

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Planning Permission

Name and Address of Applicant

Mr Patrick Godden
C/o Agent

Name and Address of Agent (if any)

Mr James Lloyd
Marrons
1 Colmore Square
Birmingham
B4 6AA

Part I - Particulars of Application

Date of Application	Application No.
23 December 2024	24/01155/FUL

Particulars and location of development :

Erection of a dwelling (self-build) with associated parking and landscaping

Upper Grange Farm 1A Rathby Lane Markfield Leicestershire LE67 9RJ

Part II - Particulars of decision

In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner by offering a pre-application advice service and by seeking solutions to problems arising in relation to dealing with the planning application and this has resulted in the approval of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council grants permission for the carrying out of the development referred to in Part I hereof in accordance with the application form and plans submitted, subject to the following conditions :-

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

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

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

- Site Location Plan - Drg No.WA 677 (04) 01
- Proposed Site Block Plan - Drg No.WA 677 (04) 03
- Proposed Site Plan - Drg No.WA 677 (04) 04
- Proposed Ground, First Floor Plans, Drg No.WA 677 (04) 05A
- Proposed Elevations, Drg No.WA 677 (04) 06A

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the Markfield Neighbourhood Plan (2021).

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

3. No development above foundation level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the dwelling hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy M10 of The Markfield Neighbourhood Plan (2021).

4. No development above foundation level shall take place until a scheme of hard and soft landscaping works, including boundary treatments, for the site, including an implementation scheme, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full accordance with the approved landscaping and implementation scheme. Thereafter the soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or are seriously diseased shall be replaced by trees or shrubs of a similar size and species (native) to those originally planted at which time shall be specified by the Local Planning Authority.

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

5. All mitigation measures and/or works shall be carried out in accordance with the details contained in the submitted Preliminary Ecological Appraisal (Elite Ecology, December 2024). This may 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 in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies DPD (2016).

6. Prior to the demolition of the existing building, a Precautionary Working Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to reptiles, amphibians, basking birds, bats and hedgehog during the construction phase. The measures and/or works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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 in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies DPD (2016).

7. No development above foundation level shall be completed until a Biodiversity Enhancement Layout for biodiversity enhancements listed in the Preliminary Ecological Appraisal (Elite Ecology, December 2024) report shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Layout shall include the following:

a) detailed designs or product descriptions for biodiversity enhancements; and

b) locations, orientations and heights for biodiversity enhancements on appropriate drawings. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter."

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended) and in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies DPD (2016).

8. Prior to first occupation of the dwelling hereby approved, a "lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause

disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies DPD (2016).

NOTES TO APPLICANT :-

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately, and a suitably qualified ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant. If a Bat is found during the works the ecological consultant or National Bat Helpline should be contacted for advice on: 0345 1300 228
3. The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in BRE Digest 365, and the results approved by the Building Control Surveyor before development is commenced. The soakaway must be constructed either as a brick or concrete-lined perforated chamber with access for maintenance or alternatively assembled from modular surface water storage/soakaway cell systems, incorporating silt traps. Design and construction of all types of soakaway will be subject to the approval of the Building Control Surveyor.

Any proposed access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).



Christopher Brown MRTPI
Head of Planning

Date : 6 August 2025

NOTES

1. It will be most helpful if the application number shown overleaf is quoted in all correspondence.
2. If you consider that this decision has been made invalidly through the Council failing to follow a procedure correctly, not having the legal power to make the decision in the way it did or through its decision being so unreasonable as no reasonable local authority would make the same decision based on the same facts, then you may enter a claim for judicial review to quash the decision. In order to proceed with a claim for judicial review an initial application for permission will need to be made to the Administrative Court, this application is required to be made "promptly and in any event within three months of the decision". The initial permission application will decide if you have an arguable case, whether you are sufficiently materially affected by the decision to bring the claim. If you are granted permission to bring the claim it will proceed to a full hearing at the Administrative Court. Although there is no requirement for you to do so it is highly recommended that you seek independent legal advice before bringing forward a claim for Judicial Review.
3. If you are aggrieved by the decision of the Local Planning Authority to grant permission subject to conditions, you may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months (see para 2a below) of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/appeal-planning-decision>). You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that the permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements as set out in Section 78 of the Town and Country Planning Act 1990, to the provisions of the development order, and to the directions given under the order. He does not in practice refuse to entertain appeals solely because the decision by the Local Planning Authority was based on a direction given by him. Appeals- new time rules. Appeals relating to applications made to the Local Planning Authority on, or after, 5th September 2003 must be made within six months of the date of this notice.
4. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application then, you must do so in accordance with the guidance found using the following link <https://www.gov.uk/appeal-enforcement-notice>.
5. If permission to develop land is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
6. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
7. This permission covers only consent under the Town and Country Planning Acts and does not give permission to demolish a Listed Building, for which separate consent is required. Amongst other things the consent of the Council of the district in which the land is situated may be required under the Building Regulations and if the proposals affect land within the limits of the highway (that is between the highway fences or hedges) the separate consent of the Highway Authority may also be required. Steps to obtain the necessary further consents should be taken before proceeding with the development.

SHOPS, OFFICES, FACTORIES, EDUCATIONAL BUILDINGS & BUILDINGS TO WHICH THE PUBLIC ARE TO BE ADMITTED : ACCESS AND PROVISION FOR THE DISABLED PERSONS

1. The Local Planning Authority is required to bring to your attention the requirements of the Disabled Persons 1981, Building Regulations 1991 "Access and facilities for Disabled People" document M and the Chronically Sick & Disabled Act 1970 (as amended 1976) (Sections 4.7.8 and 8A) requiring the provision of access facilities, car parking and toilets for the disabled and the provision of signing indicating what provision has been made for disabled persons within the building. Your attention is also drawn to the Code of Practice B.S 5619 "Design of Housing for the convenience of Disabled People", 1978 and Code of Practice, B.S. 5810 : 1979, "Access for the Disabled to buildings" available from the British Standards Institution, 2 Park Street, London W1A 2BS. (Tel 071-629-9000) and (in so far as educational buildings are concerned), to Design Note 18 "Access for the Physically Disabled to Educational Buildings."
2. The buildings to which these requirements apply are :-
 - a) Buildings to which the public are to be admitted to which Section 4 of the Chronically Sick & Disabled Act 1970 (as amended 1976) applies.
 - b) Offices, Shops & Railway Premises as defined in the Offices, Shops & Railway Premises Act 1963 or premises deemed to fall within the Act.
 - c) Factories as defined by Section 175 of the Factories Act 1961.
Educational Buildings as defined by Section 29B of the Disabled Persons Act 1981.

PPNOTES (02/07/2014)



Hinckley & Bosworth
Borough Council

Start Notice

Important Information – Please keep this with your decision notice

Please read the above decision notice carefully and ensure that you understand and comply with the requirements of any planning conditions imposed.

If you require any further information about why a particular planning condition has been imposed or in respect of what information is needed to discharge your condition please contact the case officer who will be happy to advise of the requirements and information required.

We carry out a programme of site monitoring to check compliance with conditions in order to proactively manage the development and to ensure development is carried out in accordance with the planning permission granted.

Please ensure that any application for the discharge of pre-commencement conditions are carried out in a timely manner as this may take up to 8 weeks depending on the requirements of the condition. Please also be aware there is a charge to discharge conditions per request which means you can discharge conditions individually or group details together as a single request to discharge multiple planning conditions. The fee for discharging these pre-commencement conditions, can be found on the [planning portal](#).

We would be grateful if you could email the development address and application reference number with your contact details and the intended start date by email to planning@hinckley-bosworth.gov.uk or complete the form on the reverse.

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk



**Hinckley & Bosworth
Borough Council**

Development Details

Planning application ref:	24/01155/FUL
Proposal:	Erection of a dwelling (self-build) with associated parking and landscaping
Site Location:	Upper Grange Farm 1A Ratby Lane Markfield Leicestershire LE67 9RJ

Date when work is intended to start:	
Have all pre-commencement conditions been discharged?	
Signed:	Print Name:

Your contact details (or attach letterhead/business card):

Name:	
Address:	
Telephone:	
Mobile:	
Email:	

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk

Delegated Report

Planning Ref: 24/01155/FUL
Applicant: Mr Godden
Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Site: Upper Grange Farm, 1A Ratby Lane, Markfield

Proposal: Erection of a dwelling (self-build) with associated parking and landscaping

1. Recommendations

1.1. **Grant planning permission** subject to the conditions at the end of this report.

2. Planning Application Description

2.1. The applicant seeks full planning permission for the demolition of the existing hydrotherapy building and the erection of one two-storey, 3-bedroom self-build dwelling at Upper Grange farm, Markfield.

2.2. The application proposes the following key elements:

- Demolition of existing building and construction of Self-Build dwelling
- Replacement of existing shed/storage buildings for proposed storage/car port built to same footprint, height and design of existing building
- Retention of menage
- Creation of residential garden to the rear
- Retention of existing shared access
- Car parking provision with EV charging facility; and
- New planting and landscaping

3. Description of the Site and Surrounding Area

3.1. The site consists of an existing business which operates as a kennels and cattery. The development site is located to the rear of the dwellings located on Ratby Lane and is proposed to be access via the existing gated access serving the business function. The proposed location of the development is between the existing residential development on Ratby Lane and the business use, including buildings serving the kennels and cattery. The land which the proposal is situated currently consists of a building serving as a hydrotherapy unit serving the business, the use of which is to be relocated within one of the other buildings on site.

4. Relevant Planning History

- **19/01223/FUL** – Construct extension to existing building to create dog rehabilitation facility – Permission 06.01.2020
- **16/00944/FUL** - Erection of new dwelling and conversion of existing hydro pool to garages – Refused 16.12.2016
- **16/00346/FUL** – Erection of 2 dwellings to replace existing stables (revised proposal) retrospective – Permission 10.06.2016
- **15/00019/FUL** - Erection of two dwellings to replace existing stables (revised scheme) – Permission 20.07.2015

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents, and a site notice was erected at the site access.
- 5.2. No objections or representations have been received.

