

Planning Committee 20 October 2026
Report of the Assistant Director Planning and Regeneration

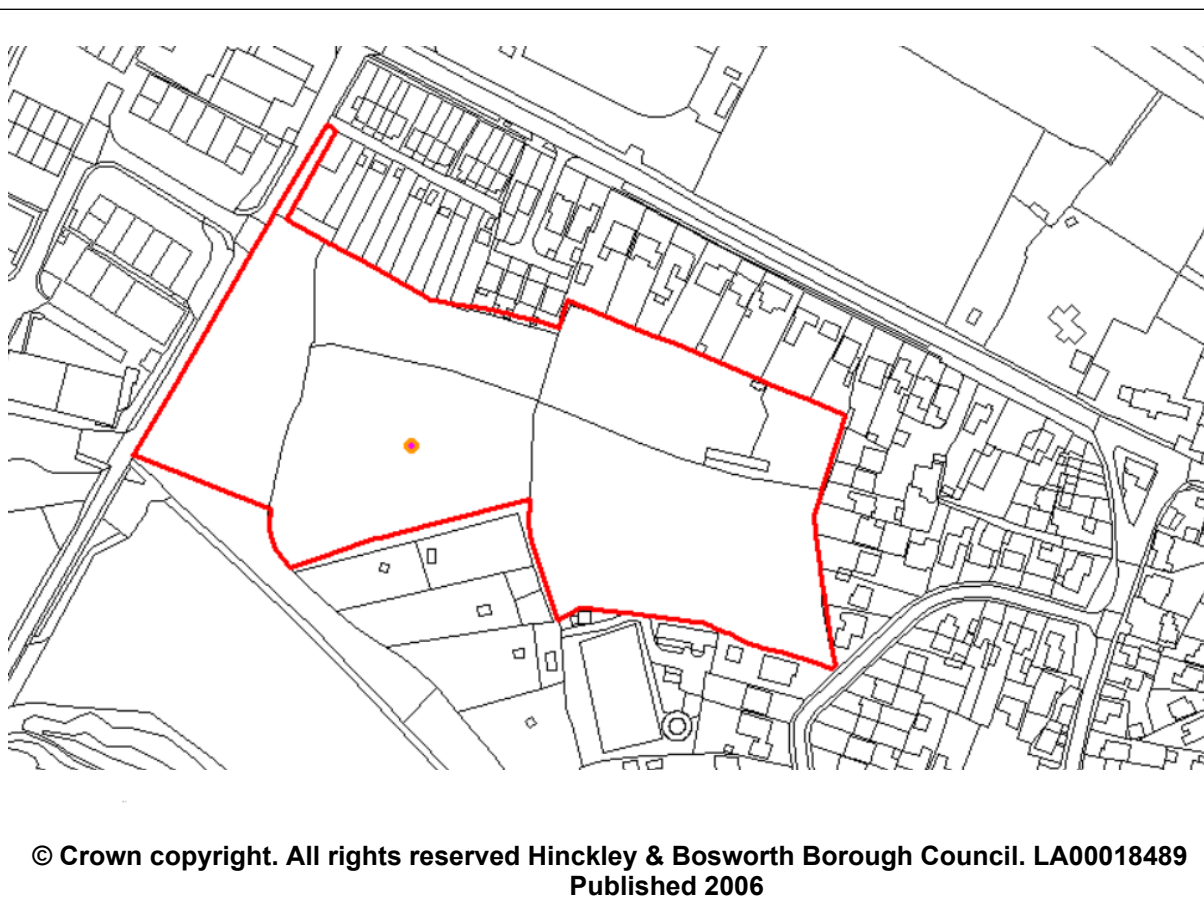
Planning Reference: 25/01157/OUT
Applicant: Glenalmond Development Ltd
Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Site: Land Opposite Industrial Estate, Hill Lane, Markfield, Leicestershire

Proposal: Outline planning permission for the erection of up to 67 dwellings
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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 67 dwellings on Land Opposite Industrial Estate, Hill Lane, Markfield. Only access is sought for approval within this outline application, and all other matters are reserved.
- 2.2. It is proposed that the development would be served by a primary vehicular access off Hill Lane. In addition, a 2m wide pedestrian footway is proposed, connecting the existing public right of way (PROW) (Footpath R17) to the south of the site, and also providing a continuous route along Hill Lane between the PROW and Ashby Road to the north.
- 2.3. The indicative plans locate the built form of the development to the north, west, and southern site boundaries, with a central belt of vegetation and attenuation basin on the eastern part of the site. The layout, appearance, scale and landscaping of the development are reserved matters for later consideration should the application be approved.
- 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:
 - Parameter Plans
 - Site Access Plans
 - Site Location Plan
 - Arboricultural Impact Assessment
 - Archaeological Desk-based Assessment
 - Biodiversity Net Gain Assessment
 - Design and Access Statement
 - Flood Risk Assessment and Drainage Strategy
 - Built Heritage Assessment
 - Landscape and Visual Impact Assessment
 - Mineral Assessment Report
 - Noise Impact Assessment
 - Planning Statement
 - Ecological Impact Assessment
 - Geophysical Survey Report
 - Topographical Survey
 - Transport Assessment
 - Travel Plan
- 2.5. The previous application 21/00387/OUT was refused for two reasons:
 1. *The development, due to its location in the open countryside, would be harmful to the character and appearance of the area and have an urbanising impact on the site. The proposal would have an adverse effect upon the intrinsic character and beauty of the countryside and the*

loss of the whole site as a green infrastructure site would cause significant harm to the network. The proposal would therefore be contrary to Policy DM4 of the Site Allocations and Development Management Development Plan Policies (2016), Policies M1, M2 and M5 of the Markfield Neighbourhood Plan (2021) and this harm would significantly outweigh the benefits when considered against the Framework as a whole.

2. *The applicant has failed to adequately demonstrate that the site does not contain archaeological remains of significance and therefore the scale of harm and the effect on the significance of any non-designated heritage asset cannot be determined. The development is therefore contrary to Policy DM13 of the Site Allocations and Development Management Policies Development Plan Policies (2016) and Paragraph 194 and 195 of the National Planning Policy Framework (2021).*

3. Description of the Site and the Surrounding Area

- 3.1. The application site is situated to the east of Hill Lane, Markfield outside the defined settlement boundary of Markfield. The application site comprises of approximately 3 hectares, on the western side of Markfield. There is residential development to the north and east of the site. To the west of the site on the opposite side of the road are commercial buildings.
- 3.2. The site is currently dissected by hedgerows and some parcels are covered in dense vegetation. To the south of the site there is a public footpath (R17) which links Hill Lane to The Green.
- 3.3. The application site is situated within the National and Charnwood Forest. It is approximately 80 metres from the conservation area to the east. The neighbourhood centre of Markfield is situated approximately 300 metres southeast, which provides a medical centre, a post office, Co-op, library and hairdressers. Mercenfeld Primary school is also located approximately 700 metres south-east of the application site.

4. Relevant Planning History

25/10062/PREMAJ

- Pre-application advice request for Outline application (Access only for erection of up to 65 dwellings and associated works.
- Pre-application advice given
- 03.07.2025

21/00387/OUT

- Erection of up to 72 dwellings and associated infrastructure and landscaping (outline – Access only).
- Refused
- 16.02.2022

20/10068/PREMAJ

- Pre-application advice request for Outline application (Access only for erection of up to 94 dwellings including access and open space)
- Pre-application advice given
- 22.06.2020

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents. A site notice was posted within the vicinity of the site, and a notice was published in the local press.
- 5.2 In total, 26 objections have been received from 20 separate addresses. The reasons for the objections to the development are summarised below:

Principle of development

- Cumulative impacts from recent housing developments undermine the character of the village
- Markfield's housing requirement has already been exceeded within the Neighbourhood Plan period
- Conflict with the Neighbourhood Plan
- Previous similar proposal 21/00387/OUT was refused

Design/Landscape/Countryside Impact

- The proposal will lead to the loss of rural character and landscape, with irreversible harm to the character, tranquility and visual landscape of the area
- Loss of countryside will impact the life of residents
- Loss of visual amenity and significantly alteration to the rural landscape

Ecology/Biodiversity

- The proposal will have a huge impact on wildlife, remove habitat and green space
- Impact on Hill Hole nature reserve

Infrastructure

- There is a lack of infrastructure to cope with additional houses
- The area is served by only one primary school and there is concern for how additional demand would be met.
- The GP surgery is under stress/over capacity
- The site is too far away from local amenities

