15. 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.

Conclusion

- 8.235 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 cemetery land, the moderate benefits afforded to the medical centre car park land, BNG provision and the limited benefits attributed to the overprovision in open space. Alongside the benefit of custom/self build plots which will be detailed fully in the late items report.
- 8.236 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, obligations, and highways information; and

11.2 Conditions and Reasons

1. Approval of the details of layout, scale, appearance, landscaping and internal access (hereafter called the reserved matters) for each phase shall be obtained from the local planning authority in writing before development commences. 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. Prior to, or in conjunction with, the submission of the first reserved matters application a detailed plan for the phasing of the development will be submitted to and approved in writing by the local planning authority. The phasing plan shall include arrangements for the custom and self-build housing to ensure:
 - a) The timely delivery of custom and self-build housing,
 - b) Custom and self-build plots do not unnecessarily hold back later development phases, and
 - c) Custom and self-build plots do not deliver any part of the site wide infrastructure.

Thereafter, the development shall be carried out in accordance with the approved Phasing Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the effective and timely delivery of the development and satisfactory phasing of the development, including its infrastructure, open space and custom and self-build housing alongside other elements of the development in accordance with Policy DM1, DM3, DM10 of the SADMP.

5. 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 P22-3085_DE_13_C_04;
 - MEC drawing number 24832-08-020-03 Rev. E (Proposed Access Strategy);
 - MEC drawing number 24832-08-020-07 Rev. C (Pedestrian / Cycle Improvements); and
 - MEC drawing number 24832-08-020-09 (Proposed Speed Limit Changes)

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).

6. The development shall be in general accordance with the submitted application details received by the Local Planning Authority as follows:
- Parameter Plan Dwg. No. P22-3085_DE_013_K_03
 - Landscape Strategy Plan Dwg. No. P22-3086_EN_017F
 - Open Space Provision Dwg. No. P22-3085_EN_017B

Each reserved matters application, excluding those dealing solely with a custom or self-build dwelling, shall include a statement demonstrating how the proposal is in general accordance with the above application details.

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).

7. Prior to, or in conjunction with, the first reserved matters application relating to the custom and self-build plot, a Design Code for the custom and self-build housing shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall provide written and illustrated rules that establish the design parameters of a development and of each custom and self-build plot, which shall address:

- a) Layout
- b) Plot size and shape
- c) Developable footprint
- d) Building height or number of storeys,
- e) Orientation,
- f) Landscaping,
- g) Boundary treatment,
- h) Material palette,
- i) Number and location of car parking and cycle storage,
- j) Refuse storage.

All subsequent reserved matters applications in relation to the custom and self-build housing shall accord with the details of the approved design code and be accompanied by a statement which demonstrates compliance with the code.

Reason: To ensure high quality design and coordinated development and to facilitate continuity through cumulative phases of development whilst allowing for a suitable degree of customisation in accordance with Policy DM10 of the SADMP.

8. 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.

The housing mix shall include a minimum of 5% of the total dwellings as bungalows.

All 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).

9. Each reserved matters application in relation to housing, excluding any applications solely relating to custom and self-build dwellings, shall include a 'Building for a Healthy Life' assessment for the development. The details of the development shall incorporate the 12 considerations set out within the 'Building for a Healthy Life' document (Homes England) and parameters shall be agreed with the local planning authority and implemented on site 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.

10. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details and completed prior to first occupation.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to accord with Policy DM7 of the Site Allocations and Development Management Policies DPD.

11. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority. 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.

12. 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.

13. No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy and to accord with Policy DM7 of the Site Allocations and Development Management Policies DPD.

14. Prior to the submission of the first reserved matters application, an archaeological field evaluation, by appropriate techniques including trial trenching shall be carried out to identify and locate any archaeological remains of significance, and to propose suitable treatment to avoid or minimise damage by the development.

The results of the archaeological field evaluation shall inform a full written scheme of investigation (WSI) and archaeological mitigation scheme, which shall be submitted to and approved in writing by the local planning authority as part of the first reserved matters application.

Thereafter, for land that is included within the WSI, no demolition/development shall take place within that phase, other than in accordance with the agreed mitigation WSI, 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 archaeological investigation, recording, dissemination and archiving in accordance with Policy DM12 and DM13 of the Site Allocations and Development Management Policies DPD 2016.

15. No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted to and agreed in writing by the Local Planning Authority which 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).

16. 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).

17. No development approved by this permission shall be commenced until a scheme for the monitoring of landfill gas on the site has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any landfill gas 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).

18. Upon completion of the remediation works 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).

19. Development shall not begin until a scheme for protecting the proposed dwellings from noise from Barlestone Road and the adjacent equestrian centre has been submitted to and approved by the Local Planning Authority. 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).

20. 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).

21. Prior to the commencement of built development details of external lighting for the relevant phase (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.

22. Prior to occupation of each dwelling, excluding any custom and self-build dwellings, a full fibre broadband connection shall be made available and ready for use for each dwelling.