6. Consultation

- LCC Highways - standing advice.
- HBBC Pollution - No objection.
- National Forest – The site area is below the threshold requiring National Forest planting.
- HBBC Waste - I have viewed the plans to consider the implications for the recycling and refuse collections, please note, the collection point for domestic refuse and recycling waste is from the adopted highway boundary. We cannot travel along or collect from the private driveway, therefore it would be advisable to include an area next to the highway for safe placement of the various containers on collection day.
- LCC Ecology – No objection subject to conditions.
- HBBC Drainage – No objection – notes to applicant.

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 8: Key Rural Centres Relating to Leicester
 - Policy 16: Housing density, mix and design
 - Policy 21: National Forest
 - Policy 22: Charnwood Forest
 - Policy 24: Sustainable design and technology
- 7.2. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM7: Preventing Pollution & Flooding
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation

- Policy DM18: Vehicle Parking Standards
- 7.3. Markfield Parish Neighbourhood Plan (MPNP) (2021)
- Policy M1: Countryside
 - Policy M2: Landscape Character
 - Policy M8: Electric Vehicle Chargepoints
 - Policy M10: Design
 - Policy M15: Housing Provision
 - Policy M17: Infill Housing Development
 - Policy M18: Housing Mix
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Good Design Guide (2020)
 - Leicestershire Highway Design Guide (2024)

8. Appraisal

- 8.1. Key Issues
- Assessment against strategic planning policies (including Custom & Self-Build housing)
 - Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety
 - Planning balance

Assessment against strategic planning policies

- 8.2. Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) set out a presumption in favour of sustainable development, and states that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The development plan in this instance consists of the adopted Core Strategy (2009) and the Site Allocations and Development Management Policies DPD (2016).
- 8.3. The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the adopted Core Strategy. This identifies and provides allocations for housing and other development in a hierarchy of settlements within the Borough.
- 8.4. The Planning Policy team are currently reviewing the revised NPPF and implications for the Council's Five-Year Housing Land Supply. A revised position will be published in the coming months once the monitoring for the 2024/25 year has been completed. It is however likely that, with the revised need figure of 682 dwellings per annum from the Dec 2024 NPPF (649dpa + 5% buffer as per Para 78a), that the Council will be unable to demonstrate a Five-Year Housing Land Supply once the revised position is published.

- 8.5. Therefore, the application should be determined against Paragraph 11(d) of the Framework whereby 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.
- 8.6. Markfield is identified as a Key Rural Centre Relating to Leicester in Policy 8 of the Core Strategy. Key Rural Centres are those villages with larger populations and a good level of facilities and employment opportunities which provide localised provision for everyday needs. That being said the development site is located out of the settlement boundary of Markfield and is classified as development in the countryside.
- 8.7. The site lies outside of the settlement boundary within the countryside, therefore the proposal is assessed against Policy DM4 of the SADMP. Policy DM4 of the SADMP seeks to protect the intrinsic value, beauty, open character and landscape character, to safeguard the countryside from unsustainable development. Development in the countryside is considered 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 diversification of rural businesses; or
 - c) It significantly contributes to economic growth, job creation and/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
- 8.8. Importantly, Policy DM4 also requires that development meets five further requirements to be considered as sustainable development, these are discussed in detail further in the response.
- 8.9. Furthermore, Policy M1 of the MPNP is relevant in this case and states that:
- “The Countryside (land outside the Settlement Boundary defined on Map 2 and the Policies Maps) will be protected for the sake of its intrinsic character, beauty, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all. 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”.*
- 8.10. The proposal does not satisfy any of the criteria set out within Policy DM4 (a-e) or Policy M1 and as such the development would present conflict with both policies.

- 8.11. It is acknowledged that, through its intentions to implement the Core Strategy through its approach to the countryside and settlement boundaries, Policy DM4 is considered out-of-date. Nevertheless, the emphasis of Policy DM4 is to promote sustainable development proposals within the countryside and to safeguard it from unsustainable schemes. In this regard, Policy DM4 is consistent with, and accords with, the NPPF, and therefore it can be afforded significant weight within the planning balance. However, an assessment would need to be made as to whether the development does truly represent unsustainable development in the countryside.
- 8.12. Whilst the site is located out of the settlement boundary, it lies adjacent to existing residential development and a significant amount of existing built development relating to the commercial use on site. Furthermore, the development on 'Land off London Road, Markfield' once completed will introduce built development to the north (albeit with a significant buffer between). Therefore, as explored fully below, the impact on the countryside would be limited due to the proposal's location.
- 8.13. In terms of locational sustainability, the site is at the maximum sustainable walking distance from local amenities such as shops and schools contained within the settlement boundary of Markfield. The pedestrian route along Ratby Lane is fully surfaced but is not fully lit, which reduces the likelihood of pedestrian movements. There is also a PRow running through the site which provides an alternative walking route, although the current lack of surfacing and lighting would deter use of this. The completion of the 'Land off London Road, Markfield' development will likely improve this route in terms of the extent of a surfaced and street lit route which will offer a choice of routes to services longer term.
- 8.14. The site is within walking distance of Markfield Court bus stop with bus services running between Leicester and Castle Donington offering some choice of public transport options, albeit the service timetable is limited.
- 8.15. Given there is some choice of public transport and that the site is within the maximum walking distance to a wide range of services, it is not a wholly unsustainable location for a single unit, thus reducing the negative weight attributed to Policy DM4.
- 8.16. In addition, the site is previously developed and the NPPF offers some support for the use of previously developed land in rural areas where suitable (para. 89). Whilst not a determinative factor in the acceptability of the scheme, this again adds some support to the proposal in sustainability terms.
- 8.17. 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)

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.'*

- 8.18. With regard to Paragraph 14 of the NPPF, in strict terms the LPA would assert that it applies in this case as the MNP became part of the Development Plan less than 5 years ago, and that the MNP contains policies and allocations to meet its identified housing need. However, the made MNP does not take into account the latest evidence of housing need, and allocated sites 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 when the 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.

Custom and Self-Build Housing (CSB)

- 8.19. Paragraph 63 of the NPPF states that the need, 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 required affordable housing; families with 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.
- 8.20. As of 31 January 2024, Section 123 of the Levelling Up and Regeneration Act 2023 (LURA) came into force regarding amendments to the duty in relation to self-build and custom housebuilding within Section 2A of the Self-Build and Custom Housebuilding Act 2015.
- 8.21. Section 2A of the Self-Build and Custom Housebuilding Act places a statutory duty on the Local Planning Authority to give permission to a sufficient number of self-build and custom housebuilding developments on serviced plots to meet the demand for self-build and custom housebuilding in the Authority's area.

- 8.22. Section 6 of Section 2A of the Self-Build and Custom Housebuilding Act confirms that the demand for self-build and custom housebuilding in an authority's area in respect of a base period is an aggregate of:
- (i) The demand for self-build and custom housebuilding arising in the authority's area in the base period; and
 - (ii) Any demand for self-build and custom housebuilding that arose in the authority's area in an earlier base period and in relation to which:
 - (a) The time allowed for complying with the duty in Subsection (2) expired during the base period in question, and
 - (b) The duty in Subsection (2) has not been met.
- 8.23. The demand for self-building and custom housebuilding arising in an authority's area in a base period is evidence by the number of entries added during that period to the authority's Self-Build and Custom Housebuilding Register. At the end of each base period, the Local Planning Authority have three years in which to approve an equivalent number of plots of land for self-build and custom housebuilding on serviced plots of land as there are entries for that base period. However, there is no duty for the Local Planning Authority to grant permission for land that specifically meets the requirements expressed by those on the Register.
- 8.24. Section 5 of the Self-Build and Custom Housebuilding Act confirms that a "*Serviced plot of land*," means a plot of land that has access to a public highway, and has connections for electricity, water, and wastewater, or can be provided with those things in specified circumstances or within a specified period. For clarity, "*Specified*" in this instance means specified by regulations.
- 8.25. Section 1 of the Self-Build and Custom Housebuilding Act defines self-build and custom housebuilding as the building or completion of houses by individuals, associations of individuals, or persons working with or for individuals or associations of individuals to be occupied by as homes by those individuals.
- 8.26. The Local Planning Authority notes that the Applicant has signed a self-build declaration form confirming that the proposal is in line with the definition within the regulations, and that the applicant intends to live in the dwelling. A legal agreement in the form of a Unilateral Undertaking has also been completed.
- 8.27. To date, Hinckley and Bosworth Borough Council has a shortfall of self-build and custom housebuilding, requiring 5 suitable cumulative permissions to be granted by 30 October 2025. Limited weight can be given to the benefits of contributing one self-build dwelling to the supply of self-build and custom build dwellings at this moment in time.