Highways

- A50 roundabout is dangerous to navigate – this would be exacerbated.
- Traffic congestion is already a regular issue.
- Pedestrian safety concerns – proposed 2m footpath will be difficult to implement.
- Proposed access is inadequate
- Transport Assessment underestimates peak time congestion
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Flooding

- The site has a history of flooding and drainage will be difficult.
- Site is on elevated land and increased hard surfacing will exacerbate runoff
- Documents provided do not demonstrate that SuDS will prevent flooding

Residential Amenity/Living conditions

- The proposal would result in the loss of privacy for existing neighbours, as well as overlooking.
- Indicative location of open space/play area will lead to noise and disturbance
- Increased noise and light pollution
- Potential land contamination concerns

Other matters

- Concerns regarding ownership certificate and accuracy of the boundary and survey information

5.3 No support or neutral comments were received.

6. Consultation

HBBC Arboricultural Officer (No objections)

- 6.1 I raise no general objection on arboricultural grounds; however, a site-specific Arboricultural Method Statement (AMS) has not been provided, and the replanting proposals are unclear, including whether they adequately offset on-site tree losses.
- 6.2 A Project Arboriculturist should be appointed to oversee implementation of an approved AMS, including supervision of any excavation within or adjacent to root protection areas and adherence to all tree protection measures (RPA fencing and ground protection).
- 6.3 The LPA should attend a pre-commencement site meeting with the Project Arboriculturist to confirm the agreed measures. These matters should be secured by condition in accordance with BS5837:2012

HBBC Affordable Housing (No objections subject to conditions)

- 6.4 The affordable housing requirement for Hinckley and Bosworth is set out in policy 15 of the Core Strategy. As this site is classed as a site in the rural area, the affordable housing requirement is for 40% affordable housing. The tenure should be split between 75% social or affordable rented and 25% intermediate tenure.
- 6.5 This would mean 27 properties should be available for affordable housing. There should be 21 properties for social or affordable rent and 6 properties for intermediate tenure.
- 6.6 The applicant has indicated that 26 affordable dwellings will be delivered. This should be rounded up to 27.

HBBC Environmental Services Team (No objections subject to conditions)

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

HBBC Waste (No objections subject to conditions)

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

LCC Archaeology (no objection) (summarised)

- 6.9 The Applicant has now undertaken the trial trenching which was originally requested by LCC Archaeology. There were no significant findings and there is no objection.

LCC Development Contributions (No objections subject to infrastructure contributions)

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

Infrastructure Category	Location	Amount
Libraries	Markfield Library	£2,023.25
Waste Management	Coalville HWRC	£4,380.46
Primary Education	Mercenfeld Primary School	£368,955.60
Secondary Education	South Chamwood High School	£0.00
Post 16 Education	Brookvale Groby Learning Campus	£0.00
Total		£375,359.31

LCC Ecology (No objections subject to conditions)

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

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

LCC Highways (No objections subject to conditions/obligations)

- 6.13 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.
- 6.14 Full comments are integrated into the highway section of the report.

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

- 6.15 The LLFA notes that the 2.99 ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and low to high risk of surface water flooding associated with ordinary watercourses on site.
- 6.16 The proposals seek to discharge at 4.2l/s via pervious paving, water butts and an attenuation pond to the ordinary watercourse within the southeast corner of the site
- 6.17 Notwithstanding any surface water drainage details submitted under this application, as the proposals are for outline permission, no specific drainage elements are fixed at this stage. As such, the LLFA would require that later reserved matters and detailed design fully comply with the new National Standards for SuDS and to any other amended local or national policy/guidance relevant at the time of submission of those details. This includes (but is not limited to) a re-assessment of discharge rates, contributing areas, attenuation scale and the retention of the first 5mm of rainfall on-site. Any departure from the standard should be fully substantiated and agreed with the LLFA.
- 6.18 The proposals are considered acceptable to the LLFA subject to conditions.

LCC Waste and Minerals (No objections)

- 6.19 The development site is located within the mineral safeguarding area for igneous rock as identified in the adopted Leicestershire Minerals and Waste Local Plan (2019-2031). It is noted that a Mineral Resource Assessment has been submitted in support of the application. The MRA concludes that it would not be viable to extract mineral in this location. Given the nature, scale and location of the proposal, the MWPA is satisfied with the conclusions set out in the MRA and the proposal would not adversely affect the mineral safeguarding interest. Accordingly, the MWPA has no objections in respect of mineral safeguarding.

Leicestershire Police (No objections subject to obligations)

- 6.20 Contributions totalling £22, 562.85 have been requested for police equipment, infrastructure and crime reduction initiatives.

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

- 6.21 Contributions totalling £64, 856 have been requested to provide healthcare facilities to meet the population increase.

Markfield Parish Council

- 6.22 The Parish Council objects to the application as it conflicts with the following policies:

1. Development Outside the Settlement Boundary — Policy M1 (Countryside)
2. Harm to Landscape & Charnwood Forest Character — Policy M2
3. Green Infrastructure Impact — Policy M3
4. Biodiversity Loss — Policy M4
5. Impact on Protected Views — Policy M2
6. Transport, Traffic and Air Quality Concerns
7. Lack of Safe Pedestrian Connectivity to the Village

National Forest Company

- 6.23 The NFC advised that 20% of the site area (0.6ha) should be dedicated to NF planting. The Applicant has provided a National Forest Related Green Infrastructure plan which does not show a compliant dedicated area of NF Planting.
- 6.24 The Applicant has stated that this is not possible and will therefore agree to a financial contribution in lieu of on-site planting at a value of £35,000 per hectare, which in this case would amount to £21,000.

7. Policy

- 7.1 Core Strategy (2009):

- Policy 7: Key Rural Centres
- Policy 8: Key Rural centres Relating to Leicester
- 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 DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM21: Locating Sustainable Town Centre Uses
- Policy DM25: Community Facilities

7.3 Markfield Neighbourhood Plan (2021)

- Policy M1: Countryside
- Policy M2: Landscape Character
- Policy M3: Green Infrastructure
- Policy M4: Ecology and Biodiversity
- Policy M5: Trees
- Policy M8: Electric Vehicle Chargepoints
- Policy M9: Locally Valued Heritage Assets
- Policy M10: Design
- Policy M14: Infrastructure
- Policy M15: Housing Provision
- Policy M18: Housing Mix
- Policy M20: Affordable Housing

7.4 Leicestershire Minerals and Waste Local Plan (2019):

- Policy M11: Safeguarding of Mineral Resource

7.5 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)

7.6 Other Relevant Guidance:

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

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

7.8 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 19 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.

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 residential amenity
- Impact upon highway safety
- Impact upon ecological assets and biodiversity net gain
- Drainage and Flood Risk
- Archaeology
- 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), the Markfield Neighbourhood Plan, 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. The Local plan review is currently at Regulation 19 consultation stage as of 7th August 2026.
- 8.7 The Planning Policy Team are currently reviewing the latest revisions within the 2024 version of the NPPF and its implications for the Council's Five-Year Housing Land Supply (5YHLS). A revised position will be published once the monitoring for the 2024/25 year has been completed. It is however likely that, with the revised need figure of 682 dwellings (649dpa + 5% buffer as per Paragraphs 62 and 78(a) of the NPPF), the Council will be unable to demonstrate a 5YHLS once the revised position is published.
- 8.8 Markfield Neighbourhood Plan (MNP) was made on 10th September 2021 and set out housing allocations for 2020-2039. Policy M1 of the Markfield Neighbourhood Plan (MNP) states that the following types of development will be supported in countryside locations:
- 1) Recreation and tourism that cannot be provided within the Settlement Boundary;
 - 2) Development by statutory undertakers or public utility providers;
 - 3) The subdivision of an existing residential dwelling; and
 - 4) Development that is otherwise in accordance with: national policies, or strategic planning policies or allocations; or with the other policies of the Neighbourhood Plan.
- 8.9 The proposal would not comply with any of the above categories of development (a-e) within Policy DM4, nor categories 1-4 of the Policy 1 of

the MNP and would therefore be conflict with the Development Plan. This does not mean that the development is not sustainable. Any future application would however need to justify why development in this location would be sustainable, both in terms of its accessibility and wider planning merits including socio/economic benefits.

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

Residential Development

- 8.11 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.
- 8.12 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 Markfield, which provide a mix of housing types and tenures as detailed in Policies 15 and 16 of the adopted Core Strategy.
- 8.13 The application site is within the designated open countryside outside of the identified settlement boundary of Markfield. Therefore, Policy 7 of the adopted Core Strategy is not applicable in these site-specific circumstances.
- 8.14 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.
- 8.15 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.”*
- 8.16 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.

