

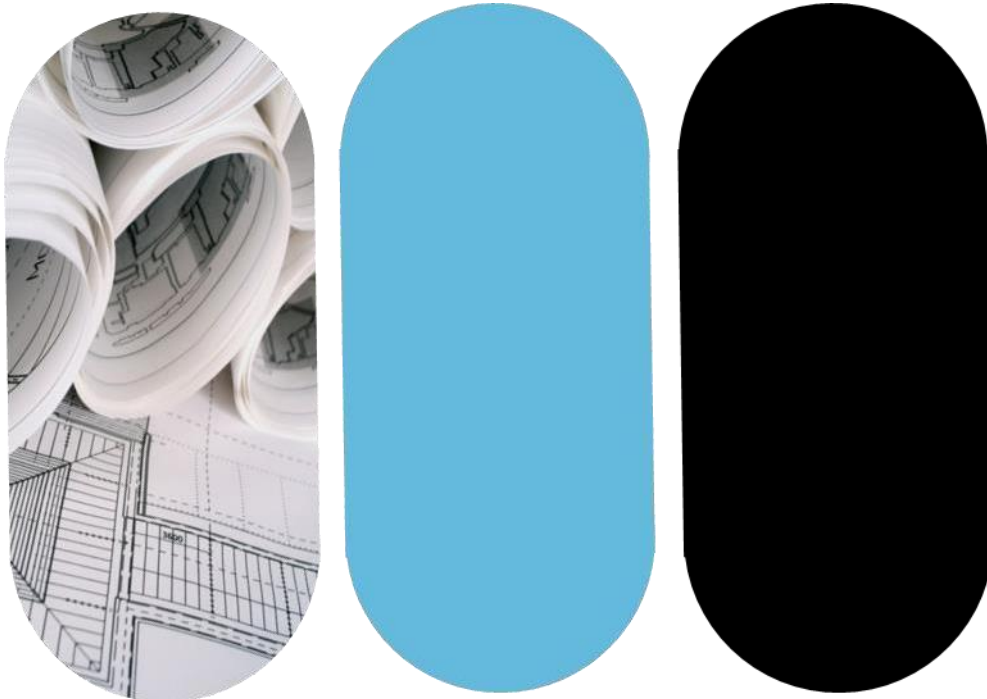


 Part of Shakespeare Martineau

Richborough Estates

Land at Brascote Lane, Newbold Verdon

PLANNING STATEMENT



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1. INTRODUCTION

1.1 This Planning Statement has been prepared by Marrons Planning on behalf of Richborough Estates and forms part of an outline planning application for residential development of up to 239 dwellings at 'Land at Brascote Lane, Newbold Verdon'. The site, which extends to 14.34 ha, is identified on the site location plan submitted with the application.

1.2 This Statement should be read in conjunction with the range of other supporting technical documents and plans submitted as part of this application including:

- Site Location Plan (Nineteen47)
- Site Layout Plan (Nineteen47)
- Design and Access Statement (Nineteen47)
- Flood Risk and Drainage Assessment (BWB)
- Noise Risk Assessment (BWB)
- Air Quality Assessment (BWB)
- Transport Assessment (Hub Transport Planning)
- Preliminary Landscape and Visual Impact Appraisal (Annabelle Langhorn)
- Ecological Impact Assessment (RammSanderson)
- Heritage Statement (RPS)
- Geophysical Survey (MOLA)
- Phase I Ground Investigation (PJS)
- Tree Survey (Midland Forestry)
- Planning Statement (Marrons Planning)
- Consultation Statement (Marrons Planning)

1.3 The purpose of this Planning Statement is to demonstrate that there are no adverse impacts of the proposals that would significantly and demonstrably outweigh the benefits and, as such, planning permission should be granted.



2. THE SITE AND SURROUNDING AREA

2.1 The site and its characteristics are set out in detail within the Design and Access Statement. The relevant matters for the purposes of this Statement are:

- The site comprises 14.34 hectares of agricultural land adjacent to the south of Newbold Verdon;
- Brascote Lane runs along the western edge of the site. There are allotments to the north-west and south-west of the site. Agricultural fields surround the rest of the site;
- Site access is from Brascote Lane and there are no known Public Rights of Way running through the site;
- The site's topography is relatively flat, falling by approximately 2m towards the sites north eastern edge;
- The site is highly sustainable and is well located for local services and facilities in Newbold Verdon, such as Newbold Verdon Primary School, the Church of St James, Aslans Way Playing Fields, Newbold Verdon Cricket Club, Newbold Verdon Medical Centre, Nisa Local Store, Liberteas Coffee Shop, Jubilee Inn, Heathbrook Pharmacy, Newbold Verdon Library and some shops. It is within walking distance of bus stops along Main Street;
- Newbold Verdon Primary School is located 0.4 miles away. It is generally recognised that 1.2 miles represents the maximum preferred walking distance for school trips and, therefore, the local school is within reasonable walking/cycling distance;
- The site has good access to a range of further facilities and services in Market Bosworth (a 10 minute car journey) including Market Bosworth Secondary School. Market Bosworth is also home to a good selection of retail shops, supermarkets, restaurants and pubs;
- There are buses frequently running from Main Street (within walking distance to the north of the site) to Market Bosworth, Coalville,



Leicester and Hinckley (152, 153 and 159); and

- Hinckley Train Station is a 20 minute car journey from the application site. Services can be serviced from this station to destinations including Leicester and Birmingham.



3. THE PROPOSED DEVELOPMENT

3.1 The proposed development is described in more detail in the accompanying Design and Access Statement. The key elements of the proposal for the purposes of this Planning Statement are as follows:

- The development of up to 239 new homes at a proposed density of 35dph;
- Vehicular and pedestrian access from Brascote Lane;
- Pedestrian and vehicular connectivity throughout the site;
- Areas of public open space, and tree and shrub planting throughout the site; and
- Sustainable Urban Drainage measures by way of attenuation storage the use of existing sewer infrastructure for foul effluent.

3.2 The proposals have been designed sensitively to take into account the constraints and opportunities of the site. The scheme will provide a high quality, attractive and distinctive housing scheme with appropriate housing types, associated landscaping and access.

PLANNING HISTORY

3.3 The site does not have any relevant planning history.

3.4 The development proposals have been the subject of extensive pre-application engagement with the LPA and local residents.

3.5 A formal pre application submission was made to Hinckley and Bosworth Borough Council in November 2021 following engagement with the local planning authority in pursuit of an allocation in the emerging local plan. Representatives from Marrons Planning and Richborough Estates attended a meeting with Parish Council representatives on 29th November to outline the development proposals and provide an opportunity for feedback. The site has also been positively promoted to the Neighbourhood Plan.



- 3.6 Consultation leaflets were sent to a total of 2,000 properties and an in-person Public Exhibition event was held in Newbold Verdon on the 9th February 2022.
- 3.7 The pre-application consultation is described in further detail in the Consultation Statement submitted as part of the application.
- 3.8 For clarity and ease of reference, the site forms submissions LPR38 A and LPR38 B to the 2020 SHELAA exercise and LPR38 under policy HO01 Provision of Housing of the Pre-Submission Local Plan (January 2022).



4. THE DEVELOPMENT PLAN

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that a planning application is determined in accordance with the development plan unless material considerations indicate otherwise.

4.2 The development plan for the purposes of this application comprises of the Core Strategy which was adopted in December 2009 and the Site Allocations and Development Management Policies Development Plan Document which was adopted in July 2016.

Core Strategy (2009)

Core Strategy Policy 7: Key Rural Centres

4.3 Policy 7 says that to support the Key Rural Centres and ensure they can provide key services to their rural hinterland, the council will support housing development within settlement boundaries.

Core Strategy Policy 11: Key Rural Centres Standalone

4.4 Policy 11 states that to support the local services in Newbold Verdon and maintain rural population levels the council will allocate land for the development of a minimum of 110 new homes. The policy also requires new development to respect the character and appearance of the Newbold Verdon Conservation Area by incorporating locally distinctive features of the conservation area into the development.

Core Strategy Policy 14: Rural Areas: Transport

4.5 Policy 14 supports accessibility within the rural areas, with developers required to contribute towards these initiatives through developer contributions and/or land where they meet the tests set out in national guidance. This includes viable, high quality public transport network between the Key Rural Centres and their nearest urban centre and between the Rural Villages and their nearest Key Rural Centre or urban centre.



Core Strategy Policy 15: Affordable Housing

- 4.6 Policy 15 says that to support the provision of mixed, sustainable communities, a minimum of 2090 affordable homes will be provided in the borough from 2006 to 2026. At least 480 dwellings will contribute to this target in rural areas, including rural exception sites brought forward via Policy 17 Rural Needs. To achieve this target, the council will expect a proportion of affordable housing to be provided on eligible sites.
- 4.7 The on-site target for affordable housing at Newbold Verdon is 40%. The policy goes on to state that for all sites, the tenure split will be 75% social rented and 25% intermediate housing.

Core Strategy Policy 16: Housing Density, Mix, and Design

- 4.8 This policy emphasises that the council requires a mix of housing types and tenures to be provided on all sites of 10 or more dwellings, taking into account the type of provision that is likely to be required.
- 4.9 All developments of 10 or more dwellings are required to meet a 'very good' rating (16 or more positive answers out of 20) against the Building for Life criteria, unless it can be demonstrated that this is not viable on the particular site.
- 4.10 The policy goes on to say that proposals for new residential development will be required to meet a minimum net density of at least 30 dwellings per hectare within and adjoining the Key Rural Centres, Rural Villages and Rural Hamlets.

Core Strategy Policy 19: Green Space and Play Provision

- 4.11 This policy sets standards used to determine where improvements to green space and play areas are needed or where new facilities are required.

Core Strategy Policy 24: Sustainable Design and Technology

- 4.12 The policy states that residential developments in Key Rural Centres and



Rural Villages will be expected to meet the sustainability targets set out in Building a Greener Future.

Site Allocations and Development Management Policies Development Plan (2016)

Policy DM1: Presumption in Favour of Sustainable Development

4.13 This policy says that planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.

4.14 Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Borough Council will grant permission unless material considerations indicate otherwise

Policy DM3: Infrastructure and Delivery

4.15 Policy DM3 says that where development will create a need to provide additional or improved infrastructure, amenities or facilities, developers will be expected to make such provision directly or indirectly through the appropriate funding mechanism.

Policy DM4: Safeguarding the Countryside and Settlement Separation

4.16 This policy states that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development.

Policy DM6: Enhancement of Biodiversity and Geological Interest

4.17 Policy DM6 say 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.

4.18 Major developments in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services.



4.19 On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term. The removal or damage of such features shall only be acceptable where it can be demonstrated the proposal will result in no net loss of biodiversity and where the integrity of local ecological networks can be secured.

4.20 International and Nationally Designated Sites will be safeguarded. Development which is likely to have any adverse impact on the notified features of a nationally designated site will not normally be permitted.

Policy DM7: Preventing Pollution and Flooding

4.21 Policy DM7 says that adverse impacts from pollution and flooding will be prevented. This will be ensured through proposals demonstrating a number of elements including that they will not contribute to poor air quality and no adverse impact on water quality or drainage function of water bodies.

Policy DM10: Development and Design

4.22 This policy states that Developments will be permitted providing that the following requirements are met:

- a. *It would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including odour), noise, vibration and visual intrusion; be adversely affected by activities in the vicinity of the site; architectural features;*
- b. *The amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site;*
- c. *It complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features;*
- d. *The use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the local area generally;*
- e. *It incorporates a high standard of landscaping where this would add to the quality of the design and siting;*



- f. It maximises opportunities for the conservation of energy and resources through design, layout, orientation and construction in line with Core Strategy Policy 24;*
- g. Where parking is to be provided charging points for electric or low emission vehicles are included where feasible;*
- h. An appropriate Sustainable Drainage Scheme is submitted to and approved by the relevant Authority. Schemes should incorporate wildlife areas, ponds, swales and permeable paving where appropriate;*
- i. It maximises natural surveillance and incorporates the principles of Secured by Design and has considered the incorporation of fire safety measures.*

Policy DM11: Protecting and Enhancing the Historic Environment

- 4.23 The policy states that the Borough Council will protect, conserve and enhance the historic environment throughout the borough. This will be done through the careful management of development that might adversely impact both designated and non-designated heritage assets.
- 4.24 All development proposals which have the potential to affect a heritage asset or its setting will be required to demonstrate:
- a. An understanding of the significance of the heritage asset and its setting; and
 - b. The impact of the proposal on the significance of the asset and its setting, including measures to minimise or avoid these impacts; and
 - c. How the benefits of the proposal will outweigh any harm caused; and
 - d. Any impact on archaeology in line with Policy DM13.

Policy DM12: Heritage Assets

- 4.25 This policy says that all development proposals affecting heritage assets and their setting will be expected to secure their continued protection or enhancement, contribute to the distinctiveness of the areas in which they are located and contribute to the wider vibrancy of the borough.



Policy DM13: Preserving the Borough's Archaeology

- 4.26 The policy states that where a proposal has the potential to impact a site of archaeological interest, developers should set out in their application an appropriate desk-based assessment and, where applicable, the results of a field evaluation detailing the significance of any affected asset.
- 4.27 Where applicable, justified and feasible the local planning authority will require remains to be preserved in situ ensuring appropriate design, layout, ground levels, foundations and site work methods to avoid any adverse impacts on the remains.

Policy DM17: Highways and Transportation

- 4.28 This policy says that development proposals will be supported where they:
- Seek to make the best use of existing public transport services and, where appropriate, provide opportunities for improving and sustaining the viability of those services; and cycling to services and facilities; significant movement;
 - Seek to ensure that there is convenient and safe access for walking and cycling to services and facilities;
 - Demonstrate that there is not a significant adverse impact upon highway safety; and in the case of development that generates significant movement;
 - That the development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised;
 - Where it can be demonstrated that the residual cumulative impacts of development on the transport network are not severe.
- 4.29 Furthermore, where appropriate, improvements will be required to be undertaken to the highways and transportation network to limit any significant impacts arising from the development (taking into account cost effectiveness).

Policy DM18: Vehicle Parking Standards



- 4.30 All proposals for new development will be required to provide an appropriate level of parking provision justified by an assessment of the site location, type of housing, other modes of transport available (e.g. public transport and cycle provision) and appropriate design. Any development will be expected to provide disabled parking provision.

Local Plan Regulation 19 Consultation (February - March 2022)

- 4.31 The draft Local Plan 2020-2039 set out the planning framework for the District over the next 20 years up to 2039 and covers issues such as housing provision, the economy, retail and town centres, infrastructure provision and the environment.
- 4.32 A Regulation 19 consultation on the draft Local Plan is being undertaken between 9th February 2022 and 23rd March 2022. The Consultation Draft Plan sets out the vision, spatial strategy, settlement hierarchy and identifies housing allocations.
- 4.33 The draft Local Plan has utilised the Standard Methodology to calculate the local housing need and identifies a figure for 444 new homes a year for the period 2020-2039 (a total of 8,436 homes). Government guidance is clear that this is the minimum housing need figure. The housing requirement makes no provision or includes any allowance for the unmet housing need arising from Leicester City.
- 4.34 The Council recognise that unforeseen changes can affect the delivery of sites and Policy SS02 identifies the provision of a minimum of 9,537 dwellings during the period 2020-2039.
- 4.35 Newbold Verdon is identified as a Key Rural Centre which are a focus for new growth in the rural area and meets the day to day needs of their residents. Policy HO01 allocates a number of sites for residential development including Land east of Brascote Lane, Newbold Verdon (the Site) for 221 dwellings. The allocated sites are identified in draft Local Plan Appendix 7.
- 4.36 Policy HO09 relates to Affordable Housing and supports the provision of a minimum of 271 affordable homes per year (2020-2039) with the level of



contribution from sites to be set out in the latest Infrastructure Capacity Study/Viability Report.

- 4.37 Policy CLT01 supports the proposals for new or extensions to existing community facilities across the borough. Policy NAT01 sets out the Council's approach to green infrastructure including the provision of high quality places people can enjoy living and working in.
- 4.38 Under the current timetable the plan will be submitted to the Secretary of State in March 2022 and adopted in March 2023.
- 4.39 NPPF Paragraph 48 is clear that weight can be given to relevant policies in emerging plans according to their stage of preparation, the extent of unresolved objections and degree of consistency with the Framework. In this regard, it is considered that limited weight can be applied to the policies within the Submission draft at this stage. However, housing allocations are selected through an evidence-led process and that evidence not only provides the justification for soundness of the allocations at examination it is also a material consideration for determining planning applications.

Newbold Verdon Neighbourhood Plan

- 4.40 Following an aborted submission, a second Regulation 14 Neighbourhood Plan was consulted on between August and September 2020. In broad terms, that consultation suggested a minimum need for 100 dwellings in Newbold Verdon over the period to 2036.
- 4.41 The site has been promoted to the Newbold Verdon Neighbourhood Plan and whilst no preferred allocations have been announced there have been positive discussions for an allocation to be made and for the wider land holding to provide future burial space.



5. THE NATIONAL PLANNING POLICY FRAMEWORK AND OTHER MATERIAL CONSIDERATIONS

- 5.1 The National Planning Policy Framework 2021 (NPPF) is a material consideration in planning decisions. It confirms the statutory status of the development plan as the starting point for decision-making (paragraph 2).
- 5.2 Annex 1 of the NPPF confirms that the policies in the Framework should be taken into account in dealing with applications from the day of its publication (paragraph 218). Due weight should be given to existing development plan policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given) (paragraph 219).
- 5.3 The Framework is a significant material consideration in the determination of this application. The following paragraphs in particular are considered to be of relevance:

Section 2: Achieving Sustainable Development

- 5.4 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three objectives to sustainable development: economic, social and environmental. These are interdependent and need to be pursued in mutually supportive ways. Each aspect is considered below in relation to the proposed development.
- 5.5 Paragraph 10 confirms that sustainable development should be pursued in a positive way, and at the heart of the Framework is the presumption in favour of sustainable development.
- 5.6 For decision-taking this means “approving development proposals that accord with an up-to-date development plan without delay” (paragraph 11c). Where there are no relevant development plan policies or the policies which are most important for determining the application are out of-date, permission should be granted unless:



- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole (paragraph 11d).

The Economic Objective

- 5.7 In accordance with Section 70(2) of the Town and Country Planning Act 1990 (as amended) LPAs must have regard to any local financial considerations when determining planning applications in so far as they are a material consideration.
- 5.8 In this respect, this development will generate economic benefits via the provision of construction jobs, indirect jobs in the housebuilding supply chain, increased expenditure in the local area associated with the furnishing of new homes and increased footfall and expenditure at local shops and businesses including, importantly, the Windmill Inn Public House. In addition the development would provide revenue for Hinckley and Bosworth Borough Council via council tax payments.
- 5.9 Information taken from the HBF report “The Labour Needs of Extra Housing Output: Can the Housebuilding Industry Cope” identifies that about 1.5 construction jobs per dwelling can be associated with the build of houses. On this basis, the proposal will result in the creation of circa 359 local full time equivalent jobs associated with the construction of the development and more in the supply chain.

The Social Objective

- 5.10 The scheme will provide up to 239 homes. The proposals will help to create a sustainable, inclusive and mixed community including the provision of homes, including affordable homes at a time of significant need and a shortfall in supply. In the case of affordable homes the shortfall in provision,



at a time of increasing need and little prospect of future supply meeting that need, is considered to constitute a housing crisis.

- 5.11 The proposals also provide for a good level of Green Infrastructure including an enhancement of existing vegetation where possible through additional green infrastructure planting, new planting including new open space and the provision of a country park. The development has the potential to secure future provision for burial spaces.
- 5.12 As with all new residential development, the proposals will result in an increase in population and will therefore have some impact upon local infrastructure. Not all impacts will be negative (for example increased footfall and revenue for local services). The proposals make provision for improvements to the setting of the Windmill Inn Public House through landscaping, extensions to the beer garden/car park and the location of a village green to provide a local community hub at the heart of the layout.
- 5.13 Once the various statutory consultees have responded to the planning application and provided evidence demonstrating any requirements being sought to meet the needs arising from the development are CIL compliant, the applicants will be willing to enter into a S106 agreement, subject to an assessment of viability.

The Environmental Objective

- 5.14 The site can be sensitively developed in a way that does not result in any unacceptable harm to local amenity, character, or settlement identity. An appropriate design solution is proposed including the provision of planting and areas of green space.

Section 4: Decision making

- 5.15 Paragraph 38 says that local planning authorities should approach decisions on proposed development in a positive and creative way. Paragraph 39 says that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties.



Section 5: Delivering a Sufficient Supply of Homes

- 5.16 Paragraph 60 confirms the Government's objective of significantly boosting the supply of homes and paragraph 62 confirms that this should include the size, type and tenure of housing needed for different groups in the community.
- 5.17 Paragraph 65 says that at least 10% of homes on major developments should be affordable.
- 5.18 Paragraph 69 recognises that small and medium sized sites are often built-out relatively quickly and make an important contribution to meeting the housing requirement of an area.
- 5.19 Paragraph 74 says that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies or against their local housing need where the strategic policies are more than five years old.
- 5.20 Paragraph 79 of the NPPF says that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.

Section 8: Promoting Healthy and Safe Communities

- 5.21 Planning policies and decisions should aim to achieve healthy, inclusive and safe places which a) promote social interaction; b) are safe and accessible and c) enable and support healthy lifestyles (paragraph 92).
- 5.22 Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities (paragraph 98). Paragraph 100 says that planning policies and decisions should protect and enhance public rights of way and access.



Section 9: Promoting Sustainable Transport

- 5.23 In assessing applications, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (paragraph 110).
- 5.24 Paragraph 111 says that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Section 11: Making Effective Use of Land

- 5.25 Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land (Paragraph 119).
- 5.26 Paragraph 120 says that decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 5.27 Paragraph 124 recognises that planning policies and decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.
- 5.28 Paragraph 125 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially



important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

- a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;
- b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and
- c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Section 12: Achieving well-designed places

- 5.29 Paragraph 126 recognises that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
- 5.30 Planning policies and decisions should ensure that developments:



- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (paragraph 130).

Section 14: Meeting the challenge of climate change, flooding and coastal change

- 5.31 Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (paragraph 159).
- 5.32 Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate (paragraph 169).



Section 15: Conserving and enhancing the natural environment

- 5.33 Planning decisions should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; minimising impacts on and providing net gains for biodiversity; preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate (paragraph 174).