Design and impact upon the character of the area

- 8.28. Section 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. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

- 8.29. 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, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.30. Policy DM10(c), (d) and (e) of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally and incorporates a high standard of landscaping.
- 8.31. Policy M1 of the MPNP states that the countryside will be protected for the sake of its intrinsic character, beauty, heritage and wildlife. Policy M1 sets out a list of acceptable forms of development, of which as above the erection of a dwelling does not accord.
- 8.32. Policy M10 of the MPNP sets out a list of design criteria and states that to be supported development must be sympathetic to local character and history.
- 8.33. The site is located within the National Forest and Charnwood Forest, therefore in addition to the above Policies 21 and 22 of the Core Strategy are applicable to this proposal. Policy 21 supports proposals that contributed to the delivery of the National Forest Strategy provided that:
- The siting and scale of the proposed development is appropriately related to its setting within the Forest
 - The development respects the character and appearance of the wider countryside
- and
- The development does not adversely affect the existing facilities and working landscape of either the Forest or the wider countryside
- 8.34. The site is also located within Charnwood Forest, Policy 22 states that within Charnwood Forest proposals will be supported that:
- Maintain the traditional working landscape of the forest, particularly those which involve rural diversification and sustainable tourism, including green tourism initiatives
 - Provide new recreation facilities around the fringes of the area
 - Provide access to and from the rural areas into and within the regional park by non vehicular means, provided that they:
 - Retain local character and complement the local landscape
 - Enhance open spaces, including the treatment of built edges
 - Enhance woodland and habitat provision and connectivity
 - Manage and enhance the cultural heritage of the area

- 8.35. As set out earlier, the impact on the countryside from the proposed development would be limited due to the existing built form surrounding the site, including a mix of residential and commercial units. Due to its siting, the development would act as backland development, however, the proposed development site relates well to the residential dwellings within the area and with the commercial elements of the site being located to the rear.
- 8.36. The proposed dwelling would be two storey with an L-shaped plan form, including a single storey element located towards the south east. The scale of the proposal is considered appropriate in this area and the overall design, including its orientation, are considered to be acceptable. The design includes architectural features such as a recessed corner balcony, dormer windows and porches which are considered appropriate and add to the visual appeal of the dwelling. The development is also not considered to be highly visible from the public realm and would have a limited visual impact upon the character of the area.
- 8.37. Overall, it is considered that the proposed development is acceptable and in accordance with Policy DM10 of the SADMP. The proposal is not in accordance with Policy DM4 of the SADMP nor Policy M1 of the MPNP, however it is considered that the dwelling would not harm the intrinsic character/appearance of the countryside.

Impact upon neighbouring residential amenity

- 8.38. Policy DM10 of the SADMP states that development should be permitted providing that the development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality, noise, vibration and visual intrusion.
- 8.39. Paragraph 135 of the NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 8.40. The proposal has been designed to limit any impacts to the existing residential dwellings located along Ratby Lane. The first-floor window, serving the landing, is the only window which may cause a degree of overlooking into the private garden amenity space of the neighbouring properties. However, from the plans provided and the design and access statement it is considered that the window is located a sufficient distance from the neighbouring residential property, in accordance with the HBBC Good Design Guide.
- 8.41. The development is not considered to create any detrimental impacts to neighbouring amenity in terms of overbearing, overshadowing or loss of light impacts. In addition, the impact to the future occupiers of the dwelling when considering the relationship with the commercial premises HBBC Environmental Health provided no objections to the proposal.
- 8.42. In summary, it is considered that the proposed development would provide sufficient private amenity space and would not lead to any neighbouring amenity issues and would be in accordance with Policy DM10(b) of the Site Allocations and Development Management Policies DPD paragraph 135 of the NPPF.

Impact upon highway safety

- 8.43. Policy DM17 and DM18 of the SADMP require development to accord with the adopted highway design and vehicle parking standards to ensure that there is adequate highway visibility for road users and adequate provision of off-street parking and manoeuvring facilities. Paragraph 32 of the NPPF states that development should only be refused on highway grounds where the cumulative impact of the development is severe.
- 8.44. The LHA have no objection and refer to standing advice. The site would be served via the existing access arrangement. The addition of one dwelling would not result in any significant trip generation whilst the wider business operations would continue as existing. A new driveway is to be created, with a driveway accommodating three off street parking spaces, which is sufficient for a dwelling of this size.
- 8.45. As such the proposal satisfies the requirements of Policy DM17 & DM18 in regard to appropriate levels of parking provision & highway safety.

Impact on ecology and biodiversity

- 8.46. Policy DM6 of the SADMP states that Development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long-term future management. Paragraph 180 of the NPPF states that development proposals should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.
- 8.47. As a self-build development, the application would be exempt from securing mandatory Biodiversity Net Gain. A preliminary ecological assessment has been submitted, as well as a presence/absence survey for bats.
- 8.48. LCC Ecology have been consulted and have no objections subject to conditions. Therefore, the proposal is considered to comply with policy DM6 of the SADMP.

Planning Balance

- 8.49. The Council cannot demonstrate a 5-year housing land supply, therefore the housing policies in the adopted Core Strategy and the housing policies of the adopted SADMP are considered to be out of date as they focused on delivery of a lower housing requirement than is now required. It is necessary therefore to consider that the 'tilted' balance in paragraph 11(d) of the NPPF applies and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.50. The site is located outside the settlement boundary and the proposed development does not meet any of the criteria as part of Policy DM4 of the SADMP or Policy M1 of the Neighbourhood Plan, and is therefore in conflict with the development plan. However, due to the previously developed nature of the site, and the locational sustainability merits of the site, it is considered that this conflict is limited.
- 8.51. Additionally, regarding paragraph 14 of the NPPF, the LPA considers that whilst the neighbourhood plan contains policies and allocations to meet a housing need, this need was identified when the housing need figure was significantly lower. It is therefore concluded 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.

- 8.52. The proposal would not result in any significant harm to the character and appearance of the area and is in compliance with policy DM10 of the SADMP. Additionally, the proposed development would provide sufficient garden and private amenity space for the proposed dwelling, and would not result in any harm to occupier or neighbouring amenity.
- 8.53. There are social benefits associated with the erection of a dwelling such as providing housing for a range of occupants including families, and economic benefits associated with the construction of the dwelling and the future occupant's opportunity to act as new customers and employees for local businesses and services. The proposal would also make a minor contribution towards the LPAs identified 5YHLS shortfall. Notwithstanding this, as the application proposal is for the provision of a single dwelling, these social and economic benefits are afforded limited weight.
- 8.54. It is acknowledged that the Council has a minor shortfall in the supply of custom and self-build developments of 5 dwellings for Base Period 10 31st October 2024 to 30th October 2025. The framework states that small and medium sized sites can make an important contribution to meeting housing requirements of an area and can be built out quickly. The proposal would deliver one new dwelling which would make a positive contribution to addressing the minor shortfall in self-build plots. As the scheme is only for one dwelling and the shortfall is not considered to be significant, the LPA affords limited weight to this aspect of the proposal.
- 8.55. In summary, whilst there is some conflict with Policy DM4 of the SADMP, the Neighbourhood Plan, it is considered that the proposed dwelling would result in a development which would respect the character and appearance of the area, whilst also protecting residential amenity for both the prospective and existing residents. The provision of one self-build dwelling would help towards the Council's housing land supply shortfall and self-build shortfall, and the combination of these benefits are considered to outweigh the identified harm in this case, which is conflict with policy DM4 of the SADMP and Policy M1 of the MNP and paragraph 14 of the NPPF.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning application.

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

10. Conclusion

10.1. The proposed development would be in conflict with Paragraph 14 of the NPPF, Policy M1 of the Neighbourhood Plan, and Policy DM4 of the SADMP, however in this case the degree of harm is considered to be limited overall.

10.2. There are social benefits associated with the proposal, such as providing housing, and economic benefits associated with the construction of the dwelling and the future occupant's opportunity to act as new customers and employees for local businesses and services. The proposal would also make a minor contribution towards the LPAs identified 5YHLS shortfall and a moderate contribution towards the LPAs custom and self-build shortfall. Notwithstanding this, as the application proposal is for the provision of a single dwelling, these social and economic benefits are afforded limited weight, and the provision of a single self-build dwelling is afforded moderate weight.

10.3. Overall, it is considered that the benefits of allowing the development would outweigh the limited harm in this case, and the proposal is in compliance with the relevant Policies of the Core Strategy, SADMP, Markfield Neighbourhood Plan, and National Planning Policy Framework (December 2024) and should therefore be approved.

11. Recommendation

11.1. **Grant planning permission** subject to the following conditions:

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

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

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

- Site Location Plan - Drg No.WA 677 (04) 01
- Proposed Site Block Plan - Drg No.WA 677 (04) 03
- Proposed Site Plan - Drg No.WA 677 (04) 04
- Proposed Ground, First Floor Plans, Drg No.WA 677 (04) 05A
- Proposed Elevations, Drg No.WA 677 (04) 06A

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the Markfield Neighbourhood Plan (2021).

3. No development above foundation level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the dwelling hereby permitted have been deposited with and approved in writing by

the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy M10 of The Markfield Neighbourhood Plan (2021).

4. No development above foundation level shall take place until a scheme of hard and soft landscaping works, including boundary treatments, for the site, including an implementation scheme, has been submitted to and approved in writing by the Local Planning Authority. Thereafter scheme shall be carried out in full accordance with the approved landscaping and implementation scheme. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or are seriously diseased shall be replaced by trees or shrubs of a similar size and species (native) to those originally planted at which time shall be specified by the Local Planning Authority.

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

5. All mitigation measures and/or works shall be carried out in accordance with the details contained in the submitted Preliminary Ecological Appraisal (Elite Ecology, December 2024). This may 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).

6. Prior to the demolition of the existing building, a Precautionary Working Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to reptiles, amphibians, nesting birds, bats and hedgehog during the construction phase. The measures and/or works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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 in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies DPD (2016).

7. No development above foundation level shall be completed until a Biodiversity Enhancement Layout for biodiversity enhancements listed in the Preliminary Ecological Appraisal (Elite Ecology, December 2024) report shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Layout shall include the following:

a) detailed designs or product descriptions for biodiversity enhancements; and

b) locations, orientations and heights for biodiversity enhancements on appropriate drawings. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.”

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended) and in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies DPD (2016).

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

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies DPD (2016).

Informatives

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in BRE Digest 365, and the results approved by the Building Control Surveyor before development is commenced. The soakaway must be constructed either as a brick or concrete-lined perforated chamber with access for maintenance or alternatively assembled from modular surface water storage/soakaway cell systems, incorporating silt traps. Design and construction of all types of soakaway will be subject to the approval of the Building Control Surveyor.