8.17 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.

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

8.19 Paragraph 14 of the NPPF states that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70)*

8.20 Paragraph 69 and 70 of the NPPF state:

69. Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. The requirement may be higher than the identified housing need if, for example, it includes provision for neighbouring areas, or reflects growth ambitions linked to

economic development or infrastructure investment. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Once the strategic policies have been adopted, these figures should not need re-testing at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement.

70. Where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.'

- 8.21 Regarding Paragraph 14 of the NPPF, the Council acknowledges that the MNP became part of the Development Plan less than 5 years ago, and that the MNP contains policies and allocations to meet an identified housing need.
- 8.22 However, the made MNP does not take into account the latest evidence of housing need and the uplift in housing requirement associated with the standard method for assessing housing need to align with the most recent NPPF. Therefore, the housing need identified to inform the allocations within the MNP are based on figures that are now out of date. On this basis, the LPA agree that whilst the neighbourhood plan contains policies and allocations to meet a housing need, this need was identified more than five years ago when the borough-wide housing need figure was significantly lower. On this basis, it is considered that the neighbourhood plan does not contain policies and allocations to meet its identified housing requirement, therefore Paragraph 14 would not be applicable in this specific case.

Housing Land Supply

- 8.23 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.
- 8.24 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.
- 8.25 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.

- 8.26 The Planning Policy Team are currently reviewing the latest revisions within the 2024 version of the NPPF and its implications for the Council's Five-Year Housing Land Supply (5YHLS). A revised position will be published once the monitoring for the 2024/25 year has been completed. It is however likely that, with the revised need figure of 682 dwellings (649dpa + 5% buffer as per Paragraphs 62 and 78(a) of the NPPF), the Council will be unable to demonstrate a 5YHLS once the revised position is published.
- 8.27 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.
- 8.28 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.
- 8.29 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.
- 8.30 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).
- 8.31 In this instance, Key Policy Paragraphs 66, 110, 115, 129, 135 and 139 apply in the determination of this planning application.
- 8.32 Considering the above, the 'tilted' balance of Paragraph 11(d) of the NPPF is engaged and the provision of up to 67 dwellings to the Borough's supply of

land for housing is considered to attract significant weight within the planning balance.

Housing Tenure/Mix

- 8.33 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.
- 8.34 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.
- 8.35 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.
- 8.36 Final number, mix of dwellings, layout and density would be determined at Reserved Matters stage. This would be secured by a planning condition.

Affordable Housing

- 8.37 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.
- 8.38 If the maximum 67 dwellings are to come forward at reserved matters stage this would equate to 27 affordable homes (40%). The Applicant has incorrectly stated that 26 affordable homes would come forward as part of the development, and this will be rectified within any subsequent Section 106

Agreement and Reserved Matters submission. These would be split between social/affordable rent and shared ownership properties. The provision of affordable housing would be secured via legal agreement and would be attributed positive weight in the planning balance.

Landscape and Visual Amenity

- 8.39 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.
- 8.40 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.
- 8.41 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.
- 8.42 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..."
- 8.43 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
- 8.44 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.

- 8.45 The application has been accompanied by a Landscape and Visual Impact Assessment (LVIA).
- 8.46 The application site is situated within Character Area A - 'Charnwood Forest Settled Forest Hills' as identified within the Landscape Character Assessment (2017) and Area 6 – 'Thringstone/Markfield Quarries and Settlement' as identified within the Charnwood Forest Landscape Character Assessment (2019) within the MNP. Key characteristics are prominent elevated landforms, diverse land uses which relate to the varied geology, small to medium scale field patterns interspersed with large areas of woodland cover, proximity to Leicester City and major transport infrastructure. The Assessment identifies and provides a general overview of key sensitivities for that Character Area and sets out a strategy for each area, which for Character Area A, is as follows:
- 1) *Conserve and enhance the historic core of village settlements and ensure extensions are well integrated within this wooded landscape. Promote characteristic building forms.*
 - 2) *Support the vision of the National Forest Strategy by planting native and mixed species woodland, linking areas beyond the National Forest boundary.*
 - 3) *Conserve the distinct and separate identity of Groby and Ratby, including the rural gap that separates the villages.*
 - 4) *Locate solar farms and wind turbines in the least sensitive areas.*
 - 5) *Conserve rocky outcrops and semi-natural vegetation in disused quarries. Promote amenity and biodiversity through quarry restoration schemes.*
 - 6) *Conserve and enhance the well wooded character of the landscape. Promote woodland management such as coppicing and ground flora diversification, as well as hedgerow tree planting.*
 - 7) *Promote a positive landscape strategy, including woodland planting, around Stanton under- Bardon to help integrate the industrial units, quarries and development pressures associated with the M1 (junction 22).*
- 8.47 The Hinckley and Bosworth Borough Landscape Character Assessment also includes urban and town character assessments for principal settlements within the borough including Markfield. This identifies Key Urban characteristics of Markfield described as the following: -
- 1) *A large, clustered settlement with a distinctive linear historic core containing a rich mix of well related architectural themes.*
 - 2) *The historic core nestled around the base of rising land in the north west of the village, with modern development spreading over flatter land to the east*
 - 3) *Varied architectural styles and a broad age range and complex mix of housing, even within the older central core.*

- 4) *Retail facilities concentrated along Main Street and Chitterman Way, with employment located towards the north-western edge of the village.*
 - 5) *Materials dominated by either red brick or granite or a mix of both. Some rendered or painted properties provide variation.*
 - 6) *Outcrops of rock together with granite cottages and boundary walls are the key component of the village streetscape.*
 - 7) *Small frontages often bounded by stone walls within the historic core.*
 - 8) *Views to the rolling and wooded landscape to the north from higher points in the village.*
 - 9) *Hill Hole Quarry, a key feature to the west of the settlement.*
- 8.48 The site is currently characterised by a mix of overgrown hedgerows with scattered mature trees, scrub and rough grassland. The land to the south of the site is characterised by semi-improved grassland and used for grazing. There is a degree of treescape associated with the sites setting, associated with former field boundaries, gardens and self-set groups on derelict land. However, this part of Markfield does not reflect a particularly “wooded” character unlike the landscape to the north of the A50.
- 8.49 The site gently slopes down from the rears of the properties on Ashby Road, with the land then rising to the south of the site up to the elevated edges of Hill Hole Quarry. Markfield extends to the south west down the localised slopes, wrapping around the foot of the hill that the quarry now forms the centre of.
- 8.50 The site is not publicly accessible. A footpath (R17) extends to the south east of Hill Lane, wrapping around the foot of Hill Hole Quarry, and linking through to the southern parts of Markfield. The route forms a defensible edge to the south of the site. A network of informal footpaths run around the accessible slopes of the quarry and into part of the pit, linking through to Hill Lane, to the west.
- 8.51 In addition to the Borough-wide landscape character assessment, the Council has also undertaken the Hinckley & Bosworth Landscape Sensitivity Assessment (2017). The site lies within Sensitivity Area 14.
- 8.52 The sensitivity assessment identifies that new development should:
- 1) *Seek opportunities to maintain the rural character of the landscape and where possible conserve rural views and setting of settlement.*
 - 2) *Seek to conserve and enhance the well-wooded character of the landscape and protect areas that retain a naturalistic character and replace mature / veteran trees as they begin to deplete.*
 - 3) *Seek to retain the pattern of hedgerows and hedgerow trees and encourage the use of Midlands-style hedge laying for management.*
 - 4) *Plan for successful integration of potential new development in the landscape through sensitive design and siting, including use of sensitive materials and use of landscape mitigation to enhance sense of place.*

- 5) *Consider opportunities to maintain and enhance the recreational assets including rights of way network.*
 - 6) *Consider opportunities to create and promote an integrated green infrastructure strategy linking with the urban area.*
- 8.53 In terms of landscape susceptibility of the receptor the landform, landcover, man-made influences, scenic quality and sense of place, remoteness/tranquillity, skylines, movement and intervisibility have all been assessed as low except for the scenic quality and sense of place which has been assessed as medium.
- 8.54 In summary, it is considered that the neglected nature of the site and its townscape setting influence the susceptibility of the site's landscape character to change as a result of the type of development being proposed. The land is set at a lower level than Ashby Road but is at a higher level than most of the land on Hill Lane. This includes the adjacent employment site to the north-west, consisting of a mix of commercial and industrial units. These units are generally uniform in appearance, with similar materials and shallow pitched roofs. Due to the sloping land levels north of Hill Lane, the employment site is not considered to be a prominent feature when viewed from Markfield, with units immediately north west of the site set down below the level of Hill Lane. The proposed residential use of the site will be sited at a level above these employment units and therefore will have a greater impact upon views from Markfield and from the neighbouring Hill Hole Nature Reserve.
- 8.55 In terms of landscape value, the submitted LVIA makes the following overall assessments:
- Natural heritage – medium
 - Cultural heritage - medium
 - Landscape Condition – medium/low
 - Associations – none
 - Distinctiveness – low
 - Recreational value – negligible
 - Perceptual Aspects (scenic) – medium/low
 - Perceptual (wildness/tranquility) – low
 - Functional - low
- 8.56 It was considered that the overall value of the site, and the landscape in which it is set is medium/low.
- 8.57 In terms of landscape sensitivity, a series of landscape receptors associated with the site and its landscape setting were identified within the LVIA. It was concluded that the sensitivity of the landscape in which the site is set is medium/low.
- 8.58 The LVIA identified 13 viewpoints of which 7 were classed as having a medium sensitivity and 6 classed as having a high sensitivity. It was considered that views of the site were localised as a result of the

topography, built form and vegetation cover. From the site visit, it is considered that the key views of the site have been assessed.