The Housing Emergency Short Report by RPS and LPDF (November 2021)

- 5.34 The statistics included in the Housing Emergency Short Report (**Appendix 1**) outline a bleak picture of the housing emergency in the United Kingdom. This includes that only 40% of affordable housing need was met in 2020 and that in total, 17.5 million people (1 in 3 adults) are impacted by the housing emergency, living in overcrowded, dangerous, unstable or unaffordable housing. It has also shown that in the last 11 years, the number of households renting has gone up 24%.
- 5.35 The report also states that housing need may be in the region of 340,000 per annum. It specifically recognises that this is not a matter for future Governments to address but needs to be tackled now if there is any hope of abating the emergency. The LDPF sets out in its 'Agenda for Action' a number of ways in which planning permissions for new housing can be boosted.
- 5.36 Bold vision and leadership is needed to deliver upon this aim, whilst ensuring that all growth contributes towards the delivery of community focussed development with a strong mandate for design.

Housing Land Supply



- 5.37 The latest Hinckley and Bosworth Borough Council's Residential Land Availability Report covers the period 1 April 2020 – 31 March 2021. The report states that as of 1st April 2021, the Council could demonstrate just 4.46 years of housing land supply. The Council has agreed that there is a 4.45 year supply of housing land through common ground with appellants for recent public inquiries.



6. ASSESSMENT OF THE PROPOSED DEVELOPMENT

6.1 The application should be determined in accordance with the development plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004).

6.2 This section of the Planning Statement considers the key issues in relation to this proposal which indicate whether planning permission should be granted. These are as follows:

- The principle of development
- Site location
- Economic benefits
- Other benefits
- Affordable housing
- Housing mix
- Layout, scale and design
- Highways and access
- Flood risk and drainage
- Ecology
- Air Quality
- Landscaping
- Trees
- Open space
- Heritage and archaeology
- Noise

Principle of Development:

6.3 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 state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise.

- 6.4 The Spatial Strategy adopted as part of the Core Strategy (para 4.29) states that ‘the focus of most new development will be in and around the Hinckley sub regional centre as this is where there is a concentration of services, where accessibility can be maximised and modal choice made available’. However, the strategy also recognises that the needs of rural settlements must also be taken into account to ensure they remain vibrant, mixed communities.
- 6.5 The Core Strategy was adopted in December 2009 and is now over 12 years of age. As a result, the Council utilise the Standard Method as a basis of calculating their 5 year housing land supply. Therefore, the housing policies in the development plan are considered to be out of date as they focused on delivery of a lower housing requirement and the application should be determined in accordance with Paragraph 11(d) of the Framework.
- 6.6 Furthermore, the Council are unable to demonstrate a five year housing land supply following the latest Hinckley and Bosworth Borough Council’s Residential Land Availability Report covering the period 1 April 2020 – 31 March 2021. The report states that as of 1st April 2021, the Council could demonstrate just 4.46 years of housing land supply. More recently the Council has accepted that there is a 4.45 year supply through common ground at several public inquiries.
- 6.7 Core Strategy Policy 11 relates to development in Newbold Verdon and sets out that the council will allocate land for 110 new homes. SADMP Policy DM4 seeks to protect the countryside’s intrinsic value, beauty, open character and landscape character from unsustainable development. It has been clearly established within recent appeal decision in the Borough that Core Strategy Policy 11 and SADMP Policy DM4, are out-of-date and the ‘tilted balance’ applies (Appeal decisions 3262295 (**Appendix 2**) & 3260227 (**Appendix 3**)). The NPPF dictates that the weight attached to the most important policies for determining the applications are reduced.
- 6.8 In addition, the site is identified as an allocation for 221 dwellings in the



Regulation 19 Draft Local Plan which demonstrates the Council's approach to the acceptability of development at the site.

Site Location:

- 6.9 Newbold Verdon is a sustainable location suitable for growth, as it benefits from a number of local facilities and services.
- 6.10 Newbold Verdon has a range of facilities and services to provide for day-to-day needs, including Newbold Verdon Primary School, the Church of St James, Aslans Way Playing Fields, Newbold Verdon Cricket Club, Newbold Verdon Medical Centre, Nisa Local Store, Liberteas Coffee Shop, Jubilee Inn, Heathbrook Pharmacy, Newbold Verdon Library and some shops. It is within walking distance of bus stops along Main Street
- 6.11 Hinckley Train Station is a 20 minute car journey from the application site. Rail services can be taken from this station to destinations including Leicester, Birmingham and Nuneaton.
- 6.12 The site itself is within walking distance of Newbold Verdon. The site is located within a 20 minute journey of the centre of Hinckley which offers significant services, facilities and employment opportunities.
- 6.13 The proposed development takes account of the setting of the Windmill Inn Public House, visually separated from Newbold Verdon although connected by a short walk along Brascote Lane. The proposals put the Windmill Inn at the heart of the scheme with a Windmill Green open space, extensions to the beer garden and car park and removal of the dense visual barrier presented by a line of tall Leylandii trees which present a visual barrier that separates the pub from the existing community. The clear place-making objective in this sense has been to focus the Windmill Inn at the heart of the new community it will serve and unite it with the existing village.
- 6.14 Consequently, it is regarded that the site is located in a wholly sustainable location which should weigh favourably in the planning balance.

Economic benefits:



- 6.15 In accordance with Section 70(2) of the Town and Country Planning Act 1990 (as amended) LPAs must have regard to any local financial considerations when determining planning applications in so far as they are a material consideration.
- 6.16 In this respect, the proposal will generate economic benefits via the provision of construction jobs, indirect jobs in the housebuilding supply chain, increased expenditure in the local area associated with the furnishing of new homes, as well as revenue for Hinckley and Bosworth Borough Council via council tax payments. The local economy should also benefit from increased footfall and expenditure at local shops and businesses. This includes safeguarding the longevity of the Windmill Inn Public House through increased local patronage.
- 6.17 The proposal will result in the creation of circa 359 local full time equivalent jobs associated with the construction of the development and more in the supply chain.
- 6.18 The above benefits are also considered to carry additional weight given the impacts the COVID-19 crisis has had on the economy and the urgency from the Government to maximise economic activity in order to aid recovery levels.

Other benefits:

- 6.19 The scheme also provides a number of other material benefits that should be considered in the planning balance. The full background to these benefits are explored in the technical subsections below. To avoid repetition and to summarise, those added benefits are set out in brief as:
- A mix of 2, 3, 4 and 5 bed houses utilising a range of house types;
 - Two vehicular and pedestrian access connections from Brascote Lane;
 - Children's Play Space;
 - Tree and shrub planting throughout the site;
 - Land to provide a Country Park;
 - Sustainable Urban Drainage measures and ecological benefits;
 - Potential future provision of a burial ground; and
 - Developer contributions towards local requirements and the



improvement of the Windmill Inn Public House including safeguarding its longevity through increased patronage.

- 6.20 Consequently, it is clear that the scheme provides a number of other substantial and tangible benefits that should be properly considered in the planning balance.

Affordable Housing

- 6.21 Core Strategy Policy 15 'Affordable Housing' identifies a minimum target of 2,090 affordable homes to be provided in the Borough from 2006 to 2026, averaging at 105 dwellings per annum. In Rural areas the affordable housing target is 40%, with at least 480 dwellings to be provided in these locations within the plan period.
- 6.22 The affordable housing need substantially increased in the Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA) published in 2017 to 247 dwelling per annum (2011-2036). Affordable housing need increased again in the most recent Housing Needs Statement (HNS) published in 2019 to 271 dwellings per annum (2018-2036).
- 6.23 The Council has failed to meet the need for affordable homes with the shortfall amounting to 1,294 homes between 2011 and 2021. Utilising the Council's 5 year housing land supply to understand affordable housing delivery across the next 5 year period it is clear that the Council are significantly below the HEDNA and HNS need figures.
- 6.24 The Residential Land Availability Monitoring Statement (March 2021) identifies a supply of 2,077 deliverable dwellings and assuming the historic affordable housing delivery rate of 21% is applied this equates to just 436 affordable homes (87 homes a year). It is clear that delivery is significantly below the HEDNA and HNS need figures.
- 6.25 The scheme will seek to provide the required proportion of affordable housing, this brings clear social and economic benefits and should be given significant weight, particularly given the significant need and recent failures to delivery affordable homes within the Borough. It is highly unlikely that the required



number of affordable homes will be provided in the future given historic delivery rates and there is a pressing need now.

- 6.26 Policy 15 of the Core Strategy also seeks a tenure split of 75% socially rented and 25% intermediate housing and recognises that this target will be monitored regularly and may be revised to reflect changes in the housing market and local circumstances.

Housing Mix

- 6.27 Policy 16 of the Core Strategy states that the council requires a mix of housing types and tenures to be provided on all sites of 10 or more dwellings, taking into account the type of provision that is likely to be required. Table 3 gives an overview of projected housing needs:

Table 3: Profile of new housing needed to meet household type projections

Medium and Larger Family Units*	Multi-person Provision, Student Housing, Flats etc	Smaller and Medium Sized Units**
32%	4%	64%

(Source: Strategic Housing Market Assessment Page 6-194, Figure 6-30)

* two and three bed houses and larger = medium to larger family units

** one and 2 bed flats, 2 bed houses and 2 bed bungalows = smaller and medium

- 6.28 The more recent Housing Needs Study (2019) suggests the following housing tenure and size.

Suggested Mix of Housing by Size and Tenure to 2036				
	1-bedroom	2-bedrooms	3-bedrooms	4+ bedrooms
Market	5%	30%	45%	20%
Affordable home ownership	10%	50%	30%	10%
Affordable housing (rented)	25%	40%	30%	5%

- 6.29 It is important that the right mix of housing is developed across Hinckley and Bosworth over the forthcoming years.

- 6.30 Draft Local Plan Policy HO03 requires all new dwellings to comply with the Nationally Described Space Standards. Draft Policy HO05 specifies that all dwellings meet at least M4(2) standard as defined in Part M Volume 1 of the Building Regulations and 5% of dwellings to at least M4(3) standard.

Layout, scale and design



-
- 6.31 Spatial Objective 9 in the Core Strategy refers to 'Identity, Distinctiveness and Quality of Design' and seeks to ensure development contributes to the local distinctiveness of the Borough, and enhances both settlement identity and the environment through the quality of sustainable design. It says that design and other measures will be used to develop strong community identities and neighbourhood pride.
- 6.32 Core Strategy Policy 16 states that all developments of 10 or more dwellings are required to meet a 'very good' rating (16 or more positive answers out of 20) against the Building for Life criteria, unless it can be demonstrated that this is not viable on the particular site.
- 6.33 Policy DM10 in the Site Allocations and Development Management Policies DPD refers to 'Development and Design'. It says that developments will be permitted providing they follow 10 requirements.
- 6.34 The Design and Access Statement (DAS) demonstrates that care has been taken to design the scheme, enhance the exiting features on the site and deliver a sustainable extension to Newbold Verdon.
- 6.35 Core Strategy Policy 16 also states that proposals for new residential development will be required to meet a minimum net density of at least 30 dwellings per hectare within and adjoining the Key Rural Centres such as Newbold Verdon. This development is for 239 homes at a net density of 36 dwellings per hectare alongside significant levels of open space and the provision of a Country Park.
- 6.36 There is a mixture of detached, semi-detached and terraced buildings providing a wide range of accommodation and tenure. The local character of Newbold Verdon can be represented with the proposal through the use of a suitable palette of material and detailing. This includes the use of red brick, render usually set on a stone or brick plinth and Grey Welsh slate roof tiles.
- 6.37 The site design has cognizance to the Good Design Guide SPD and the need to ensure that the local identity and heritage of the borough is preserved and enhanced.
- 6.38 The proposed layout of the dwellings complements and enhances the character



and visual appearance of the area in accordance with Policy DM1 and Policy DM10.

Highway and access

- 6.39 Policy DM17 in the Site Allocations and Development Management Policies DPD concerns highways and transportation. It seeks to make the best use of existing public transport services and ensure that there is convenient and safe access for walking and cycling to services and facilities. Proposals should demonstrate that there is not a significant adverse impact upon highway safety and that the residual cumulative impacts of development on the transport network are not severe.
- 6.40 Hub Transport Planning have been appointed by the applicant to provide highways and transportation advice in respect of the proposals. The robust assessment of up to 260 dwellings rather than the 239 dwellings proposed concludes that a satisfactory vehicular access to the site can be achieved and the proposed development would also be accessible by sustainable travel modes such as public transport, walking and cycling.
- 6.41 On-site observations have indicated that the existing highway network in the vicinity of the site is operating within capacity, with minimal queues and delays on the network.
- 6.42 A review of PIA (Personal Injury Accident) data obtained from LCC indicated that 18 PIAs have occurred within the Newbold Verdon area including twelve occurring along the B582/B585 corridor. The volume and pattern of accidents recorded in the area does not give any undue cause for concern.
- 6.43 Safe and suitable access to the site will be provided via two priority T-junction with Brascote Lane.
- 6.44 The development proposal is estimated to have the potential to generate a maximum of 179 two-way vehicle trips during any peak hour period. This equates to three additional vehicles on the local highway network every minute, which is demonstrated to have a negligible traffic impact when assigned to the network.



- 6.45 Capacity assessments have indicated that the development proposals would not have a material impact at any off-site junctions, which are forecast to continue to operate with limited queuing and delays at the 2026 and 2036 future assessment years.
- 6.46 These assessments included the planned signalisation of the Barlestone Road (B582)/Bosworth Lane (B585) junction. This junction is demonstrated to operate within capacity for the future year scenarios with development traffic added.
- 6.47 Car and cycle parking at the site will be in line with the guidance set out in the LHDG (Leicestershire Highway Design Guide).
- 6.48 The assessment work undertaken and detailed in this report demonstrates that, in NPPF terms, the development will not have a severe impact on the operation of the local highway network nor any unacceptable impact on highway safety.
- 6.49 It is therefore concluded that the proposals accord with national, regional, and local transport related policies including DM17 and, as such, it is considered there are no reasons why the proposals should be resisted on traffic or transportation grounds.

Flood Risk and Drainage

- 6.50 Policy DM7 'Preventing Pollution and Flooding' in the Site Allocations DPD outlines criteria which developments must meet including to not create or exacerbate flooding by being located away from areas of flood risk unless adequately mitigated against in line with National Policy.
- 6.51 A Flood Risk Assessment and Drainage Strategy prepared by BWB identifies that the site is located within Flood Zone 1 (Environment Agency Flood Map for Planning). The Environment Agency defines Flood Zone 1 land as having a less than 1 in 1,000 annual probability of river or sea flooding.
- 6.52 A bespoke detailed hydraulic modelling study was undertaken to inform the FRA and provide a robust understanding of the fluvial flood risk posed from the nearby local watercourse network. Following review of the illustrative masterplan, all residential units are shown to be located outside of all modelled flood extents. This includes larger simulated return periods such as the 1 in 100-



year +28%CC and 1 in 1000-year events. As such, the proposed development could be considered safe for its lifetime without displacing flood water and increasing flood risk elsewhere. The proposed residential development is also shown to be raised sufficiently above the modelled flood levels.

- 6.53 The risk of surface water flooding has also been assessed following a review of available data. The surface water flood extents show similar patterns to the modelled fluvial extents with flows largely contained to the Thurlaston Brook channel. A review of the illustrative masterplan demonstrates that all proposed residential plots are located outside of the 1 in 30-year, 1 in 100-year and 1 in 1000-year surface water flood extents.
- 6.54 The nearest adopted gravity foul sewer is a 375mm asset located within a grass verge near Brascote Lane at manhole reference 4309. To connect into this sewer a foul pumping station will be required with details shown on the Illustrative Drainage Strategy.
- 6.55 In compliance with the requirements of NPPF, and subject to the mitigation measures proposed, the development could proceed without being subject to significant flood risk. Moreover, the development will not increase flood risk to the wider catchment area subject to suitable management of surface water runoff discharging from the site and therefore is compliant with Policy DM17.

Ecology

- 6.56 Policy DM6 in the Site Allocations and Development Management Policies DPD looks at the 'enhancement of biodiversity and geological interest'. It 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. Major developments in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. On site features should be retained, buffered and managed and the removal or damage of such features shall only be acceptable where it can be demonstrated the proposal will result in no net loss of biodiversity and where the integrity of local ecological networks can be secured.
- 6.57 An Ecological Impact Assessment has been undertaken which notes the site is



3.8km from Botcheston Bog SSSI with no direct impact from the development. Two pLWS hedgerows were found along the site boundaries and are retained under the current proposals and incorporated into proposed areas of public open space and Country Park which will ensure their continued management.

- 6.58 New native hedgerows and tree are proposed, whilst the enhancement of existing hedgerows by reinforcement planting would also be beneficial. In addition, the creation of a wildflower meadow within the country park and along the northern boundary will provide a broad variety of food sources for a diverse range of invertebrates, including lepidopterans and pollinators.
- 6.59 Additional surveys related to Great Crested Newts, Otter and Water Vole are required. Where necessary recommendations will be set out within these reports to support biodiversity gain within the site and protect the relevant species.
- 6.60 The proposals include the enhancement of green infrastructure boundaries which will assist in the proposal ability to provide for a net gain in biodiversity. The proposal therefore accords with Policy DM6.

Air Quality

- 6.61 Policy DM7 seeks to ensure adverse impacts from pollution including that proposals demonstrate they will not contribute to poor air quality. In this regard, an Air Quality Assessment has been undertaken by BWB in support of the application.
- 6.62 A qualitative construction phase assessment was undertaken and measures were recommended for inclusion in a DMP to minimise emissions during construction activities. With the implementation of these mitigation measures the impact of construction phase dust emissions is considered to be 'not significant' in accordance with IAQM guidance
- 6.63 A detailed road traffic emissions assessment was undertaken to consider the impact of development-generated road traffic on local air quality at identified existing receptor locations. Road traffic emissions were modelled using the dispersion model ADMS-Roads and concentrations of NO₂, PM₁₀ and PM_{2.5} were predicted at identified sensitive receptor locations. The modelling assessment was undertaken in accordance with Defra Local Air Quality



Management Technical Guidance¹¹. The development was not predicted to result in any new exceedances of the relevant air quality objectives and the impact of the development on local air quality was predicted to be 'negligible' in accordance with IAQM and EPUK guidance

- 6.64 Pollutant concentrations were also predicted across the proposed development Site. Concentrations of NO₂, PM₁₀ and PM_{2.5} were all predicted to be below the relevant air quality objectives and therefore the Site was considered to be suitable for the proposed residential use with regard to the current air quality objectives.
- 6.65 Mitigation measures will be incorporated into the Site to minimise emissions associated with the operation of the proposed development and thereby comply with Policy DM7.

Landscaping

- 6.66 Policy DM4 seeks to protect the intrinsic value, beauty, open character and landscape character of the countryside.
- 6.67 An LVA has been undertaken by Landscape Planning in support of this application which identifies that the site is not subject to any planning or landscape designations. It must be recognised that any change to a greenfield site will result in adverse landscape and visual effects.
- 6.68 Visually the site is contained by its boundary hedgerows and hedgerow trees. Although the land surrounding the site is relatively open, the presence of layering of mature field boundary hedgerow vegetation and blocks of woodland means that there are few opportunities to view the site.
- 6.69 The most significant visual effects will be experienced by users of the footpath within the allotments to the north of the site, the users of the allotments to the north of the site, and users of the Windmill Inn public house to the west of the site, where moderate or moderate to minor adverse effects will be experienced as a result of the completed development.
- 6.70 The Appraisal concludes that the development represents an opportunity to provide a characteristic settlement extension along an already built up road, that



can provide enhancements to the landscape on site through the creation of a village green and softened approach to the village along Brascote Lane, and through the creation of a network of public open spaces throughout the site including a new country park.

6.71 The development can be set within a robust landscaped and vegetated edge, which will provide a transitional edge to Newbold Verdon that respects and complements the existing built settlement edge and the rural context of the countryside to the south of the village.

6.72 On this basis and taking into account the above, the proposal accords with Policy DM4.

Trees

6.73 Policy DM6 requires major development to include measures to deliver biodiversity gains while on site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.

6.74 A Tree Survey has been undertaken which identified 10 tree groups, 9 hedgerows and 26 trees located along the site boundaries. With the exception of removal required to facilitate the site access these features will be retained where possible. Enhancement will occur through additional onsite planting.

6.75 On this basis the proposal accords with Policy DM6 in respect of arboricultural impact.

Open Space

6.76 Core Strategy Policy 19 'Green Space and Play Provision' sets out standards that will be used in relation to green space and play provision to ensure all residents have access to sufficient, high quality, accessible green spaces and play areas.

6.77 The proposal provides for 6.1ha of open space on site which includes accessible natural green space, equipped children's play and casual play space and ecological enhancement open space including the Country Park.



- 6.78 The proposal, therefore, significantly over provides against the green space standards which weighs in favour of the social and environmental benefits of the scheme.

Heritage and Archaeology

- 6.79 Policies DM11, DM12 and DM13 are all relevant and set out that the Council will protect, conserve and enhance the historic environment.
- 6.80 A Heritage Statement has been produced by RPS in support of the proposal, which identifies 11 Listed Buildings, the Newbold Verdon Conservation Area and a Scheduled Monument within 1km of the site. The site is not considered to form any part of the setting of these designated heritage assets with the exception of the Church of St James (Grade II). Whilst the site forms a very small part of the setting to the church, it is a neutral element that makes no contribution to the building's significance and, therefore, the proposed development within the site will not impact on the significance of this listed building.
- 6.81 A Geophysical Survey has been undertaken which has detected a three-sided rectilinear enclosure, open to the north-east, which lies towards the western side of the survey area. This feature, measuring 60m across, corresponds with a cropmark recorded by the Leicestershire and Rutland Historic Environment Record (MLE2975). The other archaeological features found by this survey are possible pits and linear ditches.
- 6.82 The site is assessed to have limited potential for earlier Prehistoric activity, to contain an Iron Age/Romano-British enclosure of local to regional significance and to have a low potential for significant (non-agricultural) remains of all other periods.
- 6.83 Further investigation via Trail Trenching is currently underway with all trenches considered negative for archaeological evidence. The trail trenching process is being undertaken within agreement from Leicestershire County Council
- 6.84 Therefore, there are no fundamental heritage constraints to the site's residential development and the proposal complies with local policy.

Noise Impact



-
- 6.85 BWB have prepared a Noise Impact Assessment in support of this application. This assessment has been undertaken based on the results of a baseline noise survey undertaken in November 2021 at the Site. The results of the survey have been assessed in accordance with current standards and guidance, following consultation with Hinckley and Bosworth Borough Council.
- 6.86 The noise assessment shows that with appropriate consideration to noise mitigation measures, a commensurate level of protection can be afforded to future noise sensitive receptors on the site.
- 6.87 For habitable rooms associated with the proposed dwellings, all internal criteria would be achieved with standard double glazing such with a configuration of 4mm pane / 12mm airgap / 4mm pane, which would need to provide a minimum $R_w + C_{tr}$ of 27 dB. Trickle ventilations with a direct air path which achieve a minimum performance of $D_{n,e,w} + C_{tr}$ 32 dB would be required.
- 6.88 Based on the results of the assessment, it has been demonstrated that the Site is suitable for residential development.