3. Any proposed access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).
4. Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately, and a suitably qualified ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant. If a Bat is found during the works the ecological consultant or National Bat Helpline should be contacted for advice on: 0345 1300 228.

This matter is being dealt with by
Paul Wakefield

Waterfront House, Waterfront Plaza
35 Station Street, Nottingham, NG2 2DQ

Mr Sachin Parmer
Marrons

Our ref:
902173.12 PAW

By email only: sachin.parmer@marrons.co.uk

19 September 2024

Dear Sachin,

Land at Upper Grange Farm, Ratby Lane, Markfield

You have asked me to provide advice in relation to a potential application for the construction of a self-build dwelling on land at Upper Granger Farm, Ratby Lane, Markfield (which is part of the Borough of Hinckley & Bosworth).

Under the provisions of the Self-build and Custom Housebuilding Act 2015 (as amended) ('SCHA') Local Planning Authorities are obliged to keep and maintain registers of persons seeking to acquire serviced plots of land in the authority's area for their own self-build and custom housebuilding (s.1) ('the Register').

In accordance with s.2 of the SCHA the Local Planning Authority must have regard to the Register when carrying out their planning functions.

In accordance with s.2A SCHA a Local Planning Authority must give development permission for the carrying out of self-build and custom housebuilding on enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area in respect of each base period (and a base period is defined as being a 12 month period running from 31 October in each year).

Therefore, Hinckley & Bosworth Borough Council ('the Council') are under a statutory duty to ensure they grant sufficient planning permissions to meet the demand within their area in each 'base period'.

My understanding is that the Council's Register indicates an imbalance between the number of people who have registered an interest in seeking to acquire a serviced plot, and the number of serviced plots which have been permitted, and as such, the Council would appear to be in breach of their duty as set out in s.2A SCHA.

Paragraph 63 of the National Planning Policy Framework (December 23) requires Local Planning Authorities to establish the needs of different groups and reflect these in planning policies, and footnote 29 of the NPPF such groups include those persons seeking to commission or build their own homes. It is therefore incumbent upon each Local Planning Authority to seek to reflect the needs of their community for the provision of self-build units within planning policy and any failure to do so would be a material consideration in the planning balance.

I also note that whilst the Government are consulting upon changes to the NPPF, the consultation does not propose any changes to these provisions.

I understand that the Council do not currently have a 5 year housing land supply, and as a consequence the 'tilted balance' within the NPPF is engaged. Furthermore, as noted above, I understand that they currently have an identified shortfall in provision of self and custom build housing.

Whilst this is ultimately a matter for the decision taker, in circumstances where the tilted balance is engaged, and where there is an identified shortfall in available self-build and custom housebuilding plots, my view is that any application which seeks to address (in whole or in part) this shortfall of self-build and custom housebuilding units should be afforded significant positive weight in the overall planning balance.

Yours sincerely



Mr Patrick Godden

Self-Build & Custom Housebuilding Assessment

**Proposed Self-Build Dwellinghouse with
associated parking and landscaping**

**Upper Grange Farm, 1A Ratby Lane, Markfield,
Leicestershire, LE67 9RJ**





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APPENDICES

Appendix 1 Freedom of Information Response June 2024
Appendix 2 Freedom of Information Response October 2022



1. INTRODUCTION

- 1.1 This Report has been prepared by Marrons Planning on behalf of Mr and Mrs Godden and provides an assessment of self-build and custom build Housing need within Hinckley and Bosworth.
- 1.2 The Report is structured in the following way. Section 2 summarises Government Planning Policy relating to self-build and custom build house building, whilst Section 3 summarises the Council's most recent housing need evidence.
- 1.3 Section 4 of the Report analyses the demand for self-build and custom housebuilding plots within Hinckley and Bosworth, whilst Section 5 examines the Council's self-build supply position.



2. NATIONAL PLANNING POLICY CONTEXT

- 2.1 The National Planning Policy Framework (December, 2023) is very clear in requiring local authorities to support the Government's objective of significantly boosting the supply of homes, and in doing so considers it important that the needs of groups with specific housing requirements are addressed.
- 2.2 To this end Paragraph 62 of the NPPF confirms that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These are said to include those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.

Planning Practice Guidance

- 2.3 The Government has published separate self-build and custom housebuilding planning guidance to local authorities. It confirms that self-build and custom housebuilding cover a wide spectrum, from projects where individuals are involved in building or managing the construction of their home from beginning to end, to projects where individuals commission their home, making key design and layout decisions, but the home is built ready for occupation.
- 2.4 The Self-build and Custom Housebuilding Act 2015 provides for individuals, an association of individuals, or persons working with or for individuals or associations of individuals, to build or complete houses to be occupied as homes by those individuals. Paragraph 57-016 also states that in considering whether a home is self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout. Off-plan housing, homes purchased at the plan stage prior to construction and without input into the design and layout from the buyer, are not considered to meet the definition of self-build and custom housing. Paragraph 57-016 also confirms that the Community Infrastructure Levy Regulations (2010) allows for certain development such as self-build and custom build housing to apply for an exemption from the levy.
- 2.5 In assessing housing needs, local authorities should use the demand data from the register in its area, supported as necessary by additional data from secondary sources. This is used to understand and consider future need for this type of housing



in their area. The PPG confirms that secondary sources can include data from building plot search websites, enquiries for building plots recorded by local estate agents and surveys of local residents.

- 2.6 Paragraph 57-023 goes on to confirm that local authorities must give suitable development permissions to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area.
- 2.7 It also confirms that the level of demand is established by reference to the number of entries added to an authority's register during a base period. It clarifies that:

"The first base period begins on the day on which the register (which meets the requirement of the 2015 Act) is established and ends on 30 October 2016. Each subsequent base period is the period of 12 months beginning immediately after the end of the previous base period. Subsequent base periods will therefore run from 31 October to 30 October each year.

At the end of each base period, relevant authorities have 3 years in which to permission an equivalent number of plots of land, which are suitable for self-build and custom housebuilding, as there are entries for that base period."

- 2.8 Paragraph 57-014 sets out that the local authority's self-build and custom housebuilding register needs to be taken into account in preparing planning policies, and is a material consideration in decisions involving such proposals.

Laying the Foundations: A Housing Strategy for England (2011)

- 2.9 The Housing Strategy confirms the importance of the custom build industry to the national economy, and that there is huge untapped potential. Paragraph 68 confirms that there are over 100,000 people looking for building plots across the Country. The paragraph also references market research which indicates that one in two people would consider building their own home if they could.
- 2.10 The Government considers in paragraph 69 that by making it easier for ordinary people to build their own homes, there is the potential to deliver wider benefits of affordable, greener and innovatively designed homes to make a significant contribution to the number of new homes built in this Country.



- 2.11 The Government confirms in paragraph 71 that it wants to make building your own home a mainstream housing option, and an affordable way of building a place people are proud to call home.

The Self-Build and Custom Housebuilding Act (2015)

- 2.12 As summarised in the Planning Practice Guidance, the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) placed a legal duty on local authorities to keep a register of individuals, and associations of individuals who are seeking to acquire serviced plots of land in the authority's area, for their own self-build and custom housebuilding.

The Housing and Planning Act (2016)

- 2.13 Section 10 of the Act confirms that an authority must give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area arising in each base period.
- 2.14 It also confirms that the demand for self-build and custom housebuilding arising in an authority's area in a base period is the demand as evidenced by the number of entries added during that period to the register (under section 1) kept by the authority.

The Self-Build and Custom Housebuilding (Time for Compliance and Fees) Regulations (2016)

- 2.15 Section 2 confirms that the time allowed for an authority to comply with the duty to grant planning permissions in relation to any base period, is the period of 3 years beginning immediately after the end of that base period.

House – Independent Review into Scaling up Self-Build and Custom Housebuilding (August 2021)

- 2.16 The independent review (the Bacon Review) commissioned by the former Prime Minister was led by Richard Bacon MP. In the review's report Richard Bacon makes recommendations to Government, on how to support growth in all parts of the custom and self-build market, helping to boost capacity and overall housing supply in the housing market. The opening letter by the former Prime Minister outlined that self-build and custom housebuilding can play a crucial role in increasing choice for consumers and ensuring people can live in the homes that they want, and that are designed to meet their needs. The former Prime Minister confirmed the intention of



the review is to increase the availability of serviced plots of land across England, boosting capacity and overall supply.

2.17 In its response to the Independent Review, the Government confirmed that¹:

“While some local authorities are pro-active in their response to the legislation, others are not and have not permissioned sufficient plots to meet their statutory duties. Lack of suitable land is a key barrier to allowing individuals and families to build their own homes and we need local authorities to play their part in both planning for and permissioning suitable land to ensure self-commissioned homes can become a mainstream housing option for people moving home.”

Self-build and custom housebuilding in the UK: An Evidence Review (January 2022)

2.18 The Review prepared on behalf of the Cambridge Centre for Housing and Planning Research and Places for People was published in January 2022. The Review makes a number of recommendations necessary to boost the development of the sector, this includes addressing the lack of clarity in the assessment of the share of self-build and custom housebuilding in the UK; the scaling up of Government interventions; and the constraints associated with self-build.

2.19 In relation to the lack of a commonly agreed approach to estimating the size of the self-build and custom housebuilding market in the UK, the review recommends that the Department for Levelling Up, Housing and Communities (DLUHC) partner with organisations who hold data associated with self-build and custom housebuilding to bring together and consolidate the available evidence on the size of the market.

2.20 The Review presents a number of methods for calculating demand. Evidence presented in the Review based on VAT refunds shows that the sector constitutes between 7% and 10% of all new housing completions per year across the UK (1996 – 2011). However, this calculation potentially underestimates this proportion given that it excludes people who were either unsuccessful in their application or were unaware

¹ Independent review into scaling up self-build and custom housebuilding: government response, June 2022



of the refund process. The Bacon Review (2021) notes that between 83% and 87% of the general public were unaware of the availability of VAT refunds.