Reason: To ensure the provision of a high quality and reliable communications infrastructure network to serve the development to accord with Paragraph 119 of the National Planning Policy Framework.

23. The development shall be undertaken in complete accordance with the Tree Retention Plan dwg.no. 11314-T-02 Rev G, Tree Retention Plan Access Plans dwg.no. 11314-T-03 Rev B and dwg. no 11314-T-04 Rev B within FPCR's Arboricultural Assessment Rev H issued on 14.04.2025.

Prior to commencement of development, including site clearance and preparation works, a site specific Arboricultural Method Statement detailing measures to protect retained trees shall be submitted to and approved in writing by the Local Planning Authority. Therefore, any protection measures shall be installed prior to commencement of development (including site clearance and preparation works) and the construction of the development shall be carried out in accordance with the approved details.

Reason: To ensure that the existing trees on the site are retained and protected in accordance with Policies DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraphs 136 and 187 of the National Planning Policy Framework.

24. During the construction period, none of the trees or hedges indicated to be retained shall be cut down, uprooted, or destroyed, nor shall be topped or lopped other than

in accordance with the approved plans, without the written approval of the Local Planning Authority. If any of the trees or hedges to be retained are removed, uprooted, destroyed, or dies during the construction period, a replacement shall be planted at the same place during the first planting season following the completion of the development. The size and species of the tree or hedge shall be agreed in writing by the Local Planning Authority prior to its planting.

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).

25. 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/phase. 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.

Reason: To support the policies within the Wheeled Bin and Container Policy (updated March 2018) and 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 Hinckley and Bosworth Borough Council's Wheeled Bin and Contained Policy (updated March 2018), Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Section 46 of the Environmental Protection Act 1990.

26. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Revised Ecological Appraisal (FPCR, March 2025) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

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.

27. 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.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) 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).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) 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.
- h) 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.

28. Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Revised Ecological Appraisal (FPCR, March 2025) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter,

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended) and to accord with Policy DM6 of the Site Allocations and Development Management Policies DPD.

29. Prior to occupation, a “lighting design strategy for biodiversity” in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To 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.

30. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development [or specified phase of development].

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period).
- g) Details of the body or organisation responsible for implementation of the plan.
Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details for a minimum of 30 years to deliver the required condition of habitats created

Reason: To 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.

31. A Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local authority, prior to commencement of development, including:

- 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;
- a) 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.

32. No part of the development shall be occupied until such time as the offsite works shown on:
- a. MEC drawing number 24832-08-020-03 Rev. E (Proposed Access Strategy);
 - b. MEC drawing number 24832-08-020-07 Rev. C (Pedestrian / Cycle Improvements); and
 - c. MEC drawing number 24832-08-020-09 (Proposed Speed Limit Changes) 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).

33. Notwithstanding:
- a. MEC drawing number 24832_08_020_10 (Proposed Mitigation Scheme for Junction 9 Mini Roundabout and Swept Paths);
 - b. MEC drawing number 24832_08_020_11 (Proposed Mitigation Scheme for B582/ Station Road Junction with Refuse Lorry Tracking); and
 - c. MEC drawing number 24832_08_020_12 (Station Road/ Barns Way [Junction 12] Mitigation Scheme and Modelling Geometries).

No part of the development shall be occupied until such time as junction capacity improvement schemes at each junction which have been subject to a Stage 1 Road Safety Audit and Designer's Response have been submitted to and agreed in writing with the LPA. The approved schemes shall then be implemented in full prior to occupation of the first dwelling.

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).

34. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum, 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).

35. Prior to the submission of the first reserved matters application, a scheme of improvements to deter turning manoeuvres between the development spine road and Nursery Lane should be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme should be implemented prior to development spine road crossing coming in to use by residential traffic.

Reason: 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).

36. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 120 metres have been provided at the site access. 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).

37. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2024).

38. The development hereby permitted shall not be occupied until such time as the existing gates to the vehicular access have been permanently removed. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 25 metres of the highway boundary, nor shall any be erected within a distance of 20 metres of the highway boundary unless hung to open away from the highway.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2024).

39. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with Policy DM17 of the

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

40. No part of the development hereby permitted shall be first occupied until an amended full Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

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).

41. No development shall take place until a scheme for the treatment of the Public Rights of Way R88 and S11 has been submitted to and approved in writing by the Local Planning Authority. A scheme shall include, where relevant, management during construction (including proposed temporary route(s)); ensuring plans reflect the correct legally-recorded PRoW alignments; 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 see: <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/public-rights-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.
4. The results of infiltration testing should conform to BRE Digest 365 Soakaway Design. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an alternative approach. Where infiltration is deemed viable, proposed infiltration structures must be designed in accordance with CIRIA C753 "The SuDS Manual" or any superseding version of this guidance.

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.

Coal Authority

1. Your attention is drawn to the Coal Authority's Standing Advice note.

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. The Applicant should be advised to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: networkmanagement@leics.gov.uk
6. 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.
7. 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.
8. 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.
9. The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
10. 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.
11. 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.
12. 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.