7. SECTION 106 AGREEMENT HEADS OF TERMS

7.1 It is accepted that as with all new residential development, the proposals will result in an increase in population and will thereby have some impact upon local infrastructure. Not all impacts will be negative (for example increased footfall and revenue for local shops).

7.2 At this stage, the applicant anticipates that they will enter into a Section 106 agreement with the Council, unless the matter can be dealt with by condition and assuming the following legal tests at Regulation 122 of the CIL Regulations are met:

- a) necessary to make the development acceptable in planning terms*
- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development.*

7.3 The applicant welcomes early discussions with the Council regarding potential planning obligations and how they satisfy the CIL tests. At present, a draft heads of terms is set out below:

- Affordable housing – up to 40% of the dwellings will be affordable homes. The council's desired tenure split in the Housing SPD and recent needs assessment is noted, and will be subject to further discussions with the Council's Housing Officer.
- Public open space – POS is provided on site. The arrangements for maintenance of these areas will be subject to further discussions, but will most likely be managed by a maintenance company.
- Education – financial contribution towards local facilities based upon up-to-date evidence.
- Healthcare – financial contribution towards local facilities based upon up-to-date evidence.
- Community Facilities – financial contribution towards improvements at the Windmill Inn Public House.

7.4 Any agreement will be subject to any obligation being demonstrated to meet the CIL tests as required within paragraphs 54 – 57 within the Framework, and



taking into consideration the viability and costs associated with the development.



8. SUMMARY AND CONCLUSIONS

- 8.1 This Planning Statement has been prepared by Marrons Planning on behalf of Richborough Estates and forms part of an outline planning application for up to 239 dwellings at 'Land at Brascote Lane, Newbold Verdon'.
- 8.2 The development plan for the purpose of this application comprises the Hinckley and Bosworth Core Strategy (2009) and the Site Allocations and Development Management Policies DPD (2016).
- 8.3 The latest Hinckley and Bosworth Borough Council's Residential Land Availability Report covers the period 1 April 2020 – 31 March 2021. The report states that as of 1st April 2021, the Council could demonstrate just 4.46 years of housing land supply (Table 7) with the Council accepting a figure of 4.45 year through recent public inquiries.
- 8.4 The site is a draft allocation in the Regulation 19 Local Plan under Policy HO01 which has been published for consultation between 9th February 2022 and 23rd March 2022.
- 8.5 Newbold Verdon is identified as a Key Rural Centre and a focus for new growth in the rural area where the day to day needs of residents are met by available services and facilities. This is a significant benefit that should be considered favorably in the planning balance.
- 8.6 The site comprises 14.34 hectares of agricultural land adjacent to the south of Newbold Verdon
- 8.7 The proposals will provide a significant boost of 239 new homes in a wholly sustainable location, surface water drainage features, and open space including new planting and areas of landscaping. In addition, land is reserved for a potential future burial ground.
- 8.8 The boost of homes and investment in the local economy is also believed to carry additional weight whilst we are grappling with a national housing crisis. Affordable housing need in Hinckley and



Bosworth is also significant and under provision to date is severe constituting a local housing crisis. The provision of affordable homes in this context should be given significant weight in the planning balance.

8.9 Richborough Estates has an outstanding record of promoting and delivering residential schemes across the country and as such the site is considered to be readily available if planning permission is approved. The applicant is fully committed to the scheme which is especially important when considered in the context of Annex 2 the NPPF.

8.10 In the context of the three dimensions to sustainable development: economic, social and environmental (listed in the NPPF) the proposal will:

- Provide a significant boost to homes in Newbold Verdon at a density appropriate to the sites location, surroundings and site context;
- Provide a mix of high quality homes of varied sized to suit a range of demographics in wholly sustainable locations;
- The provision of a policy compliant level of affordable housing at a time of a housing crisis;
- Have access to a range of services and facilities in Newbold Verdon;
- Provide jobs associated with the construction and sale of new homes;
- Lead to additional expenditure capacity of Newbold Verdon and the surrounding area to the benefit of local services and facilities boosting their vitality and viability;
- Improve the future prospects for the Windmill Inn Public House including through improvements to its setting and extensions to the beer garden and car park;
- Provide the Council with a significant boost to their economy via council tax payments;
- Provide open space including new planting and a country park;
- Contribute towards a potential future burial ground;



- Provide a carefully designed and comprehensive SuDS strategy; and
- Make provision for any financial contributions towards healthcare, education, open space and community facilities as necessary and if they are justified and reasonably related to the development.

8.11 As set out in detail throughout this Planning Statement, the proposed development wholly accords with the up to date policies within the development plan and the impacts of granting consent are not significant and demonstrable, but the material benefits to be gained are considerable.

8.12 Put simply, there are no insurmountable technical issues in the development control sense that should prevent permission being granted for this wholly sustainable development at a site which is a draft allocation for housing in the Local Plan in a local authority which currently has a housing supply shortfall. Therefore, it is respectfully requested that planning permission is granted without delay.



APPENDIX 1

THE HOUSING EMERGENCY

In 2020, the average cost of buying a home was



7.84
times the average income.²

In 1997 it was only **3.54**.

In 2020, 58,644 affordable homes were delivered, representing only

40% of the total identified need.

3.66m

the number of those in **concealed or overcrowded houses** in England.³



In November 2021 the average house price in the UK has exceeded

£250,000¹

Saving £311 per month it would take **10 years** to save for a 15% deposit on this amount.

If you started saving for a deposit 10 years ago, you will have found that the average house price in the UK has gone up by

£69,000 or **38%** in the intervening time.



34

In 2019-20, the average age of a first-time buyer was

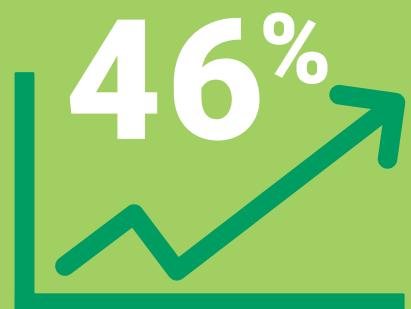
34 years old.

In 2007 the average age was 27, and in 1997 it was 26.

In the last 11 years the number of households renting has gone up

24%

During this time, the average rent has increased by



while average incomes have increased by only **21.6%**.

In total, **17.5 million people** (1 in 3 adults) are impacted by the housing emergency – **living in overcrowded, dangerous, unstable or unaffordable housing.**



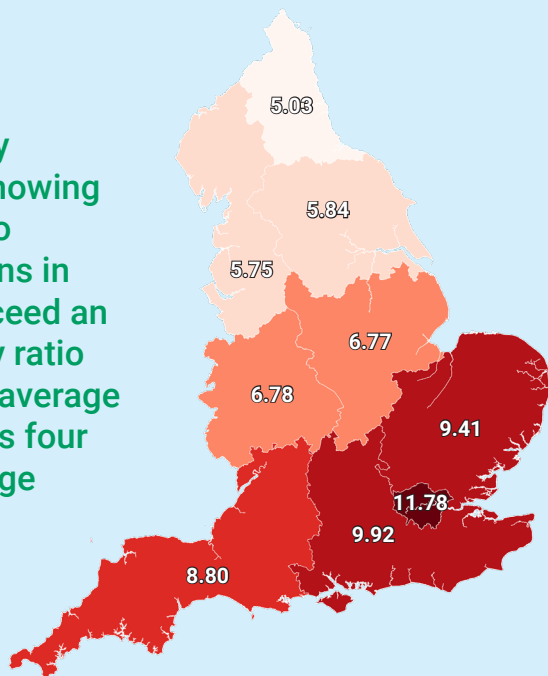
1 in 5 adults regard housing issues as negatively impacting their mental health.

Understanding the Problem

Are we in a housing emergency? The term 'housing crisis' has been banded around politically for a number of years, though recently, the charitable organisation Shelter have taken this further, identifying a national emergency. This has been qualified through their 2021 report⁴ which identifies that around 17.5 million in England (around 1/3 of the population) live in overcrowded, dangerous, unstable or unaffordable housing⁵. The consequences are real. As highlighted by Shelter following their 2017 survey⁶ around **1 in 5 adults regarded housing issues as having negatively impacted on their mental health** in the past five years, including long-term stress, anxiety and depression.

The housing emergency involves us all, from those who will struggle to get onto the first rung of the housing ladder, those in affordable housing need, or those in need of specialist care. For those millennials looking to enter the housing market, the problem is particularly acute. Saving a deposit remains far beyond the reach of many millennials or young savers.

Affordability heatmap, showing the extent to which regions in England exceed an affordability ratio of four (i.e. average house prices four times average income).



“Britain’s broken housing market hurts all of us”

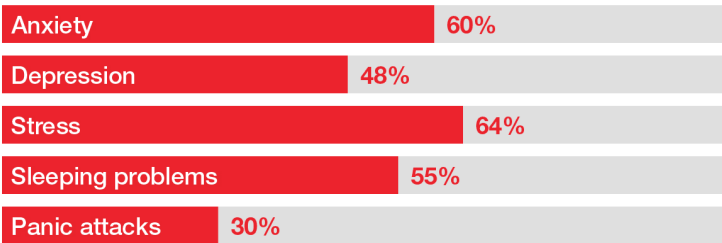
(MHCLG – Fixing the Broken Housing Market 2017)



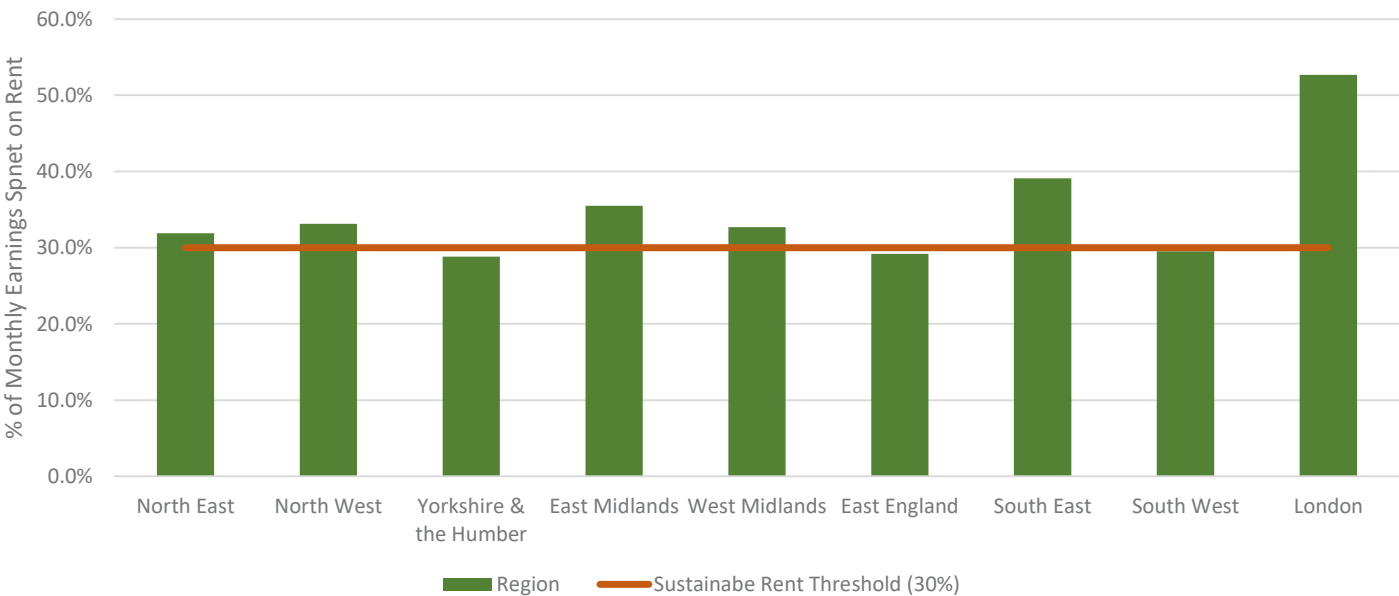
“17.5 million people are trapped by the housing emergency”

(Shelter – Denied the right to a safe home, 2021)

Adults in England who have had mental health problems due to housing pressures



Percentage of all English adults who have had a housing problem (in the last 5 years), who said that it contributed to mental health issues



Lower Quartile rent as a proportion of monthly earnings, by Region 2020. (Source ONS 2021)

During the last 11 years, the number of households renting has increased by 24% and during this period, the mean rent has increased by 46%. It is findings such as this which explain why the average age of the **first time buyer** continues to rise, and in 2019/20 stands at **34 years old**.⁷

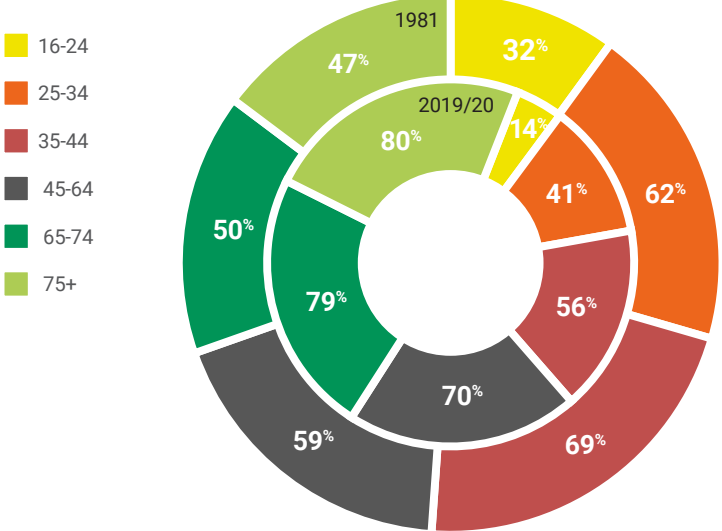
How Many Homes do we Need?

The understanding of need is clearly not straight forward, and there are various ways in which the national requirement can be considered. What is perhaps less up for debate is the historic shortfall in housing, since the post war period up to the end of the 1970's. As indicated in the timeline below, in 2020, we saw the highest increase in the dwelling stock since 1987. An additional 243,770 homes, including the new builds highlighted below and conversions. However when stock change is considered over 10 year periods, it is clear that we are experiencing the **lowest growth period in the last 70 years**.

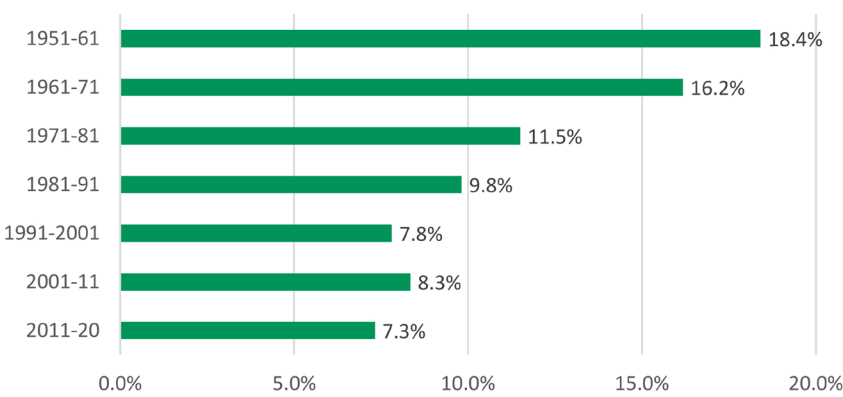
The Government has set out a clear ambition to use the planning system to significantly boost the supply of new housing. The Government understands that achieving an ambitious scale of housebuilding is important not only to meet future need, but to address chronic backlog of housing need which has been one of the causes of spiralling unaffordability.

Sources, including the research of Heriot-Watt University, indicate that housing need may be in the region of **340,000 per annum**. Both the Heriot-Watt research and the Government are in unison on the position that this is not a matter for future Governments to address, and needs to be tackled now if there is any hope of abating the emergency.

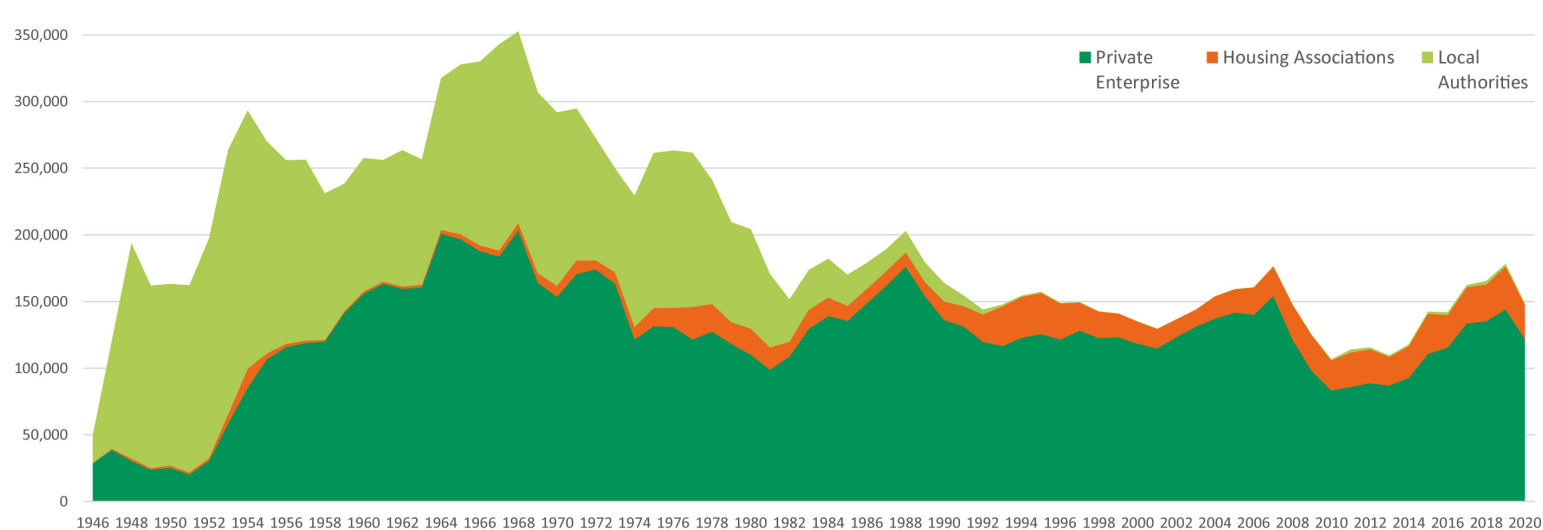
Percentage of each age group in owner occupation in 1981 and 2019/20



Growth in Housing Stock - 10-year periods, England



Housebuilding rates since the 1940s (new-build completions), broken down by the source of supply



As we recover from the pandemic, demand for housing continues to outstrip supply. Buyer demand is

35% higher than the average for the past 5 years
(Source: Zoopla)

Is it just about upscaling?

Significantly boosting the supply of housing is one of the most important contributions that the planning system can make. It is not the only issue however. Rising housing costs coupled with a lack of regulation in the rented sector have placed many in unsafe, overcrowded homes that are not fit for purpose. There are many authorities who have identified a high local affordable housing need, but remain incapable of meeting that need, due to lack of available land or financial viability concerns. The Government recognise that boosting the supply beyond historical rates can increase the market share of affordable homes secured. Research from Heriot-Watt University in 2018 identified a need for **145,000 affordable homes** to be built every year up to 2031. In 2020, **only 58,644 affordable homes** were built, representing around **40% of the total need** identified in the study.⁸ This target will not be met without a commitment to boosting the supply of housing more generally. This would enable greater

amounts of affordable housing to be secured because affordable housing is typically required as a proportion of the total number of houses delivered on each individual housing development.

One of the challenges for the future will be to ensure that the needs of the growing elderly population can be met. The most recent projections for England indicate that the **65+ age group will increase from 18.8% in 2018 to 23.9% in 2040, an increase of over 4.5 million.**⁹ This age group requires housing that meets their needs, and can give them the confidence to relocate, potentially releasing family housing back into the market.



Significantly boosting the supply of housing is one of the most important contributions that the planning system can make



What can we do?

There is no one solution to solving the housing emergency, but Local Authorities can use the planning system to address this problem. The LPDF sets out in its **'Agenda for Action'** a number of ways in which planning permissions for new housing can be boosted. Bold vision and leadership is needed to deliver upon this aim, whilst ensuring that all growth contributes towards the delivery of community focussed development with a strong mandate for design.

¹ Source: Nationwide 2021. | ² Source: House price to work place affordability ratios (ONS 2021). | ³ Source: Everybody In - How to end homelessness in Great Britain (Crisis 2018). | ⁴ Source: Shelter (2021) Denied the right to a safe home: exposing the housing emergency. | ⁵ Source: Shelter's research finds that 6% of respondents live in a home which harms their family's physical health, 23% are living in homes with significant damp, mould and condensation, and 7% report safety hazards such as faulty wiring, fire risks, or areas that could cause a fall. The report refers to unstable housing, stating that most private rentals are on tenancies of 6 to 12 months, and renters can be evicted for no reason because of Section 21, creating a permanent state of stress and instability. | ⁶ Source: Shelter (2017) The impact of housing problems on mental health. | ⁷ Source: English Housing Survey 2021. | ⁸ Source: ONS (2021). | ⁹ Source: ONS (2020).

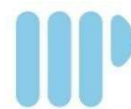
This leaflet has been prepared jointly by RPS and the Land Promoters & Developers Federation (LPDF).



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APPENDIX 2

Appeal Decision

Inquiry held on 13-16, 20-21 and 23 April 2021

Site visit made on 22 April 2021

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 21st May 2021

Appeal Ref: APP/K2420/W/20/3262295

Land at Wykin Lane, Stoke Golding, Nuneaton CV13 6JG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Davidsons Developments Ltd against the decision of Hinckley & Bosworth Borough Council.
 - The application Ref 19/01324/OUT, dated 15 November 2019, was refused by notice dated 17 June 2020.
 - The development proposed is the construction of up to 55 dwellings, all matters reserved, except for access.
-

Decision

1. The appeal is allowed and planning permission is granted for the construction of up to 55 dwellings, all matters reserved, except for access, at land at Wykin Lane, Stoke Golding, Nuneaton CV13 6JG in accordance with the terms of the application, Ref 19/01324/OUT, dated 15 November 2019, subject to the 24 conditions set out in the attached schedule.

Procedural Matters

2. The original application was made in outline with all matters reserved except for access. I have had regard to the illustrative masterplan ref P18-2922_03 Rev C, but consider that all of the details shown are indicative only with the exception of the access point onto Wykin Lane.
3. The submission version of the Stoke Golding Neighbourhood Plan (SGNP) was received by the Council shortly before the inquiry opened. The Rule 6 party Friends of the Community: Stoke Golding ('the Friends') provided the inquiry with a copy of the submission plan. A completed and executed Section 106 agreement (S106) was submitted by the appellant shortly after the close of the inquiry. I have had regard to both documents in my decision along with all other documents submitted to this appeal.

