

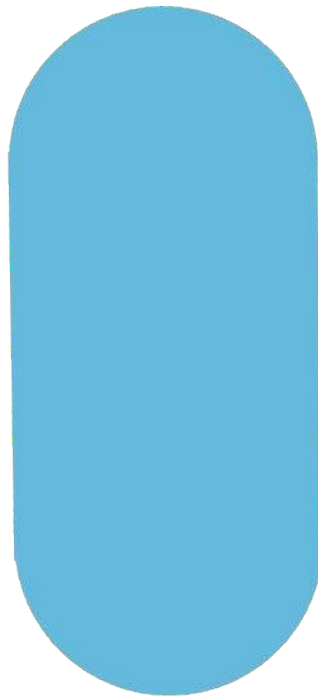


 Part of Shakespeare Martineau

Richborough Estates, Messrs Longwill, Jenny Nicholls & Jason Nicholls

Land at Brascote Lane, Newbold Verdon

PLANNING STATEMENT ADDENDUM





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1. INTRODUCTION

1.1 This Planning Statement Addendum has been prepared by Marrons on behalf of Richborough Estates and, alongside the Planning Statement (March 2022), 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 A previous planning application at the site for up to 239 dwellings (application reference 22/00277/OUT) was validated in March 2022. The application was positively received by Officers and recommended for approval at the 19th September Planning Committee with no technical objections from statutory consultees. The planning application was refused by Members with the Decision Notice dated 21st September 2023. The Decision Notice lists a single reason for refusal:

"1. The proposed development lies within the open countryside, outside of and poorly related to the settlement boundary of Newbold Verdon. As such, the development site does not accord with any of the categories of development that are considered to be acceptable within the countryside and fails to provide convenient or safe access for pedestrians to services and facilities and is not located where the need to travel is minimised. The application is therefore contrary to Policies DM4 and DM17 of the Site Allocations and Development Management Policies Development Plan Document and Sections 9 and 12 of the National Planning Policy Framework."

1.3 An appeal has been submitted in respect of the refusal of planning permission.

1.4 This application directly addresses the concerns expressed by the Planning Committee and demonstrates that, consistent with the original Planning Statement (March 2022) and the findings of the professional officer's through the Committee Report, there remain no adverse impacts



of the proposals that would significantly and demonstrably outweigh the benefits and, as such, planning permission should be granted.

1.5 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)
- Transport Assessment Rev A (Hub Transport Planning)
- Travel Plan (Hub Transport Planning)
- Travel Plan Rev A (Hub Transport Planning)
- Transport Technical Note (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)
- Consultation Statement (Marrons)



2. THE DEVELOPMENT PLAN

- 2.1 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.

Adopted Development Plan

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

- 2.3 A detailed breakdown of the adopted policies is contained within the original Planning Statement (March 2022).

Emerging Local Plan

- 2.4 The emerging Local Plan 2020-2039 was published for a Regulation 19 consultation between 9th February 2022 and 23rd March 2022.

- 2.5 A new Local Development Scheme (LDS) was approved at Full Council on 13 December 2022. The updated LDS extends the Local Plan period to 2041 and revises the timetable for production of the Local Plan, with a further Reg.19 Consultation Draft Plan in May – June 2024. Submission is programmed for August 2024 and Adoption anticipated for August 2025.

- 2.6 Notwithstanding the above, the Council is now re-considering the number of homes that Hinckley and Bosworth will need to plan for - as a result of a slightly higher Standard Method figure, agreement around the distribution of Leicester's unmet housing need and the extension of the plan period to 2041. These matters result in an increased requirement for an additional 3,500 homes, a housing requirement of around 12,000 homes in total. To meet that need, additional allocations will need to be made which will ultimately require the use of additional greenfield land within the Borough.

- 2.7 In order to manage these matters we understand the Council is considering whether to publish a further Reg.18 Local Plan document. There is, therefore, some doubt about the timescales for preparing the local plan to the



programme set out in the December 2022 Local Development Scheme. There is also significant doubt that a local plan will deal with housing issues in the short to medium term meaning a continuation of the housing crisis in the Borough and a failure to provide a plan-led solution.

- 2.8 Importantly, and as set out in the Planning Statement (March 2022), 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. Despite the Plans Committees support for local feelings the evidence points to the draft allocation at Brascote Lane and given additional sites are needed, not less, there is no basis to conclude that the principle for releasing Brascote Lane for housing should change.