- 2.21 The Review also refers to a second data based approach drawing upon completions data from a range of sources, from which the (National Custom and Self Build Association) NaCSBA arrives at an estimate of 13,210 self-build and custom housebuilding completions in 2018-19. The Review goes on to refer to a 7 year forecast by the NaCSBA, which assesses 3 growth scenarios (based upon the level of Government support). The forecasts suggest that, with the Government's full support, the cumulative impact to the sector could reach 91,000 self-build and custom housebuilding completions by 2025 (an almost 700% increase against current completions), but if current trends persist (without Government intervention) the market will add 21,500 new homes per annum by 2025 (a 162% increase against current completions) – the higher of these figures broadly reflecting the demand expressed in the Bacon Review of 100,000 per annum, significantly in excess of local authority right to build registers.



3. LOCAL PLANNING POLICY EVIDENCE RELATING TO SELF-BUILD AND CUSTOM BUILD HOUSING

Hinckley & Bosworth Core Strategy (2006 - 2026)

- 3.1 The Hinckley and Bosworth Core Strategy was adopted in December 2009, pre-dating the Government's National Planning Policy Framework and associated Practice Guidance.
- 3.2 The Adopted Core Strategy makes no reference to self-build or custom house building.

Hinckley & Bosworth Consultation Draft Local Plan (2020 – 2039)

- 3.3 The Regulation 19 Consultation Draft Local Plan was published in February 2022. The Local Development Framework (December 2022) has since extended the Draft Plan to 2041.
- 3.4 Policy HO06 relates to Self-build and Custom Housing. It confirms that self-build and custom housing will be supported to provide a mix of house types and meet self-build and custom housing needs. It further identifies that sites providing 100 or more dwellings must include the provision of 5% of plots for self-build and custom housing.
- 3.5 It goes on to explain that there is demand from people to build or commission their own homes and that this could help boost the supply of new housing, and that these schemes may involve the development of individual homes on a single plot or a number of homes as part of a community housing project.
- 3.6 Paragraph 7.21 acknowledges that local planning authorities are required to maintain a register of those people who have expressed an interest in a serviced plot of land for self-build and custom housebuilding, and that the Council is required to grant sufficient development permissions in respect of serviced plots to meet the demand.
- 3.7 It goes onto confirm that as of October 2021, 17 expressions of interest had been registered, of which none were registered prior to October 2018. In contrast it states that permission has been granted for 5 self-build plots up to October 2021. The Council consider that this means the self-build delivery requirement for the Borough has been met to date, but there is a requirement to provide at least 12 self-build plots by October 2024 to meet the residual requirement.



- 3.8 We review the Council's self-build register in further detail later within the Report, however it is important to note that paragraph 7.21 is incorrect, as the Council retrospectively removed individuals from its Register in Summer 2021 (as confirmed in FOI response received in 2022 (Appendix 2)). The figures referred to in paragraph 7.21 are therefore misleading and are no guide to establishing future need.

Housing and Economic Development Needs Assessment (HEDNA) January 2017

- 3.9 The 2017 HEDNA² formed part of the Local Plan Review evidence base. Paragraphs 9.55 to 9.59 of the HEDNA provide detail of Self and Custom Build demand, with evidence provided by Buildstore confirming that some 157 people had registered as looking to build in Hinckley and Bosworth, with a further 673 subscribers to the Plotsearch service (p.151)
- 3.10 Paragraph 9.59 confirms that the Report's authors would expect more new delivery to be on small windfall sites, although it considers that there is some potential through policy to encourage developers of large schemes to designate parts of these as plots available for custom-build.

Hinckley & Bosworth Housing Need Study, November 2019

- 3.11 The Housing Need Assessment³ is understood to provide an update to the previously prepared HEDNA (summarised above), as well as providing analysis at a smaller area level.
- 3.12 Paragraph 8.15 confirms that the Hinckley & Bosworth self-build register assessed over the 3 year period to October 2019 shows that there has been a total of 60 registered expressions of interest in a serviced plot of land in the Borough.
- 3.13 Of those 60 registrants, the following registered in each respective base period:
- Base period 1 (ending October 2016) = 11
 - Base period 2 (ending October 2017) = 26
 - Base period 3 (ending October 2018) = 12
 - Base period 4 (October 2018 – March 2019) = 11

² GL Hearn [HEDNA - Housing and Economic development needs assessment | Hinckley & Bosworth Borough Council \(hinckley-bosworth.gov.uk\)](https://www.hinckley-bosworth.gov.uk/hedna)

³ Hinckley and Bosworth Housing Need Study: [Housing Needs Study Nov 2019 \(1\).pdf](#)



- 3.14 This would appear to contradict the statement within the Draft Local Plan which considered that there were only 17 registrations by October 2021, with none apparently recorded prior to October 2018. This reflects the fact that the Council rationalised its register since the preparation of this Housing Needs Study, retrospectively removing individuals on its Register.
- 3.15 Nonetheless, the figures reported in the Housing Need Study provide an indication of likely demand based upon those individuals who have registered interest with the Council.
- 3.16 Importantly, paragraph 8.17 of the Housing Needs Study also notes that only one in eight people interested in self-build were aware of the introduction of Right to Build Registers in England. As a result it considers that the number of expressions of interest on a local authority's self-build register may underestimate demand.
- 3.17 As a result, the Housing Need Study also obtained data from Buildstore, who own and manage the largest national database relating to the demand and supply for self and customer build properties in the UK. Paragraph 8.20 confirms that 284 people were registered with Buildstore as looking to build in Hinckley and Bosworth, with a further 865 subscribers to their Plotsearch service which tracks self-build land opportunities. It is interesting to note that this is the same exercise as undertaken in the 2017 HEDNA (above), with the number of people registering with Buildstore substantially increasing from a figure of 157 in January 2017 to 284 in November 2019.
- 3.18 The Housing Need Study also considers, in paragraph 8.21, that this suggests there is a sizeable level of demand for serviced plots for self-build and custom housebuilding which hasn't yet been reflected in the Council's own self-build register – with an additional 224 registrants on the Buildstore register beyond the 60 expressed on the Council's register (in March 2019).
- 3.19 Furthermore, paragraph 8.22 goes on to reference separate research by the National Customer and Self-Build Association (NaCSBA), which confirmed a potential need for 1,873 plots within Hinckley and Bosworth.
- 3.20 Separately, the Housing Need Study helpfully summarises the demand for self-build as expressed by local agents. Across the Borough, agents were said to have stressed a notably high level of demand from individuals looking to build their own home.



- 3.21 It would therefore appear, based upon evidence presented within the Council's Housing Need Study that demand for self and custom build housing within the Borough is far greater than that considered within the Council's Draft Local Plan, and set out in its self-build register.

Self-build and Custom Housebuilding Register

- 3.22 The Council has a webpage dedicated to self-build and custom build housing with details of how to register⁴. We have requested further information from the Council, through a Freedom on Information Request, on how it alerts those on its Register to suitable permissions. The Council has confirmed (Appendix 1) that it contacts those on its Register *'by email, however most permissions are self-build projects for the applicant themselves'*.
- 3.23 The Council has also confirmed that it does not operate a local connection tests or fees.

⁴ Hinckley and Bosworth Council: [Overview | The Self-build and Custom Housebuilding Act 2015 | Hinckley & Bosworth Borough Council \(hinckley-bosworth.gov.uk\)](#)



4. SELF-BUILD & CUSTOM HOUSEBUILDING DEMAND IN HINCKLEY & BOSWORTH

- 4.1 There are a number of means by which demand for self-build and custom housebuilding can be calculated. The Planning Practice Guidance confirms that in assessing housing needs, local authorities should use the demand data from the register in their area, supported as necessary by additional data from secondary sources. This is used to understand and consider future need for this type of housing. The PPG confirms that secondary sources can include data from building plot search websites, enquiries for building plots recorded by local estate agents and surveys of local residents.
- 4.2 The Bacon Review ('House') provides a helpful summary of the indicators of demand. It confirms that there are two broad custom and self-build demand indicators: survey-based and Right to Build Registers. Noting that the terms 'right to build' and 'self-build' are used interchangeably.
- 4.3 In respect of the Right to Build Register the Bacon Review considers that the consolidated figures show a demand of just over 16,000 registrations per year. However, it also confirms that there are several reasons why the Register may not reflect the full extent of demand for Custom Self-Build. The Bacon Review explains that a number of local authorities impose some restrictions on joining the Register, which may present a barrier to individuals wishing to register. In the case of Hinckley & Bosworth as we have detailed above, there are no such restrictions.
- 4.4 However, the Report also goes on to confirm that not all of those wishing to custom self-build are aware of the Register. It quotes from the NaCSBA VAT Recovery Survey which suggested only 42% of respondent custom self-builders were aware of the Register, whilst between 83% and 87% of the general public were unaware according to YouGov polling for NaCSBA⁵. For these reasons the Bacon Review suggests that it is very likely that the annual demand for custom self-build is significantly higher than that reported through the Right to Build Registers.
- 4.5 The Bacon Review also outlines the survey-based approach confirming that a long time-series of general population surveys have shown a significant level of public interest in custom self-build. It confirms that studies have consistently shown that