Main Issues

4. The main issues are:
 - i) the effect of the development on traffic movements and highway safety;
 - ii) the effect of the development on character and appearance of the countryside;
 - iii) the effect of the development on local infrastructure provision;

- iv) whether the Council can demonstrate a 5 year supply of deliverable housing sites; and
- v) the overall planning balance having regard to the adopted and emerging development plan (including the Stoke Golding Neighbourhood Plan) and national policy.

Reasons

Traffic movements and highway safety

The existing context

5. The site adjoins Wykin Lane which connects Stoke Golding to the neighbouring village of Wykin, by which point its name changes to Stoke Lane (hereafter referred to as the lane). It is a narrow single track lane from the edge of Stoke Golding southwards with a number of formal and informal passing places such as driveways. In Wykin, the lane ends at a T-junction with Higham Lane / Wykin Road. From there, it is a short journey along Wykin Road to the A47 and the northern edge of Hinckley, including the emerging new housing development at Hinckley West. An alternative route between Stoke Golding and Hinckley is via Stoke Road, a road of a more standard width for two-way traffic.
6. The lane contains sections of relatively straight and flat road, but also has some bends and undulations, with a 90 degree bend on the north side of Wykin. This creates limited forward visibility in a number of places. There is no street lighting outside the built-up areas of the two villages and no pavement south of the new Stoke Golding cemetery. Between the edges of the two villages, the national speed limit applies. In reality, speeds tend to be lower due the nature of the lane. Warning signs at either end of the lane note it is unsuitable for heavy goods vehicles (HGVs) although some HGVs including tractors use the lane to access farms and businesses. A secondary school mini-bus to and from Hinckley also uses the lane.
7. Traffic count data reveals around 6,000 vehicles pass the edge of Stoke Golding in one week, with around 80-85 vehicles recorded in the AM and PM peak hours on average. From my site visit observations across the afternoon and early evening of 22 April 2021, the lane had a regular flow of traffic, albeit with some lengthy gaps between vehicles and it was not as busy as Stoke Road around the end of the school day. It is apparent that satellite navigation systems direct traffic along the lane including delivery vehicles and tourists. The Friends and interested parties refer to an increase in background traffic as a consequence of developments elsewhere, with rat running to avoid busier routes like the A5.
8. The lane is popular with and well-used by non-motorised users including walkers, cyclists and horse riders. It is also used by people in wheelchairs and those with buggies. Survey data and my site visit observations indicate that most walkers use the first stretch of the lane nearest to Stoke Golding before turning onto one of the public footpaths south of the cemetery. Nevertheless, it is possible to walk to the edge of Hinckley and various services and facilities in approximately 20-30 minutes.
9. Cyclists appear to use the full length of the lane for recreation purposes as part of a network of recommended and leisure routes across the borough. Commuting to Hinckley by bike is also possible. The Friends and interested

parties note that the lane is used as part of circular route for horse riders with several stables located nearby. While the Covid-19 pandemic may have increased the number of people using the lane during lockdowns, there is little evidence to support the notion that levels may decline significantly in the future. It is evident that non-motorised users use the tarmac surface of the lane wherever possible. Grass verges and passing places offer some refuge from motor traffic, although verges are generally lacking nearer to Wykin and the lane is less attractive for use in poorer weather conditions.

10. There have been no recorded accidents along the lane. Nevertheless, that does not automatically mean that the lane is safe. Evidence from interested parties suggests a number of minor incidents and near misses including a vehicle ending up in a ditch next to the lane. The lane's narrow width presents risks when motorised traffic meets another road user, particularly on stretches where visibility is poor and passing places and verges are lacking. The width falls below what would be required in terms of design guidance from Leicestershire County Council (LCC) as the local highway authority, although this applies to a new residential access road rather than an existing lane.
11. People park their cars on the lane near the cemetery entrance for funeral services and to visit graves, and also to go on countryside walks, which can result in localised congestion. The lack of street lighting adds to the risks especially when it gets dark earlier in the evening in the autumn/winter, notwithstanding vehicle lights and the ability of non-motorised users to wear high visibility clothing. There is no evidence that the lane is gritted during icy weather and there are various potholes and carriageway/verge damage. The T-junction in Wykin is not wide enough for traffic turning onto the lane if there is a vehicle waiting to exit.
12. The lane evidently has a number of existing safety issues. Whilst these are not of a magnitude that people are avoiding using it altogether, it is clear that there are significant concerns from a large number of interested parties. Experiences and perceptions of risk will vary between individuals. People will choose whether to use the lane by different modes of transport. Stoke Road provides an alternative and wider route of similar distance and duration for motor vehicles between Stoke Golding and Hinckley, although suffers from congestion around the secondary school at the start and end of the school day. It has not been demonstrated that any increase in the use of the lane would be unacceptable, but it is necessary to consider whether the development and the proposed mitigation would have an acceptable effect.

The effect of the proposed development

13. The development would generate 33 trips during either the AM or PM peak hour. The Council and appellant take differing views on whether Census journey to work or traffic count data should be used, but agree that 33 trips would result in 17 to 23 additional vehicles using the lane during these hours. This is a 20-28% increase on existing levels. Figures from the Friends' traffic consultant show a similar increase. Based on trip generation estimates and traffic count data, such percentage increases would be maintained across the day between 7am and 7pm.
14. While the increase in PM peak hour traffic would fall within the existing daily variation, it is not apparent that this would be the case at other times of the day. Thus, there would be a noticeable effect of more traffic on the lane. The

level of increase would present additional risks as there would be more occasions for all users of the lane to encounter motor vehicles. Based on the existing lane context, the potential for conflict and incidents would increase by over a quarter for pedestrians, including during evening hours. The increase in encounters would be lower for cyclists due to their average speed, but there would be limited space for motor vehicles to pass cyclists safely. Horse riders would experience similar levels of additional vehicles as pedestrians with similar difficulties to cyclists in terms of drivers being able to overtake properly. In addition to the safety implications, this could discourage non-motorised use of the lane to the detriment of sustainable travel.

15. The appellant proposes 11 new passing places and 7 improved passing places as mitigation to allow more opportunities for road users to give way to oncoming traffic. Passing places are used in many rural locations and no guidance or research has been presented to demonstrate that they are inappropriate in terms of highway safety. However, the parties dispute their effectiveness in this case. I set out my assessment in the following paragraphs.
16. The visibility between the new and existing passing places would be reasonable in most places taking into account likely speeds and the nature of the existing lane. Proposed signage to denote each location would assist with visibility and would also reduce the risk of vehicles using the passing places for car parking purposes. The visibility would allow vehicles to see and react to oncoming traffic in sufficient time. One exception is between new passing places 3 and 2 heading towards Wykin. However, visibility in the opposite direction is better and there is an informal passing place at a field entrance next to the Ambion Way public footpath. The other exception is between passing places either side of the 90 degree bend. However, traffic speeds approaching such a bend are very reduced while there is scope for southbound traffic to move to the left at the bend to avoid oncoming vehicles.
17. The new passing places would result in localised widening of the lane, but most of the existing width and bends would remain. This would require drivers to travel at an appropriate and safe speed below the national speed limit. While it is possible some drivers might try and race between signposted passing places, it is more plausible that most drivers would behave in a more rational manner, giving way to oncoming traffic where it is safe and reasonable to do so. Thus, the mitigation would not give rise to significant increases in traffic speeds. Moreover, it would not make the journey along the lane much quicker or easier to the extent that it would attract significant additional background traffic.
18. While the new passing places would reduce the extent of grass verges, they would offer non-motorised users some refuge at a level grade with dropped kerbs. Existing verge and road damage would be improved with more passing places reducing the likelihood of vehicles having to come off the tarmac surface. The passing places mitigation has been subject to a Road Safety Audit (RSA) and found to be safe. The brief for the RSA was not explicit in the need to consider non-motorised road users. However, the auditors clarified shortly before the inquiry opened that they did have regard to such users during their assessment in line with national guidance, referring to the lane as a popular and well-used route. Moreover, the RSA process requires further monitoring of the passing places once installed and remedial work could take place. Thus, I am satisfied that while the focus of the passing places is towards motorised

vehicles, they would not be unsafe, they would cater for the needs of non-motorised users, and would be an appropriate form of mitigation.

19. In terms of effects on the T-junction with Higham Lane / Wykin Road, existing survey data by the appellant reveals up to 3 vehicles queuing on the lane during morning peak hours and up to 2 vehicles queueing on Wykin Road in the morning and evening peak hours. Such queues occur in periods of less than 5 minutes indicating that they clear relatively quickly. The increased number of vehicles in the morning and evening peaks is not of a magnitude that would add significantly to queue lengths or delays. The additional traffic is also unlikely to greatly increase the risk to non-motorised users at this junction. Whilst narrow, the visibility along the lane from the T-junction is reasonable, with a passing place just beyond the narrow section. Moreover, there is a public footpath that bypasses the junction altogether for pedestrians walking to and from Hinckley.
20. As for cumulative effects, Hinckley West on the north-west edge of the town will comprise 850 homes when complete. It is a site allocation in the Hinckley and Bosworth Site Allocations and Development Management Policies DPD 2016 (SADMP) which has since gained planning permission. SADMP Policy SA2 required the provision of an appropriate strategy that reduces the impact of traffic from the development on Wykin Lane through Wykin village. The traffic statement for the approved development was based on modelling data specific to the location. It reveals little difference in traffic flows along Wykin Road from the A47 as a result of the development. It follows therefore that there would be little increase in motor vehicles using Wykin Lane to access Stoke Golding. It is possible that new residents would seek to walk or cycle for recreational purposes along the lane. However, the local footpath and cycle network is extensive and it is not certain that a large number of people would choose to use the lane.
21. The recently approved Roseway scheme on the northern side of Stoke Golding could result in some future residents using the lane to reach Hinckley. However, given the location of the Roseway site and the network of village roads, it is likely that a significant number of vehicles would go via Hinckley Road and Stoke Road. Therefore, the proposed development would not have a significant or severe cumulative effect with the approved Hinckley West and/or Roseway schemes.
22. In terms of the site access from the lane, the visibility splays shown on the detailed plan are in accordance with national and LCC guidance and would not result in extensive vegetation loss. The site access would have an impact on car parking for the cemetery, but this is an informal arrangement and funeral services are likely to only be occasional. As a consequence, I am satisfied that safe and suitable access can be provided for the development.
23. I have had regard to comments made by and about LCC as the local highway authority. I have insufficient evidence to substantiate claims that LCC are reluctant to sustain objections to applications on highway safety grounds. It is apparent that a LCC highways officer visited the site and the lane to assess the original application and that further information was sought before no objection was confirmed. This included impacts on non-motorised road users even though detailed data on such users was not available until after the application

was determined. In any case, I have reached my findings on this main issue based on the evidence before me.

24. The development would increase the amount of motor vehicles using the lane with an increased risk of conflict between such vehicles and other road users. However, through the mitigation of additional and improved passing places, negative effects would be reduced and would not be significant. The impact on the T-junction would be acceptable and there would be no significant or severe cumulative effects with the Hinckley West or Roseway schemes. The site access would also be appropriate.
25. In conclusion, the development with the proposed mitigation would have an acceptable effect on traffic movements and highway safety. Therefore, it would not conflict with SADMP Policy DM17 which seeks, amongst other things, to ensure convenient and safe access for walking and cycling to services and facilities and to avoid significant adverse impacts on highway safety. It would also follow the advice in SADMP paragraph 14.68 in terms of safe access to the highway and in ensuring that the local highway network will continue to function effectively. It would not conflict with Policies 7, 11 and 14 of the Hinckley and Bosworth Core Strategy 2009 (CS) insofar as they seek to deliver a walking/cycling route between Stoke Golding and Hinckley.
26. The development would also not conflict with paragraph 109 of the National Planning Policy Framework (NPPF) which aims to only prevent or refuse development on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It would also not prejudice the aims of NPPF paragraph 104(d) and 110 in terms of encouraging sustainable modes of transport and minimising the scope for conflict between different road users. The development would also maintain existing cycle routes, having regard to Local Transport Note 1/20 on cycle infrastructure design.

Character and appearance

The existing context

27. The site is located just outside the Stoke Golding settlement boundary and is considered to lie within the countryside as set out by SADMP Policy DM4. This policy seeks to protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development. Development will be considered sustainable where it meets one of 5 exceptions in criteria (a) to (e) and complies with provisions in criteria (i) to (v), including the avoidance of significant adverse effects on the countryside. None of the 5 exceptions are applicable to this development.
28. In the Hinckley and Bosworth Borough Landscape Character Assessment, the site lies within Landscape Character Area E: Stoke Golding Rolling Farmland. This includes the area between the village and the northern edge of Hinckley. Its characteristics include small to medium scale rectilinear field patterns, rural settlements with historic cores, modern outskirts and sporadic farmsteads on the edges within a strong rural setting, and connecting rural lanes with grass verges and well-maintained hedgerows. The site adjoins Urban Character Area 11: Stoke Golding, where reference is made to development on the edge of the village gradually decreasing in density with individual farmsteads creating a

sensitive transition to the countryside. Key sensitivities include the village's rural setting and visual links to the surrounding countryside.

29. The site is an irregular shaped grass field. To the north are existing residential properties on Arnold Road, Stoneley Road and Wykin Lane as well as the village recreation ground. A solar farm is located to the north-east, the new cemetery and amenity space to the west, and the paddock and buildings of Willow Farm to the south. Beyond these features are a network of agricultural fields and public footpaths. There are mature trees and hedgerows along the lane and recreation ground boundaries. The boundaries with the properties to the north and the field to the east are much more open.
30. Along the lane boundary (both from the road and the cemetery entrance) and immediately to the north and south, it is possible to see glimpses of the site through gaps between trees. This is particularly the case during winter months, with the existing properties to the north also visible in the background. The site quickly becomes hidden by vegetation further south on the lane and also from two public footpaths running west from the lane to the south of the cemetery. From public viewpoints further south and east, the site is hard to discern against the existing settlement edge and is often screened by vegetation and the general landform. This includes the view from Compass Field Farm on the lane as identified by SGNP Policy SG10.
31. From the recreation ground, it is possible to see glimpses of the site between gaps in trees, with the roofline of Willow Farm visible even in summer months. From Hinckley Road to the north-east, the site is harder to pick out across an intervening field and the solar farm. From the southern end of Arnold Road, the site appears in a gap between two properties albeit screened by planting. Due to the lack of tall boundary screening, there are clear views across the site from private locations within the ground and first floor rear elevations and rear gardens of up to 15 properties on Arnold Road, Stoneley Road and Wykin Lane.
32. The existing site as a small to medium sized field adjacent to a rural lane forms part of the transition from village to countryside. The proximity and visibility of residential properties to the north exerts an urbanising influence particularly within the site. Conversely, the recreation ground, solar farm and cemetery can only be glimpsed from within the site and so there remains a wider rural setting. Along the lane boundary, the site is experienced against the backdrop of the cemetery and existing housing on the village edge although it clearly marks the start of the countryside. The site is well-contained and screened by boundary planting along the lane and from public footpaths both nearby and further afield, as well as from the recreation ground. There are no public footpaths across the site or any other form of public recreation provision.
33. The site makes a limited contribution in terms of the wider landscape character area due to its size, location and screening. However, in terms of the site itself and its immediate context, the landscape value, susceptibility and sensitivity is of a medium level due to the above considerations. While I concur with the Council and appellant that the site and surrounding area do not comprise a valued landscape for the purposes of NPPF paragraph 170(a), it is evident that they are valued by local residents including as part of recreational routes from the village to the countryside. In visual terms, the site can only be seen in glimpses along or near to the boundary apart from in private viewpoints. Thus,

I consider the existing site makes a moderate positive contribution to the character and appearance of the countryside.

34. The lane beyond the village edge has a rural character and appearance as a tarmac road flanked by grass verges, fields, trees, hedgerows, and occasional properties and farms. Existing passing places comprise tarmac and/or loose gravel but have a low visual impact. Damage to verges and potholes as a result of traffic is unfortunate and in places is somewhat unsightly.

The effect of the proposed development

35. The illustrative masterplan gives an indication of the potential internal layout, routes and landscaping that could be provided with the development at the reserved matters stage. The design and access statement refers to 2 storey properties with focal buildings in key locations. The access point onto the lane is fixed as part of the outline application and would result in around 13-15m of boundary vegetation being removed diagonally opposite the cemetery entrance.
36. Regardless of the details at reserved matters stage, the change from an undeveloped grass field to a residential development of up to 55 homes would represent a fundamental change to the character and appearance of the site itself. The urban edge of Stoke Golding would extend southwards unlike the 1980s cul-de-sacs of Arnold and Stoneley Roads which were built to the east of 1930s housing on Wykin Lane rather than to the south. The housing would be located between the cemetery and the recreation ground. However, it would not coalesce with either of these adjoining land uses due to the extent of vegetation screening. Similarly, the buffer provided by the paddock at Willow Farm would prevent coalescence with the existing farm buildings. Willow Farm would be less isolated but would remain an individual farmstead on the edge of the village.
37. With the exception of the site access, it is intended that the boundary vegetation along the lane would be retained and enhanced. Planting would also be strengthened along other boundaries. No detailed landscape mitigation scheme exists at present due to the outline nature of the proposal. However, I am satisfied that sufficient mitigation could be secured as part of the reserved matters stage. The development would be well-contained and seen against the context of the village settlement edge. While the magnitude of impact at site level would be high due to the change from field to residential, the impact on wider landscape character would be low. Therefore, the significance of landscape effect would be no greater than moderate adverse.
38. In terms of visual effects, it is likely that the tops of properties would be seen in close-up views along the lane boundary including from the village edge, the cemetery entrance, and near to Willow Farm, especially in winter months. There would also be similar views from the start of the footpaths to the south of the cemetery. However, such views would be glimpses based on the retention and enhancement of planting. The site access would be a relatively short section of the boundary and properties could be set back behind landscaping to reduce the negative effect. The visibility of properties from the recreation ground would also be likely to be limited based on boundary planting. From all of these viewpoints by Year 15, I consider the adverse visual impact would be no greater than moderate. From public viewpoints further away to the south and east, including by Compass Field Farm, the development

would be much less visible and so the adverse impacts would be negligible to minor at worst.

39. The development would be highly visible from the rear elevations and gardens of adjoining properties to the north. This would result in major adverse effects in terms of private views. However, the planning system is largely concerned with land use in the public interest rather than the protection of purely private interests such as private views. It is likely that significant negative effects on the living conditions of existing occupiers in terms of matters such as outlook, light and privacy can be avoided through the detailed designs at the reserved matters stage. Therefore, I only give moderate weight to these adverse effects.
40. The introduction of additional and improved passing places along the lane would increase the lane's width at various points, with tarmac and dropped kerb edgings replacing section of loose gravel and grass verges. However, much of the lane would remain single width and the additional tarmac would have a limited visual impact. Passing place signs would be more visible given their intended purpose, but their height, size and number would not be excessive or greatly detract from the lane's rural character. Existing areas of loose gravel and potholes could be removed where they coincide with a passing place. No formal landscape and visual impact assessment has been carried out for the passing places works. Nevertheless, I am satisfied that the works would have no more than a minor negative effect and that the lane would retain a rural character and appearance.
41. In conclusion, the development would have a negative effect on the character and appearance of the countryside and so would conflict with SADMP Policy DM4. However, the negative effect would be no greater than a moderate adverse impact for the reasons set out above. Given that issues relating to the living conditions of nearby residents and the detailed design can be addressed at the reserved matters stage, the development would not conflict with SADMP Policy DM10, criteria (b) and (c) in particular.

Local infrastructure

42. Stoke Golding is designated as a Key Rural Centre in the CS based on the services and facilities set out in CS paragraph 4.31. The post office closed in 2017, but all of the other services and facilities remain. The local shop is a small newsagent/corner shop but it still meets basic day to day retail needs and is open throughout much of the week.
43. The primary school is oversubscribed with more children on the roll (226) than the net capacity (208). Prospective pupils within the catchment area are not guaranteed a place at the school. LCC's Children and Family Services forecast that the development would generate 17 new pupils and an overall deficit of 29 places if also accounting for demographic changes. While the school has limited room to expand outwards without affecting its playing field or playground, LCC has confirmed that there is non-teaching space that could be adapted to provide additional teaching accommodation. The S106 would provide a financial contribution towards the improvement, remodelling or enhancement of facilities at the school or any other school within the locality. It is unfortunate that some children may still need to travel to school outside the village. Nevertheless, I consider the development would have an acceptable effect in terms of primary school provision.

44. The secondary school is a faith school with an admissions policy based largely on religious rather than geographic criteria. As such, fewer children from Stoke Golding attend the school than might be expected. The nearest other secondary schools are in Hinckley where there is an overall surplus of places forecast. A school bus runs from the village to Redmoor Academy with pupils charged £500 per annum for the service. The cost may be prohibitive for some families, but it provides a reasonable alternative to daily car journeys. Thus, the effect of the development on secondary school provision is also acceptable.
45. It is apparent that both of the village schools generate congestion and parking issues at the start and end of the school day. Given that the development would be within walking and cycling distance of both schools, it is unlikely to add significantly to this existing situation.
46. The village surgery is a branch of Hinckley Castle Mead Practice and dispenses medicines to over 1700 patients. There is no full-time resident doctor and a limited number of surgeries per week. Patient numbers have increased significantly in recent years and the ratio of patients to doctor exceeds national/local averages and recommendations. The surgery building is small with very limited scope to expand outwards. However, the West Leicestershire Clinical Commissioning Group (WLCCG) has indicated that the clinical rooms could be refurbished to enable them to become multi-functional treatment rooms. This would allow an increase in the number and type of appointments and services to accommodate the development. The S106 would provide a financial contribution towards the provision and/or improvement of surgery facilities in line with WLCCG's request. Therefore, the development would have an acceptable effect on surgery provision.
47. In terms of community and leisure facilities, the village hall is popular in terms of bookings while the surrounding recreation ground contains children's play equipment and sports pitches. Both require maintenance and improvements with the recreation ground below the quality levels expected by the Council. The development would make a financial contribution via the S106 towards the provision and maintenance of various open space facilities. There is little evidence to show that the development would worsen the provision of community and leisure facilities and so its effect would be acceptable.
48. The bus service between Hinckley and Nuneaton runs approximately once an hour between early morning and early evening Monday to Friday and at a similar frequency mid-morning to early evening on Saturdays. CS paragraph 4.31 does not envisage a greater level of bus service for Key Rural Centres. The service allows people to access shops, employment and educational facilities in the two towns with journey times of around 20-30 minutes. Thus, it would provide future occupants of the development with a realistic alternative to the private car and help reduce traffic and congestion on local roads.
49. Employment opportunities within Stoke Golding are restricted and there are no leases currently available at the industrial estate. The village ranks towards the bottom of Leicestershire settlements in terms of its economic profile. However, this is in comparison to larger villages and towns across the county and the village's profile is not dissimilar to some of the other Key Rural Centres within the borough. While the lack of local employment would result in occupants of the development needing to travel beyond the village for work, Hinckley is a short journey away and there is the option to travel by non-car modes. Thus,

the development would have an acceptable effect having regard to employment provision.