Newbold Verdon Neighbourhood Plan

- 2.9 Following an aborted submission, a second Regulation 14 Neighbourhood Plan was consulted on between August and September 2020 with a Pre-Submission draft published in October 2021. This Pre-Submission draft updates the plan period to 2022-39 and identified a minimum housing requirement for the parish of 16 dwellings on the basis of the previous draft Local Plan identifying a minimum of 200 new dwellings to Key Rural Centres.
- 2.10 Given its stage of preparation no weight can be applied to the emerging Neighbourhood Plan in the determination of this application at this stage.



3. PRINCIPLE OF DEVELOPMENT

- 3.1 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.
- 3.2 The Core Strategy was adopted in December 2009 and is now almost 14 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.
- 3.3 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 2021 – 31 March 2022. The report states that as of 1st April 2022, the Council could demonstrate just 4.89 years of housing land supply. More recently the Council has accepted that there is a 4.76 year supply through common ground at several public inquiries.
- 3.4 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, and a position accepted by the Council in numerous Statements of Common Ground, that Core Strategy Policy 11 and SADMP Policy DM4, are out-of-date and the 'tilted balance' applies. The NPPF dictates that the weight attached to the most important policies for determining the applications are reduced.
- 3.5 Importantly, 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 which will have included



consideration of landscape and connectivity to local facilities and services.

- 3.6 Furthermore, the previous application (reference 22/00277/OUT) was recommended for approval at planning committee (date 19th September 2023). on the basis that it represented sustainable development. The Committee Report concluded that the site represented sustainable development, that affordable housing provision weighs heavily in favour of the scheme and that the proposal demonstrated that it will not have an unacceptable impact on the surrounding area from a landscape character or visual impact perspective.

Transport and Highways

- 3.7 The Transport Assessment (TA), Travel Plan (TP), and Technical Note (dated 11/08/2023) submitted as part of the original planning application (22/00277/OUT) clearly set out that the proposed residential development conforms with relevant highways, transport, and accessibility policies. This is a position agreed by the Local Highway Authority (LHA) and accepted by the Council officers. However, the planning application was refused planning permission by Hinckley & Bosworth BC for the reason set out in paragraph 1.2 of this Addendum.
- 3.8 As a result of the refusal, the issues relating to safe access for pedestrians to services and facilities have been reviewed alongside the need to minimise the need to travel, and this Addendum provides further clarity on the original submission and indicates any amendments where helpful.
- 3.9 The table below provides updated distances to local facilities as measured from the centre of the proposed residential development.



Table 1 - Distance to Local Services

Facility	Distance without off-site PRoW via		Distance using off-site PRoW via	
	Vehicle Access	F/path NW Corner	Vehicle access	F/path NW Corner
The Windmill Inn	250m ^(2.)	-	250m ^(2.)	-
Bus Stops - Main St, Old White Swan	825m	735m	N/A	N/A
Newbold Verdon Methodist Church	940m	850m	N/A	N/A
Church of St. James	960m	870m	N/A	N/A
Main Street Facilities (Incl. Convenience Stores, Post Office, Cafés, Hairdressers, Public House,	1.01km–1.25km	920m-1.16km	1.09km-1.20km	1.00km-1.11km
Newbold Verdon Baptist Church	1.01km	920m	N/A	N/A
Newbold Verdon Primary School	1.06km	970m	N/A	N/A
Newbold Verdon Cricket Club	1.16km	1.07km	1.11km	1.02km
De Verdun Day Nursery	1.18km	1.09km	1.13km	1.04km
Heathbrook Pharmacy	1.20km	1.11km	1.15km	1.06km
Lotus House	1.37km	1.28km	N/A	N/A
Newbold Verdon Medical Practice	1.50km	1.41km	N/A	N/A
Newbold Verdon Equestrian Centre	1.85km	1.76km	N/A	N/A

Notes: 1. All distances from centre of housing.
2. Distance to Windmill Inn via internal footway network.
3. Main St facilities distance range calculated between the Liberteas coffee shop and the library.

3.10 The transport submissions clearly demonstrate that the proposed development conforms to relevant policies and guidance. The great majority of facilities listed are within the preferred maximum walking distances as set out in guidance prepared by the Institute of Highways and Transportation including; convenience stores, post office, cafes, leisure facilities, primary school, nursery, pharmacy, and places of worship. Manual for Streets (MfS) refers to walkable neighbourhoods at 800m although that is not an upper limit and the document also references the former PPG13 guidance of 2km where walking can realistically replace short car trips.

3.11 Given the average walk trip distance of 1.28km in 2021 (published August 2022), it is reasonable to assume that an average person will walk between 800m and 2.0km to reach local facilities.