⁵ <https://nacsba.org.uk/news/1-in-3-adults-interested-in-self-building/>



- around a third of the general population are ‘interested’ in self-build, whilst YouGov polling for NaCSBA⁶ shows 12% being ‘very interested’.
- 4.6 The Bacon Review considers that given that these were representative surveys, ‘aspirational demand’ can be gauged by assuming 12% to 33% of all households would like to custom self-build. However, the Report considers there to be a distinction between aspirational demand and effective demand – effective demand takes account of budget constraints (and availability of finance). The Report considers that the number of transactions in the housing market is a reflection of effective demand – confirming there to have been 1.1 million housing transactions a year in England (according to HMRC stamp duty data).
- 4.7 In calculating effective demand for custom self-build across England the Report applies a range of between 12% and 33% to the transactions data of 1.1 million to arrive at a demand figure of between 132,000 and 363,000 households per annum who wish to custom self-build, and have a means of doing so.
- 4.8 In concluding on demand, the Report takes account of both Right to Build Registration data, as well as survey findings, and considers that true demand for custom self-build in England is at least 30,000 a year, as a minimum, and could conceivably be as high as 100,000 homes a year.
- 4.9 It is possible, using the same approach as the Bacon Review to estimate demand for custom self-build in Hinckley and Bosworth. HMRC confirm that the number of Stamp Duty Land Transactions (SDLT) within Hinckley and Bosworth totalled 2,600 in 2022/23. Applying the same range of between 12% and 33% of households who would like to custom self-build to the SDLT transaction (2,600 per annum) results in an effective demand within Hinckley and Bosworth for custom self-build of between 312 and 858 plots per annum.
- 4.10 Research undertaken in the House of Commons Library Briefing Paper – Self-build and custom build housing (March 2017)⁷, considered that whilst there was no conclusive figure for the number of self/custom build properties completed each year, the generally accepted estimate is that self-build accounts for between 7-10% of new

⁶ <https://nacsba.org.uk/news/1-in-3-adults-interested-in-self-building/>

⁷ House of Commons Library Briefing Paper, Self-build and custom build housing, Number 06784, March 2017



housing across the UK, equating to 12,000 per annum at the time of the analysis⁸. A range broadly consistent with that calculation based upon VAT refunds undertaken by Cambridge Centre for Housing and Planning Research.

- 4.11 The Briefing Paper also references AMA Market Research⁹, which predicts that the self-build market is expected to grow steadily by around 7-10% per annum to 2020 (the end of the period of analysis). The research also suggests that demand is suppressed, with a significant level of unmet demand.
- 4.12 Applying the rate of self/ custom build completions referred to above (7-10%) to Hinckley and Bosworth's overall housing need (under Standard Method totalling 452 dwellings per annum), would suggest that the level of self/ custom build within Hinckley and Bosworth, should according to national averages, total some 32 - 45 plots per annum, growing by 7 – 10% per annum.
- 4.13 Separately, the Council has confirmed through a Freedom of Information request (Appendix 1) that as of July 2024, there were a total of 48 individuals (and 0 associations) on its Right to Build Register. Over the course of the 7 most recent complete base periods which have passed (excluding the partial years of base period 1 and the current year), this would suggest that an average of approximately 6 individuals and associations are added to the Register each year, noting that in the 3 most recent complete years the average increases to 14 per annum. However, with reference to the FOI, (Appendix 2) the Council undertook a review of its RTB register in Summer 2022. We review the implications of this in the following section, but it is clear that volumes on the original register would have the effect of increasing the annual average number of registrants to approximately 15 per annum across all complete base periods.

Summary of Self-Build Demand

- 4.14 In summary, the Council's Right to Build Register currently totals 48 individual registrants who have registered over the past 7 years. The Register appears to be growing at a rate of approximately 6 registrants per annum.

⁸ Ibid, original source – Build-it-yourself? Understanding the changing landscape of the UK self-build market, Centre for Housing Policy, 2013

⁹ Ibid, page 5 (source Self-build Housing Market Report-UK 2016-2020 Analysis (Summary), AMA Market Research



- 4.15 However as detailed above, the Council rationalised its register in Summer 2021. Accounting for removed records, the average number of registrants has increased by 15 per annum over all complete base periods.
- 4.16 Survey based methods of establishing demand indicate a need of between 312 and 858 plots per annum based upon a proportion of Stamp Duty Land Tax transactions within Hinckley and Bosworth reflecting what is considered to be effective demand for Self-Build homes within the housing market.
- 4.17 Separately, national indicators of self-build completions applied to the Standard Method based housing need within Hinckley and Bosworth would suggest a need for between 32 - 45 self-build plots per annum.
- 4.18 Whilst there is significant variation in the estimates of demand it is clear that based simply upon the Council's current rationalised Right to Build Register there exists a total of 48 individuals who have, to date, expressed interest in self-build and that this figure increases to an higher average per annum in more recent years, this figure increases to 117 after accounting for removed records. True demand could however be far greater than this figure.



5. SELF-BUILD & CUSTOM HOUSEBUILDING SUPPLY IN HINCKLEY & BOSWORTH

- 5.1 As detailed earlier within this Report, the Council has a legal duty to permission an equivalent number of plots of land, which are suitable for self-build and custom housebuilding, as there are entries for that base period over the following three years.
- 5.2 This is important and whilst the Council has sought to rationalise records in prior years, its legal duty is to meet number of registrants which had expressed an interest in self/custom build during each base period. As such the Council is tested against numbers on its original register.
- 5.3 The following table provides a summary of the Council's self-build register for each base period, and includes a column (pre summer 2021) which sets out the original number of registrants in each of the base periods prior to Summer 2021.

Table 5.1 Self-build and Custom Housebuilding Register – Hinckley and Bosworth

Base Period	Individuals (Post Summer 2021)	Individuals (Pre Summer 2021)	Associations	Plots Permission Issued
1 - (up to 30/10/2016)	0	11	0	0
2 - (up to 30/10/2017)	1	26	0	1
3 - (up to 30/10/2018)	0	12	0	0
4 - (up to 30/10/2019)	1	12	0	10
5 - (up to 30/10/2020)	1	11	0	1
6 - (up to 30/10/2021)	16	16	0	0
7 - (up to 30/10/2022)	15	15	0	3
8 - (up to 30/10/2023)	10	10	0	3
9 - (from 31/10/2023 to date 24/06/24)	4	4	0	0
Total	48	117	0	16
Average Base Periods 2-8	6	15	0	2

Source: Hinckley and Bosworth Council FOI (October 2022, and June 2024) and DLUHC Right to build registers monitoring: data for 2016-22.

- 5.4 A comparison of both registers (before and after the summer 2021 consultation) demonstrates that there would appear to be on average 15 new individuals to the Council register each year, which broadly tallies with the latest figures for Base Period 6 and 7.



5.5 Regarding the local area, within the FOI (Appendix 1) the Council note, during base period 7 (up to 30/10/2022), two individuals expressed interest in a rural setting between Markfield, Thornton, and Botcheston. In period 8 (up to 30/10/2023), two people allocated their interest to Bagworth, Markfield, Thornton, Stanton under Bardon, and Copt Oak (LE67 postcode).

5.6 We detail the degree to which the Council has met its self-build obligations within each Base Period below:

Base Period 1

5.7 Original records show a total of 11 registrants in base period 1. As set out in the Councils monitoring position (July, 2024)¹⁰ it has subsequently reduced this figure to 0. However, legislation dictates that the Council must permit an equivalent number of plots to numbers on its register at the end of the base period. It had until October 2019 (end of base period 4) to permit 11 plots. As set out in Table 5.1 above, the Council permitted 10 plots in base period 4, one short of what was required to meet requirements against its register in base period 1.

Base Period 2

5.8 Original records show 26 registrants in base period 2, the Council has subsequently reduced this figure to one individual register. However, as set out above the Council is required to permit a sufficient number of plots against numbers on its register at the end of base period 2 (that being 26) It had until October 2020 to do this.

5.9 In addition to the 10 plots permitted in base period 4 (which partially addressed need in base period 1), the Council permitted one further plot in base period 5 (ie to the end of October 2020). The Council were therefore 25 plots short of meeting its legal obligations in addressing base period 2's need.

Base Period 3

5.10 Original records show a total of 12 registrants in base period 3. The Council has since reduced this to one registrant. Over the following three base periods to the end of base period 6 (October 2021) the Council permitted no further plots beyond those which

¹⁰ Hinckley and Bosworth Council: [Latest monitoring position | The Self-build and Custom Housebuilding Act 2015 | Hinckley & Bosworth Borough Council \(hinckley-bosworth.gov.uk\)](#)



met the needs of previous base periods. As such the Council was 12 plots short of meeting base period 3 needs.

Base Period 4

- 5.11 Original records show a further 12 registrants in base period 4. The Council has reduced this figure to 1. Over the subsequent 3 years to the end of base period 7 (October 2022), over and above those permissions referred to above, the Council permitted a further 3 plots in base period 7, partially meeting base period 4's needs.
- 5.12 During this period, 5 self/custom builds schemes were granted, totalling 10 plots, which as detailed above helped meet the needs identified on the Council's base period 1 register i.e those which expressed an interest in the first year of the register ending October 2016:
- 1x self-build plot in Twycross (19/00657/REM) approved in June 2019.
 - 1x self-build plot in Burbage (18/00903/FUL) approved in December 2018.
 - 1x self-build plot in Nuneaton (18/01168/OUT) approved in January 2019.
 - 6x self-build plots in Barwell (18/00974/FUL) approved in November 2018.
 - 1x Conversion in Earl Shilton from Dairy to dwelling (18/01273/FUL) in March 2019.

Base Period 5

- 5.13 Original records show 11 registrants in base period 5. The Council subsequently reduced this figure to 1. Over the subsequent 3 years to the end of base period 8 (October 2023) the Council permitted a further 3 plots in base period 8, helping to partially meet identified need in base period 5.
- 5.14 The Council permitted one additional plot in base period 5, accounted for in meeting needs of earlier base periods as identified above. This is as follows:
- Demotion of bungalow and erection of one two storey dwelling (19/01359/FUL) in March 2020

Base Period 6



- 5.15 The Council has recorded 16 registrants in base period 6, the need for which can be met over the subsequent 3 years to the end of base period 9 – i.e October 2024. The Council has recorded no permissions in base period 9, and those in earlier base years (6 and 7) have already been accounted for in partially meeting needs for earlier base periods. As such the Council has until October 2024 to permit 16 plots.