50. Wykin Lane can be described as a recreational resource in its own right, given its popularity with cyclists, walkers and horse riders. For the reasons set out above under the first main issue, the development would not have an unacceptable impact on this resource. The tranquil qualities of the cemetery would be affected during the construction phase, but the hours and nature of works can be controlled by conditions. This phase would also be time-limited.
51. Concluding on this main issue, the development would have an acceptable effect on local infrastructure provision having regard to the level of existing services and facilities and the contributions set out in the S106.

Housing land supply

Overview and approach

52. The Council's position on whether it can demonstrate a 5 year supply of deliverable housing sites has fluctuated throughout the course of this appeal. Towards the end of the inquiry, the Council conceded that, for the purposes of this appeal, it could not demonstrate a 5 year supply. However, the appellant and Council continue to disagree on the extent of the shortfall in terms of the deliverability of 5 specific sites. With the annual housing requirement rounded up to 473 dwellings per annum (dpa), the shortfall would be 467 dwellings based on the appellant's position or 85 dwellings based on the Council's position. This equates to around 4.01 or 4.82 years' worth of supply respectively with a base date of 1 April 2020.
53. There were two other sites discussed at the inquiry where the Council has revised the 5 year delivery rate. For Westfield Farm on Keats Lane, the Council has reduced the delivery of housing to from 60dpa to 40dpa based on evidence from the developer. This results in 122 fewer dwellings. For Springfield Riding School on Groby Road, the Council now considers an additional 27 dwellings will be delivered in the 5 year period based on an updated trajectory from the developer. The appellant did not dispute either site and I have no reason to disagree with the revised figures. These revisions have been factored in the parties' respective positions on the shortfall outlined above.

Disputed sites

54. *Land north of Triumph Motorcycles (Hinckley West)*. Phase 1 of this large site has detailed planning permission for 260 homes. The Council's build-out rate of 60dpa is based on evidence from the developer. The site is under construction, key parts of the road infrastructure are largely in place, and the first completions are expected in July 2021. While the Council normally applies a build-out rate of 47dpa for sites over 100 dwellings, this is an estimate for the purposes of assessing potential available housing sites. More specific detailed information can be utilised instead where available. There is no clear evidence that 60dpa would not be achieved between 2021/22 and 2024/25 and so I agree with the Council that 240 homes can be included in the 5 year supply.
55. *Sedgemere, Station Road, Market Bosworth*. This site has an extant full planning permission for 57 dwellings and site works have commenced. An application for 73 dwellings is currently being considered by the Council with a decision expected in June 2021. Pre-application discussions have sought to

resolve 6 reasons for refusal relating to a previous application in 2020. While there is some uncertainty as to whether the current application will be approved, the site continues to benefit from detailed planning permission and the developer is looking to start building homes as soon as possible. Therefore, there is a realistic prospect and clear evidence that at least 57 dwellings would be delivered within the 5 year period.

56. *Trinity Marina, Coventry Road*. This site benefits from outline planning permission that includes up to 74 dwellings. A letter from the developer indicates a reserved matters application and approval in summer/autumn 2021 with construction starting in 2022 and completion in 2024. The only reserved matter left relates to appearance with little indication that approval would not be forthcoming. The sale of the site is required before matters can progress and this has been hampered by the pandemic. This has led to the Council pushing the delivery of housing back to 2023/24 and 2024/2025. However, a firm offer has been received and negotiations continue with little evidence that a sale would not be agreed this year. Therefore, there is a realistic prospect and clear evidence that 74 dwellings would be delivered within the 5 year period.
57. *Land south of Station Road and Heath Road, Market Bosworth*. This site is allocated in both the SADMP and the Market Bosworth Neighbourhood Plan. A masterplan is due to be adopted in June 2021 and the Council contends that access issues are capable of being resolved. However, I have little information on progress towards the submission of a planning application. While this is partly due to commercial sensitivities, this does not justify the lack of clear evidence regarding the deliverability of 100 dwellings within the 5 year period. Therefore, this figure and the site as a whole should be deleted from the Council's 5 year housing supply.
58. *Garden Farm, Bagworth Road, Barlestone*. This site is allocated in the SADMP and previously had outline planning permission for 64 dwellings. The Council now considers that 99 dwellings can be delivered based on a new planning application due to be determined shortly. There is some uncertainty as to whether the application will be approved, but the previous permission and existing allocation indicates a realistic prospect of deliverability. Moreover, as a 100% affordable housing scheme with grant funding, there are set contractual timescales to be met. Therefore, clear evidence exists for the delivery of 99 dwellings within the 5 year period.

Conclusion on housing land supply

59. It is already accepted that the Council cannot demonstrate a 5 year supply of deliverable housing sites. Removing 100 dwellings from the Council's 5 year housing supply would result in a shortfall of 185 dwellings and a 5 year supply figure of around 4.6 years. The implications of the shortfall will be considered as part of the planning balance below.

Other matters

60. Various potential housing sites around Stoke Golding have come forward in recent years as part of the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA). However, this document forms part of the evidence base for the emerging new Local Plan and does not mean that each site would or should be developed. Further assessment of the planning merits

of each site would need to take place before any could be allocated or developed. I am aware that a planning application for 70 homes on a site south of Hinckley Road has recently been submitted to the Council. However, this application has yet to be determined and so does not affect my overall decision.

61. In the SHELAA, the appeal site forms part of a wider site that extends further south along Wykin Lane. The Friends and interested parties refer to the possibility of the number of houses doubling or trebling across a greater area, pointing to the illustrative masterplan where the primary street ends at the boundary with the next field. While there has been initial assessment work and inquiries relating to a larger development, I can only deal with the proposal and evidence before me. Any alternative scheme would require a separate planning application that would need to properly address a wide range of issues. Therefore, granting planning permission for this appeal would not set a precedent for further development on a wider Wykin Lane site or any other site around the village.
62. Stoke Golding has a number of heritage assets including listed buildings, two conservation areas, a scheduled monument, and part of the registered battlefield associated with the Battle of Bosworth, all of which attract visitors to the area. However, the site is sufficiently distant from these heritage assets and so the development would not have an adverse effect on their setting or significance. Wykin Lane appears to be a historic drovers' route dating back several centuries. However, it is already used by motor vehicles while the extent of proposed mitigation works to the lane are limited. Thus, the development is unlikely to negatively affect any features of archaeological or historic interest.
63. The existing site contains habitat features that can support protected species such as great crested newts (GCN), bats, birds and badgers. Survey work indicates the presence of GCN in the surrounding area. The proposed mitigation seeks 4.5m uncut buffers to hedgerows to allow connectivity for GCN around the site. This can be secured via condition, along with updated badger and GCN surveys and an overall biodiversity management plan to address all relevant protected species. As a consequence, the development should avoid negative effects on biodiversity matters.
64. There is an area of low surface water flood risk towards the north-east corner of the site. The reduction in permeable surfaces as a result of the development could increase the risk of such flooding within the site and surrounding area. Interested parties refer to flooding incidents such as in front of the cemetery. The proposed surface water drainage would include an attenuation pond that discharges to the adjacent watercourse. There are capacity issues with the foul sewer network and so an on-site pumping station would be necessary along with modelling work to be agreed with Severn Trent. On this basis, the development would have an acceptable effect on flooding and drainage.
65. Concerns relating to construction effects, including noise and dust pollution and the routing of traffic, can be controlled via condition. While it would appear that there has been an increase in crime across the village in recent years, there is insufficient evidence to link this to additional new housing. There would be a loss of agricultural land, but the site is not of a particularly high grade and much agricultural land around Stoke Golding would remain. Thus, it would only

represent a minor negative effect. The site is within a few kilometres of Stoke Golding Airfield but I have no evidence that shows the development would affect its operation. I am satisfied that the development would not compromise the use of the adjoining recreation ground given the vegetation buffer. The effect on property values is not a planning matter.

Planning obligations

66. The S106 agreement covers a number of planning obligations that are required by development plan policies including SADMP Policy DM3 which seeks the provision and delivery of infrastructure. The S106 would secure 40% affordable housing provision and a tenure split in accordance with CS Policy 15. It would ensure Travel Packs and bus passes are made available to the first occupants of each new dwelling to encourage sustainable modes of transport. It would provide a financial contribution towards maintaining household waste management facilities and capacity. It would also provide a financial contribution towards library facilities in Hinckley to address the increase in the catchment population.
67. As noted above, the S106 would make a financial contribution towards off-site open space with the focus on providing and maintaining specific facilities at the adjoining recreation ground. It would also ensure the provision and maintenance of open space within the development. Both elements would be in accordance with CS Policies 11 and 19 which seek open space improvements in Stoke Golding and across the borough.
68. The S106 would make financial contributions towards education and health facilities as discussed above. The figures are based on calculations set out by LCC and WLCCG informed by the likely number of people generated by the development. The health facilities contribution would be made prior to the commencement of development while the education contribution would be staggered but nevertheless paid in full before 40% of the dwellings are first occupied. Similar to some of the other contributions, they would need to be spent within 5 years of them being received by the relevant authority.
69. Given the policy requirements and the infrastructure needs arising from the development, I am satisfied that all of the above obligations are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. They would accord with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). Therefore, I can take all of the S106 obligations into account as part of my decision.

The planning balance

Emerging development plan

70. Preparation of the Stoke Golding Neighbourhood Plan (SGNP) commenced in 2015 and has been subject to various stages of public consultation. The SGNP submission version has been sent to the Council for legal checks prior to further public consultation. An examination and referendum would follow the consultation before the SGNP could be formally made.
71. The SGNP submission version has been amended following the Council's decision to approve 65 dwellings on land east of Roseway. A reserve site for around 25 dwellings on land at Stokesfield Farm has been removed while the

only housing allocation at Mulberry Farm is now a reserve site for around 25 dwellings. The latter site is a brownfield site within the village conservation area containing derelict farm buildings. It is identified as an improvement area in the conservation area appraisal and its redevelopment is generally supported locally over the use of greenfield sites. The Roseway and Mulberry Farm sites would provide 30 years of housing supply for Stoke Golding based on the rate set out for the village in the CS.

72. Concerns have been expressed that allowing this appeal would undermine the SGNP by overproviding housing on greenfield sites and would result in the removal of the Mulberry Farm site. However, the housing requirement figure in the SGNP is expressed as a minimum of 57 dwellings. It is based on minimum numbers derived from the CS which are dated and under review as part of the emerging new Local Plan. Therefore, there is no reason in principle why the Mulberry Farm site could not remain in the SGNP and come forward as a housing scheme. The SGNP makes allowance for windfall housing proposals and contains a range of policies to guide various types of development.
73. The SGNP still has some way to go in terms of its preparation and there are unresolved objections to the plan. Therefore, I concur with the parties that limited weight can be afforded to the SGNP and any conflict with it. Nevertheless, and having had regard to NPPF paragraphs 48-50, I am content that allowing this appeal would not undermine the SGNP to the extent that it could not progress to become an important part of the development plan for Stoke Golding.
74. The emerging new Local Plan was subject to a public consultation in early 2019 on directions for growth. This focused on potential revisions to the spatial strategy set out in the CS including to the north-west of Hinckley. However, the next public consultation is not expected before summer 2021 and the examination and adoption of the plan is not likely for some time yet. Therefore, the plan can only be attributed very limited weight at this stage.

The application of NPPF paragraph 11(d)

75. The NPPF sets out a presumption in favour of sustainable development. Paragraph 11(d) states that where there are no relevant policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless one of two exceptions apply. The first is not applicable to this appeal as there are no areas or assets of particular importance affected (such as designated heritage assets). The second exception states that any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole (also known as the tilted balance).
76. The lack of a 5 year supply of deliverable housing sites alone triggers the tilted balance in paragraph 11(d). The Council and appellant accept that the balance is also triggered due to most important policies being out of date. However, the parties differ in terms of which policies qualify as most important, the reasons for some of these policies being out of date, and the weight to be given to the policies and any conflict with them.
77. The parties agree that CS Policies 7 and 11 and SADMP Policies DM4 and DM17 are most important policies for the purposes of this appeal. CS Policy 15 deals with affordable housing provision and SADMP Policy DM1 reflects the

presumption in favour of sustainable development in the 2012 version of the NPPF. Both are very relevant to this appeal and so I concur with the Council that they can be regarded as most important policies too. CS Policy 17 relates to small scale developments only and so is not applicable to this appeal.

78. CS Policies 7 and 11 set out the spatial strategy and policies for Key Rural Centres. Amongst other things, CS Policy 7 supports housing development within settlement boundaries. CS Policy 11 sets a housing requirement of a minimum of 60 new homes for Stoke Golding, with developers required to show that the number, type and mix of housing proposed meets the needs of Stoke Golding taking into account the latest evidence.
79. The CS housing requirement figures are derived from the now revoked East Midlands Regional Spatial Strategy which set a target of 450dpa. The Council accepts that the two policies are out of date due to more up to date assessment of housing requirement via the government's Standard Methodology (SM). While the latest SM data reveals a local housing need of 450dpa, the Council acknowledges that this figure is a starting point for assessing the housing requirement rather than the end point as exists in the CS. Thus, it is recognised that CS Policies 7 and 11 are out of date. However, the appellant and Council disagree that the policies are also out of date due to the application of the CS spatial strategy and settlement boundaries.
80. The CS requires just over 5,000 new dwellings to be delivered between 2009 and 2026. The spatial strategy focuses on two sustainable urban extensions (SUE) of 2,000 dwellings at Earl Shilton and 2,500 dwellings at Barwell with 4,120 to be built by 2026. To date, no dwelling has been delivered in either location with none forecast to be delivered before 2026.
81. Despite the lack of progress with the SUEs, it is evident that the Council has continued to deliver new housing within settlement boundaries and on site allocations. There has been no significant under-delivery of housing in terms of the housing delivery test. However, it is also apparent that planning permission has been granted for sites outside of settlement boundaries even where minimum CS housing figures for settlements have been exceeded. This includes the Roseway site in Stoke Golding and two sites in Desford. The reasons for these permissions vary but has included situations where the tilted balance applied such as at Roseway.
82. There remains a need for development to be sustainable, while settlement boundaries continue to be an important tool to guide development even if they are somewhat dated or under review. Nevertheless, these permissions are an indication that the spatial strategy and settlement boundaries in the borough have been applied in a flexible rather than a rigid way due to specific circumstances. Therefore, this provides an additional reason to state that CS Policies 7 and 11 are out of date. As such, I consider only moderate weight can be afforded to CS Policies 7 and 11 and any conflict with them insofar as they seek housing development within settlement boundaries and set housing targets for Stoke Golding.
83. Affordable housing targets in CS Policy CS15 are based on figures that have since been updated. Thus, it can be regarded as out of date in a similar way to CS Policies 7 and 11. However, as it seeks to secure the provision of affordable housing it can still be afforded significant weight. SADMP Policies DM1 and DM17 are broadly consistent with the NPPF on their respective topics. There

are no other reasons to indicate they are out of date or that they carry reduced weight.

84. To the extent that SADMP Policy DM4 seeks to implement the CS through its approach to the countryside and settlement boundaries, it is also out of date. In terms of weight, the emphasis of the policy is to promote sustainable development in the countryside and protect it from unsustainable proposals. In that regard, there is broad compliance with the NPPF including paragraph 170(b) and so the policy can be afforded significant weight. Market housing schemes such as this appeal are automatically in conflict with the policy as they do not fall within the exceptions in (a) to (e). Nevertheless, it is for the decision maker to consider how much weight to give to the conflict based on the effect of the development on the countryside. In this instance, I have found that the negative effects would be no greater than moderate. Therefore, I attribute no more than moderate weight to the conflict with Policy DM4.
85. Taken as a whole, the policies most important for this decision can be regarded as being out of date for a number of reasons. This finding, along with my assessment of the weight to be attributed to each policy and any conflict with it, can be taken forward into the application of the tilted balance.
86. The parties agree that the economic benefits arising from the construction of the development and subsequent investment in the local economy carry moderate weight in favour of the scheme even if they are generic benefits. Environmental benefits comprise additional planting and biodiversity improvements within the site including enhancements to GCN habitats. These benefits carry moderate weight.
87. Social benefits comprise the provision of market and affordable housing. In terms of the former, there is no 5 year housing land supply and I have found the deficit is more than marginal at over 180 homes. While there has been no significant under-delivery of housing, the most recent housing delivery test measurement of 92% requires the Council to produce an action plan to increase delivery. The fact that the annual housing requirement figure in the latest SM data matches the CS does not temper the weight given to market housing, particularly when the SM figure is a starting point and the CS figure an out of date end point.
88. Stoke Golding has exceeded the minimum housing requirement by more than 3 times the amount set out in CS Policy 11 while the Roseway development alone would exceed the minimum figure set out in the submission SGNP. However, these figures are minimums and are based on CS figures which are acknowledged to be out of date. Taking the above into account, I consider significant weight can be afforded to the provision of market housing to address the shortfall.
89. As for affordable housing, CS Policy 15 requires 2,090 homes to be delivered over the 20 year plan period. While annualised targets are not used by the CS, this averages out at around 105 per year. So far, an average of 92 affordable homes per year have been delivered although the Council provides evidence not challenged by the appellant that it is on course to exceed the CS target by over 50 homes by 2026. Nevertheless, recent research carried out to inform the emerging Local Plan reveals a need of 271 homes per year while there are a significant number of people on the Council's housing register. The need is greater in urban locations like Hinckley, but it can be met in any part of the

borough. The development would deliver 40% affordable housing in accordance with CS Policy 15. This would equate to 22 homes if 55 are built in total. In light of the above, this represents a significant benefit.

90. The provision of additional passing places is primarily aimed at mitigating the effects of the development even though they will be of some assistance to existing users of the lane. Thus, I attribute very little weight to them as a benefit of the development.
91. In terms of adverse impacts, the development would have a negative effect on the character and appearance of the countryside and so would conflict with SADMP Policy DM4. However, for the reasons expressed above, I afford only moderate weight to the negative effects and the policy conflict. The development would be located beyond the settlement boundary and would be contrary to CS Policies 7 and 11 but I only give moderate weight to that conflict. It would not accord with the submission SGNP but neither would it undermine it and so this conflict carries limited weight. There would be no conflict with the emerging Local Plan. There would be a minor negative effect in terms of the loss of agricultural land. The development would have an acceptable effect on traffic movements and highway safety in line with SADMP Policy DM17 and an acceptable effect on local infrastructure provision.
92. The adverse impacts of the development carry no more than moderate weight and so would not significantly and demonstrably outweigh the benefits when assessed against the NPPF policies taken as a whole. As such, the presumption in favour of sustainable development would apply in line with NPPF paragraph 11 and SADMP Policy DM1.
93. There has been significant public interest in this appeal and many opponents of the development. The Friends and interested parties have eloquently set out their concerns and evidence, providing invaluable local insight. However, I have carefully considered the planning evidence and arguments for and against the development. On this occasion, they weigh in favour of granting planning permission.
94. Concluding on the planning balance, while the development would conflict with CS Policies 7 and 11 and SADMP Policy DM4, there are sufficient material considerations to indicate that permission should be granted.

Conditions

95. Condition 1 applies shorter timescales for the submission of reserved matters applications and the commencement of development as part of the Council's action plan to speed up the delivery of housing in light of the current supply position. Condition 2 sets out the details of what is required to be submitted at the reserved matters stage, all of which is necessary including information on the housing mix. Condition 3 is necessary to ensure that details of internal access and circulation routes are provided, as the approved plans only relate to the access point onto Wykin Lane and the masterplan is only illustrative. Conditions 2 and 3 are pre-commencement as it is important to approve all of these details as part of the overall scheme. Conditions 4 and 5 are necessary to clarify the approved plans and ensure the provision of the access point.
96. Conditions 6 and 7 are necessary to ensure that the construction phase has an acceptable effect on local residents. Condition 6 is pre-commencement to

ensure the details are agreed before works begin on site. Conditions 8 and 9 are necessary to ensure that any land contamination matters are properly addressed. Condition 8 is pre-commencement as it is necessary to understand contamination risks at an early stage.

97. Conditions 10, 11 and 12 are necessary to address matters relating to flood risk and drainage at construction and occupation stages. Conditions 10 and 11 are pre-commencement as drainage details need to be established early on. Condition 13 is necessary to ensure that the development has a satisfactory appearance and is pre-commencement to ensure existing ground levels are confirmed before groundworks begin.
98. Conditions 14 to 18 are necessary in the interests of biodiversity and landscape character. Condition 14 is pre-commencement to ensure that the protection and enhancement of species and habitats is factored into the development from the outset. An updated badger survey in Condition 15 is necessary to ensure that no new setts have been established since the original survey work.
99. Conditions 19 and 20 are necessary to make the development acceptable in terms of traffic movements and highway safety along Wykin/Stoke Lane. Condition 19 requires further details on improvements to existing passing places while Condition 20 requires the implementation of the new passing places that will be subject to a separate Section 278 process with LCC. I am satisfied that both conditions would secure the necessary work and the work would be completed within an appropriate timeframe.
100. Condition 21 is needed to ensure the adequate provision of bin storage while Condition 22 is necessary to ensure occupants are informed about sustainable waste management. Condition 23 is required to ensure that external lighting is appropriate to the local area while Condition 24 is necessary to ensure the provision of communications infrastructure.