- 8.59 The applicant concludes that the proposal will not give rise to any notable effects upon the identified key sensitivities within the Landscape Character Area or the adjacent Urban Character Area. It also is concluded that the area is of medium sensitivity.
- 8.60 It is acknowledged that the proposals will result in the loss of an area of rough grassland and scrub, however the site is not subject to any formal designations and lies immediately adjacent to the settlement edge. Therefore, there will be harm as identified with the loss of any greenfield site. It is considered that, overall, the proposals will give rise to a Medium Adverse magnitude of change at Year One, resulting in an effect of Moderate Adverse significance. It is acknowledged that this harm will lessen over time, and that by Year Fifteen the perceived magnitude of change would have reduced, and the significance of the effect would be Minor Adverse.
- 8.61 At a local level the proposed development would have a direct effect upon Landscape Character Area A, Charnwood Forest Settled Forest Hills. The LVIA identifies that the site occupies a relatively enclosed location, which is enclosed from views from the majority of the surrounding infrastructure due to the intervening landform, vegetation and built environment which can be observed. Although harm has been identified at this level it would be considered to be localised and its impact has been identified as Moderate adverse at the construction level.
- 8.62 Having regard to the submitted LVIA, and the proposed development, is considered that there will be some adverse landscape and visual effects; however, these are localised and limited in their immediate context. It is acknowledged that upon completion the harm would be at its worst, however following the maturing of the landscaping planted and other mitigation measures in place it is considered that the overall harm to the landscape character of the local area having regard to the LVIA is considered to be moderate.
- 8.63 Overall, a moderate degree of landscape harm has been identified and therefore there is conflict with Policy DM4 of the SADMP and Policies M1 and M2 of the MNP. This harm will be weighed within the planning balance.

Design and Layout

- 8.64 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.

- 8.65 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.
- 8.66 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 67 dwellings, open space, and associated infrastructure.
- 8.67 The indicative proposals show a primary access street which splits 60m into the site. The indicative proposals are landscape led, with sporadic pockets of dwellings positioned around the existing areas of vegetation and trees. A Locally Equipped Area for Play is positioned centrally, at a minimum of 9m from the northern boundary of the site with pedestrian footpaths linking into the wider site. A large attenuation basin is located in the south east corner of the site.
- 8.68 Overall, whilst harm has been identified to the wider landscape/character of the area. It is considered that the design and layout of the development as presented within the parameters plan, indicative framework plan and design and access statement would be acceptable subject to further detail at reserved matters stage. To ensure the general principles shown at outline stage are followed through at reserved matters stage a condition requiring general accordance with the submitted indicative plans is included.

Impact upon Residential Amenity

- 8.69 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.
- 8.70 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.
- 8.71 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.
- 8.72 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.

- 8.73 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.
- 8.74 It is not until the Reserved Matters stage that the siting and scale of the housing will be secured. However, the indicative plans demonstrate that it is possible for a detailed design of the development to come forward at the that is not considered to result in any significant adverse impacts to the residential amenity of existing or future residents in terms of loss of light, privacy, overbearing impacts, or noise and disturbance.
- 8.75 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 dwellings 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

- 8.76 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.
- 8.77 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.
- 8.78 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)).

- 8.79 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.80 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

- 8.81 The Applicant proposes the formation of a new access leading on to Hill Lane which is an adopted, unclassified road subject to the national speed limit. The access is to be located 30m south of and opposite the road serving Hill Lane Industrial Estate.
- 8.82 The access arrangements shown on drawing No. T25596 001 Rev. C, are proposed to have 6.0m corner radii leading into a road with a 5.50m carriageway width and 2.0m wide footways on each side. The LHA confirm that in terms of geometry, the access has been designed in accordance with Table 3 and Table 9 of the LHDG. A pedestrian crossing with 25m visibility splays is to be provided just inside the site access and the LHA acknowledge the location of the crossing has been amended in response to the Stage 1 Road Safety Audit (RSA1) which is further discussed below.
- 8.83 To derive the required visibility splay lengths, the Applicant conducted a speed survey between 15th and 21st May 2024. The LHA confirm that the appropriate permit was obtained prior to commencement of the speed survey. The survey recorded 85th percentile speeds of 42.9mph (northbound) and 46.6mph (southbound). In accordance with Table 6 of the LHDG splay lengths of 160m to the north and 120.0m to the south are required.
- 8.84 Drawing No. T25596 001 Rev. C shows the proposed access provides a visibility splay of 2.40m by 120.0m to the south and 2.4m by 137m to the north. The splay to the south is therefore in accordance with Table 6 however the splay length to the north is substandard by 23m. When applying the measured 85th percentile speed to the Design Manual for Roads and Bridges desirable minimum stopping sight distance calculation, employing a driver reaction time of two seconds and a deceleration rate of 2.45 sq. metres per second a visibility splay length of 133m is required. The LHA therefore confirm the splay length to the north is acceptable.
- 8.85 Drawing No. T25596 002 Rev. C demonstrates refuse vehicle movements at the site access. The LHA note that for both the right turn in and right turn out manoeuvres the vehicle is required to occupy most of the access. The drawing also shows intervisibility, for a distance of 30m, will be provided between vehicles seeking to exit the site and vehicles preparing to enter the access. The LHA is satisfied this will afford smaller vehicles advance

warning of larger vehicles, who are required to occupy most of the access when turning, so that the smaller vehicle can give way.

- 8.86 Notwithstanding the above, the Applicant previously submitted a site layout plan (GDA05 PL0002 Rev. E) that suggested the intervisibility splays would be obstructed by Plot 1 and Plot 8. No further site layout has been submitted, which is acceptable given the internal layout is not currently for consideration. Therefore, as part of any future Reserved Matters application it should be demonstrated the intervisibility splays will not cross any third-party land. The Applicant is also advised that any direct frontage accesses or private shared driveways should not be located within 10m of the junction.
- 8.87 The LHA confirm the Applicant has demonstrated an access that is safe and suitable to serve the proposed development.

Highway Safety

- 8.88 The LHA welcome the Applicants engagement to obtain Personal Injury Collision (PIC) data for the period between January 2020 and May 2025. The LHA has undertaken a further review of PICs that have occurred within 500m of the site access in the previous five years whereby data is currently available for up until April 2026.
- 8.89 During the above period three PICs have occurred within the study area. A PIC recorded as being 'slight' in severity occurred on Whitwick Road at the junction of the slip road to the A50 (northbound). A PIC recorded as being 'serious' in severity occurred on Whitwick Road at the junction of the slip road to the A50 (southbound). The third PIC occurred on the A50 southbound slip road and was recorded in resulting in injuries classified as 'slight' in severity. The LHA is satisfied that there are no patterns in the data which are likely to be exacerbated by the proposals.

Trip Generation and Distribution

- 8.90 The Applicant has utilised the trip rates previously submitted and agreed by the LHA as part of application 21/00387/OUT. Whilst this data is now quite old the LHA remain of the view that the trip rates are acceptable and unlikely to have significantly changed. The trip rates show the proposed development is likely to generate 46 two-way trips during the AM highway network peak and 50 two-way trips during the PM peak.
- 8.91 The Applicant has used 2011 Census journey to work data for the Hinckley & Bosworth 001 Middle Super Output Area to ascertain the most likely routes vehicular trips will distribute on to the network. The LHA consider the trip distribution to be acceptable.