Base Period 7

- 5.16 A further 15 individuals registered interested during this base period. The Council has until October 2025 to permit a sufficient number of plots to meet this need.
- 5.17 During base period 7 the Council permitted 3 plots, as follows, however as detailed above these only helped meet partial needs identified within earlier base periods.
- 1x Dwelling in Botcheston (21/00887/FUL) in June 2022
 - Construction of two detaching dwellings in Nuneaton, (21/00661/FUL) in January 2022

Base Period 8

- 5.18 The Council has recorded a further 10 individuals on the register, and will be required to permit an equivalent number of plots by the end of October 2026.
- 5.19 During base period 8 it permitted three plots, as follows (noting that the FOI response has only provided details of two permissions). As detailed above this assisted in partially meeting needs within earlier base periods.
- Two storey dwelling house in Burbage (22/01102/FUL) in January 2023.
 - Demolition and erection of replacement dwelling (23/00327/FUL) June 2023

Base Period 9 (to June 2024)

- 5.20 Over the period to June 2024 the Council has added a further 4 individuals to its the register.
- 5.21 It is clear from the above analysis that the Council, has at no point, met its statutory obligations relating to meeting self/ customer build demand within the 3-year period from each of the proceeding base years.



- 5.22 Indeed, the above analysis shows that it is on average permitting 2 plots per annum, compared to annual need of 15 registrants. There remains a requirement to meet the needs of 16 registrants by the end of October 2024.
- 5.23 It is also clear that the Council will need to plan and provide for a significant increase in self-build plots in future years based upon the known number of registrants in more recent base periods.
- 5.24 A review of self-build plots advertised for sale on buildstore.co.uk (PlotStore) identifies one plot which is for sale in Desford (with DPP) for demolition of a former riding school barn and erection of one new dwelling. A similar search on Plot Browser has identified two further plot in Burbage (for the permission of one home, with an additional application going through to increase the property to being 3,550 sqft), and Hinckley (planning permission of erection of two detached dwellings) both added in 2024.
- 5.25 As a consequence, and given the above analysis, the Council does not have a pipeline of self-build plots. On this basis there would appear to be a significant self/custom build supply issue in Hinckley and Bosworth.



6. SUMMARY & CONCLUSION

- 6.1 This Report has been prepared by Marrons on behalf of Mr and Mrs Godden and provides an assessment of self-build and custom build Housing need within Hinckley and Bosworth.
- 6.2 Government and National Planning Policy is clear in its requirement to significantly boost the supply of new homes – and the Government continues to pursue new housing delivery of 300,000 homes per annum. In doing so it considers it important that the needs of groups with specific housing requirements are addressed, including people wishing to commission or build their own homes. Local authorities also have a statutory requirement to permission a sufficient number of plots to meet demand in their area, based upon the number of entries added to an authority's register during a base period – the local authority has 3 years in which to permission an equivalent number of plots. The Government's Right to Build Register Monitoring reports that across England there were 12,263 new registrants in 2020/21, a 31% increase on the previous year.
- 6.3 The Council has confirmed through a Freedom of Information request (Appendix 1) that as of February 2023, there were a total of 48 individuals and associations on its Right to Build Register within Hinckley and Bosworth. However, it is clear that the Council rationalised its register in Summer 2021 omitting many individuals who registered prior to this. A review of the governments RTB monitoring register as shown in Table 5.1 confirms there to be a total of 117 registrants over this period, averaging 15 per annum (over complete base periods 2-8).
- 6.4 Over the course of the complete base periods which have passed, this would suggest that an average of 15 registrants were added to the Register each year, which has remained broadly consistent.
- 6.5 However, there is general consensus within Government research and other evidence that local authority self and custom build registers' are not representative of the full demand, and as such the need for more self and custom build plots. This is largely due to a lack of awareness in the general public. Government guidance recommends that when assessing the need for self/ custom build plots, in addition to assessing numbers on a local authority's Right to Build Register that they also draw from secondary data sources.



- 6.6 This would suggest that current demand for self-build within Hinckley and Bosworth is significantly in excess of that which can be derived from the Council's Register, and that demand continues to grow.
- 6.7 In contrast the Council has only permitted 16 plots since 2016, an average of 2 per annum, and has yet to meet its statutory obligations in permitting sufficient plots to meet numbers of its register (within a 3 year period).
- 6.8 At present the Council has until October 2024 to meet the needs of 16 individuals who registered during base period 6.
- 6.9 We have also undertaken a search of self-build plots for sale, with the two main websites Plotsearch and Plot Browser identifying 3 available plots within Hinckley and Bosworth District.
- 6.10 **The evidence presented within this Report demonstrates a clear and significant demand for self-build and custom build plots within Hinckley and Bosworth.** The Proposed Development will make a contribution towards the Borough's housing supply, meeting a local need for self-build and custom building plots, which should be afforded significant weight, particularly in the absence of any identifiable future supply of self/ custom build plots which will address needs identified from the Council's Right to Build Register.

Dear Ms Isabelle Woodville-Hill,

Freedom of Information Request - Case Ref/ HBC01543

I am writing in response to your request for information which was received on the 24/06/2024 and has been dealt with under the Freedom of Information Act 2000 ("the Act"). Further details about the way in which requests are dealt with under the Act can be found on our website at:-

https://www.hinckley-bosworth.gov.uk/info/200241/freedom_of_information_foi_requests

The information you requested is enclosed.

Date from: 31/10/2015

Date to: 24/06/2024

1. The number of individuals on the Council's Self Build and Custom Housebuilding register in each of the following base periods:

- a. Period 1 (up to 30/10/2016) – 0
- b. Period 2 (up to 30/10/2017) - 1
- c. Period 3 (up to 30/10/2018) - 0
- d. Period 4 (up to 30/10/2019) - 1
- e. Period 5 (up to 30/10/2020) - 1
- f. Period 6 (up to 30/10/2021) - 16
- g. Period 7 (up to 30/10/2022) - 15
- h. Period 8 (up to 30/10/2023) - 10
- i. Period 9 (from 31/10/2023 to date 24/06/24) – 2 added before 24/06/24, however 2 more added since (4 total)

Total: 48 individuals

2. The number of associations of individuals on the Council's Self Build and Custom Housebuilding register in each of the following base periods:

- a. Period 1 (up to 30/10/2016) – 0
- b. Period 2 (up to 30/10/2017) – 0
- c. Period 3 (up to 30/10/2018) – 0
- d. Period 4 (up to 30/10/2019) – 0
- e. Period 5 (up to 30/10/2020) – 0
- f. Period 6 (up to 30/10/2021) – 0
- g. Period 7 (up to 30/10/2022) – 0
- h. Period 8 (up to 30/10/2023) – 0
- i. Period 9 (from 31/10/2023 to date 24/06/24) – 0

N/A - There are no associations of individuals on the register.

3. The number of individuals on the Council's Self Build and Custom Housebuilding register in each of the following base periods specifying the Markfield and Groby as their preferred location:

- a. Period 1 (up to 30/10/2016) – 0
- b. Period 2 (up to 30/10/2017) – 0
- c. Period 3 (up to 30/10/2018) – 0
- d. Period 4 (up to 30/10/2019) – 0

- e. Period 5 (up to 30/10/2020) – 0
 - f. Period 6 (up to 30/10/2021) – 0
 - g. Period 7 (up to 30/10/2022) – 2
 - Rural setting between Markfield, Thornton and Botcheston
 - Markfield
 - h. Period 8 (up to 30/10/2023) – 2
 - Bagworth, Markfield, Thornton, Stanton under Bardon, Copt Oak (LE67 post code)
 - Markfield
 - i. Period 9 (from 31/10/2023 to date 24/06/24) – 0
- Total: 4 individuals mention Markfield directly in their preferred location. Zero individuals mention Groby directly in their preferred location.

4. The number of associations of individuals on the Council's Self Build and Custom Housebuilding register in each of the following base periods specifying Markfield and Groby as their preferred location:

- a. Period 1 (up to 30/10/2016) – 0
 - b. Period 2 (up to 30/10/2017) – 0
 - c. Period 3 (up to 30/10/2018) – 0
 - d. Period 4 (up to 30/10/2019) – 0
 - e. Period 5 (up to 30/10/2020) – 0
 - f. Period 6 (up to 30/10/2021) – 0
 - g. Period 7 (up to 30/10/2022) – 0
 - h. Period 8 (up to 30/10/2023) – 0
 - i. Period 9 (from 31/10/2023 to date 24/06/24) – 0
- N/A - There are no associations of individuals on the register.

5. The date on which the Council commenced its Self-Build and Custom Housebuilding register?

The exact date is not known however it was March 2016.

6. The Council's entry requirements for joining its Self-Build Register.

To apply to be on the register as an individual or as a member of an association of individuals, you must be:

- Aged 18 or older
- A British citizen, a national of the European Economic Area (EEA) ([GOV.UK](https://www.gov.uk)), other than the - United Kingdom, or a national of Switzerland
- Seeking (either alone or with others) to acquire a serviced plot of land in the relevant authority's area to build a house to occupy as that individual's sole or main residence

7. Does the Council apply a local connection or other test to facilitate joining the Register?

Hinckley & Bosworth Borough Council currently has no local connection tests or fees.