Conclusion

101. For the above reasons, and having had regard to all other matters raised, the appeal is allowed.

Tom Gilbert-Wooldridge

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Thea Osmund-Smith of Counsel, instructed by Christopher May of Pegasus Group

She called:

David Cummins BEng (Hons) MSc CEng MCIHT MCILT
Director, ADC Infrastructure

Katie Machin BSc PG Dip LA CMLI
Associate Landscape Architect, Pegasus Group

Christopher May BA (Hons) MRTPI
Director, Pegasus Group

Ben Cook
Principal Planner, Pegasus Group

FOR THE COUNCIL

Leanne Buckley-Thomson of Council, instructed by Mr Rice of Hinckley and Bosworth Borough Council (HBBC)

She called:

Atholl Noon MRPTI MCILT
Director, Markides Associates Ltd

Ian Spindler BA (Hons) PG Dip LA CMLI
Principal Landscape Architect, Crestwood Environmental Ltd

Andrew Gray MSc TP MSc UP&R MRTPI MIED
Associate Planning Director, Aitchison Raffety

Helen Nightingale MRTPI
Principal Planning Officer, HBBC

Jenny Brader MSc
Senior Planning Officer, HBBC

FOR THE FRIENDS OF THE COMMUNITY: STOKE GOLDING (the Friends)

Steve Martin of the Friends

He called:

Ross Lockett
Local resident and member of the Friends

Diane Sinclair
Local resident and member of the Friends

Mervyn Ward
Chairman of Stoke Golding's Neighbourhood Plan Advisory Committee

INTERESTED PERSONS WHO SPOKE AT THE INQUIRY

Cllr Jonathan Collett	Borough Councillor
Cllr David Cope	Borough Councillor
Cllr Andy Furlong FRCS MCIPR	Borough Councillor
Cllr David Bill MBE	County and Borough Councillor
Cllr Ivan Ould OBE	County Councillor
Cllr Linda Mayne	Parish Councillor
Cllr Rachel Terheege	Parish Councillor
Katie Elliott	Local resident
Tracey Chadwick	Local resident
William Sinclair	Local resident
Karen Jones	Local resident
Jacquelyn Jones	Local resident
Robert Crowfoot	Local resident
Andrew Parton	Local resident
Alan White	Local resident
Andrew Clover	Local resident
Nick Robinson	Local resident
Anne Wigley	Local resident
Annabel Del Gesso	Local resident
Julie Butterworth	Local resident
Karen Hardy	Local resident

INQUIRY DOCUMENTS

- ID1 Appellant's opening statement
- ID2 Council's opening statement
- ID3 The Friends' opening statement
- ID4 Written representation by Jamie McQuade (local resident)
- ID5 Appellant's response to the brief for the passing places road safety audit
- ID6 GG119 Road Safety Audit guidance
- ID7 Stoke Golding Neighbourhood Plan Submission version
- ID8 Amendment to the Friends' Statement of Case as a result of ID7
- ID9 (a) Leicestershire Rural Evidence Base 2018; (b) Leicestershire Rural Economy Evidence Base 2014
- ID10 Facebook posts on the Stoke Golding Community Page (1 and 2 April 2021)
- ID11 Written representation by Sheepy Parish Council

- ID12 Email confirmation of the Local Highway Authority's site visit
- ID13 Statement of Mervyn Ward
- ID14 CD109 Highway Link Design guidance
- ID15 Statements of interested parties¹ (a) Alan White (b) Tracey Chadwick (c) Andrew Clover (d) Cllr Bill (e) Malcolm Lockett (f) Robert Crowfoot (g) Cllr Furlong (h) Annabel Del Gesso (i) Jacquelyn Jones (k) William Sinclair (l) Cllr Terheege (m) Nick Robinson (n) Katie Elliott (o) Karen Hardy (p) Julie Butterworth (q) Anne Wigley (r) Andrew Parton (s) local resident
- ID16 Consultations responses to original application (December 2019) from West Leicestershire Clinical Commissioning Group and Leicestershire County Council's Children and Family Services
- ID17 Updated responses from Ms Sinclair to questions from the Inspector
- ID18 Supplementary note on five-year housing land supply from the appellant and the Council
- ID19 Revised large housing sites spreadsheet
- ID20 Revised small housing sites spreadsheet
- ID21 Scott schedule from appellant and the Council regarding housing land supply
- ID22 Emails between the Council and Bloor Homes regarding Hinckley West
- ID23 Heritage Addendum note from appellant in response to ID15(e)
- ID24 Response from the appellant and the Council to the Inspector's questions on draft planning conditions and obligations
- ID25 Amended Community Infrastructure Levy Compliance Statement
- ID26 Signed and undated Section 106 agreement
- ID27 The Friends' closing submissions
- ID28 Council's closing submissions
- ID29 Appellant's closing submissions
- ID30 Appellant's reply to the closing submissions of the Friends and the Council

DOCUMENT RECEIVED AFTER INQUIRY CLOSED

1. Completed and executed Section 106 agreement

¹ No ID15(j) exists as this was missed off in the numbering

SCHEDULE OF CONDITIONS (24)

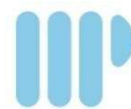
- 1) Application for approval of the reserved matters shall be made to the local planning authority not later than 18 months from the date of this permission and the development shall be begun not later than one year from the date of approval of the last of the reserved matters to be approved.
- 2) No development shall commence until plans and particulars of the reserved matters relating to:
 - (a) the appearance of the development including the aspects of a building or place that determine the visual impression it makes, including proposed materials and finishes; and
 - (b) the landscaping of the site including treatment of private and public space to enhance or protect the site's amenity through hard (boundary treatments) and soft measures and details of boundary planting to reinforce the existing landscaping at the site edges; and
 - (c) the layout of the site including, the location of electric vehicle charging points, the way in which buildings, routes and open spaces are provided, the housing mix, and the relationship of these buildings and spaces outside the development. This should include a design statement that sets out how consideration has been given to lower density to edges of site and higher density along main routes; and
 - (d) the scale of each building proposed in relation to its surroundings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 3) No development shall commence until plans and particulars of the accessibility within the site, circulation routes, and how these fit into the surrounding access network have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: P18_2922-001-1 Rev B and ADC2042-DR-002 Rev P4.
- 5) No part of the development hereby permitted shall be occupied until the access arrangements shown on plan ADC2042-DR-002 Rev P4 have been implemented in full.
- 6) No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall detail how such controls will be monitored and how construction traffic will be routed. The plan will provide a procedure for the investigation of complaints. The approved details shall be implemented throughout the course of the development.

- 7) Construction work on the development hereby permitted shall not take place other than between the hours of 07:30 hrs and 18:00 hrs on Mondays to Fridays and 08:00 hrs and 13:00 hrs on Saturdays and at no time on Sundays and Public Holidays.
- 8) No development shall commence until a scheme for the investigation of any potential land contamination on the site has been submitted to and agreed in writing by the local planning authority which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the development first being occupied.
- 9) If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination has been submitted to and approved in writing by the local planning authority, which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the first dwelling being occupied.
- 10) No development shall commence until drainage details for the disposal of surface water have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full before the development is first occupied.
- 11) No development shall commence until details in relation to the management of surface water on site during construction of the development have been submitted to and approved in writing by the local planning authority. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided. Once approved, the construction of the development shall then be undertaken in accordance with these details.
- 12) No development shall commence until details in relation to the long-term maintenance of the sustainable surface water drainage system on the development have been submitted to and approved in writing by the local planning authority. The system will be implemented in accordance with the approved details and maintained in perpetuity. Details of the SuDS Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the system and should also include procedures that must be implemented in the event of pollution incidents within the development site.
- 13) No development shall commence until the existing and proposed ground levels of the site and proposed finished floor levels have been submitted to and agreed in writing by the local planning authority. The development shall then be implemented in accordance with the approved details.
- 14) No development shall commence until a Biodiversity Management Plan for the site which shall set out the site-wide strategy for protecting and enhancing biodiversity including the detailed design of proposed biodiversity enhancements and their subsequent management once the

development is completed, has been submitted to and approved in writing by the local planning authority. The submitted plan shall include a Great Crested Newt Corridor, areas of open space and created habitats including SUDs. All landscaping to informal play space and natural open space should comprise native species wildflower grassland. Development shall be implemented and thereafter maintained in accordance with the approved Management Plan.

- 15) Any reserved matters application shall be accompanied by an updated Badger Survey. The findings of the survey including a method statement for the clearance of the site, shall be submitted to and approved in writing by the local planning authority. The site clearance shall be carried out in accordance with the approved details.
- 16) The layout submitted at reserved matters shall provide a natural vegetation buffer zone of at least 5 metres alongside all retained hedgerow which do not relate to plot boundaries and a 4.5 metre uncut buffer provided as referenced in Section 3.1.2 of the Great Crested Newt Mitigation Strategy dated February 2020.
- 17) During the construction period, none of the trees or hedges indicated to be retained shall be cut down, uprooted or destroyed, nor shall be topped or lopped other than in accordance with the approved plans, without the written approval of the local planning authority. If any of the trees or hedges to be retained are removed, uprooted, destroyed or dies during the construction period, a replacement shall be planted at the same place during the first planting season following the completion of the development. The size and species of the tree or hedge shall be agreed in writing by the local planning authority prior to its planting.
- 18) All landscape planting used within the informal/semi-natural open space and adjacent to the boundaries of the site shall be native species only, unless otherwise agreed in writing by the local planning authority.
- 19) No part of the development shall be occupied until a scheme detailing improvements to the existing passing bays shown indicatively on drawing ADC2042-DR-005 Rev P2 has been submitted to and agreed in writing by the local planning authority. Thereafter, the approved scheme shall be completed prior to first occupation of any dwelling.
- 20) No part of the development shall be occupied until the offsite works (new passing bays) shown indicatively on drawing ADC2042-DR-005 Rev P2 and in detail on drawings ADC2042-DR-051 Rev P1, ADC2042-DR-052 Rev P1, ADC2042-DR-053 Rev P1, ADC2042-DR-054 Rev P1, ADC2042-DR-055 Rev P1, ADC2042-DR-056 Rev P1, ADC2042-DR-057 Rev P1, ADC2042-DR-058 Rev P1, ADC2042-DR-059 Rev P1, ADC2042-DR-060 Rev P1, ADC2042-DR-061 Rev P1 and ADC2042-DR-062 Rev P1 have been completed, subject to Section 278 approval.
- 21) No development beyond damp proof course level shall commence until a scheme that makes provision for waste and recycling storage and collection across the site has been submitted to and approved in writing by the local planning authority. The details should address accessibility to storage facilities and adequate collection point space at the adopted highway boundary. The approved scheme shall be implemented in accordance with the agreed details.

- 22) Upon first occupation of each individual residential property on the development, residents shall be provided with a 'Waste Minimisation and Recycling Pack'. The details of this Pack shall be first agreed in writing by the Local Planning Authority (in consultation with Leicestershire County Council) and shall provide information to residents about sustainable waste management behaviours. As a minimum, the Pack shall contain the following:
- Measures to prevent waste generation;
 - Information on local services in relation to the reuse of domestic items;
 - Information on home composting, incentivising the use of a compost bin and/or food waste digester;
 - Household Waste Recycling Centre location, opening hours and facilities available;
 - Collection days for recycling services; and
 - Information on items that can be recycled.
- 23) Prior to the first occupation of the development, details of any external lighting not within a residential curtilage shall be submitted to and approved in writing by the local planning authority. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). Light spill onto retained hedgerows and the brook corridor shall be minimised to a value of 1lux or lower at the edge of habitats. The lighting shall be installed, maintained and operated in accordance with the approved details.
- 24) No development beyond damp proof course level shall commence until full details for the provision of electronic communications infrastructure to serve the development, including full fibre broadband connections, has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and the infrastructure fully available prior to the first occupation of each dwelling on the site.



APPENDIX 3



Appeal Decision

Inquiry held on 9-12 and 15-19 March 2021

Site visit made on 23 March 2021

by John Woolcock BNatRes(Hons) MURP DipLaw MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th May 2021

Appeal Ref: APP/K2420/W/20/3260227

Land off Sketchley Lane, Burbage, Hinckley, Leicestershire LE10 3HU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Barwood Development Securities Ltd against the decision of Hinckley & Bosworth Borough Council (HBBC).
 - The application No.19/00947/OUT, dated 19 August 2019, was refused by notice dated 20 May 2020.
 - The development proposed is "Demolition of existing poultry and cattle buildings and mixed use development comprising: extension of Sketchley Meadows Business Park for up to 30,000 sq m (322,920 sq ft) gross external floor space for Class B2 General Industrial / Class B8 Warehousing and Distribution use, with vehicular access from Watling Drive; up to 140 dwellings with vehicular access from Sketchley Lane; and associated internal estate roads, parking, landscaping, open space and sustainable drainage."
-

Decision

1. The appeal is dismissed.

Preliminary matters

2. The application dated 19 August 2019 was made using the proforma for outline planning permission with all matters reserved. This was the proposal cited in HBBC's consultation letters about the application. The applicant subsequently advised HBBC by email dated 4 September 2019 that the form was in error and should have specified that the application was for outline planning permission with all matters reserved except for access, as was indicated in the supporting correspondence.¹ HBBC subsequently advised consultees that access was to be determined. HBBC's Refusal of Planning Permission gives the particulars of the development as; "Development comprising of up to 140 dwellings and extension of Sketchley Meadows Business Park for up to 30,000 sq m (322,920 sq ft) gross external floor space for Class B2 General Industrial/Class B8 Warehousing and Distribution use with associated means of access from Watling Drive and Sketchley Lane, associated internal estate roads, parking, landscaping, open space and sustainable drainage (Outline - including access)."
3. The appellant proposes an amendment to the description of the development at the appeal stage. This would reduce the floorspace of the proposed extension of Sketchley Meadows Business Park from up to 30,000 sq m (322,920 sq ft) to

¹ PreID16.

up to 22,637 sq m (243,663 sq ft) gross external floor space for Class B2 General Industrial/Class B8 Warehousing and Distribution use. Other proposed alterations include minor variations to access details, a redistribution of built form within the site, further restrictions on building heights and increasing the proportion of affordable housing from 20% to 40%.² The proposed amendments were the subject of consultation, with a three-week period for representations ending on 3 March 2021.³

4. The Inquiry provided an opportunity for anyone wishing to do so to comment on the proposed alterations and on the adequacy of the consultation exercise. No objections to dealing with the amended scheme at the appeal stage were raised by any interested persons. The proposed alterations to the description of the development and the proposed revisions to the Watling Drive and Sketchley Lane accesses would not result in a significantly different scheme to that considered by HBBC when it determined the application. Nor would the changes be likely to be prejudicial to the interests of any parties or persons.
5. My ruling at the Inquiry was that the appeal proceed on the basis of the amended scheme for outline planning permission with all matters except access reserved for: Development comprising up to 140 dwellings and extension of Sketchley Meadows Business Park for up to 22,637 sq m gross external floor space for Class B2 General Industrial/Class B8 Warehousing and Distribution use with associated means of access from Watling Drive and Sketchley Lane, associated internal estate roads, parking, landscaping, open space and sustainable drainage, and subject to the following amended drawings: Watling Drive access 006A, Sketchley Lane access 004C, Land Budget plan 037m and Building Heights plan 015i.⁴
6. With the exception of the Site boundary plan and Demolition plan, the details shown on other submitted drawings and plans are illustrative material not forming part of the application. The parameter plans would be the subject of planning conditions so that a grant of outline planning permission would also determine the areas within the appeal site for residential use, green infrastructure and the hardstanding within which commercial buildings would be contained. The maximum height of commercial and residential buildings would also be set by these conditions.
7. A unilateral undertaking, dated 30 March 2021, provides for 40% of the dwellings to be affordable dwellings and for 10% to be self-build housing.⁵ Other obligations include a biodiversity and landscape management plan with provision for an ecological clerk of works and maintenance of amenity and strategic green infrastructure on the site. The undertaking provides for on-site open space with a maintenance contribution, as well as a financial contribution towards off-site open space. It includes a local employment and training strategy and a contribution towards health care facilities. The obligations to Leicestershire County Council (LCC) include contributions to bus stops and bus passes, civic amenity, highway improvements, libraries, primary school sector, and a travel plan/travel pack. It also provides for a traffic regulation order for part of Watling Drive. The Inquiry was closed in writing on 6 April 2021.

² CD2.1 and CD2.30.

³ CD2.30-CD2.51 and PreID14.

⁴ ID4.2.

⁵ ID26.2.

Planning policy

8. The development plan for the area includes the Hinckley and Bosworth Core Strategy adopted in 2009 (CS), and the Hinckley and Bosworth Local Plan Site Allocations and Development Management Policies DPD (SADMDPD), which was adopted in 2016. The appeal site lies outside the settlement boundary, and in the countryside, as defined in the development plan. The appellant and HBBC are agreed that the CS and SADMDPD rely on an out-of-date evidence base, and so the most important policies for determining this appeal, which are CS Policy 4 and SADMDPD Policy DM4, are out-of-date and the 'tilted balance' applies.⁶ This means that I should be disposed to grant planning permission unless the presumption in favour of sustainable development can be displaced.⁷
9. The referendum for the emerging Burbage Neighbourhood Plan (eBNP) has been delayed because of Covid-19 restrictions, but is planned to take place on 6 May 2021. I have also had regard to the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).
10. Reference was made at the Inquiry to the emerging Local Plan. However, this is at such an early stage that speculation about likely housing requirements are of little or no assistance in determining this appeal.

Main issues

11. I consider that the main issues in this appeal are the effects of the proposed development on:

The character and appearance of the area.

Biodiversity.

Highway safety.

I have considered whether and to what extent the following weigh in the planning balance; the effect on heritage assets, agricultural land, the living conditions of neighbouring residents, and on local services and infrastructure. There is also a dispute about whether HBBC can demonstrate a five-year housing land supply. I have taken into account the benefits of the appeal scheme in determining whether any adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits.

Reasons

Character and appearance

12. The appeal site, which comprises seven grassland fields used for grazing cattle and horses, forms part of LCA F: Burbage Common Rolling Farmland in LUC's Hinckley & Bosworth Landscape Character Assessment.⁸ The majority of this LCA lies to the east of Hinckley and to the south-east of Burbage. The appeal site lies within a pocket of LCA F to the south of Burbage and to the north of the A5 trunk road. A key characteristic of the adjoining UCA1: Burbage is a ridgetop settlement. The open farmland beyond the A5 lies within the Borough of Rugby. The most relevant key characteristics of LCA F to the appeal site

⁶ PreID13.

⁷ CD7.4 paragraph 28.

⁸ CD15.1.

- include medium to large scale field pattern with smaller scale pasture fields around the settlement, urban fringe influences, along with major transport corridors.
13. The appeal site has some of the attributes of a semi-rural area on the edge of Burbage, which in landscape terms is enhanced by the presence of pockets of ridge and furrow earthworks.⁹ However, parts of it are subject to urban influences given the proximity of residential and hotel development on the higher ground to the east and north, and the industrial estate on the lower ground to the west. Nevertheless, its openness and size provide a significant visual and perceptual break from built development in this part of Burbage, which is an important feature of the local landscape.
 14. The appellant acknowledges that the appeal site is a transitional zone between existing industrial premises and residential uses.¹⁰ But it seems to me that the importance of this function is not properly taken into account in the appellant's assessment of the likely effects of the scheme on the local landscape character. The proposed development, given the width and configuration of the strip of land shown on the Land Budget plan as amenity/strategic green infrastructure between the proposed commercial and residential areas, would result in a significant adverse change to this transitional zone. The sense of separation between industrial and residential uses, and of openness, within this part of the landscape, would be largely lost. This would be a fundamental alteration to the landscape resource.
 15. The appeal site forms part of Sensitivity Area 07: Sketchley in LUC's 2017 Landscape Sensitivity Assessment.¹¹ Sensitivity Area 07 is considered to have an overall low sensitivity to residential development, but medium sensitivity to further commercial development, where new development to the east would be likely to be more exposed on sloping land. In terms of perceptual qualities, the assessment states that the fields in the east retain some rurality, particularly around Sketchley Grange Hotel, where well-treed field boundaries combine with mature specimens within the field to create a distinctive local landscape from the rest of the area. Building(s) up to 12 m to ridge height and activities on associated hardstanding located within the proposed commercial area to the south of the hotel would be particularly exposed on this higher part of the appeal site. Siting commercial development on this higher part of the appeal site would significantly harm the appearance of the area, particularly given the proposed width of the green infrastructure that would separate the commercial area from the hotel/proposed residential development.
 16. The bridleway along the eastern boundary of the appeal site currently provides users with intermittent views over the open appeal site, which contains some visually interesting ridge and furrow earthworks, and in places views towards the wider countryside beyond. This is particularly so from the part of the bridleway that is contiguous with the Policy 9 Green Corridor in the eBNP. This bridleway is a well-used and valued recreational route. The proposed residential development (up to two-storey) to the north of The Spinney development would break the existing visual link between the bridleway and the wider and more distant countryside. The loss of these views would significantly detract from the visual amenity of the area.

⁹ The Inspector in The Spinney appeal considered that the settlement had a semi-rural edge (CD6.8).

¹⁰ Mr Greep's Proof of Evidence paragraph 2.1.4.

¹¹ CD15.2.

17. Sketchley Lane currently has the feel of a semi-rural lane. It is used by pedestrian and cyclists for both commuting and for recreation. The proposed access to the residential area, which would include visibility splays, would open up a gap along the lane providing views of houses. This would have an urbanising influence on the lane. So too, potentially, would a traffic calming scheme for the lane. The need for such a scheme is considered later in this decision. In the absence of a proposed traffic calming scheme it is not possible to assess the likely implications for the character of the lane. However, it was evident from my site visits that measures such as road widening, additional or wider footways, speed cushions, signage, along with any cutting back of roadside verges or vegetation, could give the lane a much more urban look and feel. This would harm the character and appearance of the area and diminish the enjoyment users derived from travelling along the lane. Without a detailed traffic mitigation scheme to enable assessment of the quantum of any such harm, this is not a consideration that can properly be taken into account in the planning balance, other than to find that it adds to my concerns about the likely impact of the proposal on the character and appearance of the area.
18. The intrinsic value of this part of the countryside outside the settlement boundary of Burbage largely derives from the contribution its open character makes to the separation of industrial/commercial and residential/hotel development. The appellant's assessment understates the likely impact of the appeal scheme on the local landscape. The scheme would be poorly configured with commercial development extending up from the lower parts of the appeal site to the higher ground in the vicinity of the hotel. This would create an intrusive form of development in a prominent location, and result in an inadequate transition zone between hotel/residential and industrial development in this part of Burbage.
19. From the evidence adduced at the Inquiry and from my site visits, I consider that the proposed development would have an adverse effect on the character and appearance of the area of major significance. This is a consideration that should be given substantial weight in the planning balance.

Biodiversity

20. The evidence indicates that it would be possible, with appropriate future management, for the appeal scheme to result in a net biodiversity gain over the existing situation.¹² Furthermore, in terms of area, the proposed green infrastructure would be comparable to the area identified on Figure 25 of the eBNP for a green corridor on the appeal site. However, the configuration of the proposed green infrastructure would be very different from that sought by the eBNP.¹³ The proximity of urban activity close to the strips of green infrastructure proposed in and around the commercial buildings and residential development would detract from the value of these areas as useful wildlife habitat and corridors. The proposed green infrastructure would fall far short of the wide east/west green corridor across the appeal site envisaged in Policy 9 of the eBNP to protect and enhance the network of green spaces, stepping stones and wildlife corridors shown on Figure 25 of the eBNP.

¹² ID27. The scheme proposes delivery of the green infrastructure through a Biodiversity and Landscape Management Plan secured by the unilateral undertaking.

¹³ ID14 and ID17.