Junction Capacity Assessments / Off-Site Implications

- 8.92 The trip distribution, part of the previously submitted Transport Assessment shows the proposed development will result in 40 trips passing through the

Hill Lane/ Ashby Road junction during the AM peak and 43 trips during the PM peak. During the AM peak 23 trips will turn to/ from the north and 17 to/ from the east. During the PM peak 24 trips will assign to/ from the north and 19 to/ from the east. The LHA support these assertions.

- 8.93 The Applicant has undertaken capacity assessments of the site access and the junction of Hill Lane and Ashby Road using the PICADY module of Junctions 11. The committed developments in accordance with previous LHA advice have been included within the capacity assessments.
- 8.94 To derive baseline traffic flows the Applicant conducted turning count surveys during May 2024. Traffic growth has been factored using TEMPro v8.1 which shows a growth rate of 1.0434 for the AM peak and 1.0447 for the PM peak to derive the impact the development along with committed and proposed developments may have on the junctions in the year 2030. The TEMPro growth factors are accepted by the LHA.
- 8.95 The submitted modelling, which has been validated by the LHA shows that both junctions are considered to operate within capacity with the development in place in all scenarios.
- 8.96 The LHA welcome the Applicants confirmation that, as part of the planning application, a contribution of £4,800 per dwelling will be made towards the A511 Growth Corridor Scheme.
- 8.97 A request for this contribution is included at the end of this response and should be include in the Section 106 agreement.
- 8.98 As part of the proposals the Applicant intends to amend the 40mph speed limit extents. The Applicant is advised that the LHA will require a £7,500 fee for the implementation of a Traffic Regulation Order in association with the relocation of the speed limit. This would be requested as part of a Section 106 agreement if the planning application is approved.
- 8.99 To the north, as shown on drawing No. T25596 003 Rev. B, the 40mph speed limit signs are to be re-located from the junction of Hill Lane and Ashby Road to part way along Whitwick Road. To the south, as shown on drawing No. T25596 006, the 40mph speed limit sign along with a gateway feature and dragons teeth surface markings are proposed just south of the entrance to Hill Hole nature reserve. The Applicant is advised that red surfacing is no longer used in Leicestershire due to issues about ongoing maintenance. Dragon's teeth markings should be provided in accordance with Standard Drawing SD-1200-48 which is contained within the LHDG. The LHA is satisfied that both matters can be addressed at the detailed design stage of the planning process. The LHA again confirm acceptance of the location of the proposed gateway feature/ speed limit change.
- 8.100 A new 2.0m wide footway is proposed to run south from the access for approximately 50.0m to the Hill Hole nature reserve where Public Footpath R17 commences. To the north a new 2.0m wide footway is proposed to run

from the site access for approximately 125.0m which will tie into the existing footway at the junction of Hill Lane and Ashby Road where an uncontrolled pedestrian crossing with tactile paving is to be provided.

- 8.101 As part of the northern footway, the existing junction serving the private drive to the rear of dwellings on Ashby Road will be replaced with a continuous kerb with a dropped kerb vehicular crossing to afford priority for pedestrians on the new section of footway. The LHA acknowledge the Applicant has demonstrated that the proposed footway can be accommodated where it runs alongside the existing ditch and advise that a Local Roads Risk Assessment Process (LRRAP) will be required at the detailed design stage. The Applicant is also advised that where an open watercourse or ditch is near the footprint of any works, or directly affected by the proposals, the design will be required to reflect the requirements of Part 3 of Leicestershire County Council's Ordinary Watercourse Regulation and Culvert Policy.
- 8.102 The formation of a new footway will result in the reduction of the carriageway width on Hill Lane between the junction of Hill Lane Close and the junction of Ashby Road. Through the previous response the Applicant was advised that an overall carriageway width of 6.75m should be provided between these points given Hill Lane Close serves an industrial estate. The LHA welcome that drawing No. T25596 001 Rev. C shows that a 6.75m wide carriageway will be provided along this section apart from a 20.50m stretch where the on-street parking is to be formalised with white lining. For this section the carriageway width will be 6.30m. The LHA acknowledge the limitations in available space at this point and consider the formalisation of existing on-street parking and formation of additional public footways to be an important aspect of the proposals. Therefore, the LHA accept the carriageway widths as presented and welcome the installation of an additional uncontrolled pedestrian crossing with tactile paving to mitigate the gap in footway provision on the western side of Hill Lane.
- 8.103 Drawing No. T25596 004 Rev. B shows swept path analysis for an 18.55m long HGV undertaking all possible manoeuvres at the junction of Hill Lane and Ashby Road. The drawing also shows there will be suitable forward visibility where HGVs are required to cross into the opposite side of the carriageway so that other vehicles will be able to stop in advance of the junction and wait while an HGV undertakes the required turning manoeuvre.
- 8.104 Previously submitted, drawing No. T25596 007 Rev. A shows that an uncontrolled pedestrian crossing with tactile paving is proposed on Ashby Road to provide access to the south eastbound bus stop. Whilst the crossing width of 7.30m and pedestrian visibility splays are acceptable the LHA remain concerned the crossing may clash with the existing bus stop and are surprised that this matter was not raised through the RSA1. Given the rest of the proposals are acceptable the LHA shall seek to secure the provision of a suitably located crossing point by way of a planning condition. The Applicant is required to demonstrate the crossing will not clash with the bus stop and this can be done either through this application or via a Discharge of Condition application.

Transport Sustainability

- 8.105 The development site is in the northwest corner of the village of Markfield. The LHA has reviewed the submitted Travel Plan Rev. B, created by Hub Transport Planning. The LHA welcome the Applicants intention to provide a £150 sustainable travel voucher per household towards a bike along with secure and undercover cycle parking facilities for each proposed dwelling.
- 8.106 A new public footway from the site will provide continuous pedestrian access to the bus stops on Ashby Road and the LHA welcome the Applicants intention to upgrade the bus stop on either side of Ashby Road to include raised kerbs. First residents are to be issued with two six-month bus passes along with Welcome Travel Packs which can be supplied by the LHA at a cost of £52.85 per pack.
- 8.107 The LHA confirm that the Travel Plan contains a suitable action plan, measures/ targets to encourage sustainable travel along with appropriate monitoring details. A Travel Plan Coordinator is to be appointed three months prior to first occupation and shall remain in post for the five-year monitoring period.
- 8.108 Leicestershire County Council will require a monitoring fee of £6000 for the site.

Internal Layout

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

Public Rights of Way

- 8.110 The southwestern corner of the application site adjoins Public Footpath R17 at Hill Hole nature reserve. R17 is an earth crushed stone track that passes village allotments before exiting into the old core of Markfield Close to Saint Michael & All Angels Church.
- 8.111 The proposals show that the shortest route to Markfield village centre will be via Public Footpath R17. As part of the consultation response to application 21/00387/OUT the LHA sought the provision of a pedestrian link to Upland Drive however the Applicant advised this was not possible. The LHA assume this is again the case for the current application.
- 8.112 The LHA welcome, as stated in Paragraph 1.38 of the previously submitted Technical Note, the Applicants willingness to contribute towards upgrades for Public Footpath R17 by way of a Section 106 Contribution.

Road Safety Audit

- 8.113 A RSA1 was conducted by RKS Associates during April 2026 with a site visit undertaken during the morning of Thursday 23rd April 2026. The LHA welcome the advance sight given by the Applicant of the RSA1 brief and audit team credentials. The Safety Audit Team examined matters relating to road safety implications of the scheme and has not verified compliance of the design to any other criteria.
- 8.114 The LHA confirm the Applicant has provided suitable responses to all problems identified through the RSA1 along with acceptable amendments to the design of the proposals.
- 8.115 Overall, subject to conditions and planning obligations, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development complies with policies DM17 and DM18 of the SADMP, the LHDG and paragraph 116 of the National Planning Policy Framework (2024)

Impact upon Ecology and Biodiversity Net Gain

- 8.116 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.
- 8.117 Paragraph 170 of the NPPF states that development should result in a net gain for biodiversity by including ecological enhancement measures within the proposal.
- 8.118 The development will be subject to the mandatory biodiversity net gain (BNG) condition and will be required to achieve 10% BNG.
- 8.119 In consultation with LCC ecology it has been demonstrated that subject to mitigation the development will not lead to adverse harm to protected species. This would include compliance with the mitigation measures outlined in the submitted Ecological Impact assessment. A condition for a Construction Environmental Management Plan (CEMP) is recommended, which would include a detailed Badger Mitigation Strategy and protection measures for Hill Hole Meadow Local Wildlife Site (LWS) and Hill Hole Quarry LWS. A sensitive lighting strategy is also required by condition.
- 8.120 The submitted BNG metric identifies an area habitat deficit of 31.55%, and a hedgerow unit surplus of 14.55%, with an overall deficit in terms of on-site units. The Applicant has stated that off-site habitat units would be purchased to ensure a 10% biodiversity net gain and meet the trading rules. This is secured by the BNG condition.