8. The number of (and application references for) Self Build and/or Custom Housebuilding permissions the Council granted in each of the following base periods:

- a. Period 1 (up to 30/10/2016) – 0
- b. Period 2 (up to 30/10/2017) – 0

c. Period 3 (up to 30/10/2018) – 0
 d. Period 4 (up to 30/10/2019) – 5 (ref 19/00657/REM, 18/00903/FUL, 18/01168/OUT, 18/00974/FUL and 18/01273/FUL)
 e. Period 5 (up to 30/10/2020) - 1 (ref 19/01359/FUL)
 f. Period 6 (up to 30/10/2021) – 0
 g. Period 7 (up to 30/10/2022) - 3 (ref 21/00887/FUL and 21/00661/FUL)
 h. Period 8 (up to 30/10/2023) – 3 (ref 22/01102/FUL, 23/00327/FUL and)
 i. Period 9 (from 31/10/2023 to date 24/06/24) - N/A yet - monitoring is ongoing and completed in accordance with the timeframes of the Government's DELTA returns.
 Total: 12 permissions included within published supply.

9. Of the above, how many had the term 'self build' or 'custom build' or variants thereof in the description of development or planning officers report in each of the following base periods:

a. Period 1 (up to 30/10/2016) – 0
 b. Period 2 (up to 30/10/2017) – 0
 c. Period 3 (up to 30/10/2018) – 0
 d. Period 4 (up to 30/10/2019) – 1 (other evidence is available)
 e. Period 5 (up to 30/10/2020) – 0 (other evidence is available)
 f. Period 6 (up to 30/10/2021) – 0
 g. Period 7 (up to 30/10/2022) – 1 (other evidence is available)
 h. Period 8 (up to 30/10/2023) – 1 (other evidence is available)
 i. Period 9 (from 31/10/2023 to date 24/06/24) - N/A yet

10. How does the Council monitor Self Build and Custom Housebuilding permissions and completions?

Permissions are monitored through the Development Management application process. Self-build and custom housebuilding completions are not required to be monitored through the self-build legislation. All residential completions can be obtained from the Council's residential land availability (RLA) monitoring statements.

11. How does the Council alert individuals and associations of individuals on its Self-Build and Custom Housebuilding Register to any self-build and custom housebuilding permissions it grant?

Hinckley & Bosworth Borough Council would alert those on the Register via email if any there are any available serviced plots, however most permissions are self-build projects for the applicant themselves.

12. How has the Council publicised the existence of its Self-Build and Custom Housebuilding Register? When did this first take place?

Hinckley & Bosworth Borough Council has published its Self-Build and Custom Housebuilding Register on the website and within the Authority Monitoring Report. The Register has been published since it started: https://www.hinckley-bosworth.gov.uk/info/200074/planning_and_building_control/1246/the_self-build_and_custom_housebuilding_act_2015

Hinckley & Bosworth Borough Council has recently created additional web pages which are dedicated to publicising our Self-Build and Custom Housebuilding Register, including demand and monitoring data, which is updated on a quarterly basis.

13. If the Council are counting CIL Self-Build Exemptions towards meeting demand, then please advise how many of these have been subject to a CIL Form 7 Part 2 in each of the following base periods:

- a. Period 1 (up to 30/10/2016) – 0
- b. Period 2 (up to 30/10/2017) – 0
- c. Period 3 (up to 30/10/2018) – 0
- d. Period 4 (up to 30/10/2019) – 0
- e. Period 5 (up to 30/10/2020) – 0
- f. Period 6 (up to 30/10/2021) – 0
- g. Period 7 (up to 30/10/2022) – 0
- h. Period 8 (up to 30/10/2023) – 0
- i. Period 9 (from 31/10/2023 to date 24/06/24) – 0

N/A - Hinckley & Bosworth Borough Council does not have CIL.

In future, you may wish to view our dedicated web pages before submitting a request which are updated quarterly and contain much of this information:

https://www.hinckley-bosworth.gov.uk/info/200074/planning_and_building_control/1246/the_self-build_and_custom_housebuilding_act_2015

This Freedom of Information Request is made in light of paragraph 62 of the National Planning Policy Framework (the NPPF), which is clear in stating that Local Planning Authorities should cater for needs of different groups in the community, including those people 'wishing to commission or build their own homes'.

A formal request is made for the LPA to provide the information requested in the following:

1. The number of individuals on the Council's Self Build and Custom Housebuilding register in each of the following base periods:
 - a. Period 1 (up to 30/10/2016) -
 - b. Period 2 (up to 30/10/2017) -
 - c. Period 3 (up to 30/10/2018) -
 - d. Period 4 (up to 30/10/2019) -
 - e. Period 5 (up to 30/10/2020) -
 - f. Period 6 (up to 30/10/2021) -
 - g. Period 7 (from 30/10/2021 to date (03/10/2022) –

The number of individuals that joined the Council's Self Build and Custom Housebuilding register in each of the following base periods as defined under the Self-Build and Custom Housebuilding Act 2015 (as amended):

- a. Period 1 (up to 30 October 2016) - 11
- b. Period 2 (31 October 2016 to 30 October 2017) - 26
- c. Period 3 (31 October 2017 to 30 October 2018) - 12
- d. Period 4 (31 October 2018 to 30 October 2019) - 12
- e. Period 5 (31 October 2019 to 30 October 2020) - 11
- f. Period 6 (31 October 2020 to 30 October 2021) – 22

Following the consultation over summer 2021 the following is the new register which the Council currently publish instead of the above:

- a. Period 1 (up to 30 October 2016) - 0
- b. Period 2 (31 October 2016 to 30 October 2017) - 1
- c. Period 3 (31 October 2017 to 30 October 2018) - 0
- d. Period 4 (31 October 2018 to 30 October 2019) - 1
- e. Period 5 (31 October 2019 to 30 October 2020) - 1
- f. Period 6 (31 October 2020 to 30 October 2021) – 16
- g. Period 7 7 (from 30/10/2021 to date (03/10/2022) – 14

2. The number of associations of individuals on the Council's Self Build and Custom Housebuilding register in each of the following base periods:
 - a. Period 1 (up to 30/10/2016) -
 - b. Period 2 (up to 30/10/2017) -
 - c. Period 3 (up to 30/10/2018) -
 - d. Period 4 (up to 30/10/2019) -
 - e. Period 5 (up to 30/10/2020) -
 - f. Period 6 (up to 30/10/2021) -
 - g. Period 7 (from 30/10/2021 to date (03/10/2022) –

There are no groups on the Self Build Register.

3. The number of individuals on the Council's Self Build and Custom Housebuilding register in each of the following base periods specifying Ratby, Bagworth and Thornton as their preferred location:

Based on the New Register (Post Summer 2021 Review):

- a. Period 1 (up to 30/10/2016) - 0
 - b. Period 2 (up to 30/10/2017) - 0
 - c. Period 3 (up to 30/10/2018) - 0
 - d. Period 4 (up to 30/10/2019) – 0 – 1 states Leicestershire
 - e. Period 5 (up to 30/10/2020) - 0
 - f. Period 6 (up to 30/10/2021) – 0 – 2 state rural
 - g. Period 7 (from 30/10/2021 to date (03/10/2022) – 1 – one other states flexible
4. The number of associations of individuals on the Council's Self Build and Custom Housebuilding register in each of the following base periods specifying Ratby, Bagworth and Thornton their preferred location:
- a. Period 1 (up to 30/10/2016) -
 - b. Period 2 (up to 30/10/2017) -
 - c. Period 3 (up to 30/10/2018) -
 - d. Period 4 (up to 30/10/2019) -
 - e. Period 5 (up to 30/10/2020) -
 - f. Period 6 (up to 30/10/2021) -
 - g. Period 7 (from 30/10/2021 to date (03/10/2022) –

There are no groups on the Self Build Register.

5. The date on which the Council commenced its Self-Build and Custom Housebuilding register?

The exact date is not known however it was March 2016.

6. The Council's entry requirements for joining its Self-Build Register.

No additional requirements than those set out within the legislation.

7. Does the Council apply a local connection or other test to facilitate joining the Register?

No.

8. The number of (and application references for) Self Build and/or Custom Housebuilding permissions the Council granted in each of the following base periods:

- a. Period 1 (up to 30/10/2016) - 0
- b. Period 2 (up to 30/10/2017) - 0
- c. Period 3 (up to 30/10/2018) - 0
- d. Period 4 (up to 30/10/2019) – 5 (ref 19/00657/REM, 18/00903/FUL, 18/01168/OUT, 18/00974/FUL and 18/01273/FUL)
- e. Period 5 (up to 30/10/2020) – 1 (ref 19/01359/FUL)
- f. Period 6 (up to 30/10/2021) - 0
- g. Period 7 (from 30/10/2021 to date (03/10/2022) – 1 (this monitoring figure is not confirmed yet – review ongoing) – ref 21/00887/FUL

9. How does the Council monitor Self Build and Custom Housebuilding permissions and completions?

Permissions are monitored through the Development Management application process. Completions are not required to be monitored through the self-build legislation.

10. How does the Council alert individuals and associations of individuals on its Self-Build and Custom Housebuilding Register to any self-build and custom housebuilding permissions it grant?

We would alert them via email if they are available self-build plots however most are self-build for the applicant themselves.

11. How has the Council publicised the existence of its Self-Build and Custom Housebuilding Register? When did this first take place?

On the website and within the Authority Monitoring Report.

Published since it started –

https://www.hinckley-bosworth.gov.uk/info/200074/planning_and_building_control/1246/the_self-build_and_custom_housebuilding_act_2015

12. If the Council are counting CIL Self-Build Exemptions towards meeting demand, then please advise how many of these have been subject to a CIL Form 7 Part 2 in each of the following base periods:

- a. Period 1 (up to 30/10/2016) -
- b. Period 2 (up to 30/10/2017) -
- c. Period 3 (up to 30/10/2018) -
- d. Period 4 (up to 30/10/2019) -
- e. Period 5 (up to 30/10/2020) -
- f. Period 6 (up to 30/10/2021) -
- g. Period 7 (from 30/10/2021 to date (03/10/2022) -

The council does not have CIL.