21. In addition, the illustrative layout indicates that the proposed strategic/amenity green infrastructure would need to be crossed by a road/footway to access the proposed residential area to the north of The Spinney, and would also be crossed by a service road to the proposed commercial development to the south of the hotel. The surfacing of these roads, along with the movement of vehicles and people along these routes, would impair the effectiveness of the proposed green infrastructure as a wildlife corridor. This would be likely even with the measures proposed to maintain permeability, such as tree and shrub planting and a lighting strategy. I am not convinced that the benefits of the scheme to biodiversity should attract the 'moderate' weight attributed by HBBC.
22. Taking into account the above considerations, I find that the proposal would have a biodiversity benefit of minor significance that should be given slight weight in the planning balance. I also consider, notwithstanding the likelihood of a net biodiversity gain, that the appeal scheme would conflict with Policy 9 of the eBNP.

Highway safety

23. HBBC refused the application on the grounds that the development would create an increase in vehicular movements along Sketchley Lane, an access road that has restricted width, which would result in the development having a severe impact on highway safety. HBBC's decision was not supported by the advice of LCC as the Local Highway Authority. Nevertheless, the appellant agreed that the width of the lane, presence of pedestrians, vehicles and cyclists along the route could pose a safety hazard, and so an indicative scheme of mitigation was prepared. But that scheme was not acceptable to LCC, the authority responsible for the implementation of traffic calming.¹⁴
24. The appellant and HBBC therefore proposed at the Inquiry that this matter could be dealt with by the imposition of planning conditions. The suggested conditions provide that prior to the commencement of residential development a detailed design scheme of highway improvements for Sketchley Lane be approved in consultation with LCC and implemented prior to the occupation of the first dwelling. The condition specifies that the scheme includes works to provide a maximum of 1.8 m footway to the east of Sketchley Manor Lane, traffic calming measures to restrain vehicle speeds, a new 2.0 m wide footway between the residential site access and Sketchley Manor Lane, and carriageway widening within highway land on the south side of Sketchley Lane between the residential site access and Sketchley Manor Lane.¹⁵ This approach was acceptable to the main parties to the appeal, but did not allay the concerns of local objectors to the proposed development.
25. Notwithstanding that there have been no injury accidents reported in Sketchley Lane, from the evidence adduced at the Inquiry and from what I saw at my site visits, I consider that a scheme of mitigation would be necessary for the residential element of the appeal scheme to proceed. Vehicles, cyclists and pedestrians associated with the proposed 140 dwellings off Sketchley Lane would significantly add to the acknowledged safety hazard. I have no doubt that the highways experts could devise a scheme of mitigation for the lane that would overcome highway safety objections to the proposed development and

¹⁴ PreID18 Section 4.

¹⁵ ID6.6 Conditions 24 and 25.

achieve compliance with SADMDPD Policy DM17 concerning highway safety. However, there is nothing before me to indicate what impact such a scheme might have on the character and appearance of the lane in its local context. This is a consideration that indicates to me that it would not be reasonable to impose the suggested conditions in the circumstances that apply to this appeal.

26. There is local concern about the appeal scheme adding to existing congestion on the A5. I saw at my site visits how busy this route can be at times. However, there is no technical evidence to support a finding that the appeal scheme would result in severe residual cumulative impacts on the A5 or the wider road network. The impact on highway safety along the A5 would not warrant refusal of the scheme on highway grounds in accordance with NPPF paragraph 109.
27. In the absence of a scheme of mitigation for Sketchley Lane that would be acceptable in both highway and amenity terms, I find that legitimate local concerns about highway safety remain unresolved. Furthermore, if the highway objection could be overcome, it is not clear whether and to what extent such a scheme would harm the character and appearance of the area.

Housing land supply

28. HBBC initially conceded that it did not have a five-year housing land supply, but with the publication of the Government's new affordability ratio, HBBC revised its position from a housing land supply of 4.98 years to 5.01 years. The appellant considers that the housing land supply is 3.86 years with a shortfall of 541 dwellings.¹⁶ The difference concerns the extent of the supply regarding build rates on two sites, the inclusion of four other sites, along with the application of a windfall allowance.
29. HBBC's build rate for the land north of Triumph Motorcycles would exceed the average of 40 dwellings per annum (dpa), but there is evidence that the developer has achieved comparable build rates in similar market areas. I find no clear evidence to displace the presumption of deliverability that applies here. This would reduce the shortfall identified by the appellant by 80 dwellings.
30. The developer of the Springfield Riding School site has confirmed that the site is being built out for a Registered Provider and is contracted to build 50 dpa. The evidence indicates that there is a realistic prospect that the delivery of 168 dwellings on the site within the five year period is achievable. This would reduce the shortfall identified by the appellant by 27 dwellings.
31. Although the owner/developer of the former King William public house is currently converting the building, there is no clear evidence about progress towards completion of the contested 17 dwellings within the five-year period. Despite the owner's plans for the Trinity Marina site there is limited evidence that the housing completions would contribute to the five-year housing supply. For the land south of Station Road and Heath Road long-standing interest in development of this site, part of which HBBC own, is not sufficient evidence to include the site for 100 dwellings within the five-year housing land supply. The Garden Farm site at Bagworth Road is the subject of an application for 99 dwellings on this allocated site. However, this is subject to objections and

¹⁶ ID33.1 and ID33.2.

the information before me falls short of the clear evidence necessary to include 99 dwellings in the supply.

32. HBBC applied the average small site windfall completions of 73 dpa for the past 10 years in arriving at its windfall figure for years 4 and 5. I am satisfied that this is realistic having regard to historic windfall rates and expected future trends. This would reduce the shortfall identified by the appellant by 146 dwellings.
33. Taking all the above into account, I find that HBBC cannot demonstrate a five-year housing land supply. The shortfall of 288 dwellings is a significant factor in favour of granting planning permission for the appeal scheme.¹⁷

Heritage assets

34. The ridge and furrow earthworks on parts of the site is an undesignated heritage asset that would be lost if the appeal scheme was implemented. However, the remnant ridge and furrow has lost much of its original context and is appreciated now more as an interesting landscape feature than for its heritage significance. I am satisfied that local heritage considerations in this case could be addressed by the imposition of a recording condition.

Agricultural land

35. The proposal would result in the loss of 5.9 ha of grade 2, and 8 ha of grade 3a/3b, agricultural land. Grade 2 and 3a/3b land is classified as the best and most versatile agricultural land. However, the existing use is as a long-term grassland farm, that is isolated from other agricultural land in the area by urban development and the A5. The economic benefits of this best and most versatile agricultural land are also constrained by the way the better-quality land is mixed with lower-quality land within the site. Nevertheless, the loss of 13.9 ha of best and most versatile agricultural land would be significant and would represent an adverse effect of minor significance.

Living conditions of neighbouring residents

36. There is local concern that the proposed commercial development towards the east of the appeal site would harm the living conditions of existing residents of The Spinney, and also future occupiers of the proposed housing, because of the height and proximity of the buildings. These buildings would be limited to a maximum of 12 m to ridge height. Nevertheless, they would appear as large structures that would alter the view from existing dwellings. This impact on outlook could be softened in time as landscaping matured. Given the local topography here, along with the potential for effective landscape screening, I am satisfied that the proposal would not have an overbearing or dominating effect on the outlook from nearby residential dwellings. Subject to the imposition of appropriate planning conditions, the appeal scheme would not have an unacceptable adverse impact on the living conditions of neighbouring residents.

Local services and infrastructure

37. HBBC is satisfied that all potential impacts on local services and infrastructure would be mitigated or compensated by the provisions in the unilateral

¹⁷ 541-80-27-146=288 dwellings.

undertaking. However, many residents raised concerns about additional pressure on already stretched local services. The scheme would deliver public open space in excess of policy requirements, which would benefit existing and future residents and employees. This would, to some extent, counter harm if the scheme did add to demands on local resources, not all of which were adequately addressed by the provisions of the unilateral undertaking. There is no convincing evidence that an unacceptable impact on local services and infrastructure would justify dismissing the appeal. I find on this issue, that the appeal scheme would result in some beneficial aspects, and others which would add to demands on local services and infrastructure, not all of which might be adequately addressed by the unilateral undertaking. Overall, I consider that the appeal scheme would have a neutral effect on local services and infrastructure.

Planning balance

38. The loss of 13.9 ha of best and most versatile agricultural land would be an adverse effect of minor significance that should be given slight weight in the planning balance. The loss of a non-designated heritage asset requires a balanced judgement having regard to the scale of loss and the significance of the asset. The remnant ridge and furrow that would be lost has limited heritage significance and is of modest scale having regard to other examples of ridge and furrow in the wider locality. The removal of this heritage asset attracts negligible/slight weight. The most significant adverse effect weighing against the proposal is the effect on the character and appearance of the area. For the reasons set out above this attracts substantial weight in determining the planning balance in this case. Against these adverse impacts must be weighed the benefits of the proposed development.
39. The scheme would make a significant contribution to the supply of housing in the locality, with up to 70 market homes and 56 affordable homes. The latter is double the development plan requirement and would include up to 32 units of affordable rented accommodation. The proposed provision would make a particularly important contribution to meeting the acute need for affordable housing in Burbage. In addition, provision for up to 14 self-build/custom-built plots would make a significant contribution towards meeting HBBC's statutory requirement, especially where there is evidence of demand that is not yet reflected in HBBC's self-build register. Given the shortfall in HBBC's housing land supply, the provision of the proposed market, affordable and self-build/custom-built dwellings, is a benefit of substantial significance in determining this appeal that attracts substantial weight in the planning balance.
40. The construction and use of up to 22,637 m² of general industrial development or warehousing and distribution would provide employment and a useful addition to the local economy. The appellant considers that the scheme would provide for 241 gross per year equivalent temporary construction jobs, 385 gross full time equivalent jobs, and a total of £9.2 million net additional GVA impact over the construction period, together with £10.2 million net additional GVA per annum to the local economy and £5.5 million to the national economy once operational. It is estimated that economically active households would generate expenditure of £4 million per annum. These would be significant economic benefits.

41. However, HBBC's 2020 Employment Land and Premises Study identified that there is an existing supply of land to address the requirement for local needs employment. Nevertheless, it reported an over emphasis in the supply for strategic areas and a lack of local options. Furthermore, HBBC acknowledges the need for additional employment allocations to meet local needs in the Borough up to 2036. In that context the appeal scheme would make an important contribution, but I consider that the appellant overstates the current need for employment land. In my judgement, the economic benefits of the proposed development should attract moderate weight in the planning balance. Given the likely timescales for when these benefits would arise, I find no convincing evidence for giving additional weight to the economic benefits of the appeal scheme because of current Covid-19 considerations.
42. The appellant considers that the site's location, adjacent to the main town in the Borough, and the proposed co-location of employment and residential development, are benefits of the proposal. These are considerations that I have taken into account in arriving at my assessment of the significance of the housing and economic benefits of the proposal.¹⁸
43. The appeal scheme would result in some biodiversity gains, which for the reasons given above should be given slight weight in the planning balance. The proposed development would improve public access to the appeal site with links to existing public rights of way. This should be given some slight weight in the planning balance because, with the exception of access within the appeal site itself, the proposal would not provide footpath connections that do not already exist. The appellant's submission that the enhanced public rights of way network should be accorded 'very substantial weight' exaggerates the benefit.¹⁹
44. Taking all the above into account, I find that the adverse impacts of the appeal scheme would significantly and demonstrably outweigh its benefits. If I am wrong about the housing shortfall and it is 541 dwellings, as argued by the appellant, rather than 288, this would enhance the urgency of adding to supply and would increase the weight given to the benefits of the proposed housing. But not enough in my judgement to alter the overall balance I have found against the proposal.

Planning policy

45. The starting point for the determination of this appeal is the development plan. I am required to make my determination in accordance with it, unless material considerations indicate otherwise. The proposed development would assist in providing new residential dwellings, and in ensuring a range of employment opportunities, within Burbage, and so would comply with CS Policy 4. It would not conflict with other CS policies.
46. SADMDPD Policy DM4 provides that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. It adds that development in the countryside will be considered sustainable where, amongst other things, it would significantly contribute to economic growth, and would not have a

¹⁸ The appellant lists 31 benefits. Many of these are separate elements of the housing, economic and environmental benefits that I have assessed. The others do not attract significant weight.

¹⁹ Paragraph 8.4 SoCG in respect of planning balance dated 15 February 2021.

significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside. The appeal site lies within the countryside and I have found that the proposed development would result in substantial harm to its intrinsic value and open character. Notwithstanding its contribution to economic growth, I find that the proposal would conflict with SADMDPD Policy DM4.

47. HBBC applies Policy DM4 with some flexibility, but that is a different consideration to assessing compliance. The intention of Policy DM4 is to 'protect' certain attributes of the countryside by safeguarding it from unsustainable development. Within this overall ambition the policy bites where, amongst other things, development in the countryside would have a significant adverse effect on those attributes. This is not inconsistent with paragraph 170 b) of the NPPF, which provides that planning policies should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. Having regard to NPPF paragraph 213, the reference to 'protect' in Policy DM4 does not materially diminish the due weight the policy attracts.
48. The commercial element of the appeal scheme potentially derives some support from SADMDPD Policy DM20, which makes provision in some circumstances for employment sites adjacent to existing employment areas. However, the supporting text to this policy notes that this favourable consideration would apply where the proposal conformed to other SADMDPD policies.
49. Taking all the above into account, I find that the proposed development would conflict with the development plan as a whole. This policy conflict can be attributed little weight given that the most important policies concerning the settlement boundary here are out-of-date.
50. The eBNP also attracts significant weight. The proposal would conflict with Policy 9 of the eBNP, and so notwithstanding that the residential element of the scheme would be sited adjacent to the settlement boundary, it would also be contrary to eBNP Policy 1. However, the weight attributed to conflict with the eBNP is affected by the CS and SADMDPD relying on an out-of-date evidence base.
51. I have found that the proposed development would conflict with the development plan and would be at odds with the eBNP. However, for the reasons given above the weight that can be attributed to this policy conflict is limited. Chief amongst the other material considerations that are important in determining this appeal is the NPPF.
52. For the reasons set out above concerning the effects on the character and appearance of the area, the proposed development would not result in the creation of a high quality place. I find that the appeal scheme would be contrary to NPPF paragraph 124, which states that the creation of high quality places is fundamental to what the planning and development process should achieve. In addition, it would conflict with NPPF paragraph 127 a), which provides that planning decisions should ensure that developments will function well and add to the overall quality of the area. The scheme would gain support from the Government's objectives of significantly boosting the supply of homes and supporting economic growth and productivity. Nevertheless, I consider that the planning balance falls against the proposal because the adverse

impacts of the appeal scheme would significantly and demonstrably outweigh its benefits, when assessed against the policies in the NPPF taken as a whole.

Other matters

53. I have taken into account all other matters raised in evidence but have found nothing to outweigh the main considerations that lead to my conclusions.

Conditions and unilateral undertaking

54. I have had regard to the suggested planning conditions and the obligations in the unilateral undertaking, but do not consider that these would overcome the objections to granting outline planning permission for the appeal scheme.²⁰

Conclusions

55. The appeal scheme would not retain an appropriate transition zone in this part of Burbage between the existing hotel/proposed dwellings on the higher part of the site and the proposed commercial development. The scheme would be poorly configured and would harm the character and appearance of the area. A traffic calming scheme would be necessary for Sketchley Lane, but in the absence of a detailed proposal it is not possible to assess whether and to what extent such a scheme would add to this harm. The proposal would conflict with the development plan and is at odds with the eBNP. But more significantly in this case, it would be contrary to the NPPF. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

56. This decision is issued before the outcome of the eBNP referendum is known.²¹ It has, therefore, been determined on the evidence adduced at the Inquiry and on the basis that the eBNP attracts significant weight. If the referendum endorses the eBNP that would enhance the weight given to the conflict with Policies 9 and 1 in determining this appeal, although the weight attributed to this policy conflict would be affected by the CS and SADMDPD relying on an out-of-date evidence base. If the eBNP is not approved at the referendum little weight could be given to Policy 9. But in my judgement that would not tip the planning balance in favour of the appeal scheme. In that scenario the harm I have identified and conflict with the NPPF would still justify dismissing the appeal because the adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

John Woolcock
Inspector

²⁰ ID6.6 and ID26.2. The appellant also indicated at the Inquiry that a condition to reduce the ridge height of the building in the north-western part of the site from 15 m to 12 m would be accepted if this would enable the scheme to be permitted.

²¹ The appellant's closing submissions are made on the basis that the Burbage Neighbourhood Plan is likely to be in force when this decision is issued (ID32 paragraph 2.23).

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

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of Counsel

Instructed by the head of legal services HBBC

He called

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FOR THE APPELLANT:

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James Corbet Burcher
Junior Counsel

Instructed by Elizabeth Marjoram LLB
Consultant Solicitor Bird Wilford & Sale

They called

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Partnership Ltd
Director The Environmental Dimension
Partnership Ltd
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Planning Director Stantec UK Ltd

INTERESTED PERSONS:

Cllr Richard Flemming MA BA

HBBC Member for Burbage St Catherines & Lash
Hill and Chairman Burbage Parish Council

Cllr Barry Walker

HBBC Member for Burbage Sketchley and
Stretton Ward and Member of Burbage Parish
Council

Cllr Mike Hall

Member of Burbage Parish Council

DOCUMENTS SUBMITTED PRIOR TO (PreID) AND AT THE INQUIRY (ID)

PreID	1	Burbage Parish Council's letter dated 2 March 2021
PreID	2	Suggested route for pre-inquiry visit by Inspector
PreID	3	CIL Compliance Statement
PreID	4	Suggested conditions and reasons
PreID	5	Draft programme/timetable for Inquiry
PreID	6	Connection Test Notes dated 2 March 2021
PreID	7	Opening statement by appellant
PreID	8	Opening statement by HBBC
PreID	9	Draft unilateral undertaking
PreID	10	Statement by Cllr Mike Hall
PreID	11	Statement by Cllr Richard Flemming
PreID	12	Statement by Cllr Barry Walker
PreID	13	Statement of Common Ground in respect of most important development plan policies
PreID	14	Note by appellant Appeal Scheme Changes Consultation
PreID	15	Email from HBBC dated 19 February 2021 re Springfield Riding School
PreID	16	Email exchange concerning error on application form
PreID	17	Plan showing publicly accessible routes south of the A5
PreID	18	Updated highways SoCG dated 8 March 2021
ID	1	Extract from Inspector's opening announcements re main issues
ID	2	Written statement by Mr and Mrs Nicol
ID	3	Extract from Landscape Sensitivity and Green Infrastructure Study for Leicester and Leicestershire 2017
ID	4.1	Inspector's ruling about amended description of proposal
	4.2	Corrected ruling
ID	5.1	Email from appellant dated 9 March 2021 re amended plans
	5.2	Land Budget Plan 037m
	5.3	Building Heights Plan 015h
ID	6.1	Revised suggested conditions
	6.2	Inspector's queries about suggested conditions
	6.3	Appellant's revised conditions for scheme
	6.4	Appellant's revised conditions for residential development
	6.5	Appellant's revised conditions for commercial development
	6.6	Agreed conditions applicable to the whole development
ID	7.1	Written statement by Cristian Ettridge
	7.2	Extract from proposal plan showing boundary with The Spinney
ID	8	Green Infrastructure Corridors – Dimensions sk013 11 March 2021
ID	9	Building Separation – Dimensions sk014a 11 March 2021
ID	10	Mr Stacey's list of appeals re affordable housing
ID	11	Extract from Hinckley & Bosworth Local Plan 2001
ID	12	HBBC report 17/01043/HYB dated 6 March 2018
ID	13	Hinckley Park – Illustrative Photomontage
ID	14	Hardstanding Separation – Dimensions sk016a 12 March 2021
ID	15	Existing Contours edp4824 d097
ID	16	Existing Contours - Local Area edp4824 d100a
ID	17	Policy 9 Extent and Proposed Green Infrastructure edp4824 d099a
ID	18	Comparison of Policy 9 and Proposed Green Infrastructure Quantum edp4824 d101a
ID	19	Comparison of tree impacts
ID	20.1	Fixing our broken housing market DCLG February 2017

ID	20.2	White Paper: Planning for the Future August 2020
ID	21.1	Statement of Common Ground (Housing Supply) 18 March 2021
ID	21.2	Scott Schedule regarding housing land supply 17 March 2021
ID	22	Leicestershire County Council correspondence
ID	23	Note by Mr Greep re potential to achieve access from The Spinney
ID	24	Ledbury appeal decision APP/W1850/W/20/3244410
ID	25	Bradford appeal decision APP/W4705/V/18/3208020
ID	26.1	Proposed changes to the s106 obligation
ID	26.2	Deed of unilateral undertaking dated 30 March 2021
ID	27	Note on Biodiversity and Landscape Management Plan
ID	28.1	Suggested itinerary for accompanied site visit – appeal site
ID	28.2	Suggested itinerary for accompanied site visit – locality
ID	28.3	Email dated 19 March 2021 from Cllr Findlay re suggestions for site visit itinerary
ID	29.1	Photomontage year 0 – view from Sketchley Grange car park
	29.2	Photomontage year 0 – central section with Building 8 at 15 m
	29.3	Photomontage year 0 – central section with Building 8 at 12 m
ID	30	Joint closing submissions from local Councillors
ID	31	Closing submissions on behalf of the local planning authority
ID	32	Closing submissions on behalf of the appellant
ID	33.1	Joint statement re: Local Housing Need following the publication of the latest affordability ratio – 29/03/21
	33.2	Addendum to closing submissions on behalf of the local planning authority

APPEAL PLANS

Site boundary plan edp4824_d002f [CD1.6]
 Demolition plan edp4824_d043b [CD1.11]
 Watling Drive access 43859-5501-006A [CD2.12]
 Sketchley Lane access 43859-5501-004C [CD2.23]
 Land budget edp4842_d037m [ID5.2]
 Building heights edp4824_d015i [ID5.3a]

Illustrative masterplan edp4842_d041i [CD2.31]
 Illustrative layout edp4842_d019f [CD2.32]
 Movement strategy edp4842_d040e [CD2.38]
 Landscape strategy edp4842_d045k [CD2.37]
 Illustrative site sections edp4842_sk004c [CD2.33]

Sketchley Lane – Footway and road narrowing improvements
 50711/5501/0001P02 [Appendix A PreID18]

JUDGMENTS

Bassetlaw DC v Secretary of State for Housing [2019] EWHC 556 (Admin)
 R. (on the application of Cherkley Campaign Ltd) v Mole Valley DC
 [2013] EWHC 2582 (Admin)
 R. (on the application of Hayes) v York City Council [2017] EWHC 1374 (admin)
 R. (on the application of TW Logistics Ltd) v Tendring DC [2013] EWCA Civ 9

CORE DOCUMENTS (CD)