- 8.121 Overall, the development complies with Policy DM6 of the SADMP subject to conditions.

Impact upon green infrastructure

- 8.122 Policy 21 of the Core Strategy supports the implementation of the National Forest to the north east of the Borough, requires that proposals contribute to the delivery of the National Forest Strategy.
- 8.123 Paragraph 96 of the NPPF (2024) seeks to achieve healthy, inclusive and safe place which enable and support healthy lifestyles through the provision of safe and accessible green infrastructure.
- 8.124 Policy M3 of the MNP states developments must demonstrate how they avoid significant harm to key features of the Green Infrastructure network. Where harm is demonstrated to be unavoidable proposals must mitigate and compensate for that harm.
- 8.125 Policy M5 of the MNP states that where development proposals result in the unavoidable loss of trees or hedgerows, they must include replacement planting of native species.
- 8.126 The whole site is allocated as a green infrastructure site within the Markfield Neighbourhood Plan.
- 8.127 The National Forest Strategy requires the development to provide woodland planting in accordance with their Guide for Developers and Planners. The guide expects a development of this scale to incorporate 20% of the site area as woodland planting, which would equate to 0.6 ha (based on a gross site area of 2.99ha).
- 8.128 The submitted National Forest Green Infrastructure Plan sets out that a total of 1.344ha of semi-natural green space would be provided, equating to 44.5% of the site area. However, the consultation response from the National Forest Company confirms that the areas of green infrastructure are too small/narrow, relate to areas of existing trees, and include a pond which would not be sufficiently surrounded with trees/integrated into a wider area of green infrastructure to qualify as National Forest planting. The Applicant has subsequently agreed to contribute the full amount of National Forest contributions (£35,000 per hectare, equating to £21,000), whilst maintaining the areas of green Infrastructure outlined in the Green Infrastructure Plan.
- 8.129 The submitted Arboricultural Assessment shows the following breakdown for the surveyed area:

Table 1. Category Grading of Arboriculture Features by Number.

	Category U	Category A	Category B	Category C
Trees	1 no.	4 no.	15 no.	15 no.
Groups	-	-	1 no.	17 no.
Hedgerows	-	-	-	4 no.
Woodlands	-	-	-	-

- 8.130 The category A trees are a line of mature oak trees on the southern boundary of the site, which will be retained. One tree was identified in such a condition that it cannot realistically be retained as a living tree in the existing context (Category U).
- 8.131 Existing regenerative stock and low value individual trees and hedgerow within the site will likely be removed to accommodate the proposed development, including T1, T2, T10, T11, T22, T27, T28, T30, G5, and G7 (which are all Category C). These trees are primarily comprised of self-seeded saplings and outgrown hedgerow species considered to be of low arboricultural value both individually and collectively given their age, condition, and context as naturalised tracts of vegetation within the internal portion of the site.
- 8.132 The indicative proposals show that all high value individual trees are to be retained as part of the proposed development. Most of the tree removal relates to low value self-seeded trees located internally. The removal of two Category B trees is required to facilitate drainage connection offsite.
- 8.133 New planting will be provided on the site which serves to compensate for the proposed tree losses. The proposed outline scheme is considered to demonstrate accordance with national and local planning policy as it relates to trees, subject to conditions and financial contributions. Further work is recommended to include an Arboricultural Method Statement by condition.
- 8.134 Therefore, the proposed development is considered to adequately mitigate the impact upon the National Forest and trees subject to financial contributions secured in the Section 106 Agreement, and the imposition of conditions to secure on-site planting and management in accordance with policy 21 of the CS and policy M5 of the MNP.
- 8.135 Regarding Policy M3, as the whole site is designated as a green infrastructure site, it is considered that the retention of less than half of the site for green infrastructure and the development of the rest of the site is a significant loss.
- 8.136 The NPPF (2024) defines green infrastructure as ‘a network of multi-functional green and blue spaces and other natural features, urban and rural,

which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.'

- 8.137 The proposed development does provide a green infrastructure network however as harm has been demonstrated in line with Policy M3 mitigation/compensation for that harm must be identified/proposed. None has been proposed and in addition the Ecology section of this report also notes that there would be a net loss of biodiversity on the site.
- 8.138 It is acknowledged that by developing the site it would create public access. However, the loss of the whole site as a green infrastructure site would cause a significant harm to the green infrastructure network and therefore conflict is identified with Policy M3 of the MNP.

Drainage and Flood Risk

- 8.139 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.
- 8.140 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.
- 8.141 In flood risk terms, the Site is located within Flood Zone 1, having the lowest probability of flooding, the site is also at low risk from surface water flooding.
- 8.142 Following consultation with the EA and LCC as the Lead Local Flood Authority (LLFA) it has been demonstrated that subject to conditions requiring full details of the drainage arrangements during construction and for the development itself, the proposal complies with policies DM7 and DM10 of the SADMP in terms of fluvial flood risk concerns.
- 8.143 The LLFA requested a condition requiring infiltration testing to be carried out prior to commencement of development. In this case, it has already been established and agreed that infiltration is not possible due to ground

conditions and therefore whilst all other conditions are agreed, the condition requiring infiltration testing is not judged to be necessary in this case.

Archaeology

- 8.144 Policy DM13 of the SADMP aims to preserve the Borough's archaeology, requesting appropriate assessments as applicable on a case-by-case basis.
- 8.145 The initial consultation response from LCC Archaeology requested pre-determination trial trenching, which was resisted by the applicant on the basis that the proposal is for outline consent with no fixed layout, and if any significant archaeological remains were found, the scheme could be designed around this at reserved matters stage.
- 8.146 The application was deferred at August 2026 Planning Committee on the basis that insufficient archaeological information had been provided to determine the application. As a result, the Applicant has since undertaken the trial trenching and recording on site and has been directly liaising with LCC Archaeology. An email received on 23rd October confirms that the objection from LCC Archaeology has been removed:

"We will be happy to advise the LPA that the document is satisfactory and that, based on the results of the evaluation, no further archaeological involvement will be required.

Please advise the applicant that the report should be submitted to the LPA, for formal approval. We would also welcome a pdf/a copy of the report, for our HER records."

In conclusion, the Applicant has sufficiently demonstrated that the proposal would preserve the Borough's archaeology in accordance with Policy DM13 of the SADMP.

Minerals Safeguarding

- 8.147 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.
- 8.148 The submitted Mineral Assessment has been reviewed by the LCC Planning Team who advised that they have no objections. Therefore, the application accords with Policy M11 of the Leicestershire Minerals and Waste Local Plan.

Infrastructure and Development Contributions

- 8.149 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.
- 8.150 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.
- 8.151 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

- 8.152 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.
- 8.153 Policy 15 of the adopted Core Strategy states that developments in rural areas, including Markfield) that provide 15 dwellings or more should allocate 40% of its units towards affordable housing.
- 8.154 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.
- 8.155 In accordance with National Planning Policy, the Council's Affordable Housing Officer has confirmed that 27 affordable housing properties should be provided (assuming 67 dwellings come forward) in the following tenure mix:

- 21 x Affordable/ Social Rent
- 6 x Intermediate tenure

8.156 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.

8.157 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)

8.158 Policy 8 of the adopted Core Strategy aims to protect open space linkages to the west which are of importance to the context of the village. It also aims to address the existing deficiencies in the quality, quantity and accessibility of green space and play provision in Markfield as detailed in the council's most up to date strategy and the Play Strategy.

8.159 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.

8.160 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.

8.161 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.