3.12 It is noted that a good standard of footway provision is provided along the site frontage on Brascote Lane from The Windmill Inn towards the village. Brascote Lane is lit along this section and the very latest personal injury accident data (PIA) provided in the Technical Note submission does not indicate any accident issue along the route towards the centre of the village. The pedestrian route towards the centre of the village is safe.



- 3.13 The dwellings within the development will be provided with the high quality broadband connections to allow for working from home, where possible, reducing the need to travel. As already demonstrated, the development is well located to local facilities to undertake such journeys by foot. In addition, the development is supported by a Travel Plan which will promote use of sustainable travel including; travel packs to be provided to all dwellings with information related to use of active/sustainable modes of travel, the provision of two x 6-month bus passes per dwelling, and commitment to monitoring of the TP.
- 3.14 Following extensive consultation with the LHA resulting in detailed transport surveys and submissions, the LHA and the planning officers accept that the development is appropriately located to local facilities and services, provides safe and suitable access for all users including pedestrians, will not have an unacceptable impact on highway safety, and that cumulative traffic impacts on the road network would not be severe.

Landscape and Visual Impact

- 3.15 A Landscape & Visual Appraisal (LVA) was undertaken as part of the previous application at the site (ref: 22/00277/OUT). That assessment work represented the most up-to-date consideration of the baseline landscape and visual context and impacts that would arise in response to the outline development parameters. The approach and judgements were supported by the Council Officers, and a recommendation for approval followed.
- 3.16 This revised application is accompanied by an updated Landscape and Visual Impact Assessment (LVIA), for which the findings are broadly consistent with the previous planning application. However, further justification has been provided in terms of the ability of the site to assimilate development with causing harm to the local landscape.
- 3.17 The impacts on the landscape character of the site within the context of the Bosworth Parkland Landscape Character Area (LCA) and Newbold and Desford Rolling Farmland LCA are considered to result in neutral effects as a small proportion of the landscape character area will be changed, resulting in a bigger village size overall, but no fundamentally defining features will be lost



(two small sections of hedgerow only), and those features that will change will be compensated for (with hedgerow planting replaced in excess of that which will be removed) and extensive new areas of public open space and landscaping that enhances the character of the landscape locally. The new housing will not be uncharacteristic within the receiving landscape, will affect a limited geographical area in relation to the wider LCA, and will not be readily visible from the majority of the public footpath network that traverses the LCA.

- 3.18 The impacts on the site itself are considered to result in moderate-minor adverse effects as the site is changed from an arable field to a housing development and Country Park which considerably alters its landscape character. The proposed areas of landscaping and public open space including the Country Park and village green moderate this impact due to the localised beneficial changes they will bring about.
- 3.19 Visually, the site is contained by its boundary hedgerows and hedgerow trees. Although the land surrounding the site is relatively open, the presence and layering of mature field boundary hedgerows alongside woodland blocks, means that there are few opportunities to view the site. Visibility of the site is only possible from the adjoining Brascote Road, the adjoining allotments, the Public Footpath to the east and heavily filtered views from Newbold Verdon Cricket Club to the north-east. All other visibility, including from the existing settlement edge to the north, is restricted to glimpses through gaps in boundary vegetation.
- 3.20 The key points to reiterate in terms of the acceptability of the site to absorb a sensitive development response include:
- The site is not subject to any landscape designations;
 - In the context of paragraph 174a of the National Planning Policy Framework (NPPF), the site is not considered to represent a 'valued landscape'. It is an ordinary greenfield land on the immediate settlement fringe;
 - The wider Bosworth Parkland LCA and Newbold and Desford Rolling Farmland LCA contains features and attributes that have greater value



and are less susceptible to change. The proposed development does not impact upon or change the understanding and quality of those key LCA qualities;

- There is inter-visibility and a visual connection between the site and the existing settlement edge associated with Arnold's Crescent;
- Visibility is highly localised because of the strong network of boundary vegetation;
- Development off-sets associated with Brascote Lane and the proposed landscaping limit the extent to which the proposed development can be perceived when entering and exiting the existing settlement;
- The allotments on Brascote Lane and the Windmill Inn already act as a visual gateway into the settlement and the perception that you are entering the village; and
- The proposed development parameters and the significant amount of Green Infrastructure provide a landscape-led approach that diminishes the scale of the scheme and the ability to both conserve and enhance the local landscape.



4. SUMMARY AND CONCLUSIONS

- 4.1 This Planning Statement Addendum demonstrates that, alongside the submission documents, 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.
- 4.2 It is clear that the reason for refusal of the previous application (ref: 22/00277/OUT) can be appropriately dealt with and there are no insurmountable technical issues in the development control sense that should prevent permission being granted. The site is wholly sustainable development 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.