CD1 Application Documents and Plans

- CD1.1 Application Forms and Certificates
- CD1.2 Application Form Supplementary Information
- CD1.3 Cover Letter August 2019
- CD1.4 Planning Statement
- CD1.5 Design and Access Statement
- CD1.6 Site Boundary Plan
- CD1.7 Illustrative Masterplan
- CD1.8 Illustrative Layout
- CD1.9 Land Budget Plan
- CD1.10 Building Heights Plan
- CD1.11 Demolition Plan
- CD1.12 Sketchley Lane Site Access
- CD1.13 Watling Drive Site Access
- CD1.14 Assessment of HBBC's Housing Need and Housing Land Supply Position Statement
- CD1.15 Heads of Terms for S106 Agreement
- CD1.16 Sketchley Economics Benefits Statement
- CD1.17 Employment Land Sequential Assessment
- CD1.18 Sketchley Lane Employment Market Report
- CD1.19 Ecological Appraisal
- CD1.20 Landscape and Visual Appraisal
- CD1.21 Archaeological and Heritage Assessment
- CD1.22 Transport Assessment
- CD1.23 Framework Travel Plan (revision A)
- CD1.24 Sketchley Flood Risk Assessment
- CD1.25 Surface Water Drainage Design Technical Note
- CD1.26 Foul Water Drainage Design Technical Note
- CD1.27 Phase 1 Ground Conditions Assessment
- CD1.28 Arboricultural Impact Assessment
- CD1.29 Arboricultural Technical Note
- CD1.30 Noise Impact Assessment
- CD1.31 Sketchley Utilities Appraisal
- CD1.32 Soils and Agricultural Quality

CD2 Additional/Amended Reports and/or Plans submitted after validation

Appeal Submission Documents

- CD2.1 Appeal Scheme Changes for Consultation (revision B)
- CD2.2 Design and Access Addendum (revision D)
- CD2.3 Illustrative Masterplan (revision H)
- CD2.4 Illustrative Layout (revision E)
- CD2.5 Illustrative Site Sections (revision B)
- CD2.6 Site Sections (revision B)
- CD2.7 Land Budget (revision K)
- CD2.8 Policy 9 Wildlife and Green Corridors – Illustrative Masterplan Overlay (revision D)

CD2.9 Building Heights Plan (revision F)
CD2.10 Landscape Strategy (revision H)
CD2.11 Movement Strategy (revision C)
CD2.12 Watling Drive Site Access (revision A)
CD2.13 Economic Benefits Statement Addendum
CD2.14 Employment Market Assessment Update September 2020
CD2.15 Ecology Addendum (revision B)
CD2.16 Landscape Addendum (revision B)
CD2.17 Transport Note (TN05)
CD2.18 Flood Risk Assessment Addendum
CD2.19 Surface Water Drainage Strategy (revision C)
CD2.20 Arboricultural Addendum (revision A)
Documents submitted during the determination of the planning application
CD2.21 EDP Response to Ecology Officer Comments
CD2.22 Sketchley Lane Site Access Rev B
CD2.23 Sketchley Lane Site Access Rev C
CD2.24 Sketchley Lane Site Access Vehicle Movements Plan Rev A
CD2.25 LCC Highways Response Technical Note 43859-5501-TN03
CD2.26 Framework Travel Plan (Revision B)
CD2.27 Open Space Provision Breakdown
CD2.28 Environmental Health Officer Comment Responses Technical Note
CD2.29 Archaeological Evaluation Report (issue 1)
Updated Appeal Submission and Consultation Documents following CMC
CD2.30 Appeal Scheme Changes for Consultation (revision c)
CD2.31 Illustrative Masterplan (revision I)
CD2.32 Illustrative Layout (revision F)
CD2.33 Illustrative Site Sections (revision C)
CD2.34 Land Budget (revision L)
CD2.35 Policy 9 Wildlife and Green Corridor – Overlay (revision E)
CD2.36 Building Heights Plan (revision G)
CD2.37 Landscape Strategy (revision K)
CD2.38 Movement Strategy (revision E)
CD2.39 Ecology Addendum (revision C)
CD2.40 Economics Benefit Statement Addendum (revision A)
CD2.41 Landscape Addendum (revision C)
CD2.42 Arboricultural Addendum (revision C)
CD2.43 Consultation Letter February 2021
CD2.44 Original scheme for clarification of changes Plan (revision A)
CD2.45 Amended scheme for clarification of changes plan (revision A)
CD2.46 Flood Risk Assessment Addendum – 3 February 2021
CD2.47 Transport Note TN05 – 4 February 2021
CD2.48 Consultation Email 5 February 2021
CD2.49 Amended Scheme Consultation Site Notice
CD2.50 Amended Scheme Consultation Press Notice
CD2.51 Amended Scheme Consultation Website screenshot

CD3 Committee Report and Decision Notice

CD3.1 HBBC Committee Report 19 May 2020

CD3.2 HBBC Committee Supplementary Agenda 19 May 2020

CD3.3 Decision Notice 20 May 2020

CD3.4 HBBC Committee Report Pack 2 February 2021

CD3.5 Minutes of the Planning Committee Meeting 19 May 2020

CD4 The Development Plan and evidence base for the current development plan and emerging development plan

The Development Plan

CD4.1 Hinckley and Bosworth Core Strategy 2006-2026 (2009)

CD4.2 Hinckley and Bosworth Site Allocations and Development Management Policies DPD (2016)

CD4.3 Hinckley and Bosworth Affordable Housing Supplementary Planning Document (2011)

Evidence Base for the current development plan and emerging development plan

CD4.4 Leicester and Leicestershire SHMA (2014)

CD4.5 Leicester and Leicestershire SHMA (2008)

CD4.6 Hinckley and Bosworth Housing Needs Study (2019)

CD4.7 Leicester and Leicestershire HEDNA (2017)

CD4.8 Hinckley and Bosworth Core Strategy Inspector's Final Report (2009)

CD5 Emerging Development Plan

CD5.1 Leicester and Leicestershire Strategic Growth Plan

CD5.2 Burbage Neighbourhood plan Referendum Version June 2020

CD5.3 Burbage Neighbourhood Plan Submission Document

CD5.4 Burbage Neighbourhood Plan Examiner's Report 16 April 2020

CD5.5 Burbage Neighbourhood Plan Decision Statement 18 May 2020

CD6 Relevant Appeal Decision

CD6.1 2141564 – Sandbach – 29 September 2011

CD6.2 2140255 and 2143265 – Sandbach – 6 December 2012

CD6.3 2141564 – Sandbach – 17 October 2013

CD6.4 2195900 – Galley Common – 22 November 2013

CD6.5 2203924 – Offenham – 7 February 2014

CD6.6 2209757 – Launceston – 11 April 2014

CD6.7 2199426 – Pulley Lane – 2 July 2014

CD6.8 2208318 – Sketchley House, Burbage – 18 November 2014

CD6.9 2222789 – St Austell – 20 February 2015

CD6.10 2215276 – Tysoe – 13 March 2015

CD6.11 2224465 – Barnstaple – 19 May 2015

CD6.12 2222641 – Corsham – 27 May 2015

CD6.13 3001706 – Twyning – 13 July 2015

CD6.14 3011886 – Shrewsbury – 19 January 2016

CD6.15 3007980 – Shepshed – 8 February 2016

CD6.16 3144248 – Lower Sydenham – 2 August 2016

CD6.17 3137161 – Ludlow – 10 November 2016

CD6.18 3067553 – Newington – 9 January 2017

CD6.19 3150985 – Oldmixon Road – 10 April 2017

CD6.20 3161733 – Lower Shiplake – 2 August 2017

CD6.21 3165228 – Oving Road – 18 August 2017
CD6.22 3142524 – Long Crendon – 25 August 2017
CD6.23 2218921 – Lydney – 7 November 2017
CD6.24 3191477 – Coalpit Heath – 6 September 2018
CD6.25 3208772 – Bedford – 21 January 2019
CD6.26 3213122 – Bromsberrow Heath – 17 April 2019
CD6.27 3206346 – Rothersthorpe – 17 May 2019
CD6.28 3214451 – Woodville – 25 June 2019
CD6.29 3206569 – Dylon – 26 June 2019
CD6.30 3222850 – Crabtree Farm, Barwell – 2 July 2019
CD6.31 3180729 – Hatfield Peverel – 8 July 2019
CD6.32 3192918 – Birmingham – 24 July 2019
CD6.33 3216104 – Sturry – 3 September 2019
CD6.34 3228086 – Great Glen – 9 September 2019
CD6.35 3227970 – Rudgwick – 16 September 2019
CD6.36 3230103 – Gamlangay – 23 September 2019
CD6.37 2212671 – Darnhall – 4 November 2019
CD6.38 3234530 – Takeley – 31 January 2020
CD6.39 3238460 – Great Torrington – 18 March 2020
CD6.40 3238048 – Nine Mile Ride – 9 April 2020
CD6.41 3230827 – Oxford Brookes – 23 April 2020
CD6.42 3169314 – Woburn Sands – 25 June 2020
CD6.43 2197529 and 2197532 – Nantwich – 15 July 2020
CD6.44 3247136 – Euxton – 11 August 2020
CD6.45 3255350 – Whittington – 20 November 2020
CD6.46 3253661 – Braintree – 14 December 2020
CD6.47 3243291 – Drakelow Tunnels – 8 January 2021
CD6.48 3210193 – Morpeth – 9 September 2019
CD6.49 3128707 – Sandbach – 31 October 2016
CD6.50 2226987 – Hassocks – 16 March 2017
CD6.51 3235401 – Desford – 18 December 2019
CD6.52 3188949 – The Common, Barwell – 20 July 2018
CD6.53 3248038 – Tiptree – 18 August 2020
CD6.54 2117379 – Holsworthy – 13 May 2010
CD6.55 2226342 – Burghfield – 17 March 2015
CD6.56 2228089 – Burghfield – 6 July 2015
CD6.57 3245077 – Aviation Lane – 7 October 2020

CD7 Relevant Judgments

CD7.1 Bernard Wheatcroft Ltd v SSE [1982] JPL 37
CD7.2 Cawrey v SSCLG [2016] EWHC 1198 (Admin), [49]-[50]
CD7.3 Bloor Homes Limited v Secretary of State for Communities and Local Government [2014] EWHC 745 (Admin); [2017] PTSR 128
CD7.4 Suffolk Coastal District Council v Hopkins Developments Ltd [2017] UKSC 37; [2017] 1 WLR 1865
CD7.5 Gladman Developments v SSHCLG & Central Bedfordshire Council [2019] EWHC 127 (Admin); [2019] PTSR 1302
CD7.6 Wavendon Properties Limited vs SSHCLG and Milton Keynes Council [2019] EWHC 1524 (Admin); [2019] PTSR 2077

CD7.7 Monkhill v SSHCLG [2019] EWHC 1993 (Admin) | [2020] PTSR 416
CD7.8 Peel Investments North Ltd v SSHCLG [2019] EWHC 2143 (Admin); [2020] P.T.S.R. 503
CD7.9 Gladman Developments Ltd v SSHCLG and Uttlesford [2020] EWHC 518 (Admin); [2020] PTSR 993
CD7.10 R (Oxton Farm) v Harrogate Borough Council [2020] EWCA Civ 805
CD7.11 Peel Investments North Ltd v SSHCLG [2020] EWCA Civ 1175
CD7.12 Corbett v Cornwall Council [2020] EWCA Civ 508, [34]-[43]
CD7.13 Paul Newman v SSHCLG [2021] EWCA Civ 15, [44]-[48]
CD7.14 Stroud DC v SSCLG [2015] EWHC 488 (Admin)
CD7.15 Asda v Leeds City Council [2021] EWCA Civ 32
CD7.16 Gladman Developments Limited v SSHCLG and Corby Borough Council and Uttlesford District Council [2021] EWCA Civ 104

CD8 Appeal Correspondence

CD8.1 Inspector request for further information
CD8.2 Inspector's Agenda
CD8.3 Inspector's Case Management Conference Note
CD8.4 Stantec letter to PINS 19th January 2021

CD9 Planning

CD9.1 Examination Hearing Statements in Relation to Land off Sketchley Lane, Burbage
CD9.2 HBBC Planning Committee 19 May 2020 Full Transcript
CD9.3 HBBC Planning Committee 2 February 2021 Full Transcript
CD9.4 Stantec PBS for Barwood comments on Burbage NP Submission Plan
CD9.5 Stantec PBS for Barwood response to Inspectors hearing questions

CD10 Five Year Housing Supply

CD10.1 Residential Land Availability Monitoring Statement 2019-2020
CD10.2 Residential Land Availability Monitoring Statement 2019-2020 Addendum
CD10.3 Residential Land Availability Monitoring Statement Appendices 2019-2020
CD10.4 Windfall Assessment: 1 April 2020
CD10.5 Hinckley and Bosworth Housing Needs Study 2019
CD10.6 Updated Hinckley and Bosworth Borough Council Land Supply Position (9 February 2021)
CD10.7 BBC Briefing: Housing (February 2020)
CD10.8 Market Bosworth NDP

CD11 Affordable Housing

CD11.1 HBBC Residential Land Availability Monitoring Statement 2019-2020
CD11.2 HBBC Residential Land Availability Monitoring Statement 2019-2020 Appendices
CD11.3 Hinckley and Bosworth Housing Strategy 2018-2023
CD11.4 Hinckley and Bosworth Corporate Plan 2017-2021
CD11.5 Leicestershire Sustainable Community Strategy 2008

CD12 Self-Build Housing

CD12.1 Self-Build and Custom Housebuilding Act (2015)

CD12.2 Extract from Chapter 2 of Housing and Planning Act (2016)

CD12.3 Self-build and Custom housebuilding (Time for compliance and fees) regs (2016)

CD12.4 PPG Self-build and custom housebuilding section

CD13 Commercial/Employment

CD13.1 Hinckley and Bosworth Employment Land and Premises Review (February 2020)

CD13.2 Hinckley and Bosworth Economic Regeneration Strategy 2016-2020

CD13.3 Hinckley and Bosworth Economic Regeneration Strategy Background Action Plan 2016-2020

CD13.4 Leicester and Leicestershire Housing & Economic Development Needs Assessment 2017 [*Duplicate of CD4.7*]

CD13.5 Leicester and Leicestershire Strategic Distribution Study Part A

CD13.6 Leicester and Leicestershire Strategic Distribution Study Part B

CD13.7 Leicester and Leicestershire Strategic Distribution Study Part C

CD13.8 Leicester and Leicestershire Enterprise Partnership Labour Market Dashboard December 2020

CD13.9 Leicester and Leicestershire Enterprise Partnership Business and Economic Intelligence Update 2021

CD13.10 Leicester and Leicestershire Enterprise Partnership COVID-19 Economic Recovery Action Plan December 2020

CD13.11 Leicester and Leicestershire Enterprise Partnership Leicester Logistics Operations, June 2020

CD13.12 Leicester and Leicestershire Enterprise Partnership Local Industrial Strategies Economic Review, June 2019

CD13.13 Leicester and Leicestershire Enterprise Partnership Local Industrial Strategies Policy Prospectus, October 2018

CD13.14 Leicester and Leicestershire Enterprise Partnership Local Industrial Strategy Prospectus July 2018

CD13.15 Leicester and Leicestershire Enterprise Partnership Logistics Infographic

CD13.16 Leicester and Leicestershire Enterprise Partnership Logistics & Distribution Sector Growth Action Plan, May 2015

CD13.17 Leicester and Leicestershire Enterprise Partnership Strategic Economic Plan 2014-2020

CD13.18 HM Treasury, Forecasts for the UK Economy no. 401 December 2020

CD13.19 House of Commons, Briefing Paper 8866 Coronavirus Economic Impact

CD13.20 House of Commons, Briefing Paper 8898 Coronavirus Impact on the Labour Market

CD13.21 A5 Transport Partnership, Strategy Supporting Growth & Movement in the Midlands 2018-2031

CD13.22 Bank of England, Monetary Policy Report, November 2020

CD13.23 Midlands Engine, Midlands Engine Vision for Growth, September 2017

CD13.24 Midlands Engine, Midlands Engine Strategy, March 2017

- CD13.25 Midlands Engine, Prospectus 2016, December 2015
- CD13.26 Midlands Connect, Strategy, March 2017
- CD13.27 NOMIS, Hinckley & Bosworth Labour Market Profile
- CD13.28 ONS, Coronavirus and the latest indicators for the UK economy and society
- CD13.29 ONS, GDP quarterly national accounts, UK July to September 2020, December 2020
- CD13.30 ONS, Hinckley Bosworth Labour Market Dashboard, December 2020
- CD13.31 ONS, Labour market overview UK, December 2020
- CD13.32 ONS, The impact of the Coronavirus so far, 9 December 2020
- CD13.33 ONS, Statistical Bulletin Retail sales Great Britain, November 2020
- CD13.34 ONS, Coronavirus and the impact on output in the UK economy, November 2020
- CD13.35 BPF, Delivering the Goods in 2020, February 2020
- CD13.36 MAKE UK, Reviving Regional Economies The Midlands and East, November 2020
- CD13.37 MAKE UK, Reviving Regional Economies through Manufacturing, November 2020
- CD13.38 MAKE UK, BDO Manufacturing Outlook Q3 2020, September 2020
- CD13.39 MAKE UK, BDO Regional Manufacturing Outlook, July 2020
- CD13.40 Prologis, COVID-19 Special Report, June 2020
- CD13.41 Prologis, UK Employment Paper Tech Insight, September 2020
- CD13.42 Savills, Big Shed Briefing, January 2021
- CD13.43 KPMG, The Future of Towns and Cities Post COVID-19, January 2021
- CD13.44 Resolution Foundation, Jobs Jobs Jobs, October 2020
- CD13.45 The Guardian, Covid and Brexit UK manufacturers bringing it all back home, 23 November 2020
- CD13.46 Industrial Strategy: building a Britain fit for the future (November 2017)
- CD13.47 Hinckley & Bosworth Employment Land Availability Monitoring Statement (April 2019 – March 2020) (1 April 2020)
- CD13.48 Prime Minister Economy Speech, 30 June 2020
- CD13.49 European Manufacturing Outlook – Autumn 2020, Savills
- CD13.50 Business Secretary Calls with Business Leaders, 11 January 2021
- CD13.51 The Bank of England Monetary Policy Committee February 2021 report
- CD13.52 The Crisis in Retailing: Closures & Job Losses (February 2021)
- CD13.53 Centre for Retail Research: Who's Gone Bust in Retail? (Feb 2021)
- CD13.54 Prologis, European E-Commerce, E-Fulfilment and Job Creation, February 2021

CD14 Ecology

- CD14.1 Hinckley and Bosworth Borough Phase 1 – Habitat Study of Proposed Allocation Sites (Part 1)
- CD14.2 Hinckley and Bosworth Borough Phase 1 – Habitat Study of Proposed Allocation Sites (Part 2)
- CD14.3 Hinckley and Bosworth Borough Phase 1 – Habitat Study of Proposed Allocation Sites (Part 3)

- CD14.4 Hinckley and Bosworth Borough Phase 1 – Habitat Study of Proposed Allocation Sites (Part 4)
- CD14.5 Hinckley and Bosworth Borough Phase 1 – Habitat Study of Proposed Allocation Sites (Part 5)
- CD14.6 Hinckley and Bosworth Borough Phase 1 – Habitat Study of Proposed Allocation Sites (Part 6)
- CD14.7 Hinckley and Bosworth Borough Phase 1 – Habitat Study of Proposed Allocation Sites (Part 7)
- CD14.8 Hinckley and Bosworth Borough Phase 1 – Habitat Study of Proposed Allocation Sites (Part 8)
- CD14.9 Hinckley and Bosworth Borough Phase 1 – Habitat Study of Proposed Allocation Sites (Part 9)
- CD14.10 Guidelines for the selection of Local Wildlife Sites in Leicester, Leicestershire and Rutland

CD15 Landscape

- CD15.1 Landscape Character Assessment 2017
- CD15.2 Landscape Sensitivity Assessment 2017
- CD15.3 LCA Rugby Sensitivity and Condition
- CD15.4 Dunsmore LCA 1993
- CD15.5 Dunsmore LCA 1993 – Map
- CD15.6 Guidelines for Landscape and Visual Impact Assessment, 3rd Edition, Landscape Institute and IEMA, 2013
- CD15.7 Burbage Parish Walks Leaflet (Leicestershire County Council, Reprinted 2009) – attached
- CD15.8 Landscape Assessment of the Borough of Rugby, Sensitivity and Condition Study (April 2006)

CD16 Heritage

- CD16.1 Ministry of Housing, Communities and Local Government (MHCLG) 2019 Planning Practice Guidance: What are Non-designated Heritage Assets
- CD16.2 Historic England. 2018a Introductions to Heritage Assets: Field Systems (London)
- CD16.3 Wilson, D.R. 2000 Air Photo Interpretation for Archaeologists (London)
- CD16.4 Taylor, C. 1975 Fields in the English Landscape (London: JM Dent)
- CD16.5 Hall, D (1982) Medieval Fields (Shire Archaeology)
- CD16.6 Wade-Martins, S & Williamson, T (1999) Roots of Change: Farming and the Landscape in East Anglia, c.1700-1870 (British Agricultural History Society)
- CD16.7 Williamson, T. 2003 Shaping Medieval Landscapes: Settlement, Society, Environment (Oxford: Oxbow)
- CD16.8 Historic England (HE), 2012, A project brief for the Turning the Plough Update Assessment 2012, London
- CD16.9 Historic England (HE), 2018b. Designation Selection Guide: Agriculture
- CD16.10 Hall, D. 2001 Turning the Plough: Midland open fields, landscape character and proposals for management. (English Heritage / Northamptonshire County Council)

- CD16.11 Gloucestershire County Council 2012, NHPP 2D1: Agriculture and Forestry Impacts Project No.6468, Turning the Plough Update Assessment 2012 – Summary Report for English Heritage, Version 3 Final Gloucester
- CD16.12 SUMO, 2019, Geophysical Survey Report: Land off Sketchley Lane, Leicestershire unpublished
- CD16.13 Oxford Archaeology, 2019. Sketchley Lane, Sketchley: Archaeological Evaluation Report Unpublished
- CD16.14 Email from Sophie Clarke, Senior Planning Archaeologist at Leicestershire County Council dated 22 November 2019

CD17 Highways

- CD17.1 The Chartered Institution of Highways and Transportation, Manual for Streets 2 Wider Application of the Principles, 2010
- CD17.2 Department for Transport, Manual for Streets, 2007
- CD17.3 Leicestershire County Council, Leicestershire Highways Design Guide, 2018
- CD17.4 Highways England Response to Planning Application dated 6 March 2020
- CD17.5 Leicestershire County Council Local Highway Authority Response to Planning Application dated 24 January 2020
- CD17.6 TN04 Technical Note 'Responses to LCC Comments'
- CD17.7 LTN 1/20 – Cycle Infrastructure Design
- CD17.8 Inclusive mobility
- CD17.9 Gear Change – A bold vision for cycling and walking
- CD17.10 Transport Note (TN03)
- CD17.11 LCC Consultation response to the TA dated 7 October 2019