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

Typology	OSRS Requirement (ha)	Proposed On Site Provision (ha)	Equipment Provision based on OSRS requirements and On-Site Provision	Maintenance Contribution (per year) *	Maintenance Contribution (20-year maintenance period)
Amenity Green Space	0.214	0.3902	NA	£2,851.52	£57,030.40
Equipped Play Provision	0.4	0.4	£60,525.12	£3,211.98	£64,239.60

Natural and Semi Natural	0.322	0.700	NA	£3,055.20	£61,104
Provision for Young People (MUGA)	0.14	0	£53,114.25	£2,499.77	£49,995.40
TOTAL:	1.076	1.49	£113,639.37	£11,618.47	£232,369.40

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

- 8.163 As reflected in the table above, the proposals indicate an overprovision of amenity green space and natural and semi-natural open space. However, the indicative plans show areas identified as amenity green space which may be utilised for landscaping which would be incompatible with the amenity green space typology, therefore this overprovision may reduce at detailed stages of design. A compliant level of both open space typologies is likely to be secured.
- 8.164 Given the undersupply of Provision for Young People typology onsite, officers consider that off-site contributions should be provided to make up for the shortfall. There is a MUGA and play area at Mayflower Play Park which is within 1km walking distance of the application site, an appropriate walking distance in line with the OSRS. Improvements to this area are considered to meet the requirements of the OSRS. The exact figure for off-site contributions would be determined at Reserved Matters stage when the exact open space areas are finalised, indicative figures assuming the areas advised at this outline stage are provided below.
- 8.165 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 Hill Hole Quarry allotments, as well as an off-site contribution as no ½ size MUGA is to be provided on site. A table of off-site contributions requirements is shown below:

Typology	Equipment Provision Contribution	Maintenance Contribution (10-year maintenance period)
Allotments	£4,170.35	£1,575.80
Provision for Young People (MUGA)	£53,114.25	£24,998

(Assuming a 0.0469ha shortfall)		
TOTAL	£57,284.60	£26,573.80

- 8.166 The Applicant will be required to provide an off-site contribution and a maintenance contribution towards of outdoor sports/playing pitch provision in line with the HBBC Playing Pitch and Outdoor Sport Strategy (2025) (PPOSS). To calculate the required contribution the Council, utilise the Sport England Playing Pitch Calculator, the results for this are outlined below:

	Number of Pitches	Capital Cost	Lifecycle Costs (per annum)	Changing Rooms (number)	Changing Rooms (cost)
Total	0.22	£32,509	£4,397	0.22	£47,040
Natural Grass Pitches	0.21	£20,796	£4,053	0.2	£43,014
Adult Football	0.03	£3,146	£620	0.05	£11,286
Youth Football	0.09	£8,551	£1,727	0.1	£20,110
Mini Soccer	0.07	£2,042	£404	0	£0
Rugby Union	0.02	£2,916	£540	0.03	£6,874
Rugby League	0	£0	£0	0	£0
Cricket	0.01	£4,140	£762	0.02	£4,744
Artificial Grass Pitches	0.01	£11,712	£344	0.02	£4,026
Sand Based	0	£0	£0	0	£0
3G	0.01	£11,712	£344	0.02	£4,026

- 8.167 The HBBS PPOSS identifies there is currently spare capacity in the Central Analysis Area for adult football and mini 7v7 football. Therefore, contributions towards pitches for youth football, 3G Football, rugby union, hockey and cricket pitches are necessary. In addition, as the development would still generate use and demand for all pitch types, contributions will be sought for the improvements to changing rooms and ancillary facilities. In summary, Playing Pitch and Outdoor Sports contributions are required for improvements to playing pitches and changing room/ancillary facilities within the Central Analysis Area as identified in the HBBC Playing Pitch and Outdoor Sport Strategy (2025) as outlined below:

	Capital Cost for Improvements (£):	Lifecycle Costs (£) (for 10-year period):	Changing Room Improvement Costs (£)
Adult Football	N/A	N/A	£11,286
Youth Football	£8,551	£17,270	£20,110
Mini 7v7 Football	N/A	N/A	N/A
Rugby Union	£2,916	£5,400	£6,874
Cricket	£4,140	£7,620	£4,744
3G Pitch	£11,712	£3,440	£4,026
Total:	£27,319	£33,730	£47,040

Highway Contributions

- 8.168 Highway contributions are requested as follows:

- A Residential Travel Plan monitoring fee of £6,000 for Leicestershire County Council's Travel Plan Monitoring System.

Justification: To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement.

- Appointment of a Travel Plan Co-ordinator from commencement of development until five years after the occupation of the last unit. The Travel Plan Co-ordinator shall be responsible for the implementation of measures as well as monitoring and implementation of remedial measures.

Justification: To ensure effective implementation and monitoring of the Travel Plan submitted in support of the planning application.

- Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack per plot). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500.

Justification: To inform new residents from first occupation what sustainable travel choices are available in the surrounding area.
Suggested trigger point: Prior to the occupation of the first dwelling

- Six-month bus passes, two per dwelling (two application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at an average of £632.50 per pass for an Arriva service).

Justification: To encourage new residents to use bus services as an alternative to the private car to establish changes in travel behaviour from first occupation.

- Improvements at the two nearest bus stops (outside 59 – ID260011104 and opposite 41 – ID260011105, Ashby Road, Markfield) comprising of a raised kerb (£4950 per stop). Total Cost of £9,900.

Justification: To mitigate the impact of the development, in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets and in accordance with the National Planning Policy Framework (2024).

- A contribution of £321,600 (£4,800 per dwelling) towards the Coalville Transport Strategy.

Justification: To mitigate the otherwise severe impact of the development on the A511/ A50 corridor.

- A £7,500 contribution toward the consultation process for the relocation of the existing 40/ national speed limit on Hill Lane and Ashby Lane, Markfield.

Justification: To maintain free-flowing traffic along Hill Lane and Ashby Road. Springwell Lane and to ensure the safe operation of the proposed new junction and amended Hill Lane/ Ashby Road junction.

- A contribution of £49,600 towards improvements to Footpath R17 outside of the site.

Justification: To accommodate the impact from this development in the interests of amenity, safety and security of users of the Public Right of Way in accordance with the National Planning Policy Framework (2024).

Other Infrastructure Requirements

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

- Healthcare (LLR ICB) (Markfield Medical Centre): £64,856.00
- Libraries (Markfield Library): £2,023.25
- Primary Education (Mercenfeld Primary School): £368,955.60
- Off-Site Outdoor Sports Contributions: £27,319
- Off-Site Outdoor Sports Maintenance: £33,730
- Off-Site Outdoor Sports Changing/Ancillary Facilities: £47,040
- Off-Site Public Open Space Contributions: £57,284.60
- Off-Site Public Open Space Maintenance: £26,573.80
- On-Site Public Open Space Provision Contributions: £60,525.12
- On-Site Public Open Space Maintenance (20-year period): £182,374
- Waste (Coalville Household Waste and Recycling Centre): £4,380.46
- County Council Monitoring Costs £300.00 or 0.5% depending upon which is the greatest for each planning obligation.
- HBBC Monitoring Costs £558 per obligation
- National Forest Planting Contribution: £21,000

8.170 Contributions totalling £22,562.85 have been requested by Leicestershire Police for police equipment, infrastructure and crime reduction initiatives. HBBC are not currently satisfied that the requests meet the planning obligations tests of paragraph 58 of the NPPF and Regulation 122 of the CIL Regulations 2010 as it has not been demonstrated that they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. Therefore, these contributions are not requested.

Summary

- 8.171 The planning obligations outlined above are subject to change dependent on the number of dwellings proposed at reserved matters stage and the final provision of on-site open space.
- 8.172 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

- 8.173 The Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise, and the NPPF should be read as a whole.
- 8.174 The housing policies in the adopted Core Strategy and the adopted SADMP are now considered to be out of date as they focussed on delivery of a lower housing requirement than required by the up-to-date figure. The Markfield Neighbourhood Plan contains up to date policies on the housing requirement for Markfield.
- 8.175 The Council cannot demonstrate a 5-year housing land supply. Therefore, the 'tilted' balance in paragraph 11(d) of the Framework applies where the permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.176 In this specific case, Paragraph 14 of the Framework is not considered to be engaged since the MDP contains policies and allocations to meet a housing requirement which is now significantly greater since the Plan was Made.
- 8.177 The proposals are in accordance (some subject to conditions/contributions) with Policies 15, 16, 19 and 20 of the Core Strategy, Policies M4, M5, M8, M9, M10, M14, M15, M18 and M20 of the Markfield Neighbourhood Plan and Policies DM3, DM6, DM7, DM10, DM11, DM12, DM17 and DM18 of the Site Allocations and Development Management DPD.
- 8.178 The proposal would be in conflict with Core Strategy Policy 12 and Policies DM4 of the SADMP, due its location outside of the settlement boundary. These policies are consistent with the Framework and are afforded significant weight. A moderate landscape harm has been identified in addition to the site being sited outside of the defined settlement boundary and therefore there is conflict with Policy DM4 of the SADMP and Policies M1 and M2 of the MNP.
- 8.179 Conflict has been identified with Policy M3 of the MNP due to the loss of a significant proportion of the site from the green infrastructure network. This conflict is given significant weight within the balance.

- 8.180 The development would result in the loss of land used for agriculture, however, this is not best and most versatile land. Therefore, its loss is only afforded limited weight against the proposal.
- 8.181 Weighed against these conflicts with the Development Plan is the Government's commitment to significantly boosting the supply of housing through the Framework. The proposal would result in the delivery of up to 67 houses (including up to 27 affordable homes). These additional houses and affordable houses have significant weight in the planning balance as they would assist in addressing the current shortfall of housing and affordable housing in the area.
- 8.182 It is important to identify any further benefits. Using the three strands of sustainability as defined in the NPPF, the benefits are broken down into economic, social and environmental. There are a number of financial contributions associated with the s.106, these exist to mitigate impact the proposed development would have and therefore are afforded neutral weight.
- 8.183 The proposal would result in economic benefits through the construction of the scheme through creation of jobs and construction spend, albeit for a temporary period. Additionally, the residents of the proposed development would provide ongoing support to local services. This is attributed moderate weight.
- 8.184 As stated above, the proposal would deliver up to 67 dwellings, of which 27 would be affordable. This would result in a significant social benefit to the area and to the borough. The proposal would also involve the provision of areas of public open space (POS). This would result in a moderate social benefit to the area and to the borough.
- 8.185 Some environmental benefits would be provided such as additional planting through landscaping in the provision of open space, a financial contribution for woodland planting towards the National Forest. Additionally, there would be some benefit for biodiversity associated with the reinforcement and new planting of hedgerow and trees around the site and the provision of SUDS which can be designed to include benefits to biodiversity, secured via condition.
- 8.186 Overall, it is considered that, on balance, the level of moderate harm of the development on the character of the site and the surrounding area and the subsequent loss of green infrastructure land would not significantly and demonstrably outweigh the benefits of the scheme in these site-specific circumstances. In accordance with Paragraph 11(d) of the NPPF, it is therefore recommended that outline planning permission for the development of up to 67 dwellings should be approved.

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 the recommendations at paragraph 1.1 of this report.

11.2 Conditions and Reasons

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

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

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

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

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

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

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

- Site Location Plan – Drawing No. GDA05 – PL001 Rev A

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

5. The development shall be in general accordance with the submitted application details received by the Local Planning Authority as follows:
 - Site Layout Coloured Plan - Drawing. No. GDA05 PL002 Rev E
 - Open Space Provision Plan - Drawing. No. GDA05 PL601 Rev L

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

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

6. The first reserved matters application relating to housing shall be accompanied by a scheme which details the proposed housing mix for

the development which should be in accordance with the Council's adopted Development Plan or the most up to date Housing Needs/Market Assessments for the area.

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

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

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

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

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

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

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

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development

construction phase and to accord with Policy DM7 of the Site Allocations and Development Management Policies DPD.

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

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

11. 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 in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

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

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

13. 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).

14. Prior to, or in conjunction with, the first reserved matters application submission a scheme for protecting the proposed dwellings from noise from air source heat pumps, the adjacent industrial estate, and M1 motorway shall be 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).

15. 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).

16. Prior to, or in conjunction with, the first reserved matters application submission 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).

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

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

18. All mitigation measures and/or works shall be carried out in accordance with the submitted details contained in the Ecological Impact Assessment (Tyler Grange, November 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details

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.

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

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

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

20. Prior to the commencement of development, a Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall be submitted concurrently and in accordance with the Biodiversity Gain Plan. It shall include:
- a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - b) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;

- c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- d) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
- e) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

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

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

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

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

Reason: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development.

21. Prior to or in conjunction with the submission of any reserved matters application, 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 Ecological Impact Assessment (Tyler Grange, November 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
- e) 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).

22. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on drawing number T25596 001 Rev C have been implemented in full. Vehicular and pedestrian visibility splays shall thereafter be permanently maintained with noting obstructing the splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

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

23. No part of the development hereby permitted shall be occupied until such time as vehicular intervisibility splays of 30 metres have been provided at the primary site access as shown on Ridge drawing number T25596 002 Rev C. These shall thereafter not cross third party land and will 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).

24. No part of the development shall be occupied until such time as the offsite works shown on Ridge drawing number No. T25596 003 Rev. B and Ridge drawing number T25596 006 Rev. C have been implemented in full. For clarity this entails re-location of the existing speed limit terminals, amendments to the carriageway on Hill Lane, formalisation of on-street parking through white lining, provision of new public footways, uncontrolled pedestrian crossings with tactile paving and a new gateway entrance feature with appropriate surface dressing.

Reason: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2024).

25. Prior to any commencement on site, a highway improvement scheme to provide an uncontrolled pedestrian crossing with dropped kerbs and tactile paving to serve the south eastbound bus stop on Ashby Road

(opposite 41 – ID260011105) shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be available for use prior to first occupation of any dwelling of the development hereby permitted.

Reason: To promote the use of sustainable modes of transport, in the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2024).

26. The measures and incentives included in the Travel Plan Revision B created by Ridge, dated 7th May 2026 shall be implemented in full from first occupation unless an alternative timetable is submitted to and approved in writing by the Local Planning Authority.

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

27. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum, details of the routing of construction traffic, 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 use unsatisfactory roads and lead to on-street parking problems in the area in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

28. Prior to, or in conjunction with, the submission of an application for reserved matters, an Arboricultural Method Statement shall be submitted, and a project Arboriculturalist appointed to oversee its implementation. This should include supervision of any excavation within or adjacent to root protection areas and shall adhere to all tree protection measures, in accordance with BS5837:2012.

Reason: To ensure that the trees on site are to be retained and adequately protected during and after construction in the interests of the visual amenities of the area and biodiversity in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 187 of the National Planning Policy Framework (2024).

Notes to Applicant

BNG

1. Biodiversity Net Gain Condition Requirements.

Drainage

1. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations. Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for event durations up to the 24 hour (or longer where required) for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods with results ideally showing critical details only for each return period.
2. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
3. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual property ownership. For commercial properties (where relevant), this should also include procedures that must be implemented in the event of pollution incidents.

Contaminated Land

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

Waste collection

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

to include an area next to the highway for the safe placement of the various containers on collection day, up to two bins per property.

Highways

1. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>
2. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
3. A minimum of 6 months' notice will be required to make or amend a Traffic Regulation Order of which the applicant will bear all associated costs. Please email road.adoptions@leics.gov.uk to progress an application.
4. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>
5. Planning Permission is required for any construction access onto a classified road, unless it is in strict accordance with the development access planning approval. To carry out off-site works associated with a construction access onto a classified road, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit. However, if planning consent has not been secured in respect of the construction access, the section 184 application will be refused.
6. All S278 works in Leicestershire require core samples of the existing road pavement during the Technical Approval process. This is to ensure that the full area of existing carriageway is suitable for the intensification of use, and that there are no underlying road pavement issues which are not evident on the surface, for example a perished binder layer. The cores also assist with ensuring that the pavement design matches the existing, for example you may propose a 40mm surface course, but the existing is 50mm. We would not want a 10mm layer of existing material left in situ. Any UKAS accredited lab is suitable, their website has a useful search function that can filter geographically for local providers.

7. Confirmation that statutory undertakers are not affected by the works should be provided. This should be either a websearch plan showing that they have no assets in the area of works, or if they do have assets in the area a formal NRSWA C3 response from the Statutory Undertaker stating that they are unaffected. If Statutory Undertakers are affected please provide the response letter, estimate of works and plan of the works. This can be undertaken at the detailed design stage of the scheme.
8. For information at this stage, in accordance with LHDG Tables 3 and 4 the longitudinal gradient at junctions should not exceed 1:30 for the first 10m.
9. The existing drainage system should be proven by a CCTV survey to ensure it is running free of blockages and suitable for the proposed changes. The survey should cover the existing highway drainage system to where it outfalls / joins the Severn Trent Water system. A drainage system will be required to ensure that surface water from the development does not flow in to the highway. This can be undertaken at the detailed design stage of the scheme.
10. Full width carriageway resurfacing is required across the entire length of the proposed junction. This will eliminate joints and potential weak points in the carriageway and also reduce the chances of differential settlement. This can be allowed for at the detailed stage of the scheme.
11. Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.
12. The Public Right(s) of Way must not be re-routed, encroached upon or obstructed in any way (including by scaffolding) without prior authorisation. To do so may constitute an offence under the Highways Act 1980.
13. The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
14. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
15. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
16